

Questionnaire for the

REPORT OF **FINLAND** ON THE IMPLEMENTATION OF THE PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT TO THE CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT

in the period 2010-2012

Information on the focal point for the Protocol

Ms Ann-Britt Ylinen
Ministry of the Environment
PO Box 35, FI-00023 Government, Finland
Ann-Britt.Ylinen [at] ymparisto.fi
tel. +358 50 548 4146

Information on the point of contact for the Protocol

Mr Lasse Tallskog
Ministry of the Environment
PO Box 35, FI-00023 Government, Finland
lasse.tallskog [at] ymparisto.fi
tel. +358 50 413 0550

Information on the person responsible for preparing the report

- | | | |
|-------|-------------------|---|
| i. | Country: | Finland |
| ii. | Surname: | Tallskog |
| iii. | Forename: | Lasse |
| iv. | Institution: | Ministry of the Environment |
| v. | Postal address: | PO Box 35, FI-00023 Government, Finland |
| vi. | E-mail address: | lasse.tallskog [at] ymparisto.fi |
| vii. | Telephone number: | +358 50 413 0550 |
| viii. | Fax number: | +358 9 1603 9395 |

Date on which report was completed: 19.6.2013

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 experience in the application of the Protocol.

General information given by Finland

The Act on the Assessment of the Effects of Certain Plans and Programmes on the Environment (200/2005), known as the SEA Act, and the Government Decree on the Assessment of the Effects of Certain Plans and Programmes on the Environment (347/2005), known as the SEA Decree, are the major pieces of legislation transposing the Protocol on SEA in Finland. The SEA Act and Decree ensure that the SEA is carried out for most of the plan and programme types referred to in Article 4 of the Protocol.

Provisions on strategic environmental assessments of land use plans are included in the Land Use and Building Act (Act 132/1999) and Decree (895/1999). The impacts of all land use plans in Finland are assessed under the provisions of the Land Use and Building Act and Decree.

Besides the above-mentioned, there is also a general duty to investigate the environmental effects of plans and programmes that do not fall within the sphere of application of Article 4, but that may have likely significant environmental effects (section 3 of the SEA Act). This duty is more general in nature and it covers policies as well.

In the answers below:

- The blue colour is used to refer to the SEA Act and Decree and the strategic environmental assessments carried out in accordance with these statutes.
- The green colour is used to refer to the provisions in the Land Use and Building Act and Decree and the strategic environmental assessment of land use plans carried out in accordance with those provisions.
- *Black cursive is used when the answer covers both situations mentioned above or the answer is related to other issues.*

Article 2 - Definitions:

1. Is the definition of plans and programmes for the purpose of the Protocol the same in your legislation as in article 2, paragraph 5? Please specify.

a) Yes ☐

b) Yes, with some differences: Art. 2, paragraph 5, is covered through the definition of the "authority responsible for a plan or programme" in section 2 of the SEA act and in section 4 which defines the plans and programmes requiring environmental assessment. The Land Use and Building Act (132/1999) is applied to land use planning and land use plans.

b) No (please provide the definition):

c) There are no definitions of plans and programmes in the legislation ☐

Your comments:

2. Is the definition of "environmental, including health effect" in your legislation the same as in article 2, paragraph 7? Please specify.

a) Yes ☐

b) Yes, with some differences:

The definitions of the environmental impacts in section 2 of the SEA Act and section 4 of the SEA Degree cover the issues mentioned in Art. 2, paragraph 7.

Also the definitions of the impacts of and the requirements for each type of plan and plan statements as given in the Land Use and Building Act and Decree cover environmental, including health, effects.

b) No (please provide the definition):

c) There is no definition of "environmental, including health effect" in the legislation ☐

Your comments:

3. Is the definition of "the public" according to article 2, paragraph 8, in your legislation the same as in the Protocol? Please specify.

a) Yes ☐

b) Yes, with some differences: The definition of "the public" in section 2 of the SEA Act is consistent with Art. 2, paragraph 8. Also the definition in the Land Use and Building Act covers the public.

b) No (please provide the definition):

c) There is no definition of the public in the legislation ☐

Your comments:

4. Are there any conditions for non-governmental organizations to be able to take part in the assessment procedure? Please specify.

a) Yes (please provide the conditions):

b) No ☒;

Your comments:

Article 3 – General provisions:

5. Provide legislative, regulatory and other measures you have adopted in your country to implement the Protocol (art. 3, para. 1) (you can choose more than one option).

