

**REPORT OF CROATIA FOR 2003-2005
ON THE IMPLEMENTATION OF THE ESPOO
CONVENTION ON ENVIRONMENTAL IMPACT
ASSESSMENT IN A TRANSBOUNDARY CONTEXT**
for the period mid-2003 to end of 2005

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PART I – CURRENT LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE IMPLEMENTATION OF THE CONVENTION

Please provide the information requested below in Part I, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should not be used to describe your experience of applying the Convention, i.e. just the framework for its implementation.

Article 2

General Provisions

DOMESTIC IMPLEMENTATION OF THE CONVENTION

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (Art. 2.2).*

Environmental Protection Act (Official Gazette – hereinafter referred to as OG) No. 82/94, 128/99

Ordinance on Environmental Impact Assessment (OG No. 59/00, 136/04)

Amendments to the Ordinance on EIA (OG No. 136/04)

TRANSBOUNDARY EIA PROCEDURE

2. *Describe your national and transboundary EIA procedures and authorities (Art. 2.2):*

- a. *Describe your EIA procedure and indicate which steps of the EIA procedure include public participation.*

- submission of EIA Study and request for evaluation
- establishing EIA Commission (independent experts)
- revision of the EIA Study in accordance with public comments and comments of Commission members

- b. *Describe how the different steps of the transboundary EIA procedure mentioned in the Convention fit into your national EIA procedure.*

Adoption of the decision on the proposed activity - when a proposed activity is likely to cause transboundary impact, the assessment carried out pursuant to national legislation is supplemented by an assessment under Espoo Convention.

- c. *List the different authorities that are named responsible for different steps of the transboundary EIA procedure. Also list the authorities responsible for the domestic EIA procedure, if they are different.*

Ministry of Foreign Affairs is responsible for transboundary EIA, and Ministry of Environmental Protection, Physical Planning and Construction, and state administration offices are responsible for the national EIA procedure.

- d. *Is there one authority in your country that collects information on all the transboundary EIA cases under the Convention? If so, name it. If not, do you intend to establish such an authority?*

The Ministry of Environmental Protection, Physical Planning and Construction.

3. *Do you have special provisions for joint cross-border projects (e.g. roads, pipelines)?*

No

IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING EIA UNDER THE CONVENTION

4. *Is your country's list of activities subject to the transboundary EIA procedure equivalent to that in Appendix I to the Convention?*

Yes

5. *Please describe:*

- a. *The procedures and, where appropriate, the legislation you would apply to determine that an "activity", or a change to an activity, falls within the scope of Appendix I (Art. 2.3), or that an activity not listed should be treated as if it were (Art. 2.5);*

Two project lists are used: Appendix I of the Convention and a list in the Ordinance on EIA issued by the Ministry of Environmental Protection and Physical Planning in June 2000. If the proposed activity is covered by the lists, and if it is anticipated to have transboundary effects, it would be subject to the provisions of the Convention. Article 32 of the Croatian Environmental Law stipulates "if a project has a transboundary impact, the affected country must be notified."

- b. *How a change to an activity is considered as a "major" change;*

The Croatian legislation (Environmental Protection Act and the Ordinance on EIA) requires that the transboundary impact of a modification be examined. If a transboundary impact has been identified in the Environmental Report (procedure), Croatia as a Country of origin will notify the affected Country.

- c. *How such an activity, or such a change to an activity, is considered likely to have a "significant" adverse transboundary impact (Art. 2.5, Guidelines in Appendix III); and*

If there is no specific regulation, it is a matter of consent by the affected Party and Party of origin about the meaning attributed to the term "significant".

- d. *How you would decide whether it is "likely" to have such an impact. (Art. 2.3)*

By reaching an agreement on the decision between both Parties.

