

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

in the period 2010–2012

Information on the focal point for the Convention

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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.

PRELIMINARY OBSERVATION:

Belgium is a federal State sui generis. Regarding environmental matters, the federal nature is reflected in the distribution of legislative and administrative powers over 3 autonomous Regions (the Region of Flanders, the Region of Wallonia and the Region of Brussels-Capital) and one federal government.

Article 2

General Provisions

1. *List the general legal, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2).*

REGION OF FLANDERS: Act of the parliament of the Region of Flanders of 18th December 2002 on SEA and EIA (as amended) (hereinafter 'Flemish SEA/EIA Act of 18/12/2002') executed by the Decree of the Government of the Region of Flanders of 10th December 2004 on EIA (hereinafter 'Flemish EIA decree of 10/12/2004').

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

REGION OF BRUSSELS: For the EIA procedure, the provisions of the Convention are implemented in the Code of the Region of Brussels-Capital on Town and Country planning (COBAT), article 127 § 3

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Federal Law on the Protection of the Marine Environment of 20th January 1999, executed, regarding (transboundary) EIA, by the Royal Decree of 7 the September 2003 and the Royal Decree of 9th September 2003.

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

REGION OF FLANDERS: none

REGION OF WALLONIA: none.

REGION OF BRUSSELS: none

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): none

3. *List the different authorities that are named responsible for the implementation of the EIA procedure in the transboundary context and domestically.*

REGION OF FLANDERS: In both cases the Flemish EIA authority is responsible.

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

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

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): General and non-living resources procedure: Management Unit of the Mathematical Model of the North Sea (MUMM)

General permit procedure: Minister competent for the marine environment (in practice assisted by the Directorate-General for Environment)

Non-living resources procedure: Minister competent for Economy and Minister competent for the marine environment (in practice assisted by the Directorate-General for Sand and Gravel Extraction and the Directorate-General for Environment).

4. *Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it.*

REGION OF FLANDERS: No, there is no such authority

REGION OF WALLONIA: No. In Wallonia, it is the decentralized regional body responsible for reporting the complete and acceptable dossier which is responsible for collecting this information for the area where it is competent.

REGION OF BRUSSELS: No, there is no such authority.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No, there is no such authority

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

REGION OF FLANDERS: Each case will be considered individually, taking account its specific characteristics and possibilities. As much as possible, a common procedure will be created or agreed (ad hoc formalisation) taking into account the strongest aspects of both EIA procedures.

REGION OF WALLONIA: Each case will be considered individually, taking account of its specific characteristics and possibilities. As much as possible, a common procedure will be created or agreed (ad hoc formalisation) taking into account the strongest aspects of both EIA procedures.

REGION OF BRUSSELS: No specific provisions in the legislation of the Region of Brussels-Capital because in practice no cases occur in the Region of Brussels-Capital, since the Region is situated in the middle of Belgium far away from the border with the neighbouring countries.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No specific provisions

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

6. *Is appendix I to the Convention transposed fully into your country's national legislation? Please describe any differences between the national list and appendix I to the Convention.*

REGION OF FLANDERS: All the activities of Appendix I are transposed into the Flemish EIA Decree of 10/12/2004. The legislation of the Flemish Region covers more activities than those listed in appendix I. The Flemish EIA Decree of 10/12/2004 covers all activities which are subject to a (transboundary) EIA-procedure, corresponding to the EU-directive 2011/92. All the activities of Appendix I are in the lists of the Flemish EIA Decree of 10/12/2004. Pending a new decree, a third list was added in July 2011 by the Circular LNE 2011/1 with activities which are at least subject to screening. This third list has been replaced by the list in the Decree of the Government of the Region of Flanders of 1st March 2013 on screening.

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

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

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): yes it is.

7. *Does your country's legislation already cover fully the revised appendix I in the second amendment (ECE/MP.EIA/6, decision III/7)?*

REGION OF FLANDERS: All the activities of the revised appendix I are covered by the Flemish EIA Decree of 10/12/2004.

REGION OF WALLONIA: Yes and the list of activities mandatory submitted to an EIA in the region of Wallonia covers more than the one listed in the revised appendix I.

REGION OF BRUSSELS: The revised appendix I to the Convention is not yet transposed into the regional legislation. So we don't know if all the activities are covered in the facts.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Yes for the marine environment

PUBLIC PARTICIPATION

8. *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?*

REGION OF FLANDERS:

The definition in the Flemish legislation (EIA) is the same as article 1(x) and also mentions organisation or groups.

In the Flemish EIA process public participation occurs in two stages: (1): in the scoping phase, the public is given the opportunity to make suggestions for the project-specific guidelines for the content of the EIA documentation; and (2) once the EIA documentation has been prepared and attached to the permit application documentation, there is the opportunity for the public to comment both in writing and orally at a public hearing during the permit application procedure. At the same time as the public in Flanders is informed, the publication in the affected Party has to take place. This implies that, in the scoping phase, the notification of intent might be translated and made public in the affected Party and after the EIA documentation has been prepared the summary is translated and the (complete) documentation is made public in the affected Party. All information is immediately available on the website.

REGION OF WALLONIA:

If a project is likely to have transboundary impacts the affected Party receives :

- the EIA report ;
- the address of the competent authority with time of the final decision ;
- the modalities of the public hearing including the dates of starting and closure of the public hearing and the address to which the observations have to be addressed

REGION OF BRUSSELS: The EIA process provides for public participation in two stages (and the public, even if he comes from an other Party – for instance a municipality from an other country – may participate):

(1) during the scoping phase, the public is given the opportunity to make suggestions regarding the specifications for the contents of the EIA report – the EIS -, taking into account the specific knowledge of local characteristics by the residents;

(2) once the EIS is finished and declared as complete by the Steering Committee, after the eventual introduction of amendments to the original demand by the developer, there is the opportunity for the public to comment the project and the EIA both in writing and orally in the Consultation Committee.

The public who is given the opportunity for comments is the so called "public concerned" (relatively large definition)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the

North Sea): The authorities in the affected Party are informed at the same time as the public in Belgium. The public in the affected Party has, compared to the Belgian public, one additional month to react, in order to overcome distribution of information problems for the authorities. All information is immediately available on our website.

Article 3

Notification

QUESTIONS TO PARTY OF ORIGIN

9. *Describe how your country determines when to send the notification to the affected Party, which is to occur “as early as possible as and no later than when informing its own public”.*

REGION OF FLANDERS: In principle, concerning the EIA procedure, the notification is sent to the affected party at the same time as the publication of the “notification of intent” takes place domestically (scoping phase).

REGION OF WALLONIA: The affected Party receives the information at the latest when the public of the Party of origin is informed.

REGION OF BRUSSELS: When a project is likely to have significant environmental impacts on the territory of a Party to the Espoo convention or if a Party requests it, all information concerning the request of permit and of the EIA and finally of the delivering of the permit is sent to the affected Party. The Government determines the practical modalities for the transmission of this information. The affected Party receives the information at the latest when the public of the Party of origin is informed.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The procedure foresees that the project developer has to notify the competent administration when he starts writing the EIR. When the administration receives this notification it sends de facto a letter to the possible affected countries and ask them if they want to be kept informed on the project.

10. *Indicate whether and how the following provisions are reflected in your national legislation:*

- a. *The stage in the EIA procedure when your country usually notifies the affected Party (art. 3.1);*

REGION OF FLANDERS: In principle, the notification is sent to the affected party at the same time as the publication of the “notification of intent” takes place domestically (scoping phase).

REGION OF WALLONIA: The request with EIA is sent to the affected Party when the competent authority decides that the request is complete and admissible.

REGION OF BRUSSELS: The affected Party receives the information at the latest when the public of the Party of origin is informed.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): See above point 9.

- b. *The format for notification. Please indicate whether this is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix). If not, does your country use a format of its own (in which case, please attach a copy of it)?*

REGION OF FLANDERS: the format is used. The necessary information is included in the letter to the affected party and in the notification/EIA.

REGION OF WALLONIA: Our own format is used.

REGION OF BRUSSELS: The Government determines the practical modalities for the transmission of this information. No practical experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The format is not used. A standard letter is sent.

