Introduction of SEA in Georgia

Draft Program for the period 2005-2009
A framework for future SEA activities

1.   BACKGROUND

1.1   Relevance of SEA for Georgia

Strategic Environmental Assessment (SEA) is an internationally recognized tool for the accounting of environmental aspects and sustainability considerations within proposed plans, programs and policies. SEA may be applied at all decision making levels (national, regional and local), but is widely used to improve spatial planning as well as sector plans and programs. Evidence obtained from the application of SEA so far proves that this instrument assists decision makers to:

- achieve environmentally sound and sustainable development;

- strengthen policy, plan and programme making processes;

- save time and money by avoiding costly mistakes;

- improve good governance and build public trust and confidence in decision making.

1.2   Rationale of this program

After the European Commission had adopted the SEA Directive (EC directive 2001/42/EC) the tool was adopted by 35 countries of the UNECE region through the signing of the SEA Protocol to the Espoo Convention in May 2003 in Kiev. Georgia has signed the SEA protocol and with this program the first step towards introduction of SEA has been set.

1.3   Scope and aim of this program

This program is drafted by the staff of the MoE in close co-operation with the Netherlands Commission for EIA. This program will be approved by the Minister of Environment in January 2005. It provides the framework: (i) for the planning and execution of all SEA activities in the period 2005-2009; (ii) to ensure effective resource allocation for donor supported SEA activities and (iii) to assess how donor funded SEA activities can be executed most effectively. This program does not formulate concrete project activities.

2.   PROGRAM OBJECTIVES

2.1   Overall objective

The long term objective of the program is:

- Implementation of Strategic Environmental Assessment (SEA) for plans and programs in Georgia, in order to contribute to improved decision-making by integrating environmental concerns and sustainable development principles into the elaboration of these plans and programs.

To achieve the overall objective a timeframe of five years seems to be realistic. Therefore, this program is drafted for a period of five years.

2.2   Specific program objectives

The specific program objectives are as follows:

- Capacity strengthening in responsible government agencies: Ministries of Environment, Territorial planning and Tourism;

- Implementation of pilot SEAs;

- Establishing SEA legislation and procedures;

- Foster public participation by strengthening information sharing and capacity building for NGOs;

- Training of consultancy firms and knowledge institutes.

3.   THE APPROACH

3.1   Vision and justification of the approach

Experience has shown that SEA is most effectively introduced through practical implementation of pilot projects, into which stakeholders and relevant decision makers play a key role, so that they get an opportunity to be trained on the job. Therefore the activities are build around pilot SEAs. It is desired by the MoE to start in the first year with one or two pilot SEAs for a plan or program for which the MoE is the owner. In the next years, when MoE has gained experience, pilot SEAs for plans and program owned by other ministries should be executed. SEA legislation ideally should be based on practical experience with pilot SEAs. This will result in legislation that is feasible, realistic and therefore more effective. The Kiev SEA protocol and the EU-SEA directive will be used as starting point for the drafting of legislation.

An inter-ministerial SEA team will be established at the start of the process of introduction SEA. This team is responsible for the co-ordination and steering of the pilot SEAs.

Execution of real case SEAs can be started when the ministry of environment and at least one ministry has gained experience with SEA pilots, according to the planning in the fourth year.

5 Regional activities are planned annually aiming to share experiences on introduction of SEA between professionals. Turkey is ahead of Georgia. Armenia is also planning to start the introduction in 2005. Azerbaijan has not yet signed the SEA protocol and no concrete plans to start introducing SEA. A regional approach to introduce SEA is assessed as not feasible because each country has to adapt SEA in its specific national context.

10 ## 3.2   Main stakeholders

The main stakeholders in the process of introducing SEA are: lead agencies for policies and plans that will become subject to SEA, environmental agency, local consultants, academics and NGOs. Priority for capacity building must be with two institutions, the lead agency and the environmental agency.

15 **"Owners" of policies, plans and programs**

Lead agencies for sector and spatial policies and plans; one of the key principles of SEA good practice is that these assessments should be the direct responsibility of the 'owners' of the policies, plans and programs for which the SEA is carried out. These institutions therefore should have sufficient
20 knowledge, skills and capacity to conduct the SEA process and carry out assessments. One way of building such capacity is to install 'environment units' in the key departments and train the staff of these units.

