

Questionnaire for the

**REPORT OF SLOVAKIA ON THE IMPLEMENTATION
OF THE CONVENTION ON ENVIRONMENTAL
IMPACT ASSESSMENT IN A TRANSBOUNDARY
CONTEXT**

in the period 2006–2009

Information on the focal point for the Convention

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

In this part, please provide the information requested, 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 describe the framework for your country's implementation, and not experience in the application of the Convention.

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).*

Act No. 24/2006 Coll. on environmental impact assessment as amended by Act No. 287/2009 Coll. and Act No. 145/2010 Coll.

Regulation of the Ministry of Environment of the Slovak Republic No. 113/2006 Coll. on List of Professionally Qualified Persons for Environmental Impact Assessment.

2. *Indicate any further measures to implement the provisions of the Convention that are planned for the near future.*

We plan to prepare bilateral agreements with all neighbouring countries (except for Austria, with which we already have one).

TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE

3. *Describe your country's national and transboundary environmental impact assessment (EIA) procedures and authorities (art. 2.2):*
 - a. *Describe the EIA procedure in your country and indicate which steps of the EIA procedure include public participation;*

THE ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

The compulsory assessment comprises of the following steps:

1. Submission of the preliminary environmental study
2. Determination of the scope of work and timetable (Scoping)
3. Preparation of the environmental impact report
4. Public hearing of the environmental impact report
5. Elaboration of the expert review
6. Elaboration of the final statement

The public is involved in the environmental impact assessment process immediately from its beginning, and will be given adequate space and time to claim their comments, requirements and proposals to the assessed activity (during whole EIA process and its steps, except for the elaboration of the expert review).

- b. *Describe how the different steps of the transboundary EIA procedure set out in the Convention fit into your country's national EIA procedure;*

According to our national legislation the provisions laid down in the Convention were transposed into the 4th part of the Act No. 24/2006 Coll. (hereinafter EIA Act), Articles 40 - 52, applying the provisions of the 1st, 2nd, and 3rd part when necessary”

- c. *List the different authorities that are named responsible for different steps of the transboundary EIA procedure (notification, consultation between Parties, public participation, etc.). Also list the authorities responsible for the domestic EIA procedure, if they are different;*

1. transboundary EIA - Ministry of Agriculture, Environment and Regional Development

2. domestic EIA - obligatory assessment: Ministry of Agriculture, Environment and Regional Development, screening: Regional and District environmental authorities

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

Ministry of Agriculture, Environment and Regional Development

4. *Does your country have special provisions for joint cross-border projects (e.g. roads, pipelines)?*

There is no special provision for joint cross-border projects.

IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING ENVIRONMENTAL IMPACT ASSESSMENT UNDER THE CONVENTION

5. *Is appendix I to the Convention transposed into your country's national legislation? Does your country's legislation already cover the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7), and if so, how? Please describe any differences between the national list and appendix I to the Convention. Please explain how your country interprets terms such as "large" and "major" used in appendix I (including in items 4, 8, 11, 14, 16, 17 and, as appropriate, 22).*

Yes, in the annex No. 13 of the EIA Act, except for the item No. 15, "Offshore hydrocarbon production", which we do not have, because the Slovak Republic is an inland country. Regarding the terms large and major used in appendix I, most of the time we use one term referring to the quantitative properties. Only in one case (No. 14) we use a term which refers to both, aerial and quantitative properties.

6. *Please describe:*

- a. *The legislation and, where appropriate, the procedures your country 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);*

The provisions of the Article 40 (1b) of the EIA Act stipulates that an activity or its change fall within the scope of the appendix I (art. 2.3); Article 41 (2) stipulates that also activity not listed in the above mentioned appendix will be treated as if it were.

- b. *How your country conducts transboundary EIA cooperation (through points of contact, through joint bodies or within bilateral or multilateral agreements);*

In general, we use contact points + transboundary assessments conducted in cooperation with Austria are based on a bilateral agreement

- c. *How a change to an activity is considered as a “major” change;*

Article 18 of the EIA Act stipulates the procedure in cases when it is necessary for any change to submit a notification about a change (elaborated according to the provision laid down in the EIA legislation) based on which the competent authority decides whether this change is to be considered a major one, which is then a subject of an EIA.

