

# **Questionnaire for the report of [AUSTRIA] on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2019–2021**

## **Information on the focal point for the Convention**

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## Part one

### Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not its experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the text of the Convention (for example, Environmental Impact Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

## Article 1

### Definitions

**I.1.1. Is the definition of the term “impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (vii)?**

- (a) Yes , but see for more clarity under (d) and the comments
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation

Your comments: Answer of 2018: There is no specific definition of “impact” in the Austrian EIA act, rather, the provisions in § 1 (1) Z 1 a) – d) describe the content of what is meant by “impact”. On the whole, it is the same meaning as the definition in the Convention.

**I.1.2. Is the definition of the term “transboundary impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (viii)?**

- (a) Yes, the same , but see for mote clarity under (d) and the comments
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “transboundary impact” is not defined in the legislation

Your comments: Answer of 2018: The same answer applies also here. Although there is no explicit definition, the description of what “transboundary impact” means corresponds in fact to the Convention’s definition of it.

**I.1.3. Please specify how the term “major change” is defined in your national legislation:**

- (a) It is not defined
- (b) By using thresholds  (Please explain: see comments )
- (c) By using criteria  (Please explain: )
- (d) On a case-by-case basis  (Please explain: )

Your comments:

Answer of 2018:

Major changes or modifications of projects are ruled in § 3a EIA Act: According to § 3a (1) leg. cit., an EIA shall be conducted if the modification amounts to a capacity increase of at

least 100% of the threshold value indicated in Column 1 or 2 of Annex 1 of the EIA act, if such a threshold value is specified (no. 1); moreover, those projects are subject to an EIA, for which a modification criterion is defined in Annex 1 provided that this criterion is met and the authority determines on a case-by-case basis that significant harmful, disturbing or adverse effects on the environment are to be expected due to the modification (no. 2).

According to § 3a (2) EIA act, an EIA shall be conducted for modifications of other projects listed in Column 1 of Annex 1 of the EIA act, if the threshold value of Column 1 is already reached by the existing installation or will be reached upon implementation of the modification, and if the modification results in a capacity increase amounting to at least 50% of this threshold value (case no. 1), or, if the capacity shall be increased by at least 50% of the previously approved capacity of the project in case that no threshold value is indicated in Column 1 of Annex 1, and if the authority determines for the case in question that significant harmful, disturbing or adverse effects on the environment are to be expected due to the modification (case no. 2).

Moreover, § 3a (3) leg. cit. stipulates similar rules for modifications of other projects listed in Column 2 or 3 of Annex 1 of the EIA act. Finally, § 3a (5) determines that, unless Annex 1 provides otherwise, the applicability of an EIA to modifications according to § 3 (1) no. 2 as well as § 3 (2) and (3) shall be assessed on the basis of the total sum of the capacities already approved in the past five years, including the capacity increase applied for now, provided that this increase amounts to at least 25% of the threshold value or, if no threshold value is specified, of the previously approved capacity.

**I.1.4. How do you identify the public “of the affected Party in the areas likely to be affected”? Please specify (more than one option may apply):**

- (a) Based on the geographical location of the proposed project  X
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned  X
- (c) By other means (please specify): Answer of 2018: § 19 EIA act defines the parties to an EIA procedure enjoying locus standi; besides neighbours and concerned communities / municipalities also parties stipulated by the applicable administrative provisions, the ombudsman for the environment, water management planning body, citizens’ groups fulfilling certain criteria and environmental organisations officially recognised and fulfilling certain criteria are included.

Your comments: Answer of 2018: While neighbours have the right to assert so-called subjective public rights such as the protection of life, health and property, the other parties are also entitled to assert so-called objective public rights stipulated in order to protect the environment (including flora, fauna, bird, air and other issues).

**I.1.5. How do you determine the “significance” of the environmental impact of the activities falling within the scope of the Convention?<sup>1</sup> Please specify (more than one option may apply), providing relevant explanations:**

- (a) By establishing threshold levels  (please explain )
- (b) By applying criteria related to the location of proposed activities  X (please explain [see below](#) )
- (c) By applying criteria related to the nature of proposed activities  X (please explain [see below](#) )
- (d) By applying criteria related to the size of proposed activities  X (please explain [see below](#) )

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<sup>1</sup> Although the term “significance” is not explicitly defined in the Convention, appendix III thereto provides general criteria to assist in determining the environmental significance of activities not listed in appendix I.

(e) By applying criteria related to the effects of proposed activities  (please explain [see below](#) )

(f) Other (please explain):

(g) It is not determined  (please explain: )

Your comments: According to § 3 par 5 of EIA Act when taking the decision on a specific case, the authority shall take into consideration the following criteria, where relevant:

1. Characteristics of the project (size of the project, use of natural resources, production of waste, environmental pollution and nuisances, vulnerability of the project to risks of major accidents and/or natural disasters, including those caused by climate change, in accordance with scientific knowledge, risks to human health);

2. Location of the project (environmental sensitivity taking into account existing or approved land use, abundance, quality and regenerative capacity of natural resources in the area and its underground, absorption capacity of the natural environment, where appropriate taking into account the areas listed in Annex 2);

3. Characteristics of the potential impact of the project on the environment (type, magnitude and spatial extent of the impact), transboundary nature of the impact, the intensity and complexity of the impact, the expected onset, probability of the impact, duration, frequency and reversibility of the impact, possibility to effectively avoid or reduce the impact) as well as the change in the environmental impact resulting from the implementation of the project as compared with the situation without the implementation of the project.

I.1.6. Please clarify whether “cumulative impacts” are taken into account in transboundary procedures under the Convention in your national legislation and, if so, how:

(a) Yes, the legislation provides for taking into account cumulative impacts:

Please explain: [see below](#)

(b) No, the legislation does not provide for taking into account cumulative impacts

Please explain:

Your comments: §§ 3 par 2 and 3a par 6 of the EIA Act talk about cumulation of effects. If projects under Annex 1 that fall below the threshold values or do not fulfil the criteria defined therein reach the relevant threshold value or fulfil the criterion together with them, the authority shall examine on a case-by-case basis whether significant harmful, disturbing or adverse effects on the environment are to be expected due to a cumulation of effects and whether, as a result, an environmental impact assessment shall be performed for the project planned (or modified).

