

# **Questionnaire for the report of BELGIUM 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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**This document does not contain the responses from Federal level. The completed questionnaire from Federal level will be sent separately.**

## **Information on the point of contact for the Convention**

2. Name and contact information (if different from above):

## **Information on the person responsible for preparing the report**

**See information above**

3. Country: Belgium
4. Surname:
5. Forename:
6. Institution:
7. Postal address:
8. Email address:
9. Telephone number:
10. Date on which report was completed:

Walloon Region: 12/04/2022

Flemish Region: 29/04/2022

Brussels Capital Region: 25/04/2022

## 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

(b) Yes, with some minor differences (please explain the differences):

**Walloon region:** Decree of the Government of Wallonia of 11th March 1999 on environmental consent, Article 1, 20° “pollution” : *"The direct or indirect introduction by human activity, of substances, vibrations, heat, noise in water, air or soil, that are likely to harm human health or to deteriorate the quality of the environment, to damage material assets, to damage or interfere with pleasantness of the environment or other legitimate uses of environment "*

**Brussels Capital region:** More detailed to include long-term and indirect effect

(c) No, there are major differences (please explain the differences):

(d) The term “impact” is not defined in the legislation  **Flemish Region**

Your comments:

**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  **Brussels Capital Region**

(b) Yes, with some minor differences (please explain the differences):

**Walloon Region:** Walloon legislation clearly states the procedure to be used when a project is likely to have significant effects on the environment.

(c) No, there are major differences (please explain the differences):

(d) The term “transboundary impact” is not defined in the legislation  **Flemish Region**

Your comments:

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

(a) It is not defined  **Flemish Region**

(b) By using thresholds  (Please explain: )

(c) By using criteria

**Walloon Region:** Decree of the Government of Wallonia of 11th March 1999 on environmental consent, Article 10, 2 °: " The transformation or extension of an establishment of class 1 or class 2, when it entails the application of a new category of classification other than class 3 or is likely to increase directly or indirectly hazards, nuisances or disadvantages with regard to man or the environment or when it reaches the capacity thresholds set by the government".

(d) On a case-by-case basis  (Please explain: )

**Brussels Capital Region:** In the Code of the Region of Brussels-Capital on Town and Country planning (COBAT), such change is defined by "any extension or modification of an existing activity which could have major negative impact on the environment"

Your comments:

**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

**Walloon Region, Flemish Region, Brussels Capital Region**

(b) By making the information available to all members of the public and letting them identify themselves as the public concerned

**Walloon Region, Flemish Region, Brussels Capital Region**

(c) By other means (please specify):

Your comments:

**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

**Walloon Region, Flemish Region, Brussels Capital Region**

**Brussels Capital Region:** In both legislations (environmental permits and building permits) it is predefined for which projects an environmental impact study has to be carried out.

(b) By applying criteria related to the location of proposed activities   
(please explain )

**Walloon Region, Flemish Region**

(c) By applying criteria related to the nature of proposed activities   
(please explain )

**Walloon Region, Flemish Region**

(d) By applying criteria related to the size of proposed activities   
(please explain )

**Walloon Region, Flemish Region**

**Flemish Region:** indirectly linked with size of the proposed activities, it is directly linked with the size, location, nature of the impact

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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 )

**Walloon Region, Flemish Region**

- (f) Other (please explain):  
(g) It is not determined  (please explain: )

Your comments:

**Flemish Region:** The EIA/SEA unit of the Flemish Department of Environment and Spatial Development, the competent authority on EIA and SEA, provides guidance on among others determining the significance depending on the specific factor (e.g. noise). These guidances are available for the certificated experts drafting the EIA reports and for the initiators. The guidances are publicly available at <https://omgeving.vlaanderen.be/richtlijnenboeken-en-handleidingen>.

**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 :

**Walloon Region:** Walloon legislation requires impact assessment take into account cumulative impacts with other installations (Book I of the Walloon Environmental Code - Act of the parliament of the Region of Wallonia of 27th May 2004, executed by the Decree of the Government of the Region of Wallonia of 17th March 2005)

**Flemish Region:** The Flemish legislation (Flemish SEA/EIA Act of 18/12/2002 Annex II bis 5° e), defining information required in EIA-reports, states: the cumulation of impacts with other existing or approved projects taking into account any existing environmental problems related to areas of particular environmental importance likely to be affected, or the use of natural resources.

**Brussels Capital Region:** The ordinance on environmental licenses lists the minimum content of an impact study in its appendix II. This includes the following:

the accumulation of impacts with other existing and/or approved projects, taking into account any existing environmental problems in areas of particular environmental importance that may be affected or on the use of natural resources;

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

Please explain:

Your comments:

## 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):

**Walloon Region:** The EIA chapters (Article D29-11 and R41-9) in Book I of the Walloon Environmental Code (Act of the parliament of the Region of Wallonia of 27th May 2004, executed by the Decree of the Government of the Region of Wallonia of 17th March 2005)

**Flemish Region:**

Legislation in Flemish Region on EIA :

- Act of the parliament of the Region of Flemish of 18th December 2002 on SEA and EIA as amended (hereinafter 'Flemish SEA/EIA Act of 18/12/2002') executed by the Decree of the Government of the Region of Flemish of 10th December 2004 on EIA (hereinafter 'Flemish EIA decree of 10/12/2004')
- The 'Flemish EIA act of 10 December 2004' sets the list of activities for which drafting an EIA is mandatory, and two lists of activities that can be screened for significant impact.