- d. *How such an activity, or such a change to an activity, is considered “likely” to have a “significant” adverse transboundary impact (art. 2.3 and 2.5, and the Guidelines in appendix III).*

The procedure determining whether an activity or a change to an activity is considered likely to have a significant adverse transboundary impact is laid down in the Article 41(3) of the EIA Act, which refers to Annex 14 of the same Act, which includes criteria used in the determination of the environmental significance.

PUBLIC PARTICIPATION

7. *Does your country have its own definition of “the public” in national legislation, compared to article 1(x)? How does your country, 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 country’s public as required in article 2, paragraph 6?*

Our definition of public is identical to the definition laid down in the Convention.

Our practice in the transboundary assessment in cooperation with the affected Party shows that the public on both sides (Party of origin and affected Party) has equal opportunities in respect to the public participation.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

8. *Describe how your country determines 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 does your country usually notify the affected Party (art. 3.1)*

The affected Party is usually notified at an early stage of the EIA (Step 1: Submission of the preliminary environmental study). The notification to the affected Party is sent after having received the preliminary environmental study and without undue delay (Article 44(1) of the EIA Act).

9. *Does your country provide any information to supplement that required by article 3, paragraph 2?*

No.

10. *Does your country use the format for notification (as decided by the first meeting of the Parties, decision I/4, in document ECE/MP.EIA/2)? If not, in what format does your country normally present the notification?*

The layout of the notification is different; however, the content remains the same. All information included in the Article 44 (2) of the EIA Act is also included in the letter accompanying the notification and the preliminary study.

11. Describe the criteria your country uses 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 does your country react?

We use the time frames used in our domestic EIA procedures. When an affected Party asks for an extension of a deadline, we have never had a problem agreeing.

12. Describe when your country provides 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?

At an early stage, already with the notification sent together with the preliminary environmental study; detailed information is sent after the receipt of a response from the affected Party indicating its interest in participating in the procedure.

13. How does your country determine whether it should request information from the affected Party (art. 3.6)? When does your country normally request information from the affected Party? What kind of information does your country normally request? How does your country determine the time frame for a response from the affected Party to a request for information, which should be “prompt” (art. 3.6)?

Case by case (for example during scoping, comments and requirements to the preliminary environmental study), but we do not have specific legal provisions.

When - during scoping phase.

What kind - case by case.

Time frame usually is not determined.

14. Please describe:

a. How your country cooperates with the authorities of the affected Party on public participation (art. 3.8), taking into account that the Party of origin and affected Party are both responsible;

In general, we use ESPOO contact points+ bilateral agreements (we already have one with Austria and we plan to prepare other with the rest of our neighbouring countries). We make sure the public of the affected Party is informed at an early stage through the authorities of the affected Party, we initiate public consultations (Art. 47(1) of the EIA Act), comments from public are included in the final statement and the final decision is made available to the public through the affected Party authorities.

b. How your country identifies, in cooperation with the affected Party, the “public” in the affected area;

The public of the affected area is identified based on the results of the preliminary environmental study and the environmental report. At the same time the public is identified upon the comments received from the affected Party.

c. How the public in the affected Party is notified (what kinds of media, etc are usually used). What is normally the content of the public notification?;

We notify the authority of the affected Party and at the same time we make the information on the proposed activity available to the broad public on the webpage

(www.enviroportal.sk). It is then up to the affected Party in what ways and through which media it notifies its own public.

- d. *Whether the notification to the public of the affected Party has the same content as the notification to your country's public. If not, describe why not. At what stage in the EIA procedure does your country normally notify the public of the affected Party?*

Yes, it has the same content.

At an early stage, already with the notification sent together with the preliminary environmental study; detailed information is sent after the receipt of a response from the affected Party indicating its interest in participating in the procedure.

15. *Does your country 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 as listed on the Convention website (http://www.unece.org/env/eia/points_of_contact.htm)?*

Yes.

