

Decision V/2

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

Interpretation of article 14 of the Convention (amendments)

The Meeting of the Parties to the Convention,

Recalling its decision II/14 through which an amendment to the Convention was adopted,

Recalling also its decision III/7 through which a second amendment to the Convention was adopted,

Noting that article 14, paragraph 4, of the Convention, which establishes the conditions for entry into force of amendments to the Convention, is open to different interpretations due to the ambiguity inherent in the expression “by at least three fourths of these Parties”,

Recalling that the second amendment to the Convention replaces the above-cited expression with “by at least three fourths of the number of Parties at the time of their adoption”,

Recalling also article 31 of the Vienna Convention on the Law of Treaties, which sets out general rules on the interpretation of treaties and which requires, in paragraph 3 (a), that any subsequent agreement between the parties to a treaty regarding its interpretation or the application of its provisions shall be taken into account,

Desiring to bring about an early entry into force of the amendments adopted through its decisions II/14 and III/7,

1. *Agrees* to interpret the expression “by at least three fourths of these Parties” as meaning at least three fourths of the Parties to the Convention that were Parties at the time of the adoption of the amendment in question;

2. *Decides* that any State that becomes a Party to the Convention after the date of adoption of this decision is also deemed to have agreed to the interpretation of article 14, paragraph 4, of the Convention set out above.