

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2005 Nr. 186

A. TITEL

*Verdrag inzake milieu-efectrapportage in grensoverschrijdend verband;
Espoo, 25 februari 1991*

B. TEKST

De Engelse en Franse tekst van het Verdrag en de Aanhangsels zijn geplaatst in *Trb.* 1991, 104.

Op 27 februari 2001 is te Sofia een Besluit tot wijziging van het Verdrag genomen. De tekst van het Besluit luidt als volgt:

Decision II/14 amendment to the Espoo Convention

The Meeting,

Wishing to modify the Espoo Convention with a view to clarifying that the public that may participate in procedures under the Convention includes civil society and, in particular, non-governmental organizations,

Recalling paragraph 13 of the Oslo Declaration of the Ministers of the Environment and the European Community Commissioner for the Environment assembled at Oslo on the occasion of the first meeting of the Parties to the Espoo Convention,

Wishing to allow States situated outside the UN/ECE region to become Parties to the Convention,

Adopts the following amendments to the Convention:

- (a) At the end of Article 1 (x), after persons insert
and, in accordance with national legislation or practice, their associations, organizations or groups
- (b) In Article 17, after paragraph 2, insert a new paragraph reading

3. Any other State, not referred to in paragraph 2 of this Article, that is a Member of the United Nations may accede to the Convention upon approval by the Meeting of the Parties. The Meeting of the Parties shall not consider or approve any request for accession by such a State until this paragraph has entered into force for all the States and organizations that were Parties to the Convention on 27 February 2001.

and renumber the remaining paragraphs accordingly.

(c) At the end of Article 17, insert a new paragraph reading

7. Any State or organization that ratifies, accepts or approves this Convention shall be deemed simultaneously to ratify, accept or approve the amendment to the Convention set out in decision II/14 taken at the second meeting of the Parties.

Op 4 juni 2004 is te Cavtat een besluit tot wijziging van het Verdrag genomen. De tekst van het Besluit, met Aanhangsel, luidt als volgt:

Annex VII

DECISION III/7

Second amendment to the Espoo Convention

The Meeting,

Recalling its decision II/10 on the review of the Convention and paragraph 19 of the Sofia Ministerial Declaration,

Wishing to modify the Convention with a view to further strengthening its application and improving synergies with other multilateral environmental agreements,

Commending the work done by the task force established at the second meeting of Parties, by the small group on amendments and by the Working Group on Environmental Impact Assessment itself,

Noting the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, done at Aarhus, Denmark, on 25 June 1998, and recalling the Protocol on Strategic Environmental Assessment, done at Kiev, Ukraine, on 21 May 2003,

Also noting relevant European Community legal instruments, such as directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, as amended by directives 97/11/EC and 2003/35/EC,

Conscious that an extension of Appendix I will strengthen the importance of environmental impact assessments in the region,

Recognizing the benefits of international cooperation as early as possible in the assessment of environmental impact,

Encouraging the work of the Implementation Committee as a useful tool for the further implementation and application of the provisions of the Convention,

1. Confirms that the validity of decisions taken prior to the entry into force of the second amendment to the Convention, including the adoption of protocols, the establishment of subsidiary bodies, the review of compliance and actions taken by the Implementation Committee, are not affected by the adoption and entry into force of this amendment;

2. Also confirms that each Party shall continue to be eligible to participate in all activities under the Convention, including the preparation of protocols, the establishment and participation in subsidiary bodies, and the review of compliance, regardless of whether the second amendment to the Convention has entered into force for that Party or not;

3. Adopts the following amendments to the Convention:

a) In Article 2, after paragraph 10, insert a new paragraph reading

11. If the Party of origin intends to carry out a procedure for the purposes of determining the content of the environmental impact assessment documentation, the affected Party should to the extent appropriate be given the opportunity to participate in this procedure.

b) In Article 8, after Convention insert

and under any of its protocols to which they are a Party

c) In Article 11, replace paragraph 2 (c) by a new subparagraph reading c) Seek, where appropriate, the services and cooperation of competent bodies having expertise pertinent to the achievement of the purposes of this Convention;

d) At the end of Article 11, insert two new subparagraphs reading

g) Prepare, where appropriate, protocols to this Convention;

h) Establish such subsidiary bodies as they consider necessary for the implementation of this Convention.