PUBLIC PARTICIPATION

6. *Do you have your own definition of "the public" in your national legislation, compared to Article 1(x)? How do you, together with the affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to your own public as required in Article 2, paragraph 6?*

All comments of both Parties are handed over to the reviewing body to be considered under application of the same criteria.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

7. *Describe how you determine when to send the notification to the affected Party, which is to occur “as early as possible and no later than when informing its own public”? At what stage in the EIA procedure do you usually notify the affected Party? (Art. 3.1)*

The notification is usually sent after a first session of the reviewing body, when the transboundary impact has been established.

8. *Describe how you determine the content of the notification? (Art. 3.2)*

We comply with the contents of the notification as stipulated in Art. 3.2.

9. *Describe the criteria you use to determine the time frame for the response to the notification from the affected Party (Art 3.3, “within the time specified in the notification”)? What is the consequence if an affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how do you react?*

When determining the time frame for the response, we take national legislation into account. Thirty days is a reasonable time to give a response.

If an affected Party does not comply with the time frame, the Party would be reminded and it would then be considered that the Party has agreed to the project.

Croatia agrees to a request for an extension of the deadline.

If after a second notification an affected Party does not respond, both Parties shall agree on the decision.

10. *Describe when you provide relevant information regarding the EIA procedure and proposed activity and its possible significant adverse transboundary impact as referred to in Article 3, paragraph 5. Already with the notification or later in the procedure?*

Only the summary of the project is attached to the notification. Complete information is submitted on request by the affected Party.

11. *How do you determine whether you should request information from the affected Party (Art. 3.6)? When do you normally request information from the affected Party? What kind of information do you normally request? How do you determine the time frame for a response from the affected Party to a request for information, which should be “prompt” (Art. 3.6)?*

Information is requested whenever Croatia needs these data to assess the transboundary impact.

Requested information comprises the catalogue of available data, and the data which are “environmental indicators”.

The time frame for response is agreed between the points of contact, but it should be as short as possible.

12. *How do you consult with the authorities of the affected Party on public participation (Art. 3.8)? How do you identify, in cooperation with the affected Party, the “public” in the affected area? How is the public in the affected Party notified (what kinds of media, etc are usually used)? What is normally the content of the public notification? Does the notification to the public of the affected Party have the same content as the notification to your own public? If not, describe why not. At what stage in the EIA procedure do you normally notify the public of the affected Party?*

According to the Environmental Protection Act, the public in the affected area is defined as the population living in a county or a smaller or similar political entity.

According to the Ordinance, a public hearing must be advertised in the daily press and the official journal.

The notification includes the date, place and time frame of the public hearing and the EIA documentation.

Yes, the two notifications contain the same information.

Croatia normally notifies the public of the affected Party after the public hearing in the Party of origin has been completed.

13. *Do you make use of contact points for the purposes of notification as decided at the first meeting of Parties (ECE/MP.EIA/2, decision I/3), and listed on the Convention website at http://www.unece.org/env/eia/points_of_contact.htm?*

Yes, the points of contact are made use of in the indicated way.

14. *Do you provide any information to supplement that required by Article 3, paragraph 2? Do you, furthermore, follow the proposed guidelines in the report of the first meeting of the Parties (ECE /MP/2, decision I/4)? If not, in what format do you normally present the notification?*

Yes, additional information is provided in the notification if requested by the affected Party.

Yes, the proposed guidelines are followed.

QUESTIONS TO AFFECTED PARTY

15. *Describe the process of how you decide whether or not you want to participate in the EIA procedure (Art. 3.3)? Who participates in the decision-making, for example: central authorities, local competent authorities, the public and environmental authorities? Describe the criteria or reasons you use to decide?*

The criteria used by Croatia to decide on its participation in the EIA procedure comply with Appendix III to the Convention or with Article 2.5 of the Convention.

In some cases we contact other environmental authorities prior to passing such a decision, and sometimes we contact also the local competent authorities.

16. *When the Party of origin requests you to provide information relating potentially affected environment: (a) how do you determine what is "reasonably obtainable" information to include in your response; and (b) describe the procedures and, where appropriate, the legislation you would apply to determine the meaning of "promptly" in the context of responding to a request for information? (Art. 3.6)*

"Reasonably obtainable" information is information that already exists and which is available.

