

Questionnaire for the

**REPORT OF CROATIA ON THE IMPLEMENTATION  
OF THE CONVENTION ON ENVIRONMENTAL  
IMPACT ASSESSMENT IN A TRANSBOUNDARY  
CONTEXT**

in the period 2006–2009

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# PART ONE – CURRENT LEGAL AND ADMINISTRATIVE FRAMEWORK FOR THE IMPLEMENTATION OF THE CONVENTION

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

## Article 2

### General Provisions

#### DOMESTIC IMPLEMENTATION OF THE CONVENTION

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2.2).*

Environmental Protection Act (Official Gazette – hereinafter referred to as OG) No. 110/07  
Regulation on environmental impact assessment (OG No. 64/08, 67/09)  
Regulation on the procedure for establishing integrated environmental requirements (OG No. 114/08)  
Regulation on the prevention of major accidents involving dangerous substances (OG No. 114/08)

2. *Indicate any further measures to implement the provisions of the Convention that are planned for the near future.*

The provisions of the Convention are included in the existing legislation and are successfully implemented throughout the entire implementation framework.

#### TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE

3. *Describe your country's national and transboundary environmental impact assessment (EIA) procedures and authorities (art. 2.2):*

- a. *Describe the EIA procedure in your country and indicate which steps of the EIA procedure include public participation;*

- submission of EIA Study and request for evaluation
- establishing EIA Commission (independent experts)
- revision of the EIA Study in accordance with public comments and comments of Commission members

- b. *Describe how the different steps of the transboundary EIA procedure set out in the Convention fit into your country's national EIA procedure;*

Adoption of the decision on the proposed activity - when a proposed activity is likely to cause transboundary impact, the assessment carried out pursuant to national legislation is supplemented by an assessment under Espoo Convention.

- c. *List the different authorities that are named responsible for different steps of the transboundary EIA procedure (notification, consultation between Parties, public*

*participation, etc.). Also list the authorities responsible for the domestic EIA procedure, if they are different;*

Ministry of Foreign Affairs is responsible for transboundary EIA, and Ministry of Environmental Protection, Physical Planning and Construction, and state administration offices are responsible for the national EIA procedure.

- d. Is there one authority in your country that collects information on all the transboundary EIA cases? If so, name it. If not, does your country intend to establish such an authority?*

The Ministry of Environmental Protection, Physical Planning and Construction.

4. *Does your country have special provisions for joint cross-border projects (e.g. roads, pipelines)?*

No.

#### IDENTIFICATION OF A PROPOSED ACTIVITY REQUIRING ENVIRONMENTAL IMPACT ASSESSMENT UNDER THE CONVENTION

5. *Is appendix I to the Convention transposed into your country's national legislation? Does your country's legislation already cover the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7), and if so, how? Please describe any differences between the national list and appendix I to the Convention. Please explain how your country interprets terms such as "large" and "major" used in appendix I (including in items 4, 8, 11, 14, 16, 17 and, as appropriate, 22).*

Yes. The Regulation on environmental impact assessment covers all projects indicated in Annex I of the Convention, including also projects indicated in second amendment to the Convention.

This Regulation was passed pursuant to the Environmental Protection Act of 2007 and includes three Annexes as criteria for the decision (major or large, respectively), with a list of projects for which environmental impact assessment is mandatory (Annex I), a list of projects subject to evaluation of the need for environmental impact assessment under the competence of the Ministry of Environmental Protection, Physical Planning and Construction (Annex II), and a list of projects subject to evaluation of the need for environmental impact assessment under the competence of the administrative body in the county or City of Zagreb (Annex III).

6. *Please describe:*

- a. The legislation and, where appropriate, the procedures your country would apply to determine that an "activity", or a change to an activity, falls within the scope of appendix I (art. 2.3), or that an activity not listed should be treated as if it were (art. 2.5);*

Two project lists are used: Appendix I of the Convention and a list in the Regulation on EIA issued by the Ministry of Environmental Protection, Physical Planning and Construction. If the proposed activity is covered by the lists, and if it is anticipated to have transboundary effects, it would be subject to the provisions of the Convention.

Article 111 of the Environmental Protection Act stipulates "if a project has a transboundary impact, the affected country must be notified."

