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

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**CONFERENCE OF THE PARTIES  
Second Meeting  
Tehran, 10 – 12 November 2008**

Item 2 b) of the provisional agenda

**PROVISIONAL ANNOTATED AGENDA**

**Item 1. Opening of the meeting**

1. The second 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<sup>th</sup> to 12<sup>th</sup> November 2008 at Raiezan International Conference Complex, Tehran, Islamic Republic of Iran. The meeting will be opened at 10 a.m. on Monday, 10<sup>th</sup> November.
2. In line with the adopted Rules of Procedure, the meeting will be declared open by the Chairperson in office, Mr. Goussein Bagirov or his Representative.
3. Welcoming announcements will be made by a representative or representatives of the Government of I.R. of Iran and by the Head of the interim Secretariat, Mr. Frederik Schlingemann.

**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 one or more Vice-Chairpersons (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/COP2/1, 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 first Meeting of the Conference of the Parties, and has taken into account the discussion and decisions taken at the Preparatory

Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties to the Tehran Convention (8-10 September 2008, Almaty, Kazakhstan).

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/COP2/1/Add.2) The High-level segment of the second Meeting of the Conference of the Parties is proposed to take place on Wednesday, 12<sup>th</sup> November 2008, from 10.00 – 13.00, and will be requested to consider and adopt the Ministerial Statement 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 body or agency, 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/COP2/1/Add3) and agree on the admission of those observers to the Conference.

**Item 3. Report on the credentials of representatives to the second 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/COP2/INF1, the credentials 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. Pursuant to Rule 10 of the Rules of Procedure, the Bureau will examine the credentials and report thereon to the Conference of the Parties for decision.

**Item 4. Adoption of Strategic Action Programme**

13. Article 18 of the Tehran Convention requests the Contracting Parties to cooperate in the formulation of an Action Plan for the Protection of the marine environment of the Caspian Sea in order to prevent, reduce and control pollution and protect, preserve and restore the marine environment of the Caspian Sea.
14. A draft Convention Action Plan was prepared by the interim Secretariat in light of the desire of the Contracting Parties to develop a Convention Action Plan on the basis of the Strategic Action Plan of the Caspian Environment Programme and the acknowledgement expressed in the COP1 Ministerial Statement on the “need to align the Caspian

- Environment Programme and its instruments to the objectives of the Tehran Convention and its implementation”.
15. The draft Plan was reviewed during two meetings a) Strategic Convention Action Plan Meeting (5-6 May 2008, Baku, Azerbaijan) and b) the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties (8-10 September 2008, Almaty, Kazakhstan) where it was agreed to rename to the Plan to “Strategic Convention Action Programme” (SCAP). It was also agreed to consider SCAP as a comprehensive, long-term agenda and framework for the implementation of the Tehran Convention and its Protocols over a period of 10 years in the understanding that each Caspian littoral State will need to review and adjust its existing National Caspian Action Plans to align them better with the objectives and requirements of the SCAP.
  16. Based upon comments and proposals received from the Contracting Parties during the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties (8-10 September 2008, Almaty, Kazakhstan) an amended SCAP has been prepared by the interim Secretariat for the consideration by the Conference.
  17. The Conference may wish to consider and adopt the Strategic Convention Action Programme as contained in Annex 1 of document TC/COP2/2, as a comprehensive, long-term agenda and framework for the implementation of the Tehran Convention and its Protocols over a period of 10 years, and affirm their intention to implement the SCAP through the Convention Programme of Work and National Convention Action Plans.

**Item 5. Status report on the development of priority Protocols**

18. The Conference has before it a note prepared by the interim Secretariat on Status of Development of Priority Protocols to the Tehran Convention (TC/COP2/3).
19. The note provides an overview of the status of the regional negotiations on the four draft Protocols to the Tehran Convention namely: a) Protocol on Biodiversity Conservation, b) Protocol on EIA in Transboundary Context, c) Protocol for the Protection of the Caspian Sea against Pollution from Land-based Sources and Activities, d) Protocol Concerning Regional Preparedness, Response and Co-Operation in Combating Oil Pollution Incidents.
20. The Conference may wish to review and discuss the information contained in the note and take a decision on a follow up.

**Item 6. The interrelationship between the fisheries and the protection of the marine environment of the Caspian Sea**

21. The Conference has before it a note prepared by the interim Secretariat on the interrelationship between the fisheries and the protection of the marine environment of the Caspian Sea. (TC/COP2/4).
22. The note has been prepared upon the request from the first Meeting of the Conference of the Parties and was presented to the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties (8-10 September 2008, Almaty, Kazakhstan). The COPII preparatory meeting discussed the scoping paper taking into consideration the proposal submitted by the I.R. of Iran on the “Elements on Regional Cooperation on Fisheries Issue” as contained in Annex 2 of the scoping paper.
23. The Conference may wish to consider the scoping paper and the proposal from the I.R. of Iran on the “Elements of regional cooperation for conservation and sustainable use of marine bioresources of the Caspian Sea”, and take a decision on a follow up.