There is no legislation determining "promptly" in the context of transboundary procedures, however in the Republic of Croatia submission of a reply within 30 days is stipulated by national legislation, i.e., the Act on General Administrative Procedure (OG No. 53/91).

Article 4

Preparation of the EIA documentation

QUESTIONS TO PARTY OF ORIGIN

17. *What is the legal requirement for the content of the EIA documentation (Art. 4.1)?*

The legal requirement for the content of EIA documentation is contained in Art. 5 of the Ordinance on EIA. If within paragraph B.3 of this Article potential transboundary impact is identified, the requirement will be elaborated in more detail.

18. *Describe your country's procedures for determining the content of the EIA documentation (Art. 4.1).*

Under national legislation the content of the EIA Study is stipulated by Art. 5 of the Ordinance on EIA. The scoping procedure will be introduced after alignment of national legislation with EU legislation.

19. *How do you identify "reasonable alternatives" in accordance with Appendix II, alinea (b)?*

Croatia has reasonable alternatives with regard to examining various technologies for the proposed activity in view of its environmental impact. With regard to environmental impact, in Art. 5 paragraph B.4 proposal of the most acceptable variant of the activity is stipulated.

20. *How do you identify "the environment that is likely to be affected by the proposed activity and its alternatives" in accordance to Appendix II, alinea (c), and the definition of "impact" in Article 1(vii)?*

Under national legislation, in Art. 5 paragraph B.1 impact is defined as "possible environmental impacts of the intervention/proposed activity and its variants during preparation, development and use of the intervention, or cessation of use and/or removal of the intervention, including ecological accidents and the risk of their occurrence". In Art. 5 of the Environmental Protection Act, environment is defined as "natural surroundings: air, soil, water and sea, climate, plant and animal world, in the totality of their mutual interactions, and cultural heritage as a part of the man-made environment."

21. *Do you give the affected Party all of the EIA documentation (Art. 4.2)? If not, which parts of the documentation do you provide?*

Yes, all of the EIA documentation is given to the affected Party.

22. *How is the transfer and reception of the comments from the affected Party organized? How does the competent authority in your country (as the Party of origin) deal with the comments? (Art. 4.2)*

It is organised between the points of contact.
Only the "environmental comments" are taken into account and forwarded to the study developer in order to be responded to.

23. *Describe the procedures and, where appropriate the legislation you would apply to determine the time frame for comments provided for in the words "within a reasonable time before the final decision" (Art. 4.2)? What is the consequence if the affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how do you react?*

The procedure time frame is agreed by both points of contact, taking into account Espoo Convention provisions and national legislation relating to procedures and time limits.
No consequences if the affected Party does not comply with the time frame.
We have not set time limits so far, and there is no legal basis, but in our opinion it should be introduced into the Convention or some other implementation regulation, for example a bilateral agreement.
If the affected Party does not react, the Party of origin shall determine the time frame.
A request for an extension is agreed to.

24. *What material do you provide, together with the affected Party, to the public of the affected Party?*

The provided material consists of information on the proposed activity and is enclosed to the notification, whereas more detailed documentation is provided upon request of the point of contact of the affected Party.

25. *Do you initiate a public hearing for the affected public, and at what stage, whether in the affected Party, in your country or as a joint hearing? If a public hearing is held in your country, as Party of origin, can the public of the affected Party, public authorities, organizations or other individuals come to your country to participate?*

A hearing in the affected Party is initiated in agreement with the point of contact in line with national legislation.

No, there has been no joint public hearing in the procedures carried out to date in either Party.

Yes, a public hearing in Croatia is open to the public for both countries.

QUESTIONS TO AFFECTED PARTY

26. *Describe the procedures and, where appropriate, the legislation you would apply to determine the meaning of the words “within a reasonable time before the final decision”, this being the time frame for comments (Art. 4.2)?*

There is no legislation. Reasonable time is any time if the Party of origin agrees to it.