- c. *The time frame for the response to the notification from the affected Party (cf. art. 3, para. 3, “within the time specified in the notification”), the consequence if an affected Party does not comply with the time frame, and the possibility of extending a deadline;*

REGION OF FLANDERS: For EIA-procedure, article 4.3.4 §5 provides 40 days for the transboundary authority (when significant environmental effects are expected or when the transboundary authority asks to take part in the procedure) to give their comments on the notification.

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

REGION OF WALLONIA: The time frame refers to the time frame of the decision-making procedure as provided for in the relevant legislation (e.g. environmental permit or building permit). In most cases a short extension of the deadline is considered.

REGION OF BRUSSELS: The time frame refers to the time frame of the decision-making procedure as provided for in the relevant legislation (e.g. environmental permit or building permit). In most cases a short extension of the deadline is considered

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The time-frame is mentioned in the national law. The consequence if an affected party does not comply with the time frame, neither the possibility of extending a deadline is mentioned in the federal marine law.

- d. *The request for information from the affected Party (art. 3 para. 6), necessary for the preparation of the EIA documentation;*

REGION OF FLANDERS: When necessary the affected Party will be asked for information, but this is not specified in the Flemish regulation.

REGION OF WALLONIA: The legislation sets the minimum content of any EIA according to the criteria of the Annex IV to the EU directive 2011/92/CEE. The report is communicated to the competent authorities of the affected Party who are free to request additional information. We expect to have the replies within the delay of public inquiry.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Not specified in federal marine law, but not forbidden to make such a request.

- e. *How your country cooperates with the authorities of the affected Party on public participation (art. 3, para. 8);*

REGION OF FLANDERS: The EIA Unit and the point of contact in the affected Party can best determine by mutual agreement (dialogue between those authorities) how the public is to be informed.

REGION OF WALLONIA: In addition to the national authorities of the likely affected Party, the authorities of the cities likely to be affected are consulted.

REGION OF BRUSSELS: No practical experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Not specified in the federal marine law, it is decided on a case by case basis between the authorities of both countries

- f. *When and 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?*

REGION OF FLANDERS: The EIA Unit and the point of contact in the affected Party can best identify by mutual agreement (dialogue between those authorities) how the public is to be informed. (e.g. by public announcement in relevant newspapers, on relevant websites or in any other way the point of contact in the affected Party may suggest). The announcement contains the names and addresses of the proponent, the EIA Unit and the competent authority for the final decision, together with a description of the proposed activity (type and size), the location of the proposed activity and the decision or decisions for which the EIA is being carried out. Furthermore, the announcement should include information on the timing and the way suggestions for the content of the EIA documentation can be delivered to the EIA Unit. If an information meeting is to be organized, the public announcement should also contain information on this meeting.

REGION OF WALLONIA: The Director General of the Directorate General for Natural Resources, Agriculture and Environment determines which municipalities are likely to be affected and the Government transmits this information to these local competent authorities likely to be affected who are in charge to proceed at a public inquiry and to an environmental council.

REGION OF BRUSSELS: No practical experience about the notification of an affected Party

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The federal marine law states that the public in the affected Party is notified at the same time as the public in the Party of origin. The first group has 1 extra month to react. The content of the public notification is the EIR.

- g. *When and how the public in the Party of origin is notified (what kinds of media, etc. are usually used). What is normally the content of the public notification?*

REGION OF FLANDERS: The public is notified in the scoping phase. The public is given the opportunity to make suggestions for the project-specific guidelines for the content of the EIA documentation. The public is notified by a public announcement. The announcement contains the names and addresses of the proponent, the EIA Unit and the competent authority for the final decision, together with a description of the proposed activity (type and size), the location of the proposed activity and the decision or decisions for which the EIA is being carried out. Furthermore, the announcement should include information on the timing and the way suggestions for the content of the EIA documentation can be delivered to the EIA Unit. If an information meeting is to be organized, the public announcement should also contain information on this meeting.

REGION OF WALLONIA: The public concerned of Region of Wallonia is informed when the competent authority decides that the request is complete and admissible. The municipal council of the municipality affected by the project displays a notice of public inquiry in the city hall and other usual places. It also displays a notice of public inquiry in four visible locations near the place where the project is going to be built, along a public or traveled road.

REGION OF BRUSSELS: The public is notified via public notices on boards in the neighbourhood of the project or the new installation, and there is also publication in some newspapers.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): See f.

- h. *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.*

REGION OF FLANDERS: In principle, the public of the affected Party/Parties is notified at the same time and with the same information as the public in Flanders is informed for the first time. This is after the "notification of intent" has been submitted to and approved by the EIA Unit.

REGION OF WALLONIA: In principle, the public of the affected Party/Parties is notified at the same time and with the same information as the public in Wallonia.

REGION OF BRUSSELS: The use of identical notifications by the two Parties would be good practice

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Yes is has.

11. *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, annex III, decision I/3), and as listed on the Convention website (http://www.unece.org/env/eia/points_of_contact.htm)?*

REGION OF FLANDERS: Yes, the points of contact are made use of in this way. Supplementary points of contact were established in the agreement between the Region of Flanders and the Netherlands.

REGION OF WALLONIA: No, only competent authorities of the affected Party are informed.

REGION OF BRUSSELS: Yes, the points of contact would be made use of in this way, but no experience at this moment.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No use of contact points in case of marine projects

QUESTIONS TO AFFECTED PARTY

12. *Indicate whether and how the following provisions are reflected in your national legislation:*

a. How your country decides whether or not to participate in the EIA procedure (art. 3, para. 3)?

REGION OF FLANDERS: In most cases, the notification is followed by a positive response to participate in the EIA procedure or to be kept informed of developments in the procedure. Criteria for participation are the expected transboundary impact and the level of public interest involved.

REGION OF WALLONIA: When the Government of region of Wallonia receives information from a Party of origin, it transmits this information to the local competent authorities likely to be affected who are in charge to proceed at a public inquiry. Observation of the public and their comments are transmitted to the competent authority of the Party of origin.

REGION OF BRUSSELS: No case until now, our Region is in the middle of the country.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): It's not specified in federal marine law.

b. The request from the Party of origin for information (art. 3, para. 6), necessary for the preparation of the EIA documentation;

REGION OF FLANDERS: When information from the Party of origin is requested, information will be provided to the extent possible. However this is not specified in the Flemish legislation.

REGION OF WALLONIA: This is not specified in the Walloon legislation

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): It's not specified in federal marine law.

c. *How your country cooperates with the authorities of the Party of origin on public participation (art. 3, para. 8);*

REGION OF FLANDERS: The EIA Unit and the point of contact in the Party of origin can best determine by mutual agreement (dialogue between those authorities) how the public is to be informed.

REGION OF WALLONIA: The procedure for public participation is established in dialogue with the Party of Origin on a case by case basis.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): It's not specified in federal marine law

d. *When and how the public is notified (e.g., what kinds of media, etc., are usually used).*

REGION OF FLANDERS: The public is notified in a proper manner (e.g. by a public announcement in relevant newspapers, website, ...) in the scoping phase. The announcement contains the names and addresses of the proponent, the EIA Unit and the competent authority for the final decision, together with a description of the proposed activity (type and size), the location of the proposed activity and the decision or decisions for which the EIA is being carried out. Furthermore, the announcement should include information on the timing and the way suggestions for the content of the EIA documentation can be delivered to the EIA Unit.

REGION OF WALLONIA: When the Government receives information about a project, it transmits that information to municipal authorities likely to be affected for public inquiry of 30 days. The Director General of the Directorate General for Natural Resources, Agriculture and Environment determines the municipalities concerned. The same information is sent to the Walloon council for environment and sustainable development.

REGION OF BRUSSELS: The same as above.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): It's not specified in federal marine law.

Article 4

Preparation of the environmental impact assessment documentation

QUESTIONS TO PARTY OF ORIGIN

13. *Indicate the legal requirements in your country, if any, related to:*

a. *The content of the EIA documentation (art. 4, para. 1; appendix II);*

REGION OF FLANDERS: Article 4.3.7 §1 of the Flemish SEA/EIA Act of 18/12/2002 describes the necessary content of the EIA and covers Annex IV to the EIA directive 2011/92/EU and appendix II to the Convention..

REGION OF WALLONIA: The legislation sets the minimum content of any EIA according to the criteria of the Annex IV to the EIA directive 2011/92/EU.