QUESTIONS TO AFFECTED PARTY

16. *Describe the process of how your country decides whether or not to participate in the EIA procedure (art. 3.3)? Who participates in the decision-making, e.g. central authorities, local competent authorities, the public, environmental authorities? Describe the criteria or reasons your country uses to decide.*

If the Party of origin notifies the Ministry about the proposed activity pursuant to Article 51 of the EIA Act, that is likely to cause a significant adverse impact at the territory of the Slovak Republic, the Ministry is obliged to reply to the notification within the time limit laid down by the Party of origin or without undue delay if no such time limit is laid down. In the reply the Ministry will state whether it will participate in the assessment. Information from Party of origin which is sent with the notification, is sent to the competent and affected authorities, also to the affected municipalities, which then make it available to the affected public. The Ministry makes decision whether we would like to participate in the transboundary EIA procedure based on the comments, standpoints and requirements from the competent and affected authorities and the affected municipalities.

17. *When the Party of origin requests your country to provide information relating to the potentially affected environment, how does your country determine what is "reasonably obtainable" information to include in its response? Describe the procedures and, where appropriate, the legislation your country that would apply in determining the meaning of "promptly" in the context of responding to a request for information (art. 3.6)*

The Ministry at the request of the Party of origin will provide available information about the presumed impacts of the activity on the territory of the Slovak Republic if such information is necessary for the preparation of the documentation of the Party of origin. We supply all information to the Party of origin which is available at the time, which was defined by the Party of origin.

18. *Please describe:*

- a. *How your country cooperates with the authorities of the Party of origin on public participation (art. 3.8), taking into account that the Party of origin and affected Party are both responsible;*

In general, we use ESPOO contact points+ bilateral agreements (we already have one with Austria and we plan to prepare other with the rest of our neighbouring

countries). We make information available to the public at an early stage by means of the municipalities affected and at the webpage (www.enviroportal.sk). If our public is interested in public consultations/hearings, we organize them in cooperation with the Party of origin and we make the information on the final decision available to the broad public.

b. *How your country identifies the “public” in the affected area;*

From the environmental documentation and the comments received from our authorities, municipalities and public.

c. *How the public is notified (e.g. what kinds of media, etc., are usually used). What is normally the content of the public notification?;*

Media - internet and other ways usually used by the affected municipalities.
Content of the public notification - Usually it is the environmental documentation sent by the Party of origin.

d. *At what stage in the EIA procedure does your country normally notify its public?*

At an early stage, as soon as we receive the notification from the Party of origin.

Article 4

Preparation of the environmental impact assessment documentation

QUESTIONS TO PARTY OF ORIGIN

19. *What is the legal requirement for the minimum content of the EIA documentation (art. 4.1, appendix II)?*

The legal requirements for the EIA documentation content are set out in the Annex 11 of the EIA Act (Article 31) and are fully in compliance with the information included in Appendix II of the Convention. This documentation is used in domestic EIA, as well as in transboundary assessment.

20. *Describe your country’s procedures, if any, for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4.1).*

The complete investigation, description and evaluation of the presumed impacts of the proposed activity, including a comparison with the existing state of the environment in the place where it is to be carried out and in the area of its presumed impact, will be included by the proponent (developer) in the environmental impact statement.

- The scoping and if necessary the timetable will be determined by the Ministry in cooperation with the competent authority and the permitting authority, and after discussion with the proponent.

Annex No. 11 of the EIA Act is a basis for determining the scoping, taking into account the standpoints submitted under § 23(4) of the act. The following will be determined, inter alia

- a) which alternative of the proposed activity needs to be elaborated into details
 - b) to which items must be paid greater attention
 - c) which of the related proposed activities according to Article 18(6) will be assessed jointly
 - d) number of copies and the form of the environmental report
- The timetable will determine the time sequence and if necessary also the time limits for the individual steps of the evaluation.

