

## **Questionnaire for the report of Germany on the implementation of the Protocol on Strategic Environmental Assessment in the period 2013–2015**

### **Information on the focal point for the Protocol**

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## Part one

### Current legal and administrative framework for the implementation of the Protocol

In this part, please describe the legal, administrative and other measures taken in your country to implement the provisions of the Protocol. This part should describe the framework for your country's implementation, and not experience in the application of the Protocol.

#### Article 3

##### General provisions

I.1. Please provide the main legislative, regulatory and other measures you have adopted in your country to implement the Protocol (art. 3, para. 1) (more than one option may apply):

(a) Law on SEA (please indicate number/year/name):

- *Law on the Introduction of a Strategic Environmental Assessment and on the Implementation of Directive 2001/42/EC, published on 25 June 2005 (Federal Law Gazette I p. 1746);*
- *Ratification Act for the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context, published on 3 June 2006 (Federal Law Gazette II p. 497)*  
*(Both provisions are implemented in the German Federal EIA Act as published in the announcement of 24 February 2010 (Federal Law Gazette I p. 94))*

(b) SEA provisions are transposed into another law(s) (please specify):

*Law on the Adaptation of the Building Code to EU Directives, published on 24 June 2004 (Federal Law Gazette I p. 1359)*

(c) Regulation (please indicate number/year/name):

(d) Administrative rule (please indicate number/year/name):

(e) Other (please specify):

Your comments:

*SEA provisions of the Protocol have been implemented by several laws and regulations. The laws mentioned above are the most important ones.*

#### Article 4

##### Field of application concerning plans and programmes

I.2. List the types of plans and programmes that require SEA in your legislation:

No.	Plan or programme
1.	Compulsory strategic environmental assessment pursuant to article 14b paragraph 1 Number 1 of the

	<b>Federal German EIA Act [Gesetz über die Umweltverträglichkeitsprüfung]</b>
1.1	Traffic infrastructure plans at Federal level, including requirement plans under a Federal Government traffic infrastructure expansion act
1.2	Expansion plans pursuant to article 12 paragraph (1) of the Air Traffic Act [Luftverkehrsgesetz], if the formulation or amendment of such plans significantly exceeds the scope of decisions pursuant to article 8 paragraphs (1) and (2) of the Air Traffic Act
1.3	Risk management plans pursuant to article 75 of the Federal Water Act [Wasserhaushaltsgesetz] and updating of such plans pursuant to article 75 paragraph 6 of the Federal Water Act
1.4	Programmes of measures pursuant to article 82 of the Federal Water Act
1.5	Regional planning pursuant to article 8 of the Regional Planning Act [Raumordnungsgesetz]
1.6	Regional planning by the Federal Government pursuant to article 17 paragraphs 2 and 3 of the Regional Planning Act
1.8	Urban development planning pursuant to articles 6 and 10 of the Federal Building Code [Baugesetzbuch]
1.9	Programmes of measures pursuant to article 45h of the Federal Water Act
1.10	Federal requirement plans pursuant to article 12e of the Federal Energy Act [Energiewirtschaftsgesetz]
1.11	Federal specialist planning pursuant to article 4 and article 5 of the Grid Expansion Acceleration Act [Netzausbaubeschleunigungsgesetz Übertragungsnetz]
1.12	National Action Programmes pursuant to article 5 paragraph 1 of Council Directive 91/676/EEC of 12 December 1991 concerning the protection of waters against pollution caused by nitrates from agricultural sources, as amended by Regulation Nr. 1137/2008
1.13	National Programm of radioactive waste management (Nationales Entsorgungsprogramm)
1.14	Federal specialist planning pursuant to article 17a of the Federal Energy Act
1.15	Determination of locations for surface exploration (Festlegung der Standortregionen und Standorte für die übertägige Erkundung nach Standortauswahlgesetz)
1.16	Determination of locations for subsurface investigations (Festlegung der Standortregionen und Standorte für die untertägige Erkundung nach Standortauswahlgesetz)
<b>2.</b>	<b>Strategic environmental assessment when setting a framework pursuant to article 14b paragraph 1 Number 2 of the Federal German EIA Act</b>
2.1	Noise action plans pursuant to article 47d of the Federal Immission Control Act [Bundes-Immissionsschutzgesetz]
2.2	Clean air plans pursuant to article 47 paragraph (1) of the Federal Immission Control Act
2.3	Waste management concepts pursuant to article 21 of the Closed Substance Cycle Act [Kreislaufwirtschaftsgesetz]
2.4	Updating of waste management concepts pursuant to article 16 paragraph 3 sentence 4, alternative 2 of the Closed Substance Cycle Act
2.5	Waste management plans pursuant to article 30 of the Closed Substance Cycle Act, including special chapters or separate sub-plans regarding the disposal of hazardous wastes, end-of-life batteries and accumulators, or packaging and packaging waste
2.6	Waste prevention programmes pursuant to article 33 of the Closed Substance Cycle Act
2.7	Operational programmes by EU-Funds