The legislation defining the 'integrated environment permit' procedure is:

- Decree of 25 April 2014 regarding the integrated environment permit
- Order of 27 November 2015 executing the Decree of 25 April 2014 regarding the integrated environment permit
- Order of the Flemish Government of 17 February 2017 on further rules for environmental impact assessment of projects and for environmental safety reporting

The following legislation defines the procedure for certain complex projects with an integrated EIA and SEA:

- Decree of 25 April 2014 regarding complex projects
- Act of 12 December 2014 executing the decree of 25 April 2014

**Brussels Capital Region:** For the EIA procedure, the provisions of the Convention are implemented in the Code of the Region of Brussels-Capital on Town and Country planning (COBAT), article 127 § 3 and in the brussels legislation on environmental permits (ordonnance du 5/06/1997 relative aux permis d'environnement), Chapter II.

- (b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation):
- (c) Regulation (please indicate number/year/title/related articles/access links):
- (d) Administrative (please indicate number/year/title/related articles/access links):
- (e) Other (please specify):

Please explain:

**Flemish Region:** a guidance concerning general methodology from the EIA/SEA Unit of the Department of Environment and Spatial Development

**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

**Walloon Region, Flemish Region**

**Please elaborate, as needed:**

**Walloon Region:** The legislation of the Region of Wallonia covers more activities than those listed in Appendix I to the Convention. In fact all the projects or activities submitted to EIA shall be examined on the transboundary impacts aspect.

**Flemish Region:** It differs slightly. All the activities of Appendix I are transposed into the 'Flemish EIA act of 10 December 2004'. The legislation of the Flemish Region covers more activities than those listed in appendix I. The Flemish EIA Act of 10 December 2004 covers all activities which are subject to a (transboundary) EIA-procedure, according to the EU-directive 2011/92/EU, as amended by 2014/52/EU.

- (b) No. Activities covered by national legislation differ slightly from the activities referred to in appendix I  Please explain:

**Brussels Capital Region:** The legislation of the Region of Brussels covers more activities than those listed in Appendix I to the Convention. In fact all the projects or activities submitted to EIA according to the Brussels legislation shall be examined on the transboundary impacts aspect.

- (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

**Walloon Region, Brussels Capital Region**

- (b) Authorities are different for domestic and transboundary procedures

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

**Flemish Region**

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

**Walloon Region:** As Party of origin, the authority which decides if the request is complete and admissible, passes the file to the concerned authorities. As affected Party, the Government which receives the information passes the file to the municipalities concerned for the organisation of the public inquiry.

**Flemish Region:** There are different competent authorities at national/regional level: the Walloon Region, Flemish Region, Brussels Capital Region and Federal level have their own competences and regulations with regard to EIA. In the Flemish Region the competent authority on Flemish EIA is the Flemish EIA/SEA Unit of the Department of Environment and Spatial Development. (note: the EIA reports are drafted by accredited experts (consultants), not by the EIA/SEA Unit). The Flemish EIA/SEA Unit deals with all Flemish EIA procedures, transboundary and non transboundary.

**Brussels Capital Region:** No authorities are explicitly named in our legislation for the different steps of the transboundary EIA procedure, because in practice no cases occur in the Region of Brussels-Capital, since the Region is situated in the middle of Belgium far away from the border with the neighbouring countries. For the transregional procedures, the concerned authorities are the Ministers of Environment of the Party of Origin and the affected Party (the information has to be transmitted through these Ministers).

**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

**Brussels Capital Region**

- (b) Yes

**Walloon Region, Flemish Region**

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

**Walloon Region:** It is the decentralized regional body responsible for reporting the complete and acceptable dossier which is responsible for collecting this information for the area where it is competent. It collect any information relevant to assessing the impact of the project, e.g. existing impact studies for similar installations.

**Flemish Region:** The Flemish EIA/SEA Unit of the Department of Environment and Spatial Development collects information on all the Flemish transboundary EIA cases.

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

**Walloon Region, Flemish Region, Brussels Capital Region**

- (b) When the environmental impact assessment report has been prepared and the domestic procedure has started

**Flemish Region**

- (c) After finishing the domestic procedure

- (d) At other times (please specify):

Your comments:

**Walloon Region:** The procedure begins with a public information meeting during which the author of the impact assessment comes to present the project to the public. On this occasion, the public may make comments which the author of the impact study must take into account in his study. The Walloon Region ensures that the neighbouring Region or State is informed so that the public of the border municipalities can participate.

**Flemish region:** The competent authority notifies the affected party in the beginning of the preliminary phase of the EIA, after the competent authority has received a notification from the initiator. The initiator can chose for a scoping advice, this is optional. The affected Party is notified to give advice on the scoping. Even when the initiator does not chose for a scoping advice, the affected Party is notified in the beginning of the preliminary phase of the EIA. The affected Party will stay informed during the whole procedure.

**Brussels Capital Region:** The affected Party receives the information at the latest when the public of the Party of origin is informed.

**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)

**Flemish Region**

- (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

**Walloon Region, Brussels Capital Region**

Your comments:

**Flemish Region:** The format (table1,2,3 mentioned in decision I/4 (ECE/MP.EIA/2, annex IV, appendix) is not used, but the content of this appendix is included in the electronic communication (email) to the affected party and in the notification/EIA.

**Brussels Capital Region:** The Government determines the practical modalities for the transmission of this information. No practical experience

**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))

**Walloon Region, Flemish Region, Brussels Capital Region**

(b) The nature of the possible decision (art. 3 (2) (b))

**Walloon Region, Flemish Region, Brussels Capital Region**

(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))

**Walloon Region, Flemish Region, Brussels Capital Region**

(d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))

**Walloon Region, Flemish Region, Brussels Capital Region**

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

**Walloon Region, Flemish Region, Brussels Capital Region**

(f) Other (please specify):

**Flemish Region:** The notification contains also information on the accredited experts and the accredited coordinator that will draft the EIA report.

Your comments:

**Walloon Region:** There are two notifications : a first at the stage of the prior information meeting (see above); one second after the application has been submitted, that notification containing the application and the impact assessment.

**Flemish Region:** There are two notifications in case transboundary impacts are expected:

- in the beginning of the preliminary phase of the EIA. The content of the notification is stated in art 4.3.4 of the Flemish SEA/EIA Act of 18/12/2002.
- before the public inquiry on the permit application and EIA report starts.

