

**REPORT OF Latvia 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**

Name and contact information:

Sandija Balka

Ministry of Environmental Protection and Regional Development

25 Peldu street

LV-1494 Riga

Telephone: +371 67 02 69 16

Fax: +371 67 82 04 42

E-mail: sandija.balka@varam.gov.lv

**Information on the point of contact for the Convention**

Name and contact information (if different from above):

Mr. Arnolds Lukšēvics

State Environment Bureau

23 Rūpniecības street

Telephone: +371 67 77 08 02

Fax: +371 67 32 10 49

E-mail: arnolds.luksevics@vpvb.gov.lv

**Information on the person responsible for preparing the report**

- |       |                  |   |
|-------|------------------|---|
| i.    | Country:         | Latvia  |
| ii.   | Surname:         | Balka   |
| iii.  | Forename:        | Sandija   |
| iv.   | Institution:     | Ministry of Environmental Protection and Regional Development |
| v.    | Postal address   | LV-1494   |
| vi.   | E-mail address   | sandija.balka@varam.gov.lv                                    |
| vii.  | Telephone number | +37167026916  |
| viii. | Fax number       | +37167820442  |

Date on which report was completed: 27.03.2013.

# 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).

- Law on environmental impact assessment (EIA) (entry into force: 13 November 1998). (EIA Law)
- Cabinet of Ministers Regulations on Procedures for EIA (entry into force: 25 January 2011).
- Law on Espoo Convention on EIA in a Transboundary Context (entry into force: 01 July 1998).
- Agreement between the Government of the Republic of Estonia and the Government of the Republic of Latvia on EIA in a transboundary context (entry into force: 14 March 1997).

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

- Ratification of the I and II amendment of the Espoo Convention

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

- Ministry of Environment Protection and Regional Development
- State Environment Bureau
- State Environmental Service
- Ministry of Foreign Affairs (giving opinion on the matter)
- Relevant municipalities
- Interested state institutions (e.g. Ministry of Transport, Ministry of Economy)

In case of national EIA procedure, the only authority that might not be involved in the EIA process is Ministry of Foreign Affairs. However authorities involved differ depending on project type and therefore there is no closed list of authorities to be consulted. For example if a project may cause impacts to specially protected nature territories (Natura 2000) relevant nature protection authorities are consulted (e.g. Nature conservation agency, Ornithology society etc.).

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

State Environment Bureau

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

No specific provision

#### 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.*

Espoo Convention Appendix I (also revised appendix I) is included in the national legislation. Taking into account that EIA Law Appendix is relevant to EIA Directive Appendix I, for example activity 20 in the revised Espoo convention Appendix I (installation for the intensive rearing of pigs or poultry) is included in the EIA Law Appendix I, taking into account EIA Directive. In the EIA Law Appendix I there are many thresholds according to the EIA Directive and national regulation, which are sometimes stricter than in Espoo Convention Appendix I.

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, Espoo Convention Appendix I (also revised appendix I) is included in the national legislation, taking into account that EIA Law Appendix is relevant to EIA Directive Appendix I

#### 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?*

According to the EIA Law:

Every natural person and legal person, as well as association, organisations and groups (hereinafter – the public). That is also the definition of "Public" in accordance with the Aarhus Convention. And the only legal possibility to ensure equivalent opportunities for public is to achieve better results in ratifying and also implementing provisions of the Aarhus Convention.

### 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".*

According to article 20.1 para 1 of the EIA Law, the State Environment Bureau, when taking a decision to initiate the EIA procedure, is also responsible for determining whether a proposed project may have significant transboundary environment impacts. The notification is sent to potentially Affected party before public is informed about a decision to undertake EIA (article 20.1. para 2 of the EIA Law).

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 is send to potentially Affected party before public is informed about a decision to undertake EIA (article 20.1. para 2 of the EIA Law).