27. *Who is responsible for the organization of the public participation in the affected Party? Is the public participation normally organized in accordance with your legislation as the affected Party, or with the legislation of the Party of origin, or with ad hoc procedures, or with bilateral or multilateral agreements?*

It is organized in accordance with the legislation of the affected Party.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

28. *At which step of the EIA procedure does the consultation in accordance with Article 5 generally take place? Describe the procedures and, where appropriate, the legislation you would apply to determine the meaning of “undue delay”, with regard to the timing of entry into consultation? Do you normally set the duration for consultations beforehand? If there seems to be no need for consultation, how do you determine not to carry out consultations?*

The consultation takes place after exchange of information, upon development of the Study. Procedures are applied as stipulated under the Convention. There is no special national legislation determining "undue delay".

Normally we do not set the duration for consultations beforehand, but it is agreed between points of contact that exchange of information should be within a reasonable time frame. If the EIA Study does not indicate environmental impact, together with other environmental authorities that are members of the reviewing commission we determine not to carry out consultation.

29. *On what level do you arrange for consultation: national, regional or local? Who usually participates in the consultation? Describe the responsibilities of the authorities involved. By*

what means do you usually communicate in consultations, for example by meeting, exchange of written communications?

Consultations are at governmental level.

Consultations usually involve participation of stakeholders: national, public and other stakeholders.

The responsibilities of the authorities involved are laid down by sectoral regulations.

Both meetings and written communications are usually applied in consultations.

National and local authorities in charge of specific environmental issues and other stakeholders participate.

QUESTIONS TO AFFECTED PARTY

30. On what level is the consultation normally held: national, regional or local? Who normally participates in the consultation? By what means do you usually communicate in consultations, for example by meeting or by the exchange of written communications? How do you indicate if there is no need for consultations?

Consultation meetings are held with all levels.

National and local authorities and other stakeholders normally participate.

The usual means are meetings and written communications.

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

31. Describe what is regarded as the “final decision” to authorize or undertake a proposed activity (Art. 2.3). Do all projects listed in Appendix I require such a decision?

The final decision is a decision on the acceptability of a proposed activity in view of its environmental impact.

Yes, almost all projects listed in Appendix I require such a decision, except for item 17, deforestation of large areas.

32. How does the EIA procedure (including the outcome) in your country, whether or not transboundary, influence the decision-making process for a proposed activity? (Art. 6.1)

The results of an EIA procedure influence the decision-making process for the proposed activities, and they are taken into consideration before taking the final decision on the proposed activity.

33. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and public in your country (Art. 6.1)?

Yes, they are taken into consideration in the same way.

34. How is the obligation to submit the final decision to the affected Party normally fulfilled? Does the final decision contain the reasons and considerations on which the decision is based? (Art. 6.2)

When we are the Party of origin we provide the affected Party with our final decision which includes reasons and considerations as well as the outcome of the consultations with the affected Party.

35. *If additional information comes available according to paragraph 3 before the activity commences, how do you consult with the affected Party? If need be, can the decision be revised? (Art. 6.3)*

If additional information becomes available, this information would be considered, and should it result justified, pursuant to national legislation a revision of the procedure would be carried out.

If results of the assessment reveal the need, the first decision may be revised.

Article 7

Post-Project Analysis

36. *How do you determine whether you should request a post-project analysis to be carried out (Art. 7.1)?*

As a result of the environmental impact assessment carried out, a Decision on the acceptability of the proposed activity is passed including environmental protection measures and a programme for monitoring the state of the environment (Post- Project Analysis), and this programme is transposed into the decision on the proposed activity.

In our decisions the obligation to monitor data and the obligation to exchange information has been incorporated. The Post Project Analysis depends on the monitoring results.

