

# **Questionnaire for the report of the FEDERAL REPUBLIC OF GERMANY 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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10. *Date on which report was completed: 28 November 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):
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation

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
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “transboundary impact” is not defined in the legislation

Your comments:

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

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

Your comments:

*According to German Law a change, including the expansion of a project, has to be considered major, if*

*1. the change itself reaches or exceeds the size or capacity values for an unconditional EIA obligation, or*

*2. a case by case examination (screening) reveals that the change may cause additional significant adverse environmental effects.*

(see inter alia section 9 para. 1 and 2 of the German Federal EIA Act)

**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
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

Your comments:

*According to section 2 para. 9 of the German Federal EIA Act the “public concerned” refers to any individual whose interests are affected by an approval decision; this also includes associations whose activities as described in their statutes are affected by an approval decision, including associations that promote environmental protection.*

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

- (a) By establishing threshold levels  (please explain )
- (b) By applying criteria related to the location of proposed activities  (please explain )
- (c) By applying criteria related to the nature of proposed activities  (please explain )
- (d) By applying criteria related to the size of proposed activities  (please explain )
- (e) By applying criteria related to the effects of proposed activities  (please explain )
- (f) Other (please explain):
- (g) It is not determined  (please explain):

*The “significance” is not determined in the German Federal EIA Act. The assessment of the significance of the environmental effects is at the discretion of the German authority responsible for the technical approval procedure and must be decided on the basis of the information available to it, in particular by assessing the location of the project.*

Your comments:

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

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

Please explain:

*According to section 2 para. 2 of the German Federal EIA Act, environmental effects within the meaning of the German Federal EIA Act are **direct and indirect effects** of a project or the implementation of a plan or program on the protected interests of the German Federal EIA Act. Protected goods within the meaning of this Act include people, in particular human health, animals, plants and biological diversity, whereby the interaction between the aforementioned protected goods must also be expressly taken into account. This, to our*

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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.

*understanding, also includes the interaction of multiple causes, thus cumulative impacts on those protected goods.*

(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):

(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:

*In Germany the most important legislative acts on EIA, including transboundary EIA, are as follows:*

- *German Federal EIA Act, implementing inter alia the provisions of the Espoo Convention, including its two amendments as well as the provisions of the EIA Directive 2011/92/EU. The German Federal EIA Act was last amended by article 14 of the Reconstruction Assistance Act of 10 September 2021 (Federal Law Gazette I p.4147);*
- *Ratification Act for the Espoo Convention and its first amendment, published on 17 June 2002 (Federal Law Gazette II p. 1406);*
- *Ratification Act for the second amendment of the Espoo Convention, published on 17 March 2006 (Federal Law Gazette II p. 224). Environmental impact assessments are integrated into the procedures applied for the approval of projects. Against this background specific or additional provisions on EIA can also be found in the legislation dealing with procedural and substantial licensing requirements for projects such as the Federal Building Code, the Federal Mining Act and various Acts including provisions on the authorisation of industrial installations and infrastructural projects.*

*As Germany is a federal state, additional provisions on EIA can also be found in the legislation of the 16 German States (Länder).*

**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

Please elaborate, as needed:

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

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

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

*In Germany the competent authority for the approval procedure is at the same time responsible for the domestic EIA and for the transboundary EIA procedure.*

*Environmental impact assessments represent an integral part of the procedures carried out for the approval of projects. In most cases, particularly as regards industrial installations, authorities of the German States (Länder) are responsible for these procedures. For large infrastructural projects there has been a growing tendency over the last years to move the competence from the Länder to federal authorities.*

*According to the German Federal EIA Act, transboundary EIA procedures are combined with domestic EIAs. The authority responsible for the approval of projects (licensing authority) is thus also responsible for the transboundary EIA including notification. Where transboundary EIA falls within the competence of authorities of the German States (Länder) federal Ministries will usually not be involved. Nevertheless, the national German focal point for the Convention which is situated at the Federal German Ministry for the Environment offers to give support also in transboundary EIA procedures carried out by Länder authorities.*

*According to section 55 para 5 of the German Federal EIA Act Federal Ministries may also participate in consultations (Article 5 of the Convention) irrespective of whether the case falls within the competence of federal or Länder authorities. The reason behind this provision is that consultations in transboundary EIA procedures may also touch issues within the competence of the Federal Government, notably the external relations of Germany to other countries.*

*If Germany is the affected Party, the authority that would be responsible for a similar project in Germany will be responsible for the transboundary EIA procedure carried out by the other Party, including the decision on whether Germany wishes to participate.*