21. *How does your country identify “reasonable alternatives” in accordance with appendix II, paragraph (b)?*

Case by case. Under our act the planned activity should be proposed minimally in two alternatives, including the no-action alternative. In justified cases the Ministry on the basis of a request of the proponent can withdraw the requirement of preliminary environmental study in alternatives. According to the comments and requirements from competent, permission and affected authorities, affected municipalities, public and also affected Party and its public to the preliminary environmental study we specify reasonable alternatives during scoping and timetable stage.

22. *How does your country identify “the environment that is likely to be affected by the proposed activity and its alternatives” in accordance to appendix II, paragraph (c), and how does it define “impact” in accordance with article 1(vii)?*

The environment that is likely to be affected by the planned activity and its alternatives + the impact are identified by results from the preliminary environmental study and environmental impact statement and by the comments and requirements from competent, permitting and affected authorities, affected municipalities, public and also affected Party and its public to these documents.

23. *Does your country give the affected Party all of the EIA documentation (art. 4.2)? If not, which parts of the documentation does your country provide?*

We provide the whole Environmental Impact documentation.

24. *How does your country cooperate with the authorities of the affected Party on distribution of the EIA documentation and the submission of comments (art. 4.2), taking into account that the Party of origin and affected Party are both responsible? How does the competent authority in your country (as the Party of origin) deal with the comments (art. 4.2)?*

We send the documentation to the affected Party authority which is responsible for the distribution within their country. Comments can be a basis for consultations and of course they are dealt with and summarized in the EIA final statement, which is then sent to the affected Party.

25. *Describe the procedures and, where appropriate, the legislation that define the time frame for comments provided “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 does your country react?*

The time frame is given by the national EIA Act according to which it is possible to give comments within the whole EIA procedure. In case an affected Party asks for prolongation of the time frame, it is possible to accept it.

26. *What material does your country provide, together with the affected Party, to the public of the affected Party?*

We give the whole EIA documentation and the affected Party is responsible for its distribution.

27. *Does your country 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?*

According to our national EIA Act it is mandatory to have a public hearing at the territory of the Party of origin. The competent authority of the Party of origin invites the affected Parties to take part in this hearing. This happens during the phase of sending comments to the environmental report.

QUESTIONS TO AFFECTED PARTY

28. *Describe the procedures and, where appropriate, the legislation your country 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)?*

After submission of the documentation from the Party of origin, the procedure pursuant to Articles 31 - 35 of the EIA Act will be applied accordingly. The Ministry can reduce the time limit for submission of comments (§ 35) adequately with regard to the justified requirements of the Party of origin.

29. *How does your country cooperate with the authorities of the Party of origin on the distribution of the EIA documentation and the submission of comments (art. 4.2), taking into account that the Party of origin and affected Party are both responsible?*

We don't have special provisions regarding this in our EIA Act, but of course, we make the EIA documentation available at the webpage [www. enviroportal.sk](http://www.enviroportal.sk) and we send the non-technical summary as a minimum to the affected authorities and municipalities which are then responsible for making it available to the public.

30. *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, with the legislation of the Party of origin, with ad hoc procedures, or with bilateral or multilateral agreements?*

Ministry together with affected municipalities. Besides Austria with which we have a bilateral agreement the public participation is organized according to our national EIA Act.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

31. *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 your country would apply to determine the meaning of “undue delay”, with regard to the timing of the entry into consultation? Does your country normally set the duration for consultations beforehand? If there seems to be no need for consultation, how does your country determine not to carry out consultations?*

The consultations are possible during the whole EIA transboundary process. The procedure we apply when entering into consultation is described in Article 42 (3, 4 and 5) of the EIA Act. We don't set any duration for consultation beforehand. We don't have any legal provisions regarding the situation when there is no need to carry out consultations, as a minimum this fact is included in the final statement.

32. *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?*

Level - case by case

Participation - any competent authority, municipalities and public.

Responsibilities - we don't have any specific legal provisions, but with regards to the public, the municipalities are responsible for informing the public.

Communication - meetings and written communication

QUESTIONS TO AFFECTED PARTY

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

Level - case by case

Participation - any competent authority, municipalities and public.

Communication - meetings and written communication

No need for consultation - it mainly depends on the comments to the submitted documentation

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

34. *For each type of activity listed in appendix I, identify what is regarded as the “final decision” to authorize or undertake a proposed activity (art. 6 in conjunction with art. 2.3); also provide the term used in the national legislation in the original language. Do all projects listed in appendix I require such a decision?*

The EIA process in our country is finalized by the final statement, which means that the EIA process is separated from the following permitting procedure. The permitting authority can not make a decision under the special regulations concerning the permission of the activity which is the subject of the assessment without the EIA final statement. The final statement must be taken into account in deciding on the permission of the activity.

Activities:

1, 2, 4, 5, 6, 10, 13 - IPPC permit - IPKZ povolenie

3 - Building + Atom permit - stavebne + jadrove povolenie

7, 8, 9, - Building + Road permit - stavebne + cestne povolenie

11, 12 - Building + Water permit - stavebne + vodopravne povolenie

16 - Building permit - stavebne povolenie

15 - we don't have such production

14 - Mining + IPPC permit - banske + IPKZ povolenie

17 - Forestry permit - suhlas

Yes, all activities listed require such decision.

35. *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 EIA process in our country is finalized by the final statement, which means that the EIA process is separated from the following permitting procedure. The permitting authority can not make a decision under the special regulations concerning the permission of the activity which is the subject of the assessment without the final statement. The final statement must be taken into account in deciding on the permission of the activity.

36. *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 the public in your country (art. 6.1)?*

Yes, taking into account that both Parties are responsible.

37. *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)*

Without undue delay the Ministry will deliver to the affected Party the final statement and also decision on the permission of the activity, issued in accordance with the special regulations. The final statement must be taken into account in deciding on the permission of the activity.

38. *If additional information becomes available according to article 6, paragraph 3, before the activity commences, how does your country consult with the affected Party? If need be, can the decision be revised? (art. 6.3)*

We don't have any special provisions, however, since the EIA procedure in our country is separated from the permitting procedure, there's still time before the final decision to take such information into account.

Article 7

Post-Project Analysis

39. *How does your country determine whether it should request a post-project analysis to be carried out (art. 7.1)?*

Article 39 (1 and 2) of the EIA Act:

Any person who carries out an activity assessed under the act is obliged to arrange the monitoring and evaluation thereof, inter alia

- a) systematic monitoring and measurement of the impacts thereof,
- b) verification of the fulfilment of the conditions laid down in the permission of the activity and evaluation of their effectiveness,
- c) arranging for expert comparison of the presumed impacts indicated in the environmental impact statement with the actual situation.

The extent and time limit of the monitoring and evaluation pursuant to Art. 39(1) will be determined by the permitting authority of the activity under special regulations, taking into account the final statement of the Ministry (parts of the final statement and environmental impact statement contain post - project analysis - "Proposed monitoring program and post-project analysis program", "Program of monitoring from the start of construction, through the course of construction and during the activity" and "Proposed control to ensure compliance with the conditions laid down in monitoring program").

It follows from the above mentioned that the monitoring is mandatory, but in order to prevent duplicity, no special monitoring measures have to be identified, but the existing ones are used.

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

We don't have any special provisions regarding this situation.

Pursuant to Article 39 (3): If the actual impacts of the activity assessed under the act are worse than the environmental impact statement indicates, the person who carries out the activity is obliged to arrange for measures to ensure that the actual impacts correspond to the impacts indicated in the environmental impact statement, in accordance with the conditions laid down in the decision concerning the permission of the activity under the special regulations.

Article 8

Bilateral and multilateral agreements

41. *Does your country have any bilateral or multilateral agreements based on the 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.*

Yes, we have one bilateral agreement with Austria and we intend to prepare more. In general the agreement talks about the languages used in public hearings and consultations. With regards to the content of the agreement, it uses the provisions of Article 2 (a,b) of the appendix VI.

42. *Has your country established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

No.

Article 9

Research programmes

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

Slovak Environmental Agency, Institute of Landscape Ecology at the Slovak Academy of Sciences and relevant study programmes at Universities.

Ratification of the amendments to the Convention and of the Protocol on Strategic Environmental Assessment

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

Ratification date - 29 May 2008

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

Ratification date - 29 May 2008

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

Ratification date - 29 May 2008

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2006–2009

Please report on your country's practical experiences of applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice; the goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

CASES DURING THE PERIOD 2006–2009

47. *Does your country's national administration have information on the transboundary EIA procedures that were under way 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 your country does not have any experience of applying the Convention, why not?*
48. *Does your country object to the above list of transboundary EIA procedures being included in a compilation of such procedures to be made available on the website of the Convention? (Indicate "yes" if you object.)*
49. *Are there projects other than those mentioned above for which a transboundary EIA procedure should have been applied, but was not? Explain why.*
50. *Provide information on the average duration of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

EXPERIENCE OF THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE IN 2006–2009

51. *If your country has 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.*
52. *How has your country interpreted in practice the various terms used in the Convention, and what criteria has your country used to do this? Key terms include the following: "major change" (art. 1 (v)), "a reasonable time" (art. 3.2(c), art. 4.2), "promptly" (art. 3.6) and "a reasonable time frame" (art. 5). (Do not provide references to answers to earlier questions 6 (b), 11, 13, 25 and 31.) If your country experiences substantial difficulties interpreting particular terms, does your country work together with other Parties to find solutions? If not, how does your country overcome the problem?*
53. *Please share with other Parties your country's experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of "lessons learned" in order to help others.*
 - a. *How in practice has your country identified transboundary EIA activities for notification under the Convention, and determined the significance and likelihood of adverse transboundary impact?;*
 - b. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How does your country determine how much information to include in the EIA documentation?;*

- c. *What methodology does your country use in impact assessment in the (transboundary) EIA procedure (e.g. impact prediction methods and methods to compare alternatives)?;*
- d. *Translation is not addressed in the Convention. How has your country addressed the question of translation? What does your country usually translate? What difficulties has your country experienced relating to translation and interpretation, and what solutions has your country applied?;*
- e. *How has your country organized transboundary public participation in practice? As Party of origin, has your country organized public participation in affected Parties and, if so, how? What has been your country's experience of the effectiveness of public participation? Has your country experienced difficulties with the participation of its public or the public of another Party? (e.g. have there been complaints from the public about the procedure?);*
- f. *Describe any difficulties that your country has encountered during consultations, for example over timing, language and the need for additional information. As an affected Party, have consultations under article 5 supported the prevention, reduction or control of possible significant transboundary environmental impacts?;*
- 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;*
- h. *Has your country carried out post-project analyses and, if so, on what kinds of project?;*
- i. *Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your country's experiences describing, for example, means of cooperation (e.g. contact points, joint bodies, bilateral agreements), institutional arrangements, and how practical matters are dealt with (e.g. translation, interpretation, transmission of documents, etc.);*
- j. *Name examples of good practice cases, whether complete cases or good practice elements (e.g. notification, consultation or public participation) within cases. Would your country like to introduce a case in the form of a Convention's "case study fact sheet" ?;*
- k. *Identify the most common means of applying the Convention (e.g. through focal points, joint bodies, multilateral agreements).*

CO-OPERATION BETWEEN PARTIES IN 2006–2009

54. *Does your country have any successful examples of how it has overcome difficulties arising from different legal systems in neighbouring countries?*

EXPERIENCE IN USING THE GUIDANCE IN 2006–2009

55. *Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online? Describe your country's experience with using these guidance documents and how they might be improved or supplemented:*

- a. *Guidance on public participation in EIA in a transboundary context;*
- b. *Guidance on subregional cooperation;*
- c. *Guidelines on good practice and on bilateral and multilateral agreements.*

CLARITY OF THE CONVENTION

56. *Has your country 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 one above 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 your country encounters when applying the Convention.*

AWARENESS OF THE CONVENTION

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

58. *Does your country see a need to improve the application of the Convention in your country and, if so, how does it intend to do so? What relevant legal or administrative developments are proposed or ongoing?*

SUGGESTED IMPROVEMENTS TO THE REPORT

59. *Please provide suggestions for how this report may be improved.*

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