REGION OF BRUSSELS: The same as annex IV to the EIA Directive 2011/92/EU and appendix II to the Convention

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The EIA has to deal with the effects on the marine environment and in particular the effects on: Fauna, flora, biodiversity and people, soil, water, atmosphere and climatology, energy and raw material stock, sealandscape, material goods and cultural heritage, The interaction between all these effects also have to be described. Effects refers to direct and indirect, secondary, cumulative and synergetic, permanently and temporary, positive and negative effects on short, mid and long term.

- b. *The procedures for determining the content of the EIA documentation on a case-by-case basis (scoping procedure) (art. 4, para. 1);*

REGION OF FLANDERS: The legal requirements on the scoping procedure are fixed by Article 4.3.5 of the Flemish SEA/EIA Act of 18/12/2002.

REGION OF WALLONIA: The minimum content of the EIA documentation is legally defined.

REGION OF BRUSSELS: The diverse Administrations concerned by a project prepare specifications for the content of the EIA that are submitted to the 1st public inquiry.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Not mentioned in federal marine law.

- c. *The identification of “reasonable alternatives” in accordance with appendix II, paragraph (b);*

REGION OF FLANDERS: Reasonable alternatives are alternatives that are suitable to reach the purpose set by the proponent. Reasonable alternatives are also alternatives that reduce the environmental impact and fall within the competence of the proponent.

REGION OF WALLONIA: Reasonable alternatives are alternatives that are suitable to reach the purpose set by the proponent. Reasonable alternatives are also alternatives that reduce the environmental impact and fall within the competence of the proponent. Reasonable alternatives must be described by the accredited EIA expert.

REGION OF BRUSSELS: It is a Committee composed of the different concerned Administrations which prepares the specifications and namely defines the reasonable (i.e. suitable to reach the global purpose of the developer) alternatives the consultant will have to analyse in the EIA.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): At least reasonable alternatives on location, project procedures and environmental facilities have to be identified.

d. *The procedures and format for providing the EIA documentation domestically;*

REGION OF FLANDERS: The procedure is described in the Flemish SEA/EIA Act of 18/12/2002. When the completed EIA documentation is approved by the EIA authority, all of the EIA documentation will be provided to the public on request or during the consultation phase of the permitting procedure. In certain cases the proponent may ask for secrecy of certain parts of the EIA documentation.

REGION OF WALLONIA: All of the EIA documentation is delivered, but in certain cases the proponent may ask for secrecy of certain parts of the EIA documentation.

REGION OF BRUSSELS: When a developer submits a demand for a permit, he has to give all the necessary information about his project, he picks a consultant in a list of accredited consultancy offices, but the specifications, as written above, are drafted up by the Administrations, and the study is done by this consultant who has to be independent in his analysis of the impacts of the project. For evaluating the interaction between the different disciplines, the specifications ask to the consultant for analyzing the different combinations of disciplines and looking for the contradictory or coherent interactions between the recommendations done in the different chapters.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The EIA documentation have to be sent in 21 paper copies and 1 digital copy. Modifications are underway to alter this to 5 paper copies and 1 digital copy. The format mentioned is a standard environmental impact report.

e. *The procedures and format for providing the EIA documentation to the affected Party. If there is a difference between the procedures and format domestically and for the affected Party, please explain;*

REGION OF FLANDERS: Article 4.3.8§3 of the Flemish SEA/EIA Act of 18/12/2002 states that the decision about the final EIA-report has to be sent to the transboundary authority (when significant environmental effects are expected or when the transboundary authority asks to take part in the procedure). In principle all of the EIA documentation is provided, but in certain cases the proponent may ask for secrecy of certain parts of the EIA documentation.

REGION OF WALLONIA: All of the EIA documentation is delivered, but in certain cases the proponent may ask for secrecy of certain parts of the EIA documentation.

REGION OF BRUSSELS: No experience. The Government has to determine the modalities.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The format is a report and no specifications on the procedures are mentioned in federal marine law

- f. *The procedures for the examination of, and the deadlines for comments on, the EIA documentation domestically, and how the comments submitted domestically are addressed;*

REGION OF FLANDERS: Article 4.3.5 §1 of the Flemish SEA/EIA Act of 18/12/2002 states that the authority has to decide on the guidelines within 60 days after the notification has been approved (80 days in case of transboundary effects (article 4.3.5§3)). In this decision on the guidelines, the authority has to take the comments of the public and the relevant administrations into account, including the comments of the affected Party in case of a transboundary project. During the permitting procedure, the announcement regarding the public participation and consultation indicates to whom the comments should be sent. The comments based on the EIA documentation are normally sent directly to the competent authority. General (federal) administrative law and particular regional environmental legislation require explicit justification of decisions, including taking into account the comments and recommendations submitted concerning the EIA documentation.

REGION OF WALLONIA: The competent authority in charge of the examination of the permit application drafts a synthesis report and proposes a decision on the basis of the application file, the EIA and the comments received during the whole process. The competent authority takes its decision on the basis of this report and other elements in its possession. Processing times are defined in the legislation (110 days in total for a class 1 with EIA, with a possible extension of 30 days).

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

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No procedures is mentioned in federal marine law. Deadlines for comments are 60days after start of procedures. If relevant the comments submitted domestically are taken into account for final advice on permitting

- g. *The procedures for the examination of, and the deadlines for comments on, the EIA documentation from the affected Party, and how the comments submitted by the affected Party are addressed;*

REGION OF FLANDERS: Article 4.3.5§3 of the Flemish SEA/EIA Act of 18/12/2002 states that the deadline to give comments in the scoping phase is extended by 10 days. These comments are taken into account when the EIA authority drafts the guidelines which the developer has to take into account when drafting the environmental impact assessment report. The announcement regarding the public participation and consultation indicates to whom the comments should be sent. General (federal) administrative law and particular regional environmental legislation require explicit justification of decisions, including taking into account the comments and recommendations submitted concerning the EIA documentation.

REGION OF WALLONIA: The comments received from the affected Party are included in the comments analysed by the competent authority in charge of the examination of the permit application file.

REGION OF BRUSSELS: No experience. The Government has to determine the modalities.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No procedure is mentioned in federal marine law. Deadlines for comments are 90 days after start of procedures. If relevant the comments submitted by the affected party are taken into account for final advice on permitting

h. The procedures for public hearings domestically;

REGION OF FLANDERS: A public hearing can be organized during the scoping phase. A public hearing (information meeting) is mandatory after the preparation of the EIA documentation, when the EIA documentation is part of the permit application file.

REGION OF WALLONIA: A public hearing can be organized during the scoping phase. A public hearing (information meeting) is mandatory after the preparation of the EIA documentation, when the EIA documentation is part of the permit application file. This hearing is open to the public of the affected Party, public authorities and other organizations. Joint hearings are possible as long as the relevant legislation is being applied.

REGION OF BRUSSELS: The EIA process provides for public participation in two stages: (1) during the scoping phase, the public is given the opportunity to make suggestions regarding the specifications for the contents of the EIA report – the EIS – taking into account the specific knowledge of local characteristics by the residents; (2) once the EIS is finished and declared as complete by the Steering Committee, after the eventual introduction of amendments to the original demand by the developer, there is the opportunity for the public to comment on the project and the EIA both in writing and orally in the Consultation Committee.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The public hearing has to be organised from Monday to Friday, not on official holidays and each day at least a half day long. The public hearing is organised in the offices of the federal administration and in each coastal town hall of Belgium (only for marine federal law)

i. The procedures for public hearings held on the territory of the affected Party.

REGION OF FLANDERS: The Party of origin does not initiate a public hearing in the affected Party for the affected public as a rule. A public hearing can be organized during the scoping phase. A public hearing (information meeting) is mandatory domestically after the preparation of the EIA documentation, when the EIA documentation is part of the permit application file. This hearing is open to the public of the affected Party, public authorities and other organizations. Joint hearings are possible as long as the relevant legislation is being applied.

REGION OF WALLONIA: The Party of origin does not initiate a public hearing in the affected Party for the affected public as a rule.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No specific procedure in marine federal law

QUESTIONS TO AFFECTED PARTY

14. *Indicate the legal requirements in your country, if any, related to:*

a. *The procedures and deadlines for comments on the EIA documentation to be submitted to the Party of origin;*

REGION OF FLANDERS: The procedures and deadlines are defined by the Party of Origin.

