

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



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**CONFERENCE OF THE PARTIES
Sixth Meeting
19-21 October 2022, Baku, Azerbaijan**

**Implementation of the Framework Convention for the Protection of the Marine Environment of the
Caspian Sea: Report by the interim Secretariat**

Note by TCIS

Introduction:

In preparation for the 6th Meeting of the Contracting Parties of the Tehran Convention COP6 8 Preparatory meetings were held:

1. First Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties, 24–27 November 2014, Baku, Azerbaijan
2. Second Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties; 31 May – 3 June 2015, Baku, Azerbaijan
3. Third Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties,
4. Fourth Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties, 7–10 November 2016, Geneva, Switzerland;
5. Fifth Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties, 13–17 November 2017, Geneva, Switzerland
6. Sixth Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties 24–28 September 2018, Baku, Azerbaijan
7. Seventh Third Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties 16–20 September 2019 Baku,
8. Eight Preparatory Meeting for the sixth Meeting of the Tehran Convention Conference of the Parties; (20 September 2022, online session; 28 September 2022 online session)
- 9.

The reports of the above-mentioned meetings are contained in Annex I. Together, they provide a comprehensive overview of the developments and achievements related to the implementation of the Decisions of COP5 and each of the consequent Preparatory Committee meetings. As such the reports underpin and complement the information contained in the annotated agenda and documentation for COP6.

Annex I

First Preparatory Committee Meeting (PrepCom) for the 6th Meeting of the Conference of the Parties to the Tehran Convention, Baku, Republic of Azerbaijan, 24 – 27 November 2014: Mission Report

The first PrepCom for COP6 of the Tehran Convention, attended by representatives and experts of the five Caspian countries, was constructive and covered a lot of ground. The meeting was chaired by Rasim Sattarzadeh, Ministry of Ecology and Natural Resources of Azerbaijan, and serviced by the (interim) Secretariat of the Tehran Convention (Mahir Aliyev, Nina Schneider, Frits Schlingemann) supported by Anatoly Saveliev and Daniel Nixdorf (consultants). The UNEP administration was represented by Michael Evteev (ASC). Valentin Yemelin participated on behalf of Grid Arendal.

The discussions were conducted on the basis of the annotated agenda circulated by e-mail of 14 November 2014. The outcome of the PrepCom can be summarized as follows:

Secretariat location and arrangements.

The **host country agreement** for the secretariat arrangements in Baku, Azerbaijan, is under advanced negotiation; once finalized, it will be shared with the Contracting Parties.

The **recruitment** of the P5 level **Executive Secretary** of the Convention is in process. The Contracting Parties will, through the Chair of the COP, inform and request the Executive Director of UNEP to take their concerns into account.

The **terms of reference** of the **Trust Fund** for the Administration of the Convention (TOR), as amended by the meeting, will be forwarded to UNEP for its consideration, in the expectation that the consultation process on the ToR can be rounded off at the second PrepCom, followed by an approval of both the ToR and the budget of the Trust Fund by COP6. This will then replace the UNEP project pertaining to the Secretariat services to the Tehran Convention by the Trust Fund arrangement.

The PrepCom requested the (interim) Secretariat to make an assessment and inform the Contracting Parties about the required **size and composition of the Secretariat**, as well as of the need and possibilities for seconding staff.

The Protocols.

It is expected that Kazakhstan will soon ratify the **(Aktau) Protocol** Concerning Regional Preparedness, Response and Cooperation in Combating Oil Pollution Incidents. A meeting is planned at/around Caspian Day 2015 in Aktau, Kazakhstan, to celebrate the entry into force of the Protocol, review and finalize its (draft) Regional Plan, and map out how to engage the oil and gas industry in the Convention process. At the meeting attention will also be given to the relationship between the Protocol and the Agreement on Cooperation in the Field of Prevention and Liquidation of Emergency Situations in the Caspian Sea, signed at the Caspian Summit in Astrakhan, Russian Federation, 29 September 2014.

The ratification process of the **(Moscow) Protocol** for the Protection of the Caspian Sea against Pollution from Land-Based Sources and Activities (LBS), in Kazakhstan, Russian Federation and Turkmenistan is close to its conclusion. The PrepCom requested the (interim) Secretariat, pending the ratification and entry into force of the Protocol, and in consultation with the UNEP based Global Program of Action for the Protection of the Marine Environment from Land-Based Activities, to explore the possibility of holding a training/information exchange workshop to review priorities for implementation

The PrepCom urged Azerbaijan, Kazakhstan and Russian Federation to sign the (*Ashgabat*) **Protocol** for the Conservation of Biological Diversity as soon as possible and before the deadline of 30 May 2015, reflected in article 23.2 of the Protocol.

The PrepCom decided to postpone the discussion on the three remaining proposals of Turkmenistan on Annex I of the **Protocol on Environmental Impact Assessment in a Trans-Boundary Context**, to the second PrepCom.

Caspian Day.

The PrepCom was informed of and applauded the growing scope, coverage and importance of Caspian Day celebrations in all five Caspian states.

Caspian Environmental Information Centre (CEIC).

Valentin Yemelin presented the project for the second phase of the CEIC. The PrepCom was informed that the support by British Petroleum Exploration (Caspian Sea) for the project is expected to materialize in the first half of 2015. The (interim) Secretariat was requested to coordinate the preparation of terms of reference for the CEIC for consideration and adoption by the second PrepCom/COP6.

Working Group on Monitoring and Information Exchange.

The PrepCom requested the (interim) Secretariat to invite the Contracting Parties to nominate up to two members of the Working Group and to prepare terms of reference for consideration and adoption by the second PrepCom/COP6.

Russian Federation suggested that the UNDP/GEF project on “Mainstreaming biodiversity conservation into Russia’s energy sector, policies and operations” would contribute to the Caspian Environmental Monitoring Programme, interlinking the implementation of the Moscow Protocol with the working activities of the private sector.

National and State of the Caspian Sea Environment Reports.

The PrepCom was reminded that starting 2014, **national reporting** on the implementation of the Convention and its Protocols is expected to be done in three year intervals.

Emphasizing that the ownership of **State of the Caspian Sea environment reporting** lies with the Governments of the Caspian States, the PrepCom requested the (interim) Secretariat, in consultation with Grid Arendal, to initiate the preparation of an outline for the next SOE report as well as a procedure/timeline and budget for its preparation to be reviewed at an expert meeting, for consideration and approval by the second PrepCom/COP6.

Legal instrument on data and information sharing.

After the introduction by the (interim) Secretariat of the proposal for a legal instrument on data and information sharing, and by Alexander Korshenko (State Oceanographic Institute) of the “views of experts” on Caspian Regional Water Quality Standards and Objectives, the PrepCom discussed and agreed that a legal instrument on data and information sharing should/could:

- Provide the framework for the implementation of the Environmental Monitoring Program and the role of the Working Group on Monitoring therein
- Include a set of water quality objectives and standards
- Include provisions regarding public access to information

- Regulate national reporting on the implementation of the Convention and its Protocols, in accordance with the Unified Reporting Format
- Regulate State of the Caspian Sea reporting

The (interim) Secretariat was requested to coordinate the preparation and initiate the negotiation process of a first draft of the legal instrument.

Cooperation with the private sector.

Daniel Nixdorf introduced and the PrepCom reviewed a synthesis and strategy paper for attracting and engaging the private sector, in particular the oil, gas and transport industry in the implementation of the Tehran Convention. It was decided that the paper will be updated with the assistance of / in cooperation with the national consultants/countries. The paper would then assist the above mentioned meeting on the (Aktau) Protocol to review and formulate recommendations for the engagement of the private sector in the Convention work and activities, for consideration and adoption by the second PrepCom/COP6.

Program of meetings in 2015.

