

Economic Commission for Europe

Meeting of the Parties to the Convention
on Environmental Impact Assessment
in a Transboundary Context

Sixth 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

Second session

Geneva, 2–5 June 2014

Item 2 (e) of the provisional agenda

Organizational matters: Status of the Convention and its amendments and the Protocol

Status of ratification of the Convention, its amendments and its Protocol – at 4 March 2014 (90 days in advance), with additions to date**

Note by the secretariat¹

| <i>State</i> | <i>Convention</i> | | <i>Amendments</i> | | <i>Protocol</i> | |
|---|------------------------------|---------------------------------|-----------------------|-----------------------|------------------------------|---------------------------------|
| | <i>Signature²</i> | <i>Ratification³</i> | <i>1st</i> | <i>2nd</i> | <i>Signature²</i> | <i>Ratification³</i> |
| <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 | | | 21/05/2003 | * |
| 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 | | | 21/05/2003 | |
| Kazakhstan | | 11/01/2001 | | | | |
| Kyrgyzstan | | 01/05/2001 | * | * | | * |
| Latvia | | 31/08/1998 | * | * | 21/05/2003 | |

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

² Signature or succession to signature

³ Ratification, accession, approval, acceptance

| State | Convention | | Amendments | | Protocol | |
|--|---|---------------------------|-----------------|-----------------|------------------------|---------------------------|
| | Signature ² | Ratification ³ | 1 st | 2 nd | Signature ² | Ratification ³ |
| Liechtenstein | | 09/07/1998 | | | | |
| Lithuania | | 11/01/2001 | 22/03/2011 | 22/03/2011 | 21/05/2003 | 22/03/2011 |
| Luxembourg | 26/02/1991 | 29/08/1995 | 05/05/2003 | 04/05/2007 | 21/05/2003 | 02/07/2008 |
| Malta | | 20/10/2010 | * | * | | |
| 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 | * | 09/03/2012 | 21/05/2003 | 04/09/2012 |
| Republic of Moldova | | 04/01/1994 | * | * | 21/05/2003 | |
| Romania | 26/02/1991 | 29/03/2001 | 16/11/2006 | | 21/05/2003 | 08/03/2010 |
| Russian Federation | 06/06/1991 | | | | | |
| San Marino | | | | | | |
| Serbia | | 18/12/2007 | | | 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 | |
| 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 ⁴ | 26/02/1991 | 24/06/1997 | 18/01/2008 | 18/01/2008 | 21/05/2003 | 12/11/2008 |
| Counts: | 30 | 45 | 22 | 22 | 38 | 26 |
| | For entry into force, need in total⁵: | | 23 | 30 | | |
| | For the amendment to have effect, need further (see NOTE): | | 15 | | | |

NOTE regarding the entry into force of the first amendment and the opening of the Convention to all United Nations Member States

Only one further ratification is needed for the first amendment to the Convention (adopted in 2001 by decision II/14) to enter into force. According to the first amendment, article 17, new paragraph 3, opens the Convention to accession by UN Member States that are not members of the UNECE upon approval by the Meeting of the Parties. To simplify the procedure for accession, the Meeting of the Parties to the Convention at its sixth session and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol at its second session (Geneva, 2–5 June 2014) are expected to adopt decision VI/5–II/5 giving blanket approval to any future request for accession to the Convention by countries outside the UNECE region (see ECE/MP.EIA/2014/L.2-ECE/MP.EIA/SEA/2014/L.2). **The entry into force of the amendment and the prior**

⁴ 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.

⁵ 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.

** Addition less than 90 days in advance of the Meetings of the Parties

approval by the Meeting of the Parties, however, will not allow non-ECE countries to accede to the Convention, until the amendment to article 17 has entered into force for all the (31) Parties that were Party to the Convention at the time of the amendment's adoption, i.e. on 27 February 2001. This condition as to when the amendment is to have effect, is set in the text of the amendment (article 17, new paragraph 3).

Wishing to allow countries outside the ECE region to become Parties to the Convention and to the Protocol as soon as possible following a procedure for accession not differing from the procedure for accession by ECE member countries, the Meetings of the Parties are expected to adopt a declaration urging all the States that were Parties to the Convention on 27 February 2001 that have not yet done so to ratify the amendment to article 17 as soon as possible (see ECE/MP.EIA/2014/L.4-ECE/MP.EIA/SEA/2014/L.4).

The States Parties to the Convention that were Party to the Convention at the time of the first amendment's adoption and would need to ratify the amendment to make it operational include:

- | | | |
|----------------------|--------------------------|---|
| 1. Armenia | 6. Denmark | 11. Portugal |
| 2. Azerbaijan | 7. Greece | 12. Republic of Moldova |
| 3. Belgium | 8. Italy | 13. The former Yugoslav Republic of Macedonia |
| 4. Canada | 9. Latvia | 14. Ukraine |
| 5. Cyprus | 10. Liechtenstein | 15. United Kingdom of Great Britain and Northern Ireland |

Moreover, as requested by the Bureau, the ECE Executive Secretary will again write (in May 2014) to ministers of foreign affairs and to environment ministers of the Parties to the Convention that had adopted the amendments to the Convention or the Protocol but not ratified them to proceed promptly with the ratification.

Status of the Bucharest Agreement⁶

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

| <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 | |
| Serbia | 20 May 2008 | |
| The former Yugoslav Republic of Macedonia | 20 May 2008 | 26 Jan 2011 u |

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