- 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)?*

Yes, we would follow the guidelines

- 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;*

Time frame is not defined in the national legislation. However in practice that would be agreed between the State Environment Bureau and developer (from the practice min term is 30 days). Because according to Article 15 of the EIA Law developer shall inform public on necessity to undertake EIA after receiving decision from the Bureau and before requesting to issue EIA programme.

Not complying with the time frame or asking extention would then be discussed on bilateral bases with the Affected party.

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

Information from the affected party should be requested if there is not enough information (or information is available only in their national language) when EIA report is composed. The deadline shall be determined by official letter.

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

According to Article 20.1 para 6 of the EIA Law - State Environment Bureau (Bureau) in cooperation with the Competent Authority of the State that has intended to participate in the Impact Assessment ensure that those authorities and public concerned are given an opportunity to review the information mentioned in Paragraph 3 and Paragraph 5 of this Article and submit proposals to the Competent Authority before it submits Evaluation Report of the Final EIA.

If the planned activity is in territory in Latvia, according to Article 15 of the EIA LAW – If a decision of the competent authority has been received that an impact assessment of an intended activity is to be performed, the developer shall publish an announcement regarding the intended activity and the possibility of the public to submit written proposals regarding the possible impact of such activity on the environment in at least one newspaper , as well as shall inform individually the owners (possessors) of immovable properties which are located next to the territory of the intended activity. The initiator shall submit the referred to announcement in the electronic form for the placement on the Internet homepage to the Bureau and local government in the administrative territory of which the intended activity is planned. Upon a written request of the Bureau or the local government in the administrative territory of which the intended activity is planned, a developer shall ensure an initial public discussion of the impact assessment of the intended activity.

The developer may organise the initial public discussion upon his or her own initiative. Any person is entitled to participate in such discussion and to make his or her proposals.

Developer shall publish the relevant notification in at least one local newspaper not later than ten days prior to the planned initial public discussion and shall submit such notification for posting on the Internet home page of the Bureau, local governments as well as shall send individual notices to the owners (possessors) of immovable property, whose property is next to the potential locations of the intended activities. The notification shall specify at least the following information:

1. the name of the intended activity, locations (addresses) and the date when the Bureau has taken a decision regarding the necessity of an environmental impact assessment;
2. the initiator (given name, surname or name);
3. the location and time of the initial public discussion;
4. the time and location where the public may obtain information regarding the intended activity and become acquainted with the prepared documents; and
5. the office address, telephone number, Internet home page address.

Developer shall prepare the visual materials and copies of the documents necessary for a discussion.

According to EIA Law Article 20.1. para 6.1. and 6.2. if the activity is planned to be implemented outside the territory of Latvia, within 14 days after information is received from the Party of origin, this notification has been placed in the internet and at least one local newspaper. In the notice has been given all information, where public and interested institution may acquire information regarding the activity, as well as information regarding time period up to when written proposals may be submitted to the Bureau. The Bureau shall compile the proposals submitted by the public and interested institution and send them to the competent authority of the relevant State.

- 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?*

According to the Cabinet of Minister Regulations:

The following information shall be published in the notification:

1. the name of the intended activity, the date when the Bureau has taken a decision regarding the necessity of an environmental impact assessment and a justification of such decision;
2. the initiator (given name, surname or name);
3. a description of the intended activity (potential locations (addresses) of the intended activity and the types of technologies to be utilised, as well as the territories subject to impact);
4. information regarding transboundary impact, if such is possible;
5. the time and location where the public may obtain information regarding the intended activity and become acquainted with the prepared documents (the submission, initial assessment, the decision regarding the necessity of the environmental impact assessment);
6. the deadline by which the public may submit written proposals;
7. the office address, telephone number, Internet home page address.