The PrepCom agreed that in 2015 the following meetings could/should be held:

- One or two meetings on monitoring (network of institutions, water quality objectives and standards, ToR working group on monitoring, SOE report preparation, information exchange (CEIC), draft text legal instrument) (April/May/June 2015)
- A meeting to celebrate the entry into force of the Aktau Protocol, finalize the (draft) Regional Plan, and review collaboration with the private sector (around 12 August 2015)
- 2nd Preparatory Committee Meeting to finalize all preparatory work for COP6 two to three months before COP6),
- COP6 (second half of 2015)

The PrepCom was informed that, in addition one or more meetings on oil spill response and cooperation and ballast water management may be organized through a project of the Environment and Security Initiative and IMO, respectively.



Second Preparatory Committee Meeting
for the sixth Meeting of the Conference of the Parties (COP6) to the Tehran Convention
31 May – 3 June 2015, Baku, Azerbaijan

Mission Report

The meeting was attended by representatives of all 5 Caspian states and serviced by a TCIS team consisting of Mahir Aliyev (UNEP), Daniel Nixdorf (TCIS), Anatoly Saveliev (consultant), Frits Schlingemann (consultant) as well as supported by Valentin Yemelin (GRID-Arendal) and Vincent Lalieu (consultant). At request by the delegation of Azerbaijan, Frits Schlingemann chaired the meeting.

The meeting:

- Was informed of the status of preparation of the host country agreement between Azerbaijan and UNEP. **A bilateral meeting in Geneva is foreseen in the near future after which the draft agreement will be shared with the Parties. The decision on the premises for the Convention Secretariat is awaiting the identification of suitable premises by the host party and clearance by the UN security inspection. Azerbaijan confirmed that its support to the Secretariat will be in accordance with the standard list of host country support agreed at COP4.**
- Was informed that the terms of reference of the Trust Fund of the Tehran Convention as agreed at the meeting in Baku in November 2014 are still awaiting the green light from UNEP Headquarters. **TCIS/UNEP hopes and expects to obtain this green light in time for the preparation and submission to COP6 of the terms of reference and the budget of the Trust Fund for its consideration and approval.**
- Was informed of the status and next steps to be taken in the recruitment process of the Executive Secretary of the Tehran Convention. **Parties urged and requested UNEP to ensure that the Executive Secretary of the Convention is selected, nominated and in function by the time they meet for COP6.**
- Enlisted the interest and willingness of all Parties to provide staff support to the Convention Secretariat. **TCIS/UNEP will do the utmost to identify and secure the most simple and efficient way for accommodating such staff support, and will engage in a dialogue with each Party to make such support a reality by the time the Parties meet for COP6.**
- Enlisted the unanimous wish of all Parties to continue the network of NCLOs. **TCIS will prepare a paper with terms of reference and arrangements for administering the network, for consideration and approval by COP6.**

- Welcomed the contributions of Kazakhstan and the Russian Federation to the budget of the Convention for 2015 and was informed that the **contributions of the other three Parties are underway. Contacts will be made with the Iranian counterparts in Tehran and Geneva with a view to secure the arrear payments of IR Iran for 2013 and 2014.**
- Was informed that the **conditions for ratification by Kazakhstan of the (Aktau) Protocol Concerning Regional Preparedness, Response and Co-operation in Combating Oil Pollution Incidents will soon be fulfilled and that ratification and entry into force of the Protocol is expected to take place before COP6**
- Was updated on the preparatory work for the meeting in Aktau to celebrate the entry into force of the Aktau Protocol, review and agree on its implementation plan and reach and conclude an understanding with the private sector, in particular the oil and gas industry on its engagement in the Convention process. **Pending the submission by Turkmenistan of its annex to the Aktau Protocol implementation plan, the plan will be circulated for final comments together with the already submitted annexes. TCIS will furthermore initiate the updating of the strategy paper on the engagement of the private sector in the Tehran Convention process, soliciting gap filling comments as well as inputs for a list/workplan/statement of principles for cooperation with the private sector, through the NCLOs. A preparatory meeting to review the Aktau Protocol implementation plan will be scheduled combining the offer of IR Iran to host and the provision for such a meeting in the TCIS managed ENVSEC project. The dates of the Aktau meeting itself will be determined once the conditions for Kazakhstan's ratification have been fulfilled. The Parties are invited to consider if and how best the outcome of the Caspian Summit in Astrakhan, held on 29 September 2014, can relate to and support the implementation of the Aktau Protocol.**
- **Congratulated Turkmenistan for having ratified the (Moscow) Protocol for the Protection of the Caspian Sea against Pollution from Land-Based Sources and Activities. Ratification by the Russian Federation is imminent. Kazakhstan will inform if its ratification process would require statements by the other Parties concerning the Kazakh language similar to the ones issued in relation to the Aktau Protocol. It is expected that all Parties will have ratified the Protocol by the time they meet in Baku for COP6.**
- **Congratulated Turkmenistan for having ratified the (Ashgabat) Protocol for the Conservation of Biological Diversity. Azerbaijan and Kazakhstan have initiated their accession process which will combine signing with ratification. IR Iran's and Russian Federation's ratification processes are underway. It is hoped and expected that all countries will have ratified the Protocol by the time they meet for COP6.**
- Was informed of the intention of the CBD Secretariat to organize a workshop on Ecologically and Biologically Significant Marine Areas (EBSAs) in Istanbul, Turkey, 18/19 – 23 October 2015. **TCIS will coordinate with the CBD Secretariat and explore if the invitations for the workshop can be issued through the TC focal points.**
- Decided that, **since no agreement could be reached on the proposals of Turkmenistan for the Annex to the Protocol on Environmental Impact Assessment in a Trans-boundary Context, the Ministers at COP6 will be requested to review and reach agreement on the proposals. TCIS will prepare a background note for their discussion and decision making. TCIS will also solicit an advisory opinion of the Espoo Convention Secretariat on the proposals.**
- Reviewed and agreed on the name and terms of reference of the Working Group on Monitoring and Assessment. **The WG will function under the auspices of the Convention Secretariat and**

hold its first meeting on 20-22 January 2016. The Contracting Parties will be requested to confirm and if they so wish change or amend their nominations to the WG.

- Requested the designated members of the WG on Monitoring and Assessment to meet in the margins of the PrepCom meeting and agree on the work in the coming months. **The result of this meeting which elected Alexander Postnov, Deputy Director of the State Oceanographic Institute (SOI), Roshydromet, Russian Federation as Acting Chair, is attached**
- Welcomed and provided general comments on the **draft Protocol on Monitoring, Reporting, Assessment, Access to and Exchange of Information. Detailed comments will be solicited before end August 2015, after which a revised protocol text together with the comments provided will be circulated for a first full round of negotiations to be held in Geneva, 28 – 30 October 2015.**
- Was updated by the representative of GRID-Arendal on the status of the **CEIC**. Implementation of phase 2 of the CEIC project is awaiting funding by BP, which envisaged to link the release of the grant to the inauguration of the Convention Secretariat. **Azerbaijan will assist in trying to speed up the release of the grant through the same construction – a contract between BP and GRID Arendal supervised by the Convention Secretariat - used for the grant for phase one.**
- Agreed with the proposal for the preparation of the **second Report on the State of the Marine Environment of the Caspian Sea. TCIS will request the Parties to confirm or if they wish change the nomination of their focal point (environmental information officer) for the preparation of the report. The preparations of the report will start once funding has been secured.**
- Was informed of the proposal by the Russian and Azeri Academies of Science for a **Caspian Atlas. UNEP/TCIS requested that a budget for the exercise be prepared.**
- **Was informed of UNEP's Information and Knowledge Management Initiative for MEAs (InforMEA) and agreed with the inclusion of the Tehran Convention in the initiative and requested TCIS to explore further participation.**
- Was informed by Russian Federation of the outcomes of the analysis of on ecosystem and biodiversity impacts in the oil production area of the Northern Caspian and the development of proposals for a GIS in this area by the TC NCLC (ANO "CIP") under the UNDP/GEF Project "Mainstreaming biodiversity conservation into Russia's energy sector policies and operations. These outcomes as well as those of future projects could be used by the WG on Monitoring and Assessment in the implementation of the Environmental Monitoring Program (EMG), to advance cooperation with the oil and gas industry and the implementation of the Ashgabat Protocol
- **Agreed that the 3rd and last PrepCom for COP6 will be held in Istanbul, 14 – 16 October 2015, just before the CBD EBSA Workshop. PrepCom 3 will review progress and prepare for COP6.**
- **Agreed that COP6 will take place in Baku, 18 – 20 November 2015.**

Meeting Report
Third Preparatory Meeting for the sixth Meeting of the
Tehran Convention Conference of the Parties (COP6)
10-11 November 2015, Baku, Azerbaijan

The meeting was opened by Deputy Minister of Ecology and Nature Protection of Azerbaijan, Rauf Hajiyev and elected Mr. Rasim Sattar-zada as Chair. It was attended by the representatives of the five Contracting Parties. UNEP / the (interim) Secretariat was represented by Mahir Aliyev, Daniel Nixdorf and Mateusz Benko, assisted by Anatoly Savelyev. Valentin Emelin and Frits Schlingemann participated as observers from GRID-Arendal.