**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

**Walloon Region**

(b) Yes, the time frame is specified in the national legislation

**Flemish Region**

Please indicate the time frame or its range as per your national legislation, in weeks/days: 30 days

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

**Brussels Capital Region**

Please indicate the average time frame set on a case-by-case basis, in weeks/days:



**Brussels Capital Region:** The time frame refers to the time frame of the decision making procedure as provided for in the relevant legislation (e.g. environmental permit or building permit). Usually the length of the consultations is four to five weeks long.

Your comments:

**Walloon Region:** The time frame refers to the time frame of the decision-making procedure as provided for in the relevant legislation. The affected Party is invited to send its remarks and observations within an indicative deadline so that the Walloon authority can take it into account in its decision (60 days).

**Flemish Region:** The transboundary authority of the affected party can provide their comments on the first notification during a period of 30 days.

**Brussels Capital Region:** In most cases a short extension of the deadline is considered

**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:

**Walloon Region:** The opinion shall be taken into account if it reaches the competent authority in good time, even if it is received after the indicated period.

**Flemish Region:**

When the affected Party indicates that the time frame cannot be met, a dialogue is possible to come to a mutual agreement what time frame is reasonable in terms of the whole process. In practice though, there has not been a problem with this 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>  
**Walloon Region, Flemish Region**

(b) Other (please specify):

Your comments:

**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

**Flemish Region, Brussels Capital Region**

(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>.

## Walloon Region

Your comments:

**Walloon Region:** When the Walloon Region receives a notification from a Party of origin, Article D.29-11, §2, of the Environmental Code provides that it must make the file available to the public.

**Brussels Capital Region:** No case until now, our Region is in the middle of the country far from national borders

**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

**Walloon Region, Flemish Region, Brussels Capital Region**

(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:

## 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

**Brussels Capital Region**

(ii) Specified in the national legislation as follows: **Walloon Region**

Your comments:

**Walloon Region:** When the Walloon Region receives a notification from a Party of origin, Article D.29-11, §2, of the Environmental Code provides that it must make the file available to the public.

**Flemish Region:** When the Flemish Region receives a notification from a Party of origin, the notification, the time frame within the public can respond, and the way the public can react is made available on the website: <https://inspraak.omgeving.vlaanderen.be>.

- (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

**Brussels Capital Region**

- (iii) Specified in the national legislation as follows: **Walloon Region, Flemish Region**

Your comments:

**Walloon Region:** Article D.29-11, §1er, of the Environmental Code provides that Walloon Region must inform the affected Party of the dates of the Walloon public inquiry.

**Flemish Region:** Art 27 of the Order of 27 November 2015 executing the Decree of 25 April 2014 regarding the integrated environment permit states among others that in case significant transboundary impact is possible, or in case the affected party requests, the permit application and EIA report are sent to the affected party. The public can take part to the public enquiry. Art 4.3.8 of 'Flemish SEA/EIA Act of 18/12/2002' states that the EIA/SEA unit takes comments from the public obtained in transboundary context into account.

**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

**Brussels Capital Region, Flemish Region,**

- (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

**Walloon Region, Flemish Region, Brussels Capital Region**

- (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

**Walloon Region, Flemish Region, Brussels Capital Region**

- (d) Other (please specify):

Your comments:

## **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

**Walloon Region, Flemish Region, Brussels Capital Region**

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

**Walloon Region, Flemish Region, Brussels Capital Region**

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

**Walloon Region, Flemish Region, Brussels Capital Region**

- (c) As determined by the proponent based on its own expertise  
(e) By using other means (please specify):

Your comments:

**Flemish Region:** also the EIA Directive 2014/52/EU, different guidances on methodology from the Flemish EIA/SEA Unit and the expertise of the Flemish EIA/SEA Unit.

**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

**Walloon Region, Flemish Region, Brussels Capital Region**

- (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:

**Flemish Region:** the EIA/SEA unit takes a decision on the quality of the EIA report. The EIA reports are drafted by accredited experts and coordinated by an accredited coordinator.

**Brussels Capital Region:** According to our legislation, a Steering Committee, composed of the main concerned Administrations, follows up the realization of the EIA, and is entitled to approve or rectify the work of the consultant until it answers to all the questions asked in the specification sheets with relevant conclusions and recommendations, and so can be declared complete. The Steering Committee is the guarantor of the quality of the study.

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

- (a) On a case-by-case basis

**Walloon Region, Flemish Region, Brussels Capital Region**

- (b) As defined in the national legislation (please specify):  
(c) Other (please specify):

Your comments:

**Flemish Region:** Reasonable alternatives are alternatives that are suitable to reach the purpose. Reasonable alternatives are also alternatives that reduce the environmental impact and fall within the competence of the initiator. The EIA/SEA unit published a manual on alternatives in EIA and SEA on their website.

## 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):

**Walloon Region, Flemish Region, Brussels Capital Region**

- (c) No, it does not have any provision on that

Your comments:

**Walloon Region:** Article D.29-11, §3, of the Walloon Environmental Code

**Flemish Region :** Transboundary consultations are regulated in article 27 of Order of 27 November 2015 executing the Decree of 25 April 2014 regarding the integrated environment permit and in the Flemish EIA legislation.

**Brussels Capital Region:** The Steering Comity will always invite the competent authority of the Affected Party as an expert member of the Steering Comity.