## Article 2 General provisions

**I.2.1. Provide information on legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2 (2)):**

(a) Law on environmental impact assessment (please provide exact title/reference number/year/access link, if any): [Answer of 2018: The Austrian EIA Act 2000 \(Federal Law Gazette No. 697/1993 as amended, last amendment by Federal Law Gazette I No. 80/2018\), in particular Article \(§\) 10 and section 7. These legal provisions are further explained in a circular to the competent authorities.](#)

(b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation): [n.a.](#)

(c) Regulation (please indicate number/year/title/related articles/access links): [Ordinance of the Federal Minister of Sustainability and Tourism on those areas \(Category D of Annex 2 EIA act\) where the exposure limits specified by the Ambient Air Quality Act, \(Federal Law](#)

Gazette I No. 115/1997, as amended, latest with Federal Law Gazette I Nr. 73/2018), are exceeded repeatedly or for a prolonged period of time (2019), Federal Law Gazette II No. 101/2019.

(d) Administrative (please indicate number/year/title/related articles/access links): n.a.

(e) Other (please specify): n.a.

Please explain:

**I.2.2. Is the list of activities referred to in appendix I to the Convention fully transposed into your country's national legislation?**

(a) Yes. There is no difference, all activities referred to in appendix I are covered by national legislation  Answer of 2018: Moreover, Annex 1 of the Austrian EIA act not only encompasses all projects of appendix 1 of the Convention, but its list of projects exceeds by far appendix 1 of the Convention and enumerates 89 types of different projects.

Please elaborate, as needed:

(b) No. Activities covered by national legislation differ slightly from the activities referred to in appendix I  Please explain: [see above](#)

(c) No, there are gaps remaining in the list of activities in the national legislation

Please explain:

**I.2.3. Indicate the competent authority/authorities responsible for carrying out the environmental impact assessment procedure in your country. Please specify:**

(a) There are different authorities at the national, regional and local levels  [see below](#)

(b) Authorities are different for domestic and transboundary procedures

(c) Authorities are the same for domestic and transboundary procedures

The nine regional governments of the Austrian "Länder" are also responsible to carry out the transboundary EIA procedures, according to the location of the foreign project and its relevant impacts on an Austrian region.

Please name the authority/authorities and its/their responsibilities:

For all the projects listed in Annex 1 of the EIA act the responsible and competent authorities to carry out the EIA are the nine regional governments of Austria, according to the location in which the project is situated. For highways and high-speed railroads the competent authority to carry out an EIA is the Federal Ministry for Climate Action, Environment, Energy, Mobility, Innovation and Technology.

**I.2.4. Is there an authority in your country that collects information on all the transboundary environmental impact assessment cases? If so, please name it:**

(a) No

(b) Yes

If "Yes", please clarify the type of information collected and provide access link, if available:

The Federal Ministry for Climate Action, acting as contact point under the Espoo Convention, is the first address for notifications of projects likely to cause significant adverse impacts on Austria's environment by Parties of origin and it undertakes the collection of all information concerning transboundary EIA procedures. But there is no central EIA register (see II.1. and II.2.).

The Austrian Environment Agency (Umweltbundesamt), assigned by the Federal Ministry for Climate Action, collects and provides information and data on some of the transboundary EIA procedures, in particular of those concerning nuclear related activities of parties of origin.

<https://www.umweltbundesamt.at/nuklearverfahren>

Your comments:

## Article 3 Notification

**I.3.1. Article 3 (1) states that: “The Party of origin shall 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.” As a Party of origin, when do you notify the affected Parties?**

- (a) During scoping
- (b) When the environmental impact assessment report has been prepared and the domestic procedure has started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments: Answer of 2018: The Austrian EIA Act requires notifications to the affected Parties as early as possible and, if appropriate for the consideration of transboundary effects, already during the preliminary procedure, but no later than when informing the Austrian public.

**I.3.2. Please define the format of notification used in your country:**

- (a) Notification is carried out using the tabular form in table 1 of decision I/4 on the format for notification adopted by the Meeting of the Parties at its first session (ECE/MP.EIA/2, annex IV, appendix, para. 32 and table 1)
- (b) Notification is carried out in the form of a letter containing all information detailed in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV, appendix, para. 34)
- (c) A combination of (a) and (b) above (ECE/MP.EIA/2, annex IV, appendix, para. 35)
- (d) The country has its own format  (please attach a copy)
- (e) No official format used

Your comments: Answer of 2018: Usually, Austria does not use any official format for notification, but still, it provides all the information required by the Convention with an official cover letter, such as a short description of the project, an indication on public participation procedure and public announcement of the project as well as advices on deadlines.

**I.3.3. As a Party of origin, what information do you include in the notification (art. 3 (2))? Please specify (more than one options may apply):**

- (a) Information on the proposed activity, including any available information on its possible transboundary impact (art. 3 (2) (a))
- (b) The nature of the possible decision (art. 3 (2) (b))
- (c) An indication of a reasonable time within which a response is required, taking into account the nature of the proposed activity (art. 3 (2) (c))
- (d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))

See (c), normally already done.

- (e) Relevant information on the proposed activity and its possible significant adverse transboundary impact (art. 3 (5) (b))

See (a), normally already done.