The meeting:

- Adopted the following two statements with respect to the Host Country Agreement (HCA) and the recruitment of the Executive Secretary (ES), and requested the (interim) Secretariat to bring these statements to the attention of the UNEP leadership:

“The meeting was informed by the representatives of Azerbaijan and UNEP about the status of the negotiations on the HCA. It expressed concern about the lack of progress in the discussions.

In light of the Secretariat rotation it was agreed that all Parties should be consulted on the HCA.

The representative of Iran expressed support for the proposal that it is a HCA between Azerbaijan and the Convention Secretariat, signed by Azerbaijan and by or on behalf of the Secretariat. The other Parties stated the need for further consultations in the countries before they could provide an official opinion.

Azerbaijan was requested to contact the other Parties through the official channels and obtain their position with a view to contribute to the negotiation process, and the meeting urged Azerbaijan and UNEP to conclude the negotiations on the HCA before the end of the year”.

“The meeting stressed the importance of soonest completion of the recruitment of the Executive Secretary of the Tehran Convention and urged UNEP to finalize the recruitment process for the position by the end of the year, and inform the COP accordingly.”

- welcomed the offer of Kazakhstan to second a staff member, urged UNEP to facilitate and advance the secondment process, and urged other Parties to follow the example of Kazakhstan.
- Received comments from Iran, Kazakhstan, Russia on the ToR for the National Convention Liaison Officers (NCLOs) and requested the (interim) Secretariat to finalize them for consideration and adoption by COP6.
- Was informed of the progress in the ratification process of the Moscow Protocol - remaining ratifications from Kazakhstan and Russia will follow soon, and the Ashgabat Protocol - remaining ratifications from all except Turkmenistan are underway.
- Was informed that Kazakhstan expects to ratify the Aktau Protocol early next year, after which the preparation can start for a meeting in Aktau later in the year to celebrate the Protocol entry into force, review its implementation plan and reach and conclude an understanding with the private sector, in particular the oil and gas industry on its engagement in the Convention process.

- After reviewing the advisory opinion of the Espoo Convention Secretariat regarding the proposals of Turkmenistan on the Annex of the EIA Protocol text, concluded that in the continuing absence of consensus, the Ministers at COP6 will be requested to review and reach agreement on the proposals.
- Was informed by the Acting Chair of the Working Group on Monitoring and Assessment, Mr. Alexander Postnov, of the progress in the preparation of the first official meeting of the group scheduled for 20-22 January 2016, and agreed to submit ToRs as amended at the request of the Acting Chair to COP6 for its consideration and approval.
- Was updated by GRID-Arendal on the status of the CEIC. Implementation of phase 2 of the CEIC project is awaiting funding by BP. The meeting expressed its hope that Azerbaijan will assist in effectuating the release of the grant as soon as possible.
- Welcomed the outcome document of the Stakeholders' Meeting, held in Astrakhan, 12-13 August 2015 and requested the Secretariat to submit the document to COP6 after having received all comments and material from the participants in the meeting.
- Was informed by GRID-Arendal that the preparation of the 2nd Caspian Sea SoE report has started but requires additional funding, including from the CEIC project, to successfully continue.
- Reviewed the proposed PoW 2016-2017, ToRs and budget of the Convention Trust Fund and agreed to submit them to COP6 for approval, in the understanding that the budget figures will be updated once the certified statement of income and expenditure over 2015 has been issued.
- During the consideration of the various agenda items reviewed and reached agreement on a number of paragraphs of the draft Ministerial Statement in the understanding that the Statement will be finalized at the one day preparatory meeting before COP6, for consideration and adoption by the Ministers at COP6.
- Expressed the hope to hold COP6 early next year, preferably before the end of February 2016. Azerbaijan will further consult the Parties on the dates.

Meeting Report
Fourth Preparatory Meeting for the sixth Meeting of the
Tehran Convention Conference of the Parties (COP6)
7-10 November 2016, Geneva, Switzerland

The meeting was opened and chaired by Mr. Rasim Sattar-zada (Azerbaijan), and at its opening session addressed by Mr. Ibrahim Thiaw, Deputy Executive Director of UNEP. The meeting was attended by representatives of all five Contracting Parties. The interim Secretariat was represented by Mahir Aliyev, Frits Schlingemann, Mateusz Benko, Daniel Nixdorf and Anatoly Saveliyev. Jan Dusik, Elizabeth Maruma Mrema, Rossana Silva Repetto, and Barbara Ruis represented UNEP. Valentin Yemelin participated as observer from GRID-Arendal.

The meeting:

- Received clarification from the UNEP representatives on matters related to the Tehran Convention Secretariat
- Received an update from the UNEP representatives on the recruitment of the Executive Secretary of the Convention as well as on staff secondment procedures. Parties expressed their wish that the recruitment process of the Executive Secretary were concluded by the time of holding COP6;
- After the introduction by Azerbaijan and an initial discussion of the draft text of the Host Country Agreement (HCA), established a HCA Working Group (WG), chaired by Jan Dusik, to review the text. The WG agreed on a procedure for concluding the host country arrangements following the envisaged bilateral resolution between Azerbaijan and UNEP, in the understanding that all related communication to Parties will be channelled through the interim Secretariat;
- Reviewed and agreed on the terms of reference and budget of the Trust Fund for the Convention;
- Was informed of the progress in the ratification process of the Moscow Protocol - remaining ratifications of Kazakhstan and Russia will follow soon, as well as the Ashgabat Protocol - remaining ratifications of Azerbaijan, Russia and Iran are close to being completed;
- Concluded that in the continuing absence of consensus the Ministers at COP6 will be requested to review and reach agreement on Turkmenistan's proposals on the Annex of the EIA Protocol text;
- Agreed that the next back-to-back meetings of the Working Group on Monitoring and Assessment and the Protocol on Monitoring, Assessment and Information Exchange will be held early next year. The need for continuous close cooperation with CASPCOM was stressed, and Parties were reminded to provide their comments to the draft Protocol text;
- Agreed to the proposal of Russia and requested the interim Secretariat to ensure updating the Unified Reporting Format;
- Received comments from Kazakhstan and Russia on the ToR for the National Convention Liaison Officers (NCLOs) and requested the interim Secretariat to finalize them for consideration and adoption by COP6;

- Agreed that the implementation of the Aktau and other Protocols should be fully integrated in the Tehran Convention process and arrangements;
- Welcomed Iran's reiterated offer to host a meeting to finalize the Regional Plan Concerning Co-operation in Combating Oil Pollution in Cases of Emergency and review and propose Aktau Protocol related activities for inclusion into the Programme of Work of the Convention. The interim Secretariat was requested to seek further comments on the Regional Plan before the meeting;
- Agreed with the proposed Programme of Work for 2017-2018, in the understanding that the interim Secretariat will include references to training, and activities for the implementation of the Aktau Protocol, as proposed by the meeting in Iran
- Acknowledging the necessity for budget increase, requested the interim Secretariat to prepare a note explaining and proposing an incremental increase of the country contributions to the budget of the Convention;
- Noting the strategy paper for private sector involvement, requested the interim Secretariat to explore possibilities for contributions by the private sector and international organizations, such as the preparation of an action plan or list of projects and a round-table discussion with private sector involvement at COP6;

- Was updated by Valentin Yemelin (GRIDArendal) on the positive decision of BP regarding the second phase project grant in support of the CEIC and the preparations of the second Caspian Sea State of the Marine Environment (SoE) Report
- Noting the outcome of the Tehran Convention Stakeholders Meeting in Astrakhan, Russia, on 12-13 August 2015, requested the interim Secretariat to explore follow-up activities taking into account the Astrakhan Stakeholder Statement and agreed to include a recommendation for annual Caspian Sea Day events in the draft Ministerial Statement of COP6;
- Reviewed the draft Decision on Institutional Arrangements and the drafts of the Ministerial Statement and Decisions of the COPs of the Convention and the Aktau Protocol. The combined Ministerial Statement and Decisions of the COPs of the Convention and the Aktau Protocol, as well as the Decision on Institutional Arrangements, will be finally reviewed at the PrepCom directly preceding COP6;
- Stressed the necessity to hold COP6 as soon as possible in 2017, and to encourage private sector participation in the COP.