- b. *How your country conducts transboundary EIA cooperation (through points of contact, through joint bodies or within bilateral or multilateral agreements);*

Mostly through points of contact.

- c. *How a change to an activity is considered as a “major” change;*

The Environmental Protection Act and the Regulation on environmental impact assessment stipulate that the project developer, prior to developing the environmental impact study, may request the Ministry or the competent administrative body in the county or City of Zagreb to issue instructions on the content of the study. Various data on the planned activity shall be enclosed to the request, as well as a review of alternative project solutions if considered by the developer, and a description of potential significant impacts on the environment. The request shall be submitted for opinion to the bodies and/or persons designated by special regulations and to local government/self-government units, depending on the project's location and features. Upon collection of opinions and their examination, the competent body shall adopt instructions defining the study content.

If through this procedure a potential transboundary impact is assessed, Croatia as a Country of origin will notify the affected Country.

- d. *How such an activity, or such a change to an activity, is considered “likely” to have a “significant” adverse transboundary impact (art. 2.3 and 2.5, and the Guidelines in appendix III).*

If an environmental project is dealt with which is not listed in Appendix I of projects under the Convention and the EIA professional background document has shown that it is a project which is "likely" to have a "significant" environmental impact, the affected Party will be notified thereof. If the affected Party states its wish to be involved in the assessment procedure, consultations will be proposed to reach a decision on the further course of the procedure.

## PUBLIC PARTICIPATION

7. *Does your country have its own definition of “the public” in national legislation, compared to article 1(x)? How does your country, together with the affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to your country’s public as required in article 2, paragraph 6?*

All comments of both Parties are handed over to the reviewing body to be considered under application of the same criteria.

## Article 3

### Notification

#### QUESTIONS TO PARTY OF ORIGIN

8. *Describe how your country determines when to send the notification to the affected Party, which is to occur “as early as possible and no later than when informing its own public”? At what stage in the EIA procedure does your country usually notify the affected Party (art. 3.1)*

The notification is usually sent after a first session of the reviewing body, when the transboundary impact has been established.

9. *Does your country provide any information to supplement that required by article 3, paragraph 2?*

Yes, additional information is provided in the notification if requested by the affected Party.

10. *Does your country use the format for notification (as decided by the first meeting of the Parties, decision I/4, in document ECE/MP.EIA/2)? If not, in what format does your country normally present the notification?*

Yes, the proposed guidelines are followed.

11. *Describe the criteria your country uses to determine the time frame for the response to the notification from the affected Party (art. 3.3, “within the time specified in the notification”)? What is the consequence if an affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how does your country react?*

When determining the time frame for the response, we take national legislation into account. Thirty days is a reasonable time to give a response.

If an affected Party does not comply with the time frame, the Party would be reminded and it would then be considered that the Party has agreed to the project.

Croatia agrees to a request for an extension of the deadline.

If after a second notification an affected Party does not respond, both Parties shall agree on the decision.

12. *Describe when your country provides relevant information regarding the EIA procedure and proposed activity and its possible significant adverse transboundary impact as referred to in article 3, paragraph 5. Already with the notification, or later in the procedure?*

Only the summary of the project is attached to the notification. Complete information is submitted on request by the affected Party.

13. *How does your country determine whether it should request information from the affected Party (art. 3.6)? When does your country normally request information from the affected Party? What kind of information does your country normally request? How does your country determine the time frame for a response from the affected Party to a request for information, which should be “prompt” (art. 3.6)?*

Information is requested whenever Croatia needs these data to assess the transboundary impact.

Requested information comprises the catalogue of available data, and the data which are “environmental indicators”.

The time frame for response is agreed between the points of contact, but it should be as short as possible.

14. *Please describe:*

a. *How your country cooperates with the authorities of the affected Party on public participation (art. 3.8), taking into account that the Party of origin and affected Party are both responsible;*

The affected country informs its public of the proposed activity pursuant to the provisions of its national legislation. The Republic of Croatia submits the environmental impact study and its summary to the affected country and takes a role in holding and implementing a public hearing.

- b. *How your country identifies, in cooperation with the affected Party, the “public” in the affected area;*

According to the Environmental Protection Act, the public in the affected area is defined as the population living in a county or a smaller or similar political entity.

