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**SEA to Date, Recent Advances and Current
Priorities for Development**

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ABSTRACT

SEA to date and Recent advances

The 1990s have witnessed a substantial evolution in the methods and uses of SEA as a tool for the integration of environmental concerns and the promotion of sustainability within transport planning. A wealth of experience in sectoral and multi-sectoral (eg. regional development plans) SEA, both at regional, national and European levels can now provide us with a better understanding of the strengths and weaknesses of this tool. In particular, it is now possible to show the benefits of early, strategic level assessment, through concrete examples. A review of the 5 corridor studies (part of the Trans-European Network) carried out in different Member States and partly financed by the European Commission, has revealed interesting advances in SEA practice and also challenges for the future. These include issues on data, institutions, and public participation.

Current priorities for development

Amongst the challenges is the wider application of SEA to transport plans and policies, in order to maximise the positive effect of early integration in directing transport planning and, eventually, specific choices at corridor and project levels. The European Commission has recently promoted the use of simple SEA methods for the evaluation of Community policies, in an attempt to strengthen integration and sustainability, in line with the Amsterdam Treaty (Article 6). It has also strengthened the link between SEA and funding mechanisms such as Structural Funds, which also contribute to the transport sector.

Indeed, it is in the context of informing decisions on the use of grants and loans for large infrastructure initiatives that SEA can provide significant support. More can be done to promote such link with funding mechanisms, including grant mechanisms such as the Instrument for Structural Policies for Pre-Accession (ISPA) and Cohesion Fund, and IFI loans.

INTRODUCTION

During the early 1990s there was growing concern about the effectiveness of the existing systems for Environmental Impact Assessment (EIA) of projects. EIA review studies - such as the 5 year review of the implementation of the Directive 85/337/EEC and various country status reports - resulted in the detection of a number of major problems and limitations of project-level EIA. These included:

- The evaluation of environmental impacts which may result from indirect and induced activities from a major development is difficult at project level;
- The foreclosure of alternatives: at the project assessment stage the number and range of options is often restricted. Decision on projects are constrained by decision making at higher levels and these are taken with too little consideration of environmental effects;
- Project EIA is insufficient for the assessment of cumulative and large scale impacts.

Similar problems have been identified in a different context. In their review of the World Bank's EIA experience, Goodland and Mercier conclude that:

“Project-level EA fails to help in project selection. While there is still much flexibility in design and much scope for mitigation of impacts, project-level EA is useless in selection of the project in the first place. That is a strong argument for promoting the use of sectoral or strategic EAs” and “Analysis of alternatives is unwelcome at the time of project preparation; it should become part of sector work leading to project identification” (Goodland and Mercier 1999).

The last ten to fifteen years have witnessed the development of Strategic Environmental Assessment (SEA) as a technique and a process which aims to address some of the key weaknesses of EIA, and also to contribute to the achievement of sustainable development by being applied at an earlier and more strategic levels of decision-making.

At the beginning such “contribution” was seen essentially as the product of an early assessment of strategic decisions (often referred to as policies, plans and programmes) which would highlight their potential negative and/or positive effect on the environment and natural resources. Thus, the emphasis was on the role of SEA as an evaluation tool whose key characteristics were based on the experience (and shortcomings) of project-level EIA.

As experience in the development and practical application of SEA progressed, a more complex and varied interpretation of its role began to take shape. Increasingly, SEA is seen as a process which provides support and information to planning procedures for sectoral and cross-sectoral strategic decisions, and its evaluation stage is seen as *an element* of the wider process, rather than its main focus (see for example CEC 1999a).

PRACTICAL APPLICATION OF SEA - PROGRESS TO DATE

Objectives, characteristics and benefits of SEA

There is now evidence of a variety of approaches and applications of SEA. Such diverse experience is partly in response to the realisation that the original distinction between policies, plans and programmes was perhaps too simplistic and artificial, and that it rarely coincides with real decision-making procedures. This is true for the transport sector, but also for many other areas. Thus, examples of SEA can be found responding to a wider range of needs and objectives, including:

- to select from a large number of projects which may be linked to existing inventories or past plans or programmes which were not subject to a systematic assessment of their environmental implications;
- to assess the cumulative impacts of a plan or programme;
- to identify priority areas and types of projects for funding;
- to identify priority areas and types of projects which will require more detailed evaluation before being approved;
- to promote multimodality in policies, plans or programmes for the transport sector;
- to choose between (or propose a combination of) structural and non-structural alternatives (eg. new or upgraded infrastructure, demand management strategies etc);
- to help define the key elements of a sustainable policy for the sector.

These objectives can be partly linked to the three main benefits which are often quoted in relation to strategic-level EAs (Dalal-Clayton and Sadler 1998):

- strengthening project EA;
- advancing the sustainability agenda; and
- addressing cumulative and large scale effects.

These and other benefits and characteristics of SEA are described in more detail in Table 1.

Table 1
Characteristics and benefits of SEA

Key benefit/ characteristic	Description
Environmental and sustainability data	Data on the state of the environment and natural resources and on the main sources of pressure is a precondition for SEA and for sustainable planning in general. Where such data is not readily available, SEA offers a valuable opportunity to collect and organise data into information, identify gaps and needs for future investment. SEA can outline methods, schedules and responsibilities for data collection and management during programme or project implementation. The data will also be essential in monitoring environmental changes over time and overall performance against a baseline.
Sustainability in decision-making	Strategic-type initiatives are more likely to call for a consideration of sustainable development issues and objectives. The SEA process, if integrated with the planning process, can actively promote sustainability within decision-making.
Alternatives	By taking place at the very early stages of planning, SEA can identify and evaluate alternative policies, plans and programs, enabling the developer to balance economic objectives with social and environmental ones. Thus, it can take into account the costs and benefits, particularly the environmental and social costs that are often ignored in least-cost planning.
Institutional Issues	It is the public sector that normally carries out or commissions SEAs. They therefore have the authority and remit to address institutional issues at such a "strategic" level of planning. At this level it is possible to analyse the overall institutional and legal framework and identify gaps, make recommendations (e.g. on institutional strengthening, creation of new environmental standards, training, technological needs) also with respect to potential funding problems. This reduces the need for such analysis downstream.
Collaboration and coordination	The SEA process should be integrated as much as possible with the planning process and in this way provide a basis for collaboration and coordination across responsibilities (agencies, ministries etc.) and sectors. This will enhance understanding and information exchange, and should avoid conflicting decisions or policy directions. It also helps to avoid duplication of efforts.
Transparency	By promoting collaboration and consultation between various institutions involved in a sector or region, SEA clearly shows the planning process and intermediate choices which combine to explain the final decision. It can identify at an early stage alternatives/decisions which might lead to environmentally harmful sub-projects, and eliminate or alter these. Thus SEA reduces negative impacts and eliminating the need for project-EA of such alternatives (see also Tiering).
Long term views	The development of a sector or regional planning can be planned according to more long term views and objectives, including environmental and social ones.
Cumulative impacts	Cumulative impacts (positive and negative, direct and indirect, long-term and short-term) arise from a range of activities throughout an area, where each individual effect may not be significant if taken in isolation. By taking a more comprehensive view of a sector's or region's development, it is sometimes possible to analyse the cumulative impacts of multiple (ongoing, planned or simply considered) investments, as well as impacts from relevant policies.