Meeting Report
Fifth Preparatory Meeting for the sixth Meeting of the
Tehran Convention Conference of the Parties (COP6)
13-17 November 2017, Geneva, Switzerland

The meeting was opened with a welcoming address by Mr. Jan Dusik, UNEP Director of the Regional Office for Europe. Following the agreement of all delegation of the Contracting Parties the Meeting was chaired by Mr. Mahir Aliyev, UNEP Regional Coordinator and Coordinator of the interim Secretariat with assistance of Mr. Frits Schlingemann, Senior Adviser to the interim Secretariat. The Meeting was attended by representatives of all five Contracting Parties. The interim Secretariat was also represented by Mr. Mateusz Benko, Mr. Daniel Nixdorf and Mr. Anatoly Saveliyev. Mr. Valentin Yemelin, Mr. Vincent Laliu and Mr. Morten Sorensen. participated as observer from GRID-Arendal. The Meeting was also attended by Chair of CASPCOM Ms. Elena Ostrovskaya.

The meeting:

- Received clarification of the outstanding issues related to the Tehran Convention Secretariat contained in the TCIS Note 1;
- Reviewed a draft Decision on Institutional arrangement for the Tehran Convention, a draft text of the decision with Parties comments is attached in Annex I to the report;
- Requested the interim Secretariat to prepare a draft text of the Memorandum of Understanding between the [Executive Secretary/Chair of the COP] of the Tehran Convention and the Executive Director of UNEP to regulate the future relationship between the Convention process and UNEP;
- Received but due to time constraints did not discuss tree draft decisions of PrepCom 5 from IR Iran, Russian Federation and Azerbaijan (text of all three proposals attached in Annex II);
- Was informed of the progress in the ratification process of the Moscow Protocol - remaining ratifications of Kazakhstan and Russian Federation; ratification of Russian Federation is at the final stage; ratification of Kazakhstan is pending due to the issue with the certified versions of translation of the Protocol; the Convention Depository (Iran) shall follow up with Kazakhstan on that matter;
- Was informed of the progress in the ratification process of the Ashgabat Protocol - remaining ratifications of Russian Federation and Iran are underway as well as accession of Azerbaijan;
- Reviewed Turkmenistan's proposals on the Annex of the Environment Impact Assessment (EIA) Protocol and received additional comments from Azerbaijan; a discussion took place where Parties were requested to reflect their positions on Turkmen question; a draft text of the Protocol with comments from Turkmenistan and Azerbaijan is attached in Annex III to the report;
- Decided to schedule a meeting early next year to finalize the EIA Protocol for adoption and signing at COP6 to be held back-to-back with the negotiations on the Protocol on Monitoring, Assessment and Information Exchange;

- Received comments from Azerbaijan on the text of the Caspian Sea Plan Concerning Regional Co-operation in Combating Oil Pollution in cases of Emergency; a draft text of the Plan with comments from Azerbaijan to the Plan is attached in Annex IV to this report. Turkmenistan will soon submit its annex and Azerbaijan will submit the update of its annex. With regard to the adoption procedure, the Meeting agreed that the Plan should be adopted by COP as a guiding document, and that the Regional Mechanism will take the form of a light Secretariat construction as presented in the Note prepared by IMO;
- Agreed that nomination of the Competent National Authority for the Aktau Protocol shall be designated as stipulated in the Aktau Protocol, to this end a respective Ministerial Decision at the upcoming COP6 needs to be taken;
- Requested the interim Secretariat to carry out a comparative analysis of the Aktau Protocol and the “Agreement on cooperation in prevention of emergency situations in Caspian and elimination of their consequences” in order to define their relationship and identify the need for possible changes in the Implementation Plan;
- Reviewed and agreed with the Programme of Work and Budget for 2018 -2019; and requested TCIS to analyse the potential of increasing the Parties contributions, taking into account the proposal of RF to at least apply inflation correction; UNEP support to the Convention process was also discussed;
- Agreed with the ToRs of the Working Group on Monitoring and Assessment; requested Azerbaijan and Kazakhstan to officially notify the Secretariat of change membership; and agreed that COP 6 will have to elect or confirm the Chair. Was informed by Mr. Alexander Postnov of results of the third meeting of the WGMA – report of the meeting is attached; (MB remark to be included if received on time)
- Requested the interim Secretariat to prepare the survey aiming at identifying the country’s efforts and capacities to start the Environment Monitoring Programme implementation;
- Was informed and considered the initial draft of the project preparation facility for the Green Climate Fund; the Parties are requested to provide comments and inputs to the draft proposal; Kazakhstan will provide additional information on its engagement with the Climate Technology Centre & Network; cooperation with CASPCOM will be sought;
- Was informed of the outcomes of the Caspian Sea Day forum held in Astrakhan on 11 – 12 August 2017 in particular the outcomes of the Round Table on the “Role of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea in the achievement of the environmental sustainable development of the Caspian Sea region and in cooperation on the UN sustainable development goals”;
- Was informed of the ongoing engagements between Tehran Convention and the Private Sector; and discussed future initiatives with the Private Sector to support the implementation of the Convention;
- Expressed gratitude to the national branch of the British Petroleum Exploration (Caspian Sea) Limited in Baku, Republic of Azerbaijan for the start of the grant for the second phase of the Caspian Environment Information Centre (CEIC);

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- Was informed by the representative of Grid Arendal of the status of Caspian Environment Information Centre; in the margins of the Meeting, the training session on the use of the CEIC took place;
 - Based on the discussions in the WGMA and the discussion in the parallel meeting of EIOs, agreed on the table of contents of SOE report (attached in Annex V) as well as on maintaining the DPSIR approach but lightened and abbreviated where there are no data available. Agreed furthermore that it will be a country driven report with country specific inputs. A five column template will be circulated the week after the PrepCom meeting to be filled and submitted by 31 January 2018 at the latest;
 - Reviewed and agreed on the Updated Unified Reporting Format which COP6 would be requested to adopt as a guidance for future reporting;
 - Agreed on the ToRs of the NCLOs for submission to and adoption by COP6;
 - Requested the interim Secretariat to seek a collaboration with the Commission on Aquatic Bioresources of the Caspian Sea and to this end sign the Memorandum of Understanding regulating the cooperation between the Tehran Convention and the Commission;
 - Decided to postpone the review of the draft Ministerial Statement and Decisions till the PrepCom before COP6;

Meeting Report

Sixth Preparatory Meeting for the sixth Meeting of the

Tehran Convention Conference of the Parties (COP6)

24-28 September 2018, Baku, Azerbaijan

The 6th Preparatory Committee Meeting for the 6th Meeting of the Conference of the Parties to the Tehran Convention (PrepCom6) was attended by delegations from the Republic of Azerbaijan, IR Iran, Kazakhstan, Russian Federation and Turkmenistan, and serviced by the Interim Secretariat of the Tehran Convention (TCIS). UN Environment was represented as observer as specified in the list of participants. Members of the Working Group on Monitoring and Assessment (WGMA), which held its 4th Meeting on 25 September 2018, in parallel with the PrepCom6, also attended as observers during the discussions of agenda items pertaining to the work of the Working Group. The discussions on the Monitoring Protocol, the State of the Caspian Sea Environment report, and the Caspian Environment Information Centre (CEIC) were attended and co-serviced by the observer delegation of GRID Arendal. Representative of OSPRI was present during the discussions on the Aktau Protocol as observer. The Meeting furthermore listened and exchanged views on a presentation on the Greater Caspian Foundation by a Representative of Integral Petroleum.