- 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?*

According to the Cabinet of Minister Regulations:

The following information shall be published in the notification:

1. the name of the intended activity, the date when the Bureau has taken a decision regarding the necessity of an environmental impact assessment and a justification of such decision;
2. the initiator (given name, surname or name);
3. a description of the intended activity (potential locations (addresses) of the intended activity and the types of technologies to be utilised, as well as the territories subject to impact);
4. information regarding transboundary impact, if such is possible;
5. the time and location where the public may obtain information regarding the intended activity and become acquainted with the prepared documents (the submission, initial assessment, the decision regarding the necessity of the environmental impact assessment);
6. the deadline by which the public may submit written proposals;
7. the office address, telephone number, Internet home page address.

- 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.*

Each party notifies the public in their country following their national legislation. According to EIA Law, the State Environment Bureau, when taking a decision to initiate the EIA procedure, is also responsible for determining whether a proposed project may have significant transboundary environmental impacts. The notification is sent to potentially Affected party before public is informed about a decision to undertake EIA.

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)?*

State Environment Bureau is the main decision making authority.

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

"Reasonably obtainable" information in the art.3, para 6 of the Espoo convention is the information we may obtain in the time frame specified. Meaning of term "promptly" is understood as to be sent as soon as we do have such an information.

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

Cooperation with authorities is done on national level, through central state authorities or focal point.

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

The public is notified within a period of 14 days after the information has been received from the Party of Origin. According to EIA Law Article 20.1. para 6.1. and 6.2. if the activity is planned to be implemented outside the territory of Latvia, within 14 days after information is received from the Party of origin, this notification has been placed in the internet and at least one local newspaper and also the State Environment Bureau. Bureau may sent this notification to those institutions and organisations with which it is necessary to consult. In the notice has been given all information, where public and interested institutions may acquire information regarding the activity, as well as information regarding time period up to when written proposals may be submitted to the Bureau. The Bureau shall compile the proposals submitted by the public and interested institution and send them to the competent authority of the relevant State.

## 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);*

EIA Law and Cabinet of Ministers Regulations

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

The State Environment Bureau shall develop a programme after the receipt of a written request from developer.

A programme shall include:

1. a reference regarding the information to be included in the EIA report; and
2. a reference regarding the institutions and organisations with which consultations are necessary, or to which the work report shall be submitted.

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

Developer is responsible for determining reasonable alternatives. These are alternatives which may be implemented in practice

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

Developer is responsible for determining this.

*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, there have no differences, all the EIA documentation is given to the affected Party.

- 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;*

According to Article 20.1 para 7 of the EIA Law - The Competent Authority shall enter into consultations with the Competent Authority of the Affected party and agree on it. All received comments from public the Bureau shall forward to the developer who must explain why proposals and objections are taken into account and justify why they are not taken into account and respond to the questions. The answers shall be sent to the affected Party.

- 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;*

According to Article 20.1 para 7 of the EIA Law - The Competent Authority shall enter into consultations with the Competent Authority of the Affected party and agree on it. All received comments from public the Bureau shall forward to the developer who must explain why proposals and objections are taken into account and justify why they are not taken into account and respond to the questions. The answers shall be sent to the affected Party.

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

According to Cabinet of Minister Regulations within a period of three days after the submission of EIA report to the Bureau developer shall submit for publication in newspapers an announcement regarding the EIA report. Developer shall send individual notifications to the owners (possessors) of immovable property, whose property is located next to the potential locations of the intended activity, and to the local government of the relevant territory.

Any person is entitled to send written proposals to the Bureau within a period of 20 days after the publication of the notification. Developer shall organise a public discussion of the EIA report at least ten days after the publication of the notification.

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

At the request of the affected Party, the Bureau shall forward the EIA documentation to the affected state and determine the time frame for providing comments. The procedure and the time frame of the consultations and publication of the EIA documentation shall be agreed on between the party of origin and the affected state.

## 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;*

The EIA report and any other relevant information should be sent to the Affected party when it is made available to the public and authorities of the Party of Origin.

- 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;*

From the practice affected Party will organise public hearing and consultations with relevant authorities in their country. The public participation is normally organized in accordance with national legislation.