## 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

**Walloon Region, Flemish Region, Brussels Capital Region**

- (b) Comments received in accordance with articles 3 (8) and 4 (2)

**Walloon Region, Flemish Region, Brussels Capital Region**

- (d) Outcome of the consultations as referred to in article 5

**Walloon Region, Flemish Region, Brussels Capital Region**

- (e) Outcomes of the transboundary consultations

**Walloon Region, Flemish Region, Brussels Capital Region**

- (f) Comments received from the affected Party/ies

**Walloon Region, Flemish Region, Brussels Capital Region**

- (g) Mitigation measures

**Walloon Region, Flemish Region, Brussels Capital Region**

- (h) Other (please specify):

**Walloon Region:** monitoring of significant adverse effects on the environment

**Flemish Region:** monitoring of significant adverse effects on the environment

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

**Walloon Region, Flemish Region, Brussels Capital Region**

(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

**Walloon Region, Flemish Region, Brussels Capital Region**

(b) Yes, by legislation  (please specify):

(c) Yes, by other means  (please specify):

Your comments:

**Flemish Region:** it is common practice to communicate with affected parties when necessary.

**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

**Walloon Region; Flemish Region, Brussels Capital Region**

(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

**Walloon Region, Brussels Capital Region**

(b) Yes  Please specify:

### **Flemish Region**

Your comments:

**Walloon Region:** The inspection services are responsible for verifying whether a revision of the permits is not necessary in the event that the authorized project creates nuisances that have not been sufficiently taken into account in the permit concerned.

**Brussels Capital Region:** No systematic review of the outcome of an EIA is done until now in our Region. The author of the project is in charge of follow-up analysis, i.a. to determine if there are new unforeseen negative impacts; and in that case must take measures to address these impacts. After granting the development consent, the Inspection Services of our Administration can always, according to a special Ordinance about the search for failures, the observation and the repression of the infringements, go and control the installations to be sure of their conformity to the granted permit.

### **Flemish Region:**

The monitoring requirements from the EIA directive as amended by directive 2014/52/EU are transposed in Flemish EIA legislation (art 4.6.3 of the Flemish EIA decree of 10/12/2004).

Conducting a study or monitoring can be included as an environmental condition in the integrated environment permit if appropriate (art 73 of the Decree of 25 April 2014 regarding the integrated environment permit).

Environmental conditions of the integrated environment permit can be changed in accordance with art 82 of the Decree of 25 April 2014 regarding the integrated environment permit.

Inspection services monitor compliance with permit conditions in the integrated environment permit, hereby relying on a practice of coordination and cooperation with affected parties regarding possible cross-border impact.

## **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

### **Walloon Region, Flemish Region, Brussels Capital Region**

(b) Yes  Please specify with which countries:

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

Your comments:

**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:

## **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:

**Walloon Region:** The transboundary procedure is integrated into the national procedure at its various stages, namely the prior information meeting, the public inquiry and the delivery of notices.

**Flemish Region:**

The preliminary phase differs, depending on the choice for a scoping advice:

- When the initiator requests for a scoping advice: the notification of the EIA procedure is sent to the affected party at the same time as this is sent to the domestic advisory agencies. The comments are taken into account and a draft EIA is prepared.
- When the initiator does not request for a scoping advice: the notification is sent to the affected party for advice.

After this phase: the affected Party is informed and involved during the whole process in the same way as the domestic advisory agencies. A public participation on the EIA and permit application is organised. The EIA and permit application is sent for advice to the domestic advisory agencies and the affected party. After the EIA is approved, a decision is taken on the permit.

**Brussels Capital Region:** the EIA in a transboundary context is part of the domestic procedure of building or environmental authorization. We have no experience for this kind of procedure yet, no formal



steps are required in our legislation. The Government determines the practical modalities for this part of the procedure

**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"/> <b>Walloon Region, Flemish Region, Brussels Capital Region</b>	(a) No <input checked="" type="checkbox"/> <b>Brussels Capital Region; Flemish Region</b>	(a) No <input checked="" type="checkbox"/> <b>Brussels Capital Region; Flemish Region</b>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:

Your comments:

## 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: Brussels Capital Region: no cases in this period.

**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: Brussels Capital Region: no cases in this period.

**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)

Please explain:

- (b) No (no objection) **Walloon Region, Flemish Region**

<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.

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:

### **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

**Walloon Region :** The Walloon Region shares a border with France, Germany, Grand Duchy of Luxembourg, the Netherlands and Flanders. As the Walloon municipalities bordering Germany are German-speaking, communication can easily be carried out in German. No problem either for the files concerning France. No problem either with Grand Duchy of Luxembourg, one of whose national languages is French. As far as Flanders and the Netherlands are concerned, the aim is to send each other relevant information in the language of the affected country.

**Flemish Region:** We ask for translation of the description of the project and the non-technical summary including a summary of the transboundary impact.

### **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:
  - (ii) As an affected Party:
- (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:

**Walloon Region** : A difficulty arises when information from the neighbouring country or region does not reach us in French, which is why we try to ensure that this information is transmitted to us in French, in the same way that our objective is to provide the affected country or region with useful information in the language of the country or region concerned. The Walloon Region shall ensure that the applicant for a permit is asked for at least a translation of the non-technical summary.

**Flemish Region:**

As affected party, we experience no difficulties concerning the language since the documents or the non-technical summaries are usually in Dutch.

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

- (a) As a Party of origin: **Flemish Region**
- (b) As an affected Party:
- (c) Other, please specify:

Your comments:

**Walloon Region:** We consider that the translation should be carried out by the Party of origin.

**Flemish Region:** The initiator covers the cost of translation.

**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:
- (b) As an affected Party:

Your comments:

**Walloon Region:** The objective we are pursuing is for the non-technical summary to be translated.

**Flemish Region:** We recommend translation of the description of the project and the non-technical summary including a summary of the transboundary impact.

**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:
- (b) No  **Flemish Region**

**Walloon Region:** Yes with the Flemish Region. Not yet with the Netherlands.

**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

**Walloon Region, Flemish Region**

Please specify which parts are translated and how they are selected

**Walloon Region:** non-technical summary

**Flemish Region:** the non-technical summary including a summary of the transboundary impact.

(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 : **Walloon Region**

Please explain: **Walloon Region** : The current legislation does not require the developer to translate the non-technical summary. But when asked for a translation, he makes it.