37. *Where, as a result of post-project analysis, it is concluded that there is a significant adverse transboundary impact by the activity, how do you inform the other Party and consult on necessary measures to reduce or eliminate the impact pursuant to Article 7, paragraph 2?*

On the basis of monitoring results the Party of origin and the affected Party shall initiate additional consultations and a Post Project Analysis.

In the same way as exchange of information and documentation during the assessment procedure is carried out, i.e., through the Points of contact.

Article 8

Bilateral and multilateral agreements

38. *Do you have any bilateral or multilateral agreements based on the EIA Convention (Art. 8, Appendix VI)? If so, list them. Briefly describe the nature of these agreements. To what extent are these agreements based on Appendix VI and what issues do they cover? If publicly available, also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.*

The Republic of Croatia has no bilateral nor multilateral agreements.

39. *Have you established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

No

Article 9

Research programmes

40. *Are you aware of any specific research in relation to the items mentioned in Article 9 in your country? If so, describe it briefly.*

Yes, we are working on improving the overall system by using different projects.

Ratification of the amendments to the Convention and of the Protocol on SEA

41. If your country has not yet ratified the first amendment to the Convention, does it have plans to ratify this amendment? If so, when?

The first amendment has not been ratified yet, however ratification is planned by the end of 2006.

42. If your country has not yet ratified the second amendment to the Convention, does it have plans to ratify this amendment? If so, when?

The second amendment has not been ratified yet, however ratification is planned by the end of 2006.

43. If your country has not yet ratified the Protocol on SEA, does it have plans to ratify the Protocol? If so, when?

First we have to adopt our regulations as planned in 2006-2007. Ratification is planned by the end of 2007.

PART II – PRACTICAL APPLICATION DURING THE PERIOD 2003-2005

Please report on your practical experiences of applying the Convention (not your procedures described in Part I), whether as Party of origin or affected Party. The focus here is on identifying the best practice as well as difficulties Parties encountered in applying the Convention in practice to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve application of the Convention.

CASES DURING THE PERIOD 2003-2005

44. *Do you have any practical experience of applying the Convention in this period (yes/no)? If you do not have any such experience, why not?*

Yes

45. *Does your national administration have information on the transboundary EIA procedures that were underway during the period? If so, please list these procedures, clearly identifying for each whether your country was the Party of origin or the affected Party. If you have not provided a list of transboundary EIA procedures in connection with previous reporting, also provide a list of those procedures. If possible, also indicate for each procedure why it was considered necessary to apply the Convention.*

Information is kept by the Ministry of Environmental Protection, Physical Planning and Construction.

- Exploitation of gas fields Marica and Katarina with respective gas pipelines in the North Adriatic
- River embankment for flood protection Varaždin-Svibovec-Družbinec
- Novo Virje hydro-power plant

In the indicated procedures the Republic of Croatia is Party of origin.

46. *Are there other projects than those mentioned above for which a transboundary EIA procedure should have been applied, but was not? Explain why.*

We are not aware of any project for which a transboundary EIA should have been applied, but was not.

47. *Provide information on the average durations of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

For example the procedure for the river embankment Varaždin-Svibovec-Družbinec lasted two years, and the procedure for Novo Virje was initiated in 2001 and is still underway. Individual steps in the procedures lasted from 30 to 60 days.

EXPERIENCE OF THE TRANSBOUNDARY EIA PROCEDURE IN 2003-2005

48. *If you have had practical experience, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

In the case of Varaždin-Svibovec-Družbinec the implementation of the Convention has supported the reduction and control of possible transboundary impacts in the following way:

by supplementing the Study possible transboundary impacts were considered and environmental protection measures prescribed.

In the case of Novo Virje, during consultations no agreement could have been reached between Croatia and Hungary on the extent of significant impacts, so there was no further implementation of Espoo Convention under which appropriate environmental protection measures would have been prescribed.