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

All proposals and objections submitted regarding the documents on EIA shall be sent to the state in which the transboundary environmental impact originates.

## 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;*

The necessary procedure and the actual time schedule of the consultations shall be agreed on between party of origin and the affected state. Article 20.1 para 7 of the EIA Law: The Competent Authority shall consult with the Competent Authority of the Affected party regarding the possible transboundary impact of an activity, regarding the activities for preventing or reducing the negative impact, as well as regarding the time period necessary for consultation.

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

Communication about consultation meetings will be organized via e-mail or letter by Espoo focal point or competent authority State Environment Bureau.

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

Level really depends on particular project. In the consultations will participate members from State Environment Bureau, Ministry of the Environmental protection and regional development, other members - expert of the delegation (depends from the project) and the developer. The necessary procedure and the actual time schedule of the consultations shall be agreed on between party of origin and the affected state.

#### 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;*

The necessary procedure and the actual time schedule of the consultations shall be agreed on between party of origin and the affected state.

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

The necessary procedure and the actual time schedule of the consultations shall be agreed on between party of origin and the affected state.

## 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;*

"Final decision" - acceptance of the Proposed Activity (lv - "Paredzētās darbības akcpets") shall mean the passing of a decision by the relevant State or municipal institution or Cabinet of Ministers as provided by the EIA Law and other legislative acts, consenting to commence the Proposed Activity

- 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 "final decision" - acceptance. Acceptance of the Proposed Activity (lv - "Paredzētās darbības akcpets") shall mean the passing of a decision by the relevant State or municipal institution or Cabinet of Ministers as provided by the EIA Law and other legislative acts, consenting to commence the Proposed Activity

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

The appropriate State or municipal institution shall inform any State which has been consulted on the decision passed and shall forward to it the required information mentioned in the EIA Law.

- 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)?*

If the Proposed Activity has transboundary impact, the viewpoints put forward by the interested authorities and members of the public concerned of the affected State and results of consultations, shall be taken into consideration by appropriate State or municipal institution, when accepting or rejecting the Proposed Activity.

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

If such information becomes available, the affected Party shall be informed about received additional information. Decision shall contain measures to be taken in order to prevent or reduce any negative environmental impacts.

## 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);*

Already at the stage of drafting EIA report monitoring requirements for the assessment of environment quality should be indicated. According to the bilateral agreements with Estonia, the Party of origin and the affected Party shall determine the necessity of the post-project analysis (e.g. environmental monitoring) taking into account the significance of environmental impact resulting from the proposed activity

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

State Environment Bureau will be the authority responsible for informing other Party and for consulting on measures to reduce or eliminate the impact.

## 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.*

Latvia has one bilateral agreement: the Agreement between the Government of the Republic of Estonia and the Government of the Republic of Latvia on EIA in a transboundary context (entry into force: 14 March 1997).

According to the article 3 of the above-mentioned Agreement, co-operation between two countries is concentrating on the proposed activities listed in Appendix I to the Espoo Convention as well as on activities listed in Annex to this Agreement. Case-by-case approach is used to decide whether this Agreement applies to the activities not included in Appendix I to the Convention and Annex to this Agreement if they are likely to cause a significant adverse transboundary impact. A Joint Commission on EIA in a transboundary context has been established in accordance with the provisions of the Article 4. Commission's main task is to decide on procedural issues for conducting of transboundary EIA. Joint Commission decides on the necessity of the joint EIA and defines procedure of the joint EIA for each case separately.

As far as the determination of "significance" is concerned, the criterion for location of an activity within a distance of 15 km from the border is included in the agreements.

Most of elements to be found in Appendix VI are taken into account in the agreement.  
<http://www.likumi.lv/doc.php?id=29706>

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

No, the points of contact are the ones that are nominated also for the Espoo Convention.

