

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

in the period 2010–2012

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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

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2).*

Law on Environmental Impact Assessment of the Proposed Economic Activity (2005, amended 2011).

Order of the Minister of Environment on Informing the Public and Public participation in the Process of Environmental Impact Assessment (2005, 2010 amended 2012).

Order of the Minister of Environment on Investigating the Environmental Impact Assessment Documents at the Ministry of Environment and Subordinate Institutions (2006, 2011 amended 2012).

Order of the Minister of Environment on Preparation of the Environmental Impact Assessment program and report (2006, amended 2010).

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

It is possible review of Law on EIA after publication of EU recommendations on shale gas.

3. *List the different authorities that are named responsible for the implementation of the EIA procedure in the transboundary context and domestically.*

Ministry of Environment is responsible for transboundary EIA procedure.

Environmental Protection Agency and Regional Environmental Protection Departments of the Ministry of Environment are responsible for national EIA procedure.

4. *Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it.*

Yes, the Ministry of Environment

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

No

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

6. *Is appendix I to the Convention transposed fully into your country's national legislation? Please describe any differences between the national list and appendix I to the Convention.*

In Lithuania the annexes of the EIA Directive are transposed into national legislation. So there are minor differences with the appendix I in the second amendment of Espoo Convention.

7. *Does your country's legislation already cover fully the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7)?*

In Lithuania the annexes of the EIA Directive are transposed into national legislation. So there are minor differences with the appendix I in the second amendment of Espoo Convention.

PUBLIC PARTICIPATION

8. *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?*

As a Party of origin we notify the affected Party through focal point and submit all necessary documents. The authorities of the affected Party shall make available submitted documentation for its public. The affected Party inform us about the forthcoming public hearings in their territory in order to provide the opportunity for project developer or its representatives to attend them and make a presentation of the project and its environmental impact assessment. Under the request of the affected Party some parts or even full EIA documentation and to ensure translation during public hearing meetings. The comments of the public of the affected Parties are evaluated in the same way as the comments of our public.

When Lithuania is the affected Party the similar requests are submitted to the Party of origin.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

9. *Describe how your country determines when to send the notification to the affected Party, which is to occur "as early as possible as and no later than when informing its own public".*

In general the notification is send before the approval of EIA program.

10. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *The stage in the EIA procedure when your country usually notifies the affected Party (art. 3.1);*

When during the screening procedure or preparing EIA program it is determined that project may has significant negative transboundary impact, the notification can be sent before the preparation of EIA program (Law on EIA, art. 11).

- b. *The format for notification. Please indicate whether this is the format as decided by the first meeting of the Parties in its decision I/4 (ECE /MP.EIA/2, annex IV, appendix). If not, does your country use a format of its own (in which case, please attach a copy of it)?*

We try to follow the proposed guidelines, but when EIA program is available the notification letter is usually shorter as information for notification is included in the EIA program.

- c. *The time frame for the response to the notification from the affected Party (cf. art. 3, para. 3, “within the time specified in the notification”), the consequence if an affected Party does not comply with the time frame, and the possibility of extending a deadline;*
- d. *The time frame for response to the notification is indicated in notification letter. Time frame is between 1-2 months, it depends on the stage of EIA procedure, complexity of the project, season of the year. On the motivated request of the affected Party time period is usually extended. The request for information from the affected Party (art. 3 para. 6), necessary for the preparation of the EIA documentation;*

No legal requirements. Usually we request information from the affected Party when we send notification and EIA program. Timeframe for response is indicated in the official letter. We don't wait for such information longer than three months.

- e. *How your country cooperates with the authorities of the affected Party on public participation (art. 3, para. 8);*

We inform the authorities of the affected parties and ask them to inform their public according the legislation of the affected Party.

- f. *When and 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 don't receive such information from the affected Party. The affected Party informs their public in accordance with national legislation.