49. *How have you interpreted in practice the various terms used in the Convention, and what criteria have you used to do this? Key terms include the following: “promptly” (Art. 3.6), “a reasonable time” (Art. 3.2(c), Art. 4.2), “a reasonable time-frame” (Art. 5), and “major change” (Art. 1(v)). If you are experiencing substantial difficulties interpreting particular terms, do you work together with other Parties to find solutions? If not, how do you overcome the problem?*

Interpretation of "promptly" - within the time specified in the request to the Affected Party. "Major change" is according to national legislation more than 30 percent.

When a problem arises with regard to which the Parties are not able to reach agreement, it would be good to inform thereof other Parties at Meetings of the Parties or to propose the respective issue to the Secretariat to be included on the agenda.

50. *Share with other Parties your experience of using the Convention. In response to each of the questions below, either provide one or two practical examples or describe your general experience. You might also include examples of ‘lessons learned’ in order to help others.*

- a. *How in practice have you identified transboundary EIA activities for notification under the Convention, and determined the significance and likelihood of adverse transboundary impact?*

On the basis of the EIA Study we have to identify whether a project does or does not cause significant transboundary impact, and on this basis we initiate notification.

If the Study revealed significant transboundary impact, and notification was performed and the affected Party showed interest in the procedure, we initiated the EIA procedure pursuant to the provisions of Espoo Convention, the Ordinance on EIA and the Environmental Protection Act.

When a neighbouring country assesses that a project in the territory of the Republic of Croatia could have significant impact on the territory of that country, upon its request we will submit information on the project.

- b. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How do you determine how much information to include in the EIA documentation?*

The content of EIA Studies is laid down by the Ordinance on EIA, Art. 5 paragraph B.3 - coordination of the project with international liabilities of the Republic of Croatia related to the decrease of transboundary environmental impacts and/or the decrease of global environmental impacts. The obligation is prescribed to analyse possible transboundary impacts.

In agreement with the Points of contact the data will be agreed that need to be included in the EIA documentation.

- c. *What methodology do you use in impact assessment in the (transboundary) EIA procedure (for example, impact prediction methods and methods to compare alternatives)?*

In Art. 8 of the Ordinance the obligation to use some methodologies is laid down, including also methodologies referring to transboundary procedures.

- d. *Translation is not addressed in the Convention. How have you addressed the question of translation? What do you usually translate? What difficulties have you experienced relating to translation and interpretation, and what solutions have you applied?*

From our experience we know two situations. In one case we submitted EIA documentation in our language, and in the other case in English. Only the part of the documentation regarding transboundary impact, and particularly environmental protection measures, was translated into English.

At meetings interpretation services were used. On the basis of experiences gained so far, translation has not been identified as a problem. Affected Parties were tolerant in their requests for translated documentation.

- e. *How have you organized transboundary public participation in practice? As Party of origin, have you organized public participation in affected Parties and, if so, how? What has been your experience of the effectiveness of public participation? Have you experienced difficulties with the participation of your public or the public of another Party? (For example, have there been complaints from the public about the procedure?)*

The Ministry has not organised public participation in another Party. We are always the competent authority coordinating public participation, whereas the organisation of public participation has been done by the Ministry in the Party of origin. Study developers in Croatia participated in public hearings if this resulted necessary. We have never experienced difficulties with public participation, but in some cases numerous comments were received, as public interest was high. Responses had to be provided to all comments, which was extensive work that had to be performed.

- f. *Describe any difficulties that you have encountered during consultations, for example over timing, language and the need for additional information.*

Difficulties arise because consultations are done after the Party of origin has prepared the documentation and documentation has to be supplemented on request of the affected Party.

Difficulties would have been avoided if the affected Party had participated in scoping.

An additional problem is due to the slow information and documentation flow.

- g. *Describe examples of the form, content and language of the final decision, when it is issued and how it is communicated to the affected Party and its public.*

The form, content and language of the final decision are determined by national legislation and final decisions are forwarded to the affected Party. In our opinion the affected Party has the obligation to forward this information to their public.

