



# Strategic environmental assessment (SEA) and environmental impact assessment (EIA) in the context of the EaP GREEN

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# EaP GREEN

The programme's overall objective is to assist the EaP countries ***to decouple economic growth from environmental degradation and resource depletion.***

The programme component that ECE is in charge of implementing, aims to ***promote the use of strategic environmental assessment (SEA) and environmental impact assessment (EIA) as essential planning tools for an environmentally sustainable economic development.***

# Concept of environmental assessment

- Tools to integrate environmental (sustainability) and health considerations in development activities
- Scope
  - Strategic environmental assessment (SEA):
    - Plans and Programs
    - *Potentially also Policies and Legislation*
  - Environmental impact assessment (EIA):
    - Individual projects

# Importance of SEA and EIA

- **Tools for: green growth, attaining Sustainable Development Goals and address climate change**
- **Ensure that environmental and health implications of strategic and project-related decisions on economic development **are considered and addressed** before decisions are taken**
- **Improve planning**
- **Save time and costs**
- **Improve decision-making and strengthen governance (transparency, participation, ownership)**
- **Streamline economic growth**
- **Enhance cross-sectoral and transboundary cooperation**

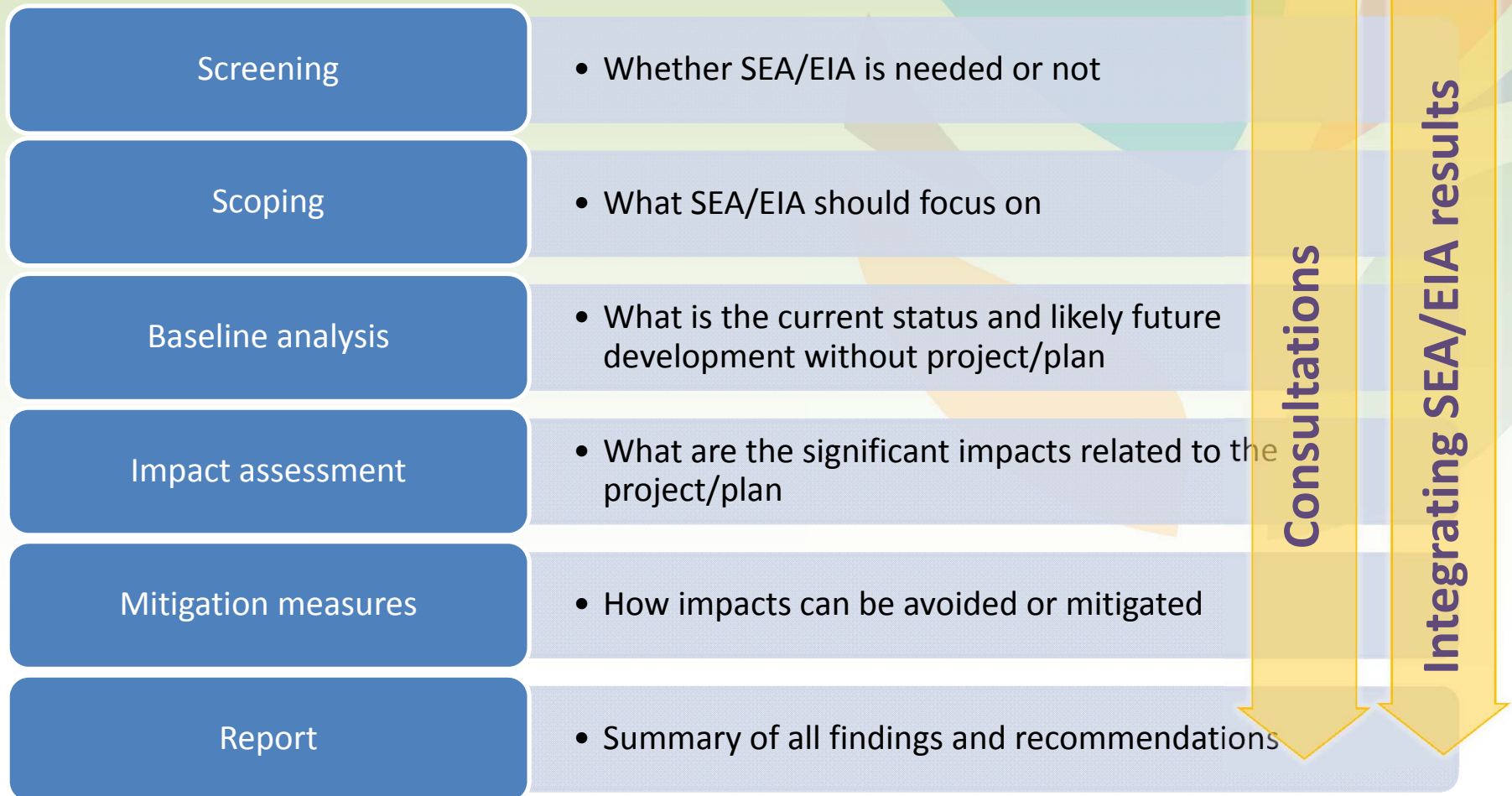
# Main goals = accomplishments

- **Alignment of national EIA and SEA legislation and procedures** with UNECE Espoo Convention & the Protocol on SEA and EU EIA & SEA Directives
- **Building capacity for their effective implementation** following international good practice

