
**Framework Convention
for the Protection of the Marine
Environment of the Caspian Sea**

Distr.: General
22 July 2011

Original: English

**CONFERENCE OF THE PARTIES
Third Meeting
Aktau, 10-12 August 2011**

Item 2 b) of the provisional agenda

PROVISIONAL ANNOTATED AGENDA

WORKING SESSIONS

Item 1. Opening of the meeting

1. The third Meeting of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran Convention) will be held from 10 to 12 August 2011 in Aktau, Republic of Kazakhstan. The meeting will be opened at 10 a.m. on Wednesday, 10th August.
2. In line with the adopted Rules of Procedure, the meeting will be declared open by the Chairperson in office, Vice-president and Head of the Department of Environment of the I.R. of Iran, His Excellency Mr. Mohammad Javad Mohammadzadeh, or his Representative.
3. Welcoming announcements will be made by a representative or representatives of the Government of Kazakhstan and by the Representative of the interim Secretariat.

Item 2. Organizational matters

a) Election of officers

4. The Conference is requested to elect its Bureau. In accordance with Rule 13 of the Rules of Procedure, the Conference of the Parties should elect a Chairperson and a Vice-Chairperson (to replace the Chair in his absence). In the absence of an Executive Secretary, the Head of the interim Secretariat, or his representative, will act as Rapporteur.
5. Upon election and in accordance with Rule 14 of the Rules of Procedure, the Chairperson will preside at the meeting, ensure the observance of the Rules of Procedure, accord the right to speak, put questions to the vote and announce decisions.

b) Adoption of the agenda

6. The Conference may wish to consider and adopt the provisional agenda as contained in document TC/COP3/1 Rev.2, prepared by the interim Secretariat pursuant to Rules 6 and 7 of the Rules of Procedure.
7. When preparing the provisional agenda, the interim Secretariat has based itself on the Statement of Ministers and the Decisions of the second Meeting of the Conference of the Parties, and has taken into account the discussion and decisions taken at the Preparatory meetings for the 3rd Meeting of the Conference of the Parties to the Tehran Convention (16-17 September 2010, Almaty, Kazakhstan; 11-12 February 2011, Geneva, Switzerland; and 14-15 July 2011, Geneva, Switzerland).

c) **Organization of work**

8. Upon introduction by the Chairperson, the Conference is requested to consider and agree on the organization of work for the meeting (TC/COP3/1/Add.2 Rev.1). The High-level segment of the third Meeting of the Conference of the Parties is proposed to take place on Thursday, 11 August 2011, from 14.00 till 18.00, and 12 August 2011 from 10.00 till 13.00, and Heads of Delegations will be requested to adopt and sign the Protocol Concerning Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents and the Protocol on Environmental Impact Assessment in a Trans-boundary Context, as well as to consider and adopt the Ministerial Statement and Decisions of the Conference.

d) **Admission of observers**

9. According to the Rules of Procedure, Rule 35, the United Nations, its specialized agencies, and any State not a Party to the Convention may be invited to participate at the open sessions of the Conference of the Parties. Such observers may, upon invitation of the Chairperson, participate without the right to vote in the proceedings of any meeting unless at least one of the Parties present at the meeting objects.
10. According to the Rules of Procedure, Rule 36, the Conference of the Parties may admit as observer any agency or body, whether international or national, intergovernmental or non-governmental, which is qualified in matters covered by the Convention and which has informed the Secretariat of its wish to be represented at the open session of the Conference of the Parties, unless at least one of the Parties present at the meeting objects. Such observers may, upon invitation of the Chairperson, participate without the right to vote in the proceedings of any session in matters of direct concern to the body or agency they represent, unless at least one of the Parties present at the meeting objects.
11. In accordance with Rule 35 and 36 of the Rules of Procedure, the Conference might wish to consider the draft list of observers, prepared by the interim Secretariat in line with Rule 38 of the Rules of Procedure (TC/COP3/1/Add.3) and agree on the admission of those observers to the Conference.

Item 3. Report on the credentials and full powers of representatives to the third Meeting of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea.