- c. *How the public in the affected Party is notified (what kinds of media, etc are usually used). What is normally the content of the public notification?;*

According to the Regulation, a public hearing must be advertised in the daily press and the official journal.

The notification includes the date, place and time frame of the public hearing and the EIA documentation.

- d. *Whether the notification to the public of the affected Party has the same content as the notification to your country’s public. If not, describe why not. At what stage in the EIA procedure does your country normally notify the public of the affected Party?*

Yes, the two notifications contain the same information.

Croatia normally notifies the public of the affected Party after the public hearing in the Party of origin has been completed.

15. *Does your country make use of contact points for the purposes of notification as decided at the first meeting of Parties (ECE/MP.EIA/2, decision I/3), and as listed on the Convention website ([http://www.unece.org/env/eia/points\\_of\\_contact.htm](http://www.unece.org/env/eia/points_of_contact.htm))?*

Yes, the points of contact are made use of in the indicated way.

#### QUESTIONS TO AFFECTED PARTY

16. *Describe the process of how your country decides whether or not to participate in the EIA procedure (art. 3.3)? Who participates in the decision-making, e.g. central authorities, local competent authorities, the public, environmental authorities? Describe the criteria or reasons your country uses to decide.*

The criteria used by Croatia to decide on its participation in the EIA procedure comply with Appendix III to the Convention or with Article 2.5 of the Convention.

In some cases we contact other environmental authorities prior to passing such a decision, and sometimes we contact also the local competent authorities.

17. *When the Party of origin requests your country to provide information relating to the potentially affected environment, how does your country determine what is “reasonably obtainable” information to include in its response? Describe the procedures and, where appropriate, the legislation your country that would apply in determining the meaning of “promptly” in the context of responding to a request for information (art. 3.6)*

"Reasonably obtainable" information is information that already exists and which is available.

There is no legislation determining "promptly" in the context of transboundary procedures, however in the Republic of Croatia submission of a reply within 30 days is stipulated by national legislation, i.e., the Act on General Administrative Procedure (OG No. 47/09).

18. *Please describe:*

- a. *How your country cooperates with the authorities of the Party of origin on public participation (art. 3.8), taking into account that the Party of origin and affected Party are both responsible;*

National legislation is complied with.

*b. How your country identifies the “public” in the affected area;*

Depending of location and potential affected environment, competent authority will require the opinion of local and regional self-governmental unit regarding the planned project.

*c. How the public is notified (e.g. what kinds of media, etc., are usually used). What is normally the content of the public notification?;*

The competent authority usually provides and publicises information at the Internet site and can use, depending on the specific case, also other means, such as public notification in the press, public notification in the official journal of the local or regional self-government unit, notification on the notice board in single settlements, on appropriate notice boards, notification in the media - electronic media, etc.

*d. At what stage in the EIA procedure does your country normally notify its public?*

Upon completion of consultations a public hearing is organised pursuant to national legislation.

## **Article 4**

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

#### **QUESTIONS TO PARTY OF ORIGIN**

*19. What is the legal requirement for the minimum content of the EIA documentation (art. 4.1, appendix II)?*

The legal requirement for the content of EIA documentation is contained in Art. 6 of the Regulation on EIA.

*20. Describe your country’s procedures, if any, for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4.1).*

When the competent authority establishes that the request for issuing instructions on the content of the study contains all the required information referred to in Art 31 of Regulation, it shall submit it to the bodies and/or persons designated by special regulations and the LRSGU, depending on the location and characteristics of the project, for the purpose of obtaining their opinion. Upon reviewing the opinions of the bodies and/or persons designated by special regulations and opinions of the LRSGU as well as the opinions, objections and proposals of the public and public concerned submitted during the information process, the competent authority shall issue instructions on the content of the study.

*21. How does your country identify “reasonable alternatives” in accordance with appendix II, paragraph (b)?*

Croatia has reasonable alternatives with regard to examining various technologies for the proposed activity in view of its environmental impact. With regard to environmental impact, in Art. 7 Annex IV para 2 proposal of the most acceptable variant of the activity is stipulated.

