

## **Economic Commission for Europe**

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

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

## **Working Group on Environmental Impact Assessment and Strategic Environmental Assessment**

### **Third meeting**

Geneva, 11-15 November 2013

Item 3 of the provisional agenda

### **Compliance and implementation**

## **Aligning the authentic language versions of the Convention**

### **Proposals by the ad hoc task force – compilation of views**

At its first meeting (24-26 April 2012), the Working Group on Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) raised concerns about possible inconsistencies in the three authentic language versions of the Convention and the Protocol. An ad hoc task force was then formed composed of representatives from the European Commission, France, Ireland, Switzerland and Ukraine, with European ECO Forum and Ecoglobe as observers, to examine the Convention text first. Belarus joined the task force after the second meeting of the Task Force (27-30 May 2013).

At its second meeting, the Working Group considered an informal document prepared by the UN editors and including possible inconsistencies and comments by the UN Office of Legal Affairs/Treaty Section. The Working Group requested the task force to consider: (a) Linguistic, typographical and other technical errors to be addressed through a correction procedure; and (b) Possible draft amendment(s) to the Convention for adoption by the Meeting of the Parties.

In the period from May to October 2013, the task force has been working using electronic means. The present note aims to further facilitate the work of the task force in the context of the third meeting of the Working Group (11-15 November 2013) by providing a compilation of the comments/proposals of the task force members (see annex). It also provides background information, including excerpts of the previous meetings of the Working Group, options on the way forward and practical steps that could be considered by Parties.

## I. Background – excerpts from the reports of the WG

1. The Working Group on Environmental Impact Assessment and Strategic Environmental Assessment under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) and its Protocol on Strategic Environmental Assessment (Protocol on SEA), at its first meeting (24-26 April 2012):

“...raised concerns about inconsistencies in the three authentic language versions of the Convention and the Protocol. France pointed out one error in the French version of the Protocol: the last sentence of article 4, paragraph 2, should refer to “any other project listed in annex II that requires environmental impact assessment under national legislation”, and not to “évaluation strategique”. To bring the different language versions into line, starting with the Convention, the Working Group invited the secretariat to try and arrange for a review of the text to be undertaken by the United Nations, which would list all the inconsistencies. It noted that, alternatively, that work might also be done by a consultant to the European Commission. It also decided to set up a task force, including lawyers and native speakers of English, French and Russian, that would work through electronic means to consider the listed inconsistencies. The task force should aim at distinguishing between the linguistic and typographical errors to be corrected and the possible substantive interpretation issues that could be subject to a MOP decision. It should specify the legal consequences, if any, of the possible changes to the Convention. The Working Group welcomed the participation of the European Commission, France, Switzerland, and Ukraine and observers from the European ECO Forum and Ecoglobe in the task force, and encouraged others to join, by informing the Bureau. In addition, the secretariat was invited to contact the United Kingdom of Great Britain and Northern Ireland, Canada and Ireland to encourage their participation in the task force. Finally, the Working Group agreed that the proposals from the task force should be first considered by the Working Group and the Implementation Committee in 2013, prior to their submission to the next MOP in 2014.”<sup>1</sup>

2. At its second meeting, the Working Group (27-30 May 2013):

“The Working Group welcomed the table of concordance prepared by the editors of the United Nations listing discrepancies between the Convention’s three authentic language versions, as well as the clarifications on the correction and amendment procedures provided by the United Nations Office for Legal Affairs (included in informal document ECE/MP.EIA/WG.2/2013/INF.5 and its annex). With a view to aligning the language versions, it invited the ad hoc task force of lawyers and native speakers of English, French and Russian, set up by the Working Group at its first meeting [composed of representatives from the European Commission, France, Ireland, Switzerland and Ukraine; with European ECO Forum and Ecoglobe as observers], to review the listed inconsistencies and to submit proposals to its next meeting and to the subsequent sessions of the Implementation Committee (in September and/or December 2013). The ad hoc group should propose how to address the discrepancies, through distinguishing between:

(a) Linguistic, typographical and other technical errors to be addressed through a correction procedure;

(b) Possible draft amendment(s) to the Convention for adoption by the Meeting of the Parties.

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<sup>1</sup> ECE/MP.EIA/WG.2/2012/2, para. 23.

The delegation of Belarus pointed out possible further errors it had observed in the Russian version of the Convention. The Working Group invited Belarus to provide them in writing to the ad hoc group and also to consider joining the group. The secretariat was invited to provide the group with the Certified True Copy of the Convention and the listed consistencies as a basis for its work. The Working Group invited the task force to work electronically and to submit its proposals to the secretariat by 15 July 2013. It also invited the Bureau, with the assistance of the secretariat, to prepare a decision on “aligning the authentic language versions of the Convention” for correcting and/or for amending the Convention. In addition, the Bureau and the secretariat were invited to prepare a decision on aligning the language authentic language versions of the Protocol.”<sup>2</sup>

## II. Addressing inconsistencies

3. Inconsistencies include editorial errors and substantive discrepancies.

### A. Editorial errors – correction procedure

4. Editorial errors are physical errors in printing, spelling, punctuation, numbering, etc., as well as some instances of the lack of concordance between the different texts due to semantic/linguistic aspects and translation. Such errors do not amount to the level of discrepancy requiring an amendment to the Convention. They can be addressed through a corrigendum to the Convention text issued for technical reasons (correction procedure).

5. The depositary issues a so-called “Procès-verbal of correction”. Each apparent error is thoroughly scrutinised by the depositary to ensure that it does not have the effect of modifying the meaning or substance of the text of the treaty as adopted. This process necessitates consultations with all concerned. The depositary then communicates the proposed corrections to all States concerned/Parties through a depositary notification. Objections to the proposed corrections of the original must be notified to the depositary within 90 days from the date shown on the notification. In the absence of objections to the proposed corrections within 90 days, the corrections are deemed adopted and effected to the text of the treaty *ab initio* (i.e. to the text as adopted). The corrigendum can then be incorporated into the text to provide a revised, consolidated text for publication.

### B. Substantive discrepancies – amendment or MOP decision on interpretation

6. Substantive discrepancies arise from the lack of concordance of the texts, when they fall in the category of interpretation of the texts and have the potential effect of modifying the meaning or substance of the authentic text of the Convention. Such discrepancies may be addressed by means of amendment to the Convention, according to the procedure stipulated in the Convention (art. 14 of the Convention – amendments to the Convention); or by means of a decision of the Meeting of the Parties following article 33 – interpretation of treaties authenticated in two or more languages - of the Vienna Convention on the Law of the Treaties (VCLT). For easy reference, the texts of article 14 of the Convention (amendment procedure) and VCLT article 33 are reproduced below.

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<sup>2</sup> ECE/MP.EIA/WG.2/2013/2, paras. 16-17.