REGION OF WALLONIA: Please see answer to the question 14, c.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No legal requirements in federal marine law

b. *The procedures for public participation in the review of the EIA documentation domestically, and the authority responsible for the execution of the aforementioned procedures;*

REGION OF FLANDERS: In principle, the public participation is organized in accordance with the legislation of the Party of Origin and with the bilateral agreement or another ad hoc arrangement.

REGION OF WALLONIA: The article D.29-7 of the Code of the environment says the minimum legal requests for the public inquiry. Schematically the public inquiry is announced by posters in the town hall and other usual places. The poster shows the purpose of the project, the applicant's name, the duration of a public inquiry, the place of consultation of the EIA documentation, the survey period, the address where complaints and comments can be sent.

REGION OF BRUSSELS: See 13h

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No legal requirements in federal marine law

c. *The procedures for the examination of the EIA documentation domestically.*

REGION OF FLANDERS: There are no legal requirements. The deadlines for examination of the EIA documentation are defined by the Party of Origin.

REGION OF WALLONIA: When the Government receives information about a project, it transmits that information to municipal authorities likely to be affected for

public inquiry of 30 days. The Director General of the Directorate General for Natural Resources, Agriculture and Environment determines the municipalities concerned. The same information is sent to the Walloon council for environment and sustainable development.

REGION OF BRUSSELS: See 13f

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No legal requirements in federal marine law

Article 5

Consultations

QUESTIONS TO PARTY OF ORIGIN

15. *Indicate the legal requirements in your country, if any, related to the following provisions:*

a. *The procedures for cooperation with the affected Party related to consultations;*

REGION OF FLANDERS: There are no legal requirements in the Region of Flanders. The cooperation with the affected party proceeds normally via a bilateral agreement or another ad hoc arrangement. There is a draft agreement between the Region of Flanders and The Netherlands on EIA/SEA in a transboundary context containing some general principles on applying EIA/SEA in a transboundary context.

REGION OF WALLONIA: No legal requirement.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No legal requirements in federal marine law

b. *The stages, procedures and deadlines for consultations with the affected Party;*

REGION OF FLANDERS: Article 4.3.4 §5 of the Flemish SEA/EIA Act of 18/12/2002 provides 40 days for the transboundary authority (when significant environmental effects are expected or when the transboundary authority asks to take part in the procedure) to give their comments on the notification. Article 4.3.5 §1 sub 2° of the Flemish SEA/EIA Act of 18/12/2002 states that the EIA-authority has to take into account the comments made by the transboundary authority when the authority decides on the project-specific guidelines. The decision about the project-specific guidelines has to be send to the transboundary authority. Article 4.3.8 §3 of the Flemish SEA/EIA Act of 18/12/2002 states that the decision about the final EIA-report has to be send to the transboundary authority (when significant environmental effects are expected or when the transboundary authority asks to take part in the procedure) .

During the permitting procedure, a copy of the permit application is sent to the affected Party (article 19 bis Flemish decree on permitting). The public of the affected party can participate in the consultation organised by the Party of origin (30 days). The Party of origin is responsible for informing the affected Party via announcements in relevant newspapers of its public hearing (information meeting) and consultation period. The affected Party can also organise a consultation on its

own territory. The comments should be send to the Party of origin within two months after the date of submission of the copy of the permit application.

REGION OF WALLONIA: No legal requirement.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): See outline in question 13

- c. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

REGION OF FLANDERS: Article 4.3.4§4 of the Flemish SEA/EIA Act of 18/12/2002 defines who participates in the consultations and provides 30 days for the public to give their comments. During the permitting procedure, public consultation is also organised. The Flemish decree on permitting (article 17-19), states the stages, procedures and deadlines for consultations. Public consultation is organised after the permitting application is declared admissible. The public is given 30 days to comment on the project. Who can participate in the public consultation is stated in article 17 §3 of the Flemish decree on permitting.

REGION OF WALLONIA: No legal requirement.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): See outline in question 13. Everyone (public and authorities) can participate in the consultations

QUESTIONS TO AFFECTED PARTY

16. *Indicate the legal requirements in your country, if any, related to the following provisions:*

- a. *The procedures for interaction with the Party of origin related to consultations;*

REGION OF FLANDERS: There are no legal requirements in the Region of Flanders. There is a draft agreement between the Region of Flanders and The Netherlands on EIA/SEA in a Transboundary Context.

REGION OF WALLONIA: No legal requirement.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No legal requirements in federal marine law

- b. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*

REGION OF FLANDERS: The procedures and deadlines are defined by the Party of Origin. Who participates in the consultations is case by case determined by the

EIA Unit.

REGION OF WALLONIA: No legal requirement.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No legal requirements in federal marine law

Article 6

Final decision

QUESTIONS TO PARTY OF ORIGIN

17. Indicate the legal requirements in your country, if any, related to the following provisions:

- a. *The definition of "final decision" related to the implementation of the planned activity; the content of decisions; and procedures for their adoption;*

REGION OF FLANDERS: A permit is the final decision. The term in national legislation in the original language is: 'vergunning'. All the projects listed in Appendix I require such a decision. Remark: in Flanders, we have different types of decisions such as the environmental and the building decision.

REGION OF WALLONIA: All the project of the Appendix I need a permit granted by competent authority.

REGION OF BRUSSELS: No specific requirements : common permit.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The administration takes into account for its advice to the minister the following: the general principles of marine federal law especially prevention, precautionary principle and principle of sustainable management; the results of the EIA, the comments and objections from the public hearing domestically and affected parties. The minister takes into account for his final decision the general principles of marine federal law especially prevention, precautionary principle and principle of sustainable management and the results of the EIA

- b. *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, para. 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?*

REGION OF FLANDERS: A permit is the final decision. The term in national legislation in the original language is: 'vergunning'. All the projects listed in Appendix I require such a decision.

REGION OF WALLONIA: All the project of the Appendix I need a permit granted by competent authority.

REGION OF BRUSSELS: All projects listed in appendix I require such a final decision.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): /

- c. *The procedures for informing of the "final decision" domestically and for the affected Party;*

REGION OF FLANDERS:

- Domestically, as stated in article 31 of the Flemish decree on permitting, the final decision is made known by the municipalities during 30 days.
- The Party of origin also informs the affected Party of the final decision (article 31bis of the Flemish decree on permitting). The affected Party informs its public of the final decision.

REGION OF WALLONIA: The competent authorities publish the final decision and sent it to the affected Party.

REGION OF BRUSSELS: The final decision has to be boarded by the developer in front of his project when he receives it from the Administration.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): A message is published in the Belgian official journal. People can ask for a free copy of the entire text on the final decision. The complete text of the decision is sent to the authority of the affected Party.

- d. *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, para. 1)?*

REGION OF FLANDERS: Yes, they are taken into consideration in the same way

REGION OF WALLONIA: Yes, they are taken into consideration in the same way.

REGION OF BRUSSELS: Yes, they are taken into consideration in the same way

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Yes, they are taken into consideration in the same way

- e. *The opportunity to review the decision if, before the activity is implemented, additional information becomes available according to article 6, paragraph 3.*

REGION OF FLANDERS: No experience as yet

REGION OF WALLONIA: No experience yet.

REGION OF BRUSSELS: Review of the decision is possible in the Brussels legislation.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Review of the decision is possible before and after implementation of the activity

Article 7

Post-Project Analysis

18. Indicate the legal requirements in your country, if any, related to:

a. *Post-project analysis (art. 7, para. 1);*

REGION OF FLANDERS: Post-project analysis can be included as a licensing permit condition.

REGION OF WALLONIA: No legal requirement.

REGION OF BRUSSELS: No systematic review of the outcome of an EIA is done until now in our Region. But after granting the development consent, the Inspection Services of our Administration can always, according to a special Ordinance about the search for failures, the observation and the repression of the infringements, go and control the installations to be sure of their conformity to the granted permit.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Post-project analysis (monitoring) is always obligatory, but its importance may vary according to the type of project.

b. *Procedures for informing of the results of post-project analysis.*

REGION OF FLANDERS: none

REGION OF WALLONIA: none.

REGION OF BRUSSELS: No specific procedures

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Depending on the project it is possible that the results of the monitoring will be announced in a symposium.

