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ECONOMIC COMMISSION FOR EUROPE

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

**Working Group on Environmental Impact Assessment
(Ninth meeting, Geneva, 3-5 April 2006)**

**REPORT OF THE SEVENTH MEETING
OF THE IMPLEMENTATION COMMITTEE**

1. The seventh meeting of the Implementation Committee took place in Helsinki on 3 and 4 March 2005.
2. Representatives from the following Parties, members of the Committee, attended the meeting: Armenia (Ms. Margarita Korkhmazyan), Finland (Ms. Seija Rantakallio), Germany (Mr. Matthias Sauer), Slovakia (Mr. Tomáš Cernohous) and the former Yugoslav Republic of Macedonia (Ms. Menka Spirovska). The Committee member from Poland (Mr. Jerzy Jendrovska) had informed the Committee that he was unable to participate in the meeting. The Committee members from Croatia (Mr. Nenad Mikulic) and Kyrgyzstan (Ms. Gulfiya Shabaeva) had informed the Committee that they were unable to participate in the meeting and had sent replacements, Ms. Vesna Montan and Ms. Dinara Kutmanova, respectively.
3. Ms. Rantakallio, Chairperson, opened the meeting. The Committee adopted its agenda prepared by the secretariat.

**I. REPORT OF THE SIXTH MEETING OF THE IMPLEMENTATION
COMMITTEE**

4. The Committee noted that language editing had changed the meaning of one item in paragraph 6 of the report of its sixth meeting (MP.EIA/WG.1/2005/3), which listed the various issues to be included in the operating rules. The word 'initiatives' should be understood to mean 'Committee initiative', because the structure and functions of the Committee (appended to decision III/2) does not include initiatives in the plural; it refers only to a Committee initiative.

II. REVIEW OF THE COMPLIANCE REPORTING SYSTEM 2003-2005

A. Compliance reporting system

5. The Committee revised the draft questionnaire for the national report on implementation, taking into account the general compliance issues that the committee members had identified when reading their designated chapters from the review of compliance 2003. The Committee decided:

- (a) To include an introduction at the beginning of the report, to provide a framework for the questionnaire and to give instructions on how to fill it in;
- (b) That each Party would receive a national report with its name already printed;
- (c) To use Microsoft Word format to make the report more user-friendly;
- (d) To appoint members of the Committee to assist Parties in completing the questionnaire if needed:
 - Ms. Korkhmazyan and Ms. Shabaeva, for Russian speakers, and
 - Mr. Cernohous and Mr. Sauer, for English speakers;
- (e) To complete preparation of the draft questionnaire by e-mail and to submit it for translation on 16 March 2005, with the translation into Russian being done by Ms. Korkhmazyan and checked by Ms. Shabaeva or Ms. Kutmanova; and
- (f) That the questionnaire in English and in Russian would be sent to the Parties on 4 April 2005, to be considered by the Working Group on Environmental Impact Assessment (EIA) at its eighth meeting, to be held in Geneva, from 27 to 9 April 2005.

6. The Committee agreed to propose to the Working Group that the questionnaire be circulated to the Parties in October 2005, so that the completed questionnaire could be returned to the secretariat by April 2006. The Working Group would be asked to provide comments on the draft questionnaire; the Committee would finalize the report by e-mail if no major changes were proposed.

B. Specific compliance issues

7. The Committee decided to send a letter to those Parties from which clarification was needed with regard to the implementation of or compliance with the Convention. The Committee would ask these Parties to clarify their situation, and how it had developed since 2003, and would offer assistance if needed.

8. It was agreed that the secretariat would circulate a draft letter by e-mail for comments. The secretariat would subsequently send the letter on behalf of the Committee. The Committee decided to consider the responses at its next meeting.

III. STRUCTURE AND FUNCTIONS OF THE IMPLEMENTATION COMMITTEE WHEN CONSIDERING MATTERS UNDER THE PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT

9. It was noted that the Meeting of the Signatories of the Protocol on Strategic Environmental Assessment had established a small working group, including the delegations of Germany, the Netherlands and the United Kingdom, in order to prepare a proposal on the modalities for the application to the Protocol of the compliance procedure of the Convention. This proposal was to be submitted to the Meeting of the Signatories for its consideration.

10. The Committee considered that the task of this small working group and that of the Committee overlap, in particular regarding the membership of the Committee when considering matters under the Protocol. The Committee therefore decided to refer this matter to the Meeting of the Signatories and the Working Group on EIA, to determine whether they considered it necessary for the Committee and the small working group to cooperate in this matter.

11. The Committee appointed Ms. Rantakallio and Mr. Sauer to act on its behalf in this matter.

IV. WORKPLAN

12. The Committee examined the remaining items in its workplan and appointed Committee members to prepare materials for consideration later by the whole Committee. The Committee agreed to review progress with its workplan at its next meeting.

A. Operating rules

13. The Committee decided that the list of issues, developed at its last meeting and drafted by the secretariat, was a starting point for its work on the proposed operating rules. The Committee appointed Mr. Jendrovská and Mr. Sauer to prepare materials for this item, with the secretariat again preparing a first draft. It was agreed that the whole Committee would consider procedures for submissions and Committee initiatives before any material was prepared on this issue.

B. Structure and functions of the Committee

14. The Committee decided to keep under review the Committee's structure and functions.

C. Review of compliance

15. The Committee considered that the preparation of a sixteen-page summary document from the national reports, for consideration by the Meeting of the Parties, was part of the reporting system. The summary document would be the starting point for the next Committee, after the fourth meeting of the Parties, to review compliance. The Committee appointed Ms. Spirovská, Mr. Mikulic and Mr. Cernohous to prepare a draft table of contents of the summary document.

D. Encourage self-referral

16. The Committee recalled that its mandate includes a provision allowing a Party that, despite its best endeavours, is or will be unable to comply fully with its obligations under the Convention, to prepare a submission. The Committee appointed Ms. Rantakallio and Ms. Spirovska to prepare proposals on how to encourage such self-referral.

E. Synthesis report to the Meeting of the Parties on the Committee's activities

17. The Committee appointed Ms. Rantakallio and the secretariat to prepare materials for a draft of a synthesis report.

V. SUBMISSION BY ROMANIA

18. The secretariat presented an overview of the correspondence related to the submission by Romania regarding the construction of the Bystroe Canal in Ukraine. The Committee was reminded of paragraph 15 of its structure and functions, which states that the Committee can no longer consider a submission when there is an inquiry procedure on the same matter.

19. The secretariat reported on the status of the inquiry procedure established under the Convention at the request of Romania. The Committee requested the secretariat to provide updated information on this issue at its next meeting.

VI. OTHER BUSINESS

20. The Committee noted that the proposed protocol on transboundary EIA for the Caspian Sea region was in its early stages of development. The Committee decided to come back to this issue at a later stage.

21. It was agreed that the Chairperson would present the report of the Committee's sixth meeting, the informal report of its seventh meeting and the draft of a revised format for country reports (revised questionnaire) to the Working Group on EIA at its eighth meeting.

22. The Committee agreed that the main decisions of its seventh meeting would be circulated shortly after the meeting and would be approved by e-mail. It was also agreed that the draft report of the meeting would be circulated later for comments by e-mail.

23. The Committee decided to meet again in Geneva, on 14 and 15 November 2005.

24. The meeting was closed on Friday, 4 March 2005.