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- Umweltverträglichkeitsprüfung -

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Recommendations for the Transposition of the UN ECE Convention on EIA in a Transboundary Context (Germany-Czech Republic)

by

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Summary

Aim and frame-work

The **research project** "Recommendations for the Transposition of the UN ECE Convention on EIA in a Transboundary Context (Germany-Czech Republic) was carried out from **1.8.1998 to 15.03.2000** by the **IFS Institute for Stadtpolitik und Strukturpolitik GmbH** Berlin (Germany) in cooperation with **INVESTprojekt**, Brno (Czech Republic) Berlin. The project was commissioned by the Federal Environmental Agency and financed from the Federal Research budget of the Federal Environmental Ministry and the Federal Environmental Agency.

Aim of the research project was to develop practice-oriented recommendations and working tools to support carrying out transboundary environmental impact assessment (EIA) pursuant to the provisions of the UN ECE Convention on EIA in a Transboundary Context of 25.02.1991 (Espoo Convention) in the German-Czech border region.

The Espoo Convention provides inter alia for a broad participation of authorities and the public of an state which is likely to be affected of transboundary impacts of an activity. In the **Agreement on Co-operation in the Field of Environmental Protection of 24 October 1996** (in force since

02.01.1999) the Governments of Germany and of the Czech Republic confirmed to carry out transboundary EIA for activities with likely transboundary impacts. In doing so, the provisions of the Espoo-Convention shall be applied as far as possible and in line with the respective national regulations, also during the period before the Convention enters into force. In addition the German-Czech environment commission, which was set up by the above-mentioned agreement, decided in 1996, to establish a bilateral working group on transboundary EIA in order to develop detailed provisions on transboundary EIA.

To promote transboundary EIA in practice and as a contribution to the present negotiations of the bilateral working group, the research project investigated the framework that influences transboundary EIA between both countries (e.g. legal provisions, evaluations standards). The information mentioned above and further recommendations on transboundary EIA of other border regions formed the basis for the elaboration of recommendations for the performance of transboundary EIA for activities with Germany and with the Czech Republic as country of origin.

Methods and Development

The research project was initiated and governed by the Federal Environmental Agency in co-ordination with the German Federal Environmental Ministry, the Czech Environmental and the bilateral working group on EIA.

The information was collected by a literature and data review and by interviews conducted with experts, carried out by IfS for Germany and by INVESTprojekt for the Czech Republic in an identical manner for both countries. Interim results have been presented to the bilateral working group. The Czech part of the study was elaborated by INVESTprojekt in close contact to the Czech Environmental Ministry.

Results

Volume I of the final report represents **the information handbook** (German-Czech version) which describes the legal, administrative and other facts and frame conditions on which transboundary EIA is based in both countries. Information regarding inter alia the following subjects is included:

- legal provisions (UN ECE, EC, Germany, Czech Republic, Bavaria, Saxony)
- structure of public authorities and their competences
- standards for the description and evaluation of environmental factors and
- description of the state of practical experience with transboundary EIA/ planned activities with likely transboundary impacts.

The facts of both countries are described in a short manner within a text part comprising about 100 pages. The annexes (about 130 pages) provide a complete overview on detailed information in the form of charts, tables and figures (e.g. complete list of activities in Germany and the Czech Republic, for which an EIA has to be carried out; address lists, data pools).

The information is valid for end of the year 1998/ beginning of 1999. Since both countries are currently transposing the Espoo Convention and the amended EIA Directive 97/11/EC, EIA legislation in both countries may change in short-terms.

Volume II includes **proposals** for the **performance of the transboundary EIA procedure** for Germany and the Czech Republic as country of origin and provides solutions for methodological questions. The proposals are also presented by flow-charts. The proposals were elaborated on the basis of the information presented in the information handbook.

Both volumes are available in German and Czech languages, volume II in addition in English.