



EaP GREEN PROGRAMME

Training Course on the Practical Application of the UNECE Protocol on Strategic Environmental Assessment

Acknowledgements

This training package has been jointly elaborated by GTZ, UNDP and UNECE

It is based on Training manual ‘Strategic Environmental Assessment in Development Cooperation’ elaborated by GTZ and InWent

It incorporates slides from the ‘Resource Manual to Support Application of the UNECE Protocol on Strategic Environmental Assessment’ elaborated by the UNECE and REC (2007)

Credits

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The present fictitious case study on the Regional Development Programme of Rumburec Region has been prepared by Integra Consulting Ltd. (Martin Smutny and Michal Musil)

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Introduction of Participants

Please write key words on cards about

- Name & organisation of your neighbour
- Your neighbour's experiences with assessment tools
- What are your neighbour's learning objectives (what are his/her expectations from this training)?



Objectives of the Training

1. To introduce concept and use of SEA and illustrate the process through a hypothetical case study;
2. To relate the lessons learnt from the case study to the participants' context and to train them how to apply it in their daily work;
3. To strengthen respective capacities to implement own SEA strategies and to cope with existing legislation.

Modules of the training

- Determine the right issues and scope of assessment
- Analyze the baseline trends (zero alternative)
- Assess proposed development objectives and elaborate their alternatives
- Assess proposed actions and consider their alternatives
- Preparation of the SEA Report
- Ensure sufficient management and monitoring in implementation of the P/P
- Use effective means of participation
- Transboundary consultations
- Decision-making
- Link the SEA with elaboration of the P/P
- (Manage SEA efficiently within budgetary and time constraints)

What is Strategic Environmental Assessment (SEA)?

Key international developments in SEA

- SEA Directive in EU (2001) – implemented in EU member states
- SEA Protocol to UNECE Convention on EIA in Transboundary Context (2003)
- OECD/DAC Good Practice Guidance on SEA (2006) – endorsed by key donor agencies, and International Financial Institutions

SEA Directive

- Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment
- Evolution of the document
 - The Proposal for the SEA Directive adopted by EC in 1996 and amended by EC in 1999
 - The amended text negotiated with the 15 MSs in 1999
 - The Directive was formally adopted in 2001

SEA Directive – objective

- To provide for a high level of protection of the environment and to contribute to the **integration of environmental considerations** into the **preparation and adoption** of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have **significant effects** on the environment.

SEA Directive – main aspects

- Stipulates general “rules” for SEA application
- MSs shall transpose the requirements considering the country specifics
- Focused on plan and programmes
- Environment: biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;

SEA Protocol / SEA Directive – main differences

- Almost identical (SEA Directive served as a benchmark for negotiations of the Protocol)
- SEA Protocol is a potentially global treaty on SEA
- Protocol goes beyond the requirements of the Directive in several aspects:
 - Focused on environment, including health, issues
 - More linear (EIA-based) procedure – however open for transposition as integrated procedure into strategic planning
 - Additional non-binding provisions on public participation (screening and scoping)
 - Non-binding provisions on SEA for policies and legislation (Art. 13)

Definitions of SEA

- As generally understood:
 - SEA is a systematic & anticipatory process, undertaken to analyze environmental effects of proposed plans, programmes & other strategic actions and to integrate findings into decision-making
- In the Protocol on SEA:
 - SEA means the evaluation of likely environmental, including health, effects, which comprises determination of scope of an environmental report & its preparation, carrying-out of public participation & consultations, and taking into account of the environmental report & the results of the public participation & consultations in a plan or programme (art. 2, para. 6).

Definition of SEA – SEA Directive

- ‘environmental assessment’ shall mean
 - the preparation of an environmental report,
 - the carrying out of consultations,
 - the taking into account of the environmental report and the results of the consultations in decision-making and
 - the provision of information on the decision

Purpose of SEA

- To ensure environmental considerations inform & are integrated into strategic decision-making in support of environmentally sound & sustainable development
- Assists authorities responsible for plans & programmes (P/Ps), & decision-makers, to take into account:
 - Key environmental trends, potentials & constraints that may affect or be affected by P/P
 - Environmental objectives & indicators relevant to P/P
 - Likely significant environmental effects of proposed options & implementation of P/P
 - Measures to avoid, reduce or mitigate adverse effects & to enhance positive effects
 - Views & information from relevant authorities, the public & (when relevant) potentially affected States

SEA can

- Evaluate a proposed P/P
or
- Provide inputs into developing a P/P (so that it addresses environmental dimensions effectively).

Guiding principles for application

- Undertaken by the authority responsible for P/P
- Applied as early as possible in decision-making process
- Focused on key issues
- Evaluates reasonable range of alternatives
- Provides appropriate opportunities for involvement of key stakeholders & the public
- Carried out with appropriate, cost-effective methods & techniques of analysis

Outcomes of SEA

SEA

- Identifies environmental constraints and opportunities
- Identifies and compares alternatives
- Identifies the risks and potential costs of development options
- Defines the mitigation and enhancement measures to optimise development
- Helps to improve governance
- Can lead to (i) cross sectoral intervention and mitigation, (ii) institutional adjustments, and (iii) innovations to plans and procedures

**Why is SEA important,
what benefits it brings and
how much does it usually cost?**

Benefits of SEA

- Provide for high level of environmental protection
- Improve quality of P/P making
- Increase efficiency of decision-making
- Facilitate identification of new development opportunities
- Help prevent costly mistakes
- Strengthen governance
- Facilitate transboundary cooperation

Costs of SEA

- SEA of regional & local land-use planning usually increased planning costs by 5-10% (EC study)
- Some good SEAs increased costs by less than 5%
- Costs depend on number & detail of alternatives
- Most require 70-80 person days to complete (UK study)
- But 'SEA was an effective use of time and resources'

Costs of SEA

- Main costs during initial applications of SEA
 - appropriate approaches & tools tested & developed
 - basic data sets compiled
- Subsequent SEAs less costly
 - build on previous experience
 - may require only standard analytical work & process management
- **Costs marginal compared with costs of P/P implementation**

**Tasks in SEA, its analytical,
logical and critical issues for application**

Key requirements of the SEA Protocol

- Determination of whether SEA is required under the Protocol
- Determination of the scope of the SEA report (and thus of the assessment)
- Preparation of environmental (SEA) report
 - Analyze the context & baseline
 - Contribute to the development & comparison of alternatives
 - Complete the environmental report
- Consultation with relevant authorities and the public
- Inputs into decision-making
- Environmental monitoring of implementation

