



**Economic and Social  
Council**

Distr.  
GENERAL

MP.EIA/2004/9/Add.2  
31 March 2004

ORIGINAL: ENGLISH

**ECONOMIC COMMISSION FOR EUROPE**

**Meeting of the Parties to the Convention  
on Environmental Impact Assessment  
in a Transboundary Context**

**Third meeting  
(Cavtat, 1-4 June 2004)  
(Item 7 (h) of the provisional agenda)**

**DRAFT DECISION III/8 TO BE TAKEN AT THE THIRD MEETING OF THE PARTIES  
Submitted by the Working Group on Environmental Impact Assessment**

**DECISION III/8**

**GUIDANCE ON PUBLIC PARTICIPATION IN ENVIRONMENTAL IMPACT  
ASSESSMENT IN A TRANSBOUNDARY CONTEXT <sup>\*/</sup>**

**Addendum**

**ANNEXES**

**Annex 1.**

Convention on Environmental Impact Assessment in a Transboundary Context  
done at Espoo (Finland), on 25 February 1991

Only those provisions of the Convention dealing with public participation are set out below.

<sup>\*/</sup> The Guidance has been reproduced as received by the secretariat.

## Article 1: DEFINITIONS

For the purposes of this Convention,

(x) “The Public” means one or more natural or legal persons [and, in accordance with national legislation or practice, their associations, organizations or groups].<sup>\*/</sup>

## Article 2: GENERAL PROVISIONS

2. Each Party shall take the necessary legal, administrative or other measures to implement the provisions of this Convention, including, with respect to proposed activities listed in Appendix I that are likely to cause significant adverse transboundary impact, the establishment of an environmental impact assessment procedure that permits public participation and preparation of the environmental impact assessment documentation described in Appendix II.

6. The Party of origin shall provide, in accordance with the provisions of this Convention, an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures regarding proposed activities and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.

## Article 3: NOTIFICATION

1. For a proposed activity listed in Appendix I that is likely to cause a significant adverse transboundary impact, the Party of origin shall, for the purposes of ensuring adequate and effective consultations under Article 5, notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity.

8. The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of, and be provided with possibilities for making comments or objections on, the proposed activity, and for the transmittal of these comments or objections to the competent authority of the Party of origin, either directly to this authority or, where appropriate, through the Party of origin.

## Article 4: PREPARATION OF THE ENVIRONMENTAL IMPACT ASSESSMENT DOCUMENTATION

2. The Party of origin shall furnish the affected Party, as appropriate through a joint body where one exists, with the environmental impact assessment documentation. The concerned Parties shall arrange for distribution of the documentation to the authorities and the public of the affected Party in the areas likely to be affected and for the submission of comments to the competent authority of the Party of origin, either directly to this authority or, where appropriate,

---

<sup>\*/</sup> Amendments to the Convention which are in square brackets [...] were adopted at the second meeting of the Parties to the Convention (decision II/14), but are not yet in force.

through the Party of origin within a reasonable time before the final decision is taken on the proposed activity.

#### Article 6: FINAL DECISION

1. The Parties shall ensure that, in the final decision on the proposed activity, due account is taken of the outcome of the environmental impact assessment, including the environmental impact assessment documentation, as well as the comments thereon received pursuant to Article 3, paragraph 8 and Article 4, paragraph 2, and the outcome of the consultations as referred to in Article 5.

**Annex 2****Case studies, presented by experts - members of UNECE Task Force on public participation in environmental impact assessment in a transboundary context****Contents**

| <b>Ref.</b> | <b>Title</b>  | <b>Presented by</b>   |
|-------------|---|---|
| 2.1         | Oil pipeline Baku-Tbilisi-Ceyhan (BTC)                  | Tatyana Javanshir (Azerbaijan) and Gia Zhorzholiani (Georgia)                   |
| 2.2         | Bridge over Danube river                                | Daniela Pineta (Romania) and Jacqueline Metodieva and Katya Peicheva (Bulgaria) |
| 2.3         | Multipurpose hydropower system on the river Drava       | Fóris Edina (Hungary) and Nenad Mikulic (Croatia)                               |
| 2.4         | Renovation project of the Narva power plant             | Veronika Versh (Estonia)  |
| 2.5         | Nuclear power plant (Loviisa-3)                         | Nikolay Grishin and Sergey Tveritinov (Russia) and Ulla-Riitta Soveri (Finland) |
| 2.6         | Flood prevention  | Leena Ivalo (Finland)   |
| 2.7         | Power line from Muhos to Torneå in 2000 –2001           | Leena Ivalo (Finland)   |
| 2.8         | <i>The under-sea pipeline for hydrocarbon transfer</i>  | Federica Rolle and Carmela Bilanzone (Italy) and Nenad Mikulic (Croatia)        |
| 2.9         | Kyrgyz-Chinese paper mill                               | Gulfia Shabaeva and Tatyana Filkova (Kyrgyzstan)                                |
| 2.10        | Dredging for aggregates in the English Channel/La Mance | Jim Burns and Roger Gebbels (United Kingdom) and Georges Guignabel (France)     |