(b) By the Party of origin alone:  Please explain

(c) By the affected Party alone:  Please explain

(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: **Walloon Region** : No particular problem to report

**Flemish Region:** in practice usually no events are organized.

**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: **Walloon Region** : No particular problem to report.

**Flemish Region:** no problems were reported.

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

(a) No

**Walloon Region; Flemish Region**

(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 type="checkbox"/>	(a) No <input type="checkbox"/>
<b>Walloon Region</b>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>

**Flemish Region**

(b) Yes

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: **Walloon Region + Flemish Region:** No particular experience to report. The current rules ensure that the procedures for exchanging information operate effectively.

**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 **Walloon Region; Flemish Region**

<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>.

(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:

**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:

**Walloon Region:** The Walloon Region shall send the affected Party the impact assessment, the content of which shall comply with European requirements. The impact assessment largely reproduces the references provided for in appendix II to the Convention.

**Flemish Region:** The EIA/SEA unit from the Flemish Region, as competent authority on EIA and SEA, ensures the sufficient quality of the EIA reports by checking the information in the EIA report, with the information of appendix II as a minimum. They take a decision on the quality of each EIA report. Moreover they published, also based on the EIA Directive 2014/52/EU, different guideline books on EIA methodology.

**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:

**Walloon Region:** In the Walloon Region, the impact study must contain an analysis of alternative solutions.

**Flemish Region:** Possible alternatives and the no-action alternative is studied in the environmental impact assessments.

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

- (a) Biodiversity **Walloon Region; Flemish Region**
- (b) Climate change **Walloon Region; Flemish Region**
- (c) Circular economy **Walloon Region**
- (d) Sustainable Development Goal implementation **Walloon Region; Flemish Region**
- (e) Smart and sustainable cities **Walloon Region; Flemish Region**
- (f) Sustainable infrastructure **Walloon Region; Flemish Region**
- (g) Renewables **Walloon Region; Flemish Region**
- (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:

**Walloon Region:** For example, about biodiversity, a wind farm project must be subject to an impact study that assesses the impact of the project on chiroptera and birds. In the event that this impact is not negligible, the project may be authorised but subject to compensation measures which are themselves examined in the impact assessment.

**Flemish Region:**

For example:

The construction of a waiting dock for inland vessels in Zandvliet is described as an example in the annex. For example on biodiversity, the ecotopes and species present within the project area are studied. Among others the impact due to ecotope change, disturbance because of noise, eutrophication and fragmentation is studied in the EIA.

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

Your comments:

**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 **Walloon Region; Flemish Region**

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

**Walloon Region** : For example, when a wind farm wants to be located near a existing wind farm, the cumulative noise or landscape impacts must be taken into account.

**Flemish Region**: In environmental impact assessments of windfarms, the possible cumulative impacts with other windturbines in the area are assessed, among others on noise and shadow impact.

Your comments:

**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 **Walloon Region; Flemish Region**

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

Your comments:

**Walloon Region** : An application for authorisation of a company manufacturing polyurethane was notified to the Flemish Region, in particular because of a risk of atmospheric emissions which could have had adverse effects on the health of the inhabitants of the neighbouring municipalities.

**Flemish Region**: In EIA reports of wind farm projects, the impact on health because of noise and shadow impact is assessed.

**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  **Walloon Region, Flemish Region**

(c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals

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.

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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–



**Walloon Region** : The impact assessments accompanying permit applications for wind farms are a good example of studies contributing to the implementation of the Sustainable Development Goals.

**Flemish Region**: The construction of a waiting dock for inland vessels in Zandvliet is described as an example in the annex. It considers the improvement of sustainable transport as part of resilient infrastructure, linked with the transport in the Port of Antwerp.

Your comments:

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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 checked="" type="checkbox"/> <b>Walloon Region, Flemish Region</b> I do not use it <input checked="" type="checkbox"/> <b>Brussels Capital Region</b> 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 checked="" type="checkbox"/> <b>Walloon Region, Flemish Region</b> I do not use it <input checked="" type="checkbox"/> <b>Brussels Capital Region</b> 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 checked="" type="checkbox"/> <b>Walloon Region; Flemish Region</b> I do not use it <input checked="" type="checkbox"/> <b>Brussels Capital Region</b> 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>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 the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	I use it <input type="checkbox"/> I do not use it <b>Walloon Region; Flemish Region; Brussels Capital Region</b>	
	Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <b>Walloon Region; Flemish Region (no competences on nuclear aspects)</b> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
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 checked="" type="checkbox"/> <b>Walloon Region; Flemish Region; Brussels Capital Region</b>	
	Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <b>Walloon Region; Flemish Region (no competences on nuclear aspects)</b> (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 checked="" type="checkbox"/> <b>Walloon Region; Flemish Region; Brussels Capital Region</b>	
	Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <b>Walloon Region; Flemish Region</b> (iii) The document is outdated and needs revision <input type="checkbox"/>	

<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 Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it <input checked="" type="checkbox"/> <b>Walloon Region;</b> <b>Flemish Region</b> I do not use it <input checked="" type="checkbox"/> <b>Brussels Capital Region</b>	
	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"/>	

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 **Walloon Region; Flemish Region; Brussels Capital Region**

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:

(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

**Belgium made contributions for the period 2021-2023.**

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

Yes  Please describe how:

No  Please explain the reason

## **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.**

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<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.