Screening

- To determine if whether SEA is required for the specific P/P
- Quite important for the efficiency of the overall SEA system in country
- Responsibility to perform screening
- Not all P/Ps automatically require SEA, but only if they meet certain criteria.
 - Administrative / technical criteria
 - Significance of likely environmental effects

Usual analytical tasks in SEA (1)

- Review the planning process and identify key issues that SEA should advise on
- Identify relevant environmental, including climate change, issues (based on the objectives and nature of the P/P)
- Analyse past trends for main issues and their future evolution should the P/P not be implemented (env. baseline, zero-alternative)

Usual analytical tasks in SEA (2)

- Assess proposed development scenarios, objectives o priorities and contribute to their optimising
- Assess proposed development actions and contribute to their optimising
- Propose environmental management and monitoring system for implementation of the P/P, addressing also main uncertainties in the assessment

Integration of climate change

- Climate change and its consequences shall be considered at all stages / analytical tasks of SEA
 - climate change objectives and indicators
 - climate change "baseline"
 - key problems caused by likely future climate change, including constraints on the P/P
 - alternatives to deal with key climate change related problems
 - effects of the P/P on greenhouse gas emissions
 - climate change mitigation & adaptation measures
 - consultation with responsible authorities
 - monitoring of climate change effects

Critical issues in effective SEA practice

- Link P/P and SEA - design appropriate strategy for SEA
- Use adequate analytical approaches
- Use effective means of participation
- Ensure sufficient management and monitoring in implementation of the P/P
- Manage SEA efficiently within budgetary and time constraints



Determine if SEA shall be applied



Aim of task

- To decide if SEA shall be applied for the specific P/P
- To determine **screening criteria** enabling the decision

Key questions that should be asked

- Could the P/P implementation lead to significant (adverse or beneficial) environmental impacts?
- Which screening criteria shall be used?
- What information would be needed to perform proper screening?
- What shall be the overall administrative arrangements for the screening?



Determine the right issues and scope of assessment



Aim of analytical task

- To define relevant environmental issues or objectives that should be considered when elaborating and/or **assessing** the P/P
- To determine key **guiding questions** that will enable you to carry out focused analyses within SEA
- To determine **spatial** and **temporary** focus of the SEA

Relevant requirements of the Protocol

This initial identification of key issues may also consider

- Likely contents and the main objectives of the plan or programme and its link with other plans or programmes [Annex IV, item 1]
- Environmental problems that are relevant to the plan or programme [Annex IV, item 4]
- Environmental objectives established at international, national and other levels that are relevant to the plan or programme [Annex IV, item 5]
- **Environmental & health authorities must be consulted**

SEA Directive

- Does not clearly define this stage of SEA (i.e. defining the scope of the assessment / environmental report)
- an environmental report shall be prepared in which the **likely significant effects** on the environment of implementing the plan or programme, and **reasonable alternatives** taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated.
- **The Directive does not require the consultation within this stage of SEA**

Key questions that should be asked

- What are the main objectives of the plan or programme?
- What environmental objectives are relevant to the plan or programme, and how do they relate to the objectives of the plan or programme?
- What other plans and programmes are relevant and how might they interact with the plan or programme?
- What environmental problems are relevant to the plan or programme?

You might answer also the following questions

- Which geographical areas have to be covered?
- Which periods of time have to be covered?
- Which alternatives have to be considered?
- What are the data requirements?
- Which methods (of data collection, effects assessment, public participation, consultation with authorities, etc.) have to be used and to what depth or detail?



Concluding remarks

- keep your final set of issues simple and focused on main “strategic” concerns
- do not use it as a rigid process – you may add/skip issues later on once you have more data
- where possible involve planners, environmental authorities and other key stakeholders in this task

**Analyze the baseline trends
(zero alternative)**

Aim of analytical task

- Describe the **past trend** (overall trend and key concerns) for all environmental issues that SEA focuses on
- Outline the **likely future evolution** of this trend if the proposed P/P would not be implemented (i.e. consider impacts of already approved development initiatives)
- Identify any **constraints** and **opportunities** that these trends pose for the respective P/P
- Document any **serious lack of information**

Relevant requirements of the Protocol

The baseline trends should focus on issues identified during the scoping process and they should describe:

- The current state of the environment and its likely evolution should the plan or programme not be implemented [Annex IV, item 2]
- The characteristics of the environment in areas likely to be significantly affected [Annex IV, item 3]

Wrap-up - questions

- Which developments did you predict?
- Which driving forces did you identify for the developments?
- Would other assumptions for the developments lead to different results?
- Is this task being conducted within your organizations' SEA/EIA processes?

Concluding remarks

- Analyzing future trends without implementation of the P/P is **difficult** but a **very important** part of any strategic assessment
- SEA experts and planners can consider threats/ opportunities when (re)formulating objectives of the P/P or its actions
- It will provide **useful insights** and make **following tasks in the SEA** easier
- Do not be afraid of **uncertainties** – just properly **acknowledge** them

**Assess proposed development
objectives and elaborate their alternatives**

Aim of analytical task

- To analyze **positive** and **negative** impacts of proposed development objectives, priorities or scenarios on the main environmental trends
- To check whether **opportunities** are sufficiently used
- To check whether **risks** are properly understood
- Recommend how the **proposed development objectives, priorities or general scenarios** may be **optimized**

Considering climate change

- How the P/P contributes to climate change
- How **climate change – its consequences** – can affect the P/P – its priorities, objectives, scenarios!!!
- To analyze **if and how** the proposed development objectives, priorities and scenarios **take into account hazards and risks** related to the **effects of climate change.**

Why is it important

- Enables optimizing proposed development objectives or priorities of the P/P (through different approaches for achievement of objectives or suggestions for adaptation of objectives)
 - When done concurrently with the P/P elaboration, it may recommend orientation or conditions for elaboration of future activities (i.e. conditions for further elaboration of the P/P)
- | Not a formality – proposed objectives/priorities/ scenarios are important since they orient and influence future thinking about proposed activities

Wrap-up - questions

- Were the relevant environmental issues/objectives clear enough for an assessment?
- Was there enough scope for better alternatives?
- Did you find the technique in the case work appropriate – what would work better in your practice?

