

Questionnaire for the report of SPAIN on the implementation of the Protocol on Strategic Environmental Assessment in the period 2019–2021

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Part one

Current legal and administrative framework for the implementation of the Protocol

In this part, please describe the legal, administrative and other measures taken in your country to implement the provisions of the Protocol. This part should describe the framework for your country's implementation, and not its experience in the application of, the Protocol.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the text of the Protocol (for example, Strategic Environmental Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

Article 3

General provisions

I.3. According to article 3 (1) of the Protocol: "Each Party shall take the necessary legislative, regulatory and other appropriate measures to implement the provisions of this Protocol within a clear, transparent framework." Please provide the main legislative, regulatory and other measures your country has adopted to implement the Protocol (art. 3, (1)) (more than one option may apply):

- (a) Law on strategic environmental assessment (please provide exact title/reference number/year/access link, if any): [Law 21/2013, of 9 December, on environmental assessment \(Spanish Official Diary of 11/12/2013\)](#)
- (b) Strategic environmental assessment provisions are transposed into another law/other laws (please specify, providing title/reference number/year/access link, if any): **NO**
- (c) Regulation (please indicate title/reference number/year/access link, if any): **NO**
- (d) Administrative rule (please indicate title/reference number/year/access link, if any): **NO**
- (e) Other (please specify):

Please explain:

Article 4

Field of application concerning plans and programmes

I.4.1 Which plans and programmes referred to in article 4 (2)–(4) of the Protocol are set out in your country's legislation?

List the types of plans and programmes that require strategic environmental assessment in your country's legislation and provide references to the relevant legislation: [All types of plan and programmes related to agriculture, farms, forestry, aquiculture, fishing, energy, mine, industry, transport, waste management, management of water resources, occupation of public maritime land, use of maritime medium, telecommunications.](#)

Plans and programmes prepared for:

Agriculture **YES**

Forestry **YES**

Fisheries **YES**

Energy **YES**

Industry including mining **YES**

Transport **YES**

Regional development **YES**

Waste management **YES**

Water management **YES**

Telecommunications **YES**

Tourism **YES**

Town and country planning **YES**

Land use **YES**

Other (including those falling under article 4 (3)–(4)), please list

Please explain:

I.4.2. Explain how you define whether a plan or programme “set the framework for future development consent” (art. 4 (2)): This is something that decides the Substantive body, since it is the competent authority to set up the framework for future developments. The environmental body to which I belong do not decide it.

I.4.3. Explain how the term “plans and programmes ... which determine the use of small areas at local level” (art. 4 (4)) is interpreted in your country’s legislation: It is interpreted as areas at municipal level.

I.4.4. Explain how you identify in your legislation a “minor modification” to a plan or programme (art. 4 (4)): Changes in the characteristics of plans or programs already approved or adopted that do not constitute variations of the strategies, guidelines, proposals, or their chronology, but which produce differences in the characteristics of the expected effects, or the area of influence.

Article 5 Screening

I.5.1 According to article 5 (1): “Each Party shall determine whether plans and programmes referred to in article 4, paragraphs 3 and 4, are likely to have significant environmental, including health, effects either through a case-by-case examination or by specifying types of plans and programmes or by combining both approaches.”

How do you determine which plans and programmes referred to in article 4 (3)–(4) should be subject to a strategic environmental assessment? Please specify:

- (a) On a case-by-case basis
- (b) By specifying types of plans and programmes
- (c) By using a combination of (a) and (b) above
- (d) Other (please specify):

Please explain:

I.5.2. According to article 5 (2), each Party shall ensure that the environmental and health authorities are consulted during screening.

Please explain whether your legislation provides for consultation with environmental and health authorities at the screening stage and, if so, how.

- (a) On a case-by-case basis:
- (b) As defined in the national legislation:
- (c) Other (please specify)

Please explain: Health issues are taken into account during public consultations. The Autonomous Communities are responsible for providing this information, since they hold the competences for health.

I.5.3. According to article 5 (3): “To the extent appropriate, each Party shall endeavour to provide opportunities for the participation of the public concerned in the screening of plans and programmes under this article.”

Please indicate whether you provide opportunities for the public concerned to participate in screening of plans and programmes in your legislation and, if so, how.

No

Yes

Please specify (more than one option may apply):

(a) By sending written comments to the relevant authority

(b) By completing a questionnaire

(c) By taking part in a public hearing

(d) Other (please specify):

Please explain: Spanish national legislation does not foresee a screening process for plans and programs. It only considers two procedures: ordinary SEA (plans and programmes carried out by a public administration) and simplified SEA (minor modifications of plans and programmes and those to be developed in small areas and areas at municipal level).

Article 6 Scoping

I.6.1 According to article 6 (1): “Each Party shall establish arrangements for the determination of the relevant information to be included in the environmental report in accordance with article 7, paragraph 2.”

Please explain how you determine the relevant information to be included in the environmental report. The environmental report will include the information specified in Annex IV that may be reasonably required, taking into account: a) current knowledge and valuation methods; b) the content and degree of detail of the plan or program, as well as the stage of the decision-making process; c) the interests of the public; and d) the information needs of the decision-making body.

I.6.2. According to article 6 (2), each Party shall ensure that the environmental and health authorities are consulted during scoping.

