

THE EUROREGION BOOKS
International Workshop



**ENERGY STRATEGIES IN THE EUROREGION:
SCENARIOS AND CONFLICTS**

The market between governments, webs, corridors and movements



**TRANSBOUNDARY IMPACT ASSESSMENT IN
NORTHERN ADRIATIC – Difficulties with the
implementation and possible solutions**

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Environmental Impact Assessment - a tool in the field of environmental protection included in the legislation of more than 100 countries worldwide.

Environment does not stop at the border - transboundary impacts should be taken into consideration when taking decisions.



A structure for Transboundary Impact Assessment has been provided by the UN Economic Commission for Europe Convention on EIA in a Transboundary Context – Espoo Convention, adopted in 1991

The aim of the Convention - to assure sustainable development by the mean of international cooperation in the assessment of probable impacts of proposed developments.

The Convention has been ratified by 43 Countries so far.



TIA faces many difficulties in its application in the area of Northern Adriatic: missing knowledge about rights and obligations arising from the Espoo Conventions among the general public, developers and authorities

The regional co-operation capacity is a key test for Adriatic Countries facing the common European future.



MOTIVES FOR THE PUBLICATION PREPARATION:

- no TIA procedure in 10 years conducted following the required procedure
- to foster bilateral or multilateral agreements among Northern Adriatic Countries which would make the implementation of the Espoo Convention easier in this area.
- the LNG terminals in Trieste Bay as clear evidence that avoiding the compliance with the Espoo Convention requirements leads to deterioration of already complex relations caused by many known outstanding issues



THE INSTITUTIONALISED MECHANISMS FOR ENSURING THE EFFECTIVE IMPLEMENTATION

- the inquiry procedure
- the review of compliance



DIFFICULTIES, CHALLENGES

- language problems regarding the translation of documentation
- limited public access to documents in the affected country
- incompatibility of national EIA systems
- problems with identifying points of contacts
- uncertainty about the timing of notification
- which procedures should be followed - the country of origin or affected countries?
- delays in the approval process
- disagreements about who cover costs
- political trade-offs with national interests interfering with the TIA procedure
- etc.



POSSIBLE SOLUTION

- agreements between bordering countries which would deal with all difficulties

Guidance on Subregional Cooperation

http://www.unece.org/env/eia/pubs/subregional_coop.htm



PUBLIC PARTICIPATION

The democratic effectiveness of the EIA procedure should be as important as its environmental effectiveness.

Public participation - the heart of the EIA procedure.

Actual situation in the Region: no real understanding of positive outcomes from public participation, no tradition of meaningful public participation and good practise examples

The formal procedure legitimize the decision-making procedure.

Public inputs usually not taken into consideration.

Guidance on Public Participation in EIA in a Transboundary Context

http://www.unece.org/env/pubs/publipart_guidance.htm



NORTHERN ADRIATIC

- The "no harm" principle against sovereign rights: a serious political and diplomatic challenge
- The main issue for the future: the full implementation of all provisions of the Convention
- Need for identification of practical issues and how these could be solved
- Elaboration of guidances to support the practical application of the Convention



STRATEGIC ENVIRONMENTAL ASSESSMENT

The transboundary SEA is required by the EU - but the current practise is poor.

Many evidences that countries try to avoid transboundary consultation in SEA.

Problem: procedure not clearly regulated.



CASE STUDY

**Trieste Bay LNG terminal
prepared by Elena Gobbi - AdriaticGreeNet**



The publication in Croatian language is downloadable here:

<http://participator.zelena-istra.hr/bin/view/Participator/Publikacije>

and here:

http://www.adriaticgreenet.org/3/sostenibilità_e_partecipazione/Info

Thank you!