Tools (1)

- Collective expert judgment - ad hoc reviews to determine specific environmental issues that are important in the current development context
- Checklists of possible env. impacts that are usually associated with interventions proposed in the P/P
- Matrices of impacts – see the next slide

Tools (2)

Impact matrices

	Relevant environmental issues/objectives				
Proposed objective, priorities, scenarios in the P/P	--	-	N/A	+	++
Key features of impact	Red	Orange	White	Light Green	Dark Green
Impact features: Direct/indirect; Magnitude (local, regional, national); Severity (very negative – very positive), Duration (long-term, short-term); Reversibility					

Practical suggestions

- In certain cases you might not use only symbols – try to explain main features of impacts
- Where possible involve:
 - planners (it may influence their future thinking in the formulation of the P/P) and
 - key stakeholders in this analysis (they may provide useful insights)
- Do not forget that the purpose of this analysis is to provide suggestions for optimizing development objectives and priorities

Concluding remarks

- If you found any significant gaps in official env. objectives, you may inform relevant env. authorities that certain objectives **do not provide sufficient guidance**
- you may also suggest **improvements of existing environmental objectives** based on the lessons learned in the SEA

Assess proposed actions in the P/P and their alternatives

Aim of analytical task

- To assess env. **positive** and **negative** impacts of proposed actions on relevant env. issues and trends
- To check **consistency** of actions with relevant env./SD objectives
- To provide inputs into optimizing of proposed activities through their **reformulations** or by defining **conditions for their implementation**
- To outline key **risks/uncertainties** in assessment of these actions

Why is it important

- It helps optimize actions
- It defines conditions for implementation of these actions which might also help to link SEA with future EIA/assessments of projects
- Determination of key risks/uncertainties helps to focus monitoring and management systems for the P/P on key issues
- All these assessments provide basis for assessment of cumulative impacts

Relevant requirements of the Protocol (1)

The effects should include likely significant positive & **negative** environmental and health effects which can be:

- direct or secondary,
- cumulative, synergistic,
- short-, medium- and long-term,
- permanent or temporary

Relevant requirements of the Protocol (2)

The criteria for determining the significant of the likely expected effect (see Annex III) require consideration of :

- The nature of the environmental, including health, effects such as probability, duration, frequency, reversibility, magnitude and extent (such as geographical area or size of population likely to be affected).
- The risks to the environment, including health.
- The transboundary nature of effects.
- The degree to which the plan or programme will affect valuable or vulnerable areas including landscapes with a recognized national or international protection status.

However, SEA is not a PhD study ...

- SEA report needs to contain information that may reasonably be required, taking into account:
 - Current knowledge and methods of assessment;
 - The contents and the level of detail of the plan or programme and its stage in the decision-making process;
 - The interests of the public; and
 - The information needs of the decision-making body.

Assessment tools

Main tools:

- The same tools as for the assessment of development objectives (*ad hoc expert judgments, checklists, matrices, etc.*)
- **Overlay maps/ GIS** (help identify territorial impacts of investment projects)
- Many other techniques exist (though less frequently applied) – see next slide
- Use of many methods depends on quality of input data
- Quantitative assessment based on poor input data or weak prediction techniques are dangerous – generate confidence and may mislead judgments

Tools	Cost and time requirements	Transparency for public	Coping with uncertainties	Ability to address health issues
Environmental scan and legal & policy reviews	\$:(XX
Decision trees and impact networks	\$:)		XX
Trends analysis & extrapolation	\$:)	•	X
Modelling	\$\$:(•	X
Scenario building	\$\$:)	•	XX
Life-cycle Assessment	\$\$:(
Cost/Benefit Analysis	\$\$:(
Multi-criteria analysis	\$\$:(•	X

Assessment should indicate

- Nature and relevance of general environmental and health impacts of proposed actions – by reflecting also their magnitude, probability, scale, frequency/duration, reversibility and main uncertainties in your assessment,
- measures to minimize negative and to maximize positive effects (mitigation measures)
- **adaptation measures (climate change)**
- possible improvements through relevant alternatives,
- conditions for implementation and/or the basic issues that should be addressed by any further assessments (e.g. EIA) if this action is carried out further

Practical suggestions

- Do not forget to analyze impact on long-term trends (e.g. do not focus on short-term impacts only)
- Remember that the purpose of this analysis is to determine whether the proposed actions should be optimized and how this can be done
- Where possible involve planners and key stakeholders - they may have useful insights and propose creative solutions

Concluding remarks

- Activities may be proposed in form of:
 - specific projects - e.g. infrastructure or
 - general measures (legislative, administrative or economic) to support change in behaviour of legal and physical persons - e.g. development of new products and services, certification, etc.
- Do not limit assessment only to specific projects – even general measures may lead to risks or opportunities
- Always try to search for win-win options

**Ensure sufficient management
and monitoring
during implementation of the P/P**

Relevant requirements of the Protocol

Article 12 (Monitoring) requires:

- monitoring of the significant environmental effects of the implementation of the adopted plan or programme (art 12.1).
- monitoring results to be made available to the relevant environmental and health authorities and to the public (art. 12.2).
- The only explicit reason given for monitoring is to identify, among other things, unforeseen adverse effects and to enable remedial action to be taken (art. 12.1).

Monitoring system for implementation

- Key env. trends shaped by many factors - legislation & enforcement, economic development, multiple projects, various P/P, etc.
- Impacts (**attribution**) of P/P to certain trend is often unclear
- Monitoring of impacts of the P/P generally quite difficult
- Monitoring is impossible without focusing on effects of individual actions that are implemented as result of the P/P
- Monitoring should be realistic and as simple as possible

Environmental management system for implementation I

- Preliminary ToRs (key issues and alternatives to be considered) in future SEAs - if the P/P triggers development of another P/P
- Preliminary ToRs (key issues and alternatives to be considered) in future EIAs - if the P/P triggers specific projects that will require EIA
- Guiding notes for decision-making on subsequent actions - if the P/P triggers specific projects that will not require EIA but yet may have significant effects

Environmental management system for implementation II

- Recommendations for future **institutional arrangements for implementation** (e.g. SEA team members part of steering committee)
- **Budgeting arrangements** might be of utmost importance for influencing implementation
- Reflection of environmental issues addressed within the SEA in the **reporting & monitoring systems**

Practical suggestions

Once recommendations (ToR, Guiding Notes etc.) were formulated for all actions, consider what needs to be done for their proper reflection in terms of:

- **Institutional arrangements** (coordination, supervisions)
- **Capacity development** for sound implementation of this system



Preparation of the SEA Report

Relevant requirements of the Protocol (1)

Annex IV (contents of the SEA Report)

1. The contents and the main objectives of the plan or programme and its link with other plans or programmes.
2. The relevant aspects of the current state of the environment, including health, and the likely evolution thereof should the plan or programme not be implemented.
3. The characteristics of the environment, including health, in areas likely to be significantly affected.
4. The environmental, including health, problems which are relevant to the plan or programme.
5. The environmental, including health, objectives established at international, national and other levels which are relevant to the plan or programme, and the ways in which these objectives and other environmental, including health, considerations have been taken into account during its preparation.