The Meeting was chaired by Mr. Rasim Sattarzada, Head Environmental Policy Division, Ministry of Ecology and Natural Resources, Republic of Azerbaijan who, at his request and with the consent of the Meeting, during the first two days of the Meeting was replaced by Mr Frits Schlingemann, Senior Advisor TCIS.

Provisional agenda.

The provisional agenda was adopted. Upon the request of Kazakhstan, the Meeting agreed to change the sequence of the items.

Status ratification and implementation of the Moscow, Ashgabat and EIA Protocols (Note Depository; TC/COP6/Info4)

The Moscow Protocol ratification is still pending by Kazakhstan and Russian Federation. Kazakhstan is awaiting certified translation copies of the Moscow Protocol. IR Iran (Depositary) will provide the copies; Azerbaijan is requested to submit its certified translation to the Depositary.

The Ashgabat Protocol is awaiting accession by Azerbaijan and ratification by IR Iran, Kazakhstan and Russian Federation. IR Iran (Depositary) has provided Kazakhstan with certified translation copies with the exception of the certified translation of Azerbaijani language which IR Iran has not yet received.

IR Iran (Depositary) received authentic texts of the EIA Protocol in English, Russian and Turkmen. The text in the Kazakh and Azerbaijani languages need to be identified and submitted.

It was recalled that the Heads of State at the Caspian Summit in Aktau on 12 August 2018, instructed to finalize the internal procedures for the entry into force of the Protocols to the Tehran Convention.

The Meeting agreed to recommend that COP6 requests the preparation of implementation plans for the Protocols (paras 5, 6 and 7 draft Ministerial Statement)

Outcomes of the Extraordinary Meeting of the Parties, Moscow, Russian Federation, 19-20 July 2018 (TC/COP6/info1)

The Meeting noted and welcomed the outcomes of the Extraordinary Meeting of the Parties in Moscow, including the call for early ratification and implementation of the EIA Protocol (para 7 draft Ministerial Statement)

Terms of Reference NCLOs (TC/COP6/6).

The Meeting agreed with the proposed terms of reference of the NCLOs and decided to submit them to COP6 for adoption (para 10 draft Ministerial Statement).

Programme of Work and budget (TC/COP6/8).

The Meeting agreed to submit the Programme of Work and budget to COP6 for adoption (paras 27 and 28 draft Ministerial Statement), in the understanding that:

- The budget figures will be updated before COP6 to reflect the actual state of income and expenditure
- TCIS will prepare and approach the Contracting Parties in writing explaining the need for an increase in contributions and secondment of staff

Unified Reporting Format (TC/COP6/13)

The Meeting agreed with the proposed Unified Reporting Format and decided to submit the format to COP6 for adoption (para 8 draft Ministerial Statement).

Ongoing project preparations and other possibilities or cooperation (TC/COP6/Info2)

The Meeting was informed about and exchanged views on the projects under preparation and requested TCIS to forward and share more detailed additional information with the NCLOs (para 30 draft Ministerial Statement)

Private Sector and Stakeholder engagement (TC/COP6/12 and 15)

The Meeting reviewed and welcomed the recommendations from the Caspian Day related stakeholder meetings in Astrakhan (TC/COP6/12) as well as the outcome of the meeting on cooperation with the private sector in Bandar Anzali (TC/COP6/15) (paras 22,23 and 25 draft Ministerial Statement). TCIS was requested to develop a stakeholder accreditation system/list.

Aktau Protocol (TC/COP6/17)

The Meeting extensively reviewed the documentation and agreed to propose to COP6:

- To welcome and adopt both the Caspian Sea Plan Concerning Regional Cooperation in Combating Oil Pollution in Cases of Emergency (Annex 1 TC/COP6/17), and the Guidelines for Oil Spill Exercises under the plan (Annex 3 TC/COP6/17) (paras 11 and 12 draft Ministerial Statement, as amended), provided that both documents are finalized. TCIS was requested to seek and integrate the remaining inputs and feedback from the Parties into the documents.
- To invite Parties to designate, in accordance with article 5.1 of the Protocol, the competent national authority and the national operational contact point (para 13 draft Ministerial statement, as amended)
- To make the Convention Secretariat responsible for the regional mechanism provided for in article 4.3 of the Protocol (para 14 draft Ministerial Statement, as amended)

- To consider and call for adequate staff and resources for the functions in article 12.2 of the Protocol (para 15 draft Ministerial Statement, as amended)
- To agree and solicit cooperation with the Agreement on Emergency Prevention and Response in the Caspian Sea (para 16 draft Ministerial Statement, as amended)

Protocol on Monitoring, Assessment and Information Exchange (TC/COP6/4)

Due to severe time constraints the Meeting could only review article 5 of the Protocol. The remaining articles will be reviewed at a later stage. Upon invitation of Turkmenistan, the Meeting agreed to hold the meeting on Protocol on Monitoring, Assessment and Information Exchange in Ashgabat, 29 October 2018 prior to the CASPCOM Meeting.

Working Group on Monitoring and Assessment (TC/COP6/11).

The acting Chair of the WGMA, Dr. Alexander Postnov, Head, Laboratory for International Monitoring Programmes, State Oceanographic Institute of Roshydromet, Moscow, Russian Federation, informed the Meeting of the outcome of the 4th meeting of the WGMA, held on 25 September 2018, in parallel with the PrepCom6 in Baku. After reviewing the outcome, the Meeting decided to recommend to COP6:

- To adopt the Terms of Reference and endorse the composition of the WGMA (Annex 2 and 3, TC/COP6/11) (para 18 draft Ministerial Statement, as amended)
- To request the Secretariat, in consultation with the WGMA and GRID Arendal, to develop institutional and technical requirements and options for a Caspian monitoring data centre.

State of Environment Report (TC/COP6/5)

The Representative of GRID Arendal introduced and the Meeting welcomed and agreed with the second State of the Caspian Sea Environment report, in the understanding that before its submission to COP6 an executive summary will be added and final corrections by Governments will be solicited and integrated in the report. The Contracting Parties will be requested to provide their corrections before end October 2018 (para 21 draft ministerial Statement, as amended)

The Meeting furthermore agreed that for future State of the Environment reports a new methodology should be developed and questions concerning the information base, scope and measure of policy prescriptiveness should be resolved. A paragraph for the Ministerial Statement to that extent will be drafted for consideration and adoption by COP6.

Caspian Environment Information Centre (TC/COP6/16).

The Representative of GRID Arendal presented the updated virtual web-based Caspian Environment Information Centre (CEIC). The Meeting welcomed the update and agreed to recommend to COP6 to express its gratitude to British Petroleum Baku for its support, and invite GRID Arendal to assist in transferring the CEIC to the Convention Secretariat and in mobilizing and training the designated National Information Officers to operate the Centre and keep the website updated (para 19 draft Ministerial Statement)

Management and administration of the Tehran Convention Secretariat: Note by TCIS (TC/PrepCom6-1).

In introducing its Note TCIS recalled that at the request of PrepCom5 a draft Memorandum of Understanding (MOU) was prepared to regulate the future relationship between the Convention process and UN Environment. The draft was circulated for comments by email of 22 December 2017 and discussed at the meeting of the representatives of the Contracting Parties in Baku, 5-7 February 2018. Before that meeting comments from Russian Federation were received and circulated. At the meeting it

was agreed that the other Parties would send their comments, if any, to TCIS by 19 February 2018. Following the request comments were received from the Republic of Azerbaijan and IR Iran. Kazakhstan and Turkmenistan did not provide any written comments.