- (f) Other (please specify): Depending on the specific project

Your comments:

**I.3.4. Article 3 (3) requires that “The affected Party shall respond to the Party of origin within the time specified in the notification”. As a Party of origin, please indicate whether your country’s legislative or regulatory framework defines a time frame for response to the notification by the affected Party/ies and, if so, how:**

- (a) No, the time frame is not specified in the national legislation
- (b) Yes, the time frame is specified in the national legislation

Please indicate the time frame or its range as per your national legislation, in weeks/days: *Answer of 2018: Austria, as contact point under the Convention, notifies the affected Party of a project as early as possible and – according to § 10 (1) Z 2 EIA act - sets an appropriate and reasonable deadline for communicating whether the affected Party wishes to participate in the EIA procedure or not.*

- (c) The time frame is determined and agreed with each affected Party on a case-by-case basis

Please indicate the average time frame set on a case-by-case basis, in weeks/days: *Answer of 2018: Partly applies, see above; time frame is provided individually, on a case by case base.*

Your comments:

**I.3.5. Please specify the consequences should a notified affected Party not comply with the time frame for responding to the notification, as required by article 3 (3), and elaborate on the possibilities of extending the deadline:**

Your comments: *Answer of 2018: So far, in most of the cases, the affected Party did response within the time frame whether or not it intends its participation in a transboundary EIA procedure. Moreover, if an affected Party would be in delay in doing so and requests for an extension of it, in most of the cases, there would be room for extending such a time frame.*

**I.3.6. Article 3 (8) states that: “The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of ... the proposed activity”. Which of the following approaches do you use to achieve this goal? Please specify:**

- (a) Informing the point of contact for the Convention listed on the Convention website<sup>2</sup>
- (b) Other (please specify):

Your comments: *Answer of 2018: According to § 10 EIA act, the affected Party gets notified and informed about the respective project as soon as possible including the provision of all relevant information and the description of the project and its possible impacts.*

**I.3.7. On what basis does your country, as an affected Party, make the decision to participate (or not) in the transboundary environmental impact assessment procedure? Please specify:**

- (a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin
- (b) Based on the opinion of the competent authorities of the affected Party
- (c) Based on the opinion of the competent authorities and of the public of the affected Party
- (d) Other (please specify):

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<sup>2</sup> List available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

Your comments: Answer of 2018: Depending both on the nature and the location of the project in the Party of origin, Austria, the contact point under the Espoo Convention, the Federal Ministry for Climate Action, and, where appropriate, the possibly affected regions (the competent EIA authority of the region), decide on a participation in a transboundary procedure based on the information submitted and received.

**I.3.8. Article 3 (5) (a) states that the Party of origin must provide affected Parties with “relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments”.**

**How does your country, as a Party of origin, determine the time schedule referred to in article 3 (5) (a)? Please specify:**

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party/ies
- (c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:
- (d) Other (please specify):

Your comments: Answer of 2018: Although, the rules applicable for the transboundary EIA procedure mainly follow the national (EIA) legislation of the Party of origin in terms of setting the deadline for comments or arranging for bilateral consultations, there is always room for flexible solutions taking into consideration possible time constraints in the affected Party. In particular, it is often not possible to conduct a synchronised public participation procedure in both countries due to language issues and / or other reasons of delay; these circumstances are often to be taken into account.

## **Articles 2 (6), 3 (8) and 4 (2) Public participation**

**I.3.9. Article 2 (6) of the Convention states that: “The Party of origin shall provide an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures 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.”**

**How does your country’s environmental impact assessment legislation ensure that equivalent opportunities and rights to participate in the procedure are provided for the public of the affected Party?**

- (a) As an affected Party:
  - (i) Not specified in the national legislation, but it is determined and agreed with the Party of origin on a case-by-case basis at the beginning of the transboundary procedure
  - (ii) Specified in the national legislation as follows:

Your comments: § 10 para 7 of the EIA Act: If, within the framework of an EIA procedure carried out in a foreign state, documents are received on the environmental impact of a foreign project that might have significant environmental effects in Austria and if the public has to be involved due to commitments under international law, ... the duration of public inspection shall be governed by the provisions of the country where the project is to be implemented.

- (b) As a Party of origin:
  - (i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:



(ii) Not specified in the national legislation, but it is determined and agreed with the affected Party on a case-by-case basis at the beginning of the transboundary procedure

(iii) Specified in the national legislation as follows: X

Your comments: § 10 para 2 of the EIA Act: If this (*affected*) state informs the authority (*in state of origin*) that it wishes to participate in the EIA procedure, ... it shall be given the opportunity for submitting comments within a reasonable period of time that shall be long enough that the state will also be able to make the application documents accessible to the public and give them the opportunity to submit comments...

**I.3.10. How can the public of your country, as an affected Party, express its opinion on the environmental impact assessment documentation of the proposed project further to articles 2 (6), 3 (8) and 4 (2)? Please specify (more than one option may apply):**

(a) By sending comments in writing directly to the competent authority of the Party of origin, or to the ministry responsible for environmental affairs/focal point in the affected Party X

(b) In a territory of the affected Party: by taking part in consultations [on the basis of the environmental impact assessment documentation] or a special event, where the opinions of the public are officially registered X

(c) In a territory of the Party of origin: by taking part in consultations or a special event, where the opinions of the public are officially registered X

(d) Other (please specify):

Your comments: Answer of 2018: The two main instruments for public participation of the public in a (transboundary) EIA procedure is open both for the public of the party of origin and the public of the affected party. The legal status of participation, although, might differ, when it comes to the question of having a locus standi or not in an EIA procedure.

The organization of a public hearing for the public in the territory of the affected party/in the territory of the party of origin mostly follows a case-by-case-agreement between the two parties.

## **Article 4**

### **Preparation of the environmental impact assessment documentation**

**I.4.1. How do you determine the relevant information to be included in the environmental impact assessment documentation in accordance with article 4 (1)? Please specify (more than one option may apply):**

(a) By using appendix II X

(b) By using the comments received from the authorities concerned during the scoping phase, if applicable

(c) By using the comments received from members of the public during the scoping phase, if applicable

(d) As determined by the proponent based on its own expertise

(e) By using other means (please specify):

Your comments: Answer of 2018: The content of the requirements as given by Appendix II of the Convention is pretty much reflected in the provisions of the Austrian EIA act, in particular in § 6 EIA act, stipulating the necessary information and data to be provided within the ENV report and the EIA documentation.