# SEA and EIA

- Procedural similarities
- Scope of assessment
  - Physical impact in EIA vs achievement of environmental objectives in SEA
  - Larger scale and less precise data in SEA
- Role in the procedure: developers in EIA vs planning agencies in SEA
- Legal framework

# SEA/EIA procedural logic



# Origins and development

- USA in 1960s: Technical evaluation that would lead to objective and rational decision making
- Legislated in the US National Environmental Policy Act (NEPA) 1969.
- EU EIA Directive
  - In force since 1985, amended three times (1997, 2003, 2009), and re-codified by Directive 2011/92/EU of 13 December 2011. Directive 2011/92/EU has been amended in 2014 by Directive 2014/52/EU, to enter in force in 2017
- 1991 UNECE Espoo Convention entered into force in 1997
- 1998 Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters)
- EU SEA Directive 2001 – impact of plans and programs
- Kiev SEA Protocol 2003 to Espoo Convention



# UNECE “Espoo” Convention on EIA in a Transboundary Context & Protocol on SEA

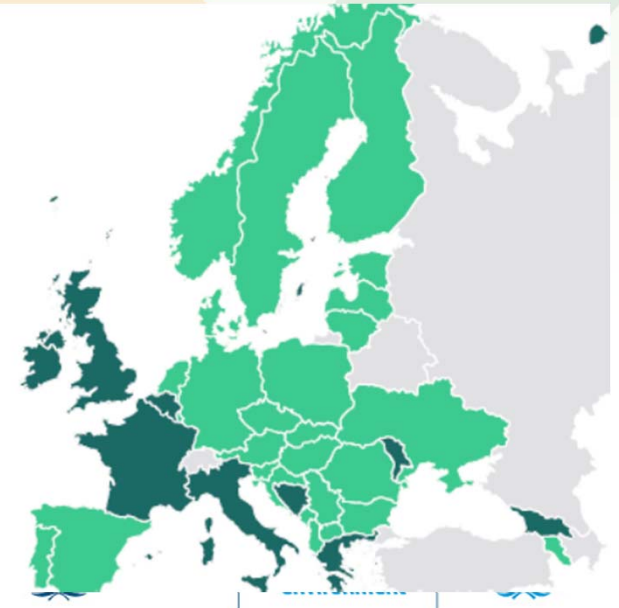
- Based on SEA and EIA concept
  - designed for market economy
  - assuming well established development control
- Procedural and process oriented
- Obligations put on authorities
  
- SEA/EIA have a different rationale than that of traditional OVOS/expertiza systems in Eastern Europe, which were
  - Designed for centrally planned economy
  - Substance oriented

# UNECE Espoo Convention: Requirements

- Requires Party to **notify & consult other Parties** on planned activity likely to have significant environmental impact across borders
- Requires **preparation and sharing of assessment** of environmental impacts
- **Allows affected Parties – authorities & public – to comment** on planned activities and on assessment of environmental impacts
- Provides for **bilateral consultations** between concerned Parties
- Party of origin makes **final decision**, taking into due account:
  - comments received (incl. authorities & public of affected Party)
  - outcome of environmental impact assessment

# Protocol on SEA: Basic facts

- Protocol on SEA to the Espoo Convention
- Adopted in Kyiv, 2003, in force since 2010
- Has now 32 Parties, in UNECE region, including EU
- Open to all United Nations Member States
- Applies to public plans & programmes at national level or with likely transboundary impacts + to policies and legislation (as appropriate)
- Similar to EU SEA Directive but with stronger emphasis on health and public participation



# Rationale for the EaP Green SEA interventions: Challenges to implementation of SEA Protocol

- Lack of proper legal and regulatory basis
- Insufficient awareness and understanding of the procedure and its benefits across the sectors (seen as costly, time consuming and complicated)
- Insufficient public interest – and high-level political backing
- Lack of capacities to implement at regional and local levels
- Lack of proper institutional structures/culture for consultation across sectors and tiers of governments and for public participation
- From 2nd Review of Implementation: Need to ensure that SEA documentation systematically covers health, including transboundary effects; Translation issues; differences in national practice; lack of bilateral agreements to facilitate

# Rationale for the EaP Green SEA interventions: Support to the implementation of SEA Protocol

- Technical assistance to support legal reforms (adoption of laws; and implementing regulations)
- Awareness raising activities: addressing decision-makers/high-level government officials; sectoral ministries and parliamentarians;
- Capacity building: “training of trainers” events; pilot implementation of SEA; “study tours”
- Use of networks of focal points;
- Exchange of good practice at sub-regional+ regional levels
- Strengthening cooperation through bilateral + multilateral agreements
- Preparation of guidance documents
- Cooperation with IFIs

# What makes good environmental assessment?

- A good reliable report with
  - Scientifically sound predictions of likely effects
  - Mitigation measures proposed
- Proper participatory process
- Improvement of the project/plan under assessment
- Final decision (permit/approval) takes into account SEA/EIA conclusions
  
- Something else?

Thank you for your attention!  
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<http://www.green-economies-eap.org/>

[https://www.unece.org/es/env/eia/about/eap\\_green.html](https://www.unece.org/es/env/eia/about/eap_green.html)

