

REPORT OF **MALTA 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

Alex Camilleri
Unit Manager
Environmental Assessment Unit
Environment Protection Directorate
Malta Environment and Planning Authority

Information on the point of contact for the Convention

Name and contact information (if different from above):

Information on the person responsible for preparing the report

- | | | |
|-------|------------------|--|
| i. | Country: | Malta |
| ii. | Surname: | Camilleri |
| iii. | Forename: | Alex |
| iv. | Institution: | Environmental Assessment Unit
Environment Protection Directorate
Malta Environment and Planning Authority |
| v. | Postal address | St Francis Ravelin, Floriana
P.O. Box 200, MRS 1000
Malta |
| vi. | E-mail address | espoo.malta@mepa.org.mt |
| vii. | Telephone number | +356 2290 1533 |
| viii. | Fax number | +356 2290 2295 |

Date on which report was completed: **28 March 2013**

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).*

The Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (hereinafter referred to as the EIA Directive), and subsequently the Environmental Impact Assessment Regulations, 2007 (LN114/07, as amended) (hereinafter referred to as the EIA Regulations) through transposition of the same, incorporate provisions consistent with the Convention on Environmental Impact Assessment in a Transboundary Context (hereinafter referred to as the Espoo (EIA) Convention). Furthermore, the EIA Regulations include Part V related to Transboundary effects, which transposes Article 7 of the EIA Directive, relating to the same. Moreover, public participation, as emphasised by the First Amendment to the Espoo (EIA) Convention is included all throughout the EIA Regulations, as stipulated by the EIA Directive *per se*. The Competent Authority for its implementation is the Malta Environment and Planning Authority (MEPA).

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

The possibility of accepting the First Amendment and Second Amendment to the Espoo (EIA) Convention is currently being evaluated.

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

The Competent Authority for its implementation is the Malta Environment and Planning Authority (MEPA), together with the line Ministry responsible for the environment and the Ministry of Foreign Affairs.

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

Yes, the Malta Environment and Planning Authority.

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

All provisions associated with transboundary EIA procedures are detailed in Part V of the EIA Regulations.

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.*

In view of the fact that the EIA Regulations transpose the EIA Directive, the requirements included in Appendix I of the Espoo (EIA) Convention, as reflected in Annex I of the EIA Directive, are transposed in Schedule IA of the EIA Regulations (a copy of which is being attached with this questionnaire).

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. Reply to Question 6 above refers.

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?*

Reply to Question 6 above refers. Details of Part V of the EIA Regulations are as per below:

34. (1) Where the Minister is aware that a project in Malta is likely to have significant effects on the environment in another State, or where a State likely to be significantly affected so requests, the Minister shall send to the affected State as soon as possible and not later than when the public is informed in terms of sub-regulation (5) of regulation 7 of these regulations, the following:

- (a) a description of the project, together with any available information on its possible transboundary impacts;*
- (b) relevant information regarding the environmental impact assessment procedure;*
- (c) information on the nature of the decisions which may be taken;*

and shall give the affected State a reasonable time in which to indicate whether it wishes to participate in the environmental impact assessment procedure.

(2) If the affected State which receives information indicates to the Minister that it intends to participate in the environmental impact assessment procedure, the Minister shall, if he has not already done so, send to the affected State the information gathered regarding the proposed development.

(3) The affected State shall enter into consultations with the Minister concerning, inter alia, the potential transboundary effects of the project and the measures envisaged to reduce or eliminate such effects and shall agree on a reasonable timeframe for the duration of the consultation period.

(4) The affected State may arrange for the information to be made available, within a reasonable time, to the relevant authorities and the public in the territory of such affected State which is likely to be significantly affected; and, within the timeframe established through the provisions of sub-regulation (3) of this regulation, the affected State, shall forward its opinion to the Minister who shall in turn forward such opinion to the Authority.

(5) The transmission of information to the affected State, concerning potential transboundary impacts, and the receipt of information by such affected State, shall be subject to the limitations contained in any law in force in Malta.

(6) The Minister shall provide to the affected State the final decision on the proposed project along with the reasons and considerations including information about the public participation process on which it was based and any conditions attached thereto. There shall also be a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects.

(7) When, following monitoring of a development with potential transboundary impacts, significant adverse transboundary impacts or factors that may result in such an impact are discovered, the Minister shall immediately inform the affected State and enter into consultations on the necessary measures that may be undertaken to reduce or eliminate such impact.

(8) In the exercise of his duties under this regulation, the Authority shall furnish the Minister with all such documentation and information as he may request.

