

Ensure reflection of SEA results in  
decision-making

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Case example: Legal framework for  
considering SEA in decision-making

Prague, 2009

# Status of SEA

- Decision-making: approval of PPP
- SEA shall provide information for decision-making, shall not be decision itself!
- SEA shall inform on environmental effects of PPP
  - PPP developers
  - Decision-makers
  - Public
- ...and so contribute to the objective and knowledge-based decision

# EU SEA Directive

- Decision-making (Art. 8)
  - The environmental report prepared pursuant to Article 5, the opinions expressed pursuant to Article 6 and the results of any transboundary consultations entered into pursuant to Article 7 **shall be taken into account during the preparation of the plan or programme** and before its adoption or submission to the legislative procedure.
- Information on the decision (Art. 9)
  - a statement summarising how environmental considerations have been integrated into the plan or programme and how the environmental report, the opinions expressed and the results of consultations have been taken into account in accordance with Article 8 and the **reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with.**

# Czech Republic

- The concept cannot be approved without SEA statement. Approving authority has to take into account requirements and conditions given by the SEA statement. If the SEA statement includes requirements and conditions which haven't been considered in the concept or have been considered only partially, the approving authority is obliged to justify such approach.
- This justification has to be made public by approving authority.

# Romania

- The competent authority for environmental protection has to issue the environmental approval for the PP (based on SEA report and consultations).
- The environmental approval includes:
  - a) the reasons on which it was issued;
  - b) the monitoring measures regarding the environmental effects, including additional monitoring measures, if needed;
  - c) the mitigation or offset measures of the significant effects on the environment and of the significant transboundary effects, as appropriate.
- The plan or program owner must submit to the adoption procedure only the plan or program, as well as any modification to the plan or programme **as approved by the competent authority for environmental protection.**