**I.4.2. Article 4 states that: “The environmental impact assessment documentation... shall contain, as a minimum, the information described in appendix II.” What quality control measures are provided for in the legislative or administrative framework of your country, as a Party of origin, to ensure sufficient quality of the documentation? Please specify:**

- (a) The competent authority checks the information provided and ensures that it includes all information required under appendix II as a minimum before making it available for comments
- (b) By using quality checklists based on the requirements listed in appendix II
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments: Answer of 2018: While it is the main responsibility of the project operator to provide sufficient and informative documentation on the project and the respective EIA, the regionally competent EIA authority has got the duty to check and verify the completeness of the respective documentation and its compliance with all legal requirements.

**I.4.3. How do you determine “reasonable alternatives” in accordance with appendix II (b)?**

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify): see comments below
- (c) Other (please specify):

Your comments: Answer of 2018: The relevant ruling is given by § 1 (1) Z 3 as well as § 6 (1) Z 2 EIA act, but these provisions do not offer strict definitions, rather they require from the operator to present the reasoning for his choice as well as the outcome of a respective examination of alternatives to the proposed project.

## **Article 5 Consultations on the basis of the environmental impact assessment documentation**

**I.5. Does your national environmental impact assessment legislation provide for organizing transboundary consultations between the authorities of the Parties concerned?**

- (a) Yes, it is obligatory
- (b) Yes, it is optional  (please specify): Answer of 2018: § 10 (3) EIA act provides for the organisation of bilateral consultations which have to take place once the affected Party wishes so.
- (c) No, it does not have any provision on that

Your comments:

## **Article 6 Final decision**

**I.6.1. Please select from the list below the information that your country, as a Party of origin, in accordance with its legislative and administrative framework, should take due account of in the final decision on the proposed activity (art. 6 (1)):**

- (a) Conclusions of the environmental impact assessment documentation
- (b) Comments received in accordance with articles 3 (8) and 4 (2)
- (c) Outcome of the consultations as referred to in article 5

- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party/ies
- (f) Mitigation measures
- (g) Other (please specify):  See under § 17 (4) EIA act (i.a., the outcome of the EIA expertise and respective comments by the public concerned, the authorities of the affected country and arising from public hearings).

Your comments:

**I.6.2. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6 (1))?:**

- (a) Yes
- (b) No  Please explain the differences

Your comments:

**I.6.3. According to article 6 (3): If additional information on the significant transboundary impact of a proposed activity, which was not available at the time a decision was made with respect to that activity and which could have materially affected the decision, becomes available to a concerned Party before work on that activity commences, that Party shall immediately inform the other concerned Party or Parties. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.**

**Is there any regulation in your country that ensures the implementation of the provisions of article 6 (3)?**

- (a) No
- (b) Yes, by legislation  (please specify): procedural law, see below
- (c) Yes, by other means  (please specify): Answer of 2018: According to the Austrian legal system the legal possibility to revise a valid decision is strictly defined and limited to specific legal and natural persons enjoying locus standi. Nevertheless, there is always the political possibility to reopen consultations on request of the affected Party in order to find solutions.

Your comments:

**I.6.4. Do all activities listed in appendix I (items 1–22) and major changes thereto require a final decision to authorize or undertake such an activity in your legislative framework?**

- (a) Yes
- (b) No

If “No”, please list those activities listed in appendix I or major changes thereto for which there is no requirement for a final decision. Please explain why those activities/major changes do not require a final decision in your national legislation.

## Article 7

### Post-project analysis

**I.7. Is there any provision regarding implementation of post-project analysis in your national environmental impact assessment legislation (art. 7 (1))?**

- (a) No

(b) Yes  Please specify: The Austrian EIA act provides for a post-project analysis in § 22 which has to be carried out by the responsible administrative authorities jointly and on the initiative of the EIA authority, between three and five years after notification of the completion of the project. The inspection mainly concentrates on the compliance of the project with the provisions of the final decision (development consent) and also verifies the accuracy of the assumptions and forecasts of the EIA in relation to the actual effects of the project on the environment. The results of the analysis are communicated to the EIA authorities as well as to the Federal Ministry of Environment. In case of inconsistencies found out, the competent authority shall call for the remedy of deficiencies and divergences.

Your comments: Although the above mentioned provision on post-project analysis mainly rules – on national level - the obligation of communication and cooperation between the involved authorities, the information of an affected Party is not excluded and could be done.

## Article 8 Bilateral and multilateral cooperation

**I.8.1. According to article 8: “The Parties may continue existing or enter into new bilateral or multilateral agreements or other arrangements in order to implement their obligations under this Convention and under any of its protocols to which they are a Party. Such agreements or other arrangements may be based on the elements listed in appendix VI.”**

**Has your country established any bilateral or multilateral agreements to implement the Convention?**

(a) No

(b) Yes  Please specify with which countries: There is a bilateral agreement between Austria and the Slovak Republic and there are informal trilateral guidelines elaborated with Switzerland and Liechtenstein.

If publicly available, please also attach the texts of any such bilateral and multilateral agreements, preferably in English, French or Russian.

Your comments:

<https://www.ris.bka.gv.at/eli/bgbl/III/2005/1/20050114>

**I.8.2. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):**

(a) Specific conditions of the subregion concerned

(b) Institutional, administrative and other arrangements

(c) Harmonization of the Parties’ policies and measures

(d) Developing, improving and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis

(e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the environmental impact assessment

(f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities

(g) Undertaking joint environmental impact assessment, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies

(h) Other, please specify:

Your comments: Answer of 2018: The above mentioned agreement and the guidelines contain provisions according to paragraphs 2 (a), (b) and (c) of Appendix VI; they do not refer to the other paragraphs.

## Complimentary information related to legal implementation of the Convention

### I.9.1. Please describe how the steps required under your national legislation for carrying out a transboundary procedure are interlinked with a domestic environmental impact assessment procedure in the lead-up to the final decision.