Article 8

Bilateral and multilateral agreements

19. 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.

REGION OF FLANDERS: There is a draft agreement between the Region of Flanders and The Netherlands on EIA/SEA in a Transboundary Context. The draft agreement contains some general principles on applying EIA/SEA in a transboundary context. It also provides step-by step practical guidance on the process for those involved. Items dealt with are:

- The area of application of EIA in a transboundary context;
- Institutional arrangements (contact points);
- Procedural aspects (notification, public participation, consultation, decision); and
- Financial aspects.

The draft agreement is a kind of practical guidance on an administrative level and is not yet formalized. The agreement mainly deals with the practical institutional administrative aspects of the process of EIA in a transboundary context, Appendix VI (b)

REGION OF WALLONIA: No agreements so far.

REGION OF BRUSSELS: No agreements so far

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No such agreements exists for the federal marine environment

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

REGION OF FLANDERS: Yes, supplementary points of contact were established in the agreement between the Region of Flanders and the Netherlands.

REGION OF WALLONIA: No

REGION OF BRUSSELS: No

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Yes, there are contact points for marine projects

Article 9

Research programmes

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

REGION OF FLANDERS: No

REGION OF WALLONIA: No

REGION OF BRUSSELS: No

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No such specific research exists

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

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

Belgium will ratify the first amendment as soon as all regions and the federal authority have adopted a law that approves the amendment. When this process will be finalized is not known yet.

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

Belgium will ratify the second amendment as soon as all regions and the federal authority have adopted a law that approves the amendment. When this process will be finalized is not known yet.

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

Belgium will ratify the Protocol on SEA as soon as all regions and the federal authority have adopted a law that approves the Protocol. When this process will be finalized is not known yet.

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2010–2012

Please report on your country's practical experiences in 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; and 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 2010–2012

25. *If your country's national administration has a list of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list it.*

REGION OF FLANDERS:

According to annex I of the Flemish EIA decree of 10/12/2004

- Installation for the intensive rearing of pigs with more than 3000 places for production pigs (over 30kg). There were 5 transboundary procedures between Flanders (Party of origin) and the Netherlands (affected Party) and 1 transboundary procedure between Flanders (Party of origin) and France (affected Party).
- Installation for the intensive rearing of broilers with more than 85.000 places. There were 2 transboundary procedures between Flanders (Party of origin) and the Netherlands (affected Party) and 1 transboundary procedure between Flanders (Party of origin) and France (affected Party).
- Installation for the intensive rearing of hen with more than 60.000 places. There were 5 transboundary procedures between Flanders (Party of origin) and the Netherlands (affected Party).
- Installation for intensive rearing of sows with more than 900 places. There were 3 transboundary procedures between Flanders (Party of origin) and the Netherlands (affected Party).
- Waste-disposal installations for the incineration, as defined in D10 of article 1.3.1 VLAREA or chemical treatment, as defined in D9 of article 1.3.1 VLAREA, of non-hazardous waste with a capacity exceeding 100 metric tons per day. There was 1 transboundary procedure between Flanders (Party of origin) and the Netherlands (affected Party).
- Inland waterways and ports for inland waterway traffic, which permit the passage of vessels of over 1.350 metric tons. There was 1 transboundary procedure between Flanders (Party of origin) and the Netherlands (affected Party).

According to annex II of the Flemish EIA decree of 10/12/2004.

- Urban development project. There was 1 domestic transboundary procedure between Flanders (Party of origin) and the region of Brussels (affected Party).
- Installation for manure processing with a capacity exceeding 100.000 tonnes of manure per year. There was 1 transboundary procedure between Flanders (party of Origin) and the Netherlands (affected party).
- Installation for waste disposal: landfills of category 1 or 2 for non-hazardous waste. There was 1 transboundary procedure between Flanders (party of Origin) and the Netherlands (affected party).
- Storage of scrap iron, including scrap vehicles if the storage exceeds 10.000 tonnes or 10.000 vehicle wrecks. There was 1 transboundary procedure between Flanders (party of Origin) and the France (affected party).

REGION OF WALLONIA:

La Région Wallonne est le pays d'origine et la France, le Luxembourg, les Pays Bas, l'Allemagne ou la Région flamande est le pays touché

Objet	Instances contactées (Pays touché)
Parc de 6 éoliennes à Esplechin	1 - Ministère de l'écologie, du développement et de l'aménagement durable (France) 2 - Préfecture du Nord (France) 3- Communauté de communes du Pays de Pévèle (France) 4- Lille Métropole communauté urbaine (France) 5- Mairie de Camphin –en-Pévèle 6- Mairie de Wannehain 7- Mairie de Bourghelles 8- Mairie de Baisieux 9- Mairie de Bachy
Parc de 12 éoliennes à Quévy en extension d'un parc de 9 éoliennes	1 - Ministère de l'écologie, du développement et de l'aménagement durable (France) 2 - Préfecture du Nord (France) 3- Mairie de Goegnies Chaussée 4- Mairie de Bettignies 5- Mairie de Villers-Sire-Nicole
Parc de 4 éoliennes à Quévy/Aulnois	1 - Ministère de l'écologie, du développement et de l'aménagement durable (France) 2 - Préfecture du Nord (France) 3- Mairie de Goegnies Chaussée 4- Mairie de Feignies 5- Mairie de Hon-Hergies 6- Mairie de Taisnières-sur-Hon 7- Mairie de Longueville

<p>permis unique pour la transformation, la régularisation et l'extension d'une maternité porcine dont le cheptel devrait passer de 1400 à 3350 truies, et comportant une nouvelle prise d'eau avec forages, un dépôt de mazout, un dépôt de céréales, une micro station d'épuration, un stock d'engrais et une installation de chauffage.</p>	<p>Quelques administrations communales en Région flamande</p>
<p>maintien en activité de l'établissement, la transformation et l'extension de l'exploitation agricole dont le cheptel passera de 1000 à 3000 porcs de production, une prise d'eau, des silos, des tours d'aliments et une unité d'épuration individuelle</p>	<p>Quelques administrations communales en Région flamande</p>
<p>Parc de 6 éoliennes à Molembaix</p>	<p>Une province et une administration communale en Région flamande</p>
<p>Parc de 4 éoliennes à Frasnès-lez-Anvaing/ Moustier</p>	<p>Une province et une administration communale en Région flamande</p>
<p>permis unique pour une exploitation porcine comprenant :</p> <p>1. la régularisation des permis de l'exploitation actuelle de classe 1 en y intégrant les mesures fixées par la directive IPPC. En effet, l'exploitation détient actuellement une autorisation d'exploiter de la Députation permanente du Conseil Provincial du Hainaut n° 32876 délivrée en date du 17 janvier 1988 pour exploiter :</p> <ul style="list-style-type: none"> • trois porcheries alors que dix bâtiments d'élevage et d'engraissement sont actuellement présents sur le site de la société Luysen ; • 2.600 porcs alors que l'exploitation actuelle compte un nombre total de places qui s'élève à 4.379 et ce y compris pour les porcelets sevrés ; • la régularisation visant l'autorisation du puits présent sur le site de l'exploitation, et déclaré à la direction des eaux souterraines en 1998 ; • la transformation de bâtiments existants au sein de l'exploitation pour répondre aux normes relatives à l'Arrêté royal du 15 mai 2003 relatif à la protection des porcs dans les élevages porcins ; <p>2. Le renouvellement du permis pour le maintien en activité, la régularisation et l'extension de l'établissement visant :</p> <ul style="list-style-type: none"> • à détenir un maximum de 4.302 porcs dans les bâtiments actuels tels que modifiés ci-avant ; • la construction et l'exploitation d'une porcherie d'engraissement de 900 places portant le nombre total de porcs, en ce compris les porcs sevrés, à 5.202 places ; <p>la prolongation du permis d'urbanisme relatif à la lagune de</p>	<ol style="list-style-type: none"> 1. Mairie d'Armentières (France) 2. Mairie de Nieppe (France) 3. Quelques administrations communales en Région Flamande)

stockage de lisier.	
Extension d'un abattoir de poulets (12000 poulets/h)	une administration communale et l'administration de l'environnement de la Région flamande
Extension d'une usine pour la production et stockage de produits transformés de pommes de terre (frites,...)	<ol style="list-style-type: none"> 1. Ministre de l'Ecologie et du Développement durable, des Transports et du Logement (France) 2. Prefecture du Nord 3. Mairie de Deulemont 4. Mairie de Warneton 5. Mairie de Frelinghien
Extension d'une savonnerie, huilerie et d'un département oléochimie	une administration communale et l'administration de l'environnement en Région flamande
Installation de prétraitement de déchets dangereux – Détention d'animaux de laboratoire	une administration communale en Région flamande
Réaménagement d'un site métallurgique	une administration communale en Région flamande
Parc de 6 éoliennes	France. Mairies de : <ul style="list-style-type: none"> - OHAIN - WALLERS EN FAGNE - BAIVES
Construire un nouveau magasin d'ameublements à Arlon	Ministère de l'Environnement du Luxembourg Ministère de la coopération du Luxembourg
Construire et exploiter un parc de 7 éoliennes	Mairie de Givet (France)

