
Questionnaire for the report of Montenegro on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2013–2015

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.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the Convention text (e.g., EIA Law of the Republic of ..., art. 5, para. 3, of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1. Is the definition of impact for the purpose of the Convention the same in your legislation as in article 1?

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of impact in the legislation

Your comments: The Law ratifying the Convention on Environmental Impact Assessment in a Transboundary Context (International Treaties of Montenegro, Official Gazette 08/08);

I.2. Is the definition of transboundary impact for the purpose of the Convention the same in your legislation as in article 1? Please specify each below.

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of transboundary impact in the legislation

Your comments: Law ratifying the Convention on Environmental Impact Assessment in a Transboundary Context (International Treaties of Montenegro, Official Gazette 08/08); Law on Environmental Impact Assessment (Official Gazette of the Republic of MNE, no 80/05, Official Gazette of MNE, no 40/10, 40/11, 27/13)

I.3. Please specify how major change is defined in your national legislation:

Any change or extension of projects listed in Annex I or List II, already authorized, executed or whose realization is in progress, and whose changes or extensions can have significant negative consequences for the environment (Regulation on Projects subject to Environmental Impact Assessment (Official Gazette of the Republic of Montenegro, no 20/07, 53/14).

I.4. How do you identify the public concerned? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

Your comments: The public concerned means the public that the project affects or is expected to be affected, including non-governmental organizations dealing with environmental protection and registered with the competent authority in accordance with the law; and interested authorities and organizations, state authorities and organizations, local governments and other entities which are authorized by the law to determine the conditions for issuing permits and approvals for the construction of buildings, construction, landscaping, the activities and the protection and use of natural and man-made values.

Article 2

General provisions

I.5. Provide legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2):

- (a) Law on EIA: Yes. Listed below.
- (b) EIA provisions are transposed into another law(s) (please specify):
- (c) Regulation (please indicate number/year/name):
- (d) Administrative (please indicate number/year/name):
- (e) Other (please specify):

Your comments:

- The Law ratifying the Convention on Environmental Impact Assessment in a transboundary Context (International Treaties of Montenegro, Official Gazette 08/08);
- The Law on Environmental Impact Assessment (Official Gazette of the Republic of MNE, no 80/05, Official Gazette of MNE, no 40/10, 40/11, 27/13)
- The Regulation on Projects subject to Environmental Impact Assessment (Official Gazette of the Republic of Montenegro, no 20/07, 53/14);
- The Rulebook on the content of documents to be submitted with the application to decide on the need for Environmental Impact Assessment (Official Gazette of Montenegro, no 14/07);
- The Rulebook on the content of documents to be submitted with the application to determine the scope and content of Environmental Impact Assessment (Official Gazette of Montenegro, no 14/07);
- The Rulebook on the content of Environmental Impact Assessment (Official Gazette of Montenegro, no 14/07);
- The Rulebook on the content, form and manner of keeping public records of the proceedings and decisions on Environmental Impact Assessment (Official Gazette of Montenegro, no 14/07).

I.6. Please describe any differences between the list of activities in your national legislation and appendix I to the Convention, if any:

(a) There is no difference, all activities are transposed in the national legislation as is

(b) It differs slightly (please specify):

Your comments:

I.7. Identify the competent authority/authorities responsible for carrying out the EIA procedure in your country (please specify):

(a) There are different authorities at national, regional, local levels

(b) They are different for domestic and transboundary procedures

(c) Please name the responsible authority/authorities:

(d) There is no single authority responsible for the entire EIA procedure:

Your comments: The Ministry of Sustainable Development and Tourism is competent authority responsible for the implementation of the Espoo Convention. The Environmental Protection Agency (EPA) is responsible for EIA procedure. The Environmental Protection Agency is the authority responsible for implementing the procedure for environmental impact assessment on governmental level, while local units are responsible on local level. The Ministry of Sustainable Development and Tourism is the authority responsible for conducting the cross-border notification procedure, and consultations among the parties involved. The notification is submitted to the Ministry of Foreign Affairs of Montenegro, to be delivered through diplomatic channels to the competent authorities of the Affected party.

I.8. Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it:

(a) No

(b) Yes (please specify): The Ministry of Sustainable Development and Tourism

Your comments: The Ministry of Sustainable Development and Tourism collects information on all the transboundary EIA cases.

I.9. How does your country, as Party of origin and as affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to the Party of origin's public, as required in article 2, paragraph 6 (please explain):

Pursuant to the Law on Environmental Impact Assessment, the competent authority is obliged to notify the public, the notification is carried out through at least one local daily newspaper published in the area that will be affected by the planned project, as well as through electronic media. The competent authority will notify the concerned authorities and organizations by mail, by fax and electronically.

If the project may have a significant impact on the environment of another state or if so requested by the country whose environment may be significantly affected, the state authority responsible for environmental protection, as soon as possible and no later than within the deadlines for notifying its own public, will notify the other state on:

- 1) the project together with all available data about its potential impacts;
- 2) the nature of a decision that can be made; and

3) the period during which the other country may declare its intention to participate in the process of environmental impact assessment.

The notification shall be distributed to the Competent authority responsible for Espoo convention (contact of point). Also the Notification shall be sent to the focal point. The state authority responsible for environmental protection notifies the state that participated in the process of environmental impact assessment about the decision on either approving or refusing the request for EIA approval, by providing notification on:

- 1) the content of the decision and conditions, if applicable;
- 2) the grounds on which the decision is based, including reasons for acceptance or rejection of the submitted comments, suggestions and opinions of interested bodies and organizations and the public,
- 3) the most important measures that must be taken by the project proponent to eliminate, prevent, mitigate or repair any harmful effects.

Article 3 Notification

I.10. As Party of origin, when do you notify the affected Party (art. 3, para. 1)? Please specify:

- (a) During scoping Scoping is on voluntary basis.
- (b) When the EIA report has been prepared and the domestic procedure started
The most common procedure (for domestic projects)
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments: So far Montenegro has had no project as a party of origin.

The Law on Environmental Impact assessment establishes an obligation of the state authority responsible for environmental protection, as soon as possible and no later than within the deadlines for notifying its own public, to notify the other country (article 30 of the Law on Environmental Impact assessment) - the stage of granting or rejecting of EIA approval procedure.

I.11. Please define the format of notification:

- (a) It is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix)
- (b) The country has its own format (please attach a copy)
- (c) No official format used

Your comments: So far Montenegro has had no project as a party of origin, but for sure any relevant information will be sent out (such as additional studies, graphics, etc.)

I.12. As a Party of origin, what information do you include in the notification (art. 3, para. 2)? Please specify (more than one options may apply):

- (a) The information required by article 3, paragraph 2
- (b) The information required by article 3, paragraph 5
- (c) Additional information (please specify):

Your comments: So far Montenegro has had no project as a Party of origin

I.13. As a Party of origin, does your national legislation contain any provision on receiving a response to the notification from the affected Party in a reasonable time frame (art. 3, para. 3, "within the time specified in the notification")? Please specify:

- (a) National legislation does not cover the time frame
- (b) Yes, it is indicated in the national legislation (please indicate the time frame):
- (c) It is determined and agreed with each affected Party case by case in the beginning of the transboundary consultations (please indicate the average length in weeks): Experience for SEA procedure says usually 4 weeks.

Your comments: So far Montenegro has had no project as a party of origin and it will be determined and agreed with each affected Party case by case in the very beginning of the transboundary consultations.

The format for notification (ECE /MP.EIA/2, annex IV, appendix) was not used for any EIA projects, because Montenegro hasn't had EIA transboundary projects so far. This format was used in case of Montenegro's SEA (Strategic environmental assessment) plans (which had a transboundary impact).

Also, it is stipulated by the Law on Environmental Impact Assessment that a notification about the project is presented to the affected party together with all available data regarding its potential impacts; the nature of a decision that can be made; time period in which the other country may declare its intention to participate in the process of environmental impact assessment.

Please specify the consequence if a notified affected Party does not comply with the time frame, and the possibility of extending a deadline: Additional agreements.

I.14. How do you inform the public and authorities of the affected Party (art. 3, para 8)? Please specify:

(a) By informing the point of contact to the Convention listed on the Convention website¹

(b) Other (please specify):

Your comments: The Ministry of Sustainable Development and Tourism (contact point) cooperates with contact point or competent authority responsible for the Espoo Convention of the affected party in both cases (case of Party of origin, and in case of affected Party). All relevant information is delivered to the competent authority and shall be presented to the public, concerned public, interested organisations, etc. The Law establishes an obligation of the state authority responsible for environmental protection, as soon as possible to notify the other country. Opinions, comments and suggestions of the affected Party are take into consideration by the competent authority when deciding on EIA approval.

I.15. On what basis is the decision made to participate (or not) in the transboundary EIA procedure as affected Party (art. 3, para. 3)? Please specify:

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

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

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

(d) Other (please specify):

Your comments: Marked above, based on experience for SEA.

I.16. If the affected Party has indicated that it intends to participate in the EIA procedure, how are the details for such participation agreed, including the time frame for consultations and the deadline for commenting (art. 5)? Please specify:

(a) Following the rules and procedures of the Party of origin

(b) Following the rules and procedures of the affected Party

(c) Other (please specify):

Your comments: Marked above, based on experience for SEA (usually is a matter of mutual agreement).

Article 4

Preparation of the environmental impact assessment documentation

I.17. How do you ensure sufficient quality of the EIA documentation as Party of origin? Please specify:

¹ List available from http://www.unece.org/env/eia/points_of_contact.htm.

(a) The competent authority checks the information provided and ensures it includes all information required under appendix II as a minimum before making it available for comments

(b) By using quality checklists

(c) There are no specific procedures or mechanisms

(d) Other (please specify):

Your comments:

I.18. How do you determine the relevant information to be included in the EIA documentation in accordance with article 4, paragraph 1? Please specify (more than one option may apply):

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

Your comments:

When an intended project may have a significant impact on the environment in another state, or when another state whose environment could be significantly threatened requests so, the state authority responsible for environmental protection issues shall promptly, and not later than within the deadlines set forth for informing its own public, submit to another state the information concerning:

- 1) the project, together with all available data on its possible impacts;
- 2) the nature of the decision that may be adopted; and
- 3) the period within which another state can announce its intention to participate in the impact assessment procedure.

There is no difference between the procedures and format domestically and for the affected Party. Once prepared EIA study shall be sent to the domestic public as well as competent authority/contact point to the affected party.

I.19. How do you determine “reasonable alternatives” in accordance with appendix II, paragraph (b)?

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

Your comments:

The Rulebook on the content of EIA includes a description of the alternatives considered. The description of alternatives considered includes an overview and description of alternatives studied by the project proponent, including an explanation of main reasons for the choice of a particular solution and impacts on the environment in terms of the choice, and relating to: the location or route; manufacturing processes or technology; methods of work during the execution and operation of the project; site plans and draft designs; type and choice of materials for the project implementation; time schedule for implementation and termination of operation of the project; date of beginning and completion of the project; size of the site or facility; the volume of production; pollution control; regulation of waste disposal including recycling, re- use and final disposal; regulation of access and transport roads; responsibilities and procedures for environmental management; training; monitoring; plans for emergency situations, removal of the project and bringing the site back to its original condition (for fixed-term projects).

Article 5
Consultations on the basis of the environmental impact
assessment documentation

(a) Public participation

I.20. How can the public concerned express its opinion on the EIA documentation of the proposed project (art. 5)? Please specify (more than one option may apply):

As Party of origin

- (a) By sending comments to the competent authority/focal point
- (b) By taking part in a public hearing
- (c) Other (please specify):

As affected Party

- (d) By sending comments to the competent authority/focal point
- (e) By taking part in a public hearing
- (f) Other (please specify):

Your comments:

In taking a decision, the Competent Authority shall take into account the opinion received from the affected party and authorities, organisations and public concerned from affected party in a case in a transboundary procedure, as well as opinions received from authorities, organisations, public and public concerned during the public consultation process in a domestic procedure.

I.21. Please indicate whether your national EIA legislation requires the organization of a public hearing on the territory of the affected Party in cases where your country is the country of origin:

- (a) Yes
- (b) No

Your comments: The national EIA legislation does not require the organization of a public hearing on the territory of the affected Party in cases where country is the country of origin.

I.22. Please indicate whether your national EIA legislation requires the organization of public hearings in cases where your country is the affected Party:

- (a) Yes
- (b) No

Your comments: The national EIA legislation does not require the organization of a public hearing on the territory of the affected Party in cases where country is the affected Party.

(b) Consultations

I.23. Does your national EIA legislation have any provision on the organization of transboundary consultations (expert, joint bodies, etc.) between the authorities of the concerned Parties? Please specify:

- (a) Yes, it is obligatory
- (b) No, it does not have any provision on that
- (c) It is optional (please specify):

Your comments:

In accordance with the Law on EIA the information and consultations with other states about potential transboundary impact shall be carried out based on the principle of reciprocity, in accordance with the international agreements concluded.

Consultations are carried out in accordance with the Espoo Convention and international treaties. It is determined in consultation with the affected Party whether the consultations will be held or not.

Article 6
Final decision

I.24. Please indicate all points below that are covered in a final decision related to the implementation of the planned activity (art. 6, para. 1):

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

Final decision means giving or rejecting an approval of the EIA. The project proponent can initiate no implementation of the project without conducting the procedure for environmental impact assessment and without an approval of the EIA by the competent authority.

The Competent Authority shall decide on granting the approval or rejecting the application for approval of the Study based on the report and proposals of the Environmental Impact Assessment Commission.

Within five days from receiving the report and proposals of the Environmental Impact Assessment Commission, the Competent Authority shall make and deliver to the Project Developer the Decision.

The Competent Authority is obliged to inform the authorities and organisations and public concerned about its decision, making available the following:

1. contents of the decision and conditions, if stipulated;
2. grounds for the Decision, including the reasons for accepting or rejecting the comments, suggestions and opinions of authorities and organisations and public concerned;
3. if needed, the description of the most important measures the project developer is obliged to undertake in order to prevent, eliminate, mitigate or remediate harmful consequences.

I.25. 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):

- (a) Yes
- (b) No

Your comments: According to the Law on EIA, there is no difference on the comments received in transboundary consultation process or in a domestic procedure. Comment have to be taken in account in the same way whether they come from transboundary consultation or domestic procedure.

I.26. Is there any regulation in the national legislation of your country that ensures the implementation of the provisions of article 6, paragraph 3?:

- (a) No
- (b) Yes (please specify): The Law ratifying the Convention on Environmental Impact Assessment in a Transboundary Context (International Treaties of Montenegro, Official Gazette 08/08).

Your comments:

Additionally, in accordance with Article 28 of the Law on Environmental Impact Assessment, it is defined that in the process of decision making according to the Law governing general administrative procedure will apply to those matters which are not specifically regulated by this Law.

The decision may be revised, by taking into account any additional information about the significant transboundary impacts of planned activities, which were not available at the time of decision making.

I.27. Do all activities listed in appendix I (items 1-22) require a final decision to authorize or undertake such an activity?:

- (a) Yes
- (b) No (please specify those that do not):

Your comments:

I.28. For each type of activity listed in appendix I that does require a final decision, please indicate the legal requirements in your country that identify what is regarded as the “final decision” to authorize or undertake such an activity (art. 6 in conjunction with art. 2, para. 3), and the term used in the national legislation to indicate the final decision in the original language:

Your comments:

The term used in the national legislation to indicate the final decision in the original language: „ Odluka o davanju saglasnosti ili odbijanju zahtjeva za davanje saglasnosti na elaborat“.

Article 7

Post-project analysis

I.29. Is there any provision regarding post-project analysis in your national EIA legislation (art. 7, para. 1)?:

- (a) No
- (b) Yes (please specify the main steps to be taken and how the results of it are communicated): Described below.

Your comments:

Post-project analysis involves the implementation of measures provided under the EIA and a program for monitoring of the environment, as defined by the Law on Environmental Impact Assessment.

The Law establishes the obligation of implementation of measures provided by the EIA. The project proponent is required to implement all the measures envisaged in the EIA for which an approval was given. The competent authority will determine whether all the measures provided by the EIA were implemented by the projects for which the EIA approval was given. In cases where the competent authority determines that all the measures planned under the EIA were not implemented, no use permit can be.

Also, the law establishes an obligation of inspection control. In carrying out an inspection control, environmental inspector inspects in particular the following: whether the project proponent has the decision of the competent authority regarding the need for environmental impact assessment; whether the project proponent obtained an approval of the EIA; whether the project proponent implements the measures from the EIA for which the approval was issued.

In addition to administrative measures and actions established by the law establishing the inspection supervision, environmental inspector is obliged, when a violation of the law or another regulation is confirmed, to take the following administrative measures and actions: order the project proponent to obtain a decision of the competent authority on the need for environmental impact assessment; order the project proponent to obtain an approval for the EIA; order the project proponent to implement the measures from the EIA; order the project proponent to carry out the monitoring of environmental impact; prohibit the project

proponent to carry out the works until the approval of the EIA by the competent authority is provided.

Monitoring – environmental impact monitoring program contains an overview of the environment before setting the project into operation or commencement of activities at the locations where an impact on the environment is expected; the parameters based on which any adverse impacts on the environment can be identified; place, manner and frequency of measurements for the defined parameters; content and schedule of reports on the performed measurements; obligation to notify the public about the results of the monitoring.

Article 8

Bilateral and multilateral cooperation

(a) Agreements

I.30. Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)?:

- (a) No
- (b) Yes Please specify with which countries:

Yes. Montenegro has signed a multilateral agreement under the Convention - the Multilateral Agreement of the SEE countries on the implementation of the Convention on environmental impact assessment in a transboundary context, in Bucharest in 2008.

This Agreement establishes obligations of the Parties to undertake all necessary legal, administrative and other measures to implement the provisions of the Convention, as well as the obligation to adopt criteria for identifying adverse transboundary impacts and ways of acting in the process of preparation of specific strategic, planning and development documents.

Application of the provisions of this Convention allows preventive action to better protect the environment from the adverse impacts that may arise due to implementation of concrete projects in neighbouring countries.

If publicly available, please also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.

I.31. What issues do these bilateral agreements cover (appendix VI)? (more than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements
- (c) Harmonization of the Parties' policies and measures
- (d) Developing, improving, and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the EIA

(f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities

(g) Undertaking joint EIA, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies

(h) Other, please specify:

Your comments: Montenegro has no signed bilateral agreements so far.

(b) Procedural steps required by the national legislation

I.32. Please describe the steps required in your national legislation for a transboundary EIA procedure:

(a) When EIA in a transboundary context is part of a domestic EIA procedure:

The Law on Environmental Impact assessment establishes an obligation of the authority responsible for environmental protection, as soon as possible and no later than within the deadlines for notifying its own public, to notify the other country.

So far Montenegro has had no cross-border projects.

(b) When EIA in a transboundary context is a separate procedure (please provide of how this procedure links to the domestic procedure and whether the steps are different):

Alternatively, this question can be answered or supported by providing a schematic flowchart showing these steps.

Your comments:

So far Montenegro has had no cross-border projects.

I.33. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?:

(a) No

(b) Yes (please specify):

(i) Special provisions:

(ii) Informal arrangements:

Your comments:

So far Montenegro does not have a special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines).

I.34. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs)?:

(a) No

(b) Yes (please specify):

(i) Special provisions:

(ii) Informal arrangements:

Your comments:

So far Montenegro does not have a special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs).

Part two

Practical application during the period 2013–2015

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. 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.

II.1. Does your country object to the information on transboundary EIA procedures that you provide in this section being compiled and made available on the website of the Convention? Please specify (indicate "yes" if you object):

(a) Yes

(b) No

Your comments:

1. Experience in the transboundary environmental impact assessment procedure during the period 2013–2015

Cases during the period 2013–2015

II.2. If your country's national administration has a record 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 them in the tables II.2 (a) and II.2 (b) below (adding additional rows as needed).

Table II.2 (a)

Transboundary EIA procedures: As Party of origin

Name of case	Starting date (date notification sent)	Length of the main steps in months		Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any Public participation, including public hearing, if any	
1.				
2.				
3.				
4.				
...				

Your comments:

Montenegro has had no transboundary projects as a Party of origin in reporting period.

Table II.2 (a)

Transboundary EIA procedures: As affected Party

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1.					
2.					
3.					
4.					
...					

Your comments:

Montenegro as a potentially affected Party requested an EIA documentation for the projects of HPPs Buk Bijela and Foča from Bosnia and Herzegovina (Republic of Srpska 2012), and from Republic of Serbia for HPP project Brodarevo 1 i Brodarevo 2 (2012/2013). This was a part of report for the reporting period 2010-2012. The consultation process was continued to 2013.

In a period 2013-2015 there were no new EIA transboundary procedures.

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.

II.3. Translation is not addressed in the Convention. How has your country addressed the question of translation? What difficulties has your country as Party of origin and affected Party experienced relating to translation and interpretation, and what solutions has your country applied? (Please specify, among others, the parts and type of the documentation translated, language, costs, etc.):

- (a) As Party of origin:
- (b) As affected Party:

As it was mentioned, there were no EIA transboundary procedures. Experience says, according to SEA transboundary procedures there were no problems so far related to translation. It, could also be a matter of mutual agreements as well as setting a timeframe.

II.4. Describe any difficulties that your country has encountered during transboundary public participation (expert consultation, public hearing, etc.), including on issues of timing, language and the need for additional information: -

II.5. Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects or that of an NPP?:

- (a) Yes
- (b) No

There were no transboundary EIA procedures for joint cross-border projects or NPPs.

II.6. If you answered yes to question II.5, please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects: -
- (b) For NPPs: -

II.7. Name examples of good practice cases, whether complete cases or good practice elements (e.g., notification, consultation or public participation) within cases: -

II.8. Would your country like to introduce a case in the form of a Convention "case study fact sheet"?

- (a) No
- (b) Yes (please indicate which cases):

Once Montenegro would have an EIA completed transboundary case, Montenegro will share and introduce a good example.

II.9. Has your country carried out post-project analyses in the period 2013–2015:

- (a) No X
- (b) Yes (please indicate which projects, along with the challenges in implementation and any lessons learned):

2. Experience in using the guidance in 2013–2015

II.10. Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online?:

(a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7):

- No
- Yes (please provide details): As an informative tool.
- Your experience with using this guidance: As an informative tool.
- Your suggestions for improving or supplementing the guidance:

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

- No
- Yes (please provide details): As an informative tool.
- Your experience with using this guidance: As an informative tool.
- Your suggestions for improving or supplementing the guidance:

(c) Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8):

- No
- Yes (please provide details): As an informative tool.

Your experience with using this guidance: As an informative tool.

Your suggestions for improving or supplementing the guidance:

3. Clarity of the Convention

II.11. Has your country had difficulties implementing the procedures defined in the Convention, either as Party of origin or as affected Party, because of a lack of clarity of the provisions?:

No

Yes (please indicate which provisions and how they are unclear):

For the time being Montenegro has had no difficulties, but it could be the case in future. For sure, some provision should have more clarity.

4. Suggested improvements to the report

II.12 Please provide suggestions for how this report may be improved.