Relevant requirements of the Protocol (2)

6. The likely significant environmental, including health, effects.
7. Measures to prevent, reduce or mitigate any significant adverse effects on the environment, including health, which may result from the implementation of the plan or programme.
8. An outline of the reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken including difficulties encountered in providing the information to be included such as technical deficiencies or lack of knowledge.
9. Measures envisaged for monitoring environmental, including health, effects of the implementation of the plan or programme.
10. The likely significant transboundary environmental, including health, effects.
11. A non-technical summary of the information provided.

Communication to decision-makers

- SEA is only as good as its results are reflected by the decision-makers
- For final recommendations use the **language of decision-makers**
- Don't extend too much on technical details
- Don't focus on **problems** but **solutions**
- Emphasize **potentials** of more sustainable solutions

Wrap-up – questions

- Can you use summaries/products from previous stages of the SEA for compiling the SEA report?
- Did you find it difficult to condense the SEA findings to a **non-technical short note** for the decision-makers? What would be the crucial messages for the short note?
- What will – from your experiences – **support proper reflection** of SEA results by decision-makers?
- What are key strategies to **influence the implementation process** of a P/P?



Use effective means of participation

Relevant requirements of the Protocol (1)

Public concerned, including relevant NGOs has:

- to have opportunity to express opinion on draft P/P & environmental report within reasonable time frame
- to be identified – not the public in general

Detailed arrangements for informing public & consulting public concerned has to:

- be determined & made publicly available
- take into account annex V (see the next slide)

Relevant requirements of the Protocol (2)

Annex V ('notification' about public participation arrangements)

- The proposed plan or programme and its nature.
- The authority responsible for its adoption.
- The envisaged procedure, including:
 - The commencement of the procedure;
 - The opportunities for the public to participate;
 - The time and venue of any envisaged public hearing;
 - The authority from which relevant information can be obtained
 - The authority to which comments can be submitted
 - What environmental, including health, information relevant to the proposed plan or programme is available.
- Whether the plan or programme is likely to be subject to a transboundary assessment procedure.

SEA Directive (1)

Public

- one or more natural or legal persons, and
- their associations, organisations or groups (in accordance with national legislation or practice)
- The authorities and the public shall be given an **early and effective opportunity** within **appropriate time frames** to express their opinion on the draft plan or programme and the accompanying environmental report **before the adoption** of the plan or programme or its submission to the legislative procedure.

SEA Directive (2)

- Member States shall
 - designate **the authorities** to be consulted which, by reason of their specific environmental responsibilities, are likely to be concerned by the environmental effects of implementing plans and programmes.
 - identify the public, including the **public affected or likely to be affected by, or having an interest in**, the decision-making subject to this Directive, including relevant **non-governmental organisations**, such as those promoting environmental protection and other organisations concerned.
 - Determine the **detailed arrangements** for the information and consultation of the authorities and the public

Principles of effective participation

- SEA is more than expert evaluation. It is a **participatory process**.
- Public should be involved at least during the **review of SEA report**.
- However, **SEA scoping** and key analyses during SEA may also very much benefit from public inputs.
- Participation in SEA should use techniques that enable **resolution of problems** rather than mere **exposure of conflicting views**.

Benefits of participation

- Supports „better“ decisions in the sense that all possible aspects and views are considered.
- Provides important information for SEA and decision-making (e.g. from groups affected by the P/P or living in the relevant environment)
- May build up public support for implementation of the P/P.

Practical approaches for participation

- Screening (possibly also scoping) should include **stakeholder analysis**.
- Characteristics of stakeholders will define methods of communication.
- Prepare a **communication plan** at the beginning of SEA.
- If necessary include education/information element on principles of participation

Tools for participation

- Printed materials
- Displays and exhibits
- Information hotline
- Questionnaires and Surveys
- Internet-based consultations
- Public meetings/hearings
- Workshops
- Negotiation roundtables
- Advisory Committees

Wrap-up questions

- Which stage does need a participation?
- Which stakeholder should be involved? Why?
- What will be main consideration to ensure a participation effectively?

Transboundary consultations

Requirements of the SEA Protocol (1)

Article 10 – Transboundary Consultations

1. Where a Party of origin considers that the implementation of a P/P is likely to have significant transboundary environmental, including health, effects or where a the likely to be affected Party so requests, the Party of origin shall as early as possible before the adoption of the P/P notify the affected Party.

2. This notification shall contain among other things:
 - a) The draft P/P and the environmental report including information on its possible transboundary environmental, including health, effects; and
 - b) Information regarding the decision-making procedure, including an indication of a reasonable time schedule for the transmission of comments.

Requirements of the SEA Protocol (2)

3. The affected Party shall, within the time specified in the notification, indicate to the Party of origin **whether it wishes to enter into consultations** before the adoption of the P/P ... the Parties concerned shall then enter into consultations concerning the likely transboundary environmental, including health, effects and the measures envisaged to prevent, reduce or mitigate adverse effects.

4. Where such consultations take place, the Parties concerned shall **agree on detailed arrangements** to ensure that the **public concerned and the authorities** in the affected Party are informed and given an **opportunity to forward their opinion** on the draft P/P and the environmental report within a reasonable time frame.

Questions for discussion

- Is the proposed P/P likely to have any significant transboundary effects?

If so,

- When would you suggest to start the transboundary consultations?
- Which documents would you suggest to provide to the affected Party?

Decision-making

Requirements of the SEA Protocol (1)

Article 11 – Decision

Decision-maker must **take into account**

- **conclusions of environmental report**
 - including measures to prevent / reduce / mitigate adverse effects of various P/P alternatives
- **opinions expressed by**
 - relevant environmental & health authorities
 - the public concerned
 - any affected Parties

Requirements of the SEA Protocol (2)

Following P/P adoption, decision-maker must **inform**

- relevant environmental & health authorities
- the public (not just the public concerned)
- any affected Parties

Adopted P/P must be made available, plus a statement:

- Summarizing how environmental considerations (in environmental report) integrated into adopted P/P
- Summarizing how their opinions (of authorities & ‘the public concerned’) have been taken into account
- Summarizing reasons why P/P adopted in light of reasonable alternatives considered

Some practical considerations

- In adopting P/P, decision-maker might take into account, in particular:
 - Compatibility with P/P & environmental objectives
 - Residual environmental effects
- Some elements of SEA process may be integrated within P/P-making process
 - Some SEA analyses may inform entire P/P-making process
 - So draft P/P might explain how SEA influenced P/P-making process (see section on linking the SEA with the elaboration of the P/P)

