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IN THE
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2

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Editors

Implementing Strategic Environmental Assessment



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Implementing Strategic Environmental Assessment

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Foreword

After a long and difficult legislative process, the European SEA Directive finally came into force in July 2001. The European Parliament as co-legislator always supported the idea of SEA and, therefore, of the SEA Directive. The European Parliament was also insistent that the concept of “monitoring” was brought into the SEA Directive. The SEA Directive is a major step forward to sustainable development. The Directive ensures that the environmental consequences of certain plans and programmes are identified and assessed during their preparation and before their adoption. Furthermore, the SEA Directive demands participation and information of the public as well as transboundary consultations. This will lead to better decisions and higher public acceptance of such plans and programmes. It is now crucial that SEA is carried out with quality and this Handbook could be a great help in this process. I welcome the publication of this Handbook as a basis for the necessary discussion on SEA for academics and practitioners, and for the implementation process of further assessment tools which is not finished yet.

*Karl-Heinz Florenz, Chair of the Committee on the Environment, Public Health & Food Safety, European Parliament
Strasbourg, October 2004*

It is very likely that Strategic Environmental Assessment (SEA) will have an ever-wider implementation in the future. The European SEA Directive, introduced nationally in 2004, represents only one important component in the widespread use of SEA. Developing countries have to be considered in the discussion of the move towards global sustainability, and SEA can be an invaluable tool for this. I particularly welcome this Handbook for including a wide range of points of view on SEA, ranging from developed to developing countries. The United Nations Environment Programme plays an increasingly key role in promoting sustainability and the World Summit on Sustainable Development, in Johannesburg 2002, was one important milestone in this respect. Sustainable Development has to be implemented at both national and international levels in order to change current trade policy and its effects on developing countries. Globalisation can cause environmental impacts, therefore there is a pressing need to do further research on experiences of SEA around the world and for SEA methodologies to be adopted for developing countries. For this to happen, capacity building for SEA is key. The spreading of knowledge, such as the contribution of this Handbook, is crucial in order that SEA can be fully embedded in decision-making processes.

*Klaus Töpfer, Executive Director, United Nations Environment Programme
Nairobi, September 2004*

Preface

This Handbook is about Strategic Environmental Assessment (or SEA), i.e. the environmental assessment of proposed policies, plans and programmes with the aim of informing decision-making. The main catalyst for this Handbook has been the implementation of the Directive 2001/42/EC, known as the “SEA Directive”. By 21st July 2004 the EU Member States have had to implement this new Directive. According to this Directive, before a plan or programme is approved or adopted, the public must be consulted and an Environmental Report must be prepared describing the likely significant effects of the plan or programme and of any reasonable alternatives to the proposal. In addition, from 1st January 2004 United Nations countries – that are members of the United Nations Economic Commission for Europe (UNECE) or have consultative status with the UNECE – may ratify the 2003 Kiev SEA Protocol, with similar aims to the European Directive. It remains to be seen how many countries will ratify the Kiev SEA Protocol, though at the time of going to press there are 37 signatories. Although the SEA Directive is not the start of formal SEA legislation in Europe (e.g. The Netherlands have had SEA since 1987 and the Czech Republic since 1992), it is a fact that there is now a far wider predominance of SEA than ever before. This is why the Handbook was written and the authors feel it is a timely and important addition to the topic of SEA.

The Handbook covers a wide range of SEA-related topics for different sectors, different countries, different natural resources, and from different SEA perspectives: not all chapters are ‘pro-SEA’; some also present a critique of SEA. The chapters are written by a variety of different authors: academics, practitioners, civil servants and upcoming SEA researchers. The Handbook is divided into eight Parts. Part I introduces key SEA principles and the legal framework in relation to the SEA Directive. Part II describes the implementation of the SEA Directive in eleven EU Member States. Part III discusses the SEA experience in the USA, in Canada and in New Zealand. Part IV evaluates SEA requirements in developing and fast developing countries by discussing the cases of Kenya, Ghana, Ukraine and China. Part V discusses methodologies for SEA and public participation. Part VI evaluates SEA for soils, water (including links with the European Water Framework Directive) and biodiversity. Part VII discusses SEA links with landscape planning, urban planning, transport planning, agriculture, waste management, and the mining industry. Finally, Part VIII concludes by discussing capacity-building, best practice, and future challenges and possibilities for SEA.

The Handbook has been edited in great detail in terms of content and format. All chapters start with an introduction, and end with a section on conclusions and recommendations for future practice. In tandem with the theory, many of the chapters have a case study in a box that illustrates real-world examples. A key component of the Handbook is the *consolidated list of legislation* that appears at the end of the Handbook. All the legislation that is mentioned in the different chapters is listed in this single list of legislation that is organised by country, by European Union legislation and by International Conventions. In the chapters, legislation is

mentioned by a short name (e.g. Treaty of Nice or EIA Directive) rather than by a long legal name and number. The consolidated list of legislation then gives detailed information about each law and regulation. We believe this will greatly increase the usefulness of the Handbook.

The completion of this Handbook leaves us indebted to many people. First of all we wish to thank the 61 contributors, drawn from 18 different countries from all over the world, without whose articles this Handbook would not have been possible. Twenty-one of these contributors participated at a workshop on SEA in Marienthal, Germany, on 23-26 November 2003. We thank the German Academic Exchange Service in Bonn (DAAD – Deutscher Akademischer Auslandsdienst) and the German Federal Foundation for Environment (DBU – Deutsche Bundesstiftung Umwelt) for generously financing the Marienthal SEA workshop that provided such fruitful discussions. These annual scientific workshops are key events organised by the Brandenburg University of Technology (BTU) Cottbus, Germany. They are carried out by an international network for Education and Research in Environmental and Resource Management (ERM) with more than 20 partner universities world-wide working in close co-operation with UNEP.

We are particularly indebted to the excellent work provided by Hendrike Helbron without whom the writing of this Handbook would have been much more difficult. Several other individuals provided special assistance in the final stages of the preparation of the Handbook and we are very thankful for their help at such a crucial time. Among these were Vyacheslav Afanasyev, Heike Bartholomäus, Anna Kulik, Heiko Lübs, Dmytro Palekhov and Susanne Scheil. We are also indebted to the publishers and authors of publications who have granted copyright permission to reproduce extracts from their work for inclusion in the Handbook.

The writing of this Handbook was the result of a collaboration between the Brandenburg University of Technology (BTU) Cottbus in Germany and the Graduate School of Environmental Studies at the University of Strathclyde in Scotland. To all the researchers, academics, practitioners, students, and central and local government officials, we hope you will find this Handbook invaluable in your SEA work and research.

*Michael Schmidt, Elsa João and Eike Albrecht
Cottbus and Glasgow, September 2004*

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