12. Pursuant to Rule 10 of the Rules of Procedure, and as outlined in the document TC/COP3/INF.1, the credentials and full powers should be submitted to the Secretariat before the end of the first session. The credentials should be issued according to the

national legislation and must bear the name of the persons who are members of the delegations indicating their positions in the delegation. Full Powers should be issued and signed by one of the three qualified authorities and must unambiguously empower the representative of the Government concerned to sign the protocols submitted for adoption and signature to the COP3.

13. Pursuant to Rule 10 of the Rules of Procedure, the Bureau will examine the credentials and full powers and report thereon to the Conference of the Parties for decision.

Item 4. Report of the interim Secretariat of the Tehran Convention

14. Article 22 para. 10 (e) establishes that the Conference of the Parties considers reports prepared by the Secretariat on matters relating to the Convention. Furthermore, Article 23 para. 4 (b) and (d) of the Tehran Convention requests the Secretariat to prepare reports on matters relating to the implementation of the Convention and its protocols.
15. The Report “Implementation of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea”, prepared by the interim Secretariat and reviewed during the Preparatory Meeting for the third meeting of the Conference of the Parties, Almaty, Kazakhstan, 16-17 September 2010 is contained in document TC/COP3/2, dated 13 October 2010.
16. Based upon further comments and proposals received and discussed during meetings in Geneva (11 – 12 February 2011) and Ashgabat (14 – 17 March 2011) an Addendum to the Report of the interim Secretariat (TC/COP3/2 Add.1) has been issued by the interim Secretariat with a view to update the report of the interim Secretariat and facilitate the discussion at the preparatory meeting in Geneva, Switzerland, on 14-15 July 2011.
17. The Conference may wish to take note of the Reports as contained in documents TC/COP3/2 and TC/COP3/2 Add.1, as a comprehensive overview of the progress in the implementation of the Tehran Convention since the second meeting of the Conference of the Parties.

Item 5. Items for consideration and decision by the Conference of the Parties.

18. During the Meeting of Senior Officials on procedural and institutional issues of the Tehran Convention, assembled in Geneva from 25-29 May 2010, and the preparatory meetings for the third Meeting of the Conference of the Parties, referred to in paragraph 7 above, a discussion took place on the location of the Tehran Convention Secretariat. (TC/COP3/2, paras 7-13; TC/COP3/2 Add. 1, para 5). **The Conference of the Parties may wish to discuss and include in the draft Ministerial Statement a decision on the location of the Secretariat of the Convention.**
19. At the High-level segment Heads of Delegation are invited to adopt and sign the Protocol Concerning Regional preparedness, Response and Cooperation in Combating Oil Pollution Incidents to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (TC/COP3/3). Before adoption and signing **the Conference of the Parties may wish to consider and take a decision on the proposal of the Islamic Republic of Iran to include an article on reporting, reading as follows: “Each Contracting Party shall submit to the Secretariat reports on measures undertaken for the implementation of this Protocol in a format to be adopted by the Conference of the Parties.”**

