

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

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**CONFERENCE OF THE PARTIES
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Moscow, 10-12 December 2012**

Item 4 of the provisional agenda

**IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE
PROTECTION OF THE MARINE ENVIRONMENT OF THE CASPIAN SEA
(TEHRAN CONVENTION)**

Report by the interim Secretariat

I. Introduction

The present report clusters and summarizes the activities and work undertaken since and based on the decisions of the Third Meeting of the Conference of the Parties to the Tehran Convention, Aktau, Republic of Kazakhstan, 10-12 August 2011.

II. Secretariat location and arrangements

Documents: TC/COP4/6 and 11 para's 1,2 and 3

(Follow up to TC/COP3/13/Rev.3, para's 1 and 2)

The delegations of the Contracting Parties at their first Preparatory Committee Meeting (PrepCom) in Geneva, Switzerland, 11-13 July 2012, discussed the issue of the Convention Secretariat location and arrangements on the basis of a Note by the interim Secretariat entitled "Shifting the Tehran Convention interim Secretariat to the region: issues to be considered" (TC/COP4/6 Annex I).

It was decided and consequently the National Focal Points (NFPs) of the Republic of Azerbaijan and the Islamic Republic of Iran were requested, by letter of 20 July 2012, "to enter into bilateral discussions in order to harmonize their views/positions on the location of the Convention Secretariat in the Caspian Sea region, as well as on a standardized package of host country secretariat support, with a view to facilitate decision-making on these issues at COP4" (TC/COP4/6 Annex II). Feedback was requested in time for consideration of the issue at the PrepCom of COP4. A copy of the letter was sent to the NFPs of the other Contracting Parties.

The July meeting furthermore agreed and the Ministers were informed that in case no agreement would be reached by all Contracting Parties on the basis of the feedback received, a system of full host country rotation in alphabetical order may be decided and installed.

The delegations to the July meeting confirmed that Parties remain inclined to request UNEP to administer the Secretariat.

At the second Preparatory Committee Meeting in Ashgabat, Turkmenistan, 7-9 November 2012, the Representatives of the Contracting Parties took note of the letter of the IR of Iran dated 29 October 2012 informing that the discussions between Azerbaijan and the IR of Iran are ongoing, and urged the two countries to advance their consultations and to report on the results to COP4. The meeting furthermore agreed with the standardized list of host country secretariat support, prepared by the interim Secretariat contained in Annex II of document TC/COP4/6.

At the fourth Meeting of the Conference of the Parties to the Tehran Convention, 10-12 December 2012, in Moscow, Russian Federation, *delegations are requested to:*

1. Finalize and adopt para 1 of the draft Ministerial Statement (TC/COP4/11) concerning the location of the Convention Secretariat and the standardized package of host country Secretariat support;
2. Confirm and adopt para's 2 and 3 of the draft Ministerial Statement (TC/COP4/11) concerning the composition and host organization of the Convention Secretariat.

III. Protocol matters

Documents: TC/COP4/3, 4, 5, 11 para's 4,5,6,8,9,10 and 11, and INF.3 and 6
(Follow up to TC/COP3/13/Rev.3, para's 3, 4 and 5)

At the first Meeting of the PrepCom for COP4, in Geneva, Switzerland, 11-13 July 2012, the delegations of the Contracting Parties reviewed the texts of the Protocols on the Conservation of Biological Diversity (BD Protocol), on Environmental Impact Assessment in a Trans-boundary Context (EIA Protocol), and on the Protection of the Caspian Sea against Pollution from Land-based Sources and Activities (LBS Protocol). The text of all three Protocols was agreed upon in the understanding that proposals of Turkmenistan with regard to Article 1 (e) of the BD Protocol and with regard to Annex I of the EIA Protocol would be kept pending.

A note reflecting the discussions at the meeting was circulated by e-mail of 19 July 2012; Ministers were informed of the outcome of the first Meeting of the PrepCom by letter of 19 July 2012; and the texts of the Protocols were circulated by e-mail of 27 July 2012 (see documents TC/COP4/3, 4 and 5).

Delegations to the first Meeting of the PrepCom briefly reviewed the status of ratification of the (Aktau) Protocol Concerning Regional Preparedness, Response and Co-operation in Combating Oil Pollution Incidents, and were notified of the outcome of the Workshop on Regional Oil Spill Contingency Planning for the Caspian Littoral States, co-organized by IMO and the Tehran Convention interim Secretariat in Baku, Azerbaijan, 18-20 June 2012 (see document TC/COP3/INF.3).

At the second Meeting of the PrepCom, in Ashgabat, Turkmenistan, 7-9 November 2012, delegations confirmed their understanding and agreement on the status of the protocols, including their wish and intention to secure consensus and signing of them at COP4 in Moscow.

Delegations to that Meeting also welcomed the holding on 2-3 October 2012, of the Regional Search & Rescue and Oil Spill Response Exercise and Seminar held in Nowshahr Port, IR of Iran and were briefed on and welcomed the Regional Strategy and Action Plan to implement the IMO Ballast Water Management Convention (TC/COP4/INF.6), reviewed and agreed upon at a meeting in Baku, Azerbaijan, 6-9 July 2012.