| ANNEX 2. Case study 2.1   |   |
|---|---|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b><br><b>Oil pipeline Baku-Tbilisi-Ceyhan (BTC)</b><br>EIA procedure from its beginning  |   |
| <b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>Azerbaijan (YES); Georgia (NO) <sup>*/</sup>  | <b>2.2.Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Azerbaijan (YES); Georgia (NO) <sup>*/</sup> |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b><br>A special Agreement was ratified by Parliaments of all three countries   |   |
| <b>4.Proponent (title (if possible); public/private):</b><br>States and private companies; “British Petroleum” (BP) – main proponent and operator of the project  |   |
| <b>5. Notification of public of PO – according to national legislation (Yes/No): YES</b>  |   |
| <b>6. Notification of public of AP:</b><br><b>6.1.In what stage:</b> From very beginning of the process<br><b>6.2.Who informed public:</b> Main proponent (item 4) had a special division and invited a special firm to work with public in areas around the pipeline route<br><b>6.3.Methods used for public notification:</b> Advertisements in local, regional and national newsletters; informing by post, TV and radio; posters along the pipeline route; organising public hearings and meetings with proponent; publishing and dissemination booklets with EIA information; EIA documentation was available in the offices of proponent and points of contact and in the web-site of the project<br><b>6.4.Number of sets of EIA information transmitted to public of AP:</b> Proponent organised about 30 points of contact with public in AP, where EIA information was available; a lot of booklets were sent to public |   |
| <b>7.Translation of EIA documentation for public of AP (Yes/No): Yes</b><br><b>7.1.All EIA documentation / summary:</b> All EIA Documentation and summary (as booklets)<br><b>7.2.Translation was undertaken by:</b> Main proponent (item 4)<br><b>7.3.Payment was covered by:</b> Main proponent (item 4)  |   |
| <b>8.Time limits established for receiving comments or objections(c/o) from public:</b> The main proponent of the project established the equivalent time limits (60-day period of public discussion of the project before the permitting procedure and then 45-90 days during that procedure) for the public of all Parties concerned in Azerbaijan and Georgia according to an Agreement between the Parties  |   |
| <b>9.Collecting the comments or objections(c/o) of public of AP:</b><br><b>9.1.Who collected c/o:</b> Main proponent (item 4)<br><b>9.2.Methods used for collecting c/o:</b> Reports of public hearings and consultations<br><b>9.3.Number of received c/o of public of AP:</b> About 3,000 comments and questions were received by proponent from public of AP.  |   |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> Total sum of organising public participation in impact assessment procedure through the Public Disclosure mechanism costed about USD 1,500,000. This cost included public participation in the second project – South Caucasus Pipeline (gas pipeline) which was planned in the same pipeline route, as BTC. The cost was covered by main proponent (item 4).  |   |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> Main proponent (item 4), responsible for carrying out EIA, included public opinion into EIA documentation that was presented to CA of AP and PO.<br><b>11.2.Who made translation of these c/o:</b> Main proponent (item 4).<br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b> yes  |   |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> Public was informed about this by proponent and CA of AP.  |   |
| <b>13.Difficulties encountered:</b> Main problem was to prove safety of the project.  |   |
| <b>14.Case study was presented by:</b> Azerbaijan and Georgia.  |   |

<sup>\*/</sup> Each Party has controlled the part of the project falling under its territory. The operator of the project in territories of these both Parties was oil company “British Petroleum”, which carried out public participation according to joint rules.

| ANNEX 2. Case study 2.2   |  |
|---|--|
| <b>1. Information about the project (title, activity; stage of EIA procedure):</b><br><b>Bridge over Danube river</b> , between cities Vidin (Bulgaria) and Calafat (Romania)<br>The project stage is feasibility study with preliminary EIA  |  |
| <b>2.1. Party of origin (PO)*: was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>Bulgaria (YES); Romania (YES) <sup>*/</sup>   | <b>2.2. Affected Party (AP)*: was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Bulgaria (YES); Romania (YES) <sup>*/</sup> |
| <b>3. Special agreement between Parties about transboundary EIA and/or Joint body:</b> Agreement between the Governments of Bulgaria and Romania for construction of the bridge including obligations on joint EIA. According to this Agreement Joint Working Group (JWG) on the environmental problems was established to co-ordinate the environmental procedures. The Project Implementation and Management Units (PIMU) were established in the structures of the competent authorities of both Parties   |  |
| <b>4. Proponent (title (if possible); public/private):</b> The Ministry of Transport and Communications of Bulgaria   |  |
| <b>5. Notification of public of PO – according to national legislation (Yes/No):</b> Yes  |  |
| <b>6. Notification of public of AP:</b><br><b>6.1. What stage:</b> From very beginning of the process<br><b>6.2. Who informed public:</b> Competent authority of each party informed its own public<br><b>6.3. Methods used for public notification:</b> Through notification of the authorities of the AP; announcements in the local and national (Bulgaria) newspapers, local radio and TV (Bulgaria); notification of local (Rom.) and national (Bulgaria) NGOs by post; notification of concerned national, district and local authorities by post (Bulgaria); meetings with competent authorities and proponent of activity<br><b>6.4. Number of sets of EIA information transmitted to public of AP:</b> Romania has received 2 sets of EIA documentation in Romanian and in English, Bulgarian Ministry received 5 copies of the EIA report in Bulgarian and 1 copy in English and the municipality of Vidin receive 1 copy in Bulgarian. The documentation was available to the interested physical persons, representatives of NGO's and other interested parties |  |
| <b>7. Translation of EIA documentation for public of AP (Yes/No):</b> Yes<br><b>7.1. Full EIA documentation / summary:</b> Full EIA Documentation was translated by PIMU (item 3) – 20 copies in Bulgarian, English and Romanian<br><b>7.2. Translation was undertaken by:</b> PIMU in both countries (item 3)<br><b>7.3. Payment was covered by:</b> PIMU in both countries (item 3)   |  |
| <b>8. Time limits established for receiving comments or objections(c/o) from public:</b> 1 month. The JWG (see item 3) has discussed and determined this time limit for receiving the written opinions of the public and other concerned parties in both countries*   |  |
| <b>9. Collecting the comments or objections (c/o) of public of AP:</b><br><b>9.1. Who collected c/o:</b> The comments were written by the EPA (CA) in Romania, during the public hearing, translated in English and submitted to the MoEW (CA) in Bulgaria.<br><b>9.2. Methods used for collecting c/o:</b> Written comments from the public (Bulgaria); reports of consultations with public and public hearings<br><b>9.3. Number of received c/o of public of AP:</b> 10 (Romania), 7 (Bulgaria) – during the two public hearings, one in Calafat and the other in Vidin   |  |
| <b>10. Cost of public participation (total sum; who cover this cost):</b> Each participant from relevant authorities in both countries, from NGO's and from the concerned public has paid the costs for the participation in the hearings himself. The translation of the documentation was organized by PIMU (item 3) and the local municipalities covered the costs of the organization and translation into Romanian/Bulgarian on the public hearings  |  |
| <b>11. Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1. Who sent c/o of public of AP to the CA of PO:</b> PIMU (item 3)<br><b>11.2. Who made translation of these c/o:</b> PIMU (item 3)<br><b>11.3. Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b> Yes, the minutes of the public hearing was transmitted from one Party to another one   |  |
| <b>12. Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> Bulgarian Ministry of Environment and Water has reflected in the decision on the preliminary EIA the results of public consultations. The information on the EIA decision was published in the national Bulgarian newspaper; the copies were given to the proponent (Ministry of Transport and Communications of Bulgaria), to local municipality and to concerned authorities. The decision was translated in English and was sent to the Romanian party through PIMU (item 3)   |  |