20. At the High-level segment Heads of Delegation are invited to adopt and sign the Protocol on Environmental Impact Assessment in a Trans-boundary Context to the Framework Convention for the Protection of the Marine Environment of the Caspian (TC/COP3/4 Rev 1). In order to make this possible **the Conference of the Parties needs to reach agreement on article 1 (b) and article 8.2.**
21. In the preparatory meeting in Geneva, 11 – 12 February 2011, and follow up discussions during the meetings on monitoring and NCAP in Ashgabat, 14 – 17 March 2011, final agreement was reached on the text of the draft Protocol for the Protection of the Caspian Sea against Pollution from Land Based Sources and Activities (LBS) as well as on the text of the draft Protocol on the Conservation of Biological Diversity with the exception of article 1 (e). The draft protocol on LBS was distributed by letter of 25 March 2011 and the draft Protocol on the Conservation of Bio-logical Diversity by letter of 15 April 2011, for internal approval by the Governments of the Caspian states. Against that background **the Conference of the Parties may wish to welcome the progress and underline the importance of completing the process of endorsement of the protocols.**
22. In view of the discussions during the Meeting of Senior Officials on procedural and institutional issues in Geneva, 25-29 May 2010, and during the preparatory meetings referred to in paragraph 7 above, on the note prepared by the interim Secretariat on the Administration and Financial Management of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (TC/COP3/7), the Conference of the Parties may wish to “**emphasize again the need to shift the Convention Secretariat office to the Caspian Sea region and to finalize the procedural aspects of the Convention, especially as regards the Secretariat location**”, and “**express their gratitude and invite the United Nations Environment Programme (UNEP) to continue to host and administer the interim Secretariat of the Tehran Convention through its Regional Office for Europe in Geneva, until a permanent Secretariat arrangement has been decided upon and put in place**”.
23. **The Conference of the Parties may wish to adopt the Unified Reporting Format for the Tehran Convention and Protocols (TC/COP3/8) as agreed upon at the Preparatory Meeting in Almaty, 16-17 September 2010, and request the (interim) Secretariat to co-ordinate and prepare the first report on the implementation of the Convention and Protocols for consideration by COP4.**
24. In response to the decisions taken at the second Meeting of the COP and taking into account the outcome of the Regional Fisheries Meeting under the auspices of the CaspEco project, Geneva, Switzerland, 16-17 July 2011, **the Conference of the Parties may wish to “welcome and encourage a dialogue and collaborative arrangement between the CAB and the Tehran Convention in support of a regional agreement or protocol on conservation and exploitation of the Aquatic Bio-resources of the Caspian Sea”**
25. The Conference of the Parties may wish to “**welcome the Public Participation Strategy and confirm their intention to facilitate stakeholder engagement in the protection of the marine environment of the Caspian Sea through National Strategies for Civil Society Engagement in the Protection of the Marine Environment of the Caspian Sea being part of National Convention Action Plans**” (TC/COP3/9) as agreed upon by the Preparatory Meeting for the third Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea in Almaty, Kazakhstan, 16-17 September 2010.

26. **The Conference of the Parties is requested to consider and adopt the Programme of Work 2011 – 2012, including the projected expenditures from country contributions (TC/COP3/11 Rev. 3) prepared and finalized by the interim Secretariat based on the discussions at the preparatory meetings referred to in paragraph 7, in the understanding that, with the consent of the representatives of the Contracting Parties, its implementation is already underway.**
27. **The Conference of the Parties may wish to recall and reiterate its decision to continue to collectively provide an amount of USD 360,000 per year (USD 72,000 as contribution of each Party) to the budget of the Tehran Convention.**

Item 6. Place and date of the fourth Meeting of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea

28. The Conference has before it a note prepared by the interim Secretariat on the date and venue of its fourth meeting (TC/COP2/12).
29. When deciding on the place for its fourth meeting, the Conference may wish to refer to the relevant provisions of the Convention, in particular Article 22 para. 5 of the Convention and Rule 3 of the Rules of Procedure which stipulate that the ordinary meetings of the Conference of the Parties "shall be held in the territories of the countries of the Contracting Parties on the basis of rotation in alphabetical order of English language or at the location of the Secretariat".
30. **The Conference is requested to consider the statement delivered by the representative from the Russian Federation at the Preparatory Meeting for the 3rd Meeting of the Conference of the Parties (16-17 September 2010, Almaty, Kazakhstan), whereby the Russian Federation confirmed its readiness to host the fourth Meeting of the Conference of the Parties, in accordance with the relevant provisions of the Convention and the Rules of Procedure.**

Item 7. State of the Caspian Sea Environment report

31. A presentation will be given of the pre-print version of the first Caspian Sea State of the Environment report (TC/COP3/INF.2). The State of the Environment Report was prepared by the interim Secretariat of the Tehran Convention in line with the provisions of Article 21 of the Convention and as a part of the implementation of the Programme of Work for the period from 1 January 2009 till 31 December 2010 adopted by the COP2.
32. **The Conference may wish to welcome the presentation first SOE-Report, decide that the next State of the Environment Report should be issued in four years time, and request the Secretariat to develop for submission and decision by the Conference of the Parties at its fourth Meeting, a monitoring format for future state of the environment reports with core indicators and networks of institutions capable of measuring the quality of the waters of the Caspian Sea.**

Item 8. Finalization Ministerial Statement and Decisions.