**1. Amendment – article 14 of the Convention**

7. Article 14 of the Convention governs the amendment procedure, which provides as follows:

1. Any Party may propose amendments to this Convention.
2. Proposed amendments shall be submitted in writing to the secretariat, which shall communicate them to all Parties. The proposed amendments shall be discussed at the next meeting of the Parties, provided these proposals have been circulated by the secretariat to the Parties at least ninety days in advance.
3. The Parties shall make every effort to reach agreement on any proposed amendment to this Convention by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the amendment shall as a last resort be adopted by a three-fourths majority vote of the Parties present and voting at the meeting.
4. Amendments to this Convention adopted in accordance with paragraph 3 of this Article shall be submitted by the Depositary to all Parties for ratification, approval or acceptance. They shall enter into force for Parties having ratified, approved or accepted them on the ninetieth day after the receipt by the Depositary of notification of their ratification, approval or acceptance by at least three fourths of these Parties. Thereafter they shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, approval or acceptance of the amendments.
5. For the purpose of this Article, “Parties present and voting” means Parties present and casting an affirmative or negative vote.
6. The voting procedure set forth in paragraph 3 of this Article is not intended to constitute a precedent for future agreements negotiated within the Economic Commission for Europe.

**2. MOP decision on the interpretation – VCLT article 33**

8. However, substantive discrepancies can also be pointed out to the Parties or an interpretation agreed upon, for example through a decision by the Meeting of the Parties, having applied article 33 (Interpretation of treaties authenticated in two or more languages) of the Vienna Convention on the Law of Treaties (notably paras. 1 and 4):

1. When a treaty has been authenticated in two or more languages, the text is equally authoritative in each language, **unless** the treaty provides or **the parties agree that, in case of divergence, a particular text shall prevail.** (emphasis added)

[...]

4. Except where a particular text prevails in accordance with paragraph 1, when a comparison of the authentic texts discloses a difference of meaning **which the application of articles 31 and 32** [(on General rule of interpretation and Supplementary means of interpretation, respectively)]<sup>3</sup> **does not remove, the**

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<sup>3</sup> In brief, VCLT article 31 refers to the general rule of interpretation on the basis of good faith, in accordance with the ordinary meaning to be given to the terms of the treaty in their context and in the light of its object and purpose, taking inter alia into account any subsequent agreement between the parties regarding the interpretation of the treaty or the application of its provisions and/or any subsequent practice in the application of the treaty which establishes the agreement of the parties

meaning which best reconciles the texts, having regard to the object and purpose of the treaty, shall be adopted. (emphasis added)

### III. The work undertaken by the task force and the compilation by the secretariat

9. In the period from May to October 2013, the secretariat received comments from: Belarus on 17 June 2013 and 28 October 2013; Switzerland on 20 June 2013 and additionally on 15 October 2013 further to comments by Ukraine (the table/annex to the present note has been drawn with the understanding that the Swiss proposal is supported by France); and Ukraine on 20 October 2013. On 19 June 2013 the European ECO Forum provided comments in relation to appendix 1, paragraph 15, of the Convention; and on 21 October 2013, Ecoglobe expressed its support to the editorial group of the UN and the proposal by the European ECO Forum.

10. On the basis of the comments made by the UN editors, the feedback from the Office of Legal Affairs (OLA)/Treaty Section,<sup>4</sup> and the comments/proposals received by the members of the task force, the secretariat has prepared the table annexed to the present note. All comments are compiled under the fourth column and their differentiation is twofold: by colour (see introduction of the annex/table); and by the inclusion in brackets of the origin of the comment. The secretariat of the Convention has also provided a short comment further explaining its understanding of the comments/proposals made so far. In very few cases, it has made alternative proposals that could be considered by the task force; these are preliminary comments and further consultation with OLA/Treaty Section may be necessary.

### IV. Next steps

11. The Task Force is expected to finalize its proposals in November 2014 and submit them for consideration by the third meeting of the Working Group on EIA and SEA. The Implementation Committee will also be invited to provide its views in December before and, if necessary, during its twenty-ninth session to be held in Geneva from 10 to 12 December 2013. Depending on the outcome of the consultations, a final table will be drawn with the conclusions on how Parties wish to tackle the identified discrepancies and the Bureau, with the assistance of the secretariat, will draft the relevant decision to be adopted by the Meeting of the Parties at its sixth session, scheduled to take place in June 2014 (see also draft decision ECE/MP.EIA/WG.2/2013/L.1).

12. For those discrepancies that the Parties agree to address through the **correction procedure** (see also paras. 4-5 above), the list will be sent to the Depositary (Secretary-General of the UN under art. 17, para. 3, of the Convention, whose functions in this respect are discharged by OLA/Treaty Section). The Depositary will scrutinize the suggested corrections, and a notification will be sent to all Parties with a possibility to object within 90 days. If no objection is received, the changes can be incorporated in the text and the text reprinted.

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regarding its interpretation. VCLT article 32 refers to the travaux préparatoires and the circumstances of the conclusion of the Convention as supplementation means of interpretation.

<sup>4</sup> Unofficial document to the second meeting of the Working Group on EIA and SEA ECE/MP.EIA/WG.2/2013/INF.5 and its annex

13. For those discrepancies that raise an issue of interpretation for which Parties decide that an amendment is necessary, according to article 14, one Party should submit a proposal for amendment to the secretariat (see para. 7 above). An amendment can be proposed in one, two or all three authentic versions of the Convention. The secretariat will then circulate the proposal to all other Parties at least 90 days before the next MOP, when the amendments can be discussed. This means that if proposed amendments are to be discussed at MOP-6 starting on 2 June 2014, the proposed amendment should be circulated by the secretariat to all Parties no later than 5 March 2013. At the MOP, the amendment is to be adopted by consensus, failing which by three-fourths majority vote of the Parties present and voting. Once adopted, the amendment will be submitted to the Depositary for ratification/approval/acceptance and will enter into force on the ninetieth day after the receipt by the Depositary of notification of their ratification/approval/acceptance by at least three-fourths of these Parties (at the time of their adoption, see report of the Working Group on its first meeting, ECE/MP.EIA/WG.2/2012/2, para. 12) and thereafter on the ninetieth day after a Party deposits its instrument of ratification/approval/acceptance of the amendment.

14. Alternatively, Parties may decide to clarify the meaning of the text in one of the authentic languages through a decision (see para. 8 above) clarifying the meaning which best reconciles the texts, having regard to the object and purpose of the treaty. This can be then be communicated to OLA/Treaty Office for further consultation and clarification on whether given the practice, the intention of the Parties, as specified in the MOP decision, the language could also be aligned through the correction procedure.

## Annex

### Compilation of comments received/proposals by the members of the task force

The table compiles the comments received by the UN OLA/Treaty Section and the final comments received by: Belarus on 17 June 2013 and additionally on 28 October 2013; Switzerland on 15 October 2013 (we understand that France supports the proposal); Ukraine on 20 October 2013. On 19 June 2013 the European ECO Forum provided comments in relation to appendix 1, paragraph 15 ; and on 21 October 2013, Ecoglobe expressed its support to the editorial group of the UN and the proposal by the European ECO Forum.

The table presents the comments/ proposals in English (mainly), and translation into English was made by the secretariat, where necessary. In addition, the table includes in brackets the origin of the comments, while at the same time, comments have been differentiated by colour, as follows:

**Black:** differences noted and comments made by the UN editors/comments by the Treaty Section/UN Office of Legal Affairs

\*The secretariat of the Convention has also provided a short comment further explaining its understanding of the proposals made; in very few cases, it has made alternative proposals that could be considered by the task force. These are preliminary comments and further consultation with OLA/Treaty Section may be necessary.