- h. *Have you carried out post-project analyses and, if so, on what kinds of projects?*

Post-project analyses are done on the basis of the programme of monitoring as indicated in the decision. Projects in the territory of Croatia: for Exploitation of gas fields Marica and Katarina with respective gas pipelines in the North Adriatic, the

prescribed programme for monitoring the state of the environment includes the following: to extend existing monitoring of exploitation fields to monitoring the state of the environment in the new fields Marica and Katarina and to establish uniform monitoring. Monitoring shall include the prescribed parameters, e.g.: visual control, wind speed, wind direction, wave height, hydrocarbon content.

In case of incidents, measurements shall be expanded to include critical indicators, during and after the incident, or as needed, i.e., continuously/weekly/daily, in agreement with the competent institutions.

For Svibovec - Regular monitoring of the state of the river embankment is under the scope of the water patrol service, which among others monitors the state of hydrotechnical facilities.

- i. *Do you have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your experiences describing, for example, any bilateral agreements, institutional arrangements, and how practical matters are dealt with (contact points, translation, interpretation, transmission of documents, etc.).*

We have conducted no joint cross-border projects so far, thus no information can be provided.

- j. *Name examples of good practice cases, whether complete cases or good practice elements (e.g. notification, consultation or public participation) within cases. Would you like to introduce your case in a form of Convention's fact sheet?*

In view of our past experience we do not recognise an example that could be introduced as a case of good practice.

CO-OPERATION BETWEEN PARTIES IN 2003-2005

51. *Do you have any successful examples of how you have overcome difficulties arising from different legal systems in neighbouring countries?*

In the above indicated period we did not have any difficulties.

EXPERIENCE IN USING THE GUIDANCE IN 2003-2005

52. *Have you used in practice the following guidance, recently adopted by the Meeting of the Parties and available on-line? Describe your experience of using these guidance documents and how they might be improved or supplemented.*

- a. *Guidance on public participation in EIA in a transboundary context;*

We use guidance when solving some issues relating to the assessment procedure which are not part of our national legislation.

- b. *Guidance on subregional cooperation; and*

see above

- c. *Guidelines on good practice and on bilateral and multilateral agreements.*

see above

CLARITY OF THE CONVENTION

53. *Have you had difficulties implementing the procedure defined in the Convention, either as Party of origin or as affected Party? Are there provisions in the Convention that are unclear? Describe the transboundary EIA procedure as applied in practice, where this has*

varied from that described in Part I or in the Convention. Also describe in general the strengths and weaknesses of your country's implementation of the Convention's transboundary EIA procedure, which you encounter when actually applying the Convention.

We did not have difficulties in implementation. We have transposed the provisions of Espoo Convention through the Environmental Protection Act, the Act on Convention Ratification and the Ordinance. The general procedure takes a long period of time and this constitutes a problem for us; in our opinion stipulation of bilateral agreements has to be encouraged by all means, as thereby the procedure will become more transparent and effective.

Also training and education of local authorities needs to be enhanced to enable them to identify transboundary environmental impacts.

In Croatia the existing legislation regarding environmental impact assessment is being improved in order to align it with the EU legislation in this field. Thereby, in our opinion, EIA in a transboundary context will be improved.

Our strength is in the experience that we have gained in the EIA procedures carried out until now.

AWARENESS OF THE CONVENTION

54. Have you undertaken activities to promote awareness of the Convention among your stakeholders (e.g. the public, local authorities, consultants and experts, academics, investors)? If so, describe them.

At the Ministry's website all procedures are indicated that are underway, transboundary EIA included.

We use the CARDS 2003 National Programme - Implementation of Environmental Impact Assessment guidelines and training and CARDS 2003 - Environmental Impact Assessment of development strategies.

55. Do you see a need to improve the application of the Convention in your country and, if so, how do you intend to do so? What relevant legal or administrative developments are proposed or on-going?

See above (53)

SUGGESTED IMPROVEMENTS TO THE REPORT

56. Please provide suggestions for how the report may be improved.

The questions are concise and detailed. The Questionnaire will certainly contribute to strengthening Espoo Convention implementation.