In doing so, please also describe differences between the steps (i.e. screening/scoping, preparation of the environmental impact assessment, consultation, public participation, making a final decision) of a domestic procedure and a transboundary procedure, if any:

Alternatively, this question can be answered or supported by a schematic flow chart showing these steps.

Your comments:

Answer of 2018: This issue is ruled in § 10 EIA act. According to its provisions, if a (domestic) project might have significant effects on the environment in a foreign state (or if a possible affected state has submitted a request to that effect), this affected party has to be notified of the project as early as possible, no later than the (domestic) public gets informed. The description of the project, information on its possible transboundary impact and, where applicable, the draft of the environmental impact statement shall be attached to the notification. Furthermore, the affected party gets informed about the course of the Austrian EIA procedure and of the nature of the decision which may be taken. An appropriate deadline for communicating its possible participation shall be set. In the case of its participation, the affected party shall be provided with the application for development consent, the environmental impact statement and any other documents relevant to decision-making that are available to the authority at the time of the public announcement pursuant to § 9 leg. cit. The affected party and its public – after the EIA documentation has been publicly announced and made available over there - shall be given the opportunity for submitting comments within a reasonable time period. Moreover, the affected party shall be provided with the environmental impact expertise or the summary evaluation. If the affected Party wishes so, consultations shall be held. An appropriate time frame shall be agreed on for the duration of the consultation phase. Finally, the decision on the development consent application and the main reasons for it, information on the public participation process, and a description of the main measures to avoid or reduce or offset major harmful, disturbing or adverse effects on the environment shall be communicated to the state concerned. To the extent required for implementing the transboundary EIA procedure, the project applicant shall submit, upon request, translations of the documents he/she filed in the language of the state concerned.

### I.9.2. Does your country have special provisions or informal arrangements concerning transboundary environmental impact assessment procedures for joint cross-border projects, the construction of nuclear power plants and/or their lifetime extension?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:

Your comments: Answer of 2018: The informal arrangements when it comes to participating in transboundary EIAs with regard to nuclear related projects consist of the fact that all nine Austrian Regions (“Länder”) participate in the procedure, that will say the whole country and its public. It is in particular for those procedures where the Federal Ministry also provides an expert statement, an expertise on the project and its impacts. Bilateral consultations “sur place” with the party of origin are almost the rule, while in other procedures such consultations might be conducted virtually via e-mail exchange.

## Part two

### Practical application during the period 2019–2021<sup>3</sup>

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

Part two also focuses on general issues arising from the sixth review of implementation of the Convention (2016–2018)<sup>a</sup> and issues that have been identified as priorities by Parties in the 2021–2023 workplan.<sup>b</sup> It also addresses the goals of the Long-term strategy and the action plan for the Convention and the Protocol that requires that the reviews of implementation be adapted, in particular, “to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice ...”.<sup>c</sup>

<sup>a</sup> United Nations publication, ECE/MP.EIA/32.

<sup>b</sup> ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

<sup>c</sup> ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, item II.A.9.

#### A. List of transboundary procedures initiated during the period 2019–2021

**II.1. Please indicate, in the table provided in annex I to the present questionnaire, the total number of transboundary environmental impact assessment procedures initiated in the reporting period in relation to activities listed in appendix I to the Convention and in which your country was a Party of origin or affected Party. Please also indicate the number and types of transboundary procedures related to activities not listed in appendix I that your country implemented in the reporting period as a Party of origin or as an affected Party, if any.**

Your comments:

Austria does not have a central EIA register. Only a rough estimation can be given on the sectors and numbers. See Annex I.

**II.2. Please list transboundary environmental impact assessment procedures referred to in question II.1. above using table 1 of annex II to the present questionnaire for procedures in which your country was a Party of origin and table (2) for procedures in which your country was an affected Party.**

Your comments: Austria does not have a central EIA register. Only a rough estimation can be given on the sectors and numbers as done in Annex I. See footnote 3.

**II.3. According to paragraph 10 of decision VIII/5 of the Meeting of the Parties the project lists referred to in question II.2 above and annex II to the present questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” and explain, as relevant:**

(a) Yes (my country has an objection the compilation and posting of this information)

<sup>3</sup> Part II of this questionnaire is not considered to be a reporting obligation according to the Convention. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

Please explain: [the non-central data collection could be misleading](#)

(b) No (no objection)

Your comments:

## **B. Experience in the transboundary environmental impact assessment procedure during the period 2019–2021**

Please share with other Parties your country's experience of using the Convention in practice. When responding to each of the questions below, please provide one or two practical examples and/or describe your country's general experience. You might also include examples of lessons learned in order to help others.

### **II.4. Please provide at least one example of the implementation of the Convention for an activity listed in appendix I to the Convention based on the template contained in annex III to the present questionnaire.**

Your comments: [No reporting obligation, see footnote 3.](#)

### **II.5. The Convention does not refer to the translation of environmental impact assessment documentation and to other language-related issues as important prerequisites for providing effective public participation of potentially affected Parties in a transboundary procedure. As an affected Party, please specify in which language(s) the environmental impact assessment documentation is made available for your own public to ensure effective public participation in transboundary procedures. (You may select several options, as needed):**

- (a) In the official language(s) of the country  Please specify:
- (b) Information in English is acceptable
- (c) Please list other languages that fulfil the requirements of effective public participation in your country, if applicable:

Your comments

### **II.6. What difficulties has your country experienced with regard to translation of environmental impact assessment documentation and interpretation during consultation meetings with authorities, or during events organized within the public participation procedure, if applicable, and what solutions has it found?**

- (a) Experience with regard to translation of the environmental impact assessment documentation
  - (i) As a Party of origin: [No difficulties: § 10 para 6 of EIA Act: To the extent required for implementing the transboundary EIA procedure, the project applicant shall submit, upon request, translations of the documents he/she filed in the language of the state concerned.](#)
  - (ii) As an affected Party: [In some cases it can take a long time before receiving a translation \(at least in English\) of the basic documentation on a project.](#)
- (b) Experience with regard to interpretation during consultation meetings with authorities
  - (i) As a Party of origin:
  - (ii) As an affected Party:
- (c) Experience with regard to interpretation during public participation-related events
  - (i) As a Party of origin:
  - (ii) As an affected Party:

Your comments: [During consultations English is spoken. Public Participation is translated simultaneously into language of affected public.](#)



With the Slovak Republic, Austria has agreed on a bilateral agreement, which also rules on the language regime; therefore, both countries – as party of origin - provide the most important parts of the documentation in the language of the affected party.

