



TAJIKISTAN

NEEDS ASSESSMENT AND ACTION PLAN

TO INTRODUCE A NATIONAL
STRATEGIC ENVIRONMENTAL
ASSESSMENT (SEA) SYSTEM

**TAJIKISTAN:
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INTRODUCE A NATIONAL STRATEGIC
ENVIRONMENTAL ASSESSMENT (SEA)
SYSTEM**

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| 2 | 30 August 2021 | Revised draft report for distribution to the beneficiary |
| 3 | 29 November 2021 | Final report |

LIST OF ABBREVIATIONS

| | |
|-------|--|
| AAP | Advisory Assistance Programme for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighbouring the European Union |
| E&S | Environmental and Social |
| EIA | Environmental Impact Assessment (OVOS) |
| ESIA | Environmental and Social Impact Assessment |
| EU | European Union |
| NGO | Non-governmental organisation |
| OSCE | Organization for Security and Co-operation in Europe |
| SEA | Strategic Environmental Assessment |
| SEE | State Ecological Expertise |
| UNECE | United Nations Economic Commission for Europe |

TABLE OF CONTENTS

| | |
|---|-----------|
| 1. BACKGROUND INFORMATION | 6 |
| 1.1. Introduction to the project | 6 |
| 1.2. Structure of the report | 7 |
| 2. INTRODUCTION TO SEA | 8 |
| 2.1. Purpose and objectives..... | 8 |
| 2.2. Scope of SEA application | 8 |
| 2.3. Benefits of SEA..... | 9 |
| 2.4. Key principles of effective SEA application | 10 |
| 3. METHODOLOGICAL APPROACH TO THE NEEDS ASSESSMENT | 11 |
| 3.1. Purpose and objectives..... | 11 |
| 3.2. Design of the survey | 11 |
| 3.3. Main elements of an effective SEA system | 12 |
| 4. ENVIRONMENTAL ASSESSMENT IN TAJIKISTAN | 14 |
| 5. SUMMARY OF SURVEY RESULTS..... | 16 |
| 5.1. Consideration of environmental and health issues in the planning processes – current practice | 16 |
| 5.2. Existing challenges and strengths of current application environmental assessment tools in the country | 16 |
| 5.3. State of development of legal SEA framework and SEA practice, and their inter-relation | 16 |
| 5.4. Existing capacities for SEA and likely future demand for SEA capacities | 17 |
| 5.5. Future priorities and actions..... | 18 |
| 6. CONCLUSIONS FROM THE SURVEY..... | 19 |
| 6.1. Summary of the identified gaps between the current environmental assessment system and the main elements of an effective SEA system..... | 19 |
| 6.2. Capacities needed for SEA..... | 22 |
| 7. ACTION PLAN..... | 29 |
| 7.1. Priorities..... | 29 |
| 7.2. Specific actions..... | 29 |
| 7.3. Implementation of the Action Plan..... | 32 |
| Annex 1. Questionnaire for the needs assessment survey | 33 |
| Annex 2. Template for implementation plan | 41 |
| Annex 3. Template for monitoring report..... | 42 |

LIST OF TABLES

| | |
|---|----|
| Table 1. Estimated workloads in relation to SEA tasks by the state actors if the draft Law on SEA is adopted..... | 23 |
| Table 2. Examples of existing strategic documents and planning schemes in Tajikistan which may require SEA | 26 |

1. BACKGROUND INFORMATION

This report was prepared in the framework of the project “Strengthening national and regional capacities and co-operation on Strategic Environmental Assessment (SEA) in Central Asia, including as a response to climate change”¹ (hereinafter also “the SEA Project”). It consists of two main sections:

1. Summary of the results of the needs assessment survey (Chapters 5 and 6), which was carried out by the international and national consultants, including an analysis of the existing and required national capacities for introducing a national strategic environmental assessment system in Tajikistan in line with the United Nations Economic Commission for Europe (UNECE) Protocol on SEA².
2. Action plan (Chapter 7), which – based on the outcomes and conclusions of the needs assessment – suggests the priorities and specific actions necessary to introduce SEA

This final version of the report considers the results of the discussion that took place during the Final Regional Conference on Strategic Environmental Assessment in Central Asia (November 10, 2021), <https://unece.org/info/events/event/359548>.

1.1. Introduction to the project

The project ‘*Strengthening national and regional capacities and co-operation on Strategic Environmental Assessment (SEA) in Central Asia, including as a response to climate change*’ aims at supporting development of the national and regional capacities on SEA as an essential tool for sustainable economic development and as a means to address specific environmental challenges, including climate change. The project focuses mainly on the environmental and sectoral planning governmental authorities, however other relevant stakeholders have also been invited to participate in the project activities. The SEA project will result in:

- Enhanced awareness on SEA – its benefits, principles, and steps to be carried out in SEA;
- Better capacities to coordinate SEA processes (by competent environmental authorities);
- Improved co-operation within and across the countries involved in the SEA project.

The beneficiary countries of the project are Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

The project implementation involves the following main steps:

- Step 1: Conducting a needs assessment survey on SEA in the beneficiary countries and drafting the national reports.
- Step 2: Organizing 1-day national awareness workshops on SEA to discuss the findings of the needs assessment report.³

¹ The project was launched in October 2019 and will be finalized in 2021. It has been implemented by the Organisation for Security and Cooperation in Europe (OSCE) in close co-operation with the United Nations Economic Commission for Europe (UNECE) with the funding from the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety by the Advisory Assistance Programme for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighbouring the European Union (AAP).

² More information about the Protocol on SEA can be found on the UNECE website: https://www.unece.org/env/eia/sea_protocol.html.

³ Due to covid-19-related restrictions, the national awareness workshop was organized as an online event, see <https://unece.org/environmental-policy/events/online-awareness-raising-workshop-strategic-environmental->

- Step 3: Preparing an initial draft of the action plans to introduce and further develop a national SEA system.
- Step 4: Organizing regional conference, which will invite representatives of all beneficiary countries, to present and discuss the results of the project.
- Step 5: Finalizing the country reports.

1.2. **Structure of the report**

The report includes the following chapters in addition to this background chapter 1:

- *Introduction to SEA* (chapter 2) explaining the purpose and objectives as well as the key principles of SEA application and expected benefits.
- *Methodological approach* (chapter 3) which describes the design of the needs assessment survey.
- *Environmental assessment in Tajikistan* (chapter 4) providing a brief information about the historical development and current status of environmental assessment in the country.
- *Summary of results* (chapter 5) with an overview of feedback received through the online survey, and a summary of the results together with comments on the main findings.
- *Conclusions from the survey* (chapter 6) analysing gaps between the current environmental assessment system in Tajikistan and the main elements of an effective SEA system, and estimating capacities needed for SEA in future.
- *Action plan* (chapter 7) formulating the priorities and specific actions necessary to introduce SEA and establish the basic elements of the national SEA system in Tajikistan.

[assessment-1](#). Based on the request of the beneficiary, the workshop was carried out as a part of the needs assessment survey – conclusions from the workshop are therefore reflected in this report.

2. INTRODUCTION TO SEA

2.1. Purpose and objectives

SEA is internationally recognized as the key instrument for integrating environmental and health considerations into strategic planning and decision-making to prevent and mitigate possible damage from economic and regional development⁴. It sets out the obligatory consultations with environmental and health authorities and the public to provide decision-makers with early warning about unsustainable options and contributes to the reduction and management of health risks.

SEA promotes sustainable development goals and principles, supports efforts towards the transition to a green economy, and increases the legitimacy of planning and decision-making processes and their outcomes. Moreover, it may allow countries to consider health risks and mitigation measures for pandemics as part of their planning processes, promoting healthy lifestyles, enhancing socioeconomic conditions to enable people to thrive and improving access to good quality health and social care.

The UNECE Protocol on SEA⁵ defines SEA as “...*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.*” (Article 2.6).

According to the Protocol on SEA, the objective of SEA is to ensure that environmental, including health, considerations are thoroughly taken into account in the development of plans and programmes in support of environmentally sound and sustainable development. In particular, SEA assists authorities responsible for plans or programmes, as well as decision-makers, to take into account:

- Key environmental trends, potentials and constraints that may affect or may be affected by the plan or programme.
- Environmental objectives and indicators that are relevant to the plan or programme.
- Likely significant environmental effects of proposed options and the implementation of the plan or programme.
- Measures to avoid, reduce or mitigate adverse effects and to enhance positive effects.
- Views and information from the relevant authorities, the public and, as relevant, potentially affected States.