The text of the MOU including the comments from Russian Federation, Republic of Azerbaijan and IR Iran was circulated as Annex 1 to document TC/PrepCom6-1. Comments provided by UN Environment were also included in the document, separate from Annex 1.

At the request of the Republic of Azerbaijan TCIS furthermore prepared a clean text of the MOU based upon all comments made. The text was included in document TC/PrepCom6-1 as Annex 2.

Following an exchange of views, the Chair of PrepCom6 requested the representatives of the Contracting Parties to focus and provide comments on Annex 2 of document TC/PrepCom6-1.

The representative of Kazakhstan informed that in the margins of the Meeting of the Ministers Foreign Affairs (MMFA) of the representatives of the Caspian littoral states prior to the Fifth Caspian Summit in Aktau, Kazakhstan, on 11 August 2018, the issues on management and administration of the Tehran Convention Secretariat were discussed, and that the Kazakhstan Party does not support the concept of a Convention Secretariat administered by a non-Party external entity and therefore the COP5 Decision of 30 May 2014 on the location and arrangements for the Tehran Convention Secretariat has to be revisited.

The representative of Kazakhstan, furthermore, stated that the Parties should now go for an exclusive five Party agreement on the Secretariat arrangements. This new conceptual approach should guide the Parties in their discussion on Annex 2 of Document TC/PrepCom6-1.

The Representative of Azerbaijan, for the purpose of reaching a compromise, partially supported Kazakhstan, being ready to consider their proposals, while keeping the role of UNEP in providing administrative and technical support to the Parties and remained equally prepared and willing to work on the MOU as proposed in Annex 2 of Document TC/PrepCom6-1.

The representative of Turkmenistan stated that he did not recall a decision taken in the margins of MMFA prior to the Fifth Caspian Summit in Aktau, Kazakhstan, where he was present, as presented by Kazakhstan. He expressed a strong preference for discussing the Secretariat arrangements based on the Decision taken by COP5 in Ashgabat.

Russia, Iran and Turkmenistan have reserved a position on Kazakhstan's new proposals pending the necessary consultations in the country and the development of a position with respect to Kazakhstan's new conceptual approach.

In the ensuing exchange of views, the representatives did not succeed in reaching agreement on the text of Annex 2 and requested TCIS to reproduce the text of Annex 2 reflecting the state of the art in terms of paras reviewed, and paras and proposals which were not or only partly discussed. The status report was issued at the last day of the Meeting and is attached.

Consequently, the Meeting turned its attention to the related paragraphs 1 to 4 of the draft Ministerial Statement and Decisions contained in document TC/COP6/10. The Representative of Kazakhstan indicated that, in accordance with the conceptual approach she had outlined in the exchange of views on document TC/PrepCom6-1, the 4 paras would have to be replaced by two paragraphs: one highlighting the need for a five Party agreement on the Tehran Convention Secretariat; and one requesting UN Environment to continue to provide the functions of the secretariat ad interim until the Secretariat would be in place and operational in Baku.

The proposals by Kazakhstan were noted. No further discussion took place on paragraphs 1 to 4 of the draft Ministerial Statement and Decisions.

Ministerial Statement and Decisions (TC/COP6/10)

During the Meeting a number of paragraphs of the draft Ministerial Statement and Decisions were reviewed and agreed upon (see references under the various agenda items). Due to time constraints the Meeting could not, however, finalize its reading and review of the other remaining paragraphs, which will have to be done at the final PrepCom prior to the COP6.

Date and Provisional agenda COP6.

In light of the great number of pending issues the Meeting agreed that COP6 should be held as soon as possible and expressed preference for the second half of February 2019 at the latest. The Representatives of Azerbaijan supported the wish of the Meeting and will forward the request to the Government.

Meeting Report
Seventh Preparatory Meeting for the sixth Meeting of the
Tehran Convention Conference of the Parties (COP6)
16-20 September 2019, Baku, Azerbaijan

The 7th Preparatory Committee Meeting for the 6th Meeting of the Conference of the Parties to the Tehran Convention (PrepCom7) was attended by delegations from the Republic of Azerbaijan, IR Iran, Kazakhstan, Russian Federation and Turkmenistan, and serviced by the Secretariat of the Tehran Convention (TCIS) provided ad interim by the UNEP Regional Office for Europe. Members of the Working Group on Monitoring and Assessment (WGMA), which held its 5th Meeting on 18 and 19 September 2019, in parallel with PrepCom7, attended as observers during the discussions of agenda items pertaining to the work of the Working Group. The discussions on the State of the Caspian Sea Environment (SOE) report and the Caspian Environment Information Centre (CEIC) were attended by the observer delegation of GRID Arendal. Representative of OSPRI was present during the discussions on the Aktau Protocol as observer. Representative of Water Initiative Centre was present during the discussions on the Project "Addressing Marine litter in the Caspian Sea region".

The Meeting was opened by Mr. Rauf Gadjiev, Deputy Minister, Ministry of Ecology and Natural Resources, Republic of Azerbaijan and chaired by Mr. Rasim Sattarzada, Head Environmental Policy Division, Ministry of Ecology and Natural Resources, Republic of Azerbaijan who, at his request and with the consent of the Meeting was replaced by Mr. Mahir Aliyev, Regional Coordinator, UNEP Regional Office for Europe, assisted by Mr Frits Schlingemann, Senior Advisor TCIS.

The full list of participants is attached.

Provisional agenda.

The provisional agenda was adopted. During the meeting the timeframe for discussions of the agenda items was adapted to the prevailing needs and circumstances.

Protocol on Monitoring, Assessment and Information Exchange (TC/COP6/4)

The Meeting reviewed the Preamble and article 1 of the Protocol. Due to a lack of time for further discussions it was decided to continue and finalize the review of the Protocol at a separate meeting, early 2020. Comments of the Russian Federation were submitted in writing during the meeting.

Management and administration of the Tehran Convention Secretariat (TC/PrepCom6-1rev).

In briefly introducing the document the Representative of TCIS recalled that the report reflected the process of negotiations on the Memorandum of Understanding (MOU) concerning the management and administration of the Convention Secretariat, including, in Annex 3, the state of the art in terms of paras reviewed and paras and proposals which were not or only partly discussed at PrepCom6 in Baku, Republic of Azerbaijan, 24-28 September 2018.

The document was not discussed but during the discussion of document TC/PrepCom7-1 on the draft Agreement on the Secretariat of the Convention, proposed by Kazakhstan, the representatives of IR Iran, Russian Federation and Turkmenistan stated that issues addressed in the draft Agreement proposed by Kazakhstan were also addressed in the Memorandum of Understanding concerning the management and administration of the Convention Secretariat contained in document TC/PrepCom6-1rev, and expressed their preference for continuing the discussions on the Convention Secretariat arrangements on the basis

of Annex 3 of that document. The Representative of IR Iran requested TCIS to draft and include a para to that effect in the draft Ministerial Statement and Decisions of COP6 (TC/COP6/10rev).

The representative of the Russian Federation requested the Secretariat to prepare and submit to the COP6 an historic overview of the discussions and decisions related to the management and administration of the Tehran Convention Secretariat.

The representative of Kazakhstan repeated Kazakhstan's objection against the MOU.

Draft Agreement between the Republic of Azerbaijan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Russian Federation and Turkmenistan on the Secretariat of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea of 4 November 2003 (TC/PrepCom7-1).

The draft of the Agreement was introduced by the Representative of Kazakhstan, who reminded the Meeting that Kazakhstan had on 29 July 2019 sent the Agreement via diplomatic channels to the Tehran Convention Contracting Parties. She highlighted and requested the Representatives of the Contracting Parties to provide their opinion on the main elements of the Secretariat arrangement proposed in the Agreement: location; structure and staffing; financing; and international status.

The Representative of the Republic of Azerbaijan stood ready to discuss the details of the Agreement as proposed by Kazakhstan.

