

AUSTRIA

**UNECE Convention on Environmental Impact Assessment  
in a Transboundary Context**

**Second Meeting of the Parties  
26-27 February 2001 in Sofia**

**POLICY STATEMENT BY THE AUSTRIAN DELEGATION**

During the last ten years – the timespan of the Espoo Convention – EIA has become a very important tool of environmental policy in Austria. As in many other countries EIA first met a lot of resistance – in economy but also in the authorities – but meanwhile it is well established and functioning. We had an evaluation study done last spring that clearly showed the benefits of EIA with its in depth review of environmental consequences thus giving environment a better standing in the decision making process and the decision on projects and its broad participation of authorities and the public.

In implementing EU Directive 97/11/EC our EIA Act of 1993 was amended in great parts, submitting more projects to an EIA and streamlining the procedure according to the experience gained over the last years.

Austria is a small land-locked country in Central Europe with eight neighbouring states. Austria therefore needs to co-operate with her neighbours to avoid negative transboundary environmental impacts, particularly since a lot of pollution origins from sources outside Austria.

Austria therefore has great interests to receive early information about proposed activities in her neighbouring countries. Furthermore, Austria is interested in exchanging information and to enter into consultation with her neighbours. The Austrian public is very concerned about the possible impacts of future activities in other countries (conf. e.g. the ongoing discussions about nuclear power plants close to the Austrian border). The public demands sufficient information and public participation also in procedures of projects with transboundary impacts.

The Espoo Convention indeed establishes a mechanism for information and consultation procedures that involve the public and is therefore a useful instrument to fulfill Austrians interests.

Austria signed the Espoo-Convention on February 26, 1991 and ratified it as the sixth country on July 27, 1994. The Convention has been implemented in the Austrian Federal Act on Environmental Impact Assessment of 1993 and the provisions were improved by the amendment of the year 2000. The provisions concerning the implementation of the Espoo-Convention require for projects under the EIA Act that

may have transboundary impact or on request of the affected country an early notification of possible transboundary effects to the affected country, the transmission of the Environmental Impact Statement, information on the EIA procedure and give the affected country the possibility to submit comments. The respective provincial government is the competent authority. On the basis of the transmitted information and the results of the Environmental Impact Expertise which has to be elaborated in the EIA procedure, consultations have to be held on the possible transboundary impacts and on measures to prevent or reduce transboundary environmental impacts. The provisions of the EIA Act also regulate how public participation is organized in case of transmission of information on projects in other countries having a transboundary impact on Austria as an affected country.

Austria considers it important to enter into bi- or multilateral agreements with our neighbours to make the Convention work in practice without problems. Already in 1994 Austria established some elements for a bilateral agreement with Slovakia based on the principles of the Espoo-Convention and since last year we continue this efforts to come to a bilateral agreement. With Switzerland and Liechtenstein we elaborated guidelines on the practical implementation of the Convention which are now being discussed internally in the countries concerned and shall form the basis of a trilateral agreement.

Austria is highly interested in establishing bilateral agreements with all her neighbouring countries and will try to accomplish them in the course of the years to come.

In the spirit of good neighbourhood, the Espoo-Convention enhances international cooperation in assessing environmental impacts in a transboundary context. We have to make it work in practice for our mutual benefit. In the light of the developments in EIA practice but also of the developments in international and EU law – like the Aarhus Convention on Access to Information and Public Participation, the Revision of the EU EIA Directive and the developments in the field of Strategic Environmental Assessment (SEA) we should review and further develop the Espoo Convention. We therefore welcome the proposal to establish a Task Force in this respect.

Finally, we would like to congratulate the Bulgarian Government on the successful performance of this second Meeting of the Parties of the Espoo Convention and thank them for their kind hospitality.