- a) Law on SEA (please indicate number/year/name): [SEA Act — Act on the Assessment of the Effects of Certain Plans and Programmes on the Environment \(200/2005\)](#)
- b) SEA provisions are transposed into another law(s) (please specify):

[Land Use and Building Act \(132/1999\)](#), *Act on Water and Sea Resources Management (1299/2004)*, *Flood Risk Management Act (620/2010)*.

- c) Regulation (please indicate number/year/name): [SEA Decree \(347/2005\)](#), [Land Use and Building Decree \(895/1999\)](#)
- d) Administrative (please indicate number/year/name): *On 1 November 2007, the Finnish Government adopted new Impact Assessment Guidelines upon the presentation by the Ministry of Justice (Ministry of Justice, Publication 2008:4). The Impact Assessment Guidelines supplement the Bill Drafting Instructions (2004).*
- e) Other (please specify):
Your comments:

6. Indicate the specific legislation in your country, if any, that assures that the requirements of article 3, paragraphs 6 and 7, are met, and that these rights of the public are observed (you can choose more than one option).

- a) Constitution ☒
- b) Law on public participation (please indicate number/year/name):
- c) Law on SEA ☐
- d) Legislation which transposes the Protocol on SEA (please indicate number/year/name):

Legislation which transposes the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (please indicate number/year/name):

The environmental legislation in Finland already included provisions on access to information, public participation in decision-making and access to justice to such an extent that the implementation of the Convention was carried out with only one amendment and one new statute.

They are:

- *Amendment (769/2004) of the Act on Nuclear Power (990/1987) and*
- *Act on Expropriation Permits Needed for Certain Projects that Affect the Use of Land (768/2004).*

- e) Other (please, specify): *Administrative Procedure Act (434/2003) and Act on the Openness of Government Activities (621/1999).*

Your comments:

Article 4 – Field of application

7. List the types of plans and programmes that require SEA in your legislation (art. 4, para. 2).

The types of plans and programmes subject to SEA which are specified in the legislation are: national land use guidelines, regional land use plans, local master plans, local detailed plans, nature conservation programmes, water resources management plans, regional waste management plans, regional development programmes, transport plans in the Helsinki metropolitan area, river basin management plans, marine environment management plans, and flood risk management plans.

In addition, if needed, in accordance with Art. 4, an SEA is carried out for plans and programmes which are required under administrative provisions.

8. Explain how you define whether a plan or programme “set the framework for future development consent” (art. 4, para. 2).

According to the government bill on the SEA legislation, a plan would set the framework for development consent, for instance:

- if the plan (or programme) is a prerequisite for starting the work on drafting the plan, or
- if the plan or the legislation concerning the plan includes a requirement to take the plan into account in the planning of future projects, or
- if the plan includes criteria or conditions which should be taken into consideration in the permit procedure. In the government bill on the SEA legislation there are some examples mentioned.

9. Explain how the terms “plans and programmes . . . which determine the use of small areas at local level” (art. 4, para. 4) are interpreted in your legislation.

The terms are not interpreted further in the legislation. All land use plans are covered by SEA (provisions in the Land Use and Building Act).

10. Explain how you identify in your legislation a “minor modification” to a plan or programme (art. 4, para. 4).

It is not specified in the legislation. All land use plans are covered by SEA (provisions in the Land Use and Building Act).