## 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.	Flemish	Region: 1
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).		
3. (a)	Installations for the reprocessing of irradiated nuclear fuel;		
3. (b)	Installations designed: <ul style="list-style-type: none"> <li>- For the production or enrichment of nuclear fuel;</li> <li>- For the processing of irradiated nuclear fuel or high-level radioactive waste;</li> <li>- For the final disposal of irradiated nuclear fuel;</li> <li>- Solely for the final disposal of radioactive waste; or</li> <li>- 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.</li> </ul>	Flemish	Region: 1 (non radiologic al aspects)
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.	Flemish	Region: 4

<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;	Flemish Region: 2	
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.	Flemish Region: 1	
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.	Flemish Region: 2	
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.	Flemish Region:1	
			Flemish Region: 1 less than 100 ton 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.	Flemish Region: 1	
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.		
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.	Flemish Region: 1	

<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>
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.		
20. Installations for the intensive rearing of poultry or pigs with more than:	Flemish Region: 5	
- 85 000 places for broilers;		
- 60 000 places for hens;		
- 3 000 places for production pigs (over 30 kg);	Flemish Region: 3	Flemish Region: 1
- 900 places for sows.	Flemish Region: 1	
	Flemish Region: 1 manure processin g installatio n	Flemish Region: 1 below the threshold of pigs
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).	Walloon Region : 4	Flemish Region: 2
	Flemish Region: 2	



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*Activities listed in appendix I to the Convention*

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*No. of  
procedures  
as a PoO<sup>a</sup>*      *No. of  
procedures  
as an AP<sup>b</sup>*

*Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period*

1. Walloon Region : car wash
2. Walloon Region : hotel and wellness center
3. Walloon Region : data center
4. Walloon Region : manufacture of polyurethane

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<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

#### Walloon Region:

<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. <b>Vortex Energy (4 wind turbines) in Meix-devant-Virton</b>	March 2020	France	notification of the permit application			reply by : - municipality of Thonne-la-Long (27/05/2020) ; - municipality of Avioth (03/06/2020) ;	

Please use as checkbox for referring to the progress and indicate the date, if available

<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>
							- municipality of Villecloye (12/06/2020) ; - prefect of the Meuse (23 juin 2020)
2. <b>Air eolienne d'Aubange (1 wind turbine)</b>	September 2020	France and Grand Duchy of Luxembourg	notification of the permit application			no reply	
3. <b>Engie Electrabel (2 wind turbines) in Rebecq</b>	February 2021	Flemish Region	notification of the permit application			reply by the municipality of Herne in April 2021	
4. <b>Ferme d'Oeil - Compagnie belge de participations industrielles et immobilières (hotel + wellness center) in Fauvillers</b>	Juillet 2021	France	notification of the permit application			no reply	
5. <b>Car wash Elise in Martelange</b>	Augustus 2021	Grand Duchy of Luxembourg	notification of the permit application			reply by the Department for Environmental Protection of the Grand Duchy of	

Please use as checkbox for referring to the progress and indicate the date, if available

<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>
6. <b>Eneco Wind (1 wind turbine) in Fauvillers</b>	December 2021	France	notification of the permit application		Luxembourg in October 2021	reply by the Department for Environmental Protection of the Grand Duchy of Luxembourg in February 2022	
7. <b>Systemhouse (manufacture of polyurethane) à Mouscron</b>	January 2022	Flemish Region	notification of the permit application			reply by the Environmental Administration of the Flemish Region in March 2022	

**Flemish Region:**

**(the environmental impact assessment procedures with impact on Walloon Region or Brussels Capital Region are not included in this list)**

<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)<sup>1</sup></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<sup>2</sup></i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any<sup>3</sup></i>	<i>Final decision (date of issue, if information is available)<sup>4</sup></i>
<b>PR3164 Hendriks, Theo Expansion, change and renewal of poultry farm</b>	25/02/2019	The Netherlands		20/02/2020	19/03/2019: first notification	April 2020	15/04/2020
<b>PR3167 PLUDA Expansion and early renewal of broiler farm</b>	28/02/2019	The Netherlands		30/03/2020	7/03/2019: first notification		Disapproved, permit application procedure stopped
<b>PR3180 VERHEYEN DAVY LV</b>	8/04/2019	The Netherlands			10/04/2019: first notification		ongoing

<b>Renewal and expansion of pig farming</b>							
<b>PR3199 KEYSERS LV Expansion and renewal of poultry farming Keyzers LV</b>	19/06/2019	The Netherlands		11/03/2020	28/06/2019: first notification 16/03/2020: EIA report and permit application	March-April 2020	29/06/2020
<b>PR3203 Vlaamse Waterweg Nv Seine-Schelde: Leie Passage Menen</b>	2/07/2019	France			22/07/2019: first notification 21/02/2022: EIA report and permit application		ongoing
<b>PR3209 ELECTRABEL Nuclear power plant Doel - SF<sup>2</sup>-project (non-radiological aspects)</b>	9/07/2019	The Netherlands		04/12/2020	23/07/2019: first notification 07/12/2020: EIA report and permit application		29/03/2021
<b>PR3215 ELECTRABEL Construction and operation of wind turbine project</b>	22/07/2019	The Netherlands			19/08/2019: first notification		ongoing
<b>PR3231 Rain Carbon bvba Rain Carbon - expansion production capacity</b>	15/10/2019	The Netherlands			22/10/2019: first notification		ongoing
<b>PR3240 OLEON Oleon - extension with a dimer installation</b>	5/12/2019	The Netherlands		04/03/2021	17/12/2019: first notification 11/03/2021: EIA report and permit application		30/04/2021

