

Decision VI/2

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

Review of compliance with the Convention

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Annex I

Amendments to the structure and functions of the Implementation Committee and procedures for review of compliance

1. Replace paragraph 1 (a) of the structure and functions of the Implementation Committee and procedures for review of compliance (decision III/2, appendix) with the following text:

1. (a) The Committee shall consist of eight Parties.¹ Each of the eight Parties shall appoint a permanent member and should appoint an alternate member of the Committee. To ensure continuity of the Committee's discussions, Parties shall ensure that the members participate in all the Committee's sessions and alternate members only as an exception, when the permanent members cannot participate (see also the Committee's operating rule 4, para. 2). Should the permanent member not be able to participate, he/she shall be responsible for briefing the alternate member and facilitating his/her participation in a Committee's session;

2. Before paragraph 1 (b) insert new subparagraphs (b) and (c) as follows (and renumber the final subparagraph accordingly):

(b) At their second meeting, the Parties elected four Parties to the Committee for two terms and four Parties for one term. At each session thereafter, the Meeting of the Parties shall elect four new Parties for two terms. Outgoing Parties may be re-elected once, unless in a given case the Meeting of the Parties decides otherwise. Further to the application of the implementation of the compliance procedure of the Convention to the Protocol (decisions V/6–I/6), 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 12;

(c) The Committee shall elect its own chair and two vice-chairs. The chair and the first vice-chair of the Committee shall also serve as vice-chairs of the Bureau;

3. Replace paragraph 3 with the following paragraph:

3. Committee meetings shall be open to other Parties and the public, unless the Committee decides otherwise. Parts of meetings dealing with any

¹ In accordance with decision V/6–I/6 on the application of the compliance procedure of the Convention to the Protocol on Strategic Environmental Assessment, references in the Committee's structure and functions to the Convention and to the Meeting of the Parties to the Convention shall be understood also as referring to the Protocol and to the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol. In line with paragraph 2 of that decision, where review of compliance of the Protocol is concerned, the Committee should consist of eight Parties to the Protocol. If the elected members represent Parties to Convention that are not yet Parties to the Protocol, the Parties to the Protocol shall elect the necessary number of additional Parties for Protocol matters, to serve for the same term.

matter concerning specific submissions relating to compliance shall not be open to other Parties or to the public, unless the Committee and the Party whose compliance is in question agree otherwise.

4. Replace paragraphs 9 and 10 with the following paragraphs:

9. At the invitation of the Committee, a Party in respect of which a submission is made or which makes a submission shall be entitled to attend the Committee's session and present to the Committee information and opinions on that submission, but shall not take part in the consideration of the matter, including the preparation and adoption of any report, or of findings and recommendations, of the Committee. The Committee shall decide on the content of any report or findings and recommendations by consensus, send a copy of the draft to the Parties concerned, and shall take into account any representations from such Parties in the finalization of the report (see also operating rule 11, para. 2).

10. A member of the Committee that represents a Party in respect of which a submission is made or which makes a submission shall not participate in, or be present during, the consideration by the Committee of that submission or the follow-up to the related decision by the Meeting of the Parties, including the preparation and adoption of any part of the report or findings and recommendations of the Committee relating to that submission (see also operating rule 17 para. 2).