*This list contains only the plans and programmes that require SEA according to German federal law. It does not include plans and programmes requiring SEA according to Länder law. Being a Feral State Germany consists of 16*

States (Länder) all of which have their own SEA legislation. It is not possible to give an overall view of all the plans and programmes for which an SEA has to be carried out in Germany.

I.3. Explain how you define whether a plan or programme “set the framework for future development consent” (art. 4, para. 2):

*See article 14b paragraph 3 of the Federal German EIA Act: “Plans and programmes shall be considered to provide the framework for decisions regarding the approval of projects if they contain assertions of relevance to subsequent approval decisions, particularly regarding the necessity, size, location, nature or operating conditions of projects or the utilisation of resources.”*

I.4. Explain how the terms “plans and programmes ... which determine the use of small areas at local level” (art. 4, para. 4) are interpreted in your legislation:

*There is no definition on “plans and programmes . . . which determine the use of small areas at local level”. However, for plans or programmes likely to fall under this provision a screening has to be carried out. If according to the results of this screening the plan or programme is likely to have significant environmental effects a SEA will be required (see Article 14d of the Federal German EIA Act).*

I.5. Explain how you identify in your legislation a “minor modification” to a plan or programme (art. 4, para. 4):

*see answer to question I.4.*

## **Article 5 Screening**

I.6. How do you determine which other plans and programmes should be subject to a SEA as set out in article 4, paragraphs 3 and 4, in accordance with article 5, paragraph 1? Please specify:

- (a) **On a case-by-case basis X**
- (b) By specifying types of plans and programmes
- (c) By using a combination of (a) and (b)
- (d) Other (please specify):

Your comments:

*see article 14b paragraph 2 and article 14d of the Federal German EIA Act*

I.7. Do you provide opportunities for the public concerned to participate in screening and/or scoping of plans and programmes in your legislation (art. 5, para. 3, and art. 6, para. 3)?:

No

Yes  (please specify (more than one option may apply)):

- (a) By sending written comments to the competent authority
- (b) By sending written comments to the local municipality

- (c) By providing answers to a questionnaire
- (d) By taking part in a public hearing
- (e) By sending written comments to the consultants/SEA experts or persons preparing the plans and programmes

(f) **Other** (please specify): *According to the Federal German EIA Act there are no opportunities for public participation in **screening**. As regards **scoping**, according to article 14f paragraph 4 of Federal German EIA Act third parties including members of the public, NGOs and municipalities concerned may be consulted. In certain electricity grid planning procedures a public scoping conference will be carried out.*

Your comments:

## **Article 6 Scoping**

I.8. How do you determine what is the relevant information to be included in the environmental report, in accordance with article 7, paragraph 2 (art. 6, para. 1)?:

*Annex IV of the Protocol has been transposed into German law, see article 14g, paragraph 2 of the Federal German EIA Act.*

## **Article 7 Environmental report**

I.9. How do you determine “reasonable alternatives” in the context of the environmental report (art. 7, para. 2)? Please specify:

- (a) **On a case-by-case basis X**
- (b) As defined in the national legislation (please specify):
- (c) By using a combination of (a) and (b)
- (d) Other (please specify):

Your comments:

I.10. How do you ensure sufficient quality of the reports? Please specify:

- (a) **The competent authority checks the information provided and ensures it includes all information required under annex IV as a minimum before making it available for comments X**
- (b) By using quality checklists
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

## Article 8 Public participation

I.11. How do you ensure the “timely public availability” of draft plans and programmes and the environmental report (art. 8, para. 2)? Please specify (more than one option may apply):

- (a) **Through public notices X**
- (b) **Through electronic media X**
- (c) Through other means (please specify):

Your comments: *According to article 14i, paragraph 1 and article 9, paragraph 1a of the Federal German EIA Act, the public will be informed that a SEA will be carried out for a certain plan or programme and that the public will be given the opportunity to participate. It will also be informed when and where the draft plan or programme, the environmental report and other documents will be made publicly available. This information will be given through public notices as well as through electronic media.*