*Remark: According to the German constitution ('Basic Law') Germany is a federal state. Tasks and competences are distributed between the Federal level and the German States (Länder). As a general rule the German States and their authorities on the local, regional and superior level are inter alia competent for the practical application and enforcement of federal legislation. Only in some sectors federal law will be executed by federal authorities. Following this system, approval procedures for projects and activities including an integrated EIA are predominantly carried out by authorities of the German States on the local, regional and superior level. The Federal Ministry of the Environment is informed about the way the legislation on EIA, including transboundary EIA, is applied in general, but it is usually not involved in the individual procedures carried out by Länder authorities (with the exception partly for large infrastructure projects, which are also observed in federal politics).*

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

- (a) No
- (b) Yes

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

Your comments: *Please also see comment to question I.2.3.*

## Article 3 Notification

**I.3.1. Article 3 (1) states that: “The Party of origin shall notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity.” As a Party of origin, when do you notify the affected Parties?**

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

Your comments:

*In accordance with section 54 para 1 of the German Federal EIA Act, the State which might be affected is to be informed of the project “at an early stage”. The authorities of the affected State shall be given an opportunity to make a statement at the same time and to the same extent as the German authorities (section 55 para. 4 of the German Federal EIA Act). Authorities in Germany try to notify affected Parties as early as possible in order to enable their involvement already in the scoping phase. Germany considers this as good practice.*

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

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

Your comments:

*The competent authority in Germany may use any notification format that fulfils the requirements of the Convention, taking into account the proposed guidelines in the report of the first meeting of the Parties. However, in relation to Poland and the Netherlands bilateral agreements recommend to use specific formats for notification.*

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

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

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

(f) Other (please specify):

Your comments:

*In accordance with section 54 para. 1 of the German Federal EIA Act, the state possibly affected is to be informed by using suitable documentation. As a minimum this includes the information specified in Art. 3 para. 2 of the Convention. The documents may derive from the information submitted by the applicant for the scoping or from the project approval application.*

*According to Article 3 para. 1 of the German-Polish Agreement, information is to be provided in accordance with Art. 3 para. 2 of the Espoo Convention. According to Article 3 para. 6 of the German-Polish Agreement notification may also include the information required by Article 3 para. 5 of the Espoo Convention as well as a list of those authorities of the State of origin which will participate in the EIA procedure.*

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

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

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

*Please indicate the time frame or its range as per your national legislation, in weeks/days: Section 54 para 4 of the German Federal EIA Act requires the competent authority to set an “appropriate time frame” but it does not determine a specific number of days or weeks as being appropriate. The time frame may be specified in bilateral or multilateral agreements, e.g. Article 3 para 4 of the German-Polish Agreement indicates a time frame of 30 days.*

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

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

Your comments:

*The time frame of 30 days established in the German-Polish Agreement is often used also in other transboundary EIA procedures as a guideline to determine a reasonable time frame.*

**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:

*If an affected Party does not comply with the time frame, the competent German authority, despite of Article 3 para. 4 of the Convention, has to decide whether the deadline will be extended in order to allow a transboundary EIA procedure to be carried out. Germany regards it as good practice to grant an extension of the time frame at least in cases in which no significant delay of the approval procedure will have to be expected.*

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

(a) Informing the point of contact for the Convention listed on the Convention website<sup>2</sup>

(b) Other (please specify):

Your comments:

*Both the Party of origin as well as the affected Party have to ensure in close cooperation that the authorities and the public of the affected Party will be informed of the project in question so as to give them the opportunity to express comments or objections effectively.*

*According to section 55 para 1 of the German Federal EIA Act the competent German authority has to submit the required information to the authorities concerned of the affected State. For this purpose it is necessary for the competent authority of the affected State to clarify and inform the competent German authority which authorities of the affected State should be involved in the procedure and receive the documents. If these authorities are not known to the competent German authority the documents will have to be sent to the point of contact of the affected State.*

*According to Section 56 para. 2 of the German Federal EIA Act the competent German authority has to use its best efforts to ensure that the project will be announced to the public of the affected State in a suitable manner so that the public of the affected State will have access to all the information required for effective participation. The German authority has to verify whether the project has been announced properly and sufficient information and access to the relevant documents have been provided for the public of the affected state. Usually the competent German authority will put this obligation to practice by sending the information and the documents to the competent authority of the affected State. The competent authority of the affected State will then in cooperation with the competent German authority inform its public and ensure that the documents will be displayed for inspection or published at least on the internet.*

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

(a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin

(b) Based on the opinion of the competent authorities of the affected Party

(c) Based on the opinion of the competent authorities and of the public of the affected Party

(d) Other (please specify):

Your comments:

*The competent German authority has to decide whether Germany as a potentially affected Party will participate in a transboundary EIA procedure or not. The decision to participate must be based on the conclusion that the proposed*

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



activity may have significant adverse transboundary impacts on the environment in Germany.