Article 5 – Screening

11. How do you determine which other plans and programmes should be subject to a SEA according to article 4, paragraphs 3 and 4 (art. 5, para. 1)? 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) ☒
- d) Other (please specify):

Your comments: On a case-by-case basis for every type of plan and programme other than land use plans. SEA is needed for all land use plans (provisions in the Land Use and Building Act).

12. Describe the procedures required in your legislation for consulting the environmental and health authorities (art. 5, para. 2, art. 6, para. 2, and art. 9, para. 1). If different in

screening, scoping and on the draft plans and programmes and the environmental report, please specify.

SEA Decree, Section 3 — Communication between authorities relating to the definition of the need for environmental assessment on the basis of consideration

(1) When considering the application of environmental assessment of plans and programmes referred to in section 5 of the Act on the Assessment of the Effects of Certain Plans and Programmes on the Environment, the authority responsible for a plan or programme must contact the centre for economic development, transport and the environment and as necessary the relevant local health and environmental authorities and other authorities acting in the area affected. Where a plan or programme with extensive regional reverberations or significance is concerned, the Ministry of the Environment and the Ministry of Social Affairs and Health must also be contacted.

(2) The kind of communication referred to in subsection 1 above may be carried out through an opinion-giving procedure or through consultations between authorities. A memorandum must be drawn up on the consultations covering key issues and opinions that have arisen in the consultations.

SEA Decree, Section 5 — Consultation of authorities concerning information given in environmental reports

(1) The authority responsible for a plan or programme must consult the centre for economic development, transport and the environment and as appropriate relevant local health and environmental authorities and other authorities acting in the region on the extent and detail of the information to be given in an environmental report. Where a plan or programme with extensive regional reverberations or significance is concerned, the Ministry of the Environment and the Ministry of Social Affairs and Health must also be consulted.

(2) The consultation of the authorities referred to in subsection 1 above may also be carried out through joint discussions between authorities. A memorandum must be drawn up on these discussions, including key issues and opinions that have arisen in the discussions.

SEA Decree, Section 6 — Consultation of authorities on environmental reports and draft plans or programmes

In addition to what is provided elsewhere, opinions on draft plans or programmes and environmental reports must be requested from the centre for economic development, transport and the environment and as necessary the relevant local health and environmental authorities and other authorities acting in the area affected. Where a plan or programme in question with extensive regional reverberations or significance is concerned, the Ministry of the Environment and the Ministry of Social Affairs and Health must also be consulted.

The Land Use and Building Act includes provisions on consultations between the environmental and health authorities (sections 15, 64-66). These provisions concern informing the local authorities about the plan proposal and consultations on the participation and assessment scheme. When the plan proposal is ready, various authorities are requested to give an opinion on the proposal.

13. Do you provide opportunities for the public concerned to participate in screening and/or scoping of plans and programmes in your legislation (art. 5, para. 3, and art. 6, para. 3)? If yes, please specify (you can choose more than one option).

- a) By sending written comments to the competent authority ☒
- b) By sending written comments to the local municipality ☒
- c) By providing answers to a questionnaire ☐
- d) By taking part in a public hearing ☒
- e) There are no opportunities for public participation in screening and/or scoping ☐
- f) Other (please specify):

Your comments: *Finnish legislation provides opportunities for the public concerned to participate in the scoping by sending written comments to the authority responsible for a plan or programme.*

14. At what stage of the procedure for a plan or programme does your legislation require you to make the screening decision publicly available? What information do you provide in the screening decision (art. 5, para. 4)?

According to the SEA Act, section 5, paragraph 2, after the screening decision is made the results of the screening including justifications must be made publicly available as provided in sections 55 and 62 of the Administrative Procedure Act (434/2003). The results of the screening including justifications must also be made public in electronic form if possible.

Article 6 – Scoping

15. How do you determine what is relevant information to be included in the environmental report in accordance with article 7, paragraph 2 (art. 6, para. 1)? Please specify (you can choose more than one option).

