

Decision I/6

Adopted by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment at its first session

Decision V/6

Adopted by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context at its fifth session

Application of the compliance procedure of the Convention on Environmental Impact Assessment in a Transboundary Context to the Protocol on Strategic Environmental Assessment

The Meeting of the Parties to the Convention and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment,

Meeting in joint session,

Recalling article 14, paragraph 6, of the Protocol, which concerns the application of the procedure for the review of compliance with the Convention to the Protocol,

Noting the appendix to decision III/2 of the Meeting of the Parties to the Convention, setting out the structure and functions of the Implementation Committee and procedures for the review of compliance, and annex IV to decision IV/2 of the Meeting of the Parties to the Convention, setting out operating rules of the Implementation Committee,

Recalling also the decision by the Meeting of the Parties to the Convention at its fifth session to keep under review and develop if necessary the structure and functions of the Implementation Committee, as well as its operating rules, particularly in the light of experience gained by the Committee in considering issues relating to compliance with the Protocol,

Having considered the modalities for the application of the procedure for the review of compliance, pursuant to article 14, paragraph 6, of the Protocol,

Emphasizing that, in applying to the Protocol the structure and functions of the Implementation Committee and the procedures for review of compliance which are set out in the appendix to decision III/2 of the Meeting of the Parties to the Convention, references in the appendix to the Convention and to the Meeting of the Parties to the Convention shall, where review of compliance with the Protocol is concerned, be understood as references to the Protocol and to the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, respectively,

1. *Decide* that, where the Implementation Committee is considering issues relating to compliance with the Convention, it shall be comprised only of Parties to the Convention, and that, where the Implementation Committee is considering issues relating to compliance with the Protocol, it shall be comprised only of Parties to the Protocol;

2. *Also decide* that the Parties to the Convention shall decide upon the composition of the Implementation Committee, in accordance with paragraph 1 of the appendix to decision III/2 of the Meeting of the Parties to the Convention, after which the

Parties to the Protocol shall elect the number of Parties necessary for the operation of paragraph 1 of the current decision, to take the place on the Implementation Committee of those Parties to the Convention which at that time are not a Party to the Protocol, for the same term as those Parties; and decide that the Chair of the Implementation Committee shall be from a Party to the Convention which is also a Party to the Protocol;

3. *Further decide* that the two election processes set out in paragraph 2 shall take place during a joint session of the Meeting of the Parties to the Convention and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, at which the Parties to the Convention and to the Protocol shall also cooperate with a view to ensuring that the total of the number of Parties elected under the Convention and under the Protocol shall preferably not exceed twelve;

4. *Further decide* that when the appendix to decision III/2 of the Meeting of the Parties to the Convention is amended by the Meeting of the Parties to the Convention, the amended appendix shall also apply *mutatis mutandis* to the Protocol, unless otherwise decided by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol;

5. *Further decide* that the operating rules of the Implementation Committee which are set out in annex IV to decision IV/2 of the Meeting of the Parties to the Convention shall also apply *mutatis mutandis* to the Protocol, and shall continue to apply when amended by the Meeting of the Parties to the Convention, unless otherwise decided by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol.