(9) Where the Minister is informed that a project proposed in another State is likely to have a significant effect on the environment of the Maltese Islands, he shall inform the State, in which the project is to be undertaken, of Malta's request to participate in the environmental impact assessment procedure in that State and request the following:

(a) a description of the project, together with any available information on its possible transboundary impacts;

(b) relevant information regarding the environmental impact assessment procedure; and

(c) information on the nature of the decisions.

(10) The Minister shall forward to the Authority the information listed in sub-regulation (9) of this regulation. The Authority shall make this information available to the consultees and the public in Malta in accordance with the provisions of regulations 21 and 25 of these regulations. The Minister shall also enter into discussion with the State in which the project is to be undertaken to agree on a reasonable timeframe for the duration of the consultation period.

(11) The Minister, acting on the advice of the Authority and taking into consideration the comments of the public, shall enter into consultations with the State in which the project is to be undertaken concerning, inter alia, the potential transboundary effects of the project and the measures envisaged to reduce or eliminate such effects.

(12) When the Minister receives details from the State in which the project is to be undertaken regarding the final decision on the proposed project, together with the reasons and considerations on which it was based, he shall provide a copy of this information to the Authority who shall publish the information in the Gazette, in a local newspaper and on the Authority's official web site.

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".

Reply to Question 8 above refers. It should also be noted that, to date, Malta has had no experience with projects in Malta that may have transboundary impacts and which would therefore need to be subject to consultations associated with such transboundary effects.

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);*

Yes, Regulation 34(1) of the EIA Regulations. Details provided in the reply to Question 8 above refer.

- 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 notification would include the following information (no specific format on this has been determined to date):

- i. **a description of the project, together with any available information on its possible transboundary impacts;**
 - ii. **relevant information regarding the environmental impact assessment procedure; and**
 - iii. **information on the nature of the decisions which may be taken.**
- 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;*

The EIA Regulations indicate that the party of origin, i.e. Malta, would ‘give the affected State a reasonable time in which to indicate whether it wishes to participate in the environmental impact assessment procedure.’ If the affected Party would then express its intention to participate, it would ‘agree on a reasonable timeframe for the duration of the consultation period.’ (Regulations 34 (2) and 34 (3) of the EIA Regulations refer).

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

Regulations 34 (5) and 34 (6) of the EIA Regulations state that:

(5) *The transmission of information to the affected State, concerning potential transboundary impacts, and the receipt of information by such affected State, shall be subject to the limitations contained in any law in force in Malta.*

(6) *The Minister shall provide to the affected State the final decision on the proposed project along with the reasons and considerations including information about the public participation process on which it was based and any conditions attached thereto. There shall also be a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects.*

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

Regulation 34 (6) of the EIA Regulations states that:

(6) *The Minister shall provide to the affected State the final decision on the proposed project along with the reasons and considerations including information about the public participation process on which it was based and any conditions attached thereto. There shall also be a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects.*

- 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?*

Reply to Question 10(e) above refers.

- 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?*

For projects occurring within the legal boundaries of the Party of origin, the normal procedures (including public consultation) associated with projects requiring an Environmental Impact Assessment would apply accordingly.

- 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.*

None.

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)?*

Malta's Point of Contact regarding Notification in accordance with Article 3 of the Espoo (EIA) Convention is the same as Malta's Focal Point for Administrative Matters regarding the Espoo (EIA) Convention.

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)?*

Regulations 34 (9) to 34 (12) of the EIA Regulations state that:

(9) Where the Minister is informed that a project proposed in another State is likely to have a significant effect on the environment of the Maltese Islands, he shall inform the State, in which the project is to be undertaken, of Malta's request to participate in the environmental impact assessment procedure in that State and request the following:

(a) a description of the project, together with any available information on its possible transboundary impacts;

(b) relevant information regarding the environmental impact assessment procedure; and

(c) information on the nature of the decisions.

(10) The Minister shall forward to the Authority the information listed in sub-regulation (9) of this regulation. The Authority shall make this information available to the consultees and the public in Malta in accordance with the provisions of regulations 21 and 25 of these regulations. The Minister shall also enter into discussion with the State in which the project is to be undertaken to agree on a reasonable timeframe for the duration of the consultation period.

(11) The Minister, acting on the advice of the Authority and taking into consideration the comments of the public, shall enter into consultations with the State in which the project is to be undertaken concerning,

inter alia, the potential transboundary effects of the project and the measures envisaged to reduce or eliminate such effects.

(12) When the Minister receives details from the State in which the project is to be undertaken regarding the final decision on the proposed project, together with the reasons and considerations on which it was based, he shall provide a copy of this information to the Authority who shall publish the information in the Gazette, in a local newspaper and on the Authority's official web site.

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

Reply to Question 12(a) above refers.

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

Reply to Question 12(a) above refers.

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

Regulation 34 (12) of the EIA Regulations, as reproduced in the reply to Question 12(a) above, refers.

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);

These requirements for proposals that do not have any transboundary impacts, as detailed in Part III of the EIA Regulations (in particular Regulations 13 to 18) are also applicable in the case of projects that may have transboundary effects.

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

These requirements for proposals that do not have any transboundary impacts, in particular those prescribed by Regulations 5 to 8 of the EIA Regulations, are also applicable in the case of projects that may have transboundary effects.

c. The identification of "reasonable alternatives" in accordance with appendix II, paragraph (b);

These requirements for proposals that do not have any transboundary impacts, in particular those prescribed by Regulation 14 (1) (c) of the EIA Regulations, are also applicable in the case of projects that may have transboundary effects.

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

These requirements for proposals that do not have any transboundary impacts, in particular those prescribed by Regulations 21 to 26 of the EIA Regulations, are also applicable in the case of projects that may have transboundary effects.

- 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;*

Details on how the EIA documentation would be provided to the affected Party were provided in the reply to Question 8 above.

- 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;*

These requirements for proposals that do not have any transboundary impacts (in particular those prescribed by Regulations 21 to 26 of the EIA Regulations) are also applicable in the case of projects that may have transboundary effects.

- 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;*

Details related to the communication of comments submitted by the affected Party were provided in the reply to Question 8 above.

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

These requirements for proposals that do not have any transboundary impacts, in particular those prescribed by Regulations 25 and 26 of the EIA Regulations, are also applicable in the case of projects that may have transboundary effects.

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

None.

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;*

None.

- 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;*

None.

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

None.

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;*

Details related to these procedures were provided in the reply to Question 8 above.

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

Details related to these procedures were provided in the reply to Question 8 above.

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

Details related to these procedures were provided in the reply to Question 8 above.

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;*

Details related to these procedures were provided in the reply to Question 8 above.

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

Details related to these procedures were provided in the reply to Question 8 above.

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;*

Regulation 34 (6) of the EIA Regulations states that:

(6) The Minister shall provide to the affected State the final decision on the proposed project along with the reasons and considerations including information about the public participation process on which it was based and any conditions attached thereto. There shall also be a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects.

- 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?

Yes, all projects listed in Appendix I require a decision. The ‘final decision’ is related to the approval of development consent by the Competent Authority.

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

Domestically, the ‘final decision’ would be taken during a public hearing of the MEPA Board (i.e. the Competent Authority’s decision-taking committee) and would be available for viewing on the MEPA website and upon request. In terms of the affected Party, the procedure detailed in Regulation 34 (6) referred to above would be implemented.

- 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)?*

Details related to the consultations submitted by the affected Party were provided in the reply to Question 8 above. Regulations 34 (3) to 34 (6) of the EIA Regulations also refer.

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

Details related to the consultations submitted by the affected Party were provided in the reply to Question 8 above. Regulations 34 (3) to 34 (6) of the EIA Regulations also refer.

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);*

Post-project analysis is carried out through monitoring in line with the legal requirements associated with the standard EIA process. This is detailed in Regulation 18 of the EIA Regulations. The same requirements would apply for projects with transboundary effects.

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

None.

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.*

None.

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

Not applicable (in view of reply to Question 19 above).

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.*

No.

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?*

The possibility of accepting the First Amendment to the Espoo (EIA) Convention is currently being evaluated by Malta.

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?*

The possibility of accepting the Second Amendment to the Espoo (EIA) Convention is currently being evaluated by Malta.

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

The possibility of acceding to the Protocol on SEA is currently being evaluated by Malta.

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.*

There were no practical cases during the period 2010–2012, in which Malta was Party of origin or 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.)*

Not applicable (in view of reply to Question 25 above).

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.*

Not applicable (in view of reply to Question 25 above).

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.*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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?*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

- 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?*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

- 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)?*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

- 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?*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

- 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;*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

- 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.);*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

- 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"?*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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.*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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);*

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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

Malta did not have any practical experience in applying the Espoo (EIA) Convention (not Malta's procedures described in Part one), whether as Party of origin or affected Party during the period 2010–2012.

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 such difficulties were encountered by Malta during the period 2010–2012.

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 such activities were undertaken by Malta during the period 2010–2012.

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?*

Malta is currently evaluating the possibility of accepting the First Amendment and Second Amendment to the Espoo (EIA) Convention. In terms of application of the Espoo (EIA) Convention, no such improvements are being envisaged to date given Malta's limited experience in the matter.

SUGGESTED IMPROVEMENTS TO THE REPORT

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

None.

* * * * *