*22. How does your country identify “the environment that is likely to be affected by the proposed activity and its alternatives” in accordance to appendix II, paragraph (c), and how does it define “impact” in accordance with article 1(vii)?*

In the Environmental Protection Act environmental burdening is defined as any project or the result of the environmental impact of the project, or the environmental impact of a certain activity which alone or in connection with other activities could cause or could have caused environmental pollution, reduction of environmental quality, environmental damage, risk to the environment or to environmental use.

23. *Does your country give the affected Party all of the EIA documentation (art. 4.2)? If not, which parts of the documentation does your country provide?*

Yes, all of the EIA documentation is given to the affected Party.

24. *How does your country cooperate with the authorities of the affected Party on distribution of the EIA documentation and the submission of comments (art. 4.2), taking into account that the Party of origin and affected Party are both responsible? How does the competent authority in your country (as the Party of origin) deal with the comments (art. 4.2)?*

It is organised between the points of contact.

Only the “environmental comments” are taken into account and forwarded to the study developer in order to be responded to. All comments are taken into consideration, it is insisted upon that all questions be answered by the study developer and they are integrated into the final decision of the EIA documentation for the part in which they are environmentally acceptable.

25. *Describe the procedures and, where appropriate, the legislation that define the time frame for comments provided “within a reasonable time before the final decision” (art. 4.2)? What is the consequence if the affected Party does not comply with the time frame? If an affected Party asks for an extension of a deadline, how does your country react?*

The procedure time frame is agreed by both points of contact, taking into account Espoo Convention provisions and national legislation relating to procedures and time limits. We have not set time limits so far, but in our opinion it should be introduced into the Convention or some other implementation regulation in order to prevent undue delay in project realisation.

26. *What material does your country provide, together with the affected Party, to the public of the affected Party?*

The provided material consists of information on the proposed activity and is enclosed to the notification, whereas more detailed documentation is provided upon request of the point of contact of the affected Party.

27. *Does your country initiate a public hearing for the affected public, and at what stage, whether in the affected Party, in your country or as a joint hearing? If a public hearing is held in your country, as Party of origin, can the public of the affected Party, public authorities, organizations or other individuals come to your country to participate?*

A hearing in the affected Party is initiated in agreement with the point of contact in line with national legislation.

No, there has been no joint public hearing in the procedures carried out to date in either Party.

Yes, a public hearing in Croatia is open to the public of both countries.

#### QUESTIONS TO AFFECTED PARTY

28. *Describe the procedures and, where appropriate, the legislation your country would apply to determine the meaning of the words “within a reasonable time before the final decision”, this being the time frame for comments (art. 4.2)?*



There is no legislation. Reasonable time is any time if the Party of origin agrees to it.

29. *How does your country cooperate with the authorities of the Party of origin on the distribution of the EIA documentation and the submission of comments (art. 4.2), taking into account that the Party of origin and affected Party are both responsible?*

Mainly through the points of contact.

30. *Who is responsible for the organization of the public participation in the affected Party? Is the public participation normally organized in accordance with your legislation as the affected Party, with the legislation of the Party of origin, with ad hoc procedures, or with bilateral or multilateral agreements?*

It is organized in accordance with the legislation of the affected Party.

## **Article 5**

### ***Consultations***

#### **QUESTIONS TO PARTY OF ORIGIN**

31. *At which step of the EIA procedure does the consultation in accordance with article 5 generally take place? Describe the procedures and, where appropriate, the legislation your country would apply to determine the meaning of "undue delay", with regard to the timing of the entry into consultation? Does your country normally set the duration for consultations beforehand? If there seems to be no need for consultation, how does your country determine not to carry out consultations?*

The consultation takes place after exchange of information, upon development of the Study. Procedures are applied as stipulated under the Convention. There is no special national legislation determining "undue delay".

Normally we do not set the duration for consultations beforehand, but it is agreed between points of contact that exchange of information should be within a reasonable time frame. If the EIA Study does not indicate environmental impact, together with other environmental authorities that are members of the reviewing commission we determine not to carry out consultation.

32. *On what level do you arrange for consultation: national, regional or local? Who usually participates in the consultation? Describe the responsibilities of the authorities involved. By what means do you usually communicate in consultations, for example by meeting, exchange of written communications?*

Consultations are at governmental level.

Consultations usually involve participation of stakeholders: national, public and other stakeholders.

The responsibilities of the authorities involved are laid down by sectoral regulations.