\*/

This is a case of joint EIA. Both Bulgaria and Romania are Party of origin and affected Party.

|  |
|--|
| <p><b>13.Difficulties encountered:</b> The difficulties were encountered because the EIA Directive is not precise regarding the exact moment of the issuance of final decision for a project, when we have to take into account the project design</p> |
| <p><b>14.Case study was presented by:</b> Bulgaria and Romania</p>   |

| ANNEX 2. Case study 2.3.  |  |
|---|--|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b><br><b>Multipurpose hydropower system on the River Drava</b><br>After finishing review of EIA documentation in Croatia, but before final decision  |  |
| <b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>Croatia (YES)   | <b>2.2.Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Hungary (YES) |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b> No  |  |
| <b>4.Proponent (title (if possible); public/private):</b> Croatian Power Board  |  |
| <b>5. Notification of public of PO – according to national legislation (Yes/No):</b> Yes  |  |
| <b>6. Notification of public of AP:</b><br><b>6.1.In what stage:</b> After finishing review of EIA documentation in Croatia, but before final decision<br><b>6.2.Who informed public:</b> Competent authority (CA) of AP<br><b>6.3.Methods used for public notification:</b> Notification through local governments + directly the likely affected public. CA of AP prepared and issued booklets that were sent to every household within 1.5 km of the affected area of the River Drava. Local governments nearby also received it. All information was put on the web-site of CA of AP<br><b>...6.4.Number of sets of EIA information transmitted to public of AP:</b> 4,000 booklets were sent to the public (inc. local authorities and the NGOs) by CA of AP after the notification (2001) and later – also before the public hearing (2003)   |  |
| <b>7.Translation of EIA documentation for public of AP (Yes/No):</b> Yes<br><b>7.1.All EIA documentation / summary:</b> The summary of the environmental impact study (sent in English) and relevant parts from the whole documentation concerning the transboundary impacts and the statement of the Croatian EIA Committee (sent in Croatian)<br><b>7.2.Translation was undertaken by:</b> CA (Ministry of Environment and Water) of AP<br><b>7.3.Payment was covered by:</b> CA (Ministry of Environment and Water) of AP  |  |
| <b>8.Time limits established for receiving comments or objections (c/o) from public:</b><br><b>8.1.Established for public of PO by PO:</b> In Croatia public was involved in EIA public hearing (30 days). No time limit was set for public of AP<br><b>8.2.Established for public of AP by (PO/AP/Agreement):</b> Time limit for public of AP was established by CA of AP: 30 +30 days in the first phase and a public hearing was organised with the participation of Croatian delegates by the CA of AP in the second phase  |  |
| <b>9.Collecting the comments or objections (c/o) of public of Affected Party (AP):</b><br><b>9.1.Who collected c/o:</b> Competent authority (Ministry of Environment and Water) of AP<br><b>9.2.Methods used for collecting c/o:</b> Through the questionnaire attached to the first booklet (4000 copies), through a free phone line of the CA of AP and later a public hearing was organised<br><b>9.3.Number of received c/o of public of AP:</b> About 25 written comments; oral comments at the public hearing   |  |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> Preparing, printing and distributing booklets in the AP were about EUR 6,000; organising of public hearing (inc. leaflets, transport for interested audience, interpreter) about EUR 10 000. All costs were covered by CA of AP  |  |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> CA of PO received comments at the public hearing<br><b>11.2.Who made translation of these c/o:</b> Concerned Parties at the public hearing (2 interpreters)<br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b> Written comments were gathered to establish the standpoint of AP. The PO took part on the public hearing   |  |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> There is no final decision yet   |  |
| <b>13. Difficulties encountered:</b> <i>From the point of view of the AP</i> , the information obtained from the PO was not sufficient and satisfactory, and it was very difficult to find information about the likely impacts on the territory of the AP and its reasons in the more than 10 000 pages documentation of PO. Later, upon request of AP, a Supplementary material was prepared (about 300 pages in English). The last study was sent to the AP in April 2003. Very difficult to keep the interest of public during such a long process (the process started in February 2001). The affected public did not show enough interest in answering the questions and sending their remarks in written form. In PO the whole procedure of decision-making has been conducted more than 10 years. And as far as the EIA is administrative procedure, PO has not released the final decision, waiting for the Espoo procedure to be completed. <i>From the point of view of the PO</i> the reasons presented by the AP for preparation of the supplementary material were accepted. In February 2002, PO proposed the 'Work continuation proposal' and an expert meeting aimed at efficient implementation of the Espoo Convention procedures, and to agree the area of the supplementary investigations as well as to set up the criteria for the 'significant impact' on the territory of the AP. The AP rejected the Work |  |