**II.7. Which Party covers the cost of translation of environmental impact assessment documentation?**

- (a) As a Party of origin: that is mainly the developer, or, in some cases, the Federal Ministry.
- (b) As an affected Party: Often it is provided by the party of origin; where not, the Federal Ministry acting as the Espoo Contact Point provides for the translation.
- (c) Other, please specify:

Your comments:

**II.8. What parts of the environmental impact assessment documentation does your country usually translate/require to be translated?**

- (a) As a Party of origin: Mainly the most important parts on the description of the project, the non-technical part of the ENV report, the environmental impacts and their assessment, the transboundary issues in particular.
- (b) As an affected Party: If translation is not provided, often the whole documentation, since it is difficult to distinguish which parts might be important and which not.

Your comments:

**II.9. Has the issue of translation been addressed in bilateral agreements between your country and other Parties?**

- (a) Yes  Please explain how it has been addressed: As mentioned above, the issue of translation is addressed in the bilateral agreement with the Slovak Republic and it works well.
- (b) No

Your comments:

**II.10. As a Party of origin, how and in which language do you usually provide environmental impact assessment documentation to the affected Party?**

- (a) A full set of environmental impact assessment documentation is translated into English
- (b) Selected parts of the documentation are translated in English   
Please specify which parts are translated and how they are selected
- (c) A full set of environmental impact assessment documentation is translated into the affected Party's language
- (d) Selected parts of environmental impact assessment documentation are translated into the language of the affected Party   
Please specify which parts are translated and how they are selected. See § 10 para 6 EIA Act (above) upon request by authority ("to the extent required for implementing the transboundary EIA procedure").
- (e) Other (please specify)

Your comments:

**II. 11. Please indicate how the costs of interpretation during the events organized within the public participation procedure are covered:**

- (a) By the developer:  Please explain:
- (b) By the Party of origin alone:  Please explain Yes, if the hearing takes place in the country of origin, then party of origin provides for it.

(c) By the affected Party alone:  Please explain **Only, if the public hearing takes place in (affected) Austria.**

(d) Shared by both Parties concerned upon an agreement:

(e) Please provide details of related agreements and considerations based on which the Parties concerned agreed to share the translation costs:

(f) Other (please specify)

Your comments:

**II.12. Please describe any difficulties that your country has encountered during public participation procedures and consultations referred to in articles 2 (5), 3 (8), 4 (2) and 5 with regard to issues not covered above; for example, with regard to time frames for the duration of public participation and the consultation period and the need for additional information:**

(a) As a Party of origin:

(i) Experience with public participation

(ii) Experience with consultations under article 5

(b) As an affected Party:

(i) Experience with public participation

(ii) Experience with consultations under article 5

Your comments: **No specific problems.**

**II.13. Has your country carried out post-project analyses in the period 2019–2021:**

(a) No

(b) Yes

Please list the projects for which post-project analysis was carried out, describing challenges and lessons learned, if any:

Your comments:

**II.14. Does your country have successful examples of organizing transboundary environmental impact assessment procedures in any of the categories of projects indicated below?**

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>

If “Yes”, please describe what, in your opinion, made it successful, for example, means of cooperation (for example, contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (for example, translation, interpretation, transmission of documents, etc.):

(a) For joint cross-border projects:

(b) For construction of nuclear power plants:

(c) For lifetime extension of nuclear power plants:

You may also wish to describe the example using annex III to the present questionnaire.

Your comments:

**II.15. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) for the information of Parties that, in your view, constitute good practice or lessons learned on various topics:**

Your comments: [see footnote 3. There is no central database for transboundary EIA.](#)

**II.16. The Long-term strategy and the action plan for the Convention and the Protocol<sup>4</sup> recommends enhancing the use of the networks of national focal points for administrative matters<sup>5</sup> and points of contact for notification<sup>6</sup> published on the website of the Convention. Does your country use the networks for contacting the affected Parties' authorities?**

- (a) Yes, my country makes use of the networks
- (b) My country is aware of the networks but is not using them

Please explain why, and describe the alternative ways used by your country to identify which competent authority of the affected Party to contact:

Your comments: [They are the precious Espoo family.](#)

**II.17. Please specify what quality control measures your country, as a Party of origin, applies to ensure sufficient quality of environmental impact assessment documentation and, in particular, that said documentation contains, as a minimum, information described in appendix II to the Convention.**

Your comments: [see answer above to I.4.2 and footnote 3. The competent authority checks the information provided and ensures that it includes all information required under appendix II as a minimum before making it available for comments.](#)

[While it is the main responsibility of the project operator to provide sufficient and informative documentation on the project and the respective EIA, the regionally competent EIA authority has got the duty to check and verify the completeness of the respective documentation and its compliance with all legal requirements.](#)

[Furthermore the authority has to prepare an Environmental Impact Expertise, in which all comments received have to be reviewed. \(§§ 12 and 12a EIA Act\).](#)

[To support good quality, the Ministry has issued Guidelines on EIA documentation.](#)

**II.18. Please specify whether alternatives are assessed in the environmental impact assessment documentation and, if so, how. If possible, provide at least one example of such assessment, either as a Party of origin or as an affected Party, or both**

Your comments: [As a Party of origin: the EIA documentation has to contain at least the no-action alternative and those studied by the developer.](#)

[As affected party: offered alternatives don't go far enough for us in nuclear matters, as we are a non-nuclear country.](#)

**II.19. Please specify whether the following issues are considered in the environmental impact assessment documentation:**

- (a) Biodiversity
- (b) Climate change
- (c) Circular economy

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<sup>4</sup> ECE/MP.EIA/2020/3–ECE/MP.EIA/SEA/2020/3, item II.A.7.