*According to article 14i, paragraph 2 of the Federal German EIA Act, the draft plan or programme, the environmental report and other documents which the competent authority feels it expedient to include shall be displayed for public inspection at an early stage for an adequate period of at least one month. With due regard to the nature and content of the plan or programme, the display locations shall be determined by the competent authority in such a way as to ensure the effective participation of affected members of the general public. Furthermore, the documents shall also be displayed on the internet.*

I.12. How do you identify the public concerned (art. 8, para. 3)? Please specify (more than one option may apply):

- (a) **Based on the geographical location of the plans and programmes X**
- (b) **Based on the environmental effects (significance, extent, accumulation, etc.) of the plans and programmes X**
- (c) By making the information available to all members of the public and letting them identify themselves as the public concerned

By other means (please specify): *According to article 2, paragraph 6 of the Federal German EIA Act the “affected public” shall refer to any individual whose interests are affected by the plan or a programme in question; this shall also include associations whose activities as described in their statutes are affected by the plan or a programme, including associations which promote environmental protection.*

Your comments:

I.13. How can the public concerned express its opinion on the draft plans and programmes and the environmental report (art. 8, para. 4)? Please specify (more than one option may apply):

- (a) **By sending comments to the relevant authority/focal point X**
- (b) By providing answers to a questionnaire
- (c) Orally
- (d) **By taking part in a public hearing X**

(e) Other (please specify):

Your comments:

*Public hearings will be carried out where foreseen in Federal law. This is the case for example in certain electricity grid planning procedures.*

I.14. Do you have a definition in your legislation of the term “within a reasonable time frame” (art. 8, para. 4)? Please specify:

(a) No, the time frame is determined by the number of days fixed for each commenting period

(b) **No, it is defined case by case X**

(c) Yes (please provide the definition):

(d) Other (please specify):

Your comments: *According to article 14i, paragraph 2 and 3 of the Federal German EIA Act the draft plan or programme, the environmental report and other documents shall be displayed for public inspection for an adequate period of at least one month. The competent authority shall set an adequate deadline of at least one month in order to allow members of the public to voice their opinions.*

## Article 9

### Consultation with environmental and health authorities

I.15. How are the environmental and health authorities identified (art. 9, para. 1):

(a) **On a case-by-case basis: X**

(b) **As defined in the national legislation: X**

(c) Other (please specify)

Your comments:

*In the German EIA act is stated, that the competent authority shall forward a copy of the draft plan or programme and the environmental report to those authorities whose environmental and health-related duties are affected by the plan or programme, and shall obtain the opinions of these authorities. The competent authority shall set an adequate deadline of at least one month in order to obtain these opinions (art.14h).*

I.16. How are the arrangements for informing and consulting the environmental and health authorities determined (art. 9, para. 4):

(a) On a case-by-case basis:

(b) **As defined in the national legislation: X**

(c) Other (please specify)

Your comments:

I.17. How can the environmental and health authorities express their opinion (art. 5, para. 2, art. 6, para. 2, and art. 9, para. 3):

(a) **By sending comments X**

(b) By providing answers to a questionnaire

- (c) **In a meeting X**
- (d) By other means (please specify)

Your comments:

*Environmental and health authorities usually express their opinion in written statements, sending them to the competent authority. Expressing their opinion in a meeting is not that common, but possible.*

## **Article 10**

### **Transboundary consultations**

I.18. As a Party of origin, when do you notify the affected Party (art. 10, para. 1)? Please specify:

- (a) **During scoping X**
- (b) **When the draft plan or programme and the environmental report have been prepared X**
- (c) At other times (please specify):

Your comments: *According to article 14f, paragraph 4 of the Federal German EIA Act authorities of the affected Party may be invited to participate in the scoping. In this case notification will take place before the scoping will be carried out. In other cases the affected Party will be notified when the draft plan or programme and the environmental report have been prepared.*

I.19. As a Party of origin, what information do you include in the notification (art. 10, para. 2)? Please specify:

- (a) The information required by article 10, paragraph 2 X
- (b) **The information required by article 10, paragraph 2, plus additional information (please specify):** *In cases in which the affected Party will be invited to participate in the scoping notification will include information on the plan or programme (as far as already available), on the planning and decision making procedure and on the scoping procedure. The draft plan or programme and the environmental report will later be forwarded to the affected Party as soon as these documents have been prepared.*

