

**REPORT OF Liechtenstein 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.*

## 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).*
  - Act on the Convention on Environmental Impact Assessment in a Transboundary Context (LGBI. 1998 Nr. 157).
  - Act on Environmental Impact Assessment (LGBI. 1999 Nr. 95), especially paragraphs 5, 7, 8, and 16.

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

Revision of the Act on Environmental Impact Assessment.

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

Central authorities.

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

Department on Environment.

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

No.

### 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.*

Yes.

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

Yes.

## 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?*

By sending all Information to the affected Party. The Information also is 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".*

As soon as the information is available.

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);*

The Notification of the affected party (paragraph 7) has to be sent to the affected Party before the Environmental Impact Assessment Documentation is published (paragraph 7 of the Act on Environmental Impact Assessment).

- 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)?*

The format is a simple letter.

- 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;*

No consequence. No response means no interest. If they respond latter than the time specified we send information.

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

Same information as in the party of origin.

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

By sending all information available.

- 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?*

The content is normally all information available. Usually using the internet and by sending the information to relevant addresses.

- 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?*

Usually using the internet. Publication of information on the internet.

- 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.*

Same information.

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](http://www.unece.org/env/eia/points_of_contact.htm))?*

Yes.

#### 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)?*

Not reflected. We decide on possible negative effects.

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

Yes. Art. 12 para. 2

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

Yes. Art. 16 para. 6

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

Yes. Art. 14 para. 1. Usually by internet.

## 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);*

The legal requirement is determined in paragraph 8 of the Act on Environmental Impact Assessment.

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

The legal requirement is determined in paragraph 8 of the Act on Environmental Impact Assessment.

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

The legal requirement is determined in paragraph 8 of the Act on Environmental Impact Assessment.

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

The legal requirement is determined in paragraph 8 of the Act on Environmental Impact Assessment.

- 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;*

no difference

- 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;*

the comments are submitted to the competent authority.

- 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;*

The comments are submitted to the competent authority.

- h. *The procedures for public hearings domestically;*

No procedures. Although it is possible to have public hearings there never was one. But everybody can submit a comment to the competent authority.

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

no procedures.

#### 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;*

*no procedures.*

- 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;*

*no procedures.*

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

*no procedures.*

## 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;*  
*no fix procedures (only Art. 7). Depends on the case.*
- b. *The stages, procedures and deadlines for consultations with the affected Party;*  
*no fix stages, procedures or deadlines. Depends on the case*
- c. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*  
*no fix stages, procedures or deadlines. Depends on the case*

#### 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;*  
*no fix procedures. Depends on de Case.*
- b. *The stages, procedures and deadlines for consultations domestically, and who participates in the consultations.*  
*no fix stages, procedures or deadlines. Depends on the case.*

## 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;*  
*competent authority decides and makes his decision public.*
- 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?*  
*competent authority decides and makes his decision public.*
- c. *The procedures for informing of the "final decision" domestically and for the affected Party;*  
*competent authority decides and makes his decision public.*

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)?*

yes.

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

yes.

## **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);*

yes

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

no.

## **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.*

yes. not public available.

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

no.

## **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.*

## **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?*

no.

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?*

no.

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

no.

## **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.*

no list.

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.)*

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.*

Same duration as domestic EIA.

### **EXPERIENCE IN THE TRANSBOUNDARY ENVIRONMENTAL IMPACT ASSESSMENT PROCEDURE DURING THE PERIOD 2010–2012**

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.*

no experience.

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?*

yes. Decision by the competent authority.

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?*

no need for translation.

- 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)?*

the affected party organizes the public participation.

- 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?*

no difficulties.

- 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;*

the competent authority decides and the decision is made public on the web or is send to the affected party.

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

no.

- 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.);*

no.

- 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"?*

no examples.

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

multilateral agreements.

#### 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.*

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);*

no.

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

no.

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

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?*

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.*

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?*

no.

## SUGGESTED IMPROVEMENTS TO THE REPORT

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

no.

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