continuation proposal and declined proposal for the expert meeting. The PO met all the requests posed by the AP during the EIA procedure

**14. Case study was presented by:** Hungary and Croatia

| ANNEX 2. Case study 2.4.  |   |
|---|---|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b>   |   |
| <b>Renovation project of the Narva Power Plant</b><br>The project was started during the EIA procedure  |   |
| <b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>Estonia (YES)   | <b>2.2.Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Russian Federation (NO); Finland (YES) |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b><br>With Finland: bilateral agreement; with Russian Federation: no   |   |
| <b>4.Proponent (title (if possible); public/private):</b> Narva Power Plants, Estonian Energy Ltd. (partly private / partly owned by Estonian Ministry of Economy and Communication)  |   |
| <b>5. Notification of public of PO – according to national legislation (Yes/No):</b> yes.   |   |
| <b>6. Notification of public of AP:</b> There was no public participation in AP (Finland); AP only asked opinions of experts, environmental authorities and NGOs of AP<br><b>6.1.In what stage:</b> When drafting the EIA programme (scoping) and for draft EIA statement<br><b>6.2.Who informed public:</b> Competent authority (point of contact regarding notification (POC) – Finnish Ministry of Environment (MoE)) of the AP<br><b>6.3.Methods used for public notification:</b> Through notification of the competent authority (POC) of the AP<br><b>6.4.Number of sets of EIA information transmitted to public of AP:</b> Finnish MoE (POC) sent a copy of draft EIA documentation to experts, environmental authorities and NGOs of AP |   |
| <b>7.Translation of EIA documentation for public of AP (Yes/No):</b> Yes (into English), but translation was sent only to experts, environmental authorities and NGOs of AP by POC (MoE) of AP<br><b>7.1.All EIA documentation / summary:</b> Draft EIA programme and summary of EIA statement.<br><b>7.2.Translation was undertaken by:</b> Proponent of proposed activity<br><b>7.3.Payment was covered by:</b> Proponent of proposed activity  |   |
| <b>8.Time limits established for receiving comments or objections (c/o) from public:</b><br><b>8.1.Established for public of PO by PO:</b> 2 weeks for draft EIA programme; 3 weeks for draft EIA statement<br><b>8.2. Established for public of AP by (PO/AP/Agreement):</b> 1 month, established by competent authority (Estonian MoE (POC)) of PO and proponent  |   |
| <b>9.Collecting the comments or objections (c/o) of public of AP:</b><br><b>9.1.Who collected c/o:</b> Competent authority (POC) of AP<br><b>9.2.Methods used for collecting c/o:</b> Comments of competent authority (POC) of AP were received<br><b>9.3.Number of received c/o of public of AP:</b> PO (Estonian MoE) received only a summary of comments from experts, environmental authorities and NGOs of AP, prepared and sent by competent authority (POC) of AP  |   |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> In PO – EUR 13 (2 advertisements in a national newspaper); proponent   |   |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> CA (POC) of AP (a summary of comments from experts, environmental authorities and NGOs of AP)<br><b>11.2.Who made translation of these c/o:</b> CA (POC) of AP<br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b> Yes   |   |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> CA (POC) of AP informed public of the AP about the final decision  |   |
| <b>13.Difficulties encountered:</b> Time limits and translations  |   |
| <b>14.Case study was presented by:</b> Estonia  |   |