e) In Article 14, paragraph 4, replace the second sentence by a new sentence reading

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 the number of Parties at the time of their adoption.

f) To insert, after Article 14, insert a new article reading

Article 14 bis

Review of compliance

1. The Parties shall review compliance with the provisions of this Convention on the basis of the compliance procedure, as a non-adversarial and assistance-oriented procedure adopted by the Meeting of the Parties. The review shall be based on, but not limited to, regular reporting by the Parties. The Meeting of Parties shall decide on the frequency of regular reporting required by the Parties and the information to be included in those regular reports.

2. The compliance procedure shall be available for application to any protocol adopted under this Convention.

g) Replace Appendix I to the Convention by the Appendix to this decision;

h) In Appendix VI, after paragraph 2, insert a new paragraph reading

3. Paragraphs 1 and 2 may be applied, *mutatis mutandis*, to any protocol to the Convention.

Appendix**List of activities**

1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.

2. a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more, and

b) Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors¹⁾ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).

3. a) Installations for the reprocessing of irradiated nuclear fuel;

b) Installations designed:
– For the production or enrichment of nuclear fuel;

¹⁾ For the purposes of this Convention, nuclear power stations and other nuclear reactors cease to be such an installation when all nuclear fuel and other radioactively contaminated elements have been removed permanently from the installation site.

- For the processing of irradiated nuclear fuel or high-level radioactive waste;
- For the final disposal of irradiated nuclear fuel;
- Solely for the final disposal of radioactive waste; or
- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.

4. Major installations for the initial smelting of castiron and steel and for the production of non-ferrous metals.

5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.

6. Integrated chemical installations.

7. (a) Construction of motorways, express roads¹⁾ and lines for long-distance railway traffic and of airports²⁾ with a basic runway length of 2,100 metres or more;

b) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.

8. Large-diameter pipelines for the transport of oil, gas or chemicals.

9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.

10. a) Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;

¹⁾ For the purposes of this Convention:

– “Motorway” means a road specially designed and built for motor traffic, which does not serve properties bordering on it, and which:

a) Is provided, except at special points or temporarily, with separate carriageways for the two directions of traffic, separated from each other by a dividing strip not intended for traffic or, exceptionally, by other means;

b) Does not cross at level with any road, railway or tramway track, or footpath; and

c) Is specially signposted as a motorway.

– “Express road” means a road reserved for motor traffic accessible only from interchanges or controlled junctions and on which, in particular, stopping and parking are prohibited on the running carriageway(s).

²⁾ For the purposes of this Convention, “airport” means an airport which complies with the definition in the 1944 Chicago Convention setting up the International Civil Aviation Organization (annex 14).

b) Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.

11. Large dams and reservoirs.

12. Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.

13. Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.

14. Major quarries, mining, on-site extraction and processing of metal ores or coal.

15. Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.

16. Major storage facilities for petroleum, petrochemical and chemical products.

17. Deforestation of large areas.

18. a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year; and

b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow. In both cases transfers of piped drinking water are excluded.

19. Waste-water treatment plants with a capacity exceeding 150 000 population equivalent.

20. Installations for the intensive rearing of poultry or pigs with more than:

- 85 000 places for broilers;
- 60 000 places for hens;
- 3 000 places for production pigs (over 30 kg); or
- 900 places for sows.

21. Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.

22. Major installations for the harnessing of wind power for energy production (wind farms).

C. VERTALING

Zie *Trb.* 1991, 174.

D. PARLEMENT

Zie *Trb.* 1996, 82.

De Besluiten behoeven ingevolge artikel 91 van de Grondwet de goedkeuring van de Staten-Generaal, alvorens het Koninkrijk aan de Besluiten kan worden gebonden.

E. PARTIJGEGEVENS

Zie *Trb.* 1991, 104 en rubriek F van *Trb.* 1996, 182.