**Item 7. Programme of Work and Budget**

24. The Conference has before it a Draft Programme of Work prepared by the interim Secretariat for the time period between the second and the third Meeting of the Conference of the Parties (TC/COP2/5).
25. The Draft Programme of Work was reviewed and in principle agreed upon at the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties (8-10 September 2008, Almaty, Kazakhstan).
26. Comments and proposals received from the Contracting Parties during the COP II Preparatory Meeting have been incorporated into the draft Programme of Work.
27. When considering the draft Programme of Work the meeting might wish to pay particular attention to the proposed establishment of interim Secretariat outposted units and the need to take a decision on the geographical distribution of those units in light of the preliminary discussions on the issue which took place in the context of the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties (8-10 September 2008, Almaty, Kazakhstan).
28. The Conference may wish adopt the Draft Programme of Work and decide on the geographical distribution of the interim Secretariat outposted units.

**Item 8. Convention permanent Secretariat arrangements**

29. The Conference has before it a note on the Convention Permanent Secretariat Arrangements prepared by the interim Secretariat (TC/COP2/6).
30. In line with the Decisions and the Statement of Ministers of the first Meeting of the Conference of the Parties, the Conference may wish to resume the discussion on Convention institutional arrangements. The deliberations should take due account to the Declaration of the Presidents of the Caspian littoral States issued at the Second Caspian Summit (Tehran, I.R. of Iran 16<sup>th</sup> October 2007) whereby the Presidents confirmed their satisfaction that the Tehran Convention has been signed and entered into force and “stressed the need to – as soon as possible - finalize the procedural aspects of this convention, especially as regards the location of the permanent secretariat of the convention”.

**Item 9. Progress report on GEF, EU and private sector current and future support to the Convention Process**

31. Under this agenda item the Conference will, *inter alia*, be briefed on the collaboration with and support from the Global Environmental Facility (GEF), the European Union (EU) and the private sector. Representatives from the relevant organizations and sectors will be invited by the Chairperson to take the floor.

**Item 10. Place and date of the third Meeting of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea**

32. The Conference has before it a note prepared by the interim Secretariat on the date and venue of its third meeting (TC/COP2/7).
33. When deciding on the place for its third meeting, the Conference may wish to refer to the relevant provisions of the Convention, in particular Art. 22.5 of the Tehran 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".

34. The Conference should also consider the statement delivered by the representative from Kazakhstan at the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties (8-10 September 2008, Almaty, Kazakhstan), whereby Kazakhstan confirmed their readiness to host the third Meeting of the Conference of the Parties, in accordance with the relevant provisions of the Tehran Convention and the Rules of Procedure.
35. When deciding on the date for the third Meeting of the Conference of the Parties, the meeting should take into account the proposal put forward by the delegations at the Meeting on the Strategic Action Plan (5-6 May 2008, Baku, Azerbaijan) to amend Rule 3 of the Rules of Procedure to hold meetings of the Conference of the Parties on biennial basis in lieu of annual basis.

**Item 11. Preparation of the Statement for the High-level segment of the second Meeting of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea**

36. The Conference is requested to prepare and adopt the Statement of Ministers of the 2<sup>nd</sup> Meeting of the Conference of the Parties to the Tehran Convention, on the basis of the Statement of Ministers and Decisions of the 1<sup>st</sup> Conference of the Parties and the discussions and decisions of the Preparatory Meeting for the 2<sup>nd</sup> Meeting of the Conference of the Parties to the Tehran Convention (8-10 September 2008, Almaty, Kazakhstan).

**Item 12. Other matters**

37. Under this Agenda item the Conference is asked to consider any other matters that might require the attention of the Conference.
38. In line with the request of the first Meeting of the Conference of the Parties, the Conference is asked to review the Rules of Procedure with the objective to reach an agreement on the few outstanding issues which remain in square brackets namely Rule 3.2, Rule 7 (f), and Rule 13.1. Following the proposal made by the delegations at the Meeting on the Strategic Convention Action Plan (5-8 May, 2008, Baku Azerbaijan) the Conference may also wish to consider to amend Rule 3 para. 1 by replacing "annual" with "biennial", following the provisions on amendments to the rules of procedure as set in Rule 41.
39. This Agenda item should also provide the opportunity for the Conference to examine the proposals for a Convention logo as contained in document TC/COP2/8 and to take a decision on the logo to be attributed to the Tehran Convention.
40. The Conference should consider any other matters raised by delegations in the course of the meeting.

**HIGH LEVEL SEGMENT****Item 13. Opening of the High Level segment****a) Welcome address of the host country**

41. The High Level segment will start at 10 a.m. with a welcome note from the host Government.

**b) Statements of Parties to the Convention**

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

**c) Other statements**

43. A message will be delivered by UNEP representative. Other high level representatives will be invited to deliver statements.

**Item 14. Report of the Bureau on the working sessions**

44. The Rapporteur of the Bureau will present the report of the working sessions briefing the Conference on decisions agreed upon during the first two days of the COP2.

**Item 15. Adoption of the Statement**

45. The high-level representatives will be requested to adopt the Statement of Ministers prepared by the Conference of the Parties at its working sessions

**Item 16. Closure of the second Meeting of the Conference of the Parties to the Framework Convention on the Protection of the Marine Environment of the Caspian Sea**

46. 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.