Both meetings and written communications are usually applied in consultations.

National and local authorities in charge of specific environmental issues and other stakeholders participate.

#### **QUESTIONS TO AFFECTED PARTY**

33. *On what level is the consultation normally held: national, regional or local? Who normally participates in the consultation? By what means does your country usually communicate in consultations, for example by meeting or by the exchange of written communications? How does your country indicate if there is no need for consultations?*

Consultation meetings are held with all levels.

National and local authorities and other stakeholders normally participate.  
The usual means are meetings and written communications.

## Article 6

### *Final decision*

#### QUESTIONS TO PARTY OF ORIGIN

34. *For each type of activity listed in appendix I, identify what is regarded as the “final decision” to authorize or undertake a proposed activity (art. 6 in conjunction with art. 2.3); also provide the term used in the national legislation in the original language. Do all projects listed in appendix I require such a decision?*

The final decision is in fact the building permit which is issued in the procedure pursuant to the Physical Planning and Building Act (OG No. 76/07, 38/09).

Yes, all projects listed in Appendix I require such a decision.

35. *How does the EIA procedure (including the outcome) in your country, whether or not transboundary, influence the decision-making process for a proposed activity (art. 6.1)?*

The results of an EIA procedure influence the decision-making process for the proposed activities, and they are taken into consideration before taking the final decision on the proposed activity.

36. *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)?*

Yes, they are taken into consideration in the same way.

37. *How is the obligation to submit the final decision to the affected Party normally fulfilled? Does the final decision contain the reasons and considerations on which the decision is based? (art. 6.2)*

When we are the Party of origin we provide the affected Party with our final decision which includes reasons and considerations as well as the outcome of the consultations with the affected Party.

38. *If additional information becomes available according to article 6, paragraph 3, before the activity commences, how does your country consult with the affected Party? If need be, can the decision be revised? (art. 6.3)*

If additional information becomes available, this information would be considered, and should it result justified, pursuant to national legislation a revision of the procedure would be carried out.

If results of the assessment reveal the need, the first decision may be revised.

## Article 7

### *Post-Project Analysis*

39. *How does your country determine whether it should request a post-project analysis to be carried out (art. 7.1)?*

As a result of the environmental impact assessment carried out, a Decision on the acceptability of the proposed activity is passed including environmental protection measures and a programme for monitoring the state of the environment (Post- Project Analysis), and this programme is transposed into the decision on the proposed activity.

In our decisions the obligation to monitor data and the obligation to exchange information has been incorporated. The Post Project Analysis depends on the monitoring results.

40. *Where, as a result of post-project analysis, it is concluded that there is a significant adverse transboundary impact by the activity, how does your country inform the other Party and consult on necessary measures to reduce or eliminate the impact pursuant to article 7, paragraph 2?*

On the basis of monitoring results the Party of origin and the affected Party shall initiate additional consultations and a Post-Project Analysis.

In the same way as exchange of information and documentation during the assessment procedure is carried out, i.e., through the Points of contact.

## **Article 8**

### ***Bilateral and multilateral agreements***

41. *Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)? If so, list them. Briefly describe the nature of these agreements. To what extent are these agreements based on appendix VI and what issues do they cover? If publicly available, also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.*

The Republic of Croatia has no bilateral nor multilateral agreements.

42. *Has your country established any supplementary points of contact pursuant to bilateral or multilateral agreements?*

No.

## **Article 9**

### ***Research programmes***

43. *Are you aware of any specific research in relation to the items mentioned in article 9 in your country? If so, describe it briefly.*

Yes, we are working on improving the overall system by using different projects. CARDS 2004 Component 1 - Industrial pollution monitoring the result of which is strengthened capacity of authorised bodies, especially Ministry and of companies for implementation of the IPPC Directive 2008/1/EC on integrated pollution prevention and monitoring

## **Ratification of the amendments to the Convention and of the Protocol on Strategic Environmental Assessment**

44. *If your country has not yet ratified the first amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

Croatia ratified the first amendment on 11 February 2009.

45. *If your country has not yet ratified the second amendment to the Convention, does it have plans to ratify this amendment? If so, when?*

Also the second amendment was ratified on 11 February 2009.

46. *If your country has not yet ratified the Protocol on SEA, does it have plans to ratify the Protocol? If so, when?*

The Protocol was ratified on 6 October 2009.

## PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2006–2009

*Please report on your country's practical experiences of applying the Convention (not your country's procedures described in part one), whether as Party of origin or 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. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.*

### CASES DURING THE PERIOD 2006–2009

47. *Does your country's national administration have information on the transboundary EIA procedures that were under way during the period? If so, please list these procedures, clearly identifying for each whether your country was the Party of origin or the affected Party. If your country does not have any experience of applying the Convention, why not?*

Yes. Currently procedures are under way in which Croatia is the Party of origin: motorway Budapest-Osijek-Sarajevo-Ploče, section Ploče-border with Bosnia and Herzegovina; motorway Šibenik-border with Bosnia and Herzegovina; regulation of the Sava waterway and establishment of the Sava river regulation line from Račinovac to Sisak; Multipurpose Canal Danube-Sava; waterway on the Danube (with Serbia); hydro power plants on the Sava river, Podsused (with Slovenia); hydro power plant HE Dubrovnik; main gas pipeline Zlobin-Rupa with Slovenia; exploitation field Northern Adriatic with Italy  
Procedures in which Croatia is the affected Party: hydro power plant Krško; LNG terminal on the Italian side

48. *Does your country object to the above list of transboundary EIA procedures being included in a compilation of such procedures to be made available on the website of the Convention? (Indicate "yes" if you object.)*

49. *Are there projects other than those mentioned above for which a transboundary EIA procedure should have been applied, but was not? Explain why.*

We have no awareness of such projects so far. For all procedures subject to the provisions of the Convention transboundary EIA has been or is being carried out.

50. *Provide information on the average duration of transboundary EIA procedures, both of the individual steps and of the procedures as a whole.*

It may be stated that the average duration of EIA is about six months.

### EXPERIENCE OF THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE IN 2006–2009

51. *If your country has had practical experience, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

Croatia has conducted several EIA transboundary procedures and measures of protection have been brought. To answer this question the analysis of efficiency of these measures is needed.

52. *How has your country interpreted in practice the various terms used in the Convention, and what criteria has your country used to do this? Key terms include the following: “major change” (art. 1 (v)), “a reasonable time” (art. 3.2(c), art. 4.2), “promptly” (art. 3.6) and “a reasonable time frame” (art. 5). (Do not provide references to answers to earlier questions 6 (b), 11, 13, 25 and 31.) If your country experiences substantial difficulties interpreting particular terms, does your country work together with other Parties to find solutions? If not, how does your country overcome the problem?*

Exclusively national legislation is followed in some decisions regarding the mentioned criteria, and there is extraordinary and intensive cooperation between points of contact of the countries involved in the procedure of transboundary EIA.

53. *Please share with other Parties your country’s experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country’s general experience. You might also include examples of “lessons learned” in order to help others.*

a. *How in practice has your country identified transboundary EIA activities for notification under the Convention, and determined the significance and likelihood of adverse transboundary impact?;*

For activities listed in Appendix I of the Convention, for projects for which evaluation of the need for environmental impact assessment has shown that EIA needs to be carried out, and for projects with regard to which a neighbouring country has stated its wish to be involved in the assessment procedure, transboundary EIA is obligatorily initiated.

b. *Indicate whether a separate chapter is provided on transboundary issues in the EIA documentation. How does your country determine how much information to include in the EIA documentation?;*

In the initial stage a copy of the integral study and its summary are submitted. If the neighbouring country requests additional clarification, efforts are made to meet the request by sending possible clarification and available data, as soon as possible.

c. *What methodology does your country use in impact assessment in the (transboundary) EIA procedure (e.g. impact prediction methods and methods to compare alternatives)?;*

Project location, scope, impacts, variant solutions and selection of the most acceptable variant, appropriate measures and monitoring

d. *Translation is not addressed in the Convention. How has your country addressed the question of translation? What does your country usually translate? What difficulties has your country experienced relating to translation and interpretation, and what solutions has your country applied?;*

Croatia translates only basic information and summary if respect if country is not from former Yugoslavia. For other we understand each other and the documentation has not been translated.

e. *How has your country organized transboundary public participation in practice? As Party of origin, has your country organized public participation in affected Parties and, if so, how? What has been your country’s experience of the effectiveness of public participation? Has your country experienced difficulties with the participation of its public or the public of another Party? (e.g. have there been complaints from the public about the procedure?);*

Public debate is organised in compliance with national legislation, depending on the area potentially affected by the environmental project in the territory of a neighbouring country. There have been no negative experiences which would have complicated and slowed down the procedure.