The Representatives of IR Iran, Russian Federation and Turkmenistan questioned the need for a new agreement on the Location and Arrangements of the Tehran Convention Secretariat, recalling that the implementation of the related Decision by the Contracting Parties, taken at COP5, in Ashgabat, Turkmenistan, on 30 May 2014, was already underway. They added that they were not in a position to discuss the details of the Agreement and would submit the proposals of Kazakhstan with the views expressed to their Governments for internal review.

The Representative of Kazakhstan requested TCIS to provide copies of the credentials of the Contracting Parties to COP5.

The Representative of Kazakhstan informed that the delegation would summarize and submit the views of his Government on the main elements of the Agreement in a proposal for inclusion in the draft of the Ministerial Statement and Decisions of COP6 (TC/COP6/10). The proposal is attached to the Report of the Meeting.

He requested the Government of the Republic of Azerbaijan - host of PrepCom7 -, to circulate the draft Ministerial Statement and Decisions after PrepCom7 through diplomatic channels to the Contracting Parties, with a view to promote and arrive at the common position at COP6 on the elements of the Agreement proposed by Kazakhstan.

Tehran Convention Interim Secretariat services; proposal to move the interim Secretariat (TCIS) to the UN house in Azerbaijan (TC/PrepCom7-2).

In introducing the document, the Representative of TCIS recalled that the TCIS Note was circulated to the Contracting Parties on 1 July 2019 for comments. Comments were received from IR Iran and annexed to the Note.

The TCIS Representative stated that moving the interim Secretariat to Baku, recruiting a Head of office and seeking staff secondments, is highly needed to secure a successful and cost-effective Convention process pending the decision and establishment of a permanent Convention Secretariat. It would imply locating and managing the UNEP project providing for the interim Secretariat services from the UN House

in Baku, through an interagency agreement with the local UN office in Baku. The cost would not exceed the budget projections provided in the proposed Program of Work (TC/COP6/8rev). The move could be effectuated within a timeframe of three months.

The TCIS Note and the related para 2 in the draft Ministerial Statement and Decisions (TC/COP6/10rev) were kept pending.

Status of the ratification of the Moscow, Ashgabat and EIA Protocols.

The Depositary – IR Iran – informed the Meeting of the status of ratification of the Moscow, Ashgabat and EIA protocols. The Moscow Protocol is awaiting ratification by Kazakhstan and Russian Federation; the Ashgabat Protocol is not yet ratified by Azerbaijan, Kazakhstan and Russian Federation; and the EIA protocol has been ratified by Azerbaijan only.

The Meeting was informed by the Representatives of the Contracting Parties which have not yet ratified one or more Protocols, that such ratification can be expected soon.

Aktau Protocol (TC/COP6/17).

The document was introduced by the Representative of TCIS who, inter alia, stated that the draft of the Caspian Sea Plan Concerning Regional Co-operation in Combating Oil Pollution in Cases of Emergency was finalized with the exception of recently received comments by Turkmenistan. The Representative of Kazakhstan informed that Kazakhstan would also submit additional comments.

It was agreed to deal with the comments in a parallel meeting of experts as well as an online meeting in time before COP6 to adopt the Plan, if needed. The parallel meeting reviewed the draft text of the Plan and agree to organize the online meeting to finalize the draft text of the Plan. That meeting would also undertake a last review of the Guidelines for Oil Spill Exercises, which COP6 is expected to adopt. The draft text of the Plan as result of the parallel meeting discussion is contained in (TC/COP6/17rev).

It was decided that pending the finalization of the Implementation Plan and the Guidelines, the related para's 7 and 8 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) will be kept between brackets.

The Meeting reviewed and finalized the Aktau Protocol related para's 9 through 12 of the draft Ministerial Statement and Decisions (TC/COP6/10rev), for submission and approval by COP6.

Working Group on Monitoring and Assessment (TC/COP6/11).

The Meeting was informed by the Representatives of Azerbaijan and Kazakhstan that, in light of the proposed terms and content of the proposed Protocol on Monitoring, Assessment and Information Exchange, both the title and the terms of reference of the Working Group deserve clarification. It was agreed that the Contracting Parties will provide TCIS with their proposals for amendments within two weeks, i.e. by 4 October 2019 at the latest.

The Meeting decided that, until the matters are clarified, the adoption of the related para 16 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) will be kept pending.

Observing that the establishment of a Caspian monitoring-data centre as proposed in para 17 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) is premature, the Meeting decided to delete para 17 of the draft Ministerial Statement and Decisions.

State of the Environment report (TC/COP6/5).

The Representative of GRID Arendal informed the Meeting that the second State of the Caspian Environment report is being printed and will be presented at COP6. The Meeting agreed that new guidelines and a timeframe would need to be developed for the next report, and amended para 18 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) to that effect

Caspian Environment Information Center CEIC (TC/COP6/16)

Upon the introductory remarks of the Representative of GRID Arendal, the Meeting reviewed the status of the CEIC and its relation with the Tehran Convention web-side, and decided that the work done should be used for creating a new information and outreach system capable of accommodating ongoing emerging changes and innovations in communication technology. It was also decided to merge the CEIC and Tehran Convention website under the web address www.tehranconvention.org.

Para 19 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) was amended to that effect.

Unified Reporting Format (TC/COP6/13)

Following concerns expressed by the Representative of Kazakhstan about the complexity of the questions that have to be addressed in accordance with the new Unified Reporting Format, the Meeting decided to recommend to COP6 to adopt the format as the framework for reporting, and amended para 13 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) to that effect.

Outcomes of the Extraordinary Meeting of the Parties, Moscow, Russian Federation, 19-20 July 2018 (TC/COP6/Info1)

The Meeting recalled and thanked Russian Federation for organizing the successful Extraordinary Meeting of the COP in Moscow, in July 2018. It consequently amended para 4 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) to accommodate the ratification of the EIA Protocol by the Republic of Azerbaijan.

Status of the preparatory work for the implementation of the Moscow, Ashgabat and EIA protocols (TC/COP6/Info4)

The Meeting took note of the status report.

Terms of Reference NCLOs (TC/COP6/6)

The meeting slightly amended and decided to submit the terms of reference of the NCLOs to COP6 for adoption, as proposed in para 15 of the Draft Ministerial Statement and Decisions (TC/COP6/10rev).

Program of Work and budget (POW)(TC/COP6/8)

The Meeting amended and agreed to submit the proposed Program of Work and budget for 2020-2021 to COP6 for approval, in the understanding that the certified statement of income and expenditures for 2019, to be issued early 2020, as well as the secretariat arrangements decided by COP6 may necessitate some changes in the budget. TCIS was requested to provide an overall overview of the income and expenditures incurred since COP5.

Consequently para's 26 through 28 of the draft Ministerial Statement and Decisions (TC/COP6/10rev) were agreed upon.

Ongoing project preparations and other possibilities for cooperation

The Meeting received the presentation from a representative of the Water Initiative Centre, a Public Fund based in Kazakhstan, on the Project "Addressing Marine litter in the Caspian Sea region" carried out under auspices of the Tehran Convention Interim Secretariat, funded by the Coca-Cola Foundation and

Global Water Challenge followed by an exchange of views between the Contracting Parties on the project development, preliminary agreement among the countries on the subject, content, objectives as well as the time frame of the project. As a result, the Meeting amended para 30 of the draft Ministerial Statement and Decisions (TC/COP6/10rev).

Upon the request from the Azerbaijan National Academy of Sciences the Meeting listened to the presentation on the regional scientific cooperation in the Caspian Sea. The Parties took note of the presentation and informed that will consider the proposal at the national level.

Private Sector and Stakeholder Engagement (TC/COP6/12; TC/COP6/15)

The Meeting reviewed the Outcome Document of the Round Table on Collaboration with the Private Sector in Bandar Anzali, Iran 16-20 April 2017 (Annex TC/COP6/15) and agreed with the para 23 of the the draft Ministerial Statement and Decisions (TC/COP6/10rev).

The Meeting also reviewed the outcome the Stakeholders' Meetings at Caspian Day 2015 and 2017 in Astrakhan and agreed with the para 20 of the draft Ministerial Statement and Decisions.