**Violet:** differences noted and comments made by Switzerland in coordination with France

**Blue:** differences noted by and comments made by Belarus

**Red:** differences noted and comments made by Ukraine (including the comments by the European ECO Forum, supported by Ecoglobe)

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
<b>PREAMBLE/PREAMBULE/ПРЕАМБУЛА</b>					
Second §	R	“...значительных вредных видов воздействий на окружающую среду в целом, и в частности в трансграничном контексте...”	English text in singular “...significant adverse environmental impact...” (Belarus)  <i>The difference of singular/plural here does not affect</i>	No change needed	Linguistic issue

ECE/MP.EIA/WG.2/2013/INF.7

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
			the meaning of the provisions in the two language versions and is more a linguistic difference in the way of translation. As we see it, there is no need to correct/amend (Ukraine)		
last §	F	(...Bergen, (Norvège))”	Supprimer la virgule: « (...Bergen (Norvège)) » - Correction (Switzerland)	Delete the comma in the French text and leave the brackets only – <b>CORRECTION</b> procedure	Typographical, correction
<b>Article 1/ Стаття 1</b>					
Art.1, § iv)	R	"Concerned Parties" means the Party of origin and the affected Party <b>of an environmental impact assessment</b> pursuant to this Convention,/"заинтересованные Стороны" понимаются как Сторона происхождения и затрагиваемая Сторона, участвующие в применении <b>методов оценки воздействия на окружающую среду</b> в соответствии с настоящей Конвенцией, L'expression "Parties concernées" désigne la Partie d'origine et la Partie touchée qui procèdent à <b>une évaluation de l'impact sur l'environnement</b> en application à la présente Convention	Excessive word «methods» in the Russian text, compared to En and Fr (Belarus), <b>changes the meaning of the provision. In English, the Russian would be translated: “Party applying the methods of an environmental impact assessment”</b> . The word “methods” is missing in the French version as well. <b>As we see it, changes should be made through amendment procedure (Ukraine)</b>	Proceed with <b>AMENDMENT</b> procedure, to remove the methods (“методов”) from the Russian text	The Task Force may wish to consider addressing the matter through the <b>correction procedure</b> , taking into account the object and purpose of the Convention and the intention of the Parties. The additional word in the Russian text does not seem to significantly affect the actual implementation of the provision. (see e.g. proposal by task force member on art. 3 § 1 or 6 § 1, on an inconsistency that might have greater impact on the interpretation of the provision)
Art.1, § iv)	F	« ...en application à la présente Convention »	Correct : « ...en application de la présente Convention » - Correction (Switzerland)	Correct the French text by replacing à by de [la présente Convention] – <b>CORRECTION</b> procedure	Typographical, correction
Art.1, § v)	F/E	En anglais « major » change et en français « modifier sensiblement »	Modifier texte français par « ... toute activité ou toute modification majeure d’une activité, dont... »,	Modify the French text to align it to the English text as follows:	There is an issue of interpretation; however, the

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		« Major » est plus fort que « sensiblement »	correction and eventually amendment (Switzerland)	“...toute activité ou toute modification majeure d’une activité, dont...” (correction, eventually amendment)	Task Force may wish to consider this as a linguistic matter and opt for the correction procedure, taking into account the intention of the negotiating Parties.
<b>Article 2/ Статья 2</b>					
Art.2, § 1	F/E	En anglais “reduce and control significant ... impact” en français « réduire et combattre l’impact »	The meaning is not the same between “control ... impact” et « combattre l’impact » Modifier texte français par « réduire et <u>maîtriser</u> l’impact... » - correction (Switzerland)	Modify the French text as : « réduire et <u>maîtriser</u> (instead of « combattre ») l’impact... » <b>CORRECTION</b> procedure	Linguistic error to be addressed through the correction procedure (although it may raise a substantive issue in one of the authentic text, it is better to proceed with correction, as suggested, taking into account the intention of the Parties)
Art.2, § 1	R/E	“...significant adverse transboundary <b>environmental</b> impact from proposed activities”// “... <b>значительного вредного трансграничного воздействия</b> в результате планируемой деятельности, а также по его уменьшению и контролю за ним.// “... <b>l’impact transfrontière préjudiciable important</b> que des activités proposées pourraient avoir sur l’environnement. »	Missing word « environmental » in the Russian text (Belarus) only, while present in the English and French versions. It changes the meaning of the provision and should be harmonized through amendment procedure (Ukraine)	Add “environmental” in the Russian text through <b>AMENDMENT</b> procedure	This may raise a substantive issue to be addressed through amendment procedure. However, given the object and purpose of the Convention as a multilateral environmental agreement it seems that the missing word would not change the actual application of the Convention provision and the task force may wish to consider the correction procedure to address the matter. (see e.g. proposal by task force member on art. 3 § 1 or 6 § 1)

ECE/MP.EIA/WG.2/2013/INF.7

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Art.2, § 2	R/E	<p>“...the establishment of an environmental impact assessment procedure that <b>permits public participation and preparation of the environmental impact assessment documentation</b> described in Appendix II.//</p> <p>“...установление процедуры оценки воздействия на окружающую среду, <b>создающей возможность для участия общественности, и подготовку</b> документации об оценке воздействия на окружающую среду, описанной в Добавлении II.</p>	<p>As it stands now, in English the word «permits» relates to both «public participation» and «preparation of the documentation» whereas in Russian the latter relates to «including». (Belarus)</p> <p>In our opinion, it is a linguistic issue (conjugation error) and further consultations with Russian linguists needed.</p> <p>In our understanding, the English text says that “the established EIA procedure permits public participation and preparation of the EIA documentation”. At the same time, because of the punctuation and ending used, the Russian text says that “the taken measures includes the establishment of the EIA procedure and preparation of the EIA documentation”.</p> <p>This issue could be addressed by deleting of the comma after “общественности” and changing of the ending in “подготовку” (“подготовки”). (Belarus, addition on 28.10.13)</p> <p><i>It is hard to unambiguously say, that «preparation of the documentation» relates to the word «permits» due to absence of cases in English. Perhaps, linguistic service should be consulted. (Ukraine)</i></p>	<p>- <b>CORRECTION</b> Delete the comma after “общественности” and change the ending in “подготовку” (“подготовки”).</p> <p>- <b>ADVICE</b> from <b>English-speaking Parties</b> to be sought</p>	<p>It depends on how it is read, but it seems that the word “permits” does not relate to the preparation of the documentation, and this would imply that no change would be needed.</p>
Art.2, § 5	R/E	<p>“Concerned Parties shall, at the initiative of any such Party, enter into <b>discussions</b> on whether one or more proposed activities not listed in Appendix I <b>is or are likely to cause</b> ...”//</p>	<p>i) In English «discussions» is used whereas in Russian «consultations» is used.</p> <p>ii) In English «is or are likely to cause» is used whereas in Russian «will cause» is used. Moreover,</p>	<p>No change needed</p>	<p>This seems to be a linguistic issue; if the task force considers that the authentic texts in the three languages should be aligned, the</p>