Partij	Onder-tekening	Ratifi-catie	Type ¹⁾	In werking	Opzeg-ging	Buiten werking
Albanië	26-02-91	04-10-91	R	10-09-97		
Armenië		21-02-97	T	10-09-97		
Azerbeidzjan		25-03-99	T	23-06-99		
Belarus	26-02-91					
België	26-02-91	02-07-99	R	30-09-99		
Bulgarije	26-02-91	12-05-95	R	10-09-97		
Canada	26-02-91	13-05-98	R	11-08-98		
Cyprus		20-07-00	T	18-10-00		
Denemarken	26-02-91	14-03-97	R	10-09-97		
Duitsland	26-02-91	08-08-02	R	06-11-02		
EG (Europese Gemeenschap)	26-02-91	24-06-97	R	22-09-97		
Estland		25-04-01	T	24-07-01		
Finland	26-02-91	10-08-95	R	10-09-97		
Frankrijk	26-02-91	15-06-01	R	13-09-01		
Griekenland	26-02-91	24-02-98	R	25-05-98		
Hongarije	26-02-91	11-07-97	R	09-10-97		

Partij	Onder-tekening	Ratifi-catie	Type ¹⁾	In-werking	Opzeg-ging	Buiten-werking
Ierland	27-02-91	25-07-02	R	23-10-02		
IJsland	26-02-91					
Italië	26-02-91	19-01-95	R	10-09-97		
Kazachstan		11-01-01	T	11-04-01		
Kroatië		08-07-96	T	10-09-97		
Kyrgyzstan		01-05-01	T	30-07-01		
Letland		31-08-98	T	29-11-98		
Liechtenstein		09-07-98	T	07-10-98		
Litouwen		11-01-01	T	11-04-01		
Luxemburg	26-02-91	29-08-95	R	10-09-97		
Macedonië, Voormalige Joegoslavische Republiek		31-08-99	T	29-11-99		
Moldavië		04-01-94	T	10-09-97		
Nederlanden, het Koninkrijk der (voor Nederland)	25-02-91	28-02-95	R	10-09-97		
Noorwegen	25-02-91	23-06-93	R	10-09-97		
Oekraïne	26-02-91	20-07-99	R	18-10-99		
Oostenrijk	26-02-91	27-07-94	R	10-09-97		
Polen	26-02-91	12-06-97	R	10-09-97		
Portugal	26-02-91	06-04-00	R	05-07-00		
Roemenië	26-02-91	29-03-01	R	27-06-01		
Russische Federatie	06-06-91					
Slovenië		05-08-98	T	03-11-98		
Slowakije	28-05-93	19-11-99	R	17-02-00		
Spanje	26-02-91	10-09-92	R	10-09-97		
Tsjechië	30-09-93	26-02-01	R	27-05-01		

Partij	Ondertekening	Ratificatie	Type ¹⁾	In werking	Opzegging	Buiten werking
Tsjechoslowakije (<01-01-1993)	30-08-91					
Verenigd Koninkrijk, het	26-02-91	10-10-97	R	08-01-98		
Verenigde Staten van Amerika, de	26-02-91					
Zweden	26-02-91	24-01-92	R	10-09-97		
Zwitserland		16-09-96	T	10-09-97		

¹⁾ DO=Definitieve ondertekening, R=Ratificatie, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid

Gebiedsuitbreidingen

Denemarken

Uitgebreid tot	Datum uitbreiding	In werking
Faeröer-eilanden	14-03-1997	14-03-1997
Groenland	14-03-1997	14-03-1997

Verenigd Koninkrijk, het

Uitgebreid tot	Datum uitbreiding	In werking
Gibraltar	08-01-1998	08-01-1998
Guernsey	08-01-1998	08-01-1998
Jersey	08-01-1998	08-01-1998
Man	08-01-1998	08-01-1998

Verklaringen, voorbehouden en bezwaren

Bulgarije, 12 mei 1995

The Republic of Bulgaria declares that for a dispute not resolved in accordance with paragraph 1 of article 15, it accepts both of the following means of dispute settlement as compulsory in relation to any Party accepting the same obligation:

- a) Submission of the dispute to the International Court of Justice;
- b) Arbitration in accordance with the procedure set out in Appendix VII.