Environmental agency

The environment agency is responsible for design and implementation of SEA
25 regulation. Capacity should be created within this agency to 1) prepare regulation, 2) act as helpdesk, both in general (manuals and guidance) and as reviewer in specific SEAs and 3) to act as a watch dog, making sure SEAs of sufficient quality are actually carried out in the country.

In addition to, or as alternative to, the environment agency playing a quality
30 assurance role, this responsibility could be given to a 'neutral' entity, such as a commission directly under the President's office. The independence of such a commission will make its quality reviews more credible.

For some plans and program the environmental agency is also the "owner" for example the National waste management plan.

35 In all cases, money will be an important issue. SEA will only be effective if staff involved (SEA team) is paid properly, consultants have enough budget to prepare solid assessments, the costs of stakeholder involvement can be dealt with and the actual impacts of policy and plan implementation can be monitored. Financial arrangements should be a part of any capacity building
40 program.

Other stakeholders

Five additional groups play an important role in ensuring SEAs play a meaningful role: local consultants, NGOs, academics, the press and the court system. Strengthening capacity of the last three groups is outside the scope of this project, but training consultants to prepare SEA and NGOs to speak up during SEAs, is an important part of SEA capacity development by this project.

4. RELATED ACTIVITIES FUNDED BY DIFFERENT PARTIES

This program can build on and directly join with the following four activities which are currently carried out or planned:

- EIA strengthening project aiming to improve the effectiveness of EIA; Period: January 2005 – January 2006. MoE is lead agency supported by the NCEIA, executed by CENN and funded by the Bank Netherlands Partnership Program of the World Bank. The main linkage with the SEA introductory program is the drafting of legislation. One of the expected outputs of this project is new EIA legislation. The MoE stated that one law on Environmental Assessment will be drafted and this law that will be made specific for projects (EIA) and for plans and programs (SEA). In order to draft this law on Environmental Assessment the EIA strengthening project executed by CENN should be linked with the execution of the SEA program.

- SEA Regional program aiming to start the introduction of SEA in Georgia and three other countries in the region (Armenia, Moldova, Ukraine); Period September 2004 – November 2005. On request of the MoE in Georgia this project is executed by UNDP and REC-Szentendre and funded by UNDP/CIDA. At the workshop it was identified the evaluation of Poti port development plan as a pilot SEA. The main linkage with the SEA introductory program is the pilot SEA. The execution of the pilot SEA by a SEA team is the first SEA pilot that will be carried out and fits perfectly in the program.

- SEA capacity building in the Southern Caucasus. This project aims to exchange experience on SEA or SEA kind of activities between the countries of Georgia, Armenia and Azerbaijan: Period December 2004 – April 2005). REC-Caucasus has been executing this project with the MoE and funded by Netherlands Ministry of Environment (VROM). The main linkage of this project with the introductory program is the establishment of a network of SEA experts at the first regional meeting on SEA. This activity fits perfectly in the SEA program.

- Introduction of SEA in the Southern Caucasus – Georgia as a pilot. This project is aiming to execute two pilot SEAs, one for a plan that is owned by the Ministry of Environment and one for a plan owned by another ministry. SEA legislation will be drafted and all stakeholders will be trained. The project is planned to be started in the second quarter of 2005, duration is one year. The project proposal drafted by the MoE in Georgia will be sent to the Netherlands Ministry of Environment for funding.

5. MAIN ACTIVITIES

Table 1 provides an overview of the main activities that can be distinguished in this program. These activities are briefly described in this section.

SEA country needs assessment study

A country needs assessment should be carried out to assess: (i) the experience with planning in the respective agencies; (ii) the agencies that are interested to be involved in the process of introduction of SEA and (iii) to identify a number of policies, plans or programs of interested agencies that subject for a pilot SEA.

Drafting of SEA law or directive and legal procedure(s)

Drafting of SEA law or directive and regulation and institutional embedding and drafting of procedures, manual and guidelines.