According to section 58 para. 5 of the German Federal EIA Act the competent authority in Germany is the authority that would be responsible for a similar project in Germany. Before taking its decision the competent authority will “screen” the submitted information taking into account the same criteria that would apply if the proposed activity would be realised under German legislation. “Screening” will usually be done by using the competent authority’s own expertise. In complex or complicated cases other authorities or experts will be consulted.

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

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

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party/ies
- (c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:
- (d) Other (please specify): Art. 7 of the German-Polish Agreement

Your comments:

Section 55 para 4 and section 56 para 1 of the German Federal EIA Act stipulate that the provisions on participation of authorities and participation of the public which apply in domestic EIA procedures also apply in transboundary EIA procedures. As a consequence the authorities concerned and the public of the affected State have the same timeframes for submitting comments as German authorities and the German public. As regards consultations (article 5 of the Convention), according to section 55 para 5 of the German Federal EIA Act an appropriate time frame has to be agreed between the competent German authority and the affected state.

Different from the German Federal EIA Act the bilateral German-Polish Agreement includes some specific provisions on time frames offering more flexibility by a case by case approach.

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

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

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

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

Your comments:

(b) As a Party of origin:

(i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:

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

(iii) Specified in the national legislation as follows: *see below*.

Your comments:

*It is one of the basic underlying principles of the German provisions on transboundary EIA that the public of the affected Party must have the same opportunities to participate as the public of the Party of origin. This principle is laid down in several provisions of the German Federal EIA Act as well as in bilateral agreements with Poland and the Netherlands. In detail, it is enacted through the following provisions and practices:*

- *Section 56 para. 1 of the German Federal EIA Act generally states that the public of the affected State may participate in the transboundary EIA procedure following the same provisions that apply for the domestic public. According to section 56 para 2 of the German Federal EIA Act, the competent German authority has to use its best efforts to ensure that the project is announced in the affected State in a suitable manner and that the public in the affected State is informed of all aspects of the procedure relevant to provide for an effective participation.*

- *Similar provisions can be found in the bilateral agreements mentioned above. Article 5 para 1 of the bilateral German-Polish Agreement, for instance, stipulates that the public of the affected Party may submit its comments within the same period of time which applies for the public of the Party of origin. Furthermore this provision refers to the documents and information which have to be published by the affected State in order to enable an effective participation of its public. In order to ensure that the public of the affected State will be informed sufficiently, the competent authority of the affected Party has to inform the Party of origin when the documents in question have been displayed. Article 5 para 3 of the Agreement clarifies that the public of the affected Party is entitled to participate in public hearings carried out by the Party of origin for the project in question and that the affected Party has the obligation to inform its public on the date and venue of such hearings.*

- *According to section 55 para 2 of the German Federal EIA Act as well as the bilateral agreements mentioned above the notification, at least the summary of the EIA documentation and other information relevant to the transboundary EIA have to be translated into the language of the affected Party. This also includes any information required by the affected Party to assess whether significant adverse transboundary environmental impacts may occur and to submit comments effectively. In cases in which Germany is State of origin the competent German authority may require the developer to provide translation of the documents.*

- *The public concerned of the affected Party may submit its comments in its own language (section 56 para. 4 of the German Federal EIA Act, also included in bilateral agreements). It has to be ensured that objecting parties of the affected*

State can make themselves understood in their own language at hearings (for instance by interpreters provided by the Party of origin.

• According to section 57 of the Federal German EIA Act and similar provisions in the aforementioned bilateral agreements Germany as Party of origin has to submit the final decision to the affected Party not only in German language. Translation into the language of the affected Party is necessary at least for those parts of the final decision which are required by the affected Party to explore in which way significant adverse transboundary effects likely to occur have been taken into account and how comments and opinions submitted by authorities and the public of the affected States have been considered. Furthermore translation must include an advice on applicable legal remedies.