Canada, 13 mei 1998

Inasmuch as under the Canadian constitutional system legislative jurisdiction in respect of environmental assessment is divided between the provinces and the federal government, the Government of Canada in ratifying this Convention, makes a reservation in respect of proposed activities (as defined in this Convention) that fall outside of federal legislative jurisdiction exercised in respect of environmental assessment.

Bezwaar door Finland, 28 mei 1999

In the view of the Government of Finland the general reservation made by the Government of Canada does not adequately clarify to which extent Canada considers itself bound by the Convention. It is of fundamental importance that States are prepared to undertake legislative changes necessary to comply with their obligations under their treaties.

Furthermore, according to article 19 of the Vienna Convention on the Law of Treaties of 23 May 1969 as well as customary international law a reservation incompatible with the object and purpose of a treaty shall not be permitted.

Accordingly, Finland objects to the general reservation of Canada as not compatible with the object and purpose of the [Convention].

Bezwaar door Frankrijk, 8 juni 1999

The Government of the French Republic has considered the reservation made by the Government of Canada with respect to the Convention on Environmental Impact Assessment in a Transboundary Context.

This reservation, which stresses that legislative jurisdiction with respect to environmental impact assessment is divided between the provinces and the federal government, limits the responsibilities assigned by the Convention to a federal State. However, it is a principle of international law that a State may not invoke its domestic law to justify its failure to fulfil its obligations under a treaty. Moreover, since the reservation is worded in a very general fashion, the Government of the French Republic has been unable to establish to which provisions of the Convention the reservation applies or could apply, or in what way; it believes that application of the reservation could render the provisions of the Convention null and void. It therefore objects to the reservation.

France would be in a position to consider the reservation made by Canada admissible in the light of articles 19 and 21 of the Vienna Convention only if Canada demonstrates, by means of additional statements or through its future practice, that its reservation is in keeping with provisions that are essential for achieving the object and purpose of the Convention.

This objection does not preclude the entry into force of the Convention between Canada and France.

Bezwaar door Ierland, 25 juli 2002

The Government of Ireland has noted the reservation made by the Government of Canada when ratifying the Convention. The reservation appears to limit the application of the Convention in respect of Canada, to the proposed activities (as defined by the Convention) only insofar as they fall within the federal legislative jurisdiction exercised by Canada in respect of environmental assessment and therefore to have the effect of excluding the Convention's application to Canada insofar as the proposed activities fall within the jurisdiction of the Canadian provinces.

The reservation is of such a general nature that the Government of Ireland is unable to establish the extent to which Canada considers itself bound by the Convention.

Furthermore, it is a principle of international law that a State may not invoke its domestic law to justify its failure to fulfil its obligations under a treaty. It is, therefore, the view of the Government of Ireland that, without further clarification, it is not possible to determine whether or not the reservation is compatible with the object and purpose of the Convention in question.

Pending further clarification from Canada ensuring that the reservation is compatible with the object and purpose of the Convention, the Government of Ireland objects to the reservation made by Canada.

Bezwaar door Italië, 1 juni 1999

The Italian Government notes that the reservation made by the Government of Canada in ratifying the Espoo Convention is of a general nature, since it subordinates the application of the said Convention to certain provisions of Canada's domestic law.

The Italian Government is of the view that this general reservation raises doubts regarding Canada's commitment to the object and purpose of the Convention, and wishes to recall that under article 19 (c) of the Vienna Convention on the Law of Treaties, a State may not formulate a reservation that is incompatible with the object and purpose of the treaty to which it refers.

It is in the common interest of States to ensure that the treaties to which they are parties are respected in their entirety by all the Contracting Parties, and that the latter are willing to undertake the legislative changes needed to comply with the obligations arising under such treaties.

Reservations of a general nature like the one made by the Government of Canada, which do not clearly specify the scope of the derogations resulting therefrom, undermine the foundations of international treaty law.

Consequently, the Italian Government opposes the aforesaid general reservation made by the Government of Canada to the [Convention].