| ANNEX 2. Case study 2.5  |   |
|--|---|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b><br><p style="text-align: center;"><b>Nuclear Power Plant (“Loviisa-3”)</b><br/>EIA Programme + EIA Report</p>  |   |
| <b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br><p style="text-align: center;">Finland (YES)</p>   | <b>2.2.Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br><p style="text-align: center;">Russian Federation (NO)</p> |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b> no   |   |
| <b>4.Proponent (title (if possible); public/private):</b> Fortum Power and Heat Oy (private)   |   |
| <b>5. Notification of public of PO – according to national legislation (Yes/No):</b> yes   |   |
| <b>6. Notification of public of AP:</b><br><b>6.1.In what stage:</b> From very beginning of both procedures (EIA Programme and EIA report)<br><b>6.2.Who informed public:</b> Competent authority of AP through NGO, which was asked by competent authority of AP to be responsible for organising the Russian public involvement in the transboundary EIA procedure<br><b>6.3.Methods used for public notification:</b> NGO in AP, responsible for organising public participation in EIA (item 6.2), carried out the following steps: a) informed public of AP about possibility to participate in EIA procedure through NGOs networks (SEU and IPNEIA); b) determined number of NGOs and independent experts interested in participation in EIA; c) received from proponent relevant number of EIA booklets and sent these booklets to interested public<br><b>6.4.Number of sets of EIA information transmitted to public of AP:</b> about 100 |   |
| <b>7.Translation of EIA documentation for public of AP (Yes/No):</b> Yes<br><b>7.1.All EIA documentation / summary:</b> Summary as booklet<br><b>7.2.Translation was undertaken by:</b> Proponent<br><b>7.3.Payment was covered by:</b> Proponent  |   |
| <b>8.Time limits established for receiving comments or objections (c/o) from public:</b><br><b>8.1.Established for public of PO by PO:</b> The time limit was based on the national EIA legislation of PO, and it was 60 days – for EIA programme and for EIA report<br><b>8.2.Established for public of AP by (PO/AP/Agreement):</b> The same time limit (60 days) was given by point of contact regarding notification (POC) of PO to the authorities (POC) in the AP to transmit the AP’s statement and comments  |   |
| <b>9.Collecting the comments or objections (c/o) of public of AP:</b><br><b>9.1.Who collected c/o:</b> NGO in AP, responsible for organising public participation in EIA (item 6.2)<br><b>9.2.Methods used for collecting c/o:</b> Comments to EIA booklets (which were sent by post to interested NGOs and independent experts) were collected by e-mail.<br><b>9.3.Number of received c/o of public of AP:</b> 10 - in stage of EIA programme; 8 – in stage of EIA report  |   |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> Cost of translation and publishing EIA material (booklets) into Russian was about EUR 1,500 (covered by proponent in PO); NGOs in the AP worked for their own money (cost for dissemination of information in AP and collecting public comments and obligation may be estimated about EUR 500)  |   |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> CA and public of AP (summary)<br><b>11.2.Who made translation of these c/o:</b> PO<br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b> Yes.   |   |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> Public of AP was not officially informed about this   |   |
| <b>13.Difficulties encountered:</b> -  |   |
| <b>14.Case study was presented by:</b> Finland and Russian Federation  |   |

| ANNEX 2. Case study 2.6  |  |
|--|--|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b><br><p style="text-align: center;"><b>Flood prevention (by dredging as the main alternative).</b></p> <p style="text-align: center;">The proponent had already applied for a permit for dredging</p>  |  |
| <b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br><p style="text-align: center;">Finland (YES)</p>   | <b>2.2.Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br><p style="text-align: center;">Sweden (YES)</p> |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b> Finland and Sweden do have a bilateral agreement concerning the frontier river Tornio; in accordance with this agreement, the Finnish-Swedish Commission is the competent authority responsible for granting permits for activities and projects e.g. flood prevention. The flood prevention project was planned in co-operation with the Swedish authorities  |  |
| <b>4.Proponent (title (if possible); public/private):</b> Lapland Regional Environment Centre (public)   |  |
| <b>5.Notification of public of PO – according to national legislation (Yes/No):</b> yes  |  |
| <b>6. Notification of public of AP:</b><br><b>6.1.In what stage:</b> Public was informed about the assessment programme (scoping) and the EIA report at the same time as the public of the PO<br><b>6.2.Who informed public:</b> The EIA co-ordination authority of the PO<br><b>6.3.Methods used for public notification:</b> The co-ordination authority sent the announcements concerning the EIA procedure for posting on the official notice board in the Haaparanta municipality in Sweden; the same public announcement was sent to local and regional newspapers (3); public in the AP had access to the full EIA documentation in the public library and in the office building of the Haaparanta municipality. Point of contact of PO sent a notification to point of contact of AP, which notified authorities of the AP (a notification and a scoping were integrated)<br><b>6.4.Number of sets of EIA information transmitted to public of AP:</b> 1 to the main library, 1 to the municipal authority; about 6-8 to point of contact of AP |  |
| <b>7.Translation of EIA documentation for public of AP (Yes/No):</b> Yes<br><b>7.1.Full EIA documentation / summary:</b> Full EIA documentation<br><b>7.2.Translation was undertaken by:</b> EIA co-ordination authorities of the PO translated its own comments<br><b>7.3.Payment was covered by:</b> Proponent - in accordance with the Finnish EIA law  |  |
| <b>8.Time limits established for receiving comments or objections (c/o) from public:</b><br><b>8.1.Established for public of PO by PO:</b> 4 weeks - for EIA programme, 7 weeks - for EIA report + 6-week extension<br><b>8.2.Established for public of AP by (PO/AP/Agreement):</b> 4 weeks - for EIA programme, 7 weeks - for EIA report + 6-week extension were established by the co-ordination authority of the PO.   |  |
| <b>9.Collecting the comments or objections (c/o) of public of AP:</b><br><b>9.1.Who collected c/o:</b> Authorities of AP: comments were received through the Swedish point of contact regarding notification (POC) which sent comments of AP to the Finnish (POC), and public was given possibility to sent comments through Haaparanta municipality (local authority in Sweden)<br><b>9.2.Methods used for collecting c/o:</b> Written comments from the public; public from AP was invited to participate in the public hearings in PO<br><b>9.3.Number of received c/o of public of AP:</b> 8 comments on programme and 6 comments on report  |  |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> In accordance with the Finnish EIA law the proponent pays the cost of an EIA procedure  |  |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> Comments were received from local, regional and state authorities of AP through the Swedish point of contact and the Finnish point of contact. One comment from public was sent to the proponent, and was forwarded to the EIA co-ordination authority<br><b>11.2.Who made translation of these c/o:</b> Swedish is the other official language in Finland, hence Swedish comments did not need to be translated. Swedish was used in all correspondence between the countries<br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b>  |  |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> The final decision is given pursuant to the Environmental Protection Act, which stipulates the announcement of the final decision. The competent authority that grants the permit will announce the final decision. The competent authority will send the final decision to the point of contact of Finland, who will send it to the POC of Sweden  |  |
| <b>13.Difficulties encountered:</b> -  |  |
| <b>14.Case study was presented by:</b> Finland   |  |