**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
- (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
- (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
- (d) Other (please specify): By taking part in a public hearing

Your comments:

*Where Germany is the Party of origin, the legal requirements for participation of the German public equally apply to the public of an affected State (section 56 para. 1 of the German Federal EIA Act).*

*According to our legal understanding the same principle shall apply where Germany is an affected Party. Consequently the German public must be entitled to participate according to the rules and conditions laid down in the legislation of the Party of origin for participation of its own public.*

## **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
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- (c) By using the comments received from members of the public during the scoping phase, if applicable
- (d) As determined by the proponent based on its own expertise
- (e) By using other means (please specify):

Your comments:

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

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

Your comments:

*According to section 16 para 7 of the German Federal EIA Act, the developer of the project must take appropriate steps to ensure that the EIA report complies with the requirements under the German Federal EIA Act. Further, the competent authority is obliged to ask the developer for improvements if the EIA documentation does not fulfil these requirements.*

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

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

Your comments:

*According to section 16 para. 1 of the German Federal EIA Act the EIA report shall contain information on the reasonable alternatives which are relevant to the project and its specific characteristics and have been considered by the developer. The German Federal EIA Act itself does not establish an obligation for the developer to consider alternatives to the project. In Germany the question of whether and to which extent alternatives have to be taken into account by the proponent is part of the legislation regulating the licensing requirements for projects. The obligation to explore reasonable alternatives thus depends on the type of project in question and on the specific legal requirements for its approval.*

*Alternatives to be addressed in the EIA documentation should be discussed with the proponent in the scoping phase.*

*The term “alternatives” is open to include alternative technical solutions as well as alternative locations. For infrastructural projects (e.g. roads, railways, electric power grid) the range of “reasonable” alternatives studied by the developer will often be broader than in cases of industrial installations. It also has to be considered that some options – especially alternatives with regard to the location of the project – may already have been assessed in previous planning procedures requiring an SEA. In order to avoid duplication of work it may not be reasonable to reassess these alternatives within the framework of the following EIA.*

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

Your comments:

*According to Section 55 para. 5 of the German Federal EIA Act, the competent highest federal and Land authorities shall, within an agreed reasonable period of time, hold consultations with the other state, in particular about the transboundary environmental effects of the project and the measures to avoid or reduce them. Consultations may also be carried out by an appropriate body comprising representatives of the competent highest federal and Land authorities and representatives of the other state.*

*In most cases the development consent authority and other authorities concerned will also participate in the consultations. Third parties including NGOs may on a case by case basis be involved where appropriate.*

*Article 5 of the Convention requires the Party of origin to enter into consultations with the affected Party without undue delay after completion of the EIA documentation. In practice, however, it has proven to be more effective if consultations will be carried out not until the affected Party asks for them after having submitted its comments on the EIA documentation. The Parties then have to agree on a reasonable time frame, taking into account on a case by case basis, inter alia, the legal framework of the approval procedure in which the EIA is integrated, the nature of the significant transboundary impacts in question and the comments submitted by the affected Party.*

*Consultations will not be required, if the affected Party indicates - in its comments on the EIA documentation or separately - that there is no need for consultations or if it does not react to an offer by the Party of origin to enter into consultations. Where consultations have already been agreed, the Parties may later on cancel them, if the issues at stake have already been settled by other forms of exchange.*

*Consultations will usually be held by discussing the issues at stake in a meeting sometimes also followed by an exchange of written communication.*

## **Article 6**

### **Final decision**

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

- (a) Conclusions of the environmental impact assessment documentation
- (b) Comments received in accordance with articles 3 (8) and 4 (2)
- (c) Outcome of the consultations as referred to in article 5
- (d) Outcomes of the transboundary consultations
- (e) Comments received from the affected Party/ies
- (f) Mitigation measures
- (g) Other (please specify):

*A reasoned conclusion by the competent authority on the significant effects of the project to the environment including transboundary effects, taking into account the outcomes of the transboundary consultations.*

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

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

Your comments:

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

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

- (a) No
- (b) Yes, by legislation  (please specify):
- (c) Yes, by other means  (please specify):

Your comments:

*There is no specific provision in German EIA legislation implementing article 6, para. 3 of the Convention. However, the German Administrative Procedures Act contains general provisions according to which the competent authority may, under certain conditions, withdraw an approval decision if new or additional information becomes available that could have materially affected that decision.*

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

- (a) Yes
- (b) No

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

## **Article 7**

### **Post-project analysis**

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

- (a) No
- (b) Yes  Please specify:

Your comments:

*The German Federal EIA Act includes no specific provisions on post project analysis in a transboundary context. However, according to section 28 para 1 of the German Federal EIA Act the competent authority shall take appropriate monitoring measures to review compliance with the environment-related provisions of the approval decision, in particular the characteristics of the project and of the location specified in the approval decision as well as the measures envisaged to avoid, reduce or offset significant adverse environmental effects and the substitution measures for interventions in nature and landscape. According to section 28 para 2 of the German Federal EIA Act the competent authority shall also monitor significant adverse environmental effects, if the effects of the project are difficult to predict or the effectiveness of measures envisaged to avoid, reduce or offset significant environmental effects or the effectiveness of substitution measures is uncertain.*