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		“Заинтересованные Стороны проводят по инициативе любой из таких Сторон <b>консультации</b> относительно возможности того, что какой-либо вид или виды планируемой деятельности, которые не указаны в Добавлении I, <b>будут оказывать...</b> ”	«is or are likely to cause» singular and plural in English whereas solely plural in Russian. (Belarus)  These differences do not affect the meaning of the provisions of the paragraph in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)		matter could be addressed through the correction procedure.
Art.2, § 6	R/E	“... an opportunity to the public in the areas likely to <b>be affected</b> to participate in relevant environmental impact assessment procedures regarding <b>proposed activities...</b> ”// “общественности в районах, которые, по всей вероятности, будут <b>затронуты</b> , возможность принять участие в соответствующих процедурах оценки воздействия <b>планируемой деятельности</b> на окружающую среду ...”.	i) In Russian in <b>Article 2, § 6; Article 3, § 8 and Article 4, § 2</b> there is a different interpretation of «be affected».  ii) «proposed activities» plural in English whereas singular in Russian. (Belarus)  These differences do not affect the meaning of the provisions of the paragraph in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)	No change needed	This seems to be a linguistic issue; if the task force considers that the text of the three provisions (Art. 2, § 6; Art. 3, § 8 and Art. 4, § 2 in the Russian version should have exactly the same wording (I and that the authentic texts in the three languages should be aligned (ii), the matter could be addressed through the correction procedure.
Art.2, § 8	R/E	“... the supply of which would be prejudicial to industrial and commercial secrecy or <b>national security.</b> ”// “...предоставление которой могло бы нанести ущерб производственной и коммерческой тайне или <b>интересам национальной безопасности.</b> ”	Excessive word «interests» in Russian (Russian text is literary translated as “national security <i>interests</i> ”) (Belarus)  The difference does not affect the meaning of the provision of the paragraph in the two language versions and is more linguistic difference in the way of translation. As we see it, there is no need to correct/amend.	No change needed	This seems to be a linguistic issue; if the task force considers that the authentic texts in the three languages should be aligned, the matter could be addressed through the correction procedure.

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			(Ukraine)		
<b>Article 3/ Стаття 3</b>					
Art. 3, § 1	F/E	En anglais “ensuring <b>adequate</b> ... consultations” et en français “des consultations <b>suffisantes</b> ”	« adequate” et “ suffisantes” do not have the same meaning ; modify the French text as follows : « ...des consultations <b>adéquates</b> et efficaces... » - correction (Switzerland)	Change the French text to « ...des consultations <b>adéquates</b> et efficaces... » through <b>CORRECTION</b> procedure	Linguistic/technical; correction (although this might raise an issue of interpretation, the issue can be addressed through the correction procedure taking into account the intention of the Parties)
Art. 3, § 2	E/F/R	There is an inconsistency in capitalization in the text following the subparagraphs	While not a substantive change, it may be worth pointing out for future reference if the text is to be reprinted. Change would be cosmetic. (UN editors) AGREED by the Treaty section  <i>Agreed by Switzerland - Correction</i>	<b>CORRECTION</b> procedure concerning the capitalization	Technical/typographical; correction
Art. 3, § 2 b	E/F/R	French and Russian match and have “Des renseignements sur”, which is missing in English  <i>Excessive word «<b>information</b>» in Russian or, rather, missing word «<b>information</b>» in English.</i>	As the syntax of subparagraphs <i>a</i> and <i>b</i> in French and Russian matches, it may be advisable to align the English. (UN editors) Question of interpretation for the Treaty Section  <i>Add “<b>Information on</b> the nature of...” in English – Correction (Switzerland)</i>  <i>This inconsistency is also in the UN editors file, which also proposes to complement the English version. (Ukraine)</i>	<b>CORRECTION</b> Add “ <b>Information on</b> the nature of...” in English	This could possibly raise an issue of interpretation, but taking into account the content of the provision and its actual application, it can be seen as a technical/linguistic matter to be addressed through the correction procedure.
Art. 3, § 4	E/F/R	Mention of paragraphs, 5, 6, 7 and 8, could be listed as 5 to 8.	All language versions match. Change would be cosmetic. (UN editors)	<b>CORRECTION</b> to change paragraphs 5, 6, 7 and 8 to paragraphs 5 to 8 in all three	Typographical/technical; correction

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
			Agreed by the Treaty section  Ok – correction by Switzerland	languages	
Art. 3, § 4	E/R	“...and in <b>Articles 4 to 7</b> will not apply.// “... и <b>положений Статей 4-7</b> не применяются.”	Excessive word «provisions» in Russian. (Belarus)  The difference does not affect the meaning of the provision of the paragraph in the two language versions and is more linguistic difference in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)	No change needed	Linguistic; if the task force deems necessary to completely align the text, the issue could be addressed through the correction procedure
Art. 3, § 6	F	French use definite art: “ <i>La partie touchée communicative à la partie d'origine</i> ” English use first indefinite and then definite (“ <b>An</b> affected Party shall, at the request of <b>the</b> Party of origine, provide the latter with ...”)	Legal advice may be sought. (UN editors) Question of interpretation for the Treaty Section  Only § in English with “an”. Replace « an » with « the » : « The affected Party... » - correction (Switzerland)	Replace « an » with « the » in the English version: « The affected Party... » - <b>CORRECTION</b>	Linguistic; correction.
Art. 3, § 7	E/F	Anglais “any such Party”, en français “l’une ou l’autre”	Art. 2 §5 reads “l’une quelconque d’entre elles” Replace the French text as follows : « ...est probable, l’une quelconque d’entre elles peut soumettre... » - Correction (Switzerland)	<b>CORRECTION</b> procedure to align the translation in 3§7, through the same as in 2§5 (« ...est probable, l’une quelconque d’entre elles peut soumettre... » instead of “l’une ou l’autre”)	Linguistic; correction.
Art. 3, § 8	E/R	“...in the areas likely <b>to be affected</b> ...”// “...в районах, ..., будут <b>затронуты</b> ...”	In Russian in Article 2, § 6; Article 3, § 8 and Article 4, § 2 there is a different interpretation of «be affected». (Belarus)  These differences do not affect the meaning of the provisions of the paragraph in the two language versions and are more linguistic differences in the way of translation.	No change needed	This seems to be a linguistic issue; if the task force considers that the three provisions should have exactly the same words in the Russian version, the matter could be addressed through the correction procedure.