| ANNEX 2. Case study 2.7.   |  |
|--|--|
| <p><b>1.Information about the project (title, activity; stage of EIA procedure):</b><br/> <b>Power line from Muhos to Torneå in 2000 –2001</b><br/> on the Finnish side of the border<br/> No decision has yet been made on a route; and real alternatives were assessed</p>   |  |
| <p><b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br/> Finland (YES)</p>   | <p><b>2.2.Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br/> Sweden (YES)</p> |
| <p><b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b><br/> Not under the Espoo Convention</p>   |  |
| <p><b>4.Proponent (title (if possible); public/private):</b> Finnish Power Company, Fingrid Oyj (private)</p>  |  |
| <p><b>5.Notification of public of PO – according to national legislation (Yes/No):</b> yes</p>   |  |
| <p><b>6.Notification of AP:</b><br/> <b>6.1.In what stage:</b> Very close to start of the EIA procedure in the PO<br/> <b>6.2.Who informed public:</b> Competent authority of the AP<br/> <b>6.3.Methods used for public notification:</b> Through notification of the authority (point of contact regarding notification (POC)) of the AP; information about the project was on the PO environmental administration's web site.<br/> <b>6.4.Number of sets of EIA information transmitted to public of AP:</b> -</p>  |  |
| <p><b>7.Translation of EIA documentation for public of AP (Yes/No):</b> Yes<br/> <b>7.1.Full EIA documentation / summary:</b> Summary (a separate 4-page brochure of the assessment programme and an 8-page summary of the assessment report)<br/> <b>7.2.Translation was undertaken by:</b> Proponent of proposed activity<br/> <b>7.3.Payment was covered by:</b> Proponent - in accordance with the Finnish EIA law</p>   |  |
| <p><b>8.Time limits established for receiving comments or objections (c/o) from public:</b><br/> <b>8.1.Established for public of PO by PO:</b><br/> 6 weeks - for the EIA programme; 4 weeks – for the new alternative; 7 weeks - for the EIA report<br/> <b>8.2.Established for public of AP by (PO/AP/Agreement):</b><br/> 6 weeks - for the EIA programme, 4 weeks - for the new alternative; 7 – weeks for the EIA report</p>   |  |
| <p><b>9.Collecting the comments or objections (c/o) of public of AP:</b><br/> <b>9.1.Who collected c/o:</b> Authorities of AP; comments were received through the Swedish POC<br/> <b>9.2.Methods used for collecting c/o:</b><br/> <b>9.3.Number of received c/o of public of AP:</b> The Swedish (AP) POC sent comments from the Swedish Power Company (authority and owner of the power network as well) and the City of Haaparanta; 2 concerning the assessment programme and 2 concerning the assessment report</p>   |  |
| <p><b>10.Cost of public participation (total sum; who cover this cost):</b> About EUR 8,000-10,000. In accordance with the Finnish EIA Law, a proponent pays the cost of an EIA procedure</p>  |  |
| <p><b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br/> <b>11.1.Who sent c/o of public of AP to the CA of PO:</b> Comments were received from local, regional and state authorities of AP through the Swedish POC and the Finnish POC<br/> <b>11.2.Who made translation of these c/o:</b> Swedish is the other official language in Finland, hence Swedish comments did not need to be translated. Swedish was used in all correspondence between the countries.<br/> <b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b></p> |  |
| <p><b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> The final decision has not yet been given; in accordance with the national EIA law, the co-ordination authority must take into account views expressed by the public when giving its comments on the assessment programme and report. The competent authority will send the final decision to the POC of Finland, who will send it to the POC of Sweden</p>  |  |
| <p><b>13.Difficulties encountered:</b> -</p>   |  |
| <p><b>14.Case study was presented by:</b> Finland</p>  |  |