Provisional Agenda of the 6th Meeting of the Conference of the Parties (COP6) to the Tehran Convention

The Meeting reviewed and agreed with the provisional agenda of the

Ministerial Statement and Decisions (TC/COP6/10)

The Meeting reviewed and amended the draft Ministerial Statement and Decisions for submission and adoption by COP6. The para's proposed for inclusion by Kazakhstan and annexed to this report were kept in brackets awaiting the comments from the Contracting Parties which Kazakhstan requested Azerbaijan - host of PrepCom7 - to solicit both the comments and proposals by the Contracting Parties at COP6.

As requested by the Representative of IR Iran, para 2 of the draft Ministerial Statement was kept in brackets 's and pending since no discussion took place on the Note by TCIS regarding the Tehran Convention interim secretariat arrangements (Tc/PrepCom7-2).

IR Iran furthermore requested TCIS to draft and include, for consideration by COP6, a para in brackets in the draft Ministerial Statement and Decisions, addressing the wish of IR Iran, Russian Federation and Turkmenistan to continue the discussion on the Memorandum of Understanding concerning the management and administration of the Convention Secretariat, based on the state of the art report contained in Annex 3 of document TC/PrepCom6-1.

Pending the finalization of the Aktau Protocol Implementation Plan and Guidelines, the Meeting decided to keep para's 7 and 8 of the draft Ministerial Statement and Decisions in brackets.

Awaiting the outcome of the clarifications on the title and terms of reference of the Working Group on Monitoring and Assessment, the Meeting decided to keep para 16 of the draft Ministerial Statement and Decisions in brackets.

In line with the discussions on the Working Group on Monitoring the Meeting decided to delete para 17 of the draft Ministerial Statement and Decisions.

In line with the discussion on the CEIC the Meeting decided to delete para 20 of the draft Ministerial Statement and Decisions.

The Meeting agreed to insert a new para in the draft Ministerial Statement and Decisions requesting the Secretariat to seek collaboration with the Commission on Aquatic Bioresources of the Caspian Sea and the Tehran Convention and sign a Memorandum of Understanding to that effect.

The Meeting also agreed to insert a new para in the draft

Ministerial Statement and Decisions expressing gratitude to Turkmenistan for holding the Caspian Economic Forum, National Tourist Zone "Avaza", Turkmenbashi, Turkmenistan, 11-12 August 2019.

Aide-memoire

1st online session of the PrepCom-8; "State of implementation of the decisions and proposals on the Location and Arrangements for the Secretariat of the Tehran Convention"

20 September 2022

PrepCom-8 of COP6 started with an on-line meeting on the State of implementation of the decisions and proposals on the location and Arrangements for the Secretariat of the Tehran Convention. The meeting took place on 20 September 2022, was chaired by Mr. Samir Sharifov, Head Department of international Law and Treaties, Ministry of Foreign Affairs, Republic of Azerbaijan, and attended by representatives of all five Contracting Parties and the interim Secretariat of the Convention (TCIS). The list of participants is enclosed to the report.

The agenda of the Meeting was derived from the note by the interim Secretariat (TCIS) on the State of implementation of the decisions and proposals on the location and arrangements for the Secretariat of the Tehran Convention, and constituted of three items:

1. Draft agreement between the Republic of Azerbaijan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Russian Federation and Turkmenistan on the Secretariat of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (proposal Republic of Kazakhstan);
2. "Ashgabat" Decision on the Location and Arrangements for the Secretariat of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea;
3. Memorandum of Understanding concerning the management and administration of the Convention Secretariat, dated 28 September 2018 (proposal Russian Federation).

The Russian delegation voiced a number of issues regarding the draft document proposed by the Kazakh Party. In particular, the following questions were raised:

- on the basis of which instruction of COP-5, the Kazakh Party developed the draft agreement; how the work under such an agreement is expected to be carried out,
- why the work towards finding agreement on the Memorandum of Understanding regarding the administrative management of the Convention Secretariat was frozen,
- and what is the "added value" of the proposal of Kazakhstan for the development of five-party cooperation in the Caspian Sea?

The Russian Party considers it expedient to adhere to the previously reached agreements without discrediting the decisions of the Conference of Parties.

After the interventions of the delegations, the Kazakh Party announced a "package" proposal to the draft decision of the COP6:

"1. To locate the Secretariat of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea of November 4, 2003 (*hereinafter – the Tehran Convention*) in Baku, Republic of Azerbaijan.

2. In accordance with paragraph 1 of Article 23 of the Tehran Convention, conclude an Agreement between the Republic of Azerbaijan, the Islamic Republic of Iran, the Republic of Kazakhstan, the Russian Federation and Turkmenistan on the Secretariat of the Tehran Convention (*hereinafter – the Secretariat Agreement*).
3. Determine the date of the end of the administrative management of the interim Secretariat of the Tehran Convention by the Regional Office for Europe of the United Nations Environment Programme (UNEP) as September 1, 2024.
4. After the entry into force of the Secretariat Agreement, conclude an agreement between the Tehran Convention Secretariat and the host country in order to determine the legal status of the Secretariat and its staff in the host country (*privileges and immunities, financial issues, office, etc.*).
5. Conclude a cooperation agreement between the Tehran Convention Secretariat and UNEP. *

** In the opinion of the Kazakh Party it is possible to negotiate all of the above-mentioned draft agreements in parallel."*

The Islamic Republic of Iran proposed to request COP6 to confirm locating the Convention Secretariat for a time bound period of 4 years in Baku, and decide to open an avenue for negotiations on the other proposals of Kazakhstan. A draft text for inclusion in the Ministerial Statement and Decisions will be submitted for circulation and consideration by the Contracting Parties.

A proposal was considered to move the interim Secretariat to Baku, that could imply a potential strengthening the and services rendered by TCIS, pending the decision on the permanent Secretariat, but the Islamic Republic of Iran insisted that such a move should be accompanied by a rotation scheme.

The meeting was informed that up to three more PrepCom meetings are planned. The next meeting being scheduled for 28 September 2022 and dedicated to the Protocol on Monitoring, Assessment and Information Exchange. TCIS will circulate the proposed time schedule for other online sessions of the PrepCom-8.

Aide-Memoire

2nd online session of the PreoCom-8; Protocol on Monitoring, Assessment and Information Exchange

28 September 2022

The meeting was opened by the Representative of Azerbaijan and, at their request, chaired by the coordinator of the interim Secretariat to the Convention, Mr. Mahir Aliyev. All five Caspian countries were represented and participated in the meeting, which was serviced by the interim Secretariat (TCIS). The list of participants is enclosed to the Aide-memoire.

TCIS provided a brief introduction of its Note on the background and rationale of the Protocol, explaining that the Note was meant to clarify the substantive scope of the Protocol, its relationship with the Convention and the other Protocols, and its role in codifying the toolbox (Unified Reporting Format, State of the Environment Reporting, Caspian Environment Information Centre; Environmental Monitoring Programme) developed under the Convention to build and support cooperation between the Contracting Parties, in the field of monitoring, assessment, reporting and information exchange.

The meeting then reviewed and reached agreement on the text of article 2 (Objectives) of the Protocol.

The meeting also reviewed and reached agreement on article 1(f), definition of the “Environmental Monitoring Programme”.

Reviewing the Russian Federation - proposed definition of “original data” (preamble para (x)) and the related proposed references to original data in paragraph 4 and new article 6.3, the meeting, while agreeing with the gist of the definition, decided to keep the paragraphs between brackets in the understanding that wording (“semantics”) has to be found to qualify the word “original” in light of the conceptual position of Iran that data that have been passing quality control cannot be named “original” any more.

The meeting briefly discussed the proposal of Russian Federation to include a new article 5.3, providing for the establishment of a technical advisory body to the Protocol. The proposal was supported by Iran, but the other Contracting Parties did not see the need for such an article.

Reviewing article 8 (Reporting) of the Convention, against the background of the proposal of Kazakhstan to delete the article, the meeting agreed to maintain paragraph 2 on SOE reporting, and further discuss and amend paragraph 1 on reporting in accordance with the Unified Reporting Format.