Link SEA with the elaboration of the P/P

Aim of analytical task

- To ensure that SEA provides inputs **early enough** and in **appropriate form** to be used in the formulation of the P/P
 - To **maximize cooperation** with the planners -> **saving time and resources** for undertaking SEA
- To ensure that SEA is effective and meets its purpose
- Identify realistic potential of SEA in particular case

Reasons for integrating SEA into P/P making

- Practical reasons beyond legal obligations
- Need effective instruments that assist rather than complicate P/P making
- SEA processes regarded as effective & efficient if
 - Enable effective consideration of environmental, **including climate change** issues in P/P development
 - Assist in identification of conflicting views & interests & so increase credibility of decision-making
 - Do not unnecessarily prolong P/P making
 - Are not unreasonably costly

SEA into P/P making - reasons

- It is important to coordinate SEA with P/P making
- Goal is to ensure
 - SEA provides early & effective inputs into P/P making
 - environmental considerations thoroughly taken into account in P/P making
- In reality, SEA practitioners may be confronted with numerous challenges in achieving effective coordination, & ultimately integration, of SEA & P/P making

Illustration: Usual tasks of plan & program making

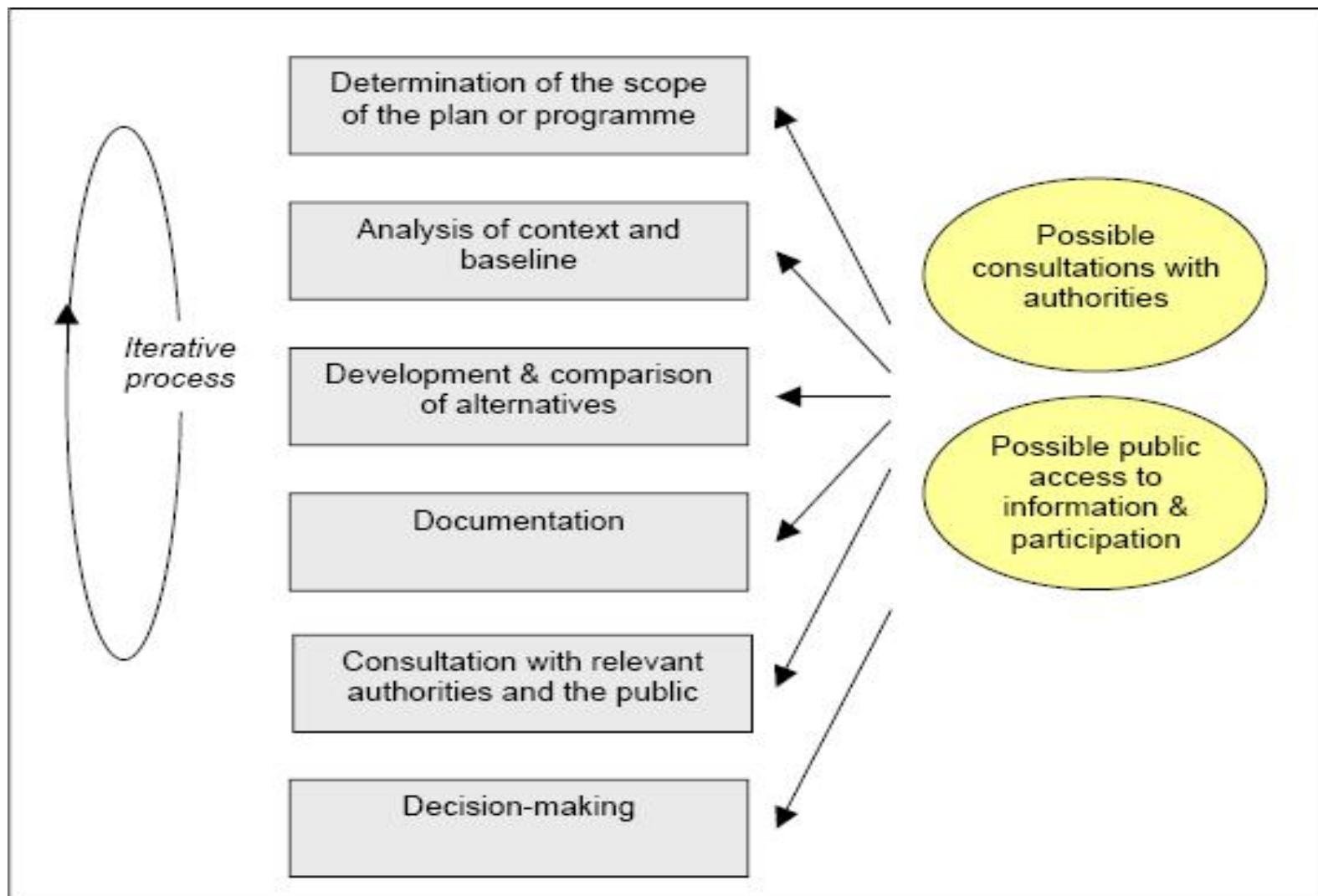
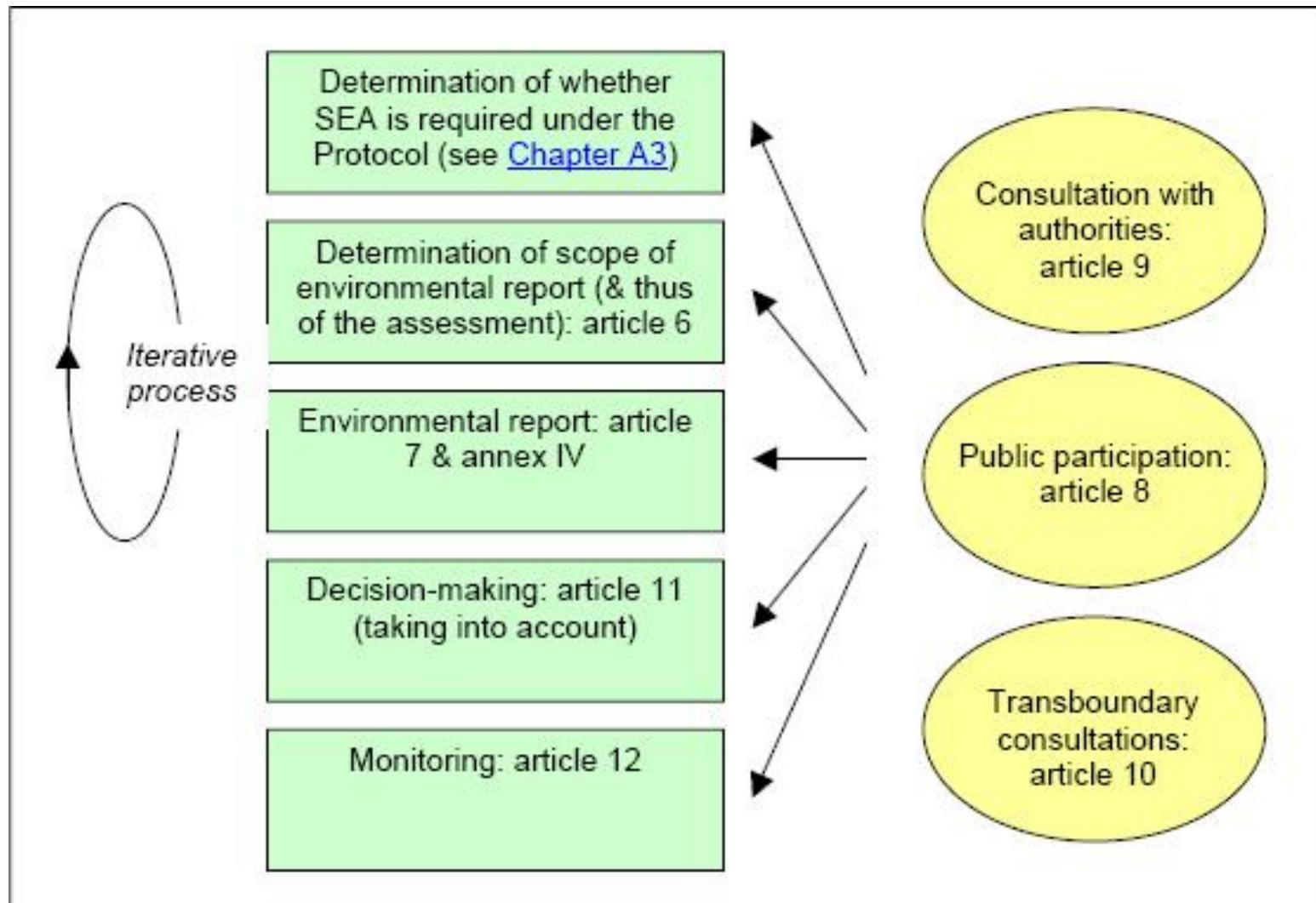
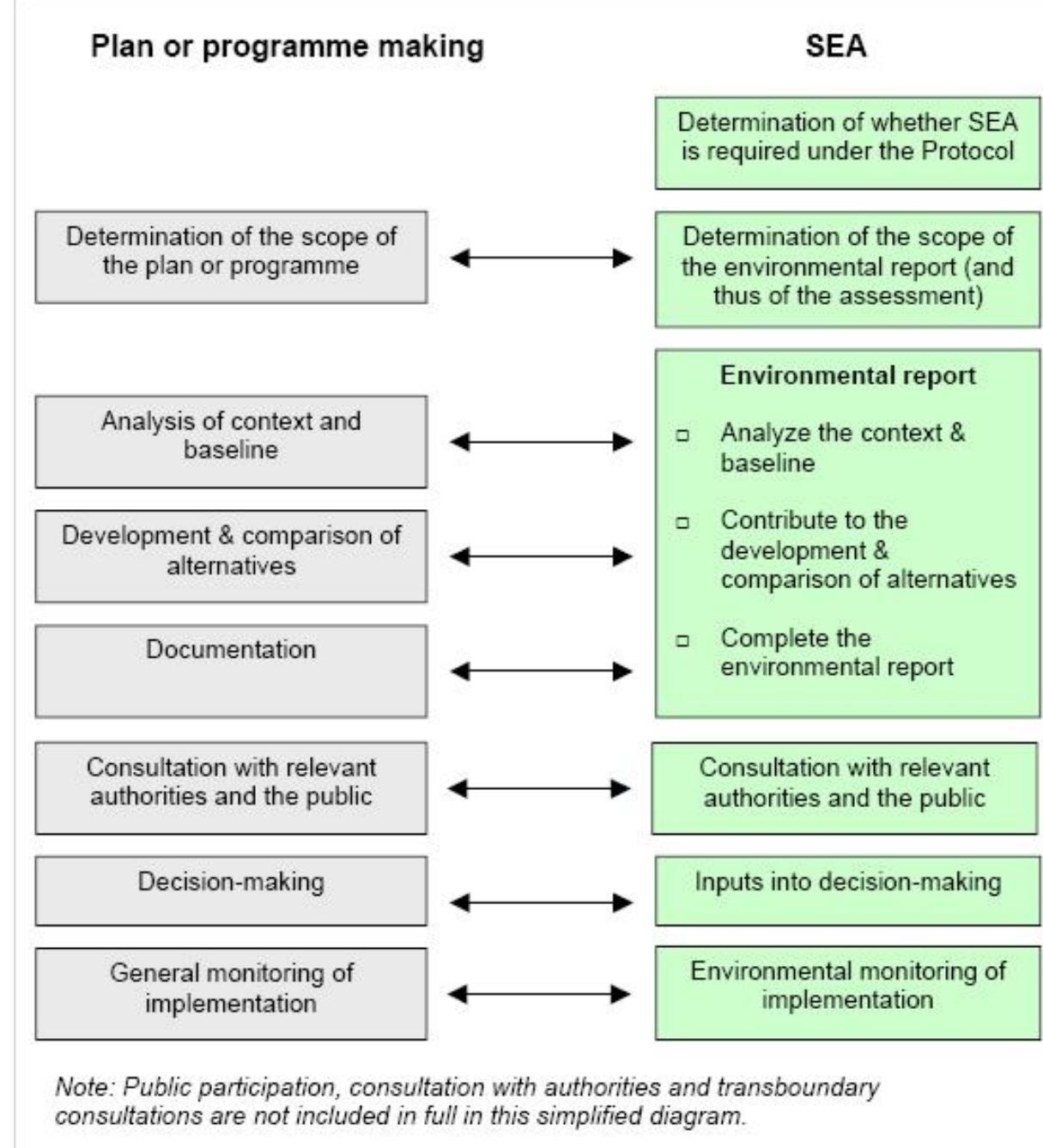


Illustration: Elements in SEA of plans & programs



Logical links between P/P elaboration & SEA Protocol requirements



How to identify links between SEA & P/P making (1)