Please explain whether your country’s legislation provides for consultation with environmental and health authorities at the scoping stage and, if so, how.

(a) On a case-by-case basis:

(b) As defined in the national legislation:

(c) Other (please specify)

Please explain: Health issues are taken into account during public consultations (art. 37. 2.i of Law 21/2013 of 9th December, of Environmental Assessment). The Autonomous Communities are responsible for providing this information, since they hold the competences for health.

I.6.3 According to article 6 (3): “To the extent appropriate, each Party shall endeavour to provide opportunities for the participation of the public concerned when determining the relevant information to be included in the environmental report.”

Please indicate whether your country’s legislation provides opportunities for the public concerned to participate in scoping of plans and programmes and, if so, how.

No

Yes

Please specify (more than one option may apply):

(a) By sending written comments to the relevant authority

(b) By completing a questionnaire

(c) By taking part in a public hearing

(d) Other (please specify):

Please explain:

Article 7 Environmental report

I.7.1. According to article 7 (2): “The environmental report shall, in accordance with the determination under article 6, identify, describe and evaluate the likely significant environmental, including health, effects of implementing the plan or programme and its reasonable alternatives.”

How do you determine “reasonable alternatives”? Please specify (more than one option may apply):

(a) On a case-by-case basis

(b) As defined in the national legislation (please specify):

(c) By using a combination of (a) and (b) above

(d) Other (please specify):

Please explain:

I.7.2. According to article 7 (3): “Each Party shall ensure that environmental reports are of sufficient quality to meet the requirements of this Protocol.”

How do you ensure that quality of the reports is sufficient? Please specify:

(a) The competent authority checks the information provided and ensures that it includes all information required under annex IV as a minimum before making it available for comments

(b) By using quality checklists

(c) There are no specific procedures or mechanisms

(d) Other (please specify):

Please explain:

Article 8

Public participation

I.8.1. According to article 8 (2): “Each Party, using electronic media or other appropriate means, shall ensure the timely public availability of the draft plan or programme and the environmental report.”

How do you notify the public and make the draft plans and programmes and the environmental report available? Please specify (more than one option may apply):

- (a) Through public notices in printed media
- (b) Through electronic media
- (c) Placing copies in public offices for the public
- (d) Through other means:

Please explain: [All notification methods are official. Electronic media is made using registration notice.](#)

I.8.2. According to article 8 (3): “Each Party shall ensure that the public concerned, including relevant non-governmental organizations, is identified for the purposes of paragraphs 1 and 4.”

How do you identify the public concerned? Please specify (more than one option may apply):

- (a) Based on the geographical location of the plans and programmes
- (b) Based on the environmental effects (significance, extent, accumulation, etc.) of the plans and programmes
- (c) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (d) By other means:

Please explain:

I.8.3. According to article 8 (4): “Each Party shall ensure that the public referred to in paragraph 3 has the opportunity to express its opinion on the draft plan or programme and the environmental report within a reasonable time frame.”

How can the public concerned express its opinion on the draft plan and programme and the environmental report? Please specify (more than one option may apply):

- (a) By sending comments to the relevant authority/focal point
- (b) By completing a questionnaire
- (c) By taking part in a public hearing
- (d) Other (please specify):

Please explain:

I.8.4. According to article 8 (4): “The public [concerned, including relevant non-governmental organizations] has the opportunity to express its opinion ... within a reasonable time frame.”

Do you have a definition (for example, a number of days) in your legislation of the term “within a reasonable time frame”? Please specify:

- (a) No, it is defined on a case-by-case basis
- (b) Yes (please provide the definition): [The time frame is 30 working days](#)
- (c) Other (please specify):

Please explain your selection:

Article 9

Consultation with environmental and health authorities

I.9.1. According to article 9 (1): “Each Party shall designate the authorities to be consulted which, by reason of their specific environmental or health responsibilities, are likely to be concerned by the environmental, including health, effects of the implementation of the plan or programme.”

How are the environmental and health authorities identified? Please specify:

- (a) On a case-by-case basis:
- (b) As defined in the national legislation:
- (c) Other (please specify)

Please explain:

I.9.2. According to article 9 (4): “Each Party shall determine the detailed arrangements for informing and consulting the environmental and health authorities referred to in paragraph 1.”

How are the arrangements for informing and consulting the environmental and health authorities determined? Please specify:

- (a) On a case-by-case basis:
- (b) As defined in the national legislation:
- (c) Other (please specify)

Please explain:

I.9.3. According to article 9 (3): “Each Party shall ensure that the authorities referred to in paragraph 1 are given, in an early, timely and effective manner, the opportunity to express their opinion on the draft plan or programme and the environmental report.”

Does your national legislation call for consultations with environmental and health authorities?

- (a) Yes (please refer to specific provisions and provide citations in order to clarify the issue) Consultations are made through official electronic media or others (registration notice) provided that the completion of the consultation is recognized.
- (b) No

Please explain:

I.9.4. How can the environmental and health authorities express their opinion?

- (a) By sending comments
- (b) By completing a questionnaire
- (c) In a meeting
- (d) By other means (please specify)

Please explain:

Article 10

Transboundary consultations

I.10.1. According to article 10 (1): “Where a Party of origin considers that the implementation of a plan or programme is likely to have significant transboundary environmental, including health, effects or where a Party likely to be significantly affected so requests, the Party of origin shall as early as possible before the adoption of the plan or programme notify the affected Party.”

As a Party of origin, when do you notify the affected Party?

- (a) During scoping
- (b) When the draft plan or programme and the environmental report have been prepared
- (c) At other times (please specify):

Please explain: [The affected party is usually notified at the scoping phase by the substantive body if it the party of origin is Spain. Additionally, when the Spanish environmental body considers that there are transboundary effects, the affected party is notified once more during the public information.](#)

I.10.2. According to article 10 (2): “[The] notification shall contain, inter alia:

- (a) The draft plan or programme and the environmental report including information on its possible transboundary environmental, including health, effects; and**
- (b) Information regarding the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments.”**

As a Party of origin, what information do you include in the notification? Please specify:

- (a) The information required by article 10 (2)
- (b) The information required by article 10 (2), plus additional information (please specify):

Please explain:

I.10.3. According to article 10 (2): “The notification shall contain, inter alia: ... an indication of a reasonable time schedule for the transmission of comments.”

As a Party of origin, does your legislation indicate a reasonable time schedule (in days, weeks, months) for the affected Party? Please specify:

- (a) No
- (b) Yes (please indicate how long): [The law indicates that a reasonable time frame must be established. Nevertheless, it should not exceed 3 months.](#)

If “Yes”, please explain whether that schedule contains individual time frames for a response to the notification and for provision of comments and specify those in days, weeks, months, as relevant:

I.10.4. According to article 10 (3)–(4), when the affected Party expresses its wish to enter into consultations before the adoption of the plan or programme, the Parties concerned shall enter into consultations further to detailed arrangements agreed by them with a view to ensuring that the public concerned and the authorities in the affected Party are informed and given an opportunity to forward their opinion within a reasonable time frame.

How do the Parties agree on detailed arrangements?

- (a) Following those of the Party of origin
- (b) Following those of the affected Party

(c) On a case-by-case basis

(d) In accordance with existing arrangements (for example, bilateral agreement) We have a Protocol with Portugal where detailed arrangements are mentioned.

https://www.miteco.gob.es/es/calidad-y-evaluacion-ambiental/temas/evaluacion-ambiental/2.Protocolo%20de%20Actuacion%20Espa%C3%B1a%20Portugal_tcm30-190766.pdf

(e) Other (please specify):

Please explain:

Article 11 Decision

I.11.1. According to article 11 (1): “Each Party shall ensure that when a plan or programme is adopted due account is taken of: (a) [t]he conclusions of the environmental report; (b) [t]he measures to prevent, reduce or mitigate the adverse effects identified in the environmental report; and (c) [t]he comments received in accordance with articles 8 to 10.”

Please specify how your country ensures that due account is taken of:

(a) The conclusions of the environmental report

(b) Mitigation measures

(c) Comments received in accordance with articles 8–10

Please explain: [Everything is taken into account within the strategic environmental statement, which is the final step of the environmental strategic assessment and includes the information stated in the aforementioned points \(a\), \(b\) and \(c\).](#)

I.11.2. According to article 11 (2): “Each Party shall ensure that, when a plan or programme is adopted, the public, the authorities ... and the Parties consulted ... are informed, and that the plan or programme is made available to them together with a statement summarizing how the environmental, including health, considerations have been integrated into it, how the comments received ... have been taken into account and the reasons for adopting it in the light of the reasonable alternatives considered.”

How and when do you inform your own public and authorities? [During the consultation process.](#)

(a) Pursuant to national legislation (please refer to specific provisions and provide citations in order to clarify the procedure followed):

(b) Other (please specify): [The official channel of information for transboundary plans and programs for the affected party is made through the Ministry of Foreign Affairs, European Union and Cooperation. The information referred to the plan or programme is made available to the public and authorities through the Official State Bulletin, official bulletins of the autonomous communities and edicts of the town halls.](#)

Please explain:

I.11.3. Does the information provided to the public and authorities include?

(a) Plan or programme:

(b) Statement summarizing how the environmental, including health, considerations have been integrated into the plan or programme, and how the comments received have been taken into account:

(c) The reasons for adopting the plan or programme in the light of the reasonable alternatives considered:

I.11.4. How do you inform the Parties consulted (art. 11 (2))?

- (a) By informing the point of contact
- (b) By informing the contact person of the ministry responsible for strategic environmental assessment, who then follows the national procedure and informs his/her own authorities and public
- (c) By informing all the authorities involved in the assessment and letting them inform their own public
- (d) Other (please specify):

Your comments: [This procedure is made by the Spanish Ministry of Foreign Affairs, European Union, and Cooperation.](#)

Article 12

Monitoring

According to article 12 (1)–(2): “1. Each Party shall monitor the significant environmental, including health, effects of the implementation of the plans and programmes.

...

2. The results of the monitoring ... shall be made available ... to the authorities ... and to the public.”

I.12. Describe the legal requirements for monitoring the significant environmental, including health, effects of the implementation of the plans and programmes: [This is explained in Art. 51 of Law 21/2013, of 9 December, on environmental assessment \(Spanish Official Diary of 11/12/2013\).](#)

Article 13

Policies and legislation

According to article 13 (1): “Each Party shall endeavour to ensure that environmental, including health, concerns are considered and integrated to the extent appropriate in the preparation of its proposals for policies and legislation that are likely to have significant effects on the environment, including health.”

I.13. Does your country have national legislation on the application of principles and elements of the Protocol as regards policies and legislation? Please specify.

- (a) Yes (please specify which articles of the Protocol apply):
- (b) No

Please explain: [Our national legislation on Environmental Assessment \(Law 21/2013, of 9 December, on environmental assessment\) contains the principles and elements of the Protocol.](#)

Part two

Practical application during the period 2019–2021¹

Please report on your country's practical experiences in applying the Protocol (not your country's procedures, as described in part one). The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Protocol in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Protocol and innovative approaches to improving its application. Parties' reporting also provides useful information to other countries within and beyond the United Nations Economic Commission for Europe (ECE) region that facilitates their efforts to implement and accede to the Protocol.

Part two also focuses on issues identified in the third review of implementation^a by Parties and those issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the objectives of the Long-term strategy and the action plan for the Convention and the Protocol related to: "Adapting the reviews [of implementation] to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice..."^c

^a United Nations publication, ECE/MP.EIA/SEA/14.

^b ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

^c Ibid., decision VIII/3–IV/3, annex, item II.A. 9.

A. Some specific questions related to domestic and transboundary implementation in the period 2019–2021

II.1. Does your country's strategic environmental assessment documentation always include specific information on health effects? Please specify:

- (a) Yes
- (b) No, only when potential health effects are identified

II.2. Does your country's strategic environmental assessment documentation always include specific information on potential transboundary environmental, including health, effects? Please specify:

- (a) Yes
- (b) No, only when potential transboundary effects are identified

B. Example of application of the Protocol in your country during the period 2019–2021

II.3. Please provide, using the table provided in annex I to this questionnaire, the (approximate) number of domestic strategic environmental assessment procedures initiated during the 2019–2021 period, list them grouped by the sectors listed in article 4 (2), and indicate their average duration and costs.

In Spain environmental competences are shared between the State and the Autonomous Communities. For this reason we can just provide information on the projects initiated by the State. However there are some others from which the Autonomous Communities are responsible.

¹ Part II of this questionnaire is not considered to be a reporting obligation according to the Protocol. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

II.4. Please provide the (approximate) number of transboundary consultations referred to in article 10 of the Protocol that your country, during the reporting period, initiated, as a Party of origin, and participated in, as an affected Party. Please use the table in annex II to this questionnaire listing the transboundary procedures grouped by the sectors listed in article 4 (2), indicating their average duration. Applies the same than in point II.3.

II.5. Do you have a register of the domestic and transboundary strategic environmental assessment procedures (cases) that can be accessible for other Parties to consult, as needed?

<i>Domestic procedures</i>	<i>Transboundary procedures</i>
(a) Yes <input checked="" type="checkbox"/>	(a) Yes <input checked="" type="checkbox"/>
(b) No <input type="checkbox"/>	(b) No <input type="checkbox"/>
If so, please provide the access link to the register: https://sede.miteco.gob.es//portal/site/seMITECO/navSabiaPlanes	If so, please provide the access link to the register: https://sede.miteco.gob.es//portal/site/seMITECO/navSabiaPlanes

II.6. According to paragraph 10 of decision IV/5 on reporting and review of implementation of the Protocol,² the lists of domestic and transboundary strategic environmental assessment procedures included in the responses to questions II.3 and II.4 of the questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” in the table below and explain, as relevant:

<i>Domestic procedures (list provided under question II.3 and link to register referred in question II.5, if provided)</i>	<i>Transboundary procedures (list provided under question II.4 and link to register referred in question II.5, if provided)</i>
(a) Yes (my country has an objection to the compilation and posting of this information) <input type="checkbox"/> Please explain: (b) No (no objection) <input checked="" type="checkbox"/>	(a) Yes (my country has an objection to the compilation and posting of this information) <input type="checkbox"/> Please explain: (b) No (no objection) <input checked="" type="checkbox"/>

C. Experience with the strategic impact assessment procedure in 2019–2021

II.7. Please list the benefits of strategic environmental assessment that are identified by your country:

- (a) Cost effectiveness
- (b) More focused and informed planning
- (c) Coordination with other sectors/i.e. avoiding overlaps or discrepancies

² ECE/MP.EIA/30/Add.3–ECE/MP.EIA/SEA/13/Add.3.

(d) Environmental and health benefits

(e) Other

Please provide your comments:

I.8. Has your country experienced substantial difficulties in interpreting particular terms contained in (or particular articles of) the Protocol?

(a) No

(b) Yes (please indicate which ones):

II.9. Please indicate how your country overcomes these difficulties, if any. Please provide examples that may include, among other things, working with other Parties to find solutions or using existing guidelines or fact sheets:

II.10. With regard your country's experience with domestic and/or transboundary procedures:

(a) Please describe your country's procedures for ensuring that the health aspects are properly incorporated into the environmental report and that the health authorities are consulted as provided for in article 3 During the phase of consultations . It has been already explained in previous questions of this questionnaire. [Health issues are taken into account during public consultations. The Autonomous Communities are responsible for providing this information, through a report, since they hold the competences for health.](#)

(b) To contribute to the sharing of knowledge and experience on themes outlined in the workplan for 2021–2023, please provide at least one example of your country's application of strategic environmental assessment in one or several of the following areas:

Biodiversity

Circular economy

Energy transition

Development cooperation

Smart and sustainable cities

Sustainable infrastructure

Maritime spatial planning

(When describing your experience, please indicate the name of the plan/programme subject to strategic environmental assessment, provide background information or describe the context in which the document has been developed, describe the stages of the procedure and other issues of interest for other Parties. Please flag good practice, and/or lessons learned, referring, as relevant, to the contribution of the above application of strategic environmental assessment towards the attainment of Sustainable Development Goals or climate objectives. When providing an example, you may also make use of the template in annex III to the present questionnaire.)

(c) Please indicate whether strategic environmental assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

Yes, (certain) strategic environmental assessments significantly contributed to the attainment of Sustainable Development Goals

Yes, (certain) strategic environmental assessments somewhat contributed to the attainment of Sustainable Development Goals

No, there is no evidence that strategic environmental assessment contributes to the attainment of Sustainable Development Goals in practice

If “Yes”, please list the most relevant Sustainable Development Goals³ (and their targets) and provide an example(s) of how strategic environmental assessment has contributed to their achievement

Based on the hydrological plans mentioned in the above question, the elaboration of Strategic Environmental Assessments have contributed directly to the following sustainable development goals (SDGs): GOAL 3: Good Health and Well-being; GOAL 6: Clean Water and Sanitation; GOAL 9: Industry, Innovation and Infrastructure; GOAL 12: Responsible Consumption and Production; GOAL 15: Life on Land; GOAL 16: Peace and Justice Strong Institutions and GOAL 17: Partnerships to achieve the Goal.

In the particular case of Spanish hydrological Plans the elaboration of ESA allows to adapt the plans to climate change, purification of urban discharges, fight against diffuse pollution, recover environmentally the fluvial space, manage groundwater in a sustainable way, consider certain environmental objectives in habitat or species protection zones and fight against invasive species, among others.

An example of good practice, in transboundary cooperation, is the existence of a regional cooperation body between Spain and Portugal, named Convention of Albufeira to protect and ensure a sustainable use of the waters of the Hispanic-Portuguese hydrographic basins. It supports the organization of regular working meetings to analyse initiatives, discuss solutions with stakeholders involved, inform in advance on the decisions to be taken, and do monitoring and evaluation.

³ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular, the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of targets of the Sustainable Development Goals that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4)
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details see informal document ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__SDG_Mapping.pdf.

II.11. Please indicate whether your country has been carrying out monitoring according to article 12.

- (a) No
(b) Yes :

If so, please specify types of plans or programmes subject to the monitoring according to article 12, citing good practice examples or elements of good practice (for example, consultation or public participation), if available [In Spain, monitoring is established in the strategic environmental report and the strategic environmental declaration. Monitoring usually is carried out through indicators that measure environmental impacts and detect unforeseen impacts.](#)

II.12. With regards to your country's experience with transboundary procedures, in response to each of the questions below, please either provide one or two practical examples or describe your country's general experience. You might also want to include examples of lessons learned in order to help others. Please detail:

- (a) What difficulties has your country experienced and what solutions has it found?
- (i) Translation and interpretation
 - (ii) Other issues
- (b) What elements of the environmental report and other documentation does your country usually translate as a Party of origin? [Spain only translates to Portuguese, according to the Protocol signed in 2208 with Portugal for the evaluation assessment of plans, programmes and projects](#)
- (c) As an affected Party, please specify whether and how your country has ensured the participation of the public concerned and the authorities pursuant to article 10 (4):
- (i) No
 - (ii) Yes (please indicate how): [By taking part in a public hearing and with electronic media](#)
- (d) What has your country's experience been of the effectiveness of public participation? [Public participation is a key principle of Environmental assessment, as mentioned in Article 2 of Law 21/2013 of 9th December of Environmental Assessment.](#)
- (e) Does your country have examples of organizing transboundary strategic environmental assessment procedures for joint cross-border plans and programmes?
- (i) No
 - (ii) Yes (please describe): [In Annex III – Part II](#)

D. Experience regarding guidance in 2019–2021

II.13. Has your country used in practice the following documents:

Good Practice Recommendations on Public Participation in Strategic Environmental Assessment (ECE/MP.EIA/SEA/2014/2)

Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment (ECE/MP.EIA/17)

Yes
No

Yes
No

Please specify reasons for not using the Good Practice Recommendations:

Please specify reasons for not using the Manual:

(i) Lack of awareness about the document

(i) Lack of awareness about the document

(ii) The document is not relevant

(ii) The Manual is not relevant

(iii) The document is outdated and needs revision

(iii) The Manual is outdated and needs revision

Your comments and/or suggestions for improving or supplementing the Good Practice Recommendations:

Your comments and/or suggestions for improving or supplementing the Resource Manual:

E. Contributions to the funding of the workplans

II.14. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Convention and covered both the Convention and the Protocol:

(i) Yes

(ii) No

If your response is “No”, please provide the information regarding the contributions to the trust fund below.

II.15. Through paragraph 4 of decision VII/4–III/4 on budget, financial arrangements and financial assistance,⁴ applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “Urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties.” For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1⁵, regarding funding of the adopted workplans, the Meeting of the Parties decided that: “All the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget.”

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

(i) My Government made a multi-year contribution for the period 2017–2020

Please indicate when the contribution was provided (year), amount and currency:

(ii) Individual contribution in 2019

Yes Amount and currency:

No Please explain the reason: [We did not have the financial approval to carry out the payment](#)

(iii) Individual contribution in 2020:

Yes Amount and currency:

No Please explain the reason: [We did not have the financial approval to carry out the payment](#)

⁴ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁵ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

(iv) Individual contribution in 2021:

Yes Amount and currency: 10.000 €

No Please explain the reason:

(v) Please indicate any plans of your country to contribute for the period 2021–2023

(b) Did your country make in-kind contributions in the reporting period?

Yes Please describe how:

No Please explain the reason

F. Suggested improvements to the report

II.16. Please provide suggestions for how this report could be improved:

Annex I

List and number of domestic strategic environmental assessment procedures initiated in the reporting period

<i>Sector</i>	<i>Total number or an estimate*</i>	<i>Number of local-level procedures</i>	<i>Number of national-level procedures</i>	<i>Estimated average duration of the procedure, ** months, if available</i>	<i>Average costs (also as percentage of the total costs for preparation of a plan/programme), euros and (percentage), if available</i>
Agriculture:	2 (2021)		2		
Forestry:					
Fisheries:					
Energy:	4 (1/2019, 3/2020)		4		
Industry including mining:					
Transport:	7 (3/2019, 3/2020, 1/2021)		7		
Regional development:					
Waste management:					
Water management:	12 (2020)		12		
Telecommunication:					
Tourism:					
Town and country planning:					
Land use:					
Other, including those falling under article 4 (3)–(4):	Economy & finance 4 (1/2019, 1/2020, 2/2021)		4		
	Natural Heritage 3 (1/2019, 2/2021)		3		

* The information provided constitutes:

Statistical data

Estimates

** Once the need for strategic environmental assessment is determined

Your comments: In Spain environmental responsibilities are shared between the State and the Autonomous Communities. For this reason we can just provide information on the projects initiated by the State and not for those from which the Autonomous Communities are responsible.

According to Law 21/2013 of 9 Decemer of environmental assessment, the maximum time of duration of the Strategic Enviromentals Assessment within the ordinary procedire is 22 months + 2 months for plans/programmes, however sometimes the procedure is discontinued in order to amend the strategic environmental assessment file, which has an impact in the procedure total duration.

The list of the plans is the following:

2021

AIRPORTS

- PLAN DIRECTOR DEL AEROPUERTO DE MALAGA-COSTA DEL SOL/ MASTER PLAN FOR THE MALAGA-COSTA DEL SOL AIRPORT. (Scope Resolution)

COASTAL

- PLAN DIRECTOR DE LA RED DE AREAS MARINAS PROTEGIDAS DE ESPAÑA (RAMPE)/ MASTER PLAN FOR THE NETWORK OF MARINE PROTECTED AREAS IN SPAIN (Simplified consultation)
- SEGUNDO CICLO DE ESTRATEGIAS MARINAS DE ESPAÑA/ SECOND CYCLE OF SPANISH MARINE STRATEGIES (Scope Resolution)

ECONOMY AND FINANCE

- PROGRAMA PLURIRREGIONAL DE ESPAÑA FEDER 2021-2027/ MULTI-REGIONAL PROGRAM OF SPAIN FEDER 2021-2027 (Ordinary inquiries)
- PROGRAMA DE COOPERACIÓN TERRITORIAL EUROPEA ESPAÑA-PORTUGAL (POCTEP) 2021-2027/ SPAIN-PORTUGAL EUROPEAN TERRITORIAL COOPERATION PROGRAM 2021-2027 (Scope Resolution)

AGRICULTURE

- PROGRAMA OPERATIVO DEL FONDO EUROPEO MARÍTIMO, DE LA PESCA Y LA ACUICULTURA (FEMPA) 2021-2027 / OPERATIONAL PROGRAM OF THE EUROPEAN MARITIME, FISHERIES AND AQUACULTURE FUND (FEMPA) (Scope Resolution)

2020

WATERS

- PLANES HIDROLÓGICOS (3º CICLO) Y DE GESTIÓN DEL RIESGO DE INUNDACIÓN (2ª CICLO) DEMARCACIÓN HIDROGRÁFICA DEL EBRO, JÚCAR, SEGURA, MELILLA, CEUTA, GUADALQUIVIR, GUADIANA, TAJO, DUERO, MIÑO-SIL, CANTÁBRICO OCCIDENTAL, CANTÁBRICO ORIENTAL / HYDROLOGICAL PLANS (3RD CYCLE) AND FLOOD RISK MANAGEMENT PLANS (2ND CYCLE) HYDROGRAPHIC DEMARCATION OF EBRO, JÚCAR, SEGURA, MELILLA, CEUTA, GUADALQUIVIR, GUADIANA, TAJO, DUERO, MIÑO-SIL, CANTÁBRICO OCCIDENTAL, CANTÁBRICO ORIENTAL (Scope Resolution)

ECONOMY AND FINANCE

- PROGRAMA DE COOPERACION TERRITORIAL EUROPEA ESPAÑA-FRANCIA-ANDORRA (POCTEFA) 2021-2027 / SPAIN-FRANCE-ANDORRA EUROPEAN TERRITORIAL COOPERATION PROGRAM (POCTEFA) 2021-2027 (Scope Resolution)

ENERGY

- PLAN DE DESARROLLO DE LA RED DE TRANSPORTE DE ENERGIA ELECTRICA 2021-2026 / DEVELOPMENT PLAN OF THE ELECTRIC ENERGY TRANSPORTATION NETWORK 2021-2026 (Strategic Environmental Declaration)
- 7º PLAN GENERAL DE RESIDUOS RADIATIVOS / 7th GENERAL PLAN FOR RADIOACTIVE WASTE (Scope Resolution)
- PLAN NACIONAL INTEGRADO DE ENERGIA Y CLIMA 2021-2030 (PNIEC) / INTEGRATED NATIONAL PLAN FOR ENERGY AND CLIMATE 2021-2030 (PNIEC) (Scope Resolution)

AGRICULTURE

- PLAN ESTRATEGICO DE LA POLÍTICA AGRARIA COMÚN PARA ESPAÑA EN EL PERIODO 2021-2027 (PEPAC)/ TRATEGIC PLAN OF THE COMMON AGRICULTURAL POLICY FOR SPAIN IN THE PERIOD 2021-2027 (Scope Resolution)

MARITIME TRANSPORTATION AND PORTS

- PLAN DIRECTOR DE INFRAESTUCTURAS DEL PUERTO DE SANTA CRUZ DE LA PALMA / INFRASTRUCTURE MASTER PLAN FOR THE PORT OF SANTA CRUZ DE LA PALMA (File Reception)
- PLAN DIRECTOR DE INFRAESTUCTURAS DEL PUERTO DE MOTRIL/ INFRASTRUCTURE MASTER PLAN FOR THE PORT OF MOTRIL (File Reception)
- PLAN DIRECTOR DE INFRAESTRUCTURAS DEL PUERTO DE GANDIA / INFRASTRUCTURE MASTER PLAN FOR THE PORT OF GANDIA (Publication of Simplified Resolution)

2019

AIRPORTS

- PLAN DIRECTOR DEL AEROPUERTO DE ALICANTE- ELCHE / MASTER PLAN FOR THE AIRPORT OF ALICANTE-ELCHE (Scope Resolution)

ECONOMY AND FINANCE

- REPROGRAMACION DEL PROGRAMA OPERATIVO PLURIRREGIONAL DE ESPAÑA 2019 (POPE) 2014-2020/ RESCHEDULING OF THE MULTI-REGIONAL OPERATIONAL PROGRAM OF SPAIN 2019 (POPE) 2014-2020 (Simplified Resolution published in Official State Bulletin)

ENERGY

- PLAN NACIONAL INTEGRADO DE ENERGÍA Y CLIMA 2021-2030 (PNIEC)/ INTEGRATED NATIONAL ENERGY AND CLIMATE PLAN 2021-2030 (PNIEC) (Strategic Environmental Declaration published in Official State Bulletin)

NATURAL HERITAGE

- PLANES DE ORDENACION DEL ESPACIO MARITIMO (Scope Resolution)

MARITIME TRANSPORT AND PORTS

- DELIMITACIÓN DE LOS ESPACIOS Y USOS PORTUARIOS DEL PUERTO DE VIGO / DELIMITATION OF THE SPACES AND PORT USES OF THE PORT OF VIGO (Simplified Consultations)
- DELIMITACIÓN DE LOS ESPACIOS Y USOS PORTUARIOS DEL PUERTO DE MARÍN (PONTEVEDRA)/ DELIMITATION OF THE SPACES AND PORT USES OF THE PORT OF MARÍN (Simplified consultation published in Official State Bulletin)

Annex II

List and number of transboundary strategic environmental assessments in the reporting period

<i>Sector</i>	<i>Total number or an estimate*</i>	<i>Number of local-level procedures</i>	<i>Number of national-level procedures</i>	<i>Estimated average duration of the procedure,** months, if available</i>	<i>Average costs (also as percentage of the total costs for preparation of a plan/programme), euros and (percentage), if available</i>
Agriculture:					
Forestry:					
Fisheries:					
Energy:					
Industry including mining:					
Transport:					
Regional development:					
Waste management:					
Water management:	4 (2020)				
Telecommunication:					
Tourism:					
Town and country planning:					
Land use:					
COASTAL AND NATURAL HERITAGE	2				
	(1/2019, 1/2021)				
ECONOMY AND FINANCE	2				
	(1/2019, 1/2021)				

The list of Transboundary Plans is the following:

2021

COASTAL:

- SEGUNDO CICLO DE ESTRATEGIAS MARINAS DE ESPAÑA/ SECOND CYCLE OF SPANISH MARINE STRATEGIES (Scope Resolution)

ECONOMY AND FINANCE

- PROGRAMA DE COOPERACIÓN TERRITORIAL EUROPEA ESPAÑA-PORTUGAL (POCTEP) 2021-2027/ SPAIN-PORTUGAL EUROPEAN TERRITORIAL COOPERATION PROGRAM 2021-2027 (Scope Resolution)

2020

WATERS (4 Plans)

- PLANES HIDROLÓGICOS (3º CICLO) Y DE GESTIÓN DEL RIESGO DE INUNDACIÓN (2ª CICLO) DEMARCACIÓN HIDROGRÁFICA DEL GUADIANA, TAJO, DUERO, MIÑO-SIL, / HYDROLOGICAL PLANS (3RD CYCLE) AND FLOOD RISK MANAGEMENT PLANS (2ND CYCLE) HYDROGRAPHIC DEMARCATION OF GUADIANA, TAJO, DUERO, MIÑO-SIL (Scope Resolution)

ECONOMY AND FINANCE

- PROGRAMA DE COOPERACION TERRITORIAL EUROPEA ESPAÑA-FRANCIA-ANDORRA (POCTEFA) 2021-2027 / SPAIN-FRANCE-ANDORRA EUROPEAN TERRITORIAL COOPERATION PROGRAM (POCTEFA) 2021-2027 (Scope Resolution)

2019

NATURAL HERITAGE

- PLANES DE ORDENACION DEL ESPACIO MARITIMO / MARITIME SPATIAL PLANNING PLANS (Scope Resolution)

Annex III

Template for describing a good practice example of implementing a strategic environmental assessment at the national level or in a transboundary context

I. General information

1. Title of plan/programme Hydrological plans (3rd cycle) and flood risk management plans (2nd cycle) in the hydrographic demarcations of Guadiana, Tajo, Duero and Miño-Sil rivers.
2. Authority responsible for the plan's/programme's development river basin districts.
3. Nature of the related strategic environmental assessment procedure:
 - (a) Domestic
 - (b) Transboundary
4. Please indicate which stage(s)/step(s) of the strategic environmental assessment procedure is/are considered to represent good practice:

The entire procedure

Screening (art. 5)

Scoping (art. 6)

Environmental report (art. 7)

Public participation (art. 8)

Consultation with environmental and health authorities (art. 9)

Transboundary consultations (art. 10)

Decision (art. 11)

Monitoring (art. 12)

5. Please indicate to which topic(s) of the 2021–2023 workplan the example is related:

Biodiversity

Circular economy

Development cooperation

Energy transition

Smart and sustainable cities

Sustainable infrastructure [Water management](#)

II. Background

Please provide a short description of the plan/programme, the context of its development and general information about the strategic environmental assessment

A good example are the hydrological plans for the Spanish watersheds. The procedure follows the process mentioned in Law 21/2013 of 9th December for Environmental Assessment.

The promoter elaborates the objectives of the plan and its contents and presents it to the substantive body. Besides this, he requests the initiation of the Strategic Environmental Assessment. Once this is done the substantive body sends to the environmental body the documents, who will initiate the public consultations to the public administrations and interested people. Some of the watersheds are transboundary with Portugal, therefore the promoter informs this country on the Plan, in order to decide if it participates in the public consultations. When Public consultations are finished the environmental body elaborates the scope document that will be sent to the promoter and the substantive body. With this document the promoter elaborates the Strategic Environmental Study which will be sent to the substantive body, who will consult to the Public Administrations and interested people. When these consultations are finished the promoter will adjust the Strategic Environmental Study (if necessary) and will elaborate the final proposal of the Plan that will be sent to the environmental body through the substantive body. The environmental body will perform the technical analysis of the document and the study of the foreseen environmental impacts of the plan in the environment. Once this is done a Strategic Environmental Declaration is performed and is sent to the promoter who will include it in the file of the Plan and will send it to the substantive body for the final approval of the Plan. The Strategic Environmental Declaration is published in the Official Bulletin of the State.

A good practice is the existence of an official convention with Portugal (Convenio de Albufeira, <http://www.cadc-albufeira.eu/es/>). According to it, staff from both countries meets on regular bases to discuss ongoing issues. Therefore any difficulty that may arise is reviewed in this forum and solved.

III. Procedure under the protocol on strategic environmental assessment and elements of good practice

Please describe, in more detail, the procedural step/steps that is/are considered to represent good practice and then explain why that is:

As already mentioned above a good practice is to establish regional agreements/conventions with neighbouring countries to discuss technical topics. These forums facilitate the exchange of information and the identification of bottle necks. The proximity of staff from both countries accelerates the resolution of potential difficulties.

It is also important to inform the affected party at a very early stage, so it can get involved in the project from the very beginning. This procedure helps to advance the Environmental Assessment procedures.

to

III.1. Field of application (art. 4)**III. 2. Screening (art. 5)****III. 3. Scoping (art. 6)****III.4. Environmental report (art. 7)****III.5. Public participation (art. 8)****III.6. Consultation with environmental and health authorities (art. 9)**

III.7. Transboundary consultations (art. 10) Because there is a regional convention with Portugal (Convenio de Albufeira) <http://www.cadc-albufeira.eu/es/>

III.8. Decision (art. 11)**III.9. Monitoring (art. 12)****IV. Lessons learned and advice to other parties:**

It is important to have regular meetings at technical level with other parties. This will improve governance, and will facilitate the identification of new opportunities, as well as the transboundary cooperation.

IV.1. Please indicate:

- (a) Challenges in carrying out the procedure, if any, and how those were tackled
- (b) Lessons learned

IV.2. As relevant, please also refer to the contribution of the above application of strategic environmental assessment towards the attainment of Sustainable Development Goals¹ or climate objectives.

¹ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular, the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of targets of the Sustainable Development Goals that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4)
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);

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- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
 - (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
 - (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).
For more details see informal document ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org/net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__SDG_Mapping.pdf.