

Implementation Committee of the
Convention on Environmental Impact
Assessment
in a Transboundary Context and the
Protocol on Strategic Environmental
Assessment
Mr. Romas SVEDAS, Chair of the
Implementation Committee
UNECE
Palais des Nations
1211 Geneva 10
Switzerland

Reference Number: BMNT-UW.1.4.2/0081-I/1/2019

5th Review of Implementation of the Convention; your letter of April, 11th 2019, e-mail of April, 16th 2019

Dear Mr. Svedas,

In reference to your letter of 11th April 2019, submitted by e-mail of 16th April 2019 by the secretariat of the Espoo Convention, you will be provided with the following information: Notwithstanding that Austria does not foresee in its EIA Act legal provisions for a "public hearing" as foreseen by the Convention – a legal situation, that Austria shares with a lot of other Parties -, it has been standing practice, to discuss and arrange, on a case by case base, with the concerned party the organization of a public hearing within the Espoo procedure for the Austrian public concerned and to provide it with the possibility of participating in such hearings, even when held abroad. Despite this, it should be mentioned that Austria has indeed implemented the legal provisions as foreseen in Art 3 para 8 and Art 4 para 2 of the Convention by § 10 para 7 of its EIA Act. These provisions of the Espoo Convention serve the public participation, but do not mention *expressis verbis* the instrument of a "public hearing". In detail, the Austrian law designates that – according to the above mentioned articles of the Espoo Convention – the whole EIA documentation, including a description of the project as well as the environmental report, be publicly announced and laid out for public inspection.

Through these procedural steps, the public concerned is put in a position to receive and collect information about the project and to submit comments on it. All comments received are later submitted to the Party of origin by the Austrian Espoo contact point.

I will be happy to assist you with any further questions, requests or suggestions you might have.

With best regards,

24. May 2019

On behalf of the Federal Minister:

i.V. Mag. Karl-Maria Maitz

Signed electronically.