*These provisions do not focus on certain monitoring measures and they do not establish specific procedural requirements or a fixed time frame for monitoring. The appropriate steps to be taken have to be determined by the competent authority case by case based on the characteristics of the particular project or activity in question. Within this framework the competent authority will also have to consider whether an affected Party has requested to carry out a post project analysis with regard to transboundary effects.*

*Article 10 of the bilateral German-Polish Agreement contains a specific provision on post-project analysis which explicitly refers to Article 7 of the Convention. According to this provision the Parties may determine by agreement that an analysis subsequent to the implementation of the project will be carried out, provided that the decision on the planned project or domestic legal provisions allow so.*

## **Article 8**

### **Bilateral and multilateral cooperation**

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

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

(a) No

(b) Yes  Please specify with which countries:

*Germany has two bilateral agreements and a trilateral agreement containing provisions on transboundary environmental impact assessment:*

- Agreement between the Government of the Federal Republic of Germany and the Government of the Republic of Poland on Environmental Impact Assessment in a Transboundary Context (2006). In the meantime the German-polish agreement has been re-negotiated successfully. The new agreement, which also covers transboundary SEA was signed in 2018. It has already been ratified by Germany. In Poland ratification is under way and will soon be finalized. The new agreement will come into force 60 days after both Parties have informed each other that the respective domestic requirements are fulfilled. Informally, the new provisions are already taken into account by the competent Polish and German authorities in transboundary procedures as far as possible.*
- Joint Declaration on Cooperation in the Implementation of Transboundary Environmental Impact Assessment as well as Transboundary Strategic Environmental Assessment in the German-Dutch Border Area between the Ministry of Infrastructure and the Environment of the Netherlands and the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of the Federal Republic of Germany (2014)*
- Guideline of the Franco-German-Swiss Conference of the Upper Rhine on Transboundary Participation for Projects, Plans and Programmes with an Environmental Relevance (2016)*

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:

- *Regulations at statutory level often have a rather abstract, formal or general character. Compared to them the provisions in bilateral and multilateral agreements are more detailed and specifically designed with a view to allow reasonable practical arrangements and solutions in transboundary procedures*
- *An important issue is clarification of obligations to provide for translation of documents and interpreters in public hearings*
- *Determination of the competent authorities*
- *In the negotiations on the content and design of bilateral or multilateral agreements, Parties develop a better mutual understanding of the legal, administrative and procedural structures and provisions in each other's country. This background knowledge is important to find balanced approaches and solutions in transboundary procedures.*
- *Experience has shown that the form of cooperation established by bilateral or multilateral agreement has strongly contributed to improve the quality of transboundary procedures, notably in terms of transparency and effectiveness.*

## **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:

*According to German EIA legislation transboundary EIA is part of the domestic EIA procedure. The authorities as well as the public of the affected state are given the same opportunities to participate as German authorities and the*



*German public. With the exception of Consultations (article 5 of the Convention) the procedural steps carried out for transboundary EIA are fully equivalent to the respective steps of a domestic EIA procedure. In detail:*

- *If a project subject of an EIA may have significant transboundary environmental effects, the competent German authority shall notify the authority designated by the other state by sending appropriate documents about the project translated into the language of the affected State. The competent German authority shall request the designated authority of the other state to inform it within an appropriate time limit whether the affected State wishes to participate. Notification shall take place as early as possible with a view to enable the affected State to be involved already in the scoping phase.*

- *If the affected Party wishes to participate, the competent German authority shall supply the competent authority of the other state and other authorities specified by that authority with additional documents and information on the project, notably the documents that will have to be displayed for public inspection, including the announcement of the project. The competent German authority has to ensure that the documents and information provided will be translated into the language of the affected Party.*

- *The designated authority of the other state and other authorities specified by that authority shall be given the opportunity to submit a statement (in their own language) at the same time and to at least the same extent as the German authorities involved.*

- *The public of the affected state may participate within the same procedural framework established for the domestic public. To this end the competent German authority actively works towards the project being announced in a suitable manner in the other state and towards ensuring that the announcement will contain all the practical and substantial information required to enable the public of the affected state to participate effectively. Members of the public of the affected Party may submit their comments in their own language.*