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
			As we see it, there is no need to correct/amend. (Ukraine)		
<b>Article 4/ Статья 4</b>					
Art. 4 § 2	R/E	“The Party of origin shall furnish the affected Party, <b>as appropriate through a joint body ...</b> ”// “Сторона происхождения представляет затрагиваемой Стороне <b>соответствующим образом через совместный орган, ...</b> ”// La Partie d'origine communique à la Partie touchée, par l'intermédiaire, <b>selon qu'il convient, d'un organe commun ...</b> »	In Russian in Article 2, § 6 and Article 4, § 2 there is a different interpretation of «as appropriate through a joint body». The latter might mean «through a joint body in an appropriate manner». (Belarus)  <b>In all three languages this phrase has a slightly different meaning, keeping in mind that in Russian version it is translated in two different ways, which do not mean the same. As we see it, this phrase needs unique interpretation and amendment procedure. (Ukraine)</b>	AMENDMENT procedure	This seems to raise a substantive issue (amendment). However, the task force taking into account the object and purpose of the Convention, as well as the intention of the Parties, may decide to address it through the correction procedure. (see e.g. proposal by task force member on art. 3 § 1 or 6 § 1)
<b>Article 5/ Статья 5</b>					
Art. 5 (first para.)	R/E	“... with <b>the affected Party</b> concerning, inter alia, the potential transboundary impact ...”// “... с <b>соответствующей затрагиваемой Стороной</b> в отношении, в частности, потенциального трансграничного воздействия ...”.	Excessive word «relevant» in Russian. (Belarus) <b>In our opinion the word «relevant» in Russian translates the English definite article and does not need correction/amendment. (Ukraine)</b>	No change needed	The issue seems to be a technical/linguistic matter, and if the task force decides to address it, this could be done through the correction procedure.  <i>(it is also noted that the French text includes notamnt which is not exactly inter alia)</i>
Art. 5 (last		“... an appropriate joint body, <b>where</b> one exists.// “... через соответствующий <b>совместный орган</b> ”	In Russian in Article 2, § 6; Article 4, § 2 and Article 5 there is a different interpretation of «where».	No change needed	The difference does not seem to represent a linguistic error.

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
para.)		там, где таковой существует.	(Belarus)  The difference does not affect the meaning of the provision of the paragraph in the two language versions and is more linguistic difference in the way of translation. As we see it, there is no need to correct/amend (Ukraine)		
Art. 5 (last para.)	E/R	"временных" should read "временных"	Missing accent twists the meaning of the word. (UN editors) Change is not required according to the Treaty Section		Action seems not necessary
<b>Article 6/ Статья 6</b>					
Art. 6 § 1	F/E	In English « in the final decision » and in French « au moment de prendre une décision »	The meaning is not at all the same: change the French text by: « ...veillent à ce que, dans la décision définitive... » - Correction (Switzerland)	<b>CORRECTION</b> to change the French text as follows : « ...veillent à ce que, dans la décision définitive... » -	If the meaning is not at all the same, this may imply a substantive issue to be addressed through amendment. We understand, however, that the text of the French version was not what the Parties intended and the task force may well opt for the correction procedure
Art. 6 § 1	R	"указанных в Статье 5" should read "указанные в Статье 5"	Conjugation error (UN editors), agreed by the treaty section, could be addressed through correction procedure.  There is no discrepancy in Article 6 § 1 in English	No change needed	It seems that there is no error in this respect.

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Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
			<p>and Russian texts as «as referred to» relates to «consultations» and in Article 5 it is said about consultations themselves and not about their outcomes. (Belarus)</p> <p>In our mind «as referred to» and «указанных» do relate to “consultations” and there is no discrepancy here. (Ukraine)</p>		
Art. 6 § 3	E/F	Possible discrepancy in the use of adverbs : <i>sensiblement /materially</i>	<p>May be worth seeking advice as to whether the meaning is not slightly different. (UN editors) Question of interpretation according to the Treaty section</p> <p>In Russian version this adverb “существенным образом» has the same meaning as French “sensiblement”. (Ukraine)</p> <p>Given the Russian version, modify English with “significantly affected...”– eventually through amendment of the text (Switzerland)</p>	Eventually <b>AMENDMENT</b> in the English text	Although this may raise a substantive issue, if there is agreement by the Parties on the intention, it can be considered technical/linguistic and be addressed through correction (see e.g. proposal by task force member on art. 3 § 1 or 6 § 1).
<b>Article 7/ Статья 7</b>					
Art. 7, § 1	R	<p>“... for which an environmental impact assessment <b>has been undertaken</b> pursuant to this Convention.//</p> <p>“... которой в соответствии с настоящей Конвенцией <b>осуществляется</b> оценка воздействия на окружающую среду...”</p>	<p>In English provision of Article 7, § 1 relates to the completed environmental impact assessment whereas in Russian it relates to the ongoing environmental impact assessment. (Belarus)</p> <p><b>It is a question of interpretation, at which stage of an</b></p>	<b>AMENDMENT</b> to align the Russian text to the French and English ones	This seems to be a substantive issue to be addressed through amendment. However, the task force may decide to address this through the correction procedure, taking into account the object and

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
		« ... que l'activité <b>qui a fait l'objet</b> d'une évaluation de l'impact sur l'environnement conformément a la présente Convention est susceptible d'avoir. »	<b>environmental impact assessment (already completed or in process or both) a post-project analysis shall be carried out, as versions differ. In Russian it relates to the ongoing environmental impact assessment and in English and French – to a completed one. (Ukraine)</b>		purpose of the text as well as the intention of the Parties (see e.g. proposal by task force member on art. 3 § 1 or 6 § 1)
Art. 7, § 2	F	... à penser que l' <b>activité proposée</b> a un impact... important... ... <b>that there</b> is a significant impact...	To the editor's view this is not major, it seems clear that "there" stands for the "proposed activity". (UN editors)  Agreed by the Treaty Section and <i>Switzerland - Correction</i>	<b>CORRECTION.</b>	Technical/linguistic; correction
<b>Article 8/ Статья 8</b>					
Art. 8	F/E	In French « dispositions fondamentales », whereas in English « elements »	“Fondamentales » does not appear in the English, and « Dispositions » is different from « elements »  Delete in the French text : « fondamentales » and replace « dispositions par éléments » as follows : « ... <u>repandre les éléments énumérés</u> à l'appendice » - <i>Correction procedure (Switzerland)</i>	<b>CORRECTION</b>	Technical; correction (it is evident that the elements of appendix VI are those described in its provisions).
<b>Article 9/ Статья 9</b>					
Art. 9 § c)	F	“impact” singular in French whereas plural in English	“Impact” is rarely used in plural form in French. Seems cosmetic. (UN editors)  Agreed by the Treaty Section and by <i>Switzerland (Correction)</i>	Not necessary change, if any then correction	There seems to be no real linguistic error here.

