



# Section A4.4: SEA of plans & programmes – Consultation with authorities

Resource Manual to Support  
Application of the UNECE Protocol on  
Strategic Environmental Assessment

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## A4.4 Consultation with authorities

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- Legal obligations
- Possible practical considerations



Protocol on SEA



- Article 9 – Consultation with Environmental and Health Authorities
  1. Each Party shall **designate the authorities** to be consulted which, by reason of their specific environmental or health responsibilities, are likely to be concerned by the environmental, including health, effects of the implementation of the P/P.
  2. The draft plan or programme and the environmental report shall be **made available** to the authorities referred to in paragraph 1.
  3. Each Party shall ensure that the authorities referred to in paragraph 1 are given, in an **early, timely and effective** manner, the **opportunity to express their opinion** on the draft P/P and the environmental report.
  4. Each Party shall determine the **detailed arrangements** for informing and consulting the environmental and health authorities referred to in paragraph 1.



## A4.4.1 (cont'd) Legal obligations

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- Further provisions in articles 2.6 (in 'definitions'), 5.2 (in 'screening'), 6.2 (in 'scoping'), 10.4 (in 'transboundary consultation'), 11 ('decision') & 12.2 (in 'monitoring')
- In Directive, see Articles 6(1), 6(2), 6(3) & 6(5), plus:
  - preamble; Articles 2(b), 3(6), 5(4), 7(2), 8 & 9(1)

Protocol on SEA



## A4.4.1 (cont'd) Legal obligations

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- Environmental & health authorities have an early, timely & effective opportunity to express their opinion on draft P/P & environmental report
- Determine:
  - Which environmental & health authorities to consult
  - Detailed arrangements for informing & consulting them
- Consultation with environmental & health authorities occurs several times in SEA
  - Determination of significant effects, if required while determining whether SEA required
  - Scoping
  - Environmental report



Protocol on SEA



- Parties determine detailed arrangements for informing & consulting authorities, with legislation providing framework
- ‘Authorities’ includes formal governmental / public authorities, defined by administrative / legal requirements
- Require designation of authorities to be consulted
  - including them in legislation
  - designating case by case
  - designating for each P/P type
  - advance determination mandatory under Directive
- Might draft service agreements / terms of reference to clarify responsibilities
- Most appropriate form of consultation needs to be selected for each P/P, or for each P/P type



- Many methods & techniques for consultation
  - Seeking written comments
  - Steering groups
  - Focus groups
  - Advisory committees
  - Interviews
  - Internet-based discussions
- See *Chapter A5*