- a) By using annex IV ☒
- b) By using the comments from the concerned authorities ☒
- c) By using the comments from the public concerned, ~~if it has been consulted~~ ☒
- d) As determined by the competent authority based on its own expertise ☒
- e) By using other means (please specify):

Your comments:

The term “competent authority” is understood to refer to the authority responsible for drawing up the plan or programme and its environmental report.

Article 7 – Environmental report

16. How do you determine “reasonable alternatives” in the context of the environmental report (art. 7, para. 2)? Please specify.

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

Your comments:

17. How do you ensure sufficient quality of the reports? Please specify.

- a) The competent authority checks the information provided and ensures it includes all information required under annex IV as a minimum before making it available for comments ☒
- b) By using quality check lists ☐
- c) There are no specific procedures or mechanisms ☐
- d) Other (please specify): *Different guidelines, which include quality checklists, are available.*

Your comments:

The term “competent authority” here is understood to refer to the authority responsible for drawing up the plan or programme and its environmental report.

Article 8 – Public participation

18. How do you ensure the “timely public availability” of draft plans and programmes and the environmental report (art. 8, para. 2)? Please specify (you can choose more than one option).

- a) Through public notices ☒
- b) Through electronic media ☒
- c) Through other means (please specify):

Your comments:

19. How do you identify the public concerned (art. 8, para. 3)? Please specify (you can choose more than one option).

- a) Based on the geographical location of the plans and programmes ☒
- b) By making the information available to all public and letting them identify themselves as public concerned ☒
- c) By other means (please specify):
- d) Your comments:

20. How can the public concerned express its opinion on the draft plans and programmes and the environmental report (art. 8, para. 4)? Please specify (you can choose more than one option).

- a) By sending comments to the relevant authority/focal point ☒
- b) By providing answers to a questionnaire ☐
- c) Orally ☒ (land use plans, contacting the planner etc. or in public hearings)
- d) By taking part in a public hearing ☒
- e) Other (please specify):

Your comments:

21. Do you have a definition in your legislation of the term “within a reasonable time frame” (art. 8, para. 4)? Please specify.

- a) Yes (please provide the definition):
- b) No, the time frame is given by a number of days for each commenting period ☒
- c) No, it is defined case by case ☐

d) Other (please, specify):

Your comments:

Article 10 – Transboundary consultations

22. As a Party of origin, when do you notify the affected Party (art. 10, para. 1)? Please specify.

a) During scoping ☒ (land use plans)

b) When the draft plan or programme and the environmental report have been prepared ☒ (other plans and programmes)

c) At other times (please specify):

Your comments:

23. As a Party of origin, what information, do you include in the notification (art. 10, para. 2)? Please specify.

a) The information required by article 10, paragraph 2 ☒

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

Your comments:

24. As a Party of origin, does your legislation indicate a reasonable time frame for the transmission of comments from the affected Party (art. 10, para. 2)? Please specify.

a) Yes (please, indicate how long):

b) No ☒

Your comments:

There is a 60-day time frame for the affected Party from when the draft plan or programme and environmental report are received for the Party to indicate that it wishes to enter into consultations concerning the matter.

In land use planning the time given to the affected Party is usually 2 months (minimum) in practice so that the affected Party has enough time for consultation. Sometimes the time set is longer due to holidays and other circumstances.

25. If the affected Party has indicated that it wishes to enter into consultations, how are the detailed arrangements, including the time frame for consultations, agreed (art. 10, paras. 3 and 4)? Please specify.

a) Following those of the Party of origin ☒

b) Following those of the affected Party ☐

c) Other (please specify):

Your comments:

Detailed arrangements must be agreed between the Parties at the beginning of the consultation.

Article 11 – Decision

26. When a plan or programme is adopted, explain how your country ensures that due account is taken of the (art. 11, para. 1).

a) Conclusions of the environmental report ☒

b) Mitigation measures ☒

c) Comments received in accordance with articles 8 to 10 ☒

Your comments:

SEA Act, Section 11 — Approval of a plan or programme and information on such decisions

(1) The environmental report and as far as possible the opinions referred to in sections 8 and 9 and the results of discussions between states under section 10 must be taken into account when a plan or programme is being prepared.