Construire et exploiter un parc de 6 éoliennes	<ul style="list-style-type: none"> - Mairie de Mont-Saint-Martin. - Conseil Général de Meurthe et Moselle. - Ministère de l'Écologie, de l'Énergie du Développement Durable et de la Mer.
Augmenter le stockage de 850 tonnes de catalyseurs dont maximum 200 tonnes de catalyseurs classés dangereux pour l'environnement R51/53 à une capacité à 2400 tonnes (projet abandonné)	Ministère du Développement durable et des Infrastructures – Département de l'Environnement Grand-Duché de Luxembourg Préfecture de Meurthe et Moselle
Établissement et exploitation d'un dépôt d'artifices de divertissement, d'une capacité totale de 1470 t	<ul style="list-style-type: none"> - Mairie de GESPUNSART - PREFECTURE DES ARDENNES - Ministère français de l'Écologie, de l'Énergie, du Développement durable et de la Mer
Construire et exploiter un parc de 6 éoliennes à Fauvillers	n.c.
Construire et exploiter un parc de 7 éoliennes à Arlon/Messancy	<ul style="list-style-type: none"> -Ministère de l'Env. du Luxembourg -Adm. Communale de STEINFORT
Construire un parc commercial «Habitat et Loisirs » de 23.492 m ²	Ministère de l'Env. du Luxembourg
Construire et exploiter un parc de 3 éoliennes à Sterpenich	<ul style="list-style-type: none"> -Ministère de l'Env. du Luxembourg -Adm. Communale de GARNICH -Adm. Communale de STEINFORT
Construire et exploiter un parc de 11 éoliennes d'une puissance de 2 à 3 MW au lieu dit « Sol Bise » à Gouvy	<ul style="list-style-type: none"> - Ministère de l'Environnement (Luxembourg) - Commune de Wintrange

Construire et exploiter un parc de 6 éoliennes à Messancy/Aubange	Ministère de l'Env. du Luxembourg -Adm. Communale de CLEMENCY
Construire et exploiter un parc de 4 éoliennes d'une puissance de 3 MW au lieu dit « les 4 arbres » à Florenville	- Mairie de Carignan - Ministère de l'Ecologie (France)
Usine de valorisation énergétique de déchets ménagers	n.c.
Extension d'une porcherie (adjonction de deux bâtiments d'élevage portant la capacité d'élevage de 1480 à 3016 porcelets et de 1992 à 5832 porcs)	- Une province et une administration communale en Région flamande - Gemeenten VAALS en GULPEN-WITTEN (Pays-Bas) - Gouvernement provincial (Gedeputeerde Staten) du Limbourg hollandais (Pays-Bas) - Ministère de l'Environnement VROM (Pays-Bas).
Parc de quatre éoliennes	une administration communale et l'administration de l'environnement en Région flamande
Adjonction de 7 éoliennes au parc éolien de Berloz	une administration communale et l'administration de l'environnement en Région flamande
Parc de 13 éoliennes	une administration communale, une province et l'administration de l'environnement en Région flamande
Adjonction d'une 7ème éolienne au Parc éolien	- ABO GmbH, Aalt – Haarener Strasse, 132, 52080 AACHEN.
Maintien en activité du centre d'enfouissement technique d'Hallembaye	une administration communale, une prrovince et l'administration de l'environnement en Région flamande Collège des Bourgmestre et Echevins d'EISDEN (Pays-Bas) Ministère de l'Environnement VROM (Pays-Bas)

Station de compression de gaz naturel	une administration communale et l'administration de l'environnement en Région flamande
Déversement d'eaux usées du Centre d'enfouissement technique	une administration communale, une province et l'administration de l'environnement en Région flamande Collège des Bourgmestre et Echevins d'EISDEN (Pays-Bas) Ministère de l'Environnement VROM (Pays-Bas).
Dépôt de combustibles et station-service	Des administrations communales en Région flamande
Dépôt de combustibles et station-service	Des administrations communales et l'administration de l'environnement en Région flamande
Usine de fabrication de laine de verre sous forme de rouleaux et de panneaux	Des administrations communales et l'administration de l'environnement en Région flamande – Ministerie van VROM (Pays-Bas) – Gedeputeerde Staten van de Provincie LIMBURG (Pays-Bas) – Gemeente EIJSDEN (Pays-Bas) – Provincie LIMBURG (Pays-Bas)

La Région Wallonne est le pays touché et la Région flamande est le pays d'origine

Objet	Instances contactées (Pays touché)
Extension et modification d'une exploitation de biomasse	- Comines - CWEDD
Modification et extension de l'exploitation d'une centrale biomasse	- Comines
Parc éolien	- Estaimpuis - Mont-de-L'Enclus - Pecq - Mouscron - CWEDD
Parc éolien	Pas d'enquête publique organisée
Maintien en activité et extension d'une entreprise de travail du bois	- CWEDD - Mouscron

Maintien en activité et extension d'une entreprise de travail du bois	- Mouscron -
Maintien en activité, modification et extension d'un garage avec station-service	- Comines-Warneton - CWEDD
Maintien en activité, modification et extension d'un garage avec station-service	- Comines-Warneton
Modification et extension de l'exploitation d'un élevage de bétail	- Mouscron - CWEDD
Maintien en activité d'une porcherie	- Comines - CWEDD
Extension de l'exploitation d'une usine de biométhanisation	- Mouscron - CWEDD
Extension d'un magasin de stockage de produits dangereux	- Mouscron - CWEDD
Extension d'un magasin de stockage de produits dangereux	- Mouscron
Exploitation d'un parc éolien	- Mont de l'Enclus - CWEDD
Extension d'une usine de transformation de vinyle	- Mont-de-l'Enclus
Extension d'une usine de transformation de vinyle	- Mont de l'Enclus - CWEDD
Parc éolien	- Mont-de-l'Enclus
Maintien en activité, modification et extension d'une fabrique de revêtements de toiture	- Mouscron - CWEDD
Maintien en activité, modification et extension d'une fabrique de revêtements de toiture	- Mouscron
Extension d'une exploitation d'un élevage de porcs	- COMINES
Maintien en activité, extension et modification d'une porcherie	- Comines - CWEDD
Maintien en activité, extension et Modification d'une porcherie	- Comines-Warneton
Maintien en activité, extension et modification d'une porcherie	- Comines - CWEDD
Maintien en activité, extension et modification d'une porcherie	- Comines-Warneton
Maintien en activité, extension et modification d'une porcherie	- Comines - CWEDD
Maintien en activité, extension et modification d'une exploitation porcine	- Comines-Warneton
Maintien en activité, extension et modification d'une porcherie	- Comines - CWEDD
Maintien en activité, extension et modification d'une exploitation porcine et bovine	- Comines-Warneton
Maintien en activité, extension et modification d'une société de produits laitiers	- Comines - CWEDD
Parc éolien	- Mouscron - CWEDD
Maintien en activité, extension et modification d'un établissement exploitant des étables pour bovins et de poulaillers	- Comines - CWEDD
Maintien en activité, extension et modification des étables pour bovins	- Comines

