



При финансовой поддержке
Европейского Союза



**EU/UNDP/UNECE joint project “Supporting Kazakhstan`s
Transition to a Green Economy Model**

**Experience and examples of legal
confirmation of SEA in EECCA
countries.**

**Advantages and benefits of SEA
implementation**

**Elena Laevskaya, UNECE international expert
Astana, November 14, 2016**

Content

- ▶ Experience and examples of SEA legal confirmation in EECCA countries
- ▶ Advantages and benefits of SEA implementation

Experience and examples of SEA legal confirmation in EECCA countries

Status of signing/ratification/joining to Protocol on SEA (some EECCA countries):

Armenia, Ukraine - signed, ratified

Georgia, Moldova- signed

Russia, Belarus, Kazakhstan - did not sign, are not Parties

(Kazakhstan, Belarus are parties of Espoo Convention)

In the framework of project EaP Green (programme financed by EU) currently legislation regulating EIA and SEA in series of countries is being designed: Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine

Legislative technique: approaches of regulations of SEA

- ▶ Global procedure of EIA and SEA - NO
- ▶ SEA procedure is in only one legal act (special SPA about SEA or general SPA about environmental protection) - NO
- ▶ SEA procedure in one SPA or references/additions on SEA procedure in other SPA that are related to plan/programme preparation and so on - YES
- ▶ Theoretically possible option, but not that much effective - SEA procedure is described/doubled in all SPA that regulate different plans/programmes preparation

What scenario do EECCA countries choose?

▶ **Ukraine, Moldova**

- two Laws (about EIA and SEA), separate questions of public involvement (order of public hearings - Ukraine) is regulated in subordinate act(secondary legislation)

▶ **Georgia**

- Environmental assessment Code (EIA and SEA procedures in different chapters)

▶ **Azerbaijan, Armenia, Belarus Азербайджан, Армения, Беларусь**

- «framework» law (EIA and SEA procedures in different chapters/articles), subordinate acts are being developed additionally (terms about EIA, about SEA) - Belarus, term about SEA - Armenia, additions to subordinate act that regulate public involvement

Main “calls” on formation of legislation about SEA in EECCA countries

- ▶ Identify “plans and programmes” (approach to general notion “strategic documents” or “planning documents” formation)
- ▶ SEA application field (imperative requirements of SEA for plans/programmes in certain sectors; objects requiring screening)
 - «basis for future authorization on project implementation»
 - «small areas at local level »
 - «slight changes of plans/programmes»
 - Exception: national defence and civil emergency situations - the only goal; financing and budget
 - Screening - is not included to SEA (but for application field has an essential meaning) , “from projects to projects”

Main “calls” on formation of legislation about SEA in EECCA countries (2)

- ▶ Who is responsible for SEA, if there are several implementers
- ▶ Identifying scopes - scoping (procedure - scoping - meeting, result - scoping - solution)
- ▶ Environmental report (who is implementing? Control of quality)
- ▶ Consultations (what does “competent” authority mean - determining on the stages of screening and scoping, role of MFA - in transboundary consultations)
- ▶ Public involvement (related to art. 7 Aarhus Convention, but not identical; identification of public; effective means of informing - not only the Internet, “early stage” of informing)
- ▶ Making decisions (reflections of SEA results)
- ▶ Monitoring organization

Advantages and benefits from SEA implementation

- ▶ SEA provides level of environmental protection and healthcare (supreme value of any state)
- ▶ SEA contributes to sustainable development of a state and environmentalization of economy, contributes to adaptation to climate change
- ▶ SEA contributes to improving the quality of planning and implementing programmes
- ▶ SEA contributes to more effective decision-making
- ▶ SEA contributes to improving the quality of government control and enhance of confidence to government
- ▶ SEA allows to prevent high cost mistakes
- ▶ SEA optimizes EIA process
- ▶ SEA contributes to development of environmental diplomacy and reduction of risks of international conflicts
- ▶ SEA allows to prevent intersectoral conflicts

Thank you for your attention!

For further information contact:

Tea Aulavuo

Secretary of Convention on EIA and
Protocol on SEA

Tel: +41 22 9171723

E-mail: tea.aulavuo@unece.org

Web-site:

<http://www.unece.org/env/eia/welcome.html>

Elena Laevskaya

UNECE International expert

E-mail: evlaevskaya@gmail.com