

Home assignment for the second sub-regional workshop on sharing experience with introducing SEA and EIA in selected countries of Eastern Europe, the Caucasus, and Central Asia

31 October – 2 November 2017

Venue: Holiday Hotel Glebovka, Kiev Region, Ukraine

Dear colleagues,

In order to streamline the group exercise and discussions during the second sub-regional workshop on sharing experience with introducing SEA and EIA in selected countries of Eastern Europe, the Caucasus, and Central Asia, let us hereby ask you to – as the participants of the event – to complete a home assignment consisting of three tasks described below.

1. A morning session on Day 1 (11:30 – 13:00) will be dedicated to the lessons learned from SEA/EIA capacity building activities implemented within EaP GREEN Programme. Therefore we would like to ask you to ***prepare a poster highlighting the progress and main achievements of the EaP GREEN SEA and EIA activities in your country, and summarizing the lessons learned.*** You can bring necessary background materials (e.g. publications, photos etc.) and finalize the poster on the spot (flipchart papers, markers, glue tape, etc. will be available). The posters then will be arranged as an ‘exhibition’, and each country will get five minutes to present main points.
2. The last session on Day 1 (16:00 – 17:00) will focus on the preparation and use of the case-examples. For this session, you are asked to ***develop a case example to be used in the training on SEA.*** The case example can be based on the pilot SEA supported by the UNECE secretariat during the EaP GREEN project, or other SEAs carried out in your country. You may elaborate the case example on entire SEA procedure or select only specific element of SEA (e.g. preparation of SEA report, consultations with health authorities, etc.). The case example should be prepared in a form of PowerPoint slides, and the time allocation for its presentation will be around 5 – 7 minutes.
3. Third, as obvious from the agenda, the last part of the sub-regional workshop (Day 3 afternoon) will address experience with developing the legislative framework for SEA and EIA. For this, please prepare a ***presentation summarising feedback of your country on the below questions.*** The country’s delegations will be asked to present it during the sub-regional conference (subject to availability of time to cover all or only selected points).
 - A. Please reflect on **the general approach** followed by your country when carrying out the legislative reforms of the national environmental assessment system, following the guiding questions below:
 - Was SEA and EIA addressed separately or together? What are the pros and cons of the approach followed in your country?
 - How the SEA and EIA legislative framework does relate to the previous system (including ‘state ecological expertise’)?
 - How the SEA and EIA legislative framework does relate to the EU legislation?
 - What details were (should be) elaborated in executive regulations, if any?

- What were the main drivers of developing (and adopting) the new legislation (e.g. cases at the Espoo Implementation Committee, EU Association Agreement, etc.)?
 - How was the drafting process organized? Who and how was involved?¹
- B. Please describe **challenges** that your country has experience during the legislative reform:
- What were the main national stakeholders that were most resistant/reluctant during developing and (if relevant) adopting the new legislation on SEA and EIA? If possible, please provide also details about reasons for their reluctance.
 - Is there anything obviously incorrect or missing in the new legislative framework (or its draft)?
 - What has made the drafting and (if relevant) adoption process successful?
 - What were the main reasons for not yet finalizing and/or adopting the new SEA/EIA legislation?
- C. Based on your **newly adopted legislation on EIA or the latest version of the draft legislation on EIA**, please describe main elements and main features of the new EIA system addressing the following questions:
- Is there one or more lists of projects?
 - What is the approach to changes, updates and extensions of the projects (including extension of lifetime of the nuclear facilities)?
 - Is a screening procedure for certain types of project envisioned as an individual step in EIA procedure?
 - What is the role of EIA in the decision-making?
 - What is the final decision authorising initiation of the project (to start construction and/or operation)?
 - Which authority is responsible for EIA process?
 - Is scoping mandatory?
 - What are the measures to assure the quality of EIA reports (e.g. any accreditation scheme for EIA practitioners, any EIA Commission, quality criteria, etc.)?
 - Who is responsible for ensuring the public participation?
 - At which stages of EIA procedure the public is involved and how?
 - How the system of 'state ecological expertise' (if still exists in the country) relates to EIA procedure?
 - What is the legal mechanism to determine possible transboundary effects and to initiate a transboundary EIA?

¹ You may wish to refer to the timing of the preparation of the new legislation or amendments, the role and way of operation of the national drafting groups if these were established, support and training provided by national and international experts to the drafting groups, political support that was ensured by involving high level officials at the early stage of the drafting process or supervision of the process by the responsible deputy minister, communication with the representatives of the parliament, the importance of the high level round tables, etc.

D. Based on your newly adopted legislation (or the latest version of the draft legislation) that governs **application of SEA in your country**, please describe main elements and main features of the new SEA system addressing the following issues:

- How the strategic documents are called and defined?
- What is the field of application of SEA (in relation to Art. 4 of the Protocol on SEA)?
- What is the approach to the modifications of the strategic documents?
- Is there an individual screening? If so, for which strategic documents?
- Who (which authority) makes the screening decision (if screening decision is required by the legislation)?
- Is any procedure for scoping envisioned in your new legislative framework?
- If so, what would be the results/conclusions from the scoping?
- Who decides about the scope of SEA report (if such decision is stipulated by the legislation)?
- Who is responsible for ensuring the public participation?
- At which stages of SEA procedure the public is involved and how?
- How the system of 'state ecological expertise' (if still exists in the country) relates to the SEA?
- What is the legal mechanism to determine possible transboundary effect and to initiate a transboundary SEA?
- What is the role of SEA conclusions (i.e. those summarized in the SEA report, or any final statements or views of environmental and health authorities) in the adoption of the strategic document? Are the conclusions binding for the decision-making authority or have they advisory/recommendatory nature?

Preparation of the tasks above obviously require involvement of all experts nominated by each country. Therefore, we would like to encourage you to coordinate among the nominated experts and cooperate on the tasks.

In addition to preparing the home assignment, we would like to highly encourage you to get familiar with updated version of the Manual on SEA for Trainers (available in English https://www.unece.org/fileadmin/DAM/env/eia/Publications/2016/Manual_for_Trainers/Manual_layout_En_Covers_For_Web_31.05.2017.pdf and Russian https://www.unece.org/fileadmin/DAM/env/eia/Publications/2016/Manual_for_Trainers/Manual_layout_RUS_DRAFT_MAY_2017.pdf) as it will make your participation at the workshop more efficient.

We would also like to ask you to make sure that there will at least one laptop within your country group to be used during the sub-regional event. Similarly, please make sure that you have your SEA legislation with you printed or in electronic format to facilitate your work during the sub-regional conference.

We remain available for any questions or comments – do not hesitate to approach us and/or send us your inputs on email martin.smutny@unece.org. Should you consider it useful, you can send the draft presentations, group work assignment etc., during next week to get a preliminary feedback before the workshop.



We look forward to meeting you in Ukraine

On behalf of the trainers and experts

Ms. Elena Santer and Mr. Martin Smutny

The team of trainers and experts to facilitate the event consists of:

Ms. Maia Gachechiladze-Bozhesku

Ms. Marina Khotuleva

Ms. Olena Borysova

Ms. Olena Pometun

Mr. Jerzy Jendrośka

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