At the fourth Meeting of the Conference of the Parties to the Tehran Convention, 10-12 December 2012, in Moscow, Russian Federation, *delegations are requested to:*

1. Agree on, adopt and sign the Protocols on Environmental Impact Assessment in a Trans-boundary Context, the Conservation of Biological Diversity, and Protection of the Caspian Sea against Pollution from Land-based Sources and Activities;
2. Finalize, as appropriate, and adopt para's 5, 6, 8, 9, 10 and 11 of the draft Ministerial Statement (TC/COP4/11);
3. Inform about the state of ratification of the (Aktau) Protocol Concerning Regional Preparedness, Response and Co-operation in Combating Oil Pollution Incidents; and confirm and adopt para 4 of the draft Ministerial Statement.

IV. National Convention Action Plans (NCAPs) including National Public Participation Strategies (NPPSs)

Documents: TC/COP4/INF.4, 11 para's 10 and 11, and INF.5

(Follow up to TC/COP3/13/Rev.3, para's 8 and 11)

NCAPs and NPPSs have been prepared by all the Contracting Parties. Synthesis papers analyzing and summarizing the strategies, as prepared by international consultants and reviewed by the designated representatives and focal points of the countries, were presented to the second Meeting of the PrepCom for COP4, in Ashgabat, Turkmenistan, 7-9 November 2012, and are contained in documents TC/COP4/INF.4 and INF.5.

At the fourth Meeting of the Conference of the Parties to the Tehran Convention, 10-12 December 2012, in Moscow, Russian Federation, *delegations are requested to:*

1. Inform about the status of the NCAP and NPPS in their country;
2. Confirm and adopt para's 12 and 13 of the draft Ministerial Statement (TC/COP4/11).

V. Environmental Monitoring, Reporting and Information Exchange

Documents: TC/COP4/7, 8 and 11 para's 12, 13 and 14

(Follow up to TC/COP3/13/Rev.3, para's 6, 9, 10 and 12)

Supported by the Working Group on Monitoring established under the UNDP-GEF CaspEco project and coordinated by an international consultant, the Environmental Monitoring Program (EMP) was developed. The draft EMP is contained in document TC/COP4/7.

During the discussions on the EMP it was stressed by several delegations that collaboration between the Contracting Parties in a monitoring system would highly benefit from a legal framework on monitoring, and the development of a Protocol on Monitoring was mentioned as an option.

In consultation with designated Information Officers of the Contracting Parties, UNEP GRID/Arendal developed a proposal for a web-based Caspian Environmental Information Centre (CEIC). The proposal is contained in document TC/COP4/8.

By letter of 5 June 2012, the interim Secretariat requested the Contracting Parties to fill in and submit their national reports on the basis of the Unified Reporting Format, in accordance with the decisions by COP3 as contained in document TC/COP3/13/Rev.3, para 9.

The draft of the EMP was presented and reviewed and finally agreed upon during the meetings of the PrepCom in Geneva, Switzerland, 11-13 July 2012, and in Ashgabat, 7-9 November 2012.

At the fourth Meeting of the Conference of the Parties to the Tehran Convention, 10-12 December 2012, in Moscow, Russian Federation, *delegations are requested to:*

1. Confirm and adopt para's 12, 13 and 14 of the draft Ministerial Statement (TC/COP4/11);
2. Inform about the state of preparation of their national reports.

VI. Program of Work (POW) and Budget of the Tehran Convention.

Documents: TC/COP4/9 and 11, para's 15 and 16

(Follow up to TC/COP3/13/Rev.3, para's 13 and 14)

The draft POW and proposals for the budget of and contributions to the Tehran Convention for 2013-2014, as developed by the interim Secretariat, is contained in document TC/COP4/9.

At the second Meeting of the PrepCom, Ashgabat, Turkmenistan, 7-9 November 2012, delegations reviewed and reached agreement on the Convention Program of Work and Budget for 2013-2014, as well as on the pattern of future contributions by the Contracting Parties to that budget.

At the fourth Meeting of the Conference of the Parties to the Tehran Convention, 10-12 December 2012, in Moscow, Russian Federation, *delegations are requested to:*

1. Consider the proposals in document TC/COP4/9 of the interim Secretariat on the POW, the Budget and the Contributions of the Contracting Parties, and finalize and agree on para's 13 and 14 of the draft Ministerial Statement.

VII. Other matters, including agenda and arrangements for COP4

At the second Meeting of the PrepCom, Ashgabat, Turkmenistan, 7-9 November 2012, delegations were briefed on and welcomed the outcome of the Caspian Ecological Forum, organized in Turkmenbashi, Turkmenistan.

At the fourth Meeting of the Conference of the Parties to the Tehran Convention, 10-12 December 2012, in Moscow, Russian Federation, *delegations are requested to:*

1. Reach agreement and adopt para 7 of the draft Ministerial Statement.