| ANNEX 2. Case study 2.8.   |   |
|--|---|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b><br><b>The under-sea pipeline for hydrocarbon transfer</b><br>(Joint project concerns methane pipeline) Assessment of a definitive project (EIA procedure)  |   |
| <b>2.1.Party of origin (PO)<sup>*/</sup>: was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>Italy (YES) and Croatia (YES)   | <b>2.2.Affected Party (AP)<sup>*/</sup>: was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Italy (YES) and Croatia (YES) |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b><br>Bilateral agreement (since 1998), it has been decided to establish a Joint Body representing the 2 governments  |   |
| <b>4.Proponent (title (if possible); public/private):</b> a joint Italian/Croatian company (private).  |   |
| <b>5.Notification of public of PO – according to national legislation (Yes/No):</b> yes  |   |
| <b>6.Notification of public of AP:</b><br><b>6.1.In what stage:</b> Italian and Croatian public has been informed, in accordance with the European EIA Directive, i.e. at the very early stage of the procedure. Each Party has informed its own public according to its national rules<br><b>6.2.Who informed public:</b> According to legislation of both countries the proponent has the obligation to inform the public authorities and the public of its own country<br><b>6.3.Methods used for public notification:</b> In Croatia and in Italy, an advice, providing general information on the proposed activity and indicating where and for how long the relevant documentation was available, as well as the practicalities regarding public participation, has been published both on a national and on a local newspaper. In Croatia there was a public hearing (2 weeks) in County's office in Rijeka<br><b>6.4.Number of sets of EIA information transmitted to public of AP:</b> The documentation has been made available in the harbour-office of Ravenna (Italy) and in the Primorsko-Goranska county's office in Rijeka (Croatia) according to national regulation of concerned Parties. Public of each Parties had access to detailed EIA information about impact on territory of their own country and to summary of EIA information about other Party. Furthermore, also a non-technical summary of the EIA documentation has been made available. A summary of the EIA documentation concerning the impact on the Italian/Croatian area has been sent by the proponent to Croatian/Italian authorities in order to make it available to the public and vice versa |   |
| <b>7.Translation of EIA documentation for public of AP (Yes/No):</b> Yes<br><b>7.1.All EIA documentation / summary:</b> All EIA documentation produced by proponent in both languages<br><b>7.2.Translation was undertaken by:</b> The proponent (a joint Italian/Croatian company)<br><b>7.3.Payment was covered by:</b> The proponent (a joint Italian/Croatian company)   |   |
| <b>8.Time limits established for receiving comments or objections (c/o) from public:</b> 30 days in both countries according to national legislation, but it is interpreted in a flexible way; all comments were taken account on if there were submitted before final decision  |   |
| <b>9.Collecting the comments or objections (c/o) of public of affected Party</b><br><b>9.1.Who collected c/o:</b> CA of each Parties (PO = AP) <sup>*/</sup><br><b>9.2.Methods used for collecting c/o:</b> Written comments from the public<br><b>9.3.Number of received c/o of public of AP:</b> Each Party received comments only from its own public, i.e. public of PO <sup>*/</sup>  |   |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> The costs of publishing the advice on the newspapers and the costs of preparing and copying the EIA documentation, as well as the translation of the summary, have been covered by the proponent (a joint Italian/Croatian company); in Italy this cost (notifying the public through an advice on 2 newspapers (a local and a national one)) was around EUR 5,000.   |   |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> See item 9.3; the 2 contact points in principles are in charge of exchanging public's observations in Italy.<br><b>11.2.Who made translation of these c/o:</b> See item 9.3. This issue is not regulated by the agreement undertaken between Parties.<br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b>   |   |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> According to national law the proponent has the obligation to make publicly available the decision (in both countries)  |   |
| <b>13.Difficulties encountered:</b>  |   |

<sup>\*/</sup> The two Countries involved in the project are Italy and Croatia. As the activities that have been considered under the Convention are of a common nature, i.e. joint projects, it is not possible to define a Party of origin and an affected Party. Each Party has assessed the part of the project falling under its territory.

14. Case study was presented by: Italy and Croatia

| ANNEX 2. Case study 2.9.   |   |
|--|---|
| <b>1. Information about the project (title, activity; stage of EIA procedure):</b><br><p style="text-align: center;"><b>Kyrgyz-Chinese paper mill.</b><br/> stage of selection of place (location) and stage of planning</p>   |   |
| <b>2.1. Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>Kyrgyzstan – NO <sup>*/</sup>   | <b>2.2. Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Kazakhstan – NO <sup>*/</sup> |
| <b>3. Special agreement between Parties about transboundary EIA and/or Joint body:</b><br>Three-power (Kyrgyzstan, Kazakhstan, Uzbekistan) treaty on environmental protection including obligation for carrying out joint state environmental expertise (review) for projects with transboundary effects   |   |
| <b>4. Proponent (title (if possible); public/private):</b><br>China Company “Complant” and Ministry of Foreign Trade and Industry of Kyrgyzstan  |   |
| <b>5. Notification of public of PO – according to national legislation (Yes/No):</b> YES.  |   |
| <b>6. Notification of public of AP:</b><br><b>6.1. What stage:</b> Stage of selection of place (location) and stage of planning<br><b>6.2. Who informed public:</b> One NGO from Kazakhstan and one NGO from Kyrgyzstan<br><b>6.3. Methods used for public notification:</b> NGOs e-mail bulletin; meeting (forum) of environmental NGOs of Kazakhstan<br><b>6.4. Number of sets of EIA information transmitted to public of AP:</b> e-mail bulletins were used for informing the public |   |
| <b>7. Translation of EIA documentation for public of AP (Yes/No):</b><br>No translation needed: the common language of international intercourse (Russian) was used<br><b>7.1. All EIA documentation / summary:</b><br><b>7.2. Translation was undertaken by:</b><br><b>7.3. Payment was covered by:</b>   |   |
| <b>8. Time limits established for receiving comments or objections (c/o) from public:</b><br><b>8.1. Established for public of PO by PO:</b><br><b>8.2. Established for public of AP by (PO/AP/Agreement):</b>   |   |
| <b>9. Collecting the comments or objections (c/o) of public of affected Party</b><br><b>9.1. Who collected c/o:</b> NGO.<br><b>9.2. Methods used for collecting c/o:</b> Written comments from the public<br><b>9.3. Number of received c/o of public of AP:</b> 58  |   |
| <b>10. Cost of public participation (total sum; who cover this cost):</b><br>About USD 2,000 in PO and about USD 500 in the AP; NGOs met this cost   |   |
| <b>11. Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1. Who sent c/o of public of AP to the CA of PO:</b> NGO of the AP directly<br><b>11.2. Who made translation of these c/o:</b> No translation needs (item 7)<br><b>11.3. Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b> Yes  |   |
| <b>12. Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b><br>Public of the PO informed public of the AP about final decision   |   |
| <b>13. Difficulties encountered:</b> Documentation was presented in Chinese with poor translation into Russian; Chinese representatives did not understand request from officials and public and they did not want to contact with public and change documentation; political aspects of the project (it was signed by prime minister of Kyrgyzstan); all Parties concerned were not Parties to the Convention at the time of the project (1997)   |   |
| <b>14. Case study was presented by:</b> Kyrgyzstan   |   |