(2) Decisions to approve a plan or programme or the plan or programme itself must include the following:

- 1) a justified opinion on how the environmental report, the opinions referred to in sections 8 and 9 and the results of the discussions between states in accordance with section 10 have been taken into account, and an outline of how these and various environmental considerations have affected the content of the plan or programme and the choice between the various alternatives, and
- 2) an outline of the monitoring referred to in section 12.

The Land Use and Building Decree sets requirements for the plan statement for the content of each type of land use plan. The statement needs to contain the information on the transboundary part of the planning and the comments received and how they have been taken into account.

27. How and when do you inform your own public and authorities (art. 11, para. 2)?

When a plan or programme is approved, information on the decision must be provided in addition to what is provided elsewhere, and the decision and the plan or programme must be made publicly available. What is provided in section 62 of the Administrative Procedure Act applies to making documents available and providing information on them. The decision and the plan or programme and environmental report must be delivered to the Finnish Environment Institute for information purposes and they must also be made public in electronic form if possible (SEA Act, section 11).

Information on the approval of a plan or programme must be submitted to the centre for economic development, transport and the environment without delay. Information on decisions must also be submitted to the relevant local authorities and other authorities that have been consulted in the process (SEA Degree, section 8).

A plan only comes into force when it has been made available to the public. Decisions to approve a plan are presented publicly in the same way that municipal notices are published in the municipality. The local authority must immediately send the decision regarding the plan for information purposes to the authorities.

28. How do you inform the public and authorities of the affected Party (art. 11, para. 2)?

Please specify.

- a) By informing the point of contact ☒
- b) By informing the contact person of the ministry responsible for SEA, 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:

Section 8 of the SEA Decree requires that the information on the approval of a plan or programme must be submitted without delay to the affected party and that the plan or programme and the decision to approve the plan or programme are made available to the affected party.

Article 12 – Monitoring

29. Describe the legal requirements for monitoring the significant environmental, including health, effects of the implementation of the plans and programmes adopted under article 11 (art. 12, paras. 1 and 2).

Section 12 of the SEA Act requires that the authority responsible for plans or programmes must ensure that the implementation of plans and programmes falling within the sphere of environmental assessment and resulting significant environmental effects are monitored, in order to be able to take action to prevent or reduce harmful environmental effects where necessary.

In land use planning the monitoring is usually done when a plan needs to be changed. At that time, the extent to which the plan has been or has not been implemented is evaluated. In accordance with the Land Use and Building Act (section 60), the local authority is responsible for assessing whether the local detailed plan is up-to-date.

The Finnish environmental administration maintains, develops and distributes data from environmental information data systems, spatial information systems and remote sensing datasets. For instance, environmental and geographical information services are available free of charge to the general public and to other users through the “OIVA” service.

Documents related to the planning process are public documents according to Finnish law. The Act on the Openness of Government Activities (627/1999) is applied to the official documents. The principle is that all official documents are in the public domain, unless specifically otherwise provided (section 1).

Article 13 – Policies and legislation

30. Do you have national legislation on the application of principles and elements of the Protocol as regards policies and legislation (art. 13, paras. 1–3)? Please specify.

a) Yes (please specify which articles of the Protocol apply):

b) No ☐

Your comments:

The SEA Act also includes a general duty to investigate the environmental effects of plans and programmes that do not fall within the sphere of application of Article 4, but that may have likely significant environmental effects (section 3 of the SEA Act). This duty is more general in nature and it covers policies as well.

The environmental impacts of the legislation are assessed during the preparation process as a part of the wider impact assessment. On 1 November 2007, the Finnish Government adopted new Impact Assessment Guidelines upon the presentation by the Ministry of Justice (Ministry of Justice, Publication 2008:4). The Impact Assessment Guidelines supplement the Bill Drafting Instructions (2004).