Your comments:

I.20. As a Party of origin, does your legislation indicate a reasonable time frame for the transmission of comments from the affected Party (art. 10, para. 2)? Please specify:

- (a) **No X**
- (b) Yes (please indicate how long):

Your comments: *According to article 14j, paragraph 1 of the Federal German EIA Act the time frame must be "appropriate". It will be specified on a case by case basis.*

I.21. If the affected Party has indicated that it wishes to enter into consultations, how are the detailed arrangements, including the time frame for consultations, agreed (art. 10, paras. 3 and 4)? Please specify:

- (a) **Following those of the Party of origin X**
- (b) Following those of the affected Party
- (c) Other (please specify):

Your comments: *Basically the arrangements will follow those of the Party of origin. However, where appropriate the Parties may agree on modifications.*

## **Article 11 Decision**

I.22. When a plan or programme is adopted, explain how your country ensures, in accordance with article 11, paragraph 1, that due account is taken of:

- (a) **The conclusions of the environmental report X**
- (b) **Mitigation measures X**
- (c) **Comments received in accordance with articles 8 to10 X**

Your comments: *According to article 14k, paragraph 1 of the Federal German EIA Act, once participation of the authorities and the public is complete, the competent authority shall review the accounts and assessments of the environmental report, with due regard to the opinions and statements submitted to it. According to article 14k paragraph 2 of the Federal German EIA Act, the outcome of the review pursuant to paragraph 1 shall be considered in the procedure for preparation or modification of the plan or programme.*

I.23. How and when do you inform your own public and authorities (art. 11, para. 2)?:

*According to article 14l, paragraph 1 of the Federal German EIA Act, the acceptance of a plan or programme shall be publicly announced. The rejection of a plan or programme may be publicly announced. This will be done by public notices and through the internet. According to article 14l, paragraph 2 of the Federal German EIA Act, upon acceptance of the plan or programme, the information referred to in article 11, paragraph 2 of the Protocol shall be laid out for inspection of the public.*

I.24. How do you inform the public and authorities of the affected Party (art. 11, para. 2)?  
Please specify:

- (a) **By informing the point of contact X**
- (b) **By informing the contact person of the ministry responsible for SEA, who then follows the national procedure and informs his/her own authorities and public X**
- (c) By informing all the authorities involved in the assessment and letting them inform their own public
- (d) Other (please specify):

Your comments: *Both a) and b) are common ways of informing the public and authorities of the affected Party. The procedure to be followed should be discussed and agreed between the Party of origin and the affected Party.*

## Article 12 Monitoring

I.25. Describe the legal requirements for monitoring the significant environmental, including health, effects of the implementation of the plans and programmes adopted under article 11 (art. 12, paras. 1 and 2):

*According to article 14m of the Federal German EIA Act the significant environmental impacts resulting from implementation of the plan or programme shall be monitored to ensure in particular that any unforeseen adverse impacts can be identified at an early stage and suitable remedial action taken. The required monitoring measures shall be specified upon acceptance of the plan or programme on the basis of the information provided in the environmental report. Existing monitoring mechanisms, data and information sources may be utilised.*

*Usually, monitoring shall be the responsibility of the authority responsible for the SEA. Upon request, other authorities shall provide the competent authority with all environmental information required in order to discharge its monitoring duties.*

*The outcome of monitoring shall be made available to the general public in accordance with the provisions on access to environmental information and to the authorities which have participated in the foregoing SEA procedure. It shall be taken into account in the event of redrafting or amendment of the plan or programme.*

## Part two Practical application during the period 2013–2015

In this part, please report on your country's practical experiences in applying the Protocol (and not your country's procedures, which were described in part one). The focus of this section should be on identifying good practices as well as difficulties encountered in applying the Protocol in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Protocol in your country and innovative approaches to improve its application.