et des poulaillers	
Crématorium pour animaux	- Comines-Warneton - CWEDD
Crématorium pour animaux	- Mouscron
Modifier et étendre l'exploitation d'un élevage de porcs	- Celles
Maintien en activité, modification et extension d'une exploitation bovine et d'un poulailler	- Mouscron - CWEDD
Maintien en activité, modification et extension d'une exploitation bovine et d'un poulailler	- Mouscron
Maintien en activité, modification et extension d'une station-service	- Comines-Warneton - CWEDD
Extension d'une menuiserie	- n.c.
Maintien en activité, extension et modification d'une exploitation porcine et bovine	- Comines-Warneton
Maintien en activité, extension et modification de l'exploitation d'un élevage bovin et de volailles	- Comines-Warneton - CWEDD
Extension d'une menuiserie	- Estaimpuis - Pecq - Mouscron - CWEDD
Transformation et extension d'une menuiserie	- Estaimpuis
Maintien en activité, modification et extension élevage de dindes	- Mouscron - CWEDD
Elevage de dindes	- Mouscron
Maintien en activité d'une prise d'eau souterraine et extension d'une exploitation bovine et porcine	- CWEDD - Comines-Warneton
Exploitation porcine et bovine	- Comines-Warneton
Liaison aménagement N60	- Frasnes-lez-Anvaing
Modifier et étendre une porcherie	- Comines - CWEDD
Porcherie	- Comines-Warneton
Modifier et étendre une installation de traitement de déchets	- Comines - CWEDD
Installation de traitement de déchets	- Comines-Warneton
Construction de 3 nouvelles écluses	- Mont-de-L'Enclus - CWEDD
Maintien en activité, modification et extension d'une exploitation porcine	- Comines-Warneton
Exploiter un centre de soins et de revalidation	- Mont-de-L'Enclus - Celles
Maintien en activité, modification et extension d'un poulailler et d'une porcherie	- Comines-Warneton
Maintien en activité, extension et modification d'une exploitation bovine	- Mouscron - CWEDD
Maintien en activité, modification et extension d'une exploitation bovine située	- Mouscron
Maintien en activité, extension et modification d'un parc à conteneurs	- Mouscron

	- CWEDD
Maintien en activité, extension et modification d'un parc à conteneurs	- Mouscron
Exploitation d'un commerce d'articles de fêtes et d'artifices de joie (pyrotechniques)	- Mouscron
Extension et modification d'une porcherie et d'un élevage bovin	- Comines-Warneton - CWEDD
Modification et extension d'une porcherie et d'un élevage bovin	- Comines-Warneton
Maintien en activité, extension et modification d'un élevage de bovins	- Comines-Warneton - CWEDD
Maintenir en activité, modification et extension d'une exploitation bovine	- Comines-Warneton
Maintien en activité, extension et modification d'une usine de transformation des métaux	- Mouscron - CWEDD
Maintien en activité, modification et extension d'une exploitation de transformation des métaux	- Mouscron
Maintien en activité, extension et modification d'une porcherie	- Comines
Exploitation bovine et élevage de volailles	- Comines-Warneton
Porcherie et exploitation bovine	- Mouscron
Elevage bovin et porcine	- Comines-Warneton
Maintien en activité, modification et extension d'une exploitation bovine et porcine	- Comines-Warneton
Modification et extension d'une usine de transformation de tabac	- Mouscron - CWEDD
Modification et extension d'une usine de transformation de tabac	- Comines-Warneton
Maintien en activité, modification et extension d'une station-service	- Mouscron - CWEDD
Maintenir en activité, modifier et étendre une station-service	- Mouscron
Extension d'un entrepôt de transit pour des biocides, produits, équipements de jardin et paysager	- Comines-Warneton
Extension et modification d'une exploitation bovine et avicole	- Comines-Warneton - CWEDD
Extension et modification d'une exploitation bovine et de poulets	- Comines-Warneton
Maintien en activité, modification et extension d'une exploitation bovine,	- Comines-Warneton
Maintien en activité d'une exploitation bovine	- Comines-Warneton - CWEDD
Maintien en activité d'une exploitation bovine	- Comines-Warneton
Maintien en activité, modification et extension d'une usine de transformation du bois	- Mouscron - Pecq - Estaimpuis - CWEDD
Maintien en activité, modification et extension d'une usine de transformation du bois	- Mouscron - Pecq - Estaimpuis
Maintien en activité, modification et extension d'une exploitation porcine, bovine et avicole	- Comines-Warneton - CWEDD
Maintien en activité, modification et extension d'une exploitation porcine, bovine et avicole	- Comines-Warneton
Exploitation d'une cabine électrique	- Mouscron - CWEDD

Exploiter une cabine électrique	- Comines-Warneton
Exploitation d'une cabine électrique	- Comines-Warneton - CWEDD
Exploiter une cabine électrique	- Comines-Warneton
Exploitation d'un parc à conteneurs	- Comines-Warneton - CWEDD
Parc à conteneurs	- Comines-Warneton
Maintien en activité, modification et extension d'une exploitation bovine et porcine	- CWEDD - Comines-Warneton
Maintien en activité, modification et extension d'une filature	- Estaimpuis - Pecq - Mouscron - CWEDD
Maintien en activité, modification et extension d'une filature	- Estaimpuis - Pecq - Mouscron
Maintien en activité d'une porcherie (avec prise d'eau souterraine)	- Comines-Warneton - CWEDD
Maintien en activité d'une porcherie (avec prise d'eau souterraine)	- Comines-Warneton
Extension et modification d'une fonderie	- Mouscron - CWEDD
Extension et modification d'une fonderie	- Mouscron
Maintien en activité, extension, modification d'une exploitation porcine et bovine	- Comines-Warneton - CWEDD
Maintien en activité, extension, modification d'une exploitation porcine et bovine	- Comines-Warneton
Exploitation d'une argillère	- Mouscron - CWEDD
Exploitation d'une argillère	- Mouscron
Maintien en activité d'une prise d'eau souterraine, extension et modification d'une usine de transformation de pommes de terre	- Comines-Warneton - CWEDD
Maintien en activité d'une prise d'eau souterraine, extension et modification d'une usine de transformation de pommes de terre	- Comines-Warneton
Modification et extension d'une station-service	- Comines-Warneton - CWEDD
Modification et extension d'une station-service	- Comines-Warneton
Maintenir en activité (prise d'eau souterraine), extension et modific. d'une porcherie et d'un élevage bovin	- Comines-Warneton
Maintenir en activité (prise d'eau souterraine), extension et modific. d'une porcherie et d'un élevage bovin	- Comines-Warneton
Maintien en activité, extension et modification d'une exploitation bovine	- Comines-Warneton - CWEDD
Maintien en activité, extension et modification d'une exploitation bovine	- Comines-Warneton
Maintien en activité, extension et modific. élevage avicole	- Comines-Warneton - CWEDD
Modification de l'exploitation porcine	- Comines-Warneton - CWEDD

Modification et extension d'une exploitation bovine	- Comines-Warneton - CWEDD
Modification et extension d'une exploitation bovine	- Comines-Warneton
Maintien en activité, modification et extension d'une entreprise de traitement de déchets métalliques	- Mont-de-L'Enclus - Celles - CWEDD
Maintien en activité, modification et extension d'une entreprise de traitement de déchets métalliques	- Celles
Modification et extension d'une entreprise de transformation de vinyle	- Mont-de-L'Enclus - Celles - CWEDD
Modification et extension d'une entreprise de transformation de vinyle	- Celles
Maintien en activité, extension et modification d'un élevage bovin	- Comines-Warneton - CWEDD
Maintien en activité, extension et modification d'un élevage bovin	- Comines-Warneton
Maintien en activité (prise d'eau souterraine) d'une exploitation porcine	- Comines-Warneton - CWEDD
Maintien en activité (prise d'eau souterraine) d'une exploitation porcine	- Comines-Warneton
Maintien en activité et extension d'une prise d'eau souterraine destinée à une exploitation porcine	- Comines-Warneton - CWEDD
Maintien en activité et extension d'une prise d'eau souterraine destinée à une exploitation porcine	- Comines-Warneton
Maintien en activité et extension d'une prise d'eau souterraine, étendre et modifier une exploitation porcine et bovine	- Comines-Warneton - CWEDD
Maintien en activité, extension et modification d'un élevage porcin	- Mouscron - CWEDD
Maintien en activité et extension d'un établissement de fabrication de maisons de jardins et chalets en bois	- Mont-de-L'Enclus - Celles - CWEDD
Exploitation d'un Parc éolien	- Mouscron - CWEDD
Parc de 7 éoliennes	n.c.
Champignonnière	n.c.
Station d'épuration	n.c.
Parc de 7 éoliennes	n.c.

