

Decision II/1

Decisions adopted by the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol

Reporting and review of implementation of the Protocol

The Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment,

Recalling decision I/7–V/7 of the Meeting of the Parties to the Convention and the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment on reporting and the review of implementation,

Also recalling article 14, paragraph 4, of the Protocol, concerning the regular review of the implementation of the Protocol,

Further recalling article 14, paragraph 7, of the Protocol, on reporting by Parties on measures they have taken to implement the Protocol,

Additionally recalling article 13, paragraph 4, of the Protocol, concerning reporting by Parties on their application of article 13 on policies and legislation,

Recognizing that regular reporting by each Party provides important information that facilitates the review of compliance under the Protocol and thereby contributes to the work of the Implementation Committee,

Recognizing also that the report of each Party provides useful information to other countries within and beyond the United Nations Economic Commission for Europe region that facilitates their efforts to implement and accede to the Protocol,

Having analysed the reports provided by Parties in response to the questionnaire for the reporting system,

Expressing concern that the following States Parties that were Parties to the Protocol during the period under review have not yet responded to the questionnaire: Luxembourg, Montenegro and Portugal,

Strongly emphasizing the importance of the timely submission of reports,

1. *Welcomes* the reports by Parties on their implementation, which have been made available on the website of the Convention;
2. *Adopts* the First Review of Implementation of the Protocol as contained in document ECE/MP.EIA/SEA/2014/3, and requests the secretariat to arrange its publication in an appropriate form;

3. *Notes* the findings of the First Review of Implementation of the Protocol, including the following possible weaknesses or shortcomings and areas for further improvement in the Protocol's implementation by Parties:

(a) A frequent lack of definition and different understanding of several key terms used in the Protocol, such as "plans and programmes", "environmental, including health, effects", "small areas at local level", "minor modifications", "significant effects" and "reasonable alternatives";

(b) Difficulties related to the identification of plans and programmes that are within the field of application under article 4;

(c) Difficulties related to the determination of the contents and the level of detail of the environmental report, according to article 7 (para. 2 (b));

(d) Some confusion as to the contents of the final decision (art. 11), and in particular with respect to whether it should contain requirements relating to monitoring;

(e) A possible need to clarify the scope and practical application of monitoring, according to article 12;

(f) The need for bilateral agreements or other arrangements to facilitate transboundary consultations between Parties, in particular to address language-related issues, time frames, public participation and the interpretation of various terms;

(g) A continuing need to improve awareness and capacity in the implementation of the Protocol, including to clarify responsibilities of the authorities involved, e.g., with respect to consultations and public participation;

(h) A frequent lack of a central registry or database of national strategic environmental assessment (SEA) procedures, which made reporting on SEAs by sector difficult;

4. *Requests* the secretariat to bring to the attention of the Implementation Committee general and specific compliance issues identified in the First Review of Implementation, and requests the Implementation Committee to take these into account in its work;

5. *Urges* Luxembourg and Portugal to provide the overdue responses to the questionnaire, and requests the secretariat to make them available on the Convention website;

6. *Requests* the Implementation Committee to simplify, where appropriate, the current questionnaire to provide a modified version of the questionnaire on the implementation of the Protocol during the period 2013–2015, for consideration by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment and for circulation by the secretariat thereafter;

7. *Further requests* the Implementation Committee to take into account the suggestions provided by Parties for improving the questionnaire and the report;

8. *Decides* that Parties to the Protocol shall complete the questionnaire as a report on their implementation of the Protocol during the period 2013–2015, taking note of the obligations to report arising from article 14, paragraph 7, and article 13, paragraph 4, of the Protocol;

9. *Urges* Parties to report by the deadline to be agreed by the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment;

10. *Requests* the secretariat to post the lists of domestic and transboundary SEA cases included in the answers to the questionnaire on the website of the Convention, unless the responding Party does not agree;

11. *Further decides* that a draft review of implementation of the Protocol during the period 2013–2015 based on the reports by Parties will be presented at the second session of the Meeting of the Parties to the Convention serving as the Meeting of the Parties to the Protocol, and that the workplan shall reflect the elements required to prepare the draft review;

12. *Also requests* the secretariat to post the review of implementation of the Protocol and national reports on the website of the Convention in the languages in which they are available.