

Kiev Ministerial Conference
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Presentation of the Protocol on Strategic Environmental Assessment
by
Terje Lind (Norway), Chair of the Ad Hoc Working Group on SEA

Mr. Chairman,

The decision to prepare a legally binding instrument in the form of a Protocol on Strategic Environmental Assessment to the ECE Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention) was taken at the Second meeting of the Parties to the Convention in Sofia in February 2001. The objective was to finalize the Protocol so that it could be adopted at an extraordinary Meeting of the Parties to the Convention at the fifth Ministerial Conference in Kiev, May 2003. The signatories to the Aarhus Convention were especially invited to contribute to the preparation of the Protocol, and they have indeed done so.

The Ad Hoc Working Group has its first meeting in Geneva in May 2001. Since then, seven full meeting and one short final in January this year, have taken place.

I would like to thank the governments of Italy, Poland, the Former Yugoslav Republic of Macedonia and Norway for hosting meetings, and also those governments that have organized meetings of small working groups or helped with other activities. Thanks also to the delegations, the non-governmental organizations and others that took part in the negotiations, and to the Secretariat for doing a tremendous job, with limited resources.

The result of our efforts is now on the table. I am pleased to submit to this Extraordinary Meeting of the Parties a Draft Protocol on Strategic Environmental Assessment. Although the negotiations were not always easy, all points of discussion have been sorted out, thanks to the ability of delegations to find compromises, and no outstanding questions remain.

The Protocol consists of a preamble, thirteen operative articles, thirteen final clauses and five annexes.

The objective of the Protocol is to provide for a high level of protection of the environment, including health, by establishing clear, transparent and effective procedures for strategic environmental assessment, and thereby further the work for sustainable development. It addresses both the domestic and the transboundary situations.

The main focus is on the assessment of significant effects of proposed plans and programmes, but the Protocol also deals with policies and legislation. The field of application specifies that assessments must be prepared for agriculture, energy, industry or a number of other sectors, and which set the framework for future development consent for projects within these sectors. Similarly, assessment are also required if certain criteria regarding the effects on environmental and health are met.

The procedural elements of the Protocol are well known from environmental impact assessment methodology, with steps including screening, scoping, environmental report, transboundary consultations, decision and monitoring.

The Protocol puts strong emphasis upon public participation and consultation with affected authorities in all the procedural steps. This should safeguard that principles concerning democratic decision-making and good governance are taken well care of.

The weight put on the assessment of health effects is another major achievement of the Protocol, and one that will require that also health authorities must take an active part in the assessment procedures. In this connection I would like to give credit to the World Health Organization for their strong dedication and valuable input into the negotiation process.

As mentioned, the Protocol also covers assessment of effects of policies and legislation although the obligations here are more flexible than for plans and programmes. This should allow future parties to adopt and transpose the relevant articles in a way that is well suited to the domestic situation. The workshops organized in connections with the meetings demonstrated that quite a number of countries already have such systems in place, and it is to be hoped that others will follow suit.

Mr. Chairman and distinguished delegates,

To conclude: On behalf of the Ad Hoc Working Group it is my privilege to propose to you to adopt the Protocol and the Ministerial Resolution. The Resolution deals with activities to be undertaken pending the entry into force of the Protocol, like preparing for the First Meeting of the Parties.

The Protocol is open not only to Parties to the Espoo Convention, but to all member states of the United Nations.

It is of course my wish that as many states as possible will see the value of the Protocol, and sign it later today. The signing ceremony will be an important milestone - to mark the end of the negotiation process, but also, and more importantly, the beginning of the work for the implementation and practical application of the Protocol, for the benefit of the environment.

Thank you, Mr. Chairman.