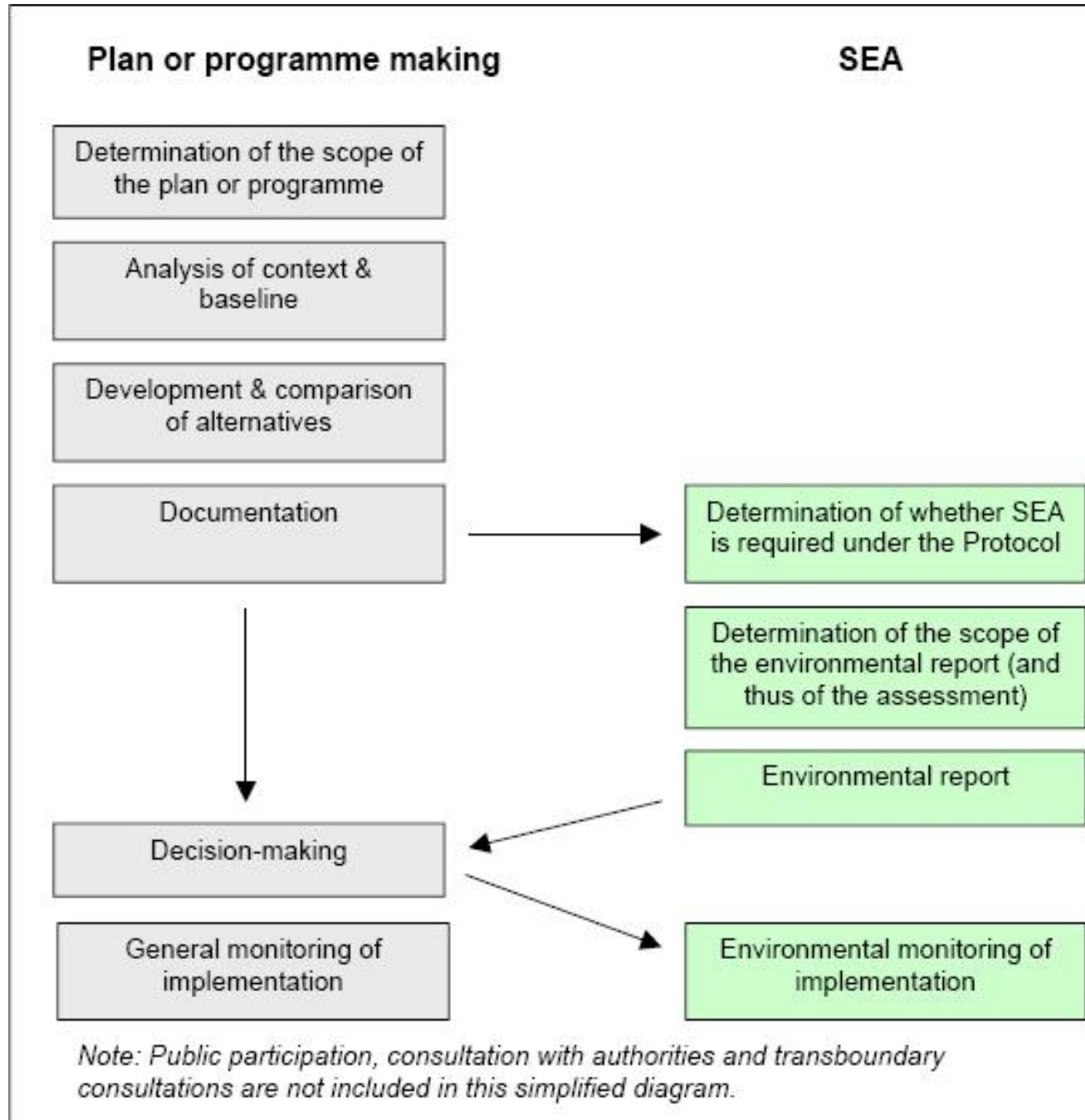
- Each P/P-making process is different
- Optimal points for entry of SEA into P/P-making processes cannot be established without detailed knowledge of specific P/P-making systems

How to identify links between SEA & P/P making (2)

Review the plan/program-making process

- P/P-making logic & sequence of key P/P-making tasks (formal or informal steps)
- Any environmental analyses normally performed within specific P/P-making process
- Consultation with environmental & health authorities within P/P making
- Access to information & any provisions for public participation during P/P making
- This may offer useful insights for design of customized SEA processes that build on existing P/P-making tasks (not replacing or duplicating them)

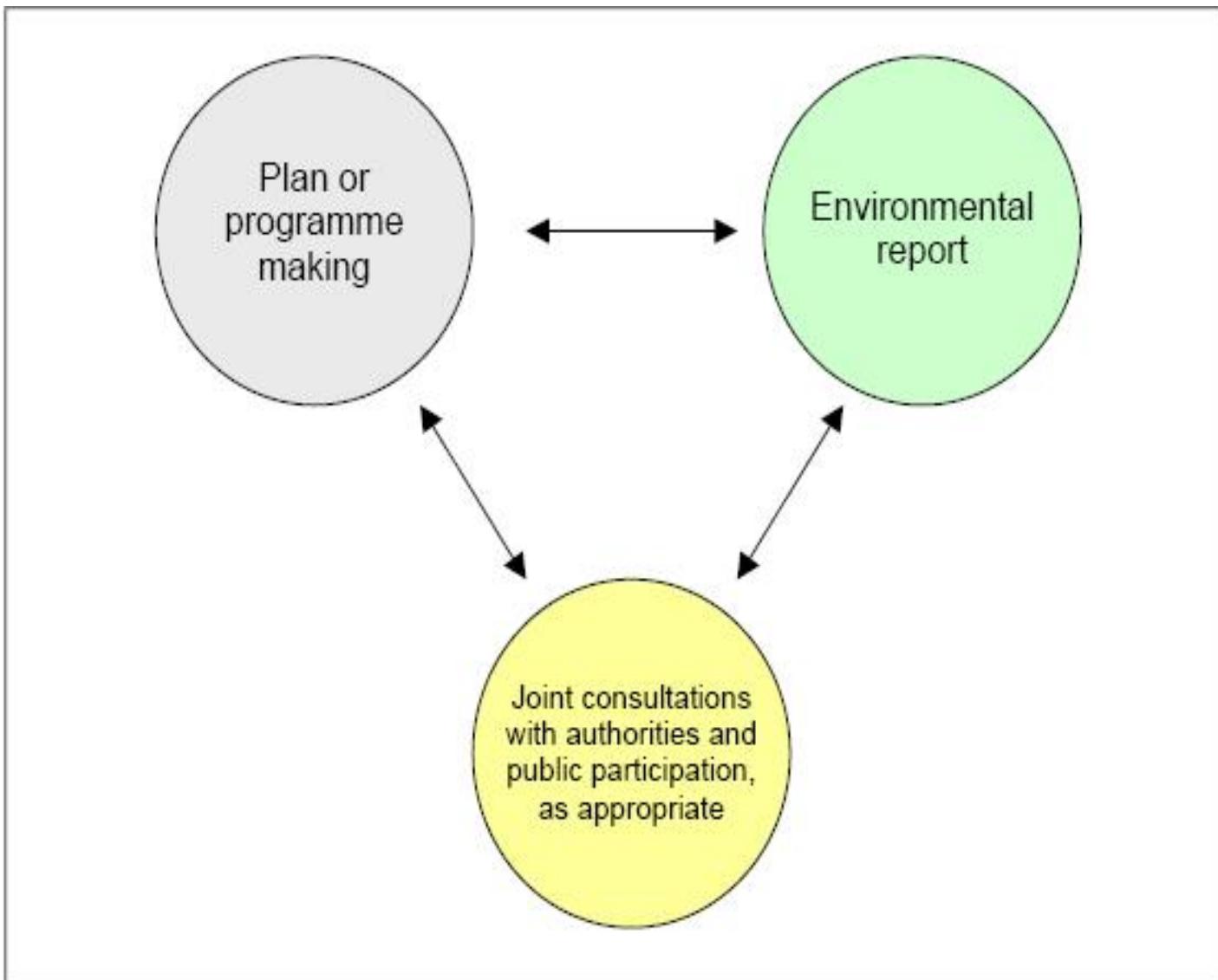
SEA that is ex-post & separated from P/P making



