

**Economic Commission for Europe**Meeting of the Parties to the Convention  
on Environmental Impact Assessment  
in a Transboundary Context**Seventh session**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**Third session**

Minsk, 13–16 June 2017

Item 2 (e) of the provisional agenda

**Organizational matters: Status of the Convention, its amendments  
and its protocol****Status of ratification of the Convention, its amendments and  
the Protocol as at 21 April 2017****Note by the secretariat:**

State	Convention		Amendments		Protocol	
	Signature <sup>2</sup>	Ratification <sup>3</sup>	1 <sup>st</sup>	2 <sup>nd</sup>	Signature <sup>2</sup>	Ratification <sup>3</sup>
<i>Date adopted/in force</i>	25/02/1991	10/09/1997	27/02/2001	04/06/2004	21/05/2003	11/07/2010
<i>No. Parties to Convention at that date</i>			31	40		
Albania	26/02/1991	04/10/1991	12/05/2006	12/05/2006	21/05/2003	02/12/2005
Andorra						
Armenia		21/02/1997			21/05/2003	24/01/2011
Austria	26/02/1991	27/07/1994	14/09/2006	14/09/2006	21/05/2003	23/03/2010
Azerbaijan		25/03/1999				
Belarus	26/02/1991	10/11/2005	23/03/2011			
Belgium	26/02/1991	02/07/1999	*		21/05/2003	
Bosnia and Herzegovina		14/12/2009	*	*	21/05/2003	*
Bulgaria	26/02/1991	12/05/1995	25/01/2007	25/01/2007	21/05/2003	25/01/2007
Canada	26/02/1991	13/05/1998				
Croatia		08/07/1996	11/02/2009	11/02/2009	23/05/2003	06/10/2009
Cyprus		20/07/2000	<b>15/02/2017</b>	<b>15/02/2017</b>	21/05/2003	<b>15/02/2017</b>
Czech Republic	30/09/1993	26/02/2001	18/04/2007	18/04/2007	21/05/2003	19/07/2005
Denmark	26/02/1991	14/03/1997	*	*	21/05/2003	04/06/2012
Estonia		25/04/2001	12/04/2010	12/04/2010	21/05/2003	12/04/2010
Finland	26/02/1991	10/08/1995	19/02/2014	19/02/2014	21/05/2003	18/04/2005
France	26/02/1991	15/06/2001	*	22/11/2011	21/05/2003	*
Georgia		*	*	*	21/05/2003	*
Germany	26/02/1991	08/08/2002	08/08/2002	22/02/2007	21/05/2003	22/02/2007
Greece	26/02/1991	24/02/1998			21/05/2003	
Hungary	26/02/1991	11/07/1997	29/05/2009	29/05/2009	21/05/2003	26/11/2010
Iceland	26/02/1991					
Ireland	27/02/1991	25/07/2002	*	*	21/05/2003	*
Israel						
Italy	26/02/1991	19/01/1995	18/07/2016	18/07/2016	21/05/2003	18/07/2016
Kazakhstan		11/01/2001				
Kyrgyzstan		01/05/2001				
Latvia		31/08/1998	21/03/2016	21/03/2016	21/05/2003	21/03/2016
Liechtenstein		09/07/1998	12/05/2015	12/05/2015		
Lithuania		11/01/2001	22/03/2011	22/03/2011	21/05/2003	22/03/2011