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<b>Article 11/ Статья 11</b>					
Art. 11 § 1	E/F/R	Acronym: CEE	Improper usage. The full name is correctly used afterwards. Order should be from bigger to smaller entities (UN editors) <i>Switzerland: Acronym: CEE, full name (correction)</i>	<b>CORRECTION</b> procedure for the correct use of the ECE in all three languages	Typographical/technical; correction
Art. 11 § 1		Или in Russian whereas “and”/”et” in English/French	According to the Treaty Section: The Russian says “or” while the English and French say “and”. This would be appropriately addressed through a correction procedure.		Although this could raise substantive issues of interpretation (“or” is not the same as “and”), the task force may decide that that was no intended, tackle it as a typographical error to be addressed through the correction procedure
Art. 11 § 1	R	“...Thereafter, <b>meetings of the Parties shall be held at such other times as may be deemed necessary by a meeting of the Parties, ...</b> ” //“...В последующем <b>необходимость проведения совещаний и их сроки определяются совещанием Сторон ...</b> ”.	Question of interpretation of «meetings of the Parties shall be held at such other times as may be deemed necessary by a meeting of the Parties» in English and «необходимость проведения совещаний и их сроки определяются совещанием Сторон» in Russian. The latter might mean «necessity and timing of meetings shall be defined by a meeting of the Parties». (Belarus)  <i>This is question of interpretation, as we don't see difference in the meaning of the two versions. In our mind, the Russian version does mean «necessity and timing of meetings shall be defined by a meeting of the Parties or...». (Ukraine)</i>	No change needed	The task force may wish to further discuss the matter and decide whether there is actual need for correction.
Art.	F/E	“pour les problèmes de l’environnement et de	Ne devrait-on pas parler d’enjeux / issues au lieu de	No change needed ? – no definite	If the task force decides that this

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11 § 1		l'eau"	<p>problèmes ?</p> <p>Replace "problem" by "issues" in English and by in "de la CEE <u>sur les enjeux liés à l'environnement et à l'eau.</u>" in french – Correction (Switzerland)</p> <p>It seems, that « problems » is synonymous with « issues » in this case in all three languages. (Ukraine)</p>	agreement	should be modified, it can be addressed through the correction procedure.
Art. 11§ 2 c)	F	Order of occurrence is different in English from French and Russian: "comités scientifiques et d'organismes internationaux"	The order of occurrence should be aligned. (UN editors) Agreed by Switzerland– Correction	CORRECTION procedure for change of the occurrence of the order of the organizations in the French text	Typographical; correction.
<b>Article 14/ Статья 14</b>					
Art. 14 § 4	R	<p>"Amendments to this Convention adopted in accordance with paragraph 3 of this Article shall <b>be submitted</b> by the Depositary to all Parties for ratification, approval or acceptance."//</p> <p>"Депозитарий <b>доводит до сведения</b> всех Сторон поправки к настоящей Конвенции, принятые в соответствии с пунктом 3 настоящей Статьи, для ратификации, одобрения или принятия."</p>	<p>Question of interpretation of «be submitted to» in English and «доводит до сведения» in Russian. The latter might mean «bring to the attention to». (Belarus)</p> <p>The Russian «доводит до сведения» seems not fully correct translation of this phrase, though does not mutilate the meaning of the process. If decided so, more correct phrase should be used in this case. (Ukraine)</p>	Possibly <b>CORRECTION</b> procedure to change the Russian text by a more appropriate expression – to	Technical/linguistic; correction
<b>Article 15/ Статья 15</b>					

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Art. 15 § 1	R	<p>“... they shall seek a solution by negotiation or by any other method of dispute settlement <b>acceptable to the parties</b> to the dispute.”// “... они стремятся к урегулированию спора путем переговоров или любым иным способом <b>по своему усмотрению.</b>”//</p> <p>“... ces Parties recherchent une solution par voie de négociation ou par toute autre méthode de règlement des différends <b>qu'elles jugent acceptable.</b> »</p>	<p>Question of interpretation of «acceptable to the parties» in English and «по своему усмотрению» in Russian. The latter might mean «at their discretion» (Belarus)</p> <p>The meaning of this any one phrase in Russian differs from English and French. But in the context of the meaning of the paragraph “choosing the method of dispute settlement «acceptable to the parties» or «at their discretion» will mean the same. (Ukraine)</p>	No change needed	This may not need change.
<b>Article 16/ Статья 16</b>					
Art 16	R	"передали полномочия" should read "включая полномочия"	Semantic error (UN editors), agreed by the Treaty Section, could be corrected through correction procedure		There seems to be a technical/linguistic issue; correction procedure to replace "передали полномочия" by "включая полномочия" / to seek views of Russian-speaking Parties
<b>Article 17/ Статья 17</b>					
Art. 17 § 1	R	<p>This Convention shall be subject to ratification, acceptance or approval by signatory States and regional economic integration organizations.//</p> <p>Настоящая <b>Конвенция</b> подлежит ратификации, принятию или одобрению подписавшими <b>его</b> государствами и региональными организациями по экономической интеграции.</p>	<p>Question of harmony of the masculine pronoun «его» with the feminine noun «Конвенция» in Russian.</p> <p>Change should be made, perhaps through correction procedure</p>	<b>CORRECTION</b>	Technical/linguistic; correction.

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<b>ANNEX I // ДОБАВЛЕНИЕ I</b>					
I § 1	R	"500 тонн или более" should read "500 или более тонн"	Combination of the words error (UN editors) Agreed by the Treaty Section (could be changed through correction procedure)		Technical/linguistic error, to be addressed through correction; replace "500 тонн или более" by "500 или более тонн"
I § 2	R	Тепловые электростанции и другие установки для сжигания тепловой мощностью <b>300 мегаватт или более.</b>	See the relevant UN editorial team's comment on § 1 and § 12. (Belarus) <b>Agreed by Ukraine</b>	<b>CORRECTION</b> procedure to replace "300 мегаватт или более " by "300 или более мегаватт "	Technical/linguistic; correction
I § 7	R	с длиной основной взлетно-посадочной полосы в <b>2 100 метров или более</b>	See the relevant UN editorial team's comment on § 1 and § 12. (Belarus) <b>Agreed by Ukraine</b>	<b>CORRECTION</b> procedure to replace "2100 метров или более" by "2100 или более метров"	Technical/linguistic error; correction
I § 9	R	"допускающих" should read "допускающие"	Semantic error (UN editors). Agreed by the Treaty Section (could be changed through correction procedure)		Technical/linguistic error; correction to change "допускающих" by "допускающие"
сноск a// footnote, (a)	R	"Is provided, except <b>at special points or temporarily</b> , with separate carriageways..."// "имеет, за исключением <b>отдельных участков на временной основе</b> , отдельные проезжие части ..."// « <b>Sauf en des points singuliers ou a titre temporaire, comporte ...»</b>	Missing word «or» in Russian. (Belarus)  <b>The word "or" is missing only in Russian. It changes the meaning of the definition and should be added. The procedure is subject to discuss (Ukraine)</b>	To be discussed	Although the meaning is different, the task force may wish to consider the issue as a typographical/technical error to be addressed though the correction procedure
I § 12	R	"10 миллионов кубических метров или более" should read "10 или более миллионов кубических метров"	Combination of the words error (UN editors). Agreed by the Treaty Section (could be changed through correction procedure)		Technical/linguistic; correction to replace "10 миллионов кубических метров или более" by "10 или более миллионов кубических метров";
I § 15	R	(European ECO Forum) Russian text says: «	"Production" is likely to include exploration and	Further consultation with technical	This may raise a substantive issue