- *The competent highest federal and Land authorities shall hold consultations with the other state, in particular about the transboundary environmental effects of the project and the measures to avoid or reduce them. Such consultations shall be held especially if requested by the affected state. Their main objective is to resolve remaining issues which cannot be clarified by other forms of communication within in the procedure.*

- *According to section 57 of the German Federal EIA Act the competent authority shall communicate the approval decision to the authority designated by the other state and to the participating authorities of the other state. The information shall enclose a translated version of those sections of the decision which allow the authorities and public of the other state to recognise how (1) the expected significant transboundary environmental effects of the project and measures envisaged to avoid, reduce or offset such effects and (2) the statements of the authorities and comments of the public of the other state as well as the outcome of the consultation were taken into account in the approval decision. Communication to the affected Party shall also include information on legal remedies. The competent German authority shall work towards the decision being announced in a suitable manner in the other state and this decision, including the translated sections, being made available to the public in the other state.*

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

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:
	<p><i>The German Atomic Energy Act and the German Nuclear Licensing Procedure Ordinance contain some special provisions on EIA for nuclear power activities. However, as regards transboundary EIA the provisions of the Federal German EIA Act apply unreservedly.</i></p>	

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:

*The German Federal Government has only limited knowledge about the number and details of EIAs, including transboundary EIAs, carried out during the reporting period. As explained above, Germany is a Federal state consisting of 16 States (Länder). In most cases the authorities of the Länder serve as competent authorities for the approval procedure, including (transboundary) EIA. There is no central office to which each single EIA procedure, including transboundary EIA, has to be notified or by which these procedures including the detailed information required for this questionnaire have to be registered.*

**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:

*Please see comment on question A.II.1.*

<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.

**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)

Your comments: *Please see comment on question A.II.1.*

## **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: *Please see comment on question A.II.1.*

**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:

*Where Germany is Party of origin communication with potentially affected Parties, including notification of the project in question, and all documents required by the affected Party to participate effectively will be translated into an official language of the affected Party. The obligation to submit translated documents include, inter alia, the announcement of the project at the beginning of the participation procedure which will be made available to the public, the non-technical summary and other parts of the EIA documentation which enable the participating authorities and public of the affected Party to estimate the expected significant adverse transboundary environmental effects of the project and to submit a statement or comments (section 55 para. 2 of the German Federal EIA Act). Furthermore, translated versions of any other document essential to the transboundary EIA procedure, in particular invitations to hearings, expert meetings and consultations have to be provided (section 55 para. 6 of the German Federal EIA Act).*

*Similar provisions can be found in the bilateral agreements with Poland and the Netherlands.*

**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: Where German is Party of origin it covers the costs for required translations of documents including the announcement of the project at the beginning of the participation procedure, the non-technical summary and other relevant parts of the EIA documentation. The competent authority may, however, require the developer to provide for translation of these documents. In this case the cost will be covered by the developer.*

(ii) *As an affected Party: Where Germany is the affected Party, it happens from time to time that Parties of origin submit documents in their own or in English language only. In these cases according to section 58 para 1 of the German Federal EIA Act the competent German authority shall request from the competent authority of the affected Party for the documents to be translated into German language. Unfortunately, these efforts have not always been successful. It will then have to be considered by the competent authority whether it should provide for its own translation or whether a third Party would be willing to help out. However, as there is no legal obligation to do so, this pragmatic way of proceeding will only happen in exceptional cases.*

(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: *As explained above, in most cases the authorities of the Länder serve as competent authorities for the approval procedure, including (transboundary) EIA. Thus, no experiences known regarding the interpretation during public participation-related events and consultation meetings.*

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

(a) As a Party of origin:

*Where German is Party of origin it covers the costs for required translations of documents including the announcement of the project at the beginning of the participation procedure, the non-technical summary and other relevant parts of the EIA documentation. The competent authority may, however, require the developer to provide for translation of these documents. In this case the cost will be covered by the developer.*

(b) As an affected Party:

*Where Germany is affected Party it happens quite often that Parties of origin submit documents in their own or in English language only. In these cases according to section 58 para 1 of the German Federal EIA Act the competent German authority shall request from the competent authority of the affected Party for the documents to be translated into German language. Unfortunately, these efforts have not always been successful. It will then have to be considered by the competent authority whether it should provide for its own translation or whether a third Party would be willing to help out. However, as there is no legal obligation to do so, this pragmatic way of proceeding will only happen in exceptional cases.*

(c) Other, please specify:

Your comments:

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

(a) As a Party of origin: *the non-technical summary and those sections of the documentation which enable the participating authorities and the public of the other State to estimate the expected significant adverse transboundary environmental effects of the project and to submit a statement or comments.*