Bezwaar door Luxemburg, 20 augustus 1999

The Government of Luxembourg notes that this reservation is of a general nature and makes compliance with the Convention subject to certain provisions of Canada's domestic laws.

This reservation casts doubt on Canada's commitment to the object and purpose of the Convention. Luxembourg wishes to recall that, under the provisions of article 19 c) of the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a treaty are not authorized.

It is in the common interest of States that treaties to which they decide to accede be fully complied with by all parties and that States be prepared to adapt their national legislation to their obligations under such treaties. A general reservation such as the one made by the Government of Canada, which specifies neither the provisions of the Convention to which it applies nor its scope, undermines the basis of the international law of treaties.

The Government of Luxembourg therefore objects to this general reservation made by the Government of Canada with respect to the Convention on Environmental Impact Assessment in a Transboundary Context. This objection does not preclude the entry into force of the Convention as between the Grand Duchy of Luxembourg and Canada.

Bezwaar door Noorwegen, 28 juli 1999

It is in the common interest of States that treaties to which they have chosen to become Parties are respected as to their object and purpose by all Parties and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. Furthermore, according to well-established customary international law, a reservation contrary to the object and purpose of the treaty shall not be permitted. Norway holds the opinion that according to customary international law, reservations of a general character, taken because of division of jurisdictional competence in the national constitution, normally are incompatible with the object and purpose of the Convention in question. Such a reservation does not sufficiently clarify to which extent the reserving State Party is bound by the provisions of the Convention.

Norway does not consider the reservation made by the Government of Canada as admissible unless the Government of Canada, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention. The Government of Norway, therefore, pending clarification of the exact extent of the reservation, objects to the aforesaid general reservation made by the Government of Canada.

Bezwaar door Spanje, 26 mei 1999

The Government of the Kingdom of Spain notes that the said reservation is of a general nature, rendering compliance with the provisions of the Convention dependent on certain norms of Canada's internal legislation.

The Government of the Kingdom of Spain believes that this general reservation gives rise to doubts concerning Canada's commitment to the object and purpose of the Convention and recalls that, according to article 19 (c) of the Vienna Convention on the Law of Treaties, reservations that are incompatible with the object and purpose of a treaty are impermissible.

It is in the common interest of States that treaties to which they have decided to become parties should be respected in their entirety by all parties, and that States should be prepared to adapt their internal legislation to comply with their obligations under those treaties. A general reservation such as that made by the Government of Canada, which does not clearly specify either the provisions of the Convention to which it applies or the scope of the derogation, undermines the foundations of international treaty law.

The Government of the Kingdom of Spain therefore objects to the aforementioned general reservation made by the Government of Canada to the Convention on Environmental Impact Assessment in a Transboundary Context. This objection does not prevent the entry into force of the Convention between the Kingdom of Spain and Canada.

Bezwaar door Zweden, 26 mei 1999

The Government of Sweden is of the view that the general reservation made by the Government of Canada does not clarify to which extent Canada considers itself bound by the Convention.

It is in the common interest of States that treaties to which they have chosen to become parties are respected as to their object and purpose by all parties, and that States are prepared to undertake any legislative changes necessary to comply with their obligations under the treaties. Furthermore, according to the Vienna Convention on the Law of Treaties of 23 May 1969, and well established customary international law, a reservation contrary to the object and purpose of the treaty shall not be permitted.

Sweden does not consider the reservation made by the Government of Canada as admissible unless the Government of Canada, by providing additional information or through subsequent practice, ensures that the reservation is compatible with the provisions essential for the implementation of the object and purpose of the Convention. The Government of Sweden therefore, pending clarification of the exact extent of the reservation, objects to the [...] general reservation made by the Government of Canada.

Canada, 21 januari 2000

The Government of Canada notes that some States have formulated objections to the reservation of the Government of Canada to the Espoo Convention. The Government of Canada wishes to reaffirm its view that a reservation in respect of proposed activities (as defined in the Convention) that fall outside federal legislative jurisdiction exercised in respect of environmental assessment is compatible with the object and purpose of the Convention and is thus admissible. In reaffirming its position on this matter, the Government of Canada refers to the negotiating history of the Convention and specifically to the sixth and final meeting of the Working Group to elaborate a draft Convention. At that meeting, the states present agreed to delete a draft article that would have prohibited all reservations to the Convention. It was and remains Canada's understanding that the agreement to delete the prohibition on reservations was linked directly with a further decision not to include a "federal clause" within the Convention.