<b>PR3263</b> <b>INEOS OLEFINS BELGIUM NV</b> <b>Project One</b>	16/03/2020	The Netherlands		27/08/2021	23/03/2020: first notification 27/08/2021: EIA report and permit application	September 2021	3/11/2021
<b>PR3274</b> <b>De Vlaamse Waterweg nv;</b> <b>Haven Bedrijf Antwerpen nv</b> <b>Construction of a waiting dock for inland vessels Zandvliet</b>	20/04/2020	The Netherlands		16/08/2021	27/04/2020: first notification 31/08/2021: EIA report and permit application	September 2021	22/10/2021
<b>PR3277</b> <b>Q.E.F.</b> <b>Modernization of co-fermentation installation and changes to cattle farms</b>	11/05/2020	The Netherlands		12/11/2020	3/06/2020: first notification 19/11/2020: EIA report and permit application	November – December 2020	28/01/2021
<b>PR3281</b> <b>PIDPA</b> <b>Re-permit for groundwater extraction Meerle</b>	3/06/2020	The Netherlands			8/06/2020: first notification		ongoing
<b>PR3284</b> <b>Driessens, Jolien</b> <b>Expansion of a broiler farm</b>	9/06/2020	The Netherlands			15/06/2020: first notification		ongoing
<b>PR3305</b> <b>VANTHILLO</b> <b>Extension, modification and renewal MTE Vanthillo bvba in Meer</b>	14/08/2020	The Netherlands			3/09/2020: first notification		ongoing

<b>PR3308</b> Vlaamse Vervoersmaatschappij De Lijn Spartacus 1	25/08/2020	The Netherlands			14/09/2020: first notification		ongoing
<b>PR3333</b> De Kiekoet Re-licensing and change of a poultry farm	9/12/2020	The Netherlands			14/12/2020: first notification		ongoing
<b>PR3346</b> Terranova nv Sustainable hydrogen production and storage after reorganization of category 2 landfill for non-hazardous flows	18/01/2021	The Netherlands		10/09/2021	19/01/2021: first notification	September 2021	9/11/2021
<b>PR3349</b> MERTENS GUST Re-licensing and change of a pig farm	29/01/2021	The Netherlands			2/02/2021: first notification		ongoing
<b>PR3350</b> Evonik Antwerpen re-permit and extension Evonik	29/01/2021	The Netherlands		21/05/2021	11/08/2021: first notification 26/05/2021: EIA report and permit application	June 2021	15/10/2021
<b>PR3356</b> Bernaerts Lies Re-license and change of a pig farm	10/02/2021	The Netherlands			24/02/2021: first notification		ongoing
<b>PR3367</b> TOTAL RAFFINADERIJ ANTWERPEN Re-license Total Raffinaderij	25/03/2021	The Netherlands		25/10/2021	25/03/2021: first notification 27/10/2021: EIA report and permit application	November 2021	28/03/2022



<b>PR3374</b> Storm 61 BV windproject Meer Transportzone	22/04/2021	The Netherlands			26/04/2021: first notification		ongoing
<b>PR3385</b> BASF Antwerpen Update framework EIA 2021 BASF en project-Modules EIAs BASF, Ineos Styrolution en Eurochem	3/06/2021	The Netherlands		12/11/2021	9/08/2021: first notification 29/11/2021: EIA report and permit application	December 2021	08/03/2022
<b>PR3393</b> INTERNATIONALE LUCHTHAVEN KORTRIJK- WEVELGEM Re-permit airport operation Kortrijk Wevelgem	24/06/2021	France			1/07/2021: first notification		ongoing
<b>PR3409</b> Indaver Realisation Plastics-To- Chemicals installation (P2C)	23/08/2021	The Netherlands			14/09/2021: first notification		ongoing
<b>PR3412</b> ELICIO; LIMBURG WIN(D)T; Luminus; Eneco Wind Belgium windpark Ventori	7/09/2021	The Netherlands			20/09/2021: first notification		ongoing
<b>PR3419</b> Fluxys Pipeline cluster in the port of Antwerp	14/10/2021	The Netherlands			29/10/2021: first notification		ongoing

<sup>1</sup>starting date = date the initiator sent the notification to the competent authority (the EIA/SEA unit).

<sup>2</sup>transboundary consultation = date the EIA/SEA unit sent the notification to the affected party. Also during the public enquiry the EIA/SEA unit sends the EIA report (data not provided in the table)

<sup>3</sup>public enquiry by means of written comments

<sup>4</sup>final decision = date of the final decision of the competent authority on the EIA report.

it is not clear what is meant by timing of the notifications 4th column.

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

**Walloon Region**

				<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. <b>OVH – Cloud (data center) in Roubaix</b>	Notification of the application in April 2021	France			Response sent in June 2021 on the basis of the environmental impact assessment documentation : no significant impact		
2. <b>Bart Van Wambeke (farm) in Kluisbergen</b>	Notification of the application in June 2021	Flemish Region			Response sent in July 2021 on the basis of the environmental impact assessment		

*Please use as checkbox for referring to the progress and indicate the date if available*

<i>Project name</i>	<i>Starting date (When was the notification received and at which stage of the procedure?) –</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>
					documentation : no significant impact		

## Flemish Region

				<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>
N-44	Wind farm Agro-Wind Reusel B.V.	The Netherlands	2018: scoping		13/03/2019-24/04/2019	13/03/2019-24/04/2019	
N-48	Pig farm F. Lavrijsen in Reusel	The Netherlands	23/08/2019: scoping	13/09/2019 Advice on scoping	23/08/2019 – 13/09/2019		
N-56	Windpark Ze-Bra	The Netherlands		September 2021	29/07/2021-9/09/2021		
N-57	Pig farm Egelsbroek Vastgoed B.V.	The Netherlands	25/09/2021 scoping	28/09/2021: advice on scoping	25/09/2021-9/10/2021		

## Annex III

This annex contains examples from Walloon Region (A) and Flemish Region (B).