SEA that is ex-post & separated from P/P making

- Weaknesses:
 - Does not influence P/P development
 - May duplicate effort
 - May lead to duplication in commenting process & may confuse participating authorities & the public
 - Delays P/P-making process
 - Risk that SEA not in accordance with Protocol / Directive
- ‘Ex-post’ means ‘Based on or determined by actual results, rather than expectations; calculated retrospectively’ (OED)

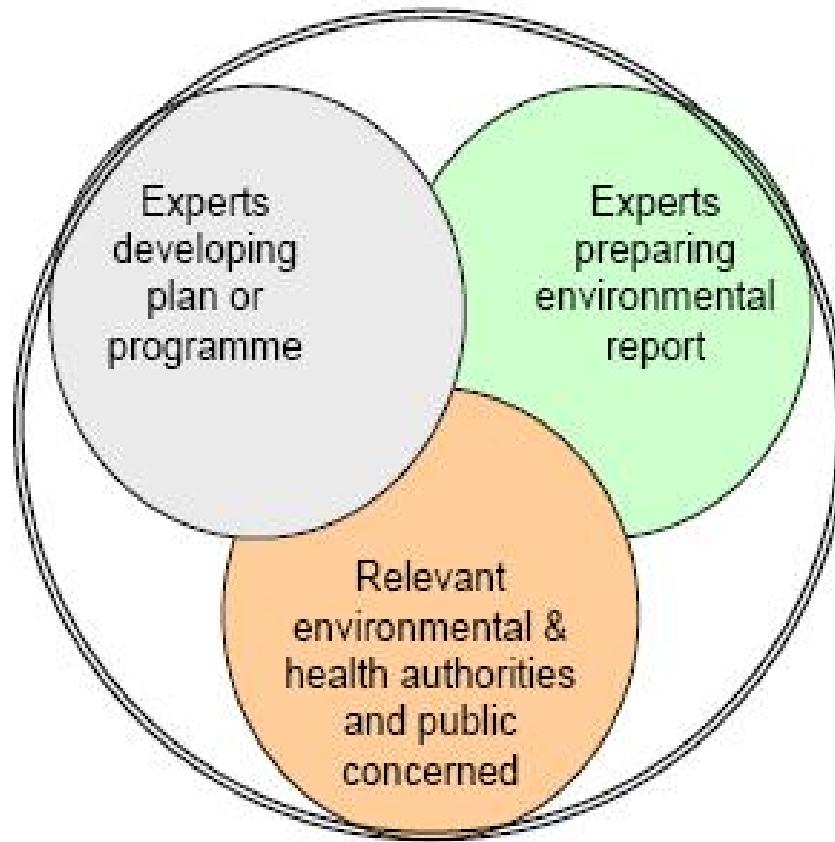
**SEA
partially
integrated
into P/P
making**



SEA partially integrated into P/P making

- Benefits:
 - Reduces delays
 - Saves resources
 - Early consideration of different viewpoints
 - minimize risk of late surprises & conflicts
 - Consultations may include relevant environmental & health authorities & the public (concerned)
 - SEA may be in accordance with Protocol / Directive
- But, demanding of SEA team – has to follow entire P/P-making process (maybe non-linear, not on schedule?)

SEA fully integrated into P/P making



Public access to information and general consultation

SEA fully integrated into P/P making

- Same benefits as partial integration of SEA into P/P making
- Plus creates optimal environment for cooperation
 - helps build trust between stakeholders
- Possible concerns that SEA experts may
 - become fully co-opted in P/P-making process, or
 - be marginalized, or
 - make trade-offs not publicly disclosed
- These concerns may be relevant for less well-governed & transparent P/P-making processes

Wrap-up questions

- How does the case relate to the three types of SEA (separate, parallel, integrated)?
- Which important SEA steps did you identify?
- Have you had sufficient information on the P/P process and its stakeholders?
- What can you do to cope with information insufficiencies?
- What are the key players for P/P? How to influence them?
- Would the story have been different if nobody from Govt. invited you to perform an SEA?

Manage SEA efficiently within budgetary and time constraints

Issues to consider (1)

Macro management (process design)

- How SEA links to elaboration of P/P
- Specific steps, tools and institutional arrangements for the specific SEA
- Specific analyses to be performed during SEA and their linkage to the planning tasks
- Approximate time and resources for each task and the whole SEA (including contingency resources)

Issues to consider (2)

Micro management (internal management)

- How should SEA team communicate with the P/P team
- What expertise is needed for SEA
- Budget breakdown
- How to cope with unforeseen changes in the planning process



Wrap-up questions

- Which restrictions do you expect in your working environment to get a ‚full-fledged SEA‘ accepted?
- Is the situation different if you have a legal requirement for SEA?
- Which responses do you see to combat restrictions against SEA?
- What would be realistic sources of financing SEA in your working environment?

Main Principles

- De-monsterize SEA! Search for the best way to influence decision-making even if it is not a ,full-fledged SEA'
- In this respect cumulative impact assessment of relevant actions, tiering and cumulative monitoring might help
- Don't insist on ,blue-print concepts' if it becomes clear that they will not be influential

Evaluation and follow-up of this SEA training

Questions for discussion

- How did the methodology work?
- How does the training contribute to the understanding of the concept and use of SEA?
- What should be modified or could be improved?

Thank you very much!

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