PART TWO – PRACTICAL APPLICATION DURING THE PERIOD 2010 -2012

In this part, please report on your country's practical experiences in applying the Protocol (and not your country's procedures, which were described in part one). The focus of this section should be on identifying good practices as well as difficulties 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 in your country and innovative approaches to improve its application.

31. Does your country object to the information on SEA procedures provided in this section being compiled and made available on the website of the Protocol? Please specify (indicate "yes" if you object).

- a) Yes ☐
- b) No ☒

DOMESTIC AND TRANSBOUNDARY IMPLEMENTATION IN THE PERIOD 2010–2012

32. Which competent authority/authorities are responsible for carrying out the SEA procedure in your country? Please specify.

- a) If they are different for different types of plans and programmes ☒
- b) If they are different at different levels (national, regional, local) ☒
- c) If they are different for domestic and transboundary procedures ☐
- d) Please name the responsible authority/authorities:

The term "competent authority" is understood to refer to the authority responsible for drawing up a plan or programme and its environmental report.

Typically, the responsible authorities are: Centres for Economic Development, Transport and the Environment, the Ministry of the Environment, regional councils and municipalities.

33. Does your SEA documentation always include a specific (sub)chapter on information on potential transboundary effects? Please specify.

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

CASES DURING THE PERIOD 2010-2012

34. If possible, provide the (approximate) number of domestic and transboundary SEA procedures initiated during the given period and list them by referring to the sectors in article 4, paragraph 2.

Approximately 1500 SEAs per year for land use plans (i.e. 1400 local detailed plans, 100 local master plans, 4–5 regional plans) → Approximately 4500 SEAs for land use plans in the period 2010–2012.

Approximately 10 SEAs per year for other types of plans and programmes

→ Approximately 30 SEAs for other types of plans and programmes in the period 2010–2012.

7 transboundary SEA procedures initiated in the period 2010–2012.

EXPERIENCE WITH THE STRATEGIC IMPACT ASSESSMENT PROCEDURE IN 2010-2012

35. If your country has had practical experience in implementing the Protocol, has this supported the integration of environmental, including health, concerns into the development of plans and programmes? Have the conclusions included in the environmental report influenced the drafting and resulted in altering of a plan or programme? Please, provide examples, if you have this information.

The findings of the recent studies indicate that the most crucial contribution of SEA to planning processes has been the importance of cooperation and systematic assessment. The assessments do not seem to have contributed directly to the contents of plans and programmes to any extent, but in many cases the discussions during the assessment process and the resulting ideas were taken into consideration during the preparation of plans and programmes. In some cases, an SEA has had an influence on the content of a plan or programme in that measures which were found to have negative effects were removed.

36. If your country has experienced substantial difficulties interpreting particular terms (or particular articles) in the Protocol, please indicate them. Does your country work together with other Parties to find solutions? If not, how does your country overcome the(se) problem(s)? Please, provide examples, if available.

No substantial difficulties were experienced.

37. Please share with other Parties your country's experience of applying the Protocol in practice, if such information is available. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

- a) Your country's experience with domestic procedures:

- i. Has your country carried out monitoring according to article 12 and, if so, for what kinds of plans or programmes?

Monitoring of the environmental effects is usually arranged as a part of the more extensive monitoring of the implementation of the plan or programme. Monitoring may also coincide with the regular revision of the plan or programme.

- ii. Please provide examples of good practice cases, whether complete cases or good practice elements (e.g., consultation or public participation) within cases. Would your country like to present a case to be published on the website of the Convention and its Protocol as a “case study fact sheet”?

There is no information on good practice cases available.

b) Your country's experience with transboundary procedures:

- i. Translation is not addressed in the Protocol. How has your country addressed the question of translation? What difficulties has your country experienced in relation to translation and interpretation, and what solutions have your country applied?

Finland considers that the translation of documents is an important prerequisite, especially for the participation of the public. As a Party of origin Finland tends to provide adequate material in the language of the affected Party. We hope to receive reciprocal treatment as an affected Party. Early cooperation between the points of contacts of the affected Party and the Party of origin are important for facilitating translations.

