

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY
CONTEXT
PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT

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Palais des Nations
CH-1211 Geneva 10
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Ref. SEA/IC/CI/1: Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Strategy's implementation Programme for the Period 2017–2023

17 April 2020

Dear Mr. Tosovic,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003).

At its forty-seventh session, held using videoconferencing from 16 to 19 March 2020, the Committee began the consideration of its initiative concerning compliance of Serbia with regard to its obligations under the Protocol with respect of the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Strategy's implementation Programme for the Period 2017–2023.

The Committee recalled that at its previous session, the Committee, further to paragraph 9 of its structure and functions, had decided to invite Serbia to its forty-eighth session to participate in the discussion and to present the Committee with information and opinions on the matter under consideration.

With this letter I invite the Government of Serbia to be represented at the Committee's forty-eighth session to be held in Geneva from 1 to 4 September 2020. **The hearings are scheduled to take place on Wednesday, 2 September 2020.** The Committee would start considering the initiative in a closed session, followed by a brief presentation by Serbia and questions by the Committee. The Committee will then consider the initiative again in a closed session to draft its findings and recommendations.

Mr. Miroslav Tosovic
Focal Point for Administrative Matters
regarding the Protocol on SEA
Ministry of Environmental Protection
Belgrade

You are kindly invited to provide written replies of Serbia to the attached non-exhaustive list of questions prepared by the Committee at its forty-seventh session to guide the discussion and to be prepared to answer these questions during the hearing. These should be sent to the secretariat, in English, **no later than by 22 June 2020**. Please be aware that the questions might still be subject to modifications by the Committee and that additional questions could be asked during the hearing.

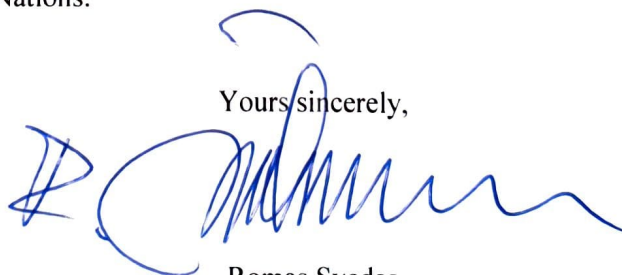
Finally, I would like to remind you of the Committee's operating rule 15 (4) regarding procedures for Committee initiatives referring to operating rules 11 to 14 regarding procedures for submissions applicable, *mutatis mutandis*, in the case of a Committee initiative. In particular, please refer to the rule 11 indicating the following:

“Rule 11

1. Generally, the Committee should not begin the formal discussion on a matter at any meeting that takes place before any requested reply has been received from the Party whose compliance is in question or the applicable deadline for replying has passed. [...]
2. When it is known that the Committee will discuss the matter of any submission at a particular meeting, the secretariat should notify the Parties involved that the matter will be discussed as well as of their right to present to the Committee information and opinions on the matter under consideration.
3. The Committee should not begin to prepare or adopt any finding or recommendation that relates to a submission before the Party in respect of which a submission is made or which makes a submission, at the invitation of the Committee, presents their views on the submission before the Committee.

You are kindly invited to provide the secretariat with a confirmation of your country's participation and the composition of your delegation well in advance to the session, in order to facilitate access to the Palais des Nations.

Yours sincerely,



Romas Svedas
Chair of the Implementation Committee

Annex: Non-exhaustive list of questions to be considered during the discussions on the Committee initiative with respect of the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 and the Strategy's implementation Programme for the Period 2017–2023

The Government of Serbia is kindly invited to provide by 22 June 2020 the following information and clarifications:

1. With regard to the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030:

(a) An evidence that the Government of Serbia notified the Governments of Croatia, Hungary and Romania concerning the Strategy further to article 10 (1) and (2) of the Protocol, including:

i. Copies of the notifications to the Governments of Croatia, Hungary and Romania;

ii. Date(s), names of authority(ies) and means by which the notifications had been sent to the above-mentioned Parties;

(b) A clarification on whether some measures were taken by the Government of Serbia to ensure that the notifications have been delivered to the Governments of Croatia, Hungary and Romania; and whether the list of the points of contact for notification under the Protocol was used when notifying;

(c) Any other relevant information concerning the notification on the Energy Strategy under the Protocol, including the Government's opinion on matter.

2. With regard to the Programme for the implementation of the Energy Strategy for the Period 2017–2023:

(a) A clear description of the transboundary consultations between the Government of Serbia and the Government of the affected Parties, carried out in accordance with article 10 of the Protocol, including:

i. An overall timeline of the transboundary procedure, including the notification under article 10(1) and 10(2) of the Protocol and transboundary consultations and public participation under article 10(3) and 10(4);

ii. Whether the transboundary procedure under article 10 of the Protocol has been completed. If the transboundary procedure has not yet been completed, a clarification on the current stage of the procedure;

iii. A list of Parties that have been notified about the Programme, indicating the date of each notification, and providing copies of all notifications;

iv. Whether any Party that have not been notified considered itself potentially affected with regard to the Programme and has requested to be notified;

v. A list of the affected Parties that indicated their wish to enter into consultations under article 10 of the Protocol, clarifying also the timeline and outcomes of each stage of the consultations with each affected Party;

vi. Reasons why the Government of Serbia has not entered into consultations with Hungary in accordance with article 10 (3) of the Protocol and has not agreed, in accordance with article 10 (4), on detailed arrangements for such consultations, in particular, regarding the translation of the documents;

vii. Means by which the Government of Serbia ensured that the public concerned and the authorities of the affected Parties have been informed about the draft Programme and the environmental report and given an opportunity to forward their opinions thereof within a reasonable timeframe, in accordance with article 10 (4) of the Protocol;

(b) The date when the Programme has been adopted. A list of the affected Parties that in accordance with article 10 and article 11 (1) (c) of the Protocol had been given an opportunity to provide their comments concerning the Programme and the environmental report, also indicating which of the affected Parties, including the public concerned and the authorities in these Parties, had provided their comments thereof; A clarification on whether and how the comments received from the affected Parties, including the public concerned and the authorities in these Parties, were taken into due account in the decision adopting the Programme;

(c) A clarification on whether and when the affected Parties consulted were informed about the decision further to article 11 (2) of the Protocol, listing all of the informed Parties;

(d) Any additional relevant information concerning the transboundary consultations under the Protocol, including the Government's opinion on matter.