<sup>5</sup> List of Focal Points for Administrative Matters, available at <https://unece.org/environment-policy/environmental-assessment/focal-points-administrative-matters>.

<sup>6</sup> List of Points of Contact regarding Notification, available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

- (d) Sustainable Development Goal implementation
- (e) Smart and sustainable cities
- (f) Sustainable infrastructure
- (g) Renewables
- (h) Other issues not listed above (please specify):

Please provide at least one example of how one of the above-mentioned issues is addressed in the environmental impact assessment documentation:

You may wish to use the template in annex III to the questionnaire.

Your comments: It is assumed that EIA optimizes a project concerning environmental issues, therefore it contributes to sustainable development. To which extent and in which area depends on the project type.

a) impacts on biodiversity have to be assessed in any case.

b) regarding climate change: The EIA documentation has to contain a climate and energy concept, which shows i.a. the energy demand, green house gas emissions, energy efficiency measures and other reduction measures.

**II.20. Please indicate whether, in your country’s practice, cumulative impacts are taken into account during the assessment under the Convention and, if so, how:**

- (a) No
- (b) Yes

If “Yes”, please provide at least one example of how cumulative impacts are considered.

Your comments: See answer to I.1.6 and footnote 3. The EIA documentation has to assess cumulative impacts including any interactions between several effects (§ 1 para 1 Z (=number) 1 EIA Act).

**II.21. Please indicate whether health issues are taken into account in your country during the assessment under the Convention in practice and, if so, how:**

- (a) No
- (b) Yes

If “Yes”, please provide at least one example of how health issues are taken into account

Your comments: If impacts on human health are to be expected, these have to be described in the EIA documentation and have to be evaluated in the authority’s Environmental Impact Expertise by a medical doctor.

**II.22. Please indicate whether environmental impact assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:**

- (a) No, there is no evidence that environmental impact assessments contribute to the attainment of Sustainable Development Goals
- (b) Yes, (certain) environmental impact assessments significantly contributed to the attainment of Sustainable Development Goals  (SDG 3, 6, 13 and 15)
- (c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals  (SDG 11 and 16)

If “Yes”, please list the most relevant Sustainable Development Goals<sup>7</sup> (and their targets) and provide [at least one] example[s] of how environmental impact assessment has contributed to their attainment.

Your comments: It is assumed that EIA contributes to sustainable development. To which extent and in which area has to be assessed in each EIA.

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<sup>7</sup> In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at [http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5\\_April2016/Informal\\_document\\_16\\_ece.mp.eia.wg.2.2016.INF.16\\_\\_Sustainable\\_Development\\_Goal\\_Mapping.pdf](http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf).

## C. Experience in using the available guidance documents in 2019–2021

### II.23. Have you used in practice the following guidance, adopted by the Meeting of the Parties and available online?

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	I quote it on a regular basis.

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Guidance on Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	I quoted it once to encourage correct notification.

Your comments:

## D. Clarity of the Convention

**II.24. Has your country had difficulties implementing the procedures defined in the Convention, either as a Party of origin or as an affected Party, because of a lack of clarity of the provisions?**

No

Yes  Please indicate which provisions and how they are unclear:

Your comments:

## E. Contributions to the funding of the workplans

**II.25. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Protocol and covered both the Convention and the Protocol:**

- (i) Yes
- (ii) No

If “No”, please provide the information regarding the contributions to the trust fund below.

Your comments:

**II.26. Through paragraph 4 of decision VII/4–III/4, applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties”.<sup>8</sup> For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1, regarding funding of the adopted workplans, the Meeting of the Parties decided that “all the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget”.<sup>9</sup>**

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

- (i) My Government made a multi-year contribution for the period 2017–2020

Please indicate when the contribution was provided (year), amount and currency: 6.000 USD per year (2017, 2018 and 2019). Additional unpledged contribution of USD 10.000 in 2019.

- (ii) Individual contribution in 2019

Yes  Amount and currency:

No  Please explain the reason:

- (iii) Individual contribution in 2020:

Yes  Amount and currency:

No  Please explain the reason:

- (iv) Individual contribution in 2021:

Yes  Amount and currency:

No  Please explain the reason:

- (v) Please indicate any plans of your country to contribute for the period 2021–2023

(b) Did your country make in-kind contributions in the reporting period?

Yes  Please describe how: Austria hosted a meeting of the ad hoc working Group (2<sup>nd</sup>–4<sup>th</sup> of December 2019 in Vienna) for the Guidance on the Applicability of the Convention to the Lifetime Extension of Nuclear Power Plants.

No  Please explain the reason

<sup>8</sup> ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

<sup>9</sup> ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.



**F. Suggested improvements to the report**

**II.27. Please provide further suggestions (preferably specific drafting proposals including wording suggestions) for how this report could be improved.**

## Annex I

**Number of transboundary procedures initiated by your country, as a Party of origin, and participated in, as an affected Party, in the reporting period**

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO<sup>a</sup></i>	<i>No. of procedures as an AP<sup>b</sup></i>
1.	Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.		
2. (a)	Thermal power stations and other combustion installations with a heat output of 300 megawatts or more;		
2. (b)	Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).		5
3. (a)	Installations for the reprocessing of irradiated nuclear fuel;		
3. (b)	Installations designed:		
	- For the production or enrichment of nuclear fuel;		
	- For the processing of irradiated nuclear fuel or high-level radioactive waste;		
	- For the final disposal of irradiated nuclear fuel;		
	- Solely for the final disposal of radioactive waste; or		1
	- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.		1
4.	Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.		
5.	Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.		
6.	Integrated chemical installations.		