- g. *When and how the public in the Party of origin is notified (what kinds of media, etc. are usually used). What is normally the content of the public notification?*

According to national legislation, the public is notified 10 days before the public hearing via national, regional press, on the websites of project developer, consultant, responsible institution and etc. The public notification consist of information about project, project developer, responsible institutions, procedures of public hearing, possibilities of EIA report review and deadlines for comments.

- h. *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.*

We don't receive such information from the affected Party. The affected Party informs their public in accordance with national legislation.

- 11. *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, annex III, 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

- 12. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *How your country decides whether or not to participate in the EIA procedure (art. 3, para. 3)?*

The Ministry of Environment decides whether to participate in EIA process or not, mostly it depends on the kind of activity, on the distance from our national border to

the site of proposed activity, and possible negative impacts on the environment of Lithuania.

b. The request from the Party of origin for information (art. 3, para. 6), necessary for the preparation of the EIA documentation;

According to the Law on public administration the answer to the request shall be submitted within a month.

c. How your country cooperates with the authorities of the Party of origin on public participation (art. 3, para. 8);

By official correspondence and soft instruments (telephone, e-mails).

d. When and how the public is notified (e.g., what kinds of media, etc., are usually used).

As the affected Party we notify our public in the scoping phase. The public hearing meetings are announcing via Internet, newspapers. The notification usually include information from the notification letter of the Party of Origin (information about the developer, the preparer of EIA documentation, brief information about the project: type and size of activity, location (distance from the border), where all the received information from the Part of origin can be found, information that the comments regarding the project and its environmental impact assessment shall be submitted to the Ministry of Environment of Lithuania and etc.)

Article 4

Preparation of the environmental impact assessment documentation

QUESTIONS TO PARTY OF ORIGIN

13. Indicate the legal requirements in your country, if any, related to:

a. The content of the EIA documentation (art. 4, para. 1; appendix II);

According to the Law on Environmental Impact Assessment of the Proposed Economic Activity information for the screening for environmental impact assessment shall include at least the following information: characteristics of the chosen site for the proposed economic activity, and characteristics of the proposed economic activity (size, technologies and materials used, use of natural resources, dangerous substances, production and management of waste, pollution and nuisances, potential interaction with other proposed economic activities, probability and prevention of accidents). The requirements are elaborated in the Methodological guidelines on the screening of proposed economic activity.

According to the Law on Environmental Impact Assessment of the Proposed Economic Activity and the Regulations on Preparation of the Environmental impact Assessment Program and Report approved by the Order of Minister of Environment EIA program shall include at least the following information:

- 1) short description of the main alternatives studied by the preparer of the EIA documents;
- 2) short description of the technical characteristics, technological process and materials planned to be used, as well as needed amount of natural resources and land use (during the construction and operation phases);

- 3) short description of the territories that could be significantly affected;
- 4) information about what components of the environment and what impacts will be analysed during the environmental impact assessment;
- 5) information on what aspects the impacts of the proposed economic activity on public health will be analysed;
- 6) methods that will be used to predict and assess the effects on the environment, measures envisaged to avoid, reduce or offset negative environmental effects;
- 7) information whether proposed economic activity may cause a significant negative impact on the environment of any foreign State;
- 8) other important information.

According to the above mentioned legal acts the EIA report shall include at least the following information:

- 1) information about the organizer (developer) of the proposed economic activity;
- 2) information about the preparer of EIA documents;
- 3) detailed information according to the topics of the EIA program and also additional information: description of the expected pollutants (names, calculations, hazardousness, risk group, etc.); description of waste generation and management; components of the environment that could be affected by the proposed economic activity; description and assessment of potential impacts of the proposed economic activity on public health, fauna and flora, soil, earth surface and underground, water, environmental air, climate, landscape, biodiversity, economic conditions, cultural heritage and the interaction of these components; methods that were used to predict and assess the effects on the environment; a description of measures envisaged to avoid, reduce or offset negative environmental effects or to alleviate their consequences; analysis of the alternatives and the indication of the reasons for the choice, taking into account the best available modes and production of potential environmental impact, at least several alternatives (e.g. Alternative locations, timings, technical and technological solutions, environmental impact mitigation measures) shall be investigated in the report, including the “zero” alternative, that refers to the environmental conditions and natural changes in the environment if the activity is not carried out and is used as the environmental baseline evaluation and a base for assessment and comparisons; identification of possible emergencies and accident-avoidance and emergency measures; Analysis of environmental monitoring data (if available) and plan for environmental monitoring; a summary of all information considered in the report.
- 4) other information that shall be included in the report (a description of technical or practical problems encountered by the preparer of the EIA documents in performing the EIA).

b. The procedures for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4, para. 1);

The EIA program is prepared by the preparer of EIA documents, obligated by the organizer of the proposed economic activity, in accordance with the Law on Environmental Impact Assessment of the Proposed Economic Activity and the Order of the Minister of Environment on Regulations on Preparation of the Environmental Impact Assessment Program and Report. Annex of these regulations defines the recommended structure and contents of the program.

A prepared program is submitted to the relevant parties of environmental impact assessment: governmental institutions, responsible for health protection, fire-prevention, protection of cultural heritage and municipal administrations that examine

EIA programs and reports, and provide conclusions in accordance with their competence. Relevant parties also have right to require for amendment or corrections of the program if the topics within the scope of their competence are not investigated sufficiently. Then the conclusions from all relevant parties of EIA, and EIA program are submitted to the competent authority (Regional Environmental Protection Departments of the Ministry of Environment or Environmental Protection Agency) which examines these documents and approves EIA program, however competent authority also has right to require for amendments and correction of the program. The same type of coordination with EIA report.

- c. *The identification of “reasonable alternatives” in accordance with appendix II, paragraph (b);*

Alternatives are chosen by the developer of the proposed economic activity, taking into account the best available modes and production of potential environmental impact, and at least several alternatives (e.g. alternative locations, timings, technical and technological solutions, environmental impact mitigation measures) shall be thoroughly investigated.

- d. *The procedures and format for providing the EIA documentation domestically;*

The EIA program is prepared by the preparer of EIA documents, obligated by the organizer of the proposed economic activity, in accordance with the Law on Environmental Impact Assessment of the Proposed Economic Activity and the Order of the Minister of Environment on Regulations on Preparation of the Environmental Impact Assessment Program and Report. Annex of these regulations defines the recommended structure and contents of the program.

A prepared program is submitted to the relevant parties of environmental impact assessment: governmental institutions, responsible for health protection, fire-prevention, protection of cultural heritage and municipal administrations that examine EIA programs and reports, and provide conclusions in accordance with their competence. Relevant parties also have right to require for amendment or corrections of the program if the topics within the scope of their competence are not investigated sufficiently. Then the conclusions from all relevant parties of EIA, and EIA program are submitted to the competent authority (Regional Environmental Protection Departments of the Ministry of Environment or Environmental Protection Agency) which examines these documents and approves EIA program, however competent authority also has right to require for amendments and correction of the program. The same type of coordination with EIA report.

- e. *The procedures and format for providing the EIA documentation to the affected Party. If there is a difference between the procedures and format domestically and for the affected Party, please explain;*

Yes. If there is no bilateral agreement with the affected party and EIA documents are only in Lithuanian language, we provide the documents in national language, only the nontechnical summary with detail assessment of transboundary impacts is translated to English and/or Russian and/or official language of the affected Party. But usually we give to the affected Party all EIA documents in Lithuanian, Russian and English languages and some parts of the EIA documentation translated to the official languages of the affected Parties.

- f. *The procedures for the examination of, and the deadlines for comments on, the EIA documentation domestically, and how the comments submitted domestically are addressed;*

The consultant prepares the EIA report which is giving to relevant parties and public for comments. In 20 working days the interested parties and public should be addressed comments to consultant or project developer. After the evaluation of comments the final EIA is giving to responsible institution for evaluation and final decision should be made in 25 working days.

- g. *The procedures for the examination of, and the deadlines for comments on, the EIA documentation from the affected Party, and how the comments submitted by the affected Party are addressed;*

Usually we indicate the deadlines for comments on the EIA documents. The relevant parties and public of the affected Party usually submits comments to their responsible authority and then the responsible institution of the affected Party sends them to us and we forward them to consultant.

- h. *The procedures for public hearings domestically;*

The developer informs the public about its completion of EIA and the forthcoming public hearing. Public hearing is organised by the developer. The public may submit proposals, comments regarding the environmental impact assessment and EIA report.

- i. *The procedures for public hearings held on the territory of the affected Party.*

Public hearings in the affected Party are organized according requirements of its national legislation. The authorities of the affected Party shall make available submitted documentation for its public. The affected Party inform us about the forthcoming public hearings in their territory in order to provide the opportunity for project developer or its representatives to attend them.

QUESTIONS TO AFFECTED PARTY

14. *Indicate the legal requirements in your country, if any, related to:*

- a. *The procedures and deadlines for comments on the EIA documentation to be submitted to the Party of origin;*

Normally public participation is organised in accordance with our legislation. But this should be discussed by competent authorities of both Parties at the beginning of consultations. Exception when the bilateral Agreement between Lithuania and Poland is applied. In such cases the public participation is organized in accordance with our legislation as the affected Party.

- b. *The procedures for public participation in the review of the EIA documentation domestically, and the authority responsible for the execution of the aforementioned procedures;*

Under the national Law, the public participation ensures by responsible institution (Environmental Protection Agency or Regional Environmental Protection Departments of the Ministry of Environment).

- c. *The procedures for the examination of the EIA documentation domestically.*

Depending on project origin, the Ministry of Environment involves responsible institutions for the examination of the EIA documentation and comment. According to

the Law on public administration the answers to the requests shall be submitted within a month or proposed date by Party of origin.

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

15. *Indicate the legal requirements in your country, if any, related to the following provisions:*

a. *The procedures for cooperation with the affected Party related to consultations;*

The consultations are organised after the receipt of the comments from the affected Party. We always request the affected Party to indicate whether it wishes to have consultations.

b. *The stages, procedures and deadlines for consultations with the affected Party;*

If consultations are necessary, they are usually organized as meetings. Before such meetings the Parties agree upon the time, place and etc.

c. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

Usually the consultations are held at national level by organizing meetings and the exchange of opinions in written form.

QUESTIONS TO AFFECTED PARTY

16. *Indicate the legal requirements in your country, if any, related to the following provisions:*

a. *The procedures for interaction with the Party of origin related to consultations;*

Ministry of Environment spreads information from Party of origin to responsible institutions in Lithuania and summarised information provides to Party of origin.

b. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

Depending on project origin, the Ministry of Environment involves responsible institutions for information review and comment. According to the Law on public administration the answers to the requests shall be submitted within a month or proposed date by Party of origin.

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

17. *Indicate the legal requirements in your country, if any, related to the following provisions:*

a. *The definition of "final decision" related to the implementation of the planned activity; the content of decisions; and procedures for their adoption;*

Final decision is a binding justified decision made by the competent authority which tells if the proposed economic activity by virtue of its nature and environmental impacts may be carried out in the chosen site. The content of decision consists of

environmental conditions under which the activity is allowed. The project is implementing according to the “final decision” conditions. Then after the construction permit procedure or IPPC permit procedure the activity is allowed.

- b. *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, para. 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?*

All projects in Appendix I require such a decision. In the later stage of the implementation of the projects in accordance with national legislation construction and IPPC permits will be issued for such activities.

- c. *The procedures for informing of the "final decision" domestically and for the affected Party;*

The responsible institution for the “final decision” (Environmental Protection Agency or Regional Environmental Protection Departments of the Ministry of Environment) by official letter informs the project developer about decision and Ministry of Environment if needed. Affected Party is informed by Ministry of Environment or Environmental Protection Agency.

- d. *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, para. 1)?*

Yes

- e. *The opportunity to review the decision if, before the activity is implemented, additional information becomes available according to article 6, paragraph 3.*

We do not have possibility to review the decision, because there are no legal requirements for such actions. Our decision is binding and only courts can repeal it.

Article 7

Post-Project Analysis

18. *Indicate the legal requirements in your country, if any, related to:*

- a. *Post-project analysis (art. 7, para. 1);*

In accordance with the results of the monitoring. The environmental monitoring plan of the proposed economic activity is included in the EIA report.

- b. *Procedures for informing of the results of post-project analysis.*

Such a procedure is not established, it will depend on a case-by-case basis.

Article 8

Bilateral and multilateral agreements

19. *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.*

Agreement between the Government of the Republic of Poland, and the Government of the Republic of Lithuania on implementation of the Espoo Convention on Environmental Impact Assessment in a Transboundary Context. The agreement was signed to simplify and speed up the transboundary EIA process. This agreement covers: the activities for which the transboundary EIA procedures should be applied (for any activity that may have significant transboundary impact and for which according to national legislations the EIA procedures are applied and EIA documents are prepared except the activities for national defence purposes). Public participation and time schedule. The public of the affected party has opportunity to provide comments for the time period that is indicated in the legislation of the affected party.

Translation of documents: notification letter, non-technical summary and the part of EIA documents which are necessary for the affected party to present its position on environmental impacts, final decision and other documents (invitations to consultations, minutes of consultations) must be translated into the official language of the affected party. The text is available only in Lithuanian and Polish languages. It is already published on the website of the Espoo convention.

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

No

Article 9

Research programmes

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

No

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

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

Lithuania has ratified the first amendment to the Convention on 2010.

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

Lithuania has ratified the second amendment to the Convention on 2010.

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

Lithuania has ratified the Protocol on SEA on 2010.

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2010–2012

Please report on your country's practical experiences in 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; and 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 2010–2012

25. *If your country's national administration has a list of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list it.*

Transboundary cases as the Party of origin:

1. Reconstruction of the Šventoji State Seaport;
2. Construction and Operation of the Liquefied Natural Gas Terminal and Related Infrastructure Facilities.

Transboundary cases as the affected Party:

1. Fehmarn Belt fixed link between Denmark and Germany;
2. NordBalt electricity grid connection between Sweden and Lithuania;
3. Sodra Midsjobanken wind farm in the Baltic Sea within the Swedish Economic Zone.

26. *Does your country object to the inclusion of the above list of transboundary EIA procedures in a compilation of such procedures to be made available on the website of the Convention? (Indicate "yes" if you object.)*

No, we don't object.

27. *Provide information and explanations on the average duration of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

. The duration of the notification and response to focal points takes about one month. The time period to provide comments on EIA program is also at least one month (if it is not submitted together with notification). The time period to provide comments on EIA report is about 3 months including public participation procedure. The whole transboundary EIA procedure is much longer than the sum of the individual steps as it is closely related to national EIA procedure. The total length of transboundary EIA mostly depends on the time needed for preparation of EIA documentation and also on the quality of EIA documentation.

EXPERIENCE IN THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE DURING THE PERIOD 2006–2009

28. *If your country has had practical experience in the transboundary EIA procedure during the reporting period, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

Yes, the application of the convention helps the Party of origin to look broader on the possible threats to the environment. The affected party is an important participant of the EIA procedure, its comments and recommendations is a very useful tool to ensure proper implementation of the proposed activity and to improve environment protection.

29. *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. *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?*

Yes, the separate chapter is provided. The amount of information depends on the case. In this chapter information on all possible impacts on the environment of the affected Party must be provided.