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		<p><b>Добыча углеводородов»</b> (extraction of hydrocarbons), while English version says <b>“production”</b>. Offshore hydrocarbon production.</p> <p>French: Production d'hydrocarbures en mer.</p>	<p>extraction. This understanding is supported by the reading the text of 2nd amendment, which uses two different terms: production off-shore and extraction for land-based (para15). (European ECO Forum, supported by Ecoglobe)</p> <p>In technical dictionaries on oil and gas industry the phrase “offshore production” is translated using the word “добыча”. Another synonym is used “разработка морских месторождений”, which seems too wide. Consultation of technical translator in this sphere is needed. (Ukraine)</p>	translator.	that would require an amendment; the task force may wish to consider it as a technical issue, taking into account the intention of the Parties, that was not reflected correctly in Russian and address it through the correction procedure.
<b>ANNEX III// ДОБАВЛЕНИЕ II</b>					
II § (b)	E/F	In English, there are the words “to the proposed activity” which are missing in French	<p>The words are implied in French. (UN editors)</p> <p>Treaty section agrees: but could be aligned to match the English.</p> <p>Switzerland: add in the French text “remplacement de l'activité proposée (par exemple...)” – correction</p>	<b>CORRECTION</b> procedure to add in the French text “remplacement de l'activité proposée (par exemple...)”	Technical; correction
II § (b)	R	“... and also <b>the no-action alternative”</b> // “... в том числе <b>варианта отказа от деятельности”</b> .”	<p>In Russian in Article 5, § (a) and Appendix II, § (b) there is a different interpretation of «the no-action alternative». (Belarus)</p> <p>In Appendix II, § (b), Russian version, there is no-correct translation of the phrase «the non-action alternative» - «вариант отказа от деятельности», which can cause misunderstanding, while in Art. 5, §</p>	<b>AMENDMENT</b> procedure to change the no-action alternative, following also the language in art. 5 § (a)	Issue of interpretation; amendment; the task force may wish to consider that: given the Russian text in art. 5 (a) and the language in the Fre and En, this may be seen as a linguistic/technical issue in the Russian text to be addressed through the correction procedure.

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
			(a) the translation is correct. This is an important difference which should be unified by the amendment procedure. (Ukraine)		
II § (d)	R	A description of <b>the potential environmental impact</b> of the proposed activity and its alternatives and an estimation of its <b>significance</b> // описание <b>возможных видов воздействия</b> на окружающую среду планируемой деятельности и ее альтернативных вариантов и оценка их <b>масштабов</b>	«the potential environmental impact» singular in English whereas plural in Russian. Question of interpretation of «significance» in English and «масштабов» in Russian. The latter might mean «size».(Belarus)  There are different proposals regarding the same matter (“significance”/”значение”) in II § (d), III (title) and VI § 2 (f) (see TF proposals and the Secretariat’s comment on III (title) and VI § 2 (f)). In our opinion, it should be addressed uniformly and the Russian “значимость” would better reflect the English “significance”. Further consultations with Russian linguists needed (addition by Belarus on 28.10.13)  <i>These differences do not affect the meaning of the provisions of the paragraph in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)</i>	- <b>Correction</b> - It should be addressed uniformly and the Russian “значимость” would better reflect the English “significance”. Further consultations with Russian linguists needed  - No change needed	There seems to be no technical error here, if the task force agrees on a change, this may be addressed through the correction procedure.
II § e)	R	A description of <b>mitigation measures</b> to keep adverse environmental impact to a minimum,// описание <b>предохранительных мер, направленных на то, чтобы свести к минимуму</b>	In Russian in Article 5, § (a) and Appendix II, § (e) there is a different interpretation of «mitigation measures». (Belarus)	No change needed	If the task force decides that the language in the two provisions should be aligned, this can be done through the correction procedure.

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		вредное воздействие на окружающую среду, Description des mesures correctives visant à réduire autant que possible l'impact préjudiciable sur l'environnement	These different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)		
II § e)	E/F	“autant que possible” “to a minimum”	Legal advice may be sought to find out whether the two terms carry the same obligation. (UN editors)  Treaty section: Question of interpretation.  Question of interpretation. Modify French with “réduire au minimum l'impact” (stronger than « autant que possible ») or modify English with “as far as possible”? – eventually through amendment procedure (Switzerland)	Eventually <b>AMENDMENT</b> procedure to change “autant que possible” by réduire au minimum”	The task force may decide to tackle this as a technical/linguistic matter that could be addressed through the correction procedure.
II § f)	E/F	“retenues” / “underlying”, the two adjectives have slightly different meaning. In “retenues” there seems to be an intent (gardé, mis en reserve), which may not be the case in “underlying”	Legal advice may be sought. (UN editors)  Treaty section: Question of interpretation  “retenues” ok. Pas de modification (Switzerland)	No change needed	There seems to be no real discrepancy requiring action.
II § g)	R	<b>An identification</b> of gaps in knowledge and uncertainties encountered in compiling the required information,/ <b>выявление</b> пробелов в знаниях и неопределенностей, которые были обнаружены при подготовке требуемой информации, <b>Inventaire</b> des lacunes dans les connaissances et des incertitudes constatées en rassemblant les données requises	Question of interpretation of «identification» in English and «выявление» in Russian. The latter might mean «determination». (Belarus)  In all three languages this word has slightly different meaning, though this difference does not mutilate the meaning of the paragraph. As we see it, there is no need to correct/amend. (Ukraine)	No change needed	There seems to be no real discrepancy requiring action.

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
<b>ANNEX III// ДОБАВЛЕНИЕ III</b>					
III, название/ti tle	R	“...IN THE DETERMINATION OF THE ENVIRONMENTAL SIGNIFICANCE OF ACTIVITIES NOT LISTED IN APPENDIX I”// “... В ОПРЕДЕЛЕНИИ ЭКОЛОГИЧЕСКОГО ЗНАЧЕНИЯ ВИДОВ ДЕЯТЕЛЬНОСТИ, НЕ ВКЛЮЧЕННЫХ В ДОБАВЛЕНИЕ I”	Question of interpretation of «significance» in English and «значения» in Russian. The latter might mean «value». (Belarus)  See also Belarus' comment (28.10.13) on II § (d)  <i>The Russian «значения» seems not fully correct translation of this word, though does not mutilate the meaning of the process. If decided so, more correct phrase, for example, «экологической значимости» or «экологической важности» could be used in this case. (Ukraine)</i>	- <b>CORRECTION:</b> It should be addressed uniformly and the Russian “значимость” would better reflect the English “significance”. Further consultations with Russian linguists needed  - <b>CORRECTION</b> procedure could be considered to explore a better wording in the Russian text	Linguistic; correction.
III § 1	R	“... the concerned Parties may <b>consider</b> whether the activity is likely to have ...”// “... заинтересованные Стороны могут <b>изучить</b> вопрос о том, может ли данный вид ...”	Question of interpretation of «consider» in English and «изучить» in Russian. The latter might mean «scrutinize». (Belarus)  <i>These different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)</i>	No change needed	There seems to be no discrepancy, if the task force decides to address it, this could be done through the correction procedure.
III § 1 b)	E/F/R	“Convention de Ramsar”	Full title of instrument should be given: Convention sur les zones humides d'importance internationale (Convention de Ramsar); in English “Convention on	<b>CORRECTION</b> procedure to provide the full title of the Ramsar Convention in all three languages	Technical; correction

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			<p>wetlands of international importance especially as waterfowl habitat” (Ramsar Convention) (UN editors)</p> <p>Treaty section: Could possibly be addressed by correction procedure.</p> <p><i>Agreed by Switzerland (correction)</i></p>		
III § 1 c)	R	<p>“...and potentially adverse <b>effects</b>, including those giving rise to serious <b>effects</b> on humans or on valued species or organisms, those which threaten the existing or potential use of an affected area and those causing additional loading which cannot be sustained by the carrying capacity of the environment.//</p> <p>“...и потенциально вредное <b>воздействие</b>, включая такие <b>виды воздействия</b>, которые влекут за собой серьезные последствия для людей и ценных видов флоры и фауны и организмов, угрожают нынешнему или возможному использованию затрагиваемого района и приводят к возникновению нагрузки, превышающей уровень устойчивости среды к внешнему воздействию.</p>	<p>In Russian there is a different interpretation of «effects». (Belarus)</p> <p><i>These different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation.</i></p> <p><i>As we see it, there is no need to correct/amend. (Ukraine)</i></p>	No change needed	There seems to be no discrepancy here.