(b) As an affected Party: *In our view translation must be provided by the Party of origin.*

Your comments:

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

(a) Yes  Please explain how it has been addressed:

(b) No

Your comments: *Provisions on translations are included in the bilateral agreements between Germany and Poland and between Germany and the Netherlands. According to these agreements at least the notification, the summary of the EIA documentation and any other information within the documentation required by the affected party to assess which significant adverse transboundary environmental impacts may occur and to submit comments have to be translated.*

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

(a) A full set of environmental impact assessment documentation is translated into English

(b) Selected parts of the documentation are translated in English   
Please specify which parts are translated and how they are selected

(c) A full set of environmental impact assessment documentation is translated into the affected Party's language

(d) Selected parts of environmental impact assessment documentation are translated into the language of the affected Party   
Please specify which parts are translated and how they are selected

(e) Other (please specify)

Your comments:

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

(a) By the developer:  Please explain:

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

(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: *see answer II.7*

**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*

*In the reporting period, as far as the Federal Government is aware, there have been no considerable difficulties in practice with regard to public participation. It has to be noted however, that sometimes it seems to be quite a challenge for the competent authority to ensure that documents made available to affected Parties and comments received from affected Parties will be translated sufficiently. In some cases there have been discussions with affected Parties that documents would be difficult to understand because of the poor quality of translation or would not cover all the information required for the affected Party to participate effectively.*

(ii) *Experience with consultations under article 5*

*In some cases it has been difficult to determine the end of the consultation period. Article 5 of the Convention stipulates that Parties shall agree on a reasonable time frame for the duration of the consultation period. However in practice, it may be a problem to finalise consultations when the Parties have not been able to conclude an agreed position on all issues discussed. In these situations the affected Party may ask to prolong the consultation period or to hold additional consultation meetings. Germany does not ignore that consultations should be held in the spirit of good cooperation and with a view to find common solutions. On the other hand they should not turn into a never ending story especially when it is obvious that the different positions of Parties involved cannot be reconciled.*

(b) As an affected Party:

(i) Experience with public participation

*As far as the Federal Government is informed, there are two aspects we would like to focus on as we received several complaints by the German public or the competent authorities at Länder stage:*

(1) *Missing/insufficient translations: We sometimes receive complaints by the German public about missing or insufficient translations. Even if the documents have been translated into English they may be difficult to understand for members of the public concerned who are not used to communicate in English language (for example fishermen wishing to be involved in transboundary procedures for off-shore activities).*

(2) *Diverging deadlines for public participation : According to Art. 3 para. 8 of the Convention, the Parties involved shall ensure that the public of the affected Party in the Party in the areas likely to be affected is informed about the proposed activity and are given the opportunity to submit comments or objections thereto. In addition, Art. 5 para. 6 of the Convention contains the concept of equal rights laid down: Ensuring that the public of the Party concerned is equivalent to that of its own public. Unfortunately, however, the Convention makes no concrete statement on the relationship of affected to State of origin time limits. This repeatedly lead, according to feedback the Federal Government received by some competent authorities, to a conflict between the shorter deadlines in the country of origin and the procedural principles/usually longer deadlines applicable in Germany as affected party. As far as the Federal Government is informed, attempts are currently being made to solve this problem by regularly asking the country of origin for an extension of the deadline, in the spirit of good cooperation, but this is not always successful. In this respect, it should be considered whether this fundamental problem should be examined more in detail.*

(ii) Experience with consultations under article 5

*In the reporting period, as far as the Federal Government is informed, no considerable difficulties with consultations under article 5 have occurred in cases in which Germany was an affected Party.*

Your comments:

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

- (a) No
- (b) Yes

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

Your comments: *Please see comment on question A.II.1.*

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

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

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

- (a) For joint cross-border projects:
- (b) For construction of nuclear power plants:
- (c) For lifetime extension of nuclear power plants:

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

Your comments: *Please see comment on question A.II.1.*

**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: *Please see comment on question A.II.1.*

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

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

<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>.



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: *Quality control measures in practice are not known at the level of the Federal Government. It is in the responsibility of the respective competent authority to ensure that the legally required documents are complete.*

**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: It is in the responsibility of the respective competent authority to ensure that alternatives are assessed to a sufficient amount.