The SEA final law should be drafted based upon the practical experiences with the execution of pilot SEAs. This approach provides the advantages that a more realistic law will become available which can really be implemented in practice with the available staff, skills and funds.

Drafting of a country specific manual to be used by the staff of the involved agencies. The generic SEA manual drafted by REC-Szentendre (available in January 2005) can be used as starting point.

Guidance material should be made available in leaflets and on the website.

Carry out pilot SEAs

Selection and execution of three to five pilot SEAs for plans and programs. Execution of pilot SEAs provide a good starting point for the agencies that are involved in SEA. The following two pilot SEAs have been identified already, SEA for Poti port development plan and for the National Waste Management plan.

Awareness raising and training

Set up of an inter-ministerial SEA team. This team will co-ordinate the introduction of SEA during the coming five years. This team should become the trainers for other staff in the agencies and will become the ambassadors for SEA in and outside the government.

Training of consultants is required because they are not used to draft SEA reports. NGOs should be trained to inform them about the role they can and should play in the SEA process.

High level meeting between ministers of involved ministries should be organised at the start of the program implementation to inform and raise awareness.

Coaching of SEA team

Coaching of the SEA team and coaching of the pilot SEA will be done by an organisation with international SEA experience during the entire process. In the first two years coaching will be intensive and frequent in the later years coaching will become less frequent and intense.

Table 1: SEA introductory program for Georgia, period 2005 – 2009

Main activities	1e year	2e year	3e year	4e year	5e year
Execute SEA country needs assessment	xx				
Design institutional embedding, legislation, regulation, procedures and manuals (draft and final)		xxxxxxxxxx	xxxxxxxxxxx	xxxxx	
Carry out pilot SEAs	xxxxx	xxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxx	
Carry out regular SEAs				xxxxxxxxxx	xxxxxxxxxxx
Awareness raising & training - high level meetings - SEA teams responsible for pilots - staff of lead agencies - staff of environment agencies - local consultants - universities curricula development - civil society	 x x x x x x x x x x x	 x x x x x x x x x x x	 x x x x x x x x x x x	 x x x x x x x x x x	
Coaching of SEA teams, by international SEA experts	x x x x x x	x x x x x x	x x x x x x	x x x x x x	
Data management		xxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx
Regional activities - workshops - pilot SEA for transboundary plan	 x	 x xxxxxxxx	 x xxxxxx	 x	
Evaluation		x		x	

Data management

In general SEA makes use of other data than EIA. The pilot SEA will provide information on the type of data that is necessary, the availability of this data for the different agencies. Geographic Information Systems (GIS) are information to assess spatial information has shown to be of extremely high value. Therefore this program will in particular focus on the opportunities to make use of existing GIS in the country and the need to improve the accessibility by the relevant agencies.

Planned regional activities

In order to learn and share from practical experiences of the neighbouring countries (Armenia, Azerbaijan and Turkey) regional workshops will be organised annually. Also aiming to establish a network of SEA practioners in the region.

Evaluation

Program evaluation is planned at the end of the second year (mid-term evaluation) and an evaluation at the end of the fourth year.

6. EXPECTED OUTCOME OF THE PROGRAM

- Needs Assessment study;

- Program for the introduction of SEA for the period 2005-2009, agreed by MoE and (inter-ministerial committee) other relevant ministers;

- Trained staff in relevant agencies;

- Practical experience with pilot SEAs among stakeholders;

- Informed national NGOs;

- Positive examples of SEAs and its results in the field of waste management and spatial planning.

7. PROGRAM MANAGEMENT

The Government of Georgia will lead and co-ordinate the process and is primarily responsible for the execution of the activities. The Ministry of Environment is (most likely but not necessary) the owner of the SEA introductory program. Other relevant ministries will be committed to this program.

The ministries can be supported by different parties to carry out the program, such as: national and international consultants and NGOs. The MoE has requested the Netherlands Commission for EIA to provide support in the implementation of this program.

8. BUDGET

The program is not elaborated into concrete activities and therefore it is not possible to provide a precise overall budget. To give a broad overview of costs based on practical experience. Experiences have learned that the budget required to execute program ranges between approximately Euro 400-700,000. The differences are determined by the number of pilot SEAs executed and the input of international experts.