### A. WALLOON REGION

#### 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: **Walloon Region : Vortex Energy - Transboundary impacts of a wind farm**
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: <b>Walloon Region</b>	Affected Party: <b>France</b>
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation: **Walloon Region : 3 months**
4. Stage(s)/step(s) of the procedure presented in this example:

The entire procedure

Notification (art. 3): **Walloon Region**

Preparation of the environmental impact assessment documentation (art. 4): **Walloon Region**

Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c)) **Walloon Region**

Final decision (art. 6): **Walloon Region**

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

**Walloon Region : This is a wind farm project with 4 wind turbines in a Walloon municipality bordering France. The project was the subject of an impact study which was communicated to the French authorities.**

## 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.

**Walloon Region:**

**1. Notification (art. 3): Walloon Region : The permit application, accompanied by an impact study, was notified to the French authorities at the beginning of the authorisation procedure in the Walloon Region.**

**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? **Walloon Region : In the context of the development of a wind project, the applicant for the single permit may consider three types of alternative solutions: location alternatives, configuration alternatives and technical alternatives.**

(i) At what level of detail were the alternatives described? **Walloon Region : Alternatives only need to be sketched out. According to the Belgian Council of State (judgment ° 236.684 of 7 December 2016), "the applicant is not required to explain all the possible alternatives" but "it is necessary, on the other hand, to outline the main alternatives that have been examined and to indicate the main reasons for his choice with regard to the effects on the environment".**

(ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative? **Walloon Region : The Walloon legislation does not impose a method for the selection of the most reasonable alternative. At the pre-screening meeting, the public may request that alternatives be considered in the impact assessment, provided that they can reasonably be envisaged. In the light of the alternatives, it is up to the applicant to justify his choice.**

(b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:

- 
- (i) Biodiversity **Walloon Region**
  - (ii) Climate change **Walloon Region**
  - (iii) Circular economy
  - (iv) Sustainable Development Goal implementation **Walloon Region**
  - (v) Smart and sustainable cities
  - (vi) Sustainable infrastructure
  - (vii) Renewables **Walloon Region**
  - (viii) Other issues not listed above: **Walloon Region : Landscape, noise and vibration, security, urban context, public infrastructure and equipment.**
3. **Consultations on the basis of the environmental impact assessment documentation (art. 5 (a)–(c)): Walloon Region : The communication of the request provoked reactions from three French municipalities (Thonne-la-Long, Avioth et Villeclove), as well as from the Prefecture.**
  4. **Final decision (art. 6): The French comments were taken into account in the decision of the competent authority.**
  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);

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

### B. FLEMISH REGION

#### 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.

- 
- (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).



## I. GENERAL INFORMATION

Please provide the following general information about the selected example:

1. Title of the transboundary procedure:  
**Flemish Region: Construction of a waiting dock for inland vessels Zandvliet (Vlaamse Waterweg nv; Haven Bedrijf Antwerpen nv; PR3274)**
2. Party's role in the procedure and a list and roles of other Parties involved

Party of origin: <b>Flemish Region</b>	Affected Party: <b>the Netherlands</b>
Affected Party/ies: (please list)	Party/ies of origin: (please list)

3. Duration and period of implementation: the EIA procedure: 18 months
4. Stage(s)/step(s) of the procedure presented in this example:

The entire procedure

Notification (art. 3):

The notification was sent to the Netherlands by the Flemish Region on 27/04/2020

Preparation of the environmental impact assessment documentation (art. 4):

The initiator sent the EIA report to the EIA/SEA unit on 16/08/2021.

Consultations of the basis of the environmental impact assessment documentation (art. 5 (a)–(c)):

The EIA report was sent to Flemish authorities and the relevant Dutch authorities on 31/08/2021.

Final decision (art. 6):

The EIA/SEA unit approved the EIA report on 22/10/2021

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

The EIA deals with the construction of a waiting dock for inland vessels (mostly tankers) on the territory of the city of Antwerp, less than 300m from the Dutch border.

This projects frames within a land use plan for the demarcation of the Seaport of Antwerp. The EIA was drawn as part of the environment permit. The EIA concerns the actualisation of an earlier EIA from 2008, which was considered as out-of-date.

### 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):

The notification (in Dutch: 'aanmelding') contains among others a description of the project and the location of the project, information on the initiator and on the accredited experts that were going to draft the EIA. The notification explains shortly the impact on Dutch territory. A proposal for the methodology, that was going to be used in the EIA, was described.

Moreover a scoping advice was requested by the initiator.

#### 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?

- Zero action alternative.

In the EIA, it was explained that the zero action alternative corresponds with the reference situation against which the effects were assessed.

- Policy alternatives

The EIA clarified that no policy alternatives were considered.

- Location alternatives

The EIA referred to the EIA from 2008 containing the considerations on this aspect which were still valid.

- Implementation alternatives

The EIA referred to the EIA from 2008 containing an assessment of two implementation alternatives. Based on the conclusions of the former EIA, the initiator optimised one of the implementation alternatives and added a spawning place for fish to the design. The EIA did not assess any other implementation alternative.

(i) At what level of detail were the alternatives described?

The EIA contained a description of the implementation alternatives assessed during the former EIA and a description of the process to optimise the chosen alternative based on the mitigating measures of the former EIA. The alternative chosen as the actual project was described in detail.

(ii) What methods and/or assessment grids were used for the selection of the most reasonable alternative?

The process leading to the actual project, based on the assessment of alternatives during the former EIA, was described in detail.

(b) Whether the following issues were covered in the environmental impact assessment documentation and, if so, how:

(i) Biodiversity yes

(ii) Climate change yes

(iii) Circular economy

(iv) Sustainable Development Goal implementation yes

(v) Smart and sustainable cities

(vi) Sustainable infrastructure Flemish Region yes

(vii) Renewables

(viii) Other issues not listed above: soil, water, Landscape, noise , air, mobility, health

### 3. Consultations on the basis of the environmental impact assessment documentation (art. 5 (a)–(c)):

The Dutch authorities (national focal point, nearby province and nearby municipality) were consulted:

- The notification was sent. Advice on the scoping proposal was asked.
- The EIA and permit proposal was sent. Comments were asked. The Dutch authority had no comments on the EIA.

### 4. Final decision (art. 6):

The final decision on the EIA by the EIA/SEA unit was sent to the Dutch authorities.

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>2</sup> or climate objectives:

<sup>2</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).

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

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