33. Taking into account its decisions on the proposals contained in paragraphs 18 to 27, 29 and 31 above, **the Conference of the Parties is requested to review and adopt the Ministerial Statement and Decisions of the third Meeting of the Conference of the Parties to the Tehran Convention** (TC/COP3/13 Rev 3) prepared by the interim Secretariat on the basis of the outcome and agreements reached at the Preparatory Meetings mentioned in paragraph 7 above.

Item 9. Other matters

34. Under this Agenda item the Conference is asked to consider any other matters that might require the attention of the Conference or be raised by delegations in the course of the meeting.

HIGH LEVEL SEGMENT

Item 10. Opening of the High-level segment

a) Welcome address of the host country

35. The Inaugural Session will start on 11 August at 14.00 with a welcome note from the host Government.

b) Statements of Parties to the Tehran Convention

36. The High-level representatives of the Parties to the Convention will be invited to deliver keynote speeches/statements on behalf of their Governments.

c) Statement on behalf of the interim Secretariat to the Tehran Convention

37. A message will be delivered by the Representative of the interim Secretariat to the Tehran Convention.

d) Other statements

38. Other high level representatives will be invited to deliver statements.

Item 11. Report of the Bureau on the working sessions

39. The Rapporteur will present the report of the working sessions of the COP3.

Item 12. Adoption and signing of Protocols.

- a) Adoption and signing of the Protocol Concerning Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea**

40. Reference is made to Article 22 para. 10 (c) and Article 24 of the Convention. The Conference has before it the draft **Protocol Concerning Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents** being negotiated and agreed upon by representatives of the Contracting Parties. The text of the Protocol was forwarded to the Contracting Parties by letter of 24 March 2010 inviting them to initiate the internal approval process with the view to have the Protocol adopted and signed at the 3rd Conference of the Parties. The edited version of the Protocol (TC/COP3/3 Edited) in English and Russian is available on the website <http://www.tehranconvention.org>.
 41. The Conference of the Parties may wish to welcome the completion of the negotiations of the Protocol and the Contracting Parties may wish to adopt the Protocol Concerning Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents and invite Ministers/Heads of Delegations to sign the Protocol.
 42. Immediately after the ceremony for signing of the Protocol Concerning Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents, statements may be made by representatives wishing to do so.
- b) Adoption and signing of the Protocol on Environmental Impact Assessment in a Transboundary Context to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea**
43. Reference is made to Article 22 para. 10 (c) and Article 24 of the Convention. The Conference has before it the draft of the **Protocol on Environmental Impact Assessment in a Transboundary Context** being negotiated and agreed upon by the representatives of the Contracting Parties. The text of the Protocol was forwarded to the Contracting Parties by letter of 21 May 2010 inviting them to initiate the internal approval process with the view to have the Protocol adopted and signed at the 3rd Conference of the Parties. The edited version of the Protocol (TC/COP3/4 Edited) in English and Russian is available on the website <http://www.tehranconvention.org>.
 44. The Conference of the Parties may wish to welcome the completion of the negotiations of the Protocol and the Contracting Parties may wish to adopt the Protocol on Environmental Impact Assessment in a Transboundary Context and invite Ministers/Heads of Delegations to sign the Protocol.
 45. Immediately after the ceremony for signing of the Protocol on Environmental Impact Assessment in a Transboundary Context, statements may be made by representatives, wishing to do so.

Item 13. Adoption of the Ministerial Statement and Decisions

46. The high-level representatives will be requested to consider and adopt the draft Ministerial Statement and Decisions prepared by the Conference of the Parties at its working sessions.

Item 14. Closure of the third Meeting of the Conference of the Parties to the Framework Convention on the Protection of the Marine Environment of the Caspian Sea

47. The Chairperson will make a summary of the meeting outcomes and the high-level participants will be invited to deliver closing remarks. In accordance with Rule 14 of the Rules of Procedure, the Chairperson will announce the closing of the meeting.