

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

Mr. Romas Svedas
Telephone: +370 677 42699
E-mail: romas.svedas@tspmi.vu.lt

Institute of International Relations and Political Science
Vilnius University
Vokieciu str. 10, LT-01130
Vilnius, Lithuania

Secretariat: Ms. Elena Santer, UNECE
Telephone: +41 (0)22 917 2090
E-mail: eia.conv@un.org, elena.santer@un.org

Palais des Nations
CH-1211 Geneva 10
Switzerland

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

26 November 2020

Dear Mr. Orban,

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).

I refer to the Committee initiative SEA/IC/CI/1 concerning the Energy Sector Development Strategy of the Republic of Serbia for the Period up to 2025 with Projections up to 2030 (the Energy Strategy) and the Strategy's implementation Programme for the Period 2017–2023 (the Implementation Programme). The Committee decided to begin the Committee initiative at its forty-sixth session in December 2019 further to paragraph 6 of the Committee's structure and functions. Based on the information provided by Serbia, Croatia, Hungary, Montenegro and Romania, the Committee found that there was a profound suspicion of non-compliance by Serbia with its obligations under the following articles of the Protocol:

- (a) Articles 10 (1) and (2), due to a lack of evidence that Serbia had notified Croatia, Hungary and Romania regarding the Energy Strategy;
- (b) Article 10 (4) of the Protocol, as Serbia, before adopting the Strategy's implementation Programme, had failed to respond to the request of Hungary to agree on the language regime, consequently hindering participation of Hungary in consultations on the Programme under article 10 (3) of the Protocol;

Mr. Hunor Orban
Focal Point for Administrative Matters
regarding the Espoo Convention
Ministry of Agriculture
Budapest

cc: Ms. Zsuzsanna Pocsai, Ministry of Agriculture

(c) Article 11 (2) of the Protocol, as the potentially affected Parties, including Hungary and Montenegro, had not been informed of the Programme's adoption in October 2017 (see para. 86 below).

On 10 November 2020, further to its decision at its forty-eighth session (online, 2–5 September 2020), the Committee – in line with paragraph 9 of its structure and functions – held discussions with Serbia concerning its initiative SEA/IC/CI/1. In addition, to its written responses on 24 June 2020 to the Committee's questions of 17 April 2020, the delegation of Serbia provided further clarification about the Energy Strategy adopted in 2015 and its Implementation Programme adopted in 2017; the related transboundary consultations under article 10 of the Protocol; and the steps taken by it to inform the affected Parties participating in those procedures about the final decision as set out in article 11 of the Protocol. The Committee also noted the information from Serbia that it had been intending to prepare a new Energy Strategy in the near future.

The Committee considered that to proceed with drafting its finding and recommendations it needed additional information from Serbia regarding the new Strategy and from Croatia, Hungary and Romania concerning the Energy Strategy and its Implementation Programme subject to the Committee initiative.

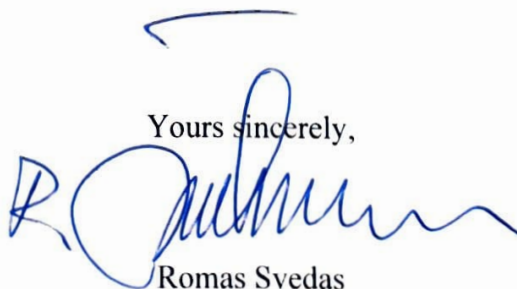
At the request of the Committee, I am now writing to you to invite the Government of Hungary to inform the Committee:

(a) Whether it wishes to be afforded the opportunity to participate in the transboundary procedure under article 10 of the Protocol regarding the Energy Strategy, taking into account that Serbia considered Hungary potentially affected with respect to the Strategy and intended to notify it accordingly in late autumn 2013 and that the Strategy was adopted by Serbia in 2015;

(b) Whether it wishes to continue participating in the transboundary procedure regarding the Strategy's implementation Programme 2017-2023, taking into account that the Programme was adopted in 2017.

You are kindly invited to provide the requested information in English through the secretariat **by no later than 12 January 2021** for the Committee to consider at its next session (Geneva, 2-5 February 2021).

Yours sincerely,



Romas Svedas
Chair of the Implementation Committee