- b. *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?*

As a Party of origin we provide the summary on Lithuanian, English and national language of affected Party.

The translation problems can be solved by bilateral agreements.

When there is no bilateral agreements the language of EIA documentation depends on the project. For example all EIA documents of Ignalina nuclear power plant decommissioning activities to the affected parties are provided in English and Russian languages.

For other projects summary and detail assessment of transboundary impacts is translated to English and/or Russian and/or official language of the affected Party. When Lithuania is an affected Party we request to translate the summary and the chapter on possible transboundary impacts into Lithuanian language.

- c. *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? 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)?*

The developer of the activity attends the public hearings that are held in the affected Party. The public of the affected Party usually submits comments to their authority and then the government of the affected Party sends them to us. We have heard complaints from the developer of the activity regarding organization of translation in the public hearing meeting (complaints were received during the EIA procedure for LNG terminal project in Latvia, when one of the participants understood Lithuanian language and made comments before translation into Latvian language).

- d. *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?*

Sometimes it is quite difficult to submit comments in time. Despite Lithuanian protest against implementation of the new NPP close to capital of Lithuania (50 km away from Vilnius), Belarus is still implementing the NPP project without EIA transboundary procedures.

- e. *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;*

Final decision includes such information:

1. The developer of the proposed economic activity.
2. The preparer of environmental impact assessment documentation.
3. Title of the proposed economic activity.

4. Site of the proposed economic activity.
 5. Description of the proposed economic activity.
 6. Description of measures aimed to avoid, decrease, compensate a negative impact on the environment or to mitigate its consequences.
 7. Conclusions submitted by the relevant parties of the environmental impact assessment (stakeholders).
 8. Information dissemination and public participation.
 9. International consultations
 10. Conditions set forth in the decision:
 11. The main motives which served as a basis during the decision-making process:
 12. Nature of the decision (proposed economic activity allowed/not allowed).
- Ministry of Environment sends it to the affected Party in Lithuanian and English/Russian languages.
In Lithuania the decision regarding EIA is mandatory without positive decision the activity can't be

f. *Has your country carried out post-project analyses and, if so, on what kinds of project?*

No

g. *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.);*

Not yet

h. *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"?*

No such cases yet

i. *Identify the most common means of applying the Convention (e.g., through focal points, joint bodies, multilateral agreements).*

Through focal points

CO-OPERATION BETWEEN PARTIES IN 2010–2012

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

No.

EXPERIENCE IN USING THE GUIDANCE IN 2010–2012

31. *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 (ECE/MP.EIA/7);*

Sometimes.

- b. *Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix);*

No

- c. *Guidelines on good practice and on bilateral and multilateral agreements (ECE/MP.EIA/6, annex IV, appendix).*

No

CLARITY OF THE CONVENTION

32. *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?*

The time frames and translation are the main issues, but they can be solved by bilateral agreements or by close cooperation among concerned Parties.

AWARENESS OF THE CONVENTION

33. *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.*

Information about the Convention is published on the Internet website of the Ministry of Environment. We also provide information during the EIA seminars.

In 2009 the new version of Manual on environmental impact assessment was published. Manual now includes chapter on assessment of transboundary impacts. In this chapter the main provisions of Espoo Convention are described, explanation how these provisions are incorporated into national environmental impact assessment procedure and practical examples are also given.

This manual is very popular among the authorities, the developers, the preparers of EIA documentation and public interested in environmental impact assessment.

34. *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?*

We have intentions to sign bilateral agreement with Belarus. The new version of draft Agreement between the Ministry of Environment of the Republic of Lithuania and the Ministry of Natural resources and environment protection of the Republic of Belarus on the implementation of the Convention on Environment Impact Assessment in a transboundary Context was prepared and now is conforming by both institutions. When it will be satisfied for both sides, it will be signed.

SUGGESTED IMPROVEMENTS TO THE REPORT

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

The questionnaire should be shorter and more précised.

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