

Procedures for intersessional CEP consideration of draft CEEs

Appendix 3 CEP XX Report

1. The agenda of each CEP meeting shall include an item relating to the consideration of draft CEEs forwarded to the CEP in accordance with Paragraph 4 of Article 3 of Annex I to the Protocol.*
2. The CEP shall, under this agenda item, consider any draft CEE and provide advice to the ATCM on such drafts in accordance with Article 12 and Annex I of the Protocol.*
3. Proponents are encouraged to circulate draft CEEs to the Committee as soon as practicable and, in accordance with Paragraph 4 of Article 3 of Annex I to the Protocol, shall do so at least 120 days before the next Antarctic Treaty Consultative Meeting.
4. At the same time a draft CEE is circulated to Members via diplomatic channels, the proponent shall notify the CEP Chair, preferably by e-mail, that a draft CEE has been circulated.#
5. The proponent should post the draft CEE on a web site in the original language(s). A link to that web site will also be established on the CEP web site. If the proponent does not have a web site on which it is able to post the draft CEE, an electronic version should be forwarded to the CEP Chair who will post it on the CEP web site.#

[The Secretariat shall also translate each draft CEE into all other official languages and post these versions to the CEP web site as soon as practicable.]

6. The CEP Chair shall immediately notify the CEP contact points of the availability of each draft CEE, and provide details of the web site at which such documents can be accessed.#
7. The Chair shall suggest a convenor for an open-ended intersessional contact group to consider the draft CEE. The convenor should preferably not be from the proponent Party.#
8. The Chair shall allow a period of 15 days for Members to object or offer comments, suggestions or proposals concerning:
 - i. the proposed convenor.
 - ii. additional terms of reference beyond the following generic issues:
 - the extent to which the CEE conforms to the requirements of Article 3 of Annex I of the Environment Protocol.
 - whether the CEE: i) has identified all the environmental impacts of the proposed activity; and ii) suggests appropriate methods of mitigating (reducing or avoiding) those impacts.
 - whether the conclusions of the draft CEE are adequately supported by the information contained within the document.
 - the clarity, format and presentation of the draft CEE.#
9. If the Chair does not receive a reply within 15 days it will be considered that the Members agree with the proposed convenor and the generic terms of reference. If the Chair receives comments on i) or ii) listed above within the 15 day limit the Chair shall, as appropriate, circulate a revised suggestion for one or both items. A further 15 day limit applies for Members to respond.#

10. All correspondence shall be available to all representatives via the CEP Discussion Forum.*
11. The right of a Party to raise an issue on a draft CEE at the CEP or ATCM is not affected by its action in relation to the establishment – or non-establishment – of an open-ended intersessional contact group.#
12. The outcome of the contact group’s deliberations, indicating areas of agreement and areas where differing views are expressed, shall be reported in a Working Paper submitted by the convenor to the next CEP meeting.*

* Copied or modified from “Guidelines for CEP Consideration of Draft CEEs” (Annex 4 to CEP II Final Report, 1999).

Copied or modified from “Operational procedures for establishing intersessional contact groups for consideration of draft CEEs” (Annex 3 to CEP III Final Report, 2000).