La Région Wallonne est le pays touché et la France est le pays d'origine

Objet	Instances contactées (Pays touché)
Fabrication de non-tissés polypropylène	- Mouscron - CWEDD
Voies navigables de France – Remise en navigation du Canal Pommeroeul-Condé à la norme VA	- Beloeil - Bernissart - Hensies

Station épuration	- Comines - CWEDD
Exploitation d'un aquarium	- n.c.
Demande de renouvellement des autorisations de prélèvements d'eau et de rejets d'effluents liquides et gazeux	- n.c.
Demande de création d'une zone de développement de l'éolien (ZDE) dans la communauté de communes du Pays de Longuyon	- n.c.
Demande d'exploiter une nouvelle unité de production d'aluminium sur le territoire de la commune de Gorcy	- CWEDD - IPPC
Construction et exploitation d'une installation de traitement mécanique et thermique de déchets non dangereux	- DNF - DEE/ESU - DEE/IPPC - AWAC - DSD - CWEDD - DEE/DRIGM
Extension stockage gaz et liquides inflammables	Pas d'enquête publique organisée

La Région Wallonne est le pays touché et les Pays Bas est le pays d'origine

Objet	Instances contactées (Pays touché)
Cimenterie	- n.c.

REGION OF BRUSSELS: No cases.

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): EIA of offshore windfarm Norther with The Netherlands as Affected Party
EIA of offshore windfarm Rentel with The Netherlands as Affected Party

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

REGION OF FLANDERS: No

REGION OF WALLONIA: No

REGION OF BRUSSELS: No cases

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

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

REGION OF FLANDERS: Individual steps of EIA procedure for the projects mentioned in annex I of the Flemish EIA Decree of 10/12/2004: Notification by the proponent to the EIA-authority → EIA authority decides about contents and completeness of the notification

(20 days) → Consultation of the public, administrations and the town council (30 days) → EIA authority decides on the guidelines (70 days after decision on completeness notification – 90 days in case of transboundary) → final EIA report → EIA-authority performs a quality control and takes a decision about the final EIA report (40 days after submission final report). In case of transboundary EIA, the EIA procedure takes approximately 20 days more than a merely domestic EIA procedure.

The procedure as a whole takes on average 9 months to a year.

REGION OF WALLONIA: As soon as the request is submitted, the competent administration has 20 days to declare the request complete and admissible. In the positive case the documents are sent to the domestic and foreign authorities, administrations and municipalities for public inquiry (30 days long). A report including the main advices and remarks is send to the competent authority which has, starting from the decision of a complete and admissible request, 140 days for notification of its decision to all the instances which have been contacted. The public and other instances have 20 days for appeal of the decision. The public inquiry is suspended from 15 July to 16 August

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The whole official procedure lasts roughly 3 months, but as the affected party did not agree on the conclusions about the significant effects caused by the project, meetings between the responsible authorities continued during the year after the official procedure was finished to come to an agreement on the possible significant effects

EXPERIENCE IN THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE DURING THE PERIOD 2006–2009

28. *If your country has had practical experience in the transboundary EIA procedure during the reporting period, has the implementation of the Convention supported the prevention, reduction or control of possible significant transboundary environmental impacts? Provide practical examples if available.*

REGION OF FLANDERS: Yes, no practical examples available.

REGION OF WALLONIA: globally, the answer is yes

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): As the projects did not start yet, it is not possible to know if the implementation of the Convention supported any reduction or control on possible significant transboundary environmental impacts

29. *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. *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?*

REGION OF FLANDERS: A separate chapter on transboundary issues is provided in the EIA documentation, the transboundary impact is described in that chapter.

REGION OF WALLONIA: so far no separate chapter on transboundary issues is provided in the EIA documentation, but the exchange of experience and good practice shows that it should be a must.

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): yes, a separate chapter is provided.

- b. *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?*

REGION OF FLANDERS: The notification, the non-technical summary and the specific chapter in the EIA about transboundary impact is translated. Translation is organized in cooperation between the proponent and the EIA-authority.

REGION OF WALLONIA: Actually only the non-technical summary is translated. According to the point b, the chapter dedicated to the transboundary impacts would also be translated.

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The non technical summary is available in English, French and Dutch. The EIA is available in Dutch only but as this is also the languages spoken in the neighbouring countries until now there were no translation problems

- c. *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? 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)?*

REGION OF FLANDERS: Transboundary participation has been organized by the affected party in agreement.

REGION OF WALLONIA: As Party of origin, we give to the public of the affected Party the same rights as the domestic public. Nevertheless the Region of Wallonia doesn't interfere with the legal procedure of the affected Party.

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): Consultation of the public in affected party's country is organised by the responsible authority of the affected party

- d. *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?*

REGION OF FLANDERS: No difficulties to report

REGION OF WALLONIA: As Party of origin we got few comments about a lack of translation of the entire EIA. As an affected Party we can sometimes regret that even the non-technical summary is not translated.

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No special difficulties to report

- e. *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;*

REGION OF FLANDERS: The final decision on the EIA is a report, which can be followed by a permit. Both decisions (on the EIA and the permit) are sent to the authority of the affected party.

REGION OF WALLONIA: A copy of the decision including recitals, advices of the administrations and authorities consulted, conditions of operation taking in consideration the different observations, remarks and recommendations, duration, is sent to all the instances which have been consulted including the foreign instances. A notice of the existence of the decision is posted and anybody has the right to consult the entire document. The language used is the official language of the Region of Wallonia (French) because the document is an official one.

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The final decision is communicated by official letter to the affected Party

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

REGION OF FLANDERS: no

REGION OF WALLONIA: No

REGION OF BRUSSELS: No

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): As the mentioned projects did not start yet, no post-projects

analyses on these projects have been done. Monitoring on already started projects (period before 2010) is ongoing

- g. *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.);*

REGION OF FLANDERS: no examples

REGION OF WALLONIA: No

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No joint cross-border projects uptill now

- h. *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"?*

REGION OF FLANDERS: no examples to introduce

REGION OF WALLONIA: As Party of origin, wind farm close to France. As affected Party, nuclear power plant in Chooz (France).

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No examples available.

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

REGION OF FLANDERS: trough focal points

REGION OF WALLONIA: Direct communication with the competent authorities of the affected party.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): The most common mean is communicating directly with the responsible authority in the affected party

CO-OPERATION BETWEEN PARTIES IN 2010–2012

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

REGION OF FLANDERS: No examples.

REGION OF WALLONIA: No examples

REGION OF BRUSSELS: No practical experience because of the location of the Region of Brussels-Capital (far from the borders with neighbouring countries)

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

EXPERIENCE IN USING THE GUIDANCE IN 2010–2012

31. *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 (ECE/MP.EIA/7);*

REGION OF FLANDERS: no

REGION OF WALLONIA: No

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

- b. *Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix);*

REGION OF FLANDERS: no

REGION OF WALLONIA: No

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

- c. *Guidelines on good practice and on bilateral and multilateral agreements (ECE/MP.EIA/6, annex IV, appendix).*

REGION OF FLANDERS: no

REGION OF WALLONIA: No

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

CLARITY OF THE CONVENTION

32. *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?*

REGION OF FLANDERS: no

REGION OF WALLONIA: The major strength is the fact that the public and authorities are very early informed of the existence of a project (information meeting). This allows the different partners to indicate if they want to participate to the EIA procedure. The weak point is the lack of formal bilateral agreements.

REGION OF BRUSSELS: No experience

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

AWARENESS OF THE CONVENTION

33. *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.*

REGION OF FLANDERS: no

REGION OF WALLONIA: No

REGION OF BRUSSELS: No

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

34. *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?*

REGION OF FLANDERS: no

REGION OF WALLONIA: No

REGION OF BRUSSELS: No

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): No

SUGGESTED IMPROVEMENTS TO THE REPORT

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

REGION OF FLANDERS: no suggestions

REGION OF WALLONIA: no suggestions

REGION OF BRUSSELS: no suggestions

FEDERAL AUTHORITIES (Management Unit of the Mathematical Model of the North Sea): no suggestions

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