II.1. Does your country object to the information on SEA procedures provided in this section being compiled and made available on the website of the Protocol? Please specify (indicate "yes" if you object):

- (a) Yes   
(b) **No X**

Your comments:

### 1. Consideration of health effects

II.2. Does your SEA documentation always include specific information on health effects? Please specify:

- (a) Yes   
(b) **No, only when potential health effects are identified X**

## 2. Domestic and transboundary implementation in the period 2013–2015

II.3. Does your SEA documentation always include specific information on potential transboundary environmental, including health, effects? Please specify:

(a) Yes

(b) **No, only when potential transboundary effects are identified X**

*According to the provisions of the Federal German EIA Act the SEA documentation must not necessarily contain a specific (sub)chapter on information on potential transboundary effects. However in cases where the plan or programme in question is likely to have these effects, the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety recommends the SEA documentation to include a specific chapter or subchapter on this issue.*

## 3. Cases during the period 2013–2015

II.4. Please provide the (approximate) number of transboundary SEA procedures initiated during the period 2013–2015 and list them, grouped by the sectors listed in article 4, paragraph 2:

*The German Federal Government has only limited knowledge about the number and details of SEAs, including transboundary SEAs, carried out during the reporting period. Germany is a Federal state consisting of 16 States (Länder). In most cases authorities of the Länder serve as competent authorities for plans and programmes, requiring a domestic or transboundary SEA. As far as the Federal Government is informed, the main sectors in which SEAs have been carried out have been regional development plans, land use plans as well as country and urban development plans.*

*Due to the number of competent authorities and to Germany's federal structure it is not possible to give a detailed list of SEA procedures carried out in Germany during the reporting period and to subdivide them by the sectors referred to in article 4, paragraph 2. It has to be noted that in Germany there is no central office to which each SEA procedure has to be notified or by which these procedures have to be registered.*

## 4. Experience with the strategic impact assessment procedure in 2013–2015

II.5. Has your country experienced substantial difficulties in interpreting particular terms (or particular articles) in the Protocol?:

(a) No

(b) Yes  (please indicate which ones):

*Basically, as far as the Federal level is informed, there have been no substantial problems or difficulties interpreting particular terms or articles of the Protocol.*

*According to the German experience the best way to clear open questions of the Protocol and to find common solutions for the practical implementation of transboundary procedures is to work with bilateral agreements:*

- *Germany and the Netherlands have agreed on a Common Declaration on transboundary EIA and SEA („Gemeinsamen Erklärung über die Zusammenarbeit bei der Durchführung grenzüberschreitender Umweltverträglichkeitsprüfungen sowie grenzüberschreitender Strategischer Umweltprüfungen im deutsch-niederländischen Grenzgebiet zwischen dem Ministerium für Infrastruktur und Umwelt der*

*Niederlande und dem Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit der Bundesrepublik Deutschland”,*

- *Germany and Poland have extended the scope of their bilateral agreement on EIA ("Agreement between Germany and Poland on transboundary EIA of 11 April 2006") in order to include transboundary SEA. Negotiations are finished. Both Parties intend the amended agreement to enter into force in 2016.*
- *An update of the "Guidelines of the German-French-Swiss Governmental Commission for the Upper Rhine River on transboundary participation of authorities and the public on Activities with Environmental Relevance along the Upper Rhine River" has been finalized 2010, including inter alia guidelines on transboundary SEA.*

II.6. How does your country overcome the(se) problem(s), if any, for example by working with other Parties to find solutions? Please provide examples: *see answer to question II.5.*

II.7. With regard your country's experience with domestic procedures, in response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

(a) Has your country carried out monitoring according to article 12 and, if so, for what kinds of plans or programmes (cite good practice cases or good practice elements (e.g., consultation or public participation), if available)?:

*According to article 14m of the German Federal EIA Act monitoring measures have to be foreseen for all kinds of plans or programmes where significant environmental impacts cannot be excluded. Examples showing how the monitoring provision will be practically implemented in Germany are the Maritime Spatial Plans for the German Exclusive Economic Zones in the North Sea and in the Baltic Sea which entered into force in September and December 2009. Both plans are published in English language on the following website: [http://www.bsh.de/en/Marine\\_uses/Spatial\\_Planning\\_in\\_the\\_German\\_EEZ/](http://www.bsh.de/en/Marine_uses/Spatial_Planning_in_the_German_EEZ/). A description of the monitoring measures can be found in Chapter 5.2 of the text section of both plans.*

(b) Would your country like to present a case to be published on the website of the Convention and its Protocol as a "case study fact sheet"?:

(i) **No X**

(ii) Yes  (please indicate which ones):

II.8. With regard your country's experience with transboundary procedures, in response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

(a) What difficulties has your country experienced in relation to translation and interpretation, and what solutions has your country applied?:

*Translation has proven to be one of the most difficult topics in transboundary EIA and SEA in practice. It is a permanent source of trouble and discussions. Sometimes authorities of the Party of origin have refused to submit translated documents. In other cases the translation submitted has been inadequate for various reasons and not suitable to be used for public participation or consultation of environmental and health authorities. In these cases a proper translation has to be provided by the affected Party which is costly and time-consuming.*

*Germany strongly recommends that the question of translation should be clearly regulated in bilateral agreements. Where bilateral provisions on translation exist, things have proven to be much easier (see the answer to question II.5.).*

(b) What does your country usually translate as a Party of origin?:

*As Party of origin Germany with regard to translation usually follows the principles laid down in the bilateral agreements on transboundary EIA and SEA mentioned in the answer to question II.5.. According to these agreements the following documents should be translated by the Party of origin into the language of the affected Party:*

- *the notification according to article 10, para. 1 and 2 of the Protocol,*
- *the summary of the environmental report as well as those parts of the draft plan or draft programme and the environmental report, which are necessary for the affected Party to assess the likely transboundary environmental impacts and to express comments and opinions,*
- *with regard to maps that are part of a plan or programme design, at least the legend,*
- *the planning decision and those parts of the summarizing statement according to article 11, para. 2 of the Protocol which are necessary for the affected Party to understand how transboundary environmental effects and the comments and opinions of the affected Party have been taken into consideration,*
- *other documents prepared by the Party of origin with importance for the procedure, including invitations to consultation meetings and protocols of these meetings,*
- *the results of a monitoring carried out according to article 12 of the Protocol.*

(c) Has your country carried out transboundary public participation according to article 10, paragraph 4?:

(i) No

(ii) Yes **X** (please indicate how):

*In general SEA applies for a wide range of different plans and programmes carried out at different levels (national, regional, local) under the responsibility of a large number of different authorities. The following examples contain just a few cases, in which the German Federal Ministries are involved directly. There are much more cases in the responsibility of the Länder. Therefore it is not possible to give an overall view of all the cases where Germany carried out transboundary public participation.*

**Germany as Party of origin:**

- *The German Federal Maritime and Hydrographic Agency has carried out a SEA for the offshore grid plan for the German Exclusive Economic Sea Zone in the Baltic Sea (see [http://www.bsh.de/en/Marine\\_uses/BFO/index.jsp](http://www.bsh.de/en/Marine_uses/BFO/index.jsp))*
- *The German Federal Ministry for Environment has carried out a draft programme for the responsible and safe management of spent fuel and radioactive waste (National Programme). Germany notified Austria, Belgium, France, the Netherlands, Denmark, Poland and the Czech Republic in April 2015.*
- *Germany also notified the countries in the marine Regions of the North-East Atlantic and the Baltic Sea about the Draft Programme of Measures for Marine Protection of the German parts of the North Sea and the Baltic Sea in April 2015.*
- *In October 2015 the German Federal Ministry of Transport and Digital Infrastructure, notified all its neighbor states about the Federal Transport Infrastructure Plan (FTIP).*

**Germany as affected Party:**

*In the reporting period Germany participated as an affected Party in some transboundary SEAs. Germany was e.g. notified by Sweden in December 2015 for the Swedish Marine Spatial Planning for the Gulf of Bothnia, the Baltic Sea and the Skagerrak/Kattegat.*

(d) What has been your country's experience of the effectiveness of public participation?: *There was a big interest and an extensive participation of the German public in foreign SEA procedures, in which Germany was notified.*

(e) Does your country have examples of organizing transboundary SEA procedures for joint cross-border plans and programmes?:

(i) **No X**

(ii) Yes  (please describe):

## 5. Experience regarding guidance in 2013–2015

II.9. Are you aware of any use in your country of the online *Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment (ECE/MP.EIA/17)*<sup>1</sup>:

(a) No:

(b) Part of it (Please specify):

(c) Yes  (please describe your experience):

Your comments on how the Guidance might be improved or supplemented:

*The Guidance was distributed to other Federal Ministries and to the competent Ministries of the Länder. During the current reporting period no experience has been reported back to the Federal level.*

## 6. Awareness of the protocol

II.10. Does your country see a need to improve the application of the Protocol in your country?:

(a) **No: X**

(b) Yes  Please describe how your country intends to improve application of the Protocol:

## 7. Suggested improvements to the report

II.11. Please provide suggestions for how this report may be improved:

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<sup>1</sup> Available from [http://www.unece.org/env/eia/pubs/sea\\_manual.html](http://www.unece.org/env/eia/pubs/sea_manual.html).