

**IMPLEMENTATION COMMITTEE**  
**CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT**  
**PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT**

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Ref. EIA/IC/CI/6 Kostolac lignite power plant by Danube

19 September 2016

Dear Mr. Tusovic,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003) to inform the Government of Serbia of the outcomes of the Committee's deliberations at its thirty-sixth session.

At its thirty-sixth session, held in Geneva from 5 to 7 September 2016, the Committee continued consideration of its Committee initiative concerning compliance by Serbia with its obligations under the Convention further to the information provided by Bankwatch Romania Association in relation to the planned construction of the Kostolac lignite power plant in north-east Serbia, by the River Danube, close to the border with Romania (EIA/IC/CI/6). The Committee also discussed compliance by Serbia in relation to the planned extension of one of two lignite open pit mines associated with the power plant.

The Committee took note of the letter from Serbia of 20 June and was satisfied with the information and responses to its questions it contained. Regarding the lignite open pit mine, the Committee noted that Serbia had concluded on the basis of a domestic environmental impact assessment, that the activity was not likely to cause adverse transboundary impact and that consequently the application of the Convention had not been considered necessary.

The Committee also noted the information provided by Serbia that on 15 July it had notified Romania with respect to the planned extension of the power plant. Consequently, the Committee agreed that there was no need for it pursue the Committee initiative, considering that Serbia had in the meantime initiated a transboundary procedure in accordance with the Convention with respect to the extension of the power plant. The Committee stressed however, that had Serbia not taken the initiative to notify Romania, this would have led Serbia to be in non-compliance with its obligations under the Convention.

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Mr. Miroslav Tusovic  
Head of the Group for  
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Finally, the Committee invited me to direct your attention to decision I/3 by which the Meeting of the Parties to the Protocol on SEA had agreed that notifications should be transmitted to the relevant point of contact, unless otherwise provided for in bilateral or multilateral agreements or other arrangements.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "L. Aurora", enclosed within a blue oval. A long horizontal line extends from the right side of the signature.

L.Aurora Hernando Garcinuño  
Vice-Chair, Implementation Committee,  
Convention on Environmental Impact Assessment  
in a Transboundary Context