1 Primary source: <http://treaties.un.org>

2 Signature or succession to signature

3 Ratification, accession, approval, acceptance

State	Convention		Amendments		Protocol	
	Signature <sup>2</sup>	Ratification <sup>3</sup>	1 <sup>st</sup>	2 <sup>nd</sup>	Signature <sup>2</sup>	Ratification <sup>3</sup>
Luxembourg	26/02/1991	29/08/1995	05/05/2003	04/05/2007	21/05/2003	02/07/2008
Malta		20/10/2010	28/05/2014	28/05/2014		<b>20/05/2016</b>
Monaco						
Montenegro		09/07/2009	09/07/2009	09/07/2009	23/10/2006	02/11/2009
Netherlands	25/02/1991	28/02/1995	14/04/2009	14/04/2009	21/05/2003	08/12/2009
Norway	25/02/1991	23/06/1993	24/02/2010	24/02/2010	21/05/2003	11/10/2007
Poland	26/02/1991	12/06/1997	20/07/2004	11/01/2012	21/05/2003	21/06/2011
Portugal	26/02/1991	06/04/2000	22/05/2015	09/03/2012	21/05/2003	04/09/2012
Republic of Moldova		04/01/1994	15/03/2016	*	21/05/2003	*
Romania	26/02/1991	29/03/2001	16/11/2006	03/05/2016	21/05/2003	08/03/2010
Russian Federation	06/06/1991	*	*	*		*
San Marino						
Serbia		18/12/2007	21/03/2016	21/03/2016	21/05/2003	08/07/2010
Slovakia	28/05/1993	19/11/1999	29/05/2008	29/05/2008	19/12/2003	29/05/2008
Slovenia		05/08/1998	25/03/2014	25/03/2014	22/05/2003	23/04/2010
Spain	26/02/1991	10/09/1992	16/07/2008	06/04/2009	21/05/2003	24/09/2009
Sweden	26/02/1991	24/01/1992	30/03/2006	30/03/2006	21/05/2003	30/03/2006
Switzerland		16/09/1996	16/06/2010	15/03/2013		*
Tajikistan						
The former Yugoslav Republic of Macedonia		31/08/1999			21/05/2003	13/09/2013
Turkey						
Turkmenistan						
Ukraine	26/02/1991	20/07/1999			21/05/2003	02/12/2015
United Kingdom of Great Britain and Northern Ireland	26/02/1991	10/10/1997			21/05/2003	
United States of America	26/02/1991					
Uzbekistan						
European Union <sup>4</sup>	26/02/1991	24/06/1997	18/01/2008	18/01/2008	21/05/2003	12/11/2008
<b>Counts:</b>	<b>30</b>	<b>45</b>	<b>31</b>	<b>30</b>	<b>38</b>	<b>31</b>
<i>For entry into force, need in totals:</i>			<b>23 + 1<sup>4</sup></b>	<b>30 + 1<sup>4</sup></b>		
<i>For the 1<sup>st</sup> amendment to have effect, need further:</i>			<b>9</b>			

The Protocol entered into force for Latvia on 21/06/2016, for Malta on 18/08/2016 and for Italy on 16/10/2016. It will enter into force for Cyprus on 16/05/2017

## I. First amendment to the Convention

### A. Entry into force of the first amendment and accession by non-ECE member States

1. The first amendment to the Convention entered into force on 26 August 2014, i.e. the ninetieth day after the receipt by the Treaty Depositary of notification of Malta's accession on 28 May 2014 (art. 14, para. 1). At their last sessions (2-4 June 2014), the Meetings of the Parties to the Convention and the Protocol adopted decision VI/5-II/5 giving blanket approval to any future request for accession United Nations (UN) Member States that are not members of the United Nations Economic Commission for Europe (ECE).

<sup>4</sup> Ratification by the European Union does not count towards the entry into force of the Convention, its amendments (by extension of art. 18, para. 3) or its Protocol.

<sup>5</sup> Pending the entry into force of the second amendment to the Convention, (which will modify article 14 para. 4, accelerating the entry into force of amendments), when determining the entry into force of the two amendments to the Convention, the United Nations Legal Counsel will take into account decision V/2 of the Meeting of the Parties to the Convention and its interpretation by the Working Group on EIA and SEA at its first meeting (24-26 April 2013) (ECE/MP.EIA/WG.2/2012/2, para.12). In line with this interpretation, the amendments will enter into force upon their ratification/approval/acceptance by at least three fourths of the number of State Parties at the time of the adoption of the amendments.

\* Steps being taken towards ratification soon, according to information provided.

