



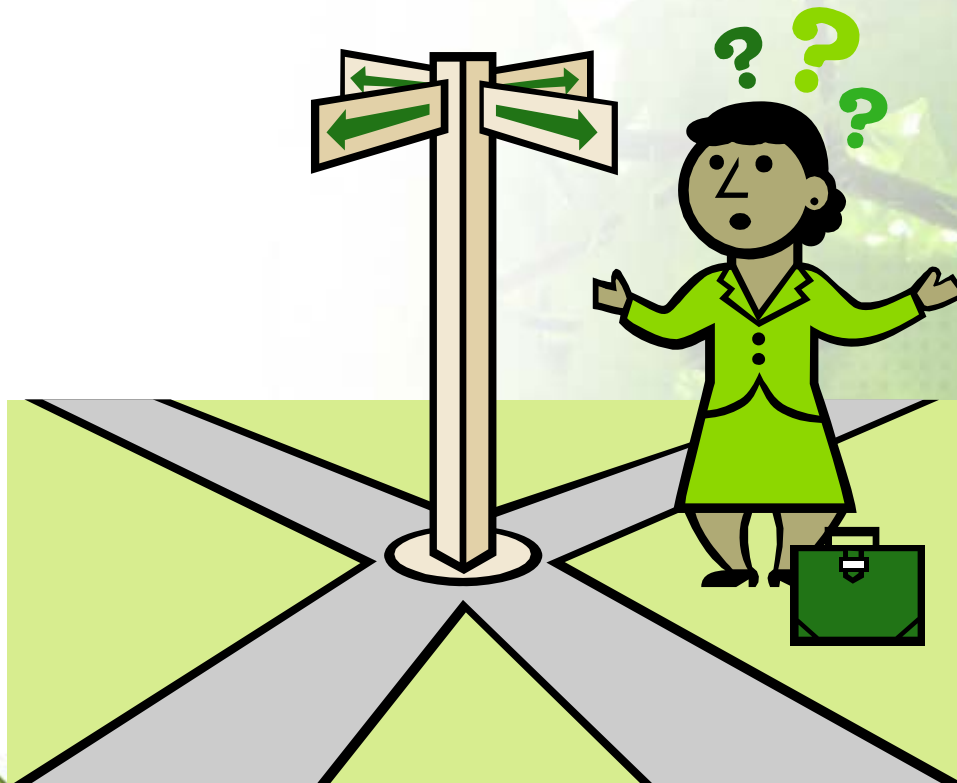
Section A4.6: SEA of plans & programmes – Decision

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

draft 27-Apr-07

Protocol on SEA

- Legal obligations
- Possible practical considerations



- Article 11 – Decision
 1. Each Party shall ensure that when a plan or programme is adopted due account is taken of:
 - a) The conclusions of the environmental report;
 - b) The measures to prevent, reduce or mitigate the adverse effects identified in the environmental report; and
 - c) The comments received in accordance with art. 8-10.
 2. Each Party shall ensure that, when a P/P is adopted, the public, the authorities referred to in art. 9, para. 1, and the Parties consulted according to article 10 are informed, and that the P/P is made available to them together with a statement summarizing how the environmental, including health, considerations have been integrated into it, how the comments received in accordance with articles 8 to 10 have been taken into account and the reasons for adopting it in the light of the reasonable alternatives considered.
- In Directive, see Articles 8 & 9



- 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



- Following P/P adoption, 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
 - For EU Member States, describing monitoring measures decided upon



- 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
- Informing of the public & the information in the statement – compatible with Aarhus Convention
- No provision for confidentiality