ANNEX IV// ДОБАВЛЕНИЕ IV

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
IV § 3	R	<p>“If the president of the inquiry commission <b>has not been designated</b> within two months of the appointment of the second expert, ...”//          Если председатель комиссии по запросу <b>не назначается</b> в течение двух месяцев после назначения второго эксперта...”</p>	<p>In English provision of Appendix IV, § 3 relates to the past event whereas in Russian it relates to the ongoing event. (Belarus)</p> <p>These different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation.          As we see it, there is no need to correct/amend. (Ukraine)</p>	No change needed	There seems to be no discrepancy; but if the task force decides to make change to better align the text, this could be done through the correction procedure.
IV § 4	R	<p>“After such a period, the president shall inform the Executive Secretary...”//          “По истечении этого периода председатель <b>соответственно</b> информирует Исполнительного секретаря ...”</p>	<p>Excessive word «accordingly» in Russian. (Belarus)</p> <p>These different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation.          As we see it, there is no need to correct/amend. (Ukraine)</p>	No change needed	There seems to be no real discrepancy; but if the task force decides to make change to better align the text, this could be done through the correction procedure.
IV § 5 (cf to VII § 6)	E/F	French uses similar verb “arrête” whereas English uses “adopt” and “draw up”	<p>Legal advice may be sought. (UN editors)</p> <p>Treaty section: Question of interpretation.</p> <p>Switzerland: replace in French “arrête” with “adopte” – Correction</p>	CORRECTION procedure to change “arrête” with “adopte”	Linguistic; correction

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Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
IV § 5 (cf to VII § 6)	E/F	English use similar phrase “rules of procedure” whereas French uses “règlement intérieur” and “procédure”	From a legal point of view the difference in French terms seems justified, since a Commission would have “règlement intérieur” whereas a tribunal a “procédure”, legal advice may be needed. (UN editors)  Treaty section: Question of interpretation.  Switzerland: not sure if the above comment is correct	Not sure – to be discussed	This appears to be a linguistic/technical and the task force may wish to address it through the correction procedure.
IV § 10	R	“... the expenses of the inquiry commission, including the <b>remuneration</b> of its members, shall be borne by the parties to the inquiry procedure in equal shares”// “... то расходы комиссии по запросу, включая <b>вознаграждение</b> ее членов, стороны, причастные к процедуре запроса, делят между собой поровну”	In Russian in Appendix IV, § 10 and Appendix VII, § 14 there is a different interpretation of «remuneration». (Belarus)  These different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)	No change needed	If the task force decides to address it to align the translation of “remuneration”, this could be done through the correction procedure.
IV § 12	E/F	Last part of the sentence, variation in syntax which may impact on obligations: “est, <b>éventuellement</b> , assorti de l'exposé” whereas	To match the syntax, French should read “est assorti, <b>le cas échéant</b> ou <b>s'il y a lieu</b> .” in which case the obligation would be the same: if there are dissenting	<b>CORRECTION</b> procedure to replace “éventuellement” by “en principe” (or by « le cas	Typological/linguistic; correction. « le cas échéant » or « s'il y a lieu » may better reflect « any » in

Art.	Lang.	Discrepancy	UN Editor's Comments/Treaty section + comments from <i>Switzerland/France, Belarus and Ukraine – including European ECO Forum supported by Ecoglobe</i>	PROPOSAL by members of the task force	Secretariat addition / comment
		English reads “shall include any..”	views, there shall be included. As it is now, in French “éventuellement” makes this inclusion optional. (UN editors)  Treaty section: Could possibly be addressed by correction procedure.  Switzerland proposal: replace “éventuellement” by “en principe” – correction	<i>échéant</i> » or « <i>s'il y a lieu</i> » <i>according to the UN editors</i> )	English. « En principe » may have a different meaning.
<b>ANNEX V// ДОБАВЛЕНИЕ V</b>					
V first sentence	F/E/R	“notamment”, does not appear in the two other languages	Add in English and Russian ( <i>l'analyse peut être plus étendue que ce que prévoit l'app. V</i> ) – correction (Switzerland)	Correction to add « notably » in Rus and Fre	Correction could also be considered to delete notamment from Fre.
<b>ANNEX VI// ДОБАВЛЕНИЕ VI</b>					
VI § 1	F	“élargir le champ” should read “élargir le champ d'application”	Optional (UN editors)  Ok. – correction (Switzerland)	<b>CORRECTION</b> procedure to add « d'application ».	Technical; correction
VI § 2 (f)	R	“The establishment of threshold levels and more specified criteria for defining <b>the significance</b> of transboundary impacts...”/“определение пороговых уровней и более конкретных критериев, характеризующих <b>значение</b> трансграничного воздействия...”	Question of interpretation of «significance» in English and «значение» in Russian. The latter might mean «value». (Belarus)  See Belarus' comment (28.10.13) on II § (d)  <b>The Russian «значение» seems not fully correct translation of this word, though does not mutilate the meaning of the process.</b>	- <b>CORRECTION</b> It should be addressed uniformly and the Russian “значимость” would better reflect the English “significance”. Further consultations with Russian linguists needed  - Consider <b>CORRECTION</b> procedure to replace “значение” by “значимость” or “масштаб” in the Russian text	Linguistic, technical; correction

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			If decided so, more correct word in this case would be, for example, «значимость» or «масштаб». (Ukraine)		
VI § 2 (f)	R	“...related to the location, nature or size of <b>proposed activities...</b> ”/“... связанного с местом осуществления, характером и масштабами <b>планируемой деятельности...</b> ”	«proposed activities» plural in English whereas singular in Russian. (Belarus)  As for «proposed activities» these different translations of the phrase do not affect the meaning of the provisions in the two language versions and are more linguistic differences in the way of translation. As we see it, there is no need to correct/amend. (Ukraine)	No change needed	There seems to be no discrepancy.
<b>ANNEX VII// ДОБАВЛЕНИЕ VII</b>					
General	R		In Russian there is a different interpretation of the similar provisions of Appendix IV and Appendix VII (for instance, § 2, 4, etc.) (Belarus)		The task force may wish to consider whether the language in the provisions under the two appendices should be better aligned through the correction procedure.
VII § 1	R	“Статья 5” should read “Статья 15”	Semantic error. This is a typographical error in the Russian text. Should be corrected via correction procedure. (UN editors)		Correction procedure.
VII 6 (cf. to IV § 5)	E/F	See previous comment above at IV § 5			