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

- (a) Biodiversity
- (b) Climate change
- (c) Circular economy
- (d) Sustainable Development Goal implementation
- (e) Smart and sustainable cities
- (f) Sustainable infrastructure
- (g) Renewables
- (h) Other issues not listed above (please specify):

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

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

Your comments: *Environmental assessments comprise the identification, description and evaluation of the significant effects of a project or a plan or program on the objects of protection. Protected goods within the meaning of this Act are people, in particular human health, animals, plants and biological diversity, land, soil, water, air, climate and landscape, cultural heritage and other material goods, as well as the interaction between the aforementioned protected goods. The manner in which this is taken into account is at the discretion of the competent authority.*

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

- (a) No
- (b) Yes

If "Yes", please provide at least one example of how cumulative impacts are considered. According to section 2 para. 2 of the German Federal EIA Act, environmental effects within the meaning of the German Federal EIA Act are direct and indirect effects – also cumulative effects – of a project or the implementation of a plan or program on the protected interests of the German Federal EIA Act. Protected goods within the meaning of this Act include people, in particular human health, animals, plants and biological diversity, whereby the interaction between the aforementioned protected goods must also be expressly taken into

account. The manner in which this is taken into account is at the discretion of the competent authority

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

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

Your comments: *Please see answer to question II.21. above.*

**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   
(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–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);

Your comments:

*The German EIA Act is conducive to achieving many of the goals of the United Nations Sustainable Development Goals. This applies to the targets relating to the indicators of final energy productivity, primary energy consumption, raw material productivity, greenhouse gas emissions, increase in settlement and transport area (land use), biodiversity, landscape quality, nitrogen surplus, emissions of air pollutants, and premature mortality of women and men.*

*The objects of protection under Section 2 para. 1 of the EIA Act are broadly defined and basically cover all aspects of environmental protection. Accordingly, the EIA identifies, describes and evaluates the impact of projects on the above sustainability indicators.*

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

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

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</i>
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</i>

(1) 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).

Title of guidance document	Use of guidance	Your comments and/or suggestions for improving or supplementing the guidance
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</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 <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</i>
Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</i>
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it <input type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</i>

<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 type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	<i>Please see comment on question A.II.1.</i>

Your comments:

## D. Clarity of the Convention

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

No

Yes  Please indicate which provisions and how they are unclear:

Your comments:

*As far as the Federal Government is aware, Germany has had no fundamental difficulties implementing the procedures defined in the Convention. However, it has to be noted that some provisions of the Convention seem not very clear. In some cases clarification has been provided by the Implementation Committee e.g. as regards the question of translation. Nevertheless there are always discussions in Germany whether the opinion of the Implementation Committee – even if it has been confirmed by the Meeting of the Parties – has the same quality as the Convention itself. It would therefore be helpful if a clear regulation on translations would be included in the Convention.*

*Another source of misunderstandings is the provision on consultation (Article 5). For somebody who is not familiar with the Convention it seems very difficult to understand the differences between consultations (Article 5), participation of authorities (Article 4 para 2) and participation of the public (Article 3 para 8 and Article 4 para 2). Furthermore, the way in which the consultation process has been designed in the Convention does not seem very effective. From a practical point of view consultations should only be carried out if the affected Party asks for them. The Party of origin has no reason to offer consultations until the affected Party expresses its wish to consult (see also the answer to question I.23)*

*Please also see answer to question II 12. b) 2. With regards to Art. 3 para. 8 and Art. 5 para. 6 of the Convention. It could be helpful if a clear regulation on the ratio of national and foreign deadlines with regards to public participation would be included in the Convention.*

## 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: *15.000 USD*

No  Please explain the reason:

(iii) Individual contribution in 2020:

Yes  Amount and currency: *15.000 USD + additional 4.000 USD*

No  Please explain the reason:

(iv) Individual contribution in 2021:

Yes  Amount and currency: *20.000 USD*

No  Please explain the reason:

(v) Please indicate any plans of your country to contribute for the period 2021–2023 *Year 2023: approx. 20.000 USD*

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

Yes  Please describe how:

No  Please explain the reason *Germany has made further personnel contribution due to the commitment of Mr. Dr. Sangenstedt) by continuing as German co-chair in the ad hoc working group on the applicability of the Espoo Convention to lifetime extensions for nuclear power plants (Development of the Guidance) until 2021. However, Germany would not understand this contribution as in-kind benefits which is asked for in this question.*

## 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.**

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

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



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

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

<sup>b</sup> Affected Party.

## Annex II

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

Table 1

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

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

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

Table 2

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

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

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

## Annex III

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

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

#### I. GENERAL INFORMATION

Please provide the following general information about the selected example:

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

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

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

#### II. BACKGROUND

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

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

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

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

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

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

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

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

1. Please indicate:

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

Lessons learned and advice to other Parties:

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

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

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

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

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