Canada further wishes to state that Canada's reservation to the Espoo Convention is an integral part of Canada's ratification of the Convention and is not severable therefrom. Canada can only accept treaty relations with other states on the basis of the reservation as formulated and in conformity with Article 21 of the Vienna Convention on the Law of Treaties.

Denemarken, 26 februari 1991

Decision reserved as concerns the application of the Convention to the Faeroe Islands and Greenland.

EG (Europese Gemeenschap), 26 februari 1991

It is understood, that the Community Member States, in their mutual relations, will apply the Convention in accordance with the Community's internal rules, including those of the EURATOM Treaty, and without prejudice to appropriate amendments being made to those rules.

The European Community considers that, if the information of the public of the Party of origin takes place when the environmental impact assessment documentation is available, the information of the affected Party by the Party of origin must be implemented simultaneously at the latest.

The Community considers that the Convention implies that each Party must assure, on its territory, that the public is provided with the environmental impact assessment documentation, that it is informed and that its observations are collected.

EG (Europese Gemeenschap), 24 juni 1997

In the field covered by the Espoo Convention, Council Directive 85/337/EEC of 27 June 1985, annexed to this Declaration, applies. It enables the Community to comply with most of the obligations under the Espoo Convention. Member States are responsible for the perform-

ance of those obligations resulting from the Espoo Convention not currently covered by Community law and more specifically by Directive 85/337/EEC. The Community underlines that Directive 85/337/EEC does not cover the application of the Espoo Convention between the Community on the one hand and non-Member States party to the Espoo Convention on the other hand. The Community will inform the depositary of any future amendment to Directive 85/337/EEC.

From this, it follows that the Community, within the limits indicated above, is competent to enter into binding commitments on its own behalf with non-members countries which are Contracting Parties to the Espoo Convention.

Frankrijk, 15 juni 2001

.... When approving the Convention on Environmental Impact Assessment in a Transboundary Context, signed at Espoo on 25 February 1991, the Government of the French Republic declares that it associates itself with the declarations made by the European Commission, both when signing this Convention and when depositing the Community's instrument of ratification, and stresses in particular that:

- In its relations with the member States of the European Union, France will apply the Convention in accordance with the Union's internal rules, including those laid down in the Euratom treaty;
- When the public in the Party of origin is provided with information through the public distribution of the environmental impact assessment documentation, the notification of the affected Party by the Party of origin must be given no later than when the documentation is distributed;
- The Convention implies that it is the responsibility of each Party to ensure the public distribution within its territory of the environmental impact assessment documentation, inform the public and collect its comments, except where different bilateral arrangements apply.

It specifies that, any projects for which a request for authorization or approval is required and has already been submitted to the competent authority at the time when the Convention enters into force in France shall not be subject to the Convention.

Lastly, it specifies that the word 'national' in article 2, paragraph 8, of the Convention shall be understood to refer to national laws, national regulations, national administrative provisions and commonly accepted national legal practices.

Liechtenstein, 9 juli 1998

Declaration concerning article 15 (2):

The Principality of Liechtenstein declares in accordance with article 15, paragraph 2, of the Convention that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement.

Nederlanden, het Koninkrijk der, 28 mei 1995

The Kingdom of the Netherlands declares, in accordance with paragraph 2 of article 15 of [the said Convention], that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both of these means of dispute settlement.

Oostenrijk, 27 juli 1994

The Republic of Austria declares in accordance with article 15 paragraph 2 of the Convention that it accepts both of the means of dispute settlement mentioned in this paragraph as compulsory in relation to any Party accepting an obligation concerning one or both of these means of dispute settlement.

Verenigd Koninkrijk, het, 26 februari 1991

The United Kingdom considers the Convention is incomplete. Annex I of the Convention lists offshore hydrocarbon production. The United Kingdom considers there is no reason to exclude onshore hydrocarbon production from Annex I, and therefore intends to seek an early amendment to the Convention to remedy this omission.