<sup>\*/</sup> Kyrgyzstan and Kazakhstan became Parties to the Convention after realisation of the project.

| ANNEX 2. Case study 2.10.   |  |
|---|--|
| <b>1.Information about the project (title, activity; stage of EIA procedure):</b><br><b>Dredging for aggregates in the English Channel/La Manche</b><br>(EIA procedure from its start).   |  |
| <b>2.1.Party of origin (PO): was PO a Party of the Convention during the EIA procedure (YES/NO):</b><br>United Kingdom (YES)  | <b>2.2Affected Party (AP): was AP a Party of the Convention during the EIA procedure (YES/NO):</b><br>Belgium (YES), Denmark (YES), France (YES) <sup>*/</sup> , Germany (YES) <sup>*/</sup> , Netherlands (YES) |
| <b>3.Special agreement between Parties about transboundary EIA and/or Joint body:</b> All of the concerned Parties are bound by the legal requirements of the EU EIA Directive (Directive 85/337/EEC, as amendment by Directive 97/11/EC). In the course of a discussion about proposed activity France proposed a bi-lateral agreement with United Kingdom dealing with dredging projects  |  |
| <b>4.Proponent (title (if possible); public/private):</b> Volker Dredging Ltd., private   |  |
| <b>5.Informing of public of PO – according to national legislation (Yes/No):</b> Yes  |  |
| <b>6.Notification of public of AP:</b><br><b>6.1.What stage:</b> From very beginning of the process<br><b>6.2.Who informed public:</b> Competent authority of PO informed competent authority of AP<br><b>6.3.Methods used for public notification:</b> Competent authority of AP were informed by post<br><b>6.4.Number of sets of EIA information transmitted to public of AP:</b> Three of the AP each received two sets of EIA documentation, each consisting of one copy of ES in English and another copy in their native language; the other AP each received one set of documentation; Belgium received copies in Dutch, French and English |  |
| <b>7.Translation of EIA documentation for public of AP (Yes/No):</b> yes<br><b>7.1.All EIA documentation / summary:</b> Full EIA documentation including a non-technical summary of EIA documentation were translated into Danish, French, German and Dutch<br><b>7.2.Translation was undertaken by:</b> Proponent<br><b>7.3.Payment was covered by:</b> Proponent  |  |
| <b>8.Time limits established for receiving comments or objections (c/o) from public:</b><br><b>8.1.Established for public of PO by PO:</b> 10 weeks for initial consultations, and then a further period 6 weeks to comment on the consultation summary and any supplement to the ES prepared in response to the consultations (time limit was established just for this type of marine dredging project)<br><b>8.2.Established for public of AP by (PO/AP/Agreement):</b> The same ones as in 8.1 (established by PO)  |  |
| <b>9.Collecting the comments or objections (c/o) of public of AP:</b><br><b>9.1.Who collected c/o:</b> Comments were received only from competent authority of APs<br><b>9.2.Methods used for collecting c/o:</b> Written responses from the CA of the APs were received by post<br><b>9.3.Number of received c/o of public of AP:</b> Comments were received only from the CA the Netherlands and French Governments. Belgium, Denmark and Germany indicated they did not wish to comment  |  |
| <b>10.Cost of public participation (total sum; who cover this cost):</b> Total sum for translation and copying the EIA documentation was around £ 50,000; advertising in local newspapers costs about £ 5,000. The proponent agreed to meet these costs. CA of PO met the cost of advertising in the London Gazette (£ 200)   |  |
| <b>11.Transmission of c/o of public of AP to the competent authority (CA) of PO:</b><br><b>11.1.Who sent c/o of public of AP to the CA of PO:</b> Comments were received only from CA of APs<br><b>11.2.Who made translation of these c/o:</b><br><b>11.3.Did CA of AP receive c/o of public of AP which were sent to the CA of PO:</b>   |  |
| <b>12.Taking into account in final decision outcome of EIA, including public comments or objections on the proposed activity and public comments on EIA documentation:</b> A decision has not yet been taken on whether to give development consent for this proposed activity. The procedure followed, however, ensures that views expressed by the public are taking into account. The United Kingdom EIA legislation requires a CA to publish decisions and in doing so to state that in reaching a decision it has taken the environmental information into account. Environmental information includes representations made the public.        |  |
| <b>13.Difficulties encountered:</b>   |  |
| <b>14.Case study was presented by:</b> United Kingdom and France  |  |

\*/

At the time of initial contact in 2000, France and Germany had not ratified the Convention.