2. However, UN Member States that are not members of the ECE may only be able to accede when the first amendment has entered into force for all the States and organizations that were Parties to the Convention at the time the amendment was adopted on 27 February 2001, i.e. 31 Parties (new art. 17, para. 3). From those 31 Parties, the following nine Parties still need to ratify the amendment to make it operational:

- |                      |  |
|----------------------|--|
| <b>1. Armenia</b>    | <b>6. Greece</b>   |
| <b>2. Azerbaijan</b> | <b>7. The former Yugoslav Republic of Macedonia</b>            |
| <b>3. Belgium</b>    | <b>8. Ukraine</b>  |
| <b>4. Canada</b>     | <b>9. United Kingdom of Great Britain and Northern Ireland</b> |
| <b>5. Denmark</b>    |  |

3. In 2014, the Meeting of the Parties to the Convention urged all the States and organizations that were Parties to the Convention on 27 February 2001 that had not yet done so to ratify the amendment to article 17 as soon as possible (*see* decision VI/5–II/5, para. 2; and Geneva Declaration 2014, para. B1).

4. It should be noted that from the entry into force of the first amendment, “any State or organization that ratifies, accepts or approves [the] Convention shall be deemed simultaneously to ratify, accept or approve the amendment to the Convention set out in decision II/14 taken at the second meeting of the Parties” (new art. 17, para.7).

#### **B. *Accelerating the entry into effect of the first amendment***

5. At its fifth meeting (11-15 April 2016), the Working Group on EIA and SEA commented document ECE/MP.EIA/WG.2/2016/L.3 containing Bureau’s proposals for accelerating the entry into effect of the first amendment to the Convention. It supported the Bureau in acknowledging the Convention’s global benefits and the need to accelerate the opening of the Convention. Owing to the legal concerns expressed by several Parties, however, the Working Group decided not to support the proposal to adopt a separate agreement modifying article 17, paragraph 3 and entering into force through a non-objection procedure once a deadline specified in the agreement had lapsed. The European Union (EU) and its Member States also felt that it would be wiser instead to focus on accelerating the missing ratifications of the first amendment by those States that were parties to the Convention on 27 February 2001. In conclusion, the Working Group urged the concerned Parties to ratify the first amendment by June 2017 so as to honour the political commitments taken when adopting the amendment. Delegations from these countries were invited to report on progress to the Working Group at its sixth meeting in November.

6. At the Working Group’s meeting in November, Denmark reported on significant progress in the national preparations (regarding both amendments). The Working Group again reiterated its request to the named Parties to ratify and to report on progress at the Meeting of the Parties to the Convention. The Bureau echoed that request at its meeting in February 2017.

7. Since April 2016, and until to date, only one of the remaining Parties, Cyprus, has ratified the first amendment (and the second amendment) to the Convention.

## **II. Second amendment to the Convention**

8. The Working Group and the Bureau have also urged all the signatories of the second amendment to the Convention to ratify that amendment by June 2017 and to report on progress at the next sessions of the Meetings of the Parties in Minsk. To date, with the most recent ratification of the second amendment by Cyprus, on 15 February 2017, only one further ratification is needed for that amendment to enter into force.

### III. Status of the Bucharest Agreement<sup>6</sup>

#### **Multilateral agreement among the countries of South-East Europe for implementation of the Convention (Bucharest, 2008) – in force since 25 February 2011**

9. The First Meeting of the Parties to the Bucharest Agreement has been foreseen since 2011. In addition, the workplan for the period 2014–2017 included a preparatory workshop under the leadership of Romania.

10. At the meeting of the Working Group in November 2016, however, Romania reported it had identified no funding and that the event was to be cancelled for the present period. Romania expressed the wish to again postpone the organization of both events to the next intersessional period 2017–2020.

11. Albania reported that it had ratified the Bucharest Agreement several months back and that it only remained for its Government to deposit its instrument of ratification.

<i>Participant</i>	<i>Signature, Succession to signature(d)</i>	<i>Ratification, Acceptance(A), Approval(AA), Accession(a), or one of the previous actions but unspecified (u)</i>
Albania	-	
Bosnia and Herzegovina	-	
Bulgaria	20 May 2008	23 Jan 2009 AA
Croatia	20 May 2008	
Greece	20 May 2008	
Montenegro	20 May 2008	28 Dec 2009 u
Romania	20 May 2008	5 Dec 2011
Serbia	20 May 2008	
The former Yugoslav Republic of Macedonia	20 May 2008	26 Jan 2011 u

<sup>6</sup> Source: Ministry of Foreign Affairs of Romania, with Romania being the Depository for the Agreement.