Partijgegevens van Besluit II/14

Partij	Ondertekening	Ratificatie	Type ¹⁾	In werking	Opzegging	Buiten werking
Duitsland		08-08-02	R			
Luxemburg		05-05-03	R			
Polen		20-07-04	R			

¹⁾ DO=Definitieve ondertekening, R=Ratificatie, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid

Partijgegevens van Besluit III/7

Er zijn nog geen staten die Besluit III/7 hebben bekrachtigd.

G. INWERKINGTREDING

Zie *Trb.* 1997, 298.

De bepalingen van de wijzigingen van 27 februari 2001 en 4 juni 2004 zullen, ingevolge artikel 14, vierde lid, van het Verdrag, in werking treden op de negentigste dag nadat de Depositaris van ten minste drievierde van die partijen een kennisgeving van bekrachtiging, goed-

keuring of aanvaarding van de wijziging in kwestie heeft ontvangen. Daarna treden zij, ingevolge hetzelfde artikel, ten aanzien van iedere andere partij in werking op de negentigste dag nadat die Partij haar akte van bekrachtiging, goedkeuring of aanvaarding van de wijzigingen heeft nedergelegd.

J. VERWIJZINGEN

Zie *Trb.* 1991, 104, *Trb.* 1996, 82 en *Trb.* 1997, 298.

Verbanden

- Titel : Protocol inzake strategische milieubeoordeling bij het Verdrag inzake milieu-effectrapportage in grensoverschrijdend verband; Kiev, 21 mei 2003
- Tekst : *Trb.* 2003, 154 (Engels en Frans)
Trb. 2005, 13 (vertaling)

Overige verwijzingen Verdrag

- Titel : Handvest van de Verenigde Naties; San Francisco, 26 juni 1945
- Laatste *Trb.* : *Trb.* 2004, 240
- Titel : Statuut van het Internationaal Gerechtshof; San Francisco, 26 juni 1945
- Laatste *Trb.* : *Trb.* 1997, 106

Verwijzingen Besluit II/14

- Titel : Oslo Declaration of the Environment and the European Community Commissioner for the Environment; Oslo, 20 mei 1998
- Tekst : ECE/MP. EIA/2, blz. 67 e.v.

Verwijzingen Besluit III/7

- Titel : Verdrag betreffende toegang tot informatie, inspraak in besluitvorming en toegang tot de rechter inzake milieuaangelegenheden; Aarhus, 25 juni 1998
- Tekst : *Trb.* 1998, 289 (Engels en Frans)
Trb. 2001, 73 (vertaling)
- Laatste *Trb.* : *Trb.* 2005, 22

- Titel : Richtlijn 85/337/EEG van de Raad van 27 juni 1985 betreffende de milieu-effectbeoordeling van bepaalde openbare en particuliere projecten
- Tekst : *Pb.* EG L 175 van 5 juli 1985, blz. 40 e.v.
- Titel : Richtlijn 97/11/EG van de Raad van 3 maart 1997 tot wijziging van de Richtlijn 85/337/EEG betreffende de milieu-effectbeoordeling van bepaalde openbare en particuliere projecten
- Tekst : *Pb.* EG L 073 van 14 maart 1997, blz. 5 e.v.
- Titel : Richtlijn 2003/35/EG van het Europees Parlement en de Raad van 26 mei 2003 tot voorziening in inspraak van het publiek in de opstelling van bepaalde plannen en programma's betreffende het milieu en, met betrekking tot inspraak van het publiek en toegang tot de rechter, tot wijziging van de Richtlijnen 85/337/EEG en 96/61/EG van de Raad – Verklaring van de Commissie
- Tekst : *Pb.* EU L 156 van 25 juni 2003, blz. 17 e.v.
- Titel : Overeenkomst inzake het internationale luchtvervoer;
Chicago, 7 december 1944
- Tekst : *Trb.* 1946, 252
- Laatste *Trb.* : *Trb.* 1959, 47

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De Minister van Buitenlandse Zaken,

B. R. BOT