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Virtual Roundtable

on the Development of Secondary Legislation on EIA and SEA in Azerbaijan
Draft Regulation on SEA in Azerbaijan in light of UNECE
Protocol on SEA and other applicable international
standards: findings and recommendations of the Review
Dr. Jerzy Jendrośka

18 August 2020

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International obligations

- 2003 UNECE Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (SEA Protocol))
- 1998 UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)

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Concept of SEA

Internationally recognised tool for integrating environmental and health concerns into strategic planning and decision-making. Promotes

- sustainable development
- transition to a green economy
- accountability of planning and decision-making
- transparency

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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
- SEA is not a permitting process
- Role of environmental and health authorities in SEA
- Project proponent in EIA vs planning agencies in SEA

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SEA and traditional OVOS/expertiza system: key issues

- What is SEA
- Who is responsible for SEA
- Scoping
- Role of SEA Report
- Public participation
- Who must take „due account” of the results of SEA
- SEA and expertiza

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Definition of SEA in SEA Protocol

- “Strategic environmental assessment” means
- the evaluation of the likely environmental, including health, effects,
- which comprises
 - the determination of the scope of an environmental report and its preparation,
 - the carrying out of public participation and consultations, and
 - the taking into account of the environmental report and the results of the public participation and consultations in a plan or programme.

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Strategic documents subject to SEA

- Strategic documents which may have significant impact on the environment
- In practice
 - Land use planning national and regional development documents (eg. National Development Strategy till 2050)
 - sectoral documents (eg. Transport Policy or Energy Strategy)
 - resource use documents (eg. Mining Strategy)
 - land use planning documents (eg. Master plans, zoning plans)
 - environmental protection documents (eg. Climate Action Plan)

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Strategic documents subject to SEA - cd

- Approach to strategic documents in the field of national defence, civil emergency and financial and budget (para 3.2 in light of art.4.5 of SEA Protocol)
- Approach to modifications to existing strategic documents – use of screening criteria in para 3.4.2 in light of Annex III to SEA Protocol

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