2.2. Scope of SEA application

SEA can be applied to a wide range of governmental plans, programmes, policies, and other strategic documents, which establish the basis for future decisions on projects (which may require Environmental Impact Assessment (EIA or OVOS, as it is abbreviated in Russian language) in such diverse fields as:

- agriculture,
- forestry,
- fisheries,

⁴ See e.g. Manual for Trainers on Application of the Protocol on Strategic Environmental Assessment (UNECE, 2018, <https://www.unece.org/index.php?id=48758>) or Protocol on Strategic Environmental Assessment: Facts and Benefits (UNECE, 2016, <https://www.unece.org/index.php?id=42853>).

⁵ Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention).

- energy,
- industry (including mining),
- transport,
- regional development,
- waste management,
- water management,
- telecommunications,
- tourism,
- town and country planning,
- and land use.

For plans and programmes in other economic sectors as well as for plans and programmes determining use of small areas at the local level, and for minor modifications, **SEA is not applied automatically**. Governments should determine whether SEA is required or not. This process is called screening (Article 4.4). If a plan or a programme or its minor modification is likely to have significant environmental, including health effects, SEA should be applied (Article 5.1).

Two types of plans and programmes are exempt from the application of SEA (Article 4.5):

- Plans and programmes exclusively serving national defence and civil emergencies,
- Purely financial or budgetary plans and programmes.

The Protocol on SEA applies to **proposed new** plans and programmes prepared by public authorities at national and local levels. It is **not applicable** to the adopted strategic documents.

2.3. Benefits of SEA

In general, the effective and consistent application of SEA to economic and regional development planning can considerably assist countries in attaining sustainable development goals, greening their economies, and addressing climate change. Particular benefits include:

- **Higher level of environmental and health protection:** SEA identifies likely significant environmental and health effects of proposed strategic development options, and it equips planning authorities with suggestions to mitigate adverse effects and opens the planning to alternative development opportunities early in decision-making cycle.
- **Promoting sustainable economic development and facilitation of the green economies:** SEA helps reaching green economy targets by considering sustainable alternatives and innovations and encouraging the search for win-win options for further economic development within the carrying capacity of ecosystems.
- **Improved planning by encouraging planners to consider a full range of risks and opportunities for more sustainable forms of development:** introducing a well-structured SEA framework makes national planning more systematic, less sporadic and ultimately more effective.
- **More efficient decision-making:** Decision-making at the strategic level, which considers SEA outcomes, usually leads to fewer appeals and less discussion at the operational level. Such decision-making processes save time and are thus cost-effective.
- **Improved governance by fostering higher transparency in planning and programming:** SEA provides clear procedures for consultation and communication between the key national and local planning authorities, business and civil society (including non-governmental organisations (NGOs)).
- **Prevention of costly mistakes that arise from neglecting environmental and health effects** by providing early warning signals about environmentally

unsustainable development options. SEA reduces the risk of costly remediation of harm or corrective actions, such as relocating or redesigning facilities.

- **Strengthened environmental assessment processes at the project level⁶:** SEA can address effects that are difficult to grasp at the project level; in particular, SEA can provide an early warning of large-scale and cumulative effects. Therefore, certain aspects can be solved already at the strategic level, which streamlines application of environmental assessment at the project level.
- **Prevention of intersectoral conflicts between various economic sectors within the country** by examining the relationship of a plan or programme to other plans and programmes at the earliest stage of planning and offering alternatives that can help to avoid conflicts.
- Providing a **tool for climate change adaptation and mitigation** by introducing climate change considerations into development planning.
- Promotion of **effective regional cooperation** to address environmental issues and facilitation of **transboundary consultations** between the relevant national authorities and the public concerned regarding a plan or programme that could have adverse transboundary effects on the environment of a neighbouring state (e.g. shared protected areas, waterways, transport connections or and transboundary pollution).

2.4. Key principles of effective SEA application

To leverage on its benefits described above, SEA should be conducted effectively following a set of general guiding principles⁷ below providing that SEA should:

- Be undertaken by an authority responsible for a plan or programme and be integrated into and customized to the logic of the plan- or programme-making process.
- Be applied as early as possible in the planning process, when all the alternatives and options remain open for consideration.
- Focus on the key issues that matter in the relevant stages of the plan- or programme-making process. This will facilitate the process being undertaken in a timely, cost-effective and credible manner.
- Evaluate a reasonable range of alternatives, recognizing that their scope will vary with the level of decision-making. Wherever possible and appropriate, it should identify the best practicable environmental option.
- Provide appropriate opportunities for the involvement of the authorities, the public and other key stakeholders throughout the process, starting from its earliest stages, and in accordance with clearly formulated procedures. Ideally, it should employ easy-to-use consultation techniques that are suitable for the target groups.
- Be carried out with appropriate and cost-effective methods and techniques of analysis. It should achieve its objectives within the limits of the available information, time and resources, and should gather information only in the amount and detail necessary for sound decision-making.

⁶ This includes mainly EIA or OVOS.

⁷ Adapted from UNECE Resource Manual on SEA (2012) and IAIA. 2002. Strategic Environmental Assessment: Performance Criteria. Fargo, ND: International Association for Impact Assessment.

3. METHODOLOGICAL APPROACH TO THE NEEDS ASSESSMENT

3.1. Purpose and objectives

The purpose of the needs assessment is to provide a basis for preparing the action plan to introduce a national SEA system in Tajikistan, and thus its objectives are defined as follows:

- To identify the current status of the environmental assessment system in Tajikistan and existing challenges in application of the national environmental assessment procedures to the plans and programmes or other governmental strategic documents (which may also represent potential challenges for introducing SEA);
- To determine gaps in the existing national environmental assessment system vis-à-vis the Protocol on SEA;
- To estimate capacities needed in future for conducting SEAs in line with the Protocol on SEA;
- To identify main target groups and a desired focus for further capacity building and awareness raising activities on SEA.

3.2. Design of the survey

The feasibility and opportunity assessment employed the following methods for collecting the relevant information:

- A questionnaire survey among the participants of the study tour to Germany⁸ (which also served as an initial feedback to the draft questionnaire for fine-tuning the questions);
- A questionnaire survey among other relevant national stakeholders via an email communication in 2020.

Initially, a visit by the international expert was planned to Tajikistan to conduct face-to-face consultations, however due to the COVID-19 travel restriction it had to be fully substituted by a questionnaire survey.

A questionnaire prepared for the survey covered the following topics (the questionnaire is provided in **Annex 1** to the report):

- General information on the respondent's (personal and/or institutional) background;
- Past experience of the respondents with environmental assessment;
- Planning and environmental (including health) context in the country;
- Existing strengths of the current environmental assessment system and challenges in application of the national OVOS and State Ecological Expertise (SEE) procedures for plans and programmes;
- State of play with regard to SEA legal framework and SEA practice, and their inter-relation;
- Existing capacities for SEA and likely future needs; and
- Priorities and actions needed to introduce and further develop a national SEA system.

⁸ Organized within the SEA project from 2 till 6 December 2019, relevant information and documents are available at <https://www.unece.org/index.php?id=53288>.

The target group for the survey included mainly the organisations and individuals who were and/or potentially would be involved in any SEA-related activities in the country, such as training workshops and awareness raising events, legislative reforms, and future application of SEA (including potential SEA pilots). An initial identification of the participants of the survey was conducted during the study tour on SEA to Germany. Further contacts were provided by the national expert.

The questionnaires were distributed to the identified target stakeholders (organisations and individuals). In addition, the information about the project and the questionnaire survey were presented at the online workshop ‘Support to Tajikistan in introducing environmental assessment systems in accordance with the UNECE Espoo Convention and its Protocol on SEA’, organized in April 2020 (see <https://unece.org/info/events/event/352714>), and the participants were invited to fill out the questionnaire and submit it to the national consultant.

Altogether, 7 filled out questionnaires were received, of which 6 were from the state bodies / authorities in the field of environmental and health protection⁹, and one of the environmental expert.

Despite the efforts, the attempts to organize additional online interview in spring 2021 were not successful due to difficulties with engaging relevant persons through formal invitations.

3.3. Main elements of an effective SEA system

To identify the gaps in the current national environmental assessment system in Tajikistan vis-à-vis the SEA system as set by in the Protocol in SEA, the following list of the main elements of an effective SEA system – designed taking into account the key principles for effective SEA application presented in **Section 2.4** above – was used to guide the needs assessment (an evaluation of how these elements are present and evolved in Tajikistan, including analysis of SEA-related capacities of the main actors i.e. the planning, environmental and health authorities, decision-makers, and practitioners, is provided in chapter 6):

- Legislative framework on SEA is in force and aligned with the Protocol on SEA;
- Procedural steps of SEA, including consultations with environmental and health authorities, public participation and transboundary consultations, are well established and followed in practice;
- Authorities responsible for preparation of the plans and programmes:¹⁰
 - Are aware of their SEA-related responsibilities and tasks;
 - Have sufficient capacities to perform these tasks;
 - Allocate appropriate financial means for carrying out SEA;
- Environmental authorities:
 - Are aware of their SEA-related responsibilities and tasks;
 - Have sufficient capacities to perform these tasks;
- Health authorities:
 - Are aware of their SEA-related responsibilities and tasks;
 - Have sufficient capacities to perform these tasks;
- The public is aware of the opportunities to participate in SEA processes;

⁹ No representatives from the sectoral/line ministries took part in the survey.

¹⁰ These planning authorities may include also presidential administration, Cabinet of Ministers, sectoral ministries, regional bodies, etc.

- The decision-makers (i.e. governmental authority in charge of adopting the plan or programme):
 - Are aware of their SEA-related responsibilities and tasks;
 - Have sufficient capacities to perform these tasks;
- There are practitioners/experts able to conduct SEA¹¹;
- Relevant methods and techniques are known and used or can be used in SEA by EA practitioners;
- A quality control system is established and performed;
- Mechanism/platform enabling information sharing on SEA processes is in place.

¹¹ Considering the practice in other countries, it may be expected that the SEA experts will recruit from those experts (consulting companies) who conduct EIA, academic sector, as well as from NGOs..

4. ENVIRONMENTAL ASSESSMENT IN TAJIKISTAN

Similar to other Central Asian countries, the environmental system in Tajikistan was inherited from the Soviet Union era. In general, it consists of two main components/stages i.e. EIA (OVOS) and the state ecological expertise (SEE), and provides for the following distribution of duties and rights between developers and government agencies:¹²

- The developer is responsible for ensuring the environmental impact assessment is carried out i.e. the draft EIA report is prepared, public consultations are organized, and the final EIA report is submitted for the SEE;
- A specially authorized body organizes and conducts SEE, which is carried out by the expert commissions. According to the SEE results, a conclusion is drawn up containing conclusions whether to permit or not implementation of proposed activity and establishing specific requirements (conditions) for the implementation of proposed activity, which was subject to the SEE.

The national legal framework for environmental impact assessment consists of the following laws, which are supplemented by several by-laws:

- Law on Environmental Protection No. 1449/2017;
- Law on Ecological Expertise No. 818/2012;
- Law on Environmental Impact Assessment No. 1448/2017.

The objects of SEE include a number of documents having the strategic nature (state planning documents), in particular:

- National republican and local projects, industry concepts, forecasts, programs and schemes, the implementation of which is associated with the use of natural resources and (or) may have an impact on the environment;
- Urban construction projects;
- Projects of water protection zones of water bodies and their protective coastal strips;
- Hunting management projects;
- Forest management projects.

However, despite the legal requirements, in practice the strategic documents are usually not submitted to the SEE. The territorial planning documents (in particular masterplans for settlements) can be seen as an exemption as those documents are subjects to the SEE.

The Republic of Tajikistan is neither a party to the Espoo Convention and the Protocol on SEA, nor the Aarhus Convention, however certain activities towards joining these treaties have been carried out in the last several years. In particular, with assistance from the UNECE secretariat to the Espoo Convention in 2018 – 2019 in the framework of the project “Pre-accession legislative assistance to Tajikistan to promote ratification/implementation of the UNECE Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context” the review of the national legislative framework for the SEA and EIA vis-a-vis the international standards, including the Espoo Convention and the Protocol on SEA was conducted. and the recommendations on how to enhance the EIA and SEA in the country in accordance with the Espoo Convention and the Protocol were proposed. In 2019 – 2020 under the project ‘Support to Tajikistan in introducing environmental assessment systems in accordance with the UNECE Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment’¹³ the draft amendments to the Ecological Code of

¹² Based on Review of national legislative framework of Tajikistan vis-à-vis the Protocol on SEA, UNECE, 2018.

¹³ The project was funded by the German Federal Environment Ministry’s Advisory Assistance Programme (AAP) for environmental protection in the countries of Central and Eastern Europe, the Caucasus and

Tajikistan, the draft regulation on Environmental Impact Assessment and State Ecological Expertise, including in a Transboundary Context, and the draft regulation on Strategic Environmental Assessment were developed. In addition, several capacity building activities, including awareness raising workshops were conducted and aimed at increasing awareness and developing a national capacity of relevant national authorities to develop and implement modern EIA and SEA systems in the country in line with the Espoo Convention and the Protocol on SEA.

Central Asia and other countries neighbouring the European Union. It was supervised by the German Environment Agency. The project was co-funded by the Federal Office for the Environment FOEN (Switzerland) and OSCE Project Coordinator in Tajikistan.

5. SUMMARY OF SURVEY RESULTS

This sections provide a summary of responses received from the completed questionnaires.

5.1. Consideration of environmental and health issues in the planning processes – current practice

First, the survey focused on the extent to which environmental and health issues were covered in the strategic planning processes in Tajikistan. All respondents stated that environmental issues are analysed and the findings are used in the decision-making, while health-related issues are considered only at a minimum level.

Regarding the sectors with potential the most significant environmental and health effect, the agriculture and industry scored the highest (7 respondents), followed by transport and mining (6 respondents), and energy and waste management (2 respondents). These results reflect the current and perspective orientation of economic profile of Tajikistan with industry and agriculture seen as the main sectors.

The respondents were asked to name the strategic documents prepared by their agencies and indicate if these documents are/should be a subject to any type of environmental assessment. The State Environmental Program of the Republic of Tajikistan, which was adopted by the government, was by one respondent, who also indicated that this program was not a subject to the state ecological review.

5.2. Existing challenges and strengths of current application environmental assessment tools in the country

The respondents were asked to indicate the existing challenges for and strengths of the application of environmental assessment tools – EIA/OVOS, ESIA, SEE etc. in Tajikistan, including those that can be expected in relation to SEA.

The existing challenges for carrying out environmental assessment within the current system in the country (i.e. OVOS/SEE), as indicated by the respondents, relate mainly to:

- Lack of capacities within governmental authorities to coordinate environmental assessment procedures;
- Lack of expert capacities to carry out relevant environmental (and health) analyses i.e. to evaluate the likely impacts, formulate relevant mitigation measures, prepare environmental report, etc.;
- Low awareness on environmental assessment among project developers or decision-makers;

The same challenges are also mentioned as those likely related to SEA.

The key strengths of the EIA (OVOS) and SEE were perceived by the respondents as follows:

- Profound and clear legal framework;
- Available guidelines / manuals / procedures on how to conduct the environmental assessment process;

5.3. State of development of legal SEA framework and SEA practice, and their inter-relation

There is a shared view among the respondents that neither the legal SEA framework, nor SEA practice are developed. It is advisable that any future SEA pilots or national SEA cases should be conducted in line with the provisions of the Protocol on SEA, and can also rely on existing international guidelines on SEA (developed under UNECE Secretariat, EC, or other international institutions e.g. the OECD DAC).

5.4. Existing capacities for SEA and likely future demand for SEA capacities

Perception of SEA benefits and added value

The respondents were given a set of statements about SEA, reflecting its benefits or potential associated concerns, and were asked to rank them according to the extent the respondents agree with them.

The responses indicated following benefits of SEA as the most relevant:

- SEA is a useful tool for assessing and mitigating likely significant environmental effects of strategic documents;
- SEA is a useful tool for greening economies;
- SEA is a useful tool for attaining sustainable development goals (SDGs);
- SEA can prevent costly mistakes (such as the Aral Sea case);
- The quality of SEA depends entirely on amounts of data available and their quality;
- Public consultation improves the quality of results of SEA and therefore the plan/programme.

It needs to be noted that the statement 'quality of SEA depends entirely on amounts of data available and their quality' may not always be the case given the strategic nature of SEA and its assessment subject, and this point should be paid attention to during the SEA pilot projects and training workshops.

Use of guidelines and instruction

The respondents were asked to list environmental assessment guidelines and instruction documents, in case such were used in their own or their institutions' practice. All respondents referred to the existing national legislative documents i.e. relevant laws and by-laws (see section 4 above), two respondents mentioned also methodological and guiding documents from Russian Federation, Belarus and Kazakhstan.

None of the respondents mentioned any international guidance documents, such as the World bank, or those developed by UNECE in relation to the Espoo Convention or its Protocol on SEA. This may indicate that the respondents were not familiar with these yet.

Advice of environmental assessment

The respondents were asked where they usually sought advice on environmental assessment (e.g. methods to be applied). The responses show that advice on environmental assessments is most often sought from 'environmental and/or health authorities – officials in charge of the relevant issue/ friends and acquaintances working there'. Also, NGO's and 'friends and acquaintances from abroad that work on similar tasks or issues' were also mentioned.

Managing future SEA

The respondents were asked whether it was clear who would be in charge of managing the SEA(s) on behalf of their institutions when SEA becomes a legal requirement or on a pilot basis. Two respondents provided that they themselves will be involved and also explained that the scope of SEA-related tasks will depend on the requirements stipulated by the SEA legislation (after it is adopted).

The survey participants were asked about who will be most likely undertaking SEA(s) - i.e. planning teams with internal environmental experts or external sub-contractors (consultancy companies). According to two respondents, the planning teams in relevant sectoral ministries in cooperation with SEA experts would most probably undertake SEAs.

With regards to financing SEAs, the respondents said that budgetary aspects had not been discussed yet.

Main SEA-related challenges

When invited to indicate main challenges related to SEA application, a need to train the SEA experts was mentioned by two respondents.

5.5. Future priorities and actions

The respondents were asked to select and prioritise actions needed to introduce and establish a SEA system in Tajikistan. In view of the respondents, the preparation of the guiding documents is the key priority action, followed by:

- Developing and adopting new legislation;
- Preparing awareness raising materials;
- Supporting practical application of SEA (i.e. conducting pilot SEA);
- Organising exchange of experience in SEA with other countries;
- Organizing trainings and awareness raising events for the decision-makers, environmental and health authorities;
- Organizing trainings and awareness raising events for environmental experts and practitioners and NGOs.

6. CONCLUSIONS FROM THE SURVEY

6.1. Summary of the identified gaps between the current environmental assessment system and the main elements of an effective SEA system

This section summarizes the findings from the survey vis-à-vis the main elements of a SEA system enabling an effective application of SEA in accordance with the Protocol on SEA as referred to in **Section 3.3** above. It reflects findings from the questionnaire survey as well as inputs provided by the national consultant to the OSCE.

6.1.1. **Legislative framework is in force and aligned with the Protocol on SEA**

Presently, there is not adopted national legislation for SEA in Tajikistan. However, the project 'Support to Tajikistan in introducing environmental assessment systems in accordance with the UNECE Espoo Convention and its Protocol on SEA' resulted among other outputs in the draft amendments to the Ecological Code of Tajikistan, the draft regulation on Environmental Impact Assessment and State Ecological Expertise, including in a Transboundary Context, and the draft regulation on Strategic Environmental Assessment.

It is not known when these drafts will be discussed by the government and adopted. However, it should be recalled that there is the overarching requirement for ecological expertise for the strategic documents in the current legislative framework that is in practice often not implemented and enforced in the absence of the lower-level legislative acts.

Overall, in the absence of a functional national legislative framework on SEA, the SEA application will only be possible on a pilot or voluntary basis, with a very limited scope without leveraging on the SEA benefits. In fact, under the currently uncertain situation, a pilot SEA application will be very useful to 'test' the draft SEA provisions and build necessary capacities.

It is assumed that above mentioned draft legislative documents aim to transpose the requirements of the Protocol of SEA to the national legal system, however a legal analysis was not intended to be carried out as a part of this study.

6.1.2. **Procedural steps of SEA including consultations are well established and followed in practice**

The draft regulation on SEA outlines the following stages of the SEA procedure:

1. Scope of SEA application;
2. SEA report (including determination of its scope);
3. Consultations with interested governmental agencies;
4. Taking into account the results of SEA;
5. Monitoring;
6. Public participation.

The stages outlined in the draft regulation on SEA generally reflect the main stages of SEA as per the Protocol on SEA and good practice in the countries with the SEE and EIA components. However, the scoping stage is not clearly stipulated, but integrated in the provisions regarding the SEA report, providing that 'the preparation of the environmental report is carried out on the basis of the terms of reference, which determines the scope of the environmental report. Determination of the scope provides for the establishment of special requirements for the preparation and content of an environmental report, based on the goals and content of the draft strategic planning document, the expected significant consequences of its implementation for the environment and public health'.

The application of SEA in practice could not be evaluated due to the absence of such practice.

6.1.3. Authorities responsible for preparation of the plans and programmes:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**
- **Allocate appropriate financial means for carrying out SEA;**

As no feedback from the planning authorities was provided during the needs assessment survey, their awareness about SEA-related responsibilities, capacities and funds could not be evaluated.

However, the fact that the project team did not succeed to involve planning authorities in the survey may indicate their limited awareness about SEA and its benefits as well as their low capacities to coordinate environmental assessment procedures.

The results of the survey suggest that respondents do not consider budgetary aspects as a significant challenge on the way to introduce SEA. However, further dedicated discussions might be necessary to properly address budget implications for carrying out SEA for governmental strategic documents, including with regard to involving 'in-house' expertise (i.e. governmental staff), sub-contracting practitioners and consulting companies¹⁴, organizing efficient public participation, collecting environmental and health data, and conducting relevant analyses.

6.1.4. Environmental authorities:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**

The draft regulation on SEA suggests that environmental authorities should provide their opinion regarding the scope of the SEA report (i.e. to provide their opinion regarding the ToR for the SEA report) and on the draft SEA report. Also, the SEA Competent Authority (i.e. the State Committee for Environmental Protection) should provide a screening decision.

The State Committee for Environmental Protection is the lead environmental authority and its representatives were involved in the recent capacity building activities including drafting the environmental assessment legislation. At present, the Committee carries out the state ecological expertise, which is however only rarely applied for strategic documents. As there is no SEA practice yet in the country (including SEA pilots) and considering the results of the survey, it can be concluded that the staff of the Committee do not have experience with SEA, in particular with providing opinion on the scope of the assessment and the quality of the SEA report. This conclusion is supported by the fact that a lack of capacities within governmental authorities to coordinate environmental assessment procedures was mentioned as one of the existing challenges.

6.1.5. Health authorities:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**

Similar to the environmental authorities, the draft regulation on SEA stipulates that health authorities should provide their opinion regarding the scope of the SEA report (i.e. to provide their opinion regarding the ToR for the SEA report) and on the draft SEA report. As there is

¹⁴ It was pointed out during interviews that 'outsourcing SEA', i.e. sub-contracting environmental experts and/or consulting companies to carry out SEA, may be the option preferred by the governmental planning agencies.

no SEA practice yet in the country (including SEA pilots) and considered the results of the survey, it can be concluded that the staff of the health authorities (i.e. the Ministry of Health) do not have experience with SEA, in particular with providing opinion on the scope of the assessment and the quality of the SEA report. The experience from other regions, e.g. from the EU Eastern Partnership countries¹⁵, shows that health authorities should receive specific attention and training to perform their functions within the SEA systems.

6.1.6. The public is aware of the opportunities to participate in SEA processes

The draft regulation on SEA envisions the opportunities for public discussions and feedback during the SEA. However, given the SEA legislation is still the draft version to be discussed and finalized and in the absence of pilot SEA projects, the public awareness regarding public participation opportunities within the SEA procedure is considered to be limited, in particular at the regional and local level. The donor-funded capacity building activities on SEA in Tajikistan have mainly invited governmental officials from planning agencies and environmental and health authorities, some EIA practitioners and very few representatives of NGOs and educational institutions.

6.1.7. Decision-makers:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**

There have been only limited opportunities for decision-makers so far to get familiar with SEA (e.g. the events organized within the project 'Support to Tajikistan in introducing environmental assessment systems in accordance with the UNECE Espoo Convention and its Protocol on SEA' in 2018 – 2021). As resulted from the survey, low awareness on environmental assessment among project developers or decision-makers represents one of the existing challenges. Thus, the level of awareness on SEA among the decision-makers and capacities to perform relevant tasks can be seen as limited.

6.1.8. There are practitioners/experts able to conduct SEA

The survey results suggest that there may be a lack of expert potential to carry out SEAs on regular basis (as the lack of expert capacities to carry out relevant environmental (and health) analyses was mentioned as one of the existing challenges). As experience from other countries shows, EIA/OVOS practitioners or companies performing EIAs in the current environmental assessment system usually represent a basis for developing a necessary SEA expertise in the country. Thus, providing training and methodological support on SEA to existing environmental assessment experts (freelancers, staff of consulting companies as well as from the NGOs) should be considered as one of the crucial elements in developing good national SEA practice. Optimally, experts should receive training on SEA before the draft SEA provisions enter into force.

6.1.9. Relevant methods and techniques are known and used/can be used in SEA

The respondents of the survey did not mention any existing guiding documents on SEA.

6.1.10. A quality control system is established and performed

The draft regulation on SEA mentions that environmental and health authorities are supposed to provide opinion on the SEA report, which can be perceived as an element of quality control system. However, the performance of the quality control can be evaluated only after the SEA practice starts. Also, public participation can be considered as certain form of the quality

¹⁵ <https://www.euneighbours.eu/en/policy/eastern-partnership>

control. The experience from other countries shows that for effective quality control there may be a need for the guidance/quality control criteria.

6.1.11. Mechanism/platform enabling information sharing on SEA processes is in place

Such mechanism does not exist in Tajikistan. As experience from other countries show, developing and launching similar system or register is a challenging process. Therefore, initiation of the debate about the design, functions and technical features of the register in parallel with the finalizing and adopting the draft SEA and EIA legislation can be recommended.

6.2. Capacities needed for SEA

6.2.1. General estimate of capacities needed for SEA

This section provides estimates of capacities needed to carry out SEA processes in Tajikistan in terms of the forecasted workload, in particular, the capacities of:

- State Committee for Environmental Protection in providing opinion regarding the scope of SEA report and on the draft SEA report;
- Ministry of Health in providing opinion regarding the scope of SEA report and on the draft SEA report; and
- the planning agencies i.e. authorities responsible for preparation of the strategic documents, which also have to ensure the SEA is carried out.

The estimates are based on the overview of the main planning schemes in Tajikistan (see table below), and the workload anticipated for performing various tasks in the SEA process. It considers expected scope of SEA, which would be in accordance with the scope of SEA application as stipulated by the Protocol on SEA.

It is important to note that costs in terms of financial means vary significantly among the countries – Parties to the Protocol – and depend on the types of the strategic documents, approaches to SEA, basis disposable income, GDP, etc. The recent evaluation of the SEA Directive¹⁶ concludes regarding the costs that '*There is consensus among the stakeholders that in principle the costs of SEA are reasonable and that the benefits of carrying out a SEA outweigh the costs.*'

According to another EU study, the main costs related to SEA arise from the use of internal staff time, payments for expert advice and consultancy time, and publicity and publications. Of these, the staff and consultancy costs typically account for over 90% of all SEA costs¹⁷. This study suggests that the costs for carrying out SEAs vary between 5 and 10 % of the planning cost, and are marginal in comparison with the costs of the implementation of plans or programmes (i.e., financing all activities and projects proposed by the planning document).

In terms of time inputs, a UK study showed that most SEAs required approximately 70-80 person-days to be completed (roughly half of that time for scoping and the other half for the preparation of the environmental report)¹⁸. According to a survey from the Czech Republic¹⁹ on the efficiency of the SEA application, about 50% of SEAs required about 2 – 10 person-days from the planning authority. Experience has shown that small municipal SEAs can be

¹⁶ European Commission, 2019: REFIT Evaluation of the SEA Directive. Available at <https://ec.europa.eu/environment/eia/sea-refit.htm>.

¹⁷ European Commission (1996), A study on costs and benefits in EIA/SEA. Available at <http://ec.europa.eu/environment/archives/eia/eia-studies-and-reports/eia-costs-benefit-en.htm>.

¹⁸ R. Therivel and F. Walsh (2005), "The Strategic Environmental Assessment Directive in the UK: One Year On", submitted to Environmental Impact Assessment Review.

¹⁹ Experience with application of SEA in the Czech Republic and UK: A Public Authorities' Point of View (Musil, M. at el, EIA-IPPC-SEA Bulletin, 2010, in Czech language).

carried out in as little as 30 working days; medium-scale SEAs require 50-100 working days, while more complex large-scale SEAs require between 150 and 300 working days depending on the amount of information to be processed²⁹.

Taking into account the experience of SEA application in various countries, the project team made the following estimates that can further be discussed and adjusted based on the consultations with the national stakeholders (**Table 1**).

Table 1. Estimated workloads in relation to SEA tasks by the state actors if the draft Law on SEA is adopted

| Institution / organisation | Main tasks related to SEA | Estimate ^{20, 21} of person-days needed for one SEA | Comments |
|--|--|--|--|
| State Committee for Environmental Protection | <ul style="list-style-type: none"> • Providing screening decision • Providing opinion on the scope of the SEA report (ToR) • Providing opinion on the SEA report | 10 – 15 person-days | The estimated number of days include also inputs of various Committee's departments, which probably will provide expert opinions in various SEA stages |
| Ministry of Health | <ul style="list-style-type: none"> • Providing opinion on the scope of the SEA report (ToR) • Providing opinion on the SEA report | 5 – 10 person-days | |
| Planning authority | <ul style="list-style-type: none"> • Ensuring overall coordination of SEA process • Preparing the ToR for SEA practitioners and carrying out tender procedure • Coordinating communication between SEA and planning teams • Ensuring internal quality control • Communicating with the Committee and the Ministry of Health • Coordinating public participation • Integrating SEA inputs in the strategic documents | 40 – 60 person-days | It is assumed that the strategic documents are prepared 'in-house' i.e. by internal expert team of the planning authority. It means that integration of the SEA inputs in the strategic document will require internal capacities. |

6.2.2. Capacities needed considering the scope of SEA application according to the Protocol on SEA

There are two major categories of strategic documents in Tajikistan:

- strategic documents relating to the socio-economic development;
- strategic documents relating to the territorial planning.

Elaboration of socio-economic development documents is carried out mainly by the Ministry of Economic Development, while preparation of the territorial planning documents is assigned to the Committee for Architecture and Civil Engineering under the Government of the Republic of Tajikistan and to local authorities of the state administration (local Hukumats).

²⁰ It needs to be noted that this estimate is based on personal experience of the authors of this report with SEA application in EU and non-EU countries, as well as it reflects their knowledge of SEA systems in other countries.

²¹ This estimate assumes that SEA is largely carried out by the SEA practitioners (i.e. external experts) as this considered by the authors of this report as the most probable evolution of SEA practice in Tajikistan (based on experience e.g. from the countries of the Eastern Partnership).

Strategic planning relating to the socio-economic development of the Republic of Tajikistan provides for the development of the following types of the documents:

- the forecast of the socio-economic development of the Republic of Tajikistan;
- the strategy of the socio-economic development of the Republic of Tajikistan (for 10 years with a revision after 5 years since the adoption);
- medium-term programs of the socio-economic development of the Republic of Tajikistan (for 5 or 3 years);
- state targeted (sectoral) programs.

Besides, for the purposes of the regional development the forecasts and programs of the socio-economic development are elaborated.

In the sphere of territorial planning following types of strategic documents (town-planning documentation) are usually developed:

- Documentation on planning of the development of the whole territory of the Republic of Tajikistan including:
 - General plan for resettlement on the territory of the Republic of Tajikistan;
 - Plans for planning the development of parts of the territory of the Republic of Tajikistan which include territories of two or more regions and other territories (consolidated town-planning plans);
 - Planning schemes for the territory of the Republic of Tajikistan;
 - Sectoral planning frameworks for the territory of the Republic of Tajikistan.
- Documentation on planning of the development of territories in the Gorno-Badakhshan Autonomous Province, of provinces and districts:
 - Planning schemes for the territories in the Gorno-Badakhshan Autonomous Province, of other provinces, of the city of Dushanbe, of other towns and districts;
 - Planning schemes for a district (for groups of districts).
- Documentation on the development of populated areas (settlements):
 - Masterplans for residential settlements;
 - Project for urban and rural areas;
 - Sectoral development plans for the territories of populated areas (settlements).
- Documentation on construction in the territories of populated areas (settlements):
 - Draft of the detailed town-building plan;
 - Development design for buildings;
 - Design documents for the construction of structures.

It is assumed that following types of strategic documents should be by their nature subject to SEA according to the Protocol on SEA:

- Socio-economic development planning:
 - Strategies and programs of socio-economic development at the national and regional levels;
 - State targeted (sectoral) programs.
- Territorial planning:
 - Documentation on planning the development of the whole territory of the Republic of Tajikistan;
 - Documentation on planning the development of territories in the Gorno-Badakhshan Autonomous Province, and of other provinces and districts;

- Documentation on planning the development of territories of populated areas (settlements).²²

Modifications and amendments of these documents should be subject to SEA according to the conclusions of the screening.

²² Probably based on the conclusions of the screening.

Table 2. Examples of existing strategic documents and planning schemes in Tajikistan which may require SEA²³

| Type/title of strategic document | Description | Update Requirements |
|---|--|---------------------|
| 1 | 2 | 3 |
| National Development Strategy of the Republic of Tajikistan up to 2030 | The key strategic document of the country with the main goal to become an industrialized country. | Not indicated |
| Medium-term development program of the Republic of Tajikistan for 2016 – 2020 | The main goal is a transition to a green economy. | Not indicated |
| State sectoral programmes | <p>These sectoral strategy documents define the goals, objectives and expected results in the priority strategic areas of the country. The action plan is an integral part of each state sectoral program outlining the specific actions to implement the program i.e., to achieve its goals, objectives and obtain the planned results within a given framework.</p> <ul style="list-style-type: none"> • State program for the development of the transport complex of the Republic of Tajikistan until 2025 (developed by the Ministry of Transport, approved by the Resolution of the Government of the Republic of Tajikistan No. 165 in 2011) • State program for the development of new irrigated lands and restoring degraded agriculture land in the Republic of Tajikistan for 2012 – 2020 (developed by the State Committee for Land Management, approved by Decree of the Government of the Republic of Tajikistan No. 450 in 2012) • Agriculture Reform Program of the Republic of Tajikistan for 2012 – 2020 (developed by the Ministry of Agriculture, approved by Resolution of the Government of the Republic of Tajikistan No. 383 in 2012) • 4th program of renewable energy and the construction of small hydropower plants for 2016 – 2020 (developed by the Ministry of Energy and Water, approved by Decree of the Government of the Republic of Tajikistan No. 795 in 2015) | Every 5 years |
| Territorial development programmes | <p>Prepared for:</p> <ul style="list-style-type: none"> • Altogether 3 regions (oblast) including 1 autonomous region, prepared by the regional government, adopted by the regional assembly (majlis) • 1 city of republican significance i.e., Dushanbe, prepared by the city municipal administration, approved by the city municipality and the city council (majlis) • Altogether 79 cities and districts, prepared by the city and district government, approved by the city and district assembly / council (majlis) | Every 3 or 5 years |

²³ This list follows the information about the State Programme provided at the official site <http://government.kz/public/ru/documents/gosprograms?page=1>. There may be other strategic documents under preparation, therefore this list requires updates reflecting the outcomes of the consultations on the needs assessment report.

Based on the overview of the planning schemes in Tajikistan above, it can be concluded that the system of socio-economic and territorial planning is relatively extensive in the country and a number of both general development plans and programmes and the spatial development documents are prepared and adopted at the national, regional, district and city levels. In order to avoid too extensive application of SEA and duplication of the assessment – in particular during the first years of SEA implementation, a further in-depth analysis and discussion regarding the scope of SEA application is necessary.

Considering a number and types of the planning documents, it can be estimated that there will be only several SEAs at the national level in coming years (after the SEA legislation is adopted) – mainly for the updates of the state sectoral programmes. Although it probably will not represent a major demand for planning agencies, and environmental and health authorities, these first SEAs should serve as good practice examples for application of SEA at the sub-national level. Therefore, it is important to ensure an appropriate procedural and methodological approach is followed and that the main actors to be involved in SEA are well-aware of their role, responsibilities and tasks to be performed.

A significant number of SEAs for the territorial planning documents can be expected at the sub-national levels. The city of Dushanbe, 3 regions, and 79 districts and cities represents altogether 83 territorial units, where the spatial planning documents exist and should be updated on a regular basis. The SEA should be applied at the regional level, while screening can be considered at the district and city levels. As a result, between 10 – 20 SEAs per year can be expected. This may be difficult to manage from the national level, therefore involvement of the regional and district environmental and health authorities in SEAs at these levels should be considered in future.

7. ACTION PLAN

The Action Plan stipulates the priorities and specific actions necessary to introduce and establish the basic elements of the national SEA system in Tajikistan. It reflects the results of the needs assessment summarized in chapters 5 and 6. Implementation of the Action Plan should result in the system enabling SEA application in accordance with the Protocol on SEA. Ideally, such system should include all (or majority) of the elements described in chapter 3.3 but considering the current readiness of the country to apply SEA, it is reasonable to focus on the basic aspects that must be in place to start with SEA practice. Once the Action Plan is implemented, additional priorities and actions can be formulated to further develop the SEA system.

7.1. Priorities

Priority 1: Raising awareness on SEA and its benefits among decision-makers – getting decision-makers ‘on board’ is essential not only to achieve adoption of the SEA legislation, but also to start with SEA practice. A high-level political support is quite important to ensure that SEA results (recommendations, mitigation measures etc.) are properly considered in the planning and decision-making processes.

Priority 2: Supporting application of SEA – conducting pilot SEAs has proven to be the most efficient capacity building as it provides ‘hands-on’ opportunity for the relevant stakeholders to participate in the SEA and can be effectively combined with training and awareness raising activities.

Priority 3: Finalizing and adopting SEA legislation – as a very limited application of the state ecological expertise for the strategic documents indicate, without the national legislative framework for SEA, the SEA application will remain only at a pilot or voluntary basis;

Priority 4: Providing training on SEA for environmental and health authorities, planning agencies, environmental experts and practitioners, and NGOs – all these targets groups are the key for SEA practice. Planning agencies are supposed to coordinate SEA with planning, environmental and health authorities should provide their opinion in the main SEA steps, environmental experts and practitioners (from consulting companies as well as from NGOs) should be carrying out necessary analyses, compiling reports, and facilitate consultations with the public.

7.2. Specific actions

The table below lists specific activities structures along the priorities. As mentioned above, these actions can be considered as the minimum to establish basic elements of the SEA system in the country.

A discussion will be needed when preparing an implementation plan (see next section) regarding the potential sources of financing and partners for implementing selected activities as well as about the timing of implementation – ideally, the activities should be implemented in a short (1 – 2 years) or medium (3 – 5 years) horizon.

| Activity | Time horizon | Description | Target group |
|---|--------------|---|------------------------------|
| Priority 1: Raising awareness on SEA and its benefits among decision-makers | | | |
| 1.1 Organizing a high-level awareness raising event on SEA benefits for the Cabinet of Ministers and the President's Administration | Short | A high-level event would promote an importance of adopting the national legislative framework on SEA, including presentation of examples of the good SEA practice illustrating its benefits. The agenda of the events should not exceed 2 hours, participation of representatives | • High level decision-makers |

of international organisation (including UN agencies), EU member states, and/or international SEA experts is desirable.

| | | | |
|--|--------|--|---|
| 1.2 Organizing the study tour on SEA | Short | The study tour on SEA to the EU country or the country which has recently initiated the SEA practice (e.g. Georgia, Ukraine) would raise awareness on practical aspects of SEA and the added value it bring to the planning. | <ul style="list-style-type: none"> • High level decision-makers • Environmental authorities • Health authorities • Planning authorities |
| 1.3 Conducting financial analysis regarding costs of SEA | Medium | Precise SEA-related cost estimates should be made for the sectors covered by the draft SEA legislation as a basis for allocating appropriate financial means for SEA application in the national budget (and/or in the budgets of respective sectoral ministries). | <ul style="list-style-type: none"> • Decision-makers • Authorities responsible for preparation of the plans and programmes • Environmental authorities |

Priority 2: Support to practical application of SEA

| | | | |
|--|-------|---|--|
| 2.1 Identification of sectors / specific plans and programmes to be a subject to pilot SEAs. | Short | At the initial stages of introducing SEA system, efforts on application of SEA should be focused on plans and programmes in the sectors of industry, energy, transport or agriculture (i.e. sectors with high potential to cause significant environmental and health effects). Optimally the SEA pilot should be conducted for one of the state sectoral programmes in the above sectors to test the SEA procedure before the SEA legislation is finalized and adopted. | <ul style="list-style-type: none"> • Authorities responsible for preparation of the plans and programmes • Environmental authorities |
| 2.2. Organizing a workshop on SEA for the sectoral ministries in the selected sectors | Short | <p>The purpose of the workshop would be to explain the key principles of SEA and to discuss preliminary selection of the plans and programmes to be a subject to the pilot SEA. The two main criteria to be considered when selecting the strategic documents are as follows:</p> <ol style="list-style-type: none"> 1. Timing of the planning process: The SEA pilot – in order to demonstrate benefits of SEA – has to be carried out in parallel to the preparation of a plan and programme. 2. Readiness to consider the SEA inputs: The aim of SEA is to integrate environmental and health considerations in the plan or programme. Therefore, the planning authority and the team should be ready and open for the discussion on recommendations | <ul style="list-style-type: none"> • Authorities responsible for preparation of the plans and programmes • Environmental authorities • Health authorities |

formulated by the pilot SEA and – if agreed – to integrate them in the draft strategic document.

| | | | |
|---------------------------|----------------------------|--|---|
| 2.3 Conducting pilot SEAs | Short/Medium ²⁴ | <p>In order to effectively utilize the learning opportunities provided by the SEA pilot application, it is essential to include capacity-building activities in the SEA pilots (i.e. training and awareness raising events) and open them to a wide range of stakeholders including health authorities, NGOs, and the public.</p> <p>Linking the SEA pilots to the training and awareness raising activities can be recommended.</p> | <ul style="list-style-type: none"> • Authorities responsible for preparation of the plans and programmes • Environmental authorities • Health authorities • Public • Practitioners/experts • NGOs |
|---------------------------|----------------------------|--|---|

Priority 3: Finalizing and adopting SEA legislation

| | | | |
|--|-------|--|---|
| 3.1 Carrying out detailed legal analysis of the draft Law on SEA vis-à-vis the Protocol on SEA | Short | <p>The detailed legal analysis of the draft Environmental Code and relevant draft SEA provisions (to be prepared by international legal experts) may be considered to verify its full compliance with the Protocol on SEA, which may provide inputs to be considered when finalizing the draft SEA legislation.</p> | <ul style="list-style-type: none"> • High level decision-makers • Environmental authorities |
| 3.2 Organizing a high-level awareness raising event on SEA legislation for the Cabinet of Ministers and the President's Administration | Short | <p>A high-level event would introduce the draft SEA legislation and explain its key principles and stress out importance of its adoption. The agenda of the events should not exceed 2 hours, participation of representatives of international organisation (including UN agencies), EU member states, and/or international legal experts is desirable.</p> | <ul style="list-style-type: none"> • High level decision-makers |

Priority 4: Providing training on SEA

| | | | |
|---|--------------|---|---|
| 4.1 Organizing training on SEA for planning authorities | Medium | <p>The training should explain the key principles of SEA and focus on the procedural SEA steps, task and responsibilities to be performed by the planning authorities</p> | <ul style="list-style-type: none"> • Authorities responsible for preparation of plans and programmes |
| 4.2 Organizing training workshops on methods and tools in SEA | Short/Medium | <p>A series of the workshops should be organized to present and discuss the methods and tools to be used in SEA.</p> | <ul style="list-style-type: none"> • Environmental authorities • Health authorities • Environmental assessment practitioners |

²⁴ It may be difficult to carry out the entire pilot SEA(s) by the end of 2022, but it could be at least initiated in this period, and finalized in 2023.

| | | | | |
|-----|---|--------|--|---|
| 4.3 | Organizing workshop on quality control in SEA | Medium | A dedicated workshop for the staff of the State Committee for Environmental Protection and health authorities should introduce the quality control criteria and explain their application. | <ul style="list-style-type: none"> • Environmental authorities • Health authorities |
|-----|---|--------|--|---|

7.3. Implementation of the Action Plan

It can be expected that the State Committee for Environmental Protection shall play a major role in coordinating the activities outlined above. However, for effective implementation of the Action Plan it is essential to involve also other key stakeholders, in particular the Ministry of Health and planning authorities. For this purpose, it is recommended to establish an inter-sectoral working group on SEA to be managed by the ‘coordinator’ representing the State Committee for Environmental Protection. Besides governmental agencies the working group on SEA should also invite representatives of academic sector and NGOs.

The initial task of the working group is to prepare an implementation plan with specific steps and time-schedule to implement the activities proposed by the Action Plan (a possible template for the implementation plan is provided in Annex II).

The working group shall be responsible for coordinating and supervising the implementation of the Action Plan. Working group meetings should be organized on a regular basis (e.g., every three months). Short annual monitoring reports should be prepared by the working group (see a proposed template in Annex II).

Annex 1. QUESTIONNAIRE FOR THE NEEDS ASSESSMENT SURVEY

Dear participant,

Thank you for taking part in this survey! Your feedback is highly valued and will be carefully considered when analysing the results.

Introduction to the survey

This survey is a part of the technical assistance provided by the UNECE and OSCE regarding strategic environmental assessment (SEA), which shall result in *development of action plans or recommendations for establishing national SEA systems*.

The survey is to be carried out through questionnaire, which covers following topics:

- General information on the respondent's (personal and/or institutional) background
- Past experience with environmental assessment
- Planning and environmental (including health) context
- Existing strengths of the current environmental assessment system and challenges in application of the national OVOS/SEE procedures for plans and programmes
- State of development of legal SEA framework and SEA practice, and their inter-relation
- Existing capacities for SEA and likely future needs
- Priorities and actions needed to introduce and further develop a national SEA system.

Introduction to SEA and its benefits

SEA is a step-by-step procedure to analyse and communicate environmental and health considerations related to development strategies, plans and programmes prepared by the governments. These considerations are collected in consultation with relevant authorities and the public so that decision makers can compare all the pros and cons of each planning option. Thus, SEA is a tool for governments to ensure sound economic development choices that benefit human health and the environment alike.

SEA can be applied to a wide range of governmental plans, programmes, policies, and other strategic documents, which establish the basis for future decisions on projects (which may require EIA or OVOS) in such diverse fields as agriculture, forestry, fisheries, energy, industry (including mining), transport, regional development, waste management, water management, telecommunications, tourism, town and country planning, and land use.

Efficient application of SEA should result in a number of benefits including:

- Higher level of environmental and health protection: SEA identifies likely significant environmental and health effects of proposed strategic development options, and it equips planning authorities with suggestions to mitigate adverse effects and opens the planning to alternative development opportunities.
- Promoting sustainable economic development and facilitation of the green economies: SEA helps reach green economy targets by considering sustainable alternatives and encouraging the search for win-win options for further economic development within the carrying capacity of ecosystems.
- Improved planning by encouraging planners to consider a full range of risks and opportunities for more sustainable forms of development. Introducing a well-structured SEA framework in these countries makes planning more systematic, less sporadic and ultimately more effective.
- More efficient decision-making: Decision-making at the strategic level, which considers SEA outcomes, usually leads to fewer appeals and less discussion at the operational level. Such decision-making processes save time and are thus cost-effective.
- Improved governance by fostering higher transparency in planning and programming. SEA provides clear procedures for consultation and communication between the key national and local planning authorities, business and civil society.
- Prevention of costly mistakes that arise from neglecting environmental and health effects by providing early warning signals about environmentally unsustainable development options. SEA

reduces the risk of costly remediation of harm or corrective actions, such as relocating or redesigning facilities. .

- Strengthened EIA (or OVOS) processes: SEA can address effects that are difficult to grasp at the project level; in particular, SEA can provide an early warning of large-scale and cumulative effects. Therefore, certain aspects can be solved already at the strategic level, which streamlines application of environmental assessment at the project level.
- Prevention of intersectoral conflicts between various economic sectors within the country by examining the relationship of a plan or programme to other plans and programmes at the earliest stage of planning and offering alternatives that can help to avoid conflict.
- Tool for climate change adaptation and mitigation, by introducing climate change considerations into development planning. It is a particularly useful mechanism for introducing the consideration of climate change impacts in plans and programmes that are prepared for regional development planning and for town and country planning or land-use planning.

Questionnaire

General background and past experience

1. Name (leave blank if you want to keep anonymity): _____
2. Organisation/ institution _____
3. Circle the items you have any experience with and provide the details:
 - OVOS
 - state ecological expertise in the context of projects
 - SEA
 - state ecological expertise in relation to strategic documents
 - other types of environmental assessment²⁵.

Please provide details on the **circled item**, e.g., the number of OVOSs, SEEs, SEA, ESIAAs that you participated in, their titles, years of preparation, your position or role (e.g., as a governmental official, project developer, environmental assessment practitioner) your view on process and its benefits).

4. Have you participated so far in any training on environmental assessment or any other related capacity building? If so, what training topics were the most useful for you (e.g. theoretical background, legal requirements, methods and tools)?

²⁵ E.g. Environmental and Social Impact Assessment (ESIA) carried out in accordance with requirements of the Asian Development Bank, the World Bank or other international financial institutions, or Regional Environmental Assessment or Strategic Environmental and Social Assessment, etc.,

Considering environmental (including health) concerns in strategic planning and programming

5. To what extent are the environmental and health issues considered in the strategic planning process in your sector/institution? Please think about the preparation and implementation of **plans and programmes** (i.e. 'strategic documents'), not the design or implementation of concrete projects. Please use the table below for your feedback – note that environmental and health issues should be ticked **separately**.

| To what extent are the environmental and health issues considered in the strategic planning process in your country? | Environmental issue | Health issues |
|---|----------------------------|----------------------|
| <ul style="list-style-type: none"> • Not at all | | |
| <ul style="list-style-type: none"> • At minimum level – some environmental/health issues are mentioned in the documentation, | | |
| <ul style="list-style-type: none"> • To a certain extent – only certain/the most important environmental/health issues are considered, | | |
| <ul style="list-style-type: none"> • Environmental/health issues are analysed, but not taken into account when decisions are made, | | |
| <ul style="list-style-type: none"> • Environmental/health issues are analysed and the findings are used in the decision-making. | | |

6. In your opinion, which sectors in your country prepare and implement plans, programmes or other strategic initiatives that can cause the largest environmental and/or health impacts? (select up to four sectors)

- Water management
- Transport
- Energy
- Agriculture
- Fisheries
- Forestry
- Industry
- Mining
- Regional development planning
- Urban, rural and land-use planning
- Waste Management
- Telecommunications
- Tourism
- Other: _____

7. Is your institution responsible for preparation and/or adoption of any strategic documents?

Yes / No

A. If yes, please provide details, i.e. the names of plans and programmes, main focus, how often they are prepared/updated, how long planning process usually takes, what the approval procedure is.

B. Do these plans, programmes, or other strategic documents undergo any type of environmental assessment (i.e. OVOS, SEE, or other tools)?

Yes / No

If yes, is application of environmental assessment required by the legislation?

If yes, how it is implemented in practice?

C. If your institution develops strategic planning documents, have you considered (or internally discussed) the application of SEA to any of them? If so, please provide details.

Existing strengths and challenges

8. What do you consider as the main existing challenges for the application of environmental assessment tools (EIA/OVOS, ESIA, SEA, SEE etc.) in your country? Please select maximum three options from the list below and/or formulate additional points:

| Challenges | Environmental assessment tools | | | |
|---|--------------------------------|-----|-----|--|
| | EIA (OVOS) | SEE | SEA | _____ |
| | | | | <i>Please insert other tool(s) you are familiar with</i> |
| Insufficient legal framework | | | | |
| Unclear procedural steps as well as roles and responsibilities of main actors involved in the environmental assessment process (i.e. who should do what and when) | | | | |
| Lack of capacities within governmental authorities to | | | | |

| | | | | |
|---|--|--|--|--|
| coordinate environmental assessment procedures | | | | |
| Lack of expert capacities to carry out relevant environmental (and health) analyses i.e. to evaluate the likely impacts, formulate relevant mitigation measures, prepare environmental report, etc. | | | | |
| Low awareness on environmental assessment among project developers or decision-makers | | | | |
| Insufficient data and information on the environment and health status of the population | | | | |
| Weak monitoring and post-project analysis schemes (i.e. limited control on how environmental assessment conclusions are implemented in practice) | | | | |
| Non-existence of environmental assessment database | | | | |
| Non-existence of national environmental assessment network or association of experts | | | | |
| Lack of finances for conducting environmental assessment | | | | |
| Other (please specify): | | | | |

9. What do you consider to be the key strengths of the environmental assessment tools (EIA, ESIA, SEA, OVOS, SEE etc.) in your country? Please select maximum three options from the list below and/or formulate additional points:

| Strengths | Environmental assessment tools | | | |
|---|--------------------------------|-----|-----|--|
| | EIA (OVOS) | SEE | SEA | _____ |
| | | | | <i>Please insert other tool(s) you are familiar with</i> |
| Profound and clear legal framework | | | | |
| Available guidelines / manuals / procedures on how to conduct the environmental assessment process | | | | |
| Sufficient capacities of governmental authorities to coordinate environmental assessment procedures | | | | |
| Sufficient capacities among the experts to carry out relevant environmental (and health) | | | | |

| | | | | |
|--|--|--|--|--|
| analyses and prepare good-quality environmental report | | | | |
| High awareness on environmental assessment among project developers or decision-makers | | | | |
| Sufficient data and information on the environment and health status of the population | | | | |
| Strong monitoring and post-project analysis schemes | | | | |
| Availability of environmental assessment database | | | | |
| Availability of national environmental assessment network or association of experts | | | | |
| Sufficient finances for conducting environmental assessment | | | | |
| Other (please specify): | | | | |

10. When you/your institution are dealing with environmental assessment, do you use some guidelines and instruction documents? If so, please list these guidelines, instructions and/or methodological recommendations that you [your institution] use.

11. Where do you usually seek advice on environmental assessment (e.g. methods to be applied)?

- environmental and/or health authorities – friends and acquaintances working there
- environmental and/or health authorities – officials in charge of the relevant issue
- other sector institutions (e.g. other ministries) – friends and acquaintances working there that work on similar tasks
- other sector institutions (e.g. other ministries) – officials in charge of similar tasks
- environmental consultancies
- Relevant researchers at various research institutions
- NGOs
- Friends and acquaintances from abroad that work on similar tasks or issues
- Other, please specify:

12. For likely forthcoming SEAs (whether a pilot or systematic application):

- Is it clear who will be in charge of managing these SEA(s) on behalf of your institution?

- Can you estimate the scope of SEA-related tasks your institution is supposed to perform?

- Who will be most likely undertaking these SEA(s) - i.e. planning teams with internal environmental experts or external sub-contractors (consultancy companies)?

- Have budgetary aspects been already discussed i.e. how to fund future SEAs/SEA-related activities?

- Do you know suitable institutions/experts who would be able to carry our SEA?

- What main challenges related to SEA application you would see?

Future priorities and actions

13. Which actions should be taken as a priority to introduce and establish a SEA system in your country? Please rank each option below using the scale from 1 (least needed) to 10 (most needed) and/or formulate additional actions [note that the same score cannot be used more than once]:

| Recommendation / action | Score (1 to 10) |
|--|-----------------|
| Developing and adopting new legislation | |
| Preparing guiding documents on specific topics (methods and tools for evaluating the impacts, quality control, how to consider climate change, biodiversity or else in SEA, etc.) or procedural aspects (screening, scoping, public participation, etc.) | |
| Preparing awareness raising materials (e.g. a leaflet on efficient public participation in SEA) | |
| Organising trainings and awareness raising events for | |
| i. Environmental and health authorities | |
| ii. Decision-makers | |
| iii. Environmental experts and practitioners | |
| iv. NGOs and public | |
| v. Other target group(s) – please specify: | |
| Supporting practical application of SEA (i.e. conducting pilot SEA) | |

| | |
|--|--|
| Organising exchange of experience in SEA with other countries from i. Central Asian region, ii. Eastern Partnership countries ²⁶ , iii. EU Member States (please indicate preferred region) | |
| Supporting the national networking and establishing an information sharing system (e.g. introducing national SEA and EIA database and establishing a network of environmental experts) | |
| Other (please specify): _____ _____ _____ | |

14. Please add any other points, comments, or suggestions regarding the current environmental assessment application and further development of SEA in your country.

²⁶ Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine

Annex 2. TEMPLATE FOR IMPLEMENTATION PLAN

The implementation of the Action Plan should be managed by the inter-sectoral working group on SEA, which shall coordinate the implementation of the activities with the relevant partners. To streamline implementation of the Action Plan, it is recommended to prepare an implementation plan following a template proposed below:

| Activity | Implementing period | Main responsibility for implementation | Partners for implementation | Comments |
|---|----------------------|--|-----------------------------|--|
| Organizing several high-level awareness raising events on SEA for the high-management (ministers and deputy-ministers) of sectoral ministries, and relevant parliamentary committees. | April – October 2022 | State Committee for Environmental Protection | UNECE, OSCE | |
| Conducting pilot SEA for the State Transport Programme | Till December 2022 | State Committee for Environmental Protection Ministry of Transport | UNECE, OSCE | The SEA pilot – as agreed with the Ministry of Transport should be initiated in December 2021. |
| ... | | | | |
| ... | | | | |
| ... | | | | |
| ... | | | | |

Annex 3. TEMPLATE FOR MONITORING REPORT

In order to ensure monitoring of the Action Plan implementation, the inter-sectoral working group on SEA should prepare short annual monitoring reports. The monitoring report can follow the template proposed below and shall serve for the discussions with the relevant partners on necessary adjustments of the Action Plan.

| Activity | Status of implementation | Proposed adjustments to the activity | Comments <i>Comments may describe any problems met during implementation of the activity and/or formulate recommendations for more effective implementation</i> |
|---|--|---|---|
| Organizing several high-level awareness raising events on SEA for the high-management (ministers and deputy-ministers) of sectoral ministries, and relevant parliamentary committees. | Two events were organized in 2022, next two are planned for the second half of 2023. | Extension of implementing period until December 2023. | There were only several representatives from the key sectoral ministries (transport, energy and agriculture). Better promotion will be needed for the second two events. |
| Conducting pilot SEA for the State Transport Programme | SEA pilot initiated in February 2022 (i.e. two months later than originally planned) | Extension until March 2023 | |
| ... | | | |
| ... | | | |
| ... | | | |
| ... | | | |