## 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, we are not aware of specific research in relation to EIA in a transboundary context

## 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?*

Yes, we have plans to ratify this amendment in the closest future

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?*

Yes, we have plans to ratify this amendment in the closest future

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

Yes, we have plans to ratify this amendment in the closest future

## **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.*

Latvia has experience in this period as affected party in such projects:

- regarding a new NPP in the Russia Federation (Russia as a party of origin)

1. Construction of a new NPP on the territory of the Russian Federation.

- regarding a new NPP in Belarus (Belarus as a party of origin):

2. Construction of a NPP on the territory of the Republic of Belarus

- regarding Šventoji port reconstruction (Lithuania as a party of origin)

3. Šventoji port reconstruction on the territory of the Republic of Lithuania

- regarding construction and operation of the LNG terminal (Lithuania as a party of origin)

4. Construction and Operation of the Liquefied Natural Gas Terminal and Related Infrastructure on the territory of the Republic of Lithuania

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 objection

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.*

The duration of the transboundary EIA procedure mostly depends on the specific

project and number of affected parties and parties of origin. Medium average for EIA procedure as a whole (see question 47, projects which are finished 1- 6) is ~ 3,5 years.

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

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

The implementation of the Convention has supported the fore mentioned aspects concerning transboundary environmental impacts. The comments from the affected Party and of the affected parties have been taken into account in the EIA procedures - this is a very important aspect in protecting the environment and promoting sustainable development.

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?*

Environmental impacts, including transboundary impacts of certain projects are being assessed and addressed as soon as possible already through initial impact assessment procedure and whilst taking decision about the necessity to apply EIA. There has not been a case in practice yet where significant transboundary impacts have been identified and no case in practice where notification under Espoo Convention was required. Nevertheless there have been several cases where Latvia have identified certain impact areas to be in close vicinity to a neighboring country, and even though such impact was not recognized to be transboundary, - Latvia has offered the neighboring countries to follow the national EIA procedure, if they would wish to do so. These cases are only examples of good neighboring cooperation and can not be addressed as experience obtained by using Convention in practice.

In case of transboundary EIA transboundary impacts must be analysed in the EIA report and the report must also include an overview of the results of consultations upon environmental impact assessment in a transboundary context. Information amount could vary taking into account proposed activity and received comments and proposals on that.

- 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?*

From the practice, always we are asking to provide EIA documentation in our language ( at the minimum EIA summary in latvian for the public). If the public consultation has been organized in the territory of Latvia we are asking to a Party of Origin to provide translation in the public meetings.

- 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)?*

We have not organised transboundary public participation as Party of original

- 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?*

The only difficulty may be, that sometimes there is not enough time to submit comments after consultation.

Sometimes additional time is needed for submitting comments.

Yes, Latvia has been consulted under article 5, for example in Construction and Operation of the Liquefied Natural Gas Terminal and Related Infrastructure on the territory of the Republic of Lithuania case, there were many consultations between experts and authorities.

- 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;*

We have not send a "final decision" to the affected Party

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

No experience

- 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 experience

- 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"?*

The cooperation between parties concerning the EIA in a transboundary context is good. All EIA material has been received, also additional time is provided if necessary. The practice shows that public is interested in participating in EIA transboundary procedures.

We higly appreciate your offer, but we would not like to introduce a case

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

The Convention is applied through focal points, joint bodies and bilateral agreement between Estonia.

## 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 example.

## 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);*

Yes, but only for the Notification stage

- 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?*

Our practical experience is as the affected Party. It is very important that we have the opportunity to participate and to give opinion about proposed activity EIA documentation which may impact us. Very good practice is with Estonia, where we have bilateral agreements, and every year we are organising a meeting to share our experience and to give the newest information in national legislation and other issues.

## 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.*

Information concerning the Convention and informative materials has been done by the State Environment Bureau, doing their duties.

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?*

Practice shows that application of the Convention and the cooperation with other parties is effective

## SUGGESTED IMPROVEMENTS TO THE REPORT

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

No suggestions

\* \* \* \*