As Finland is bilingual, some material also needs to be available in Swedish in addition to Finnish. In northern Finland Sámi is also used.

- ii. What does your country usually translate as a Party of origin?

The SEA Act requires that the draft plan or programme and the environmental report, or parts of them, must, where necessary, be translated into the relevant languages (SEA Act, Section 10(2)).

Finland has been the Party of origin in some land use plans. The plan is presented on a map according to the law. The plan includes a key to the symbols used and written regulations and these are translated. The plan also includes a report which provides the information required for assessing the goals and options of the plan and their impacts, and justification for the approaches adopted. Parts of this report are also translated to provide information on the contents for international hearings. The relevant parts of the assessment reports are translated too.

- iii. Has your country carried out transboundary public participation according to article 10, paragraph 4? If so, how? Was your country the Party of origin or the affected Party? What has been your country's experience of the effectiveness of public participation? Has your country experienced difficulties with the participation of its public or the public of another Party? (E.g., have there been complaints from the public about the procedure?

Finland has been the Party of origin and the affected Party in some land use plans.

There is one case underway between Estonia and Finland where Estonia is the Party of origin. There are also some cases between Finland and Sweden that include both local master plans and detailed plans, and the two countries have been either the Party of origin or the affected Party.

The co-operation between countries has functioned very well. There are usually several written opinions from the public of the other country. The effectiveness of public participation is seen in that those who feel their livelihood or other interests will be affected submit written opinions or propose changes. However, not many comments have been submitted.

Regarding the other types of plans, Finland has been an affected Party once (Polish nuclear power programme).

In general, it seems that the authorities have been more interested in participating in SEAs than the public.

- iv. Does your country have examples of organizing transboundary SEA procedures for joint cross-border plans and programmes? If yes, describe such examples, if possible.

No.

- v. Please provide examples of good practice cases, whether complete cases or good practice elements (e.g., consultation or public participation) within cases. Would your country like to present a case within a “case study fact sheet” to be published on the website of the Convention and its Protocol?

There are no such good practice cases available.

COOPERATION BETWEEN PARTIES IN 2010–2012

- 38. Does your country have any successful examples of how it has overcome difficulties arising from different legal systems in neighbouring countries?

No.

EXPERIENCE REGARDING GUIDANCE IN 2010–2012

- 39. Are you aware of any use in your country of the Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment available online¹? If yes, please describe any experience with using this guidance document and how it might be improved or supplemented.

There is no information available on the use of the manual.

¹ http://www.unece.org/env/eia/pubs/sea_manual.html

40. Do you provide any assistance and guidance to the public? If yes, please specify.

The Ministry of Environment has issued:

- Web-based SEA toolkit (Paldanius & Tallskog 2005)
- An electronic question–answer package and other basic information about SEA on the Ministry’s homepage
- Study on the quality issues and principles in SEA (Paldanius & Tallskog 2005)
- Guidelines on impact assessment in land use planning (Paldanius, Tallskog et al. 2006)
- Several other publications and guidance material on public participation and impact assessment in land use planning.

41. Do you support associations, organizations or other groups that promote the Protocol? If yes, please specify which and how.

Yes. The annual budget of Finland contains an allowance for the Ministry of the Environment to distribute grants to various environmental and other associations. The funds are not specifically meant to promote the Protocol but rather for more general purposes, such as public participation in environmental matters.

42. Has your country had difficulties implementing the procedure defined in the Protocol?

No major difficulties have been experienced.

AWARENESS OF THE PROTOCOL

43. Does your country see a need to improve the application of the Protocol in your country and, if so, how does it intend to do so?

Improvements are still needed at the level of practical application, especially in the effectiveness of SEA in the planning process and in the contents of plans or programmes.

SUGGESTED IMPROVEMENTS TO THE REPORT

44. Please provide suggestions for how this report may be improved.

-

* * * * *