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO<sup>a</sup></i>	<i>No. of procedures as an AP<sup>b</sup></i>
7. (a)	Construction of motorways, express roads 2/ and lines for long-distance railway traffic and of airports 3/ with a basic runway length of 2,100 metres or more;		
7. (b)	Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.		
8.	Large-diameter pipelines for the transport of oil, gas or chemicals.		
9.	Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.		1
10.(a)	Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;		
10.(b)	Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.		
11.	Large dams and reservoirs.		
12.	Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.		
13.	Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.		
14.	Major quarries, mining, on-site extraction and processing of metal ores or coal.	1	1
15.	Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.		
16.	Major storage facilities for petroleum, petrochemical and chemical products.		
17.	Deforestation of large areas.		
18.(a)	Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year (transfers of piped drinking water are excluded);		
18.(b)	In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow (transfers of piped drinking water are excluded).		
19.	Wastewater treatment plants with a capacity exceeding 150 000 population equivalent.		

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO<sup>a</sup></i>	<i>No. of procedures as an AP<sup>b</sup></i>
20.	Installations for the intensive rearing of poultry or pigs with more than: - 85 000 places for broilers; - 60 000 places for hens; - 3 000 places for production pigs (over 30 kg); - 900 places for sows.		
21.	Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.		
22.	Major installations for the harnessing of wind power for energy production (wind farms).	1	
<i>Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period</i>			
1.	[add the activity]		
2.	...		

<sup>a</sup> Party of origin.

<sup>b</sup> Affected Party.

## Annex II

### A detailed list of the transboundary procedures in which your party participated as a Party of origin (table 1) and as an affected Party (table 2) in the reporting period

Table 1

#### Transboundary environmental impact assessment procedures as a Party of origin

Please find below an example of expected types of answers in each column and feel free to add additional rows as needed

					<i>Please use as checkbox for referring to the progress and indicate the date, if available</i>			
<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>	
1. For example, Project "A"	Date	Party A Party B	State of the procedure (select as appropriate) screening/scoping/reviewing the environmental impact assessment documentation:  Date	Date	Date from: to:	Date from: to:	Date	
2.								
3.								
4.								
...								

Table 2

**Transboundary environmental impact assessment procedures as an affected Party**

Please find below an example of expected types of answers in each column, and feel free to add additional rows as needed

					<i>Please use as checkbox for referring to the progress and indicate the date if available</i>			
<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) – Date of the response to the notification</i>	<i>Party of origin</i>	<i>When were the documents on screening and scoping received, if available?</i>	<i>Comments to the environmental report (date when comments were provided)</i>	<i>Transboundary consultations between authorities concerned, if any (time frame)</i>	<i>Public participation, indicating the means: for example, written comments, events organized,) if any</i>	<i>Final decision (date when final decision was received)</i>	
1. For example, Project A	Notification received: date  Response sent: date  Stage of the procedure (select as appropriate)  -screening -scoping -reviewing  the environmental impact assessment documentation	Party A	Date	Date	Time from: to:	Yes/No  Written comments: time interval  Event(s) organized: date(s)	Date	
2. Project B	...	...						
3.								
4.								
...								

## Annex III

### Template to describe an example of application of a transboundary procedure in accordance with the Convention in the reporting period

Please provide at least one example of application of a transboundary environmental impact assessment procedure in accordance with the Convention in the reporting period using the template and reflecting on the priorities of the 2021–2023 workplan and the long-term strategy. Should you wish to share more examples, please copy the template, as needed.

#### I. GENERAL INFORMATION

Please provide the following general information about the selected example:

1. Title of the transboundary procedure:
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: <input type="checkbox"/>	Affected Party: <input type="checkbox"/>
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation:
4. Stage(s)/step(s) of the procedure presented in this example:
  - The entire procedure
  - Notification (art. 3):
  - Preparation of the environmental impact assessment documentation (art. 4):
  - Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c))
  - Final decision (art. 6):
  - Post-project analysis (art. 7, if applicable)
  - Other , please specify:

#### II. BACKGROUND

Please provide a short description of the activity, the context of its development and general information about the environmental impact assessment procedure

#### III. PROCEDURE UNDER THE CONVENTION AND ELEMENTS OF GOOD PRACTICE

Please describe, in more detail, using the subsections below, the procedural step(s) considered to represent good practice and then explain why that is.

1. **Notification** (art. 3):
2. **Preparation of the environmental impact assessment documentation** (art. 4):

In addition to the description above regarding the preparation of the environmental impact assessment documentation, please indicate the following:

- (a) What alternatives were assessed and presented in the environmental impact assessment documentation?

- (i) At what level of detail were the alternatives described?
  - (ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative?
- (b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:
- (i) Biodiversity
  - (ii) Climate change
  - (iii) Circular economy
  - (iv) Sustainable Development Goal implementation
  - (v) Smart and sustainable cities
  - (vi) Sustainable infrastructure
  - (vii) Renewables
  - (viii) Other issues not listed above:
- 3. Consultations on the basis of the environmental impact assessment documentation** (art. 5 (a)–(c)):
- 4. Final decision** (art. 6):
- 5. Post-project analysis** (art. 7, if applicable):

#### **IV. LESSONS LEARNED AND ADVICE TO OTHER PARTIES:**

1. Please indicate:

Challenges in carrying out the procedure, if any, and how they were tackled

Lessons learned and advice to other Parties:

2. As relevant, please also refer to the contribution of the above application of environmental impact assessment procedure towards the attainment of Sustainable Development Goals<sup>1</sup> or climate objectives:

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<sup>1</sup> In 2017, the Meetings of the Parties acknowledged that the Convention and in particular the Protocol contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016)):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);



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**V. ANY OTHER INFORMATION NOT INCLUDED ABOVE  
THAT YOU MAY WISH TO SHARE:**

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- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
  - (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
  - (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
  - (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).
- For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at [http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5\\_April2016/Informal\\_document\\_16\\_ecc.mp.eia.wg.2.2016.INF.16\\_\\_Sustainable\\_Development\\_Goal\\_Mapping.pdf](http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ecc.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf).