



REPUBLIKA HRVATSKA

MINISTARSTVO ZAŠTITE OKOLIŠA
I PRIRODE

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UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE

Environment Division

Aarhus Convention Compliance Committee

Ms. Fiona Marshall, Secretary

Palais des Nations

CH-1211 Geneva 10, Switzerland

SUBJECT: Decision V/9e concerning compliance by Croatia with its obligations under the Aarhus Convention

Dear Ms Marshall,

Decision V/9e concerning compliance by Croatia with its obligations under the Aarhus Convention invites Croatia to submit periodically detailed information to the Compliance Committee on further progress in implementing recommendations related to the implementation of article 7 in setting transparent national framework.

In the Compliance Committee second review of decision V/9e concerning compliance by Croatia (Geneva, 8-11 March 2016) Compliance Committee asked for some additional information's.

Following that request the response is as follows:

- New Waste Management Plan of the Republic of Croatia for the period 2015-2021 (Plan) is still in process of drafting and once adopted by the Government of the Republic of Croatia pursuant to the Act on Sustainable Waste Management all local self-government units must in accordance with the national Plan prepare their local waste management plans taking into account procedures related to public participation during development of plans. At the moment on the Ministries web page dedicated to EIA and SEIA Plan together with SEIA is published (<http://www.mzoip.hr/hr/okolis/procjene-utjecaja-na-okolis.html>; under SPUO). Once it is adopted it will be communicated to the local authorities with the note about legal obligation of taking public participation during development of local waste management plans.

- Croatian text of Article 22 of the Act on Sustainable Waste Management (Official Gazette 94/113):

Zakon o održivom gospodarenju otpadom (NN 94/2013), članak 22.

(1) *Nacrt Plana i nacrt plana gospodarenja otpadom jedinice lokalne samouprave i Grada Zagreba objavljuje se radi pribavljanja mišljenja, prijedloga i primjedbi javnosti.*

(2) *Posredstvom medija Ministarstvo, odnosno jedinice lokalne samouprave i Grad Zagreb izvješćuju javnost o mjestu na kojem je nacrt Plana i nacrt plana gospodarenja otpadom jedinice lokalne samouprave i Grada Zagreba dostupan te načinu i vremenu iznošenja mišljenja, prijedloga i primjedbi.*

(3) *Rok u kojem javnost može iznositi primjedbe, prijedloge i mišljenja ne može biti kraći od 30 dana od dana objave.*
- Text of the relevant provisions of the Environmental Protection Act in which it is stipulated that all waste management plans and programmes at the local level shall be subject to strategic environmental assessment:

a) Croatian version

Zakon o zaštiti okoliša (Narodne novine broj 80/13 i 78/15), članak 63

- (1) *Strateška procjena utjecaja na okoliš obvezno se provodi za:*
 - strategije, planove i programe, uključujući njihove izmjene i dopune koji se donose na državnoj, područnoj (regionalnoj) te na lokalnoj razini, iz područja: poljoprivrede, šumarstva, ribarstva, energetike, industrije, rudarstva, prometa, elektroničkih komunikacija, turizma, prostornog planiranja, regionalnog razvoja, gospodarenja otpadom i vodnog gospodarstva kada daju okvir za zahvate koji podliježu ocjeni o potrebi procjene utjecaja na okoliš, odnosno procjeni utjecaja na okoliš;
 - strategije, planove i programe uključujući njihove izmjene i dopune čija se provedba financira iz sredstava Europske unije;
 - strategije, planove i programe za koje se prema posebnom propisu iz područja zaštite prirode utvrdi da mogu imati značajan negativan utjecaj na ekološku mrežu.
- (2) *Za strategije, planove i programe za koje se obvezno provodi strateška procjena utjecaja na okoliš obvezna je i provedba odgovarajuće ocjene prema posebnom propisu iz područja zaštite prirode.*
- (3) *Ako se strategija i/ili plan i/ili program donose u objedinjenom postupku provede će se jedinstveni postupak strateške procjene utjecaja na okoliš.«*

Članak 64

- (1) *Za strategije, planove i programe kojima se određuje uporaba malih površina na lokalnoj razini te za manje izmjene i dopune strategija, planova i programa iz članka 63. ovoga Zakona obvezno se provodi postupak u kojem se odlučuje o potrebi provedbe strateške procjene utjecaja na okoliš.*

b) English version

Environmental Protection Act (Official Gazette No 80/13 and 78/15), Article 63

- (1) *Strategic environmental impact assessment is mandatory for:*
 - strategies, plans or programmes, adopted at the state, regional and local level for cities in the following sectors: agriculture, forestry, fishery, energy, industry, mining, transport, electronic communications, tourism, spatial planning, regional

development, waste management and water management, when setting the framework for projects subject to environmental impact assessment;

– strategies, plans and programmes, including their significant amendments, whose implementation is financed from European Union funds;

- strategies, plans and programmes for which, is assessed impact on ecological network in line with a special regulation.

(2) For strategies, plans and programmes for which strategic impact assessment is mandatory, also assessment of their acceptability for the ecological network is mandatory in line with a special regulation.

(3) If the strategy and/or plan and/or programme are adopted in an integrated procedure in order to prevent duplication of procedures a unified strategic impact assessment procedure shall be carried out.

Article 64

(1) The procedure for deciding on the need for implementation of the strategic environmental impact assessment procedure shall be mandatory for amendments to strategies, plans and programmes which define usage of small areas at local level referred to in Article 63 of this Act.

In addition to this we would like to inform Compliance Committee that by the end of this year we will prepare final progress report that will be submitted to the Committee by the end of October 2016.

This year we will also updated III National implementation report which will have all relevant information's about implementation of Aarhus Convention provisions in the Republic of Croatia in the intersession period.

Yours sincerely,



Cc: 1. Permanent Mission of the Republic of Croatia to the United Nations Office in Geneva
2. Ms. Zrinka Jakl, Assotiation for Nature, Environment and Sustainable Development 'Sunce'