- f. *Describe any difficulties that your country has encountered during consultations, for example over timing, language and the need for additional information. As an affected Party, have consultations under article 5 supported the prevention, reduction or control of possible significant transboundary environmental impacts?;*

Difficulties mostly arose when determining time limits, either with regard to the response whether a neighbouring country would participate in the procedure, or with regard to the response on its final decision upon carrying out public debate, etc.

- g. *Describe examples of the form, content and language of the final decision, when it is issued and how it is communicated to the affected Party and its public;*

If Croatia is country of origin the administrative act - decision has been issued. It consist of statement on environmental acceptability of the project. measures of protection and monitoring. The decision is published on web site.

- h. *Has your country carried out post-project analyses and, if so, on what kinds of project?;*

Gas field North Adriatic. Croatia-Italy. The results of monitoring program have been analysed and program has been revised.

- i. *Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects? Please provide information on your country's experiences describing, for example, means of cooperation (e.g. contact points, joint bodies, bilateral agreements), institutional arrangements, and how practical matters are dealt with (e.g. translation, interpretation, transmission of documents, etc.);*

Gas fields in Adriatic sea. Joint project (INAgip) Croatia-Italia. Both countries were Party of origin and Affected party. First case we mutually conducted by joint body. Cases after were conducted by focal point. The proponent (INAgip) has translated all relevant documentation on Italian and Croatian language.

- j. *Name examples of good practice cases, whether complete cases or good practice elements (e.g. notification, consultation or public participation) within cases. Would your country like to introduce a case in the form of a Convention's "case study fact sheet" ?;*

We have some good practice cases and we are willing to introduce them.

- k. *Identify the most common means of applying the Convention (e.g. through focal points, joint bodies, multilateral agreements).*

Points of contact

#### CO-OPERATION BETWEEN PARTIES IN 2006–2009

54. *Does your country have any successful examples of how it has overcome difficulties arising from different legal systems in neighbouring countries?*

No

## EXPERIENCE IN USING THE GUIDANCE IN 2006–2009

55. *Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online? Describe your country's experience with using these guidance documents and how they might be improved or supplemented:*

- a. *Guidance on public participation in EIA in a transboundary context;*
- b. *Guidance on subregional cooperation;*
- c. *Guidelines on good practice and on bilateral and multilateral agreements.*

## CLARITY OF THE CONVENTION

56. *Has your country had difficulties implementing the procedure defined in the Convention, either as Party of origin or as affected Party? Are there provisions in the Convention that are unclear? Describe the transboundary EIA procedure as applied in practice, where this has varied from that described in part one above or in the Convention. Also describe in general the strengths and weaknesses of your country's implementation of the Convention's transboundary EIA procedure, which your country encounters when applying the Convention.*

The only difficulty is that the procedure consumes a lot of time and the country of origin can not speed up a process in affected country,

## AWARENESS OF THE CONVENTION

57. *Has your country undertaken activities to promote awareness of the Convention among stakeholders (e.g. the public, local authorities, consultants and experts, academics, investors)? If so, describe them.*

Yes. All stake holders are very familiar with the Convention. Public hearing helped in promotion of the Convention. EU also financialy has supported project on promotion of the Convention. This project has been realised by NGO Green Istra.

58. *Does your country see a need to improve the application of the Convention in your country and, if so, how does it intend to do so? What relevant legal or administrative developments are proposed or ongoing?*

Croatia has transposed EU EIA and SEA directives, has ratified Espoo and Aarhus Convention and SEA Protocol, practising EIA as an administrative procedure since 1984 and conducting about 10 transboundary cases consider that at the moment there is no need for any specific activity to improve the application in Croatia. But we desperatly feel the need to work with neighbouring countries on emprovement of the efficincy of the transboundary procedures.

## SUGGESTED IMPROVEMENTS TO THE REPORT

59. *Please provide suggestions for how this report may be improved.*

No suggestons at this stage

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