Table 1
Characteristics and benefits of SEA

Key benefit/ characteristic	Description
Mitigation	Similarly to the treatment of alternatives, upstream SEAs enable developers to identify a wider range of mitigation options which can involve changes in related policies or legislation as well as specifications for structural design.
Tiering	<p>The different levels of environmental assessment relate to each other in the same way as different levels of planning (e.g. policies, plans/programmes and projects). By introducing environmental assessment upstream of specific project decisions, at a more “strategic” level, a significant number of adverse impacts and obstacles to development should be avoided during the more detailed stages of planning and evaluation.</p> <p>The process of project-EAs will benefit in a variety of ways from the completion of an SEA upstream. The latter can, for example:</p> <ul style="list-style-type: none"> • reduce the need for project-EIAs; • simplify the screening of projects for EIAs by providing clear criteria on the basis of the information gathered at sectoral or regional level; • simplify and reduce the cost and time needed for project EAs by, for example, informing the scoping stage; • strengthen preparation and implementation of sub-projects by producing standards and guidelines for their implementation.
Public Participation	The SEA process can provide a vehicle for public participation at the very early stage of project (or plan, policy) selection and design, helping to build the necessary public support for the initiative. This is particularly important both for the type of projects to be funded and for the choice of location and related social and environmental implications.

Source: based on World Bank (1999) Case Studies on Regional and Sectoral EA: An analysis of lessons learned. A Report prepared by Environmental Resources Management for The World Bank.

SEA and transport - the experience of the TEN

The experience of SEA in the context of the Trans-European Networks¹ offers an excellent overview of the advances in SEA for the transport sector, as well as of the obstacles which need to be addressed in order to facilitate its adoption and effectiveness.

At the EU-wide network level, the Commission and the European Environment Agency have completed a first pilot assessment of the TEN's potential spatial and ecological effects.² As a minimum, the study can provide decision-makers with a tool which identifies those sections of the network which are less likely to have significant adverse effects on key spatial and ecological aspects, and those which will require more detailed studies into their likely impacts. The experience to date has shown that it is not feasible, or indeed desirable, to attempt to complete a full assessment the impacts of the network at this large scale of analysis. This is in line with the concept of tiering which requires various levels of assessment in response to different stages of decision-making (see Table 1).

¹ Council Decision No. 1692/96/EC.

² European Commission (DGVII, DGXII Eurostat & EEA) (1998) Spatial and Ecological Assessment of the TEN: Demonstration of Indicators and GIS Methods

In view of the need to carry out more detailed SEA-type analyses on individual segments of the TEN (ie on corridors or on sub-networks), the Commission has also commissioned the production of a manual on SEA of Transport Infrastructure Plans (CEC 1999b) discussed below. It also contributed financially to five case studies in five Member States (Austria, France, Italy, Sweden and the United Kingdom) with an aim to: a) optimise existing methods and techniques and to demonstrate their feasibility; b) raise awareness by enhancing the exchange of information and communication between the key actors involved in the decision-making process; and c) provide better insight into how SEA can be integrated with TEN planning processes.

The five studies looked at the following corridors:

- Gothenburg-Jönköping Transport Corridor (Sweden);
- SEA of the Trans-Pennine Corridor (United Kingdom);
- SEA of the Austrian section of the Danube Corridor (Austria);
- Road Corridor between port of Ravenna and Venice (Italy);
- Corridor Nord - between Paris and Brussels (France/Belgium).

The studies, which should all be completed by the end of 1999, will make an important contribution towards the definition of practical methods for corridor-level SEA. In terms of the type of needs and objectives listed above, these five studies range from addressing the need to identify and select amongst a number of projects within a plan, to that of choosing between infrastructure and non-infrastructure alternatives for a region's transport network. The case studies certainly vary significantly in terms of the level of strategic decision which they support, and should therefore help in the adoption of SEA in different decision-making contexts.

The studies have also helped by highlighting some crucial difficulties which will require urgent attention. These include:

- The transport planning system is not always structured in a clear and hierarchical manner; this can make it difficult to identify the exact stage (and often *stages*) at which SEA should be applied. For example, the concept of a transport corridor often does not coincide with a "corridor" plan or decision. There may be no clear institutional and planning step between a national or regional plan and the individual project. This makes it difficult to apply SEA and, most importantly, can reduce its effective impact on final decisions;
- The practical, institutional and cultural obstacles to public participation during SEA (see below);
- The availability of adequate, reliable and comparable data in transboundary conditions can be a serious obstacle. The work of the EEA and the European Commission in this domain must be strengthened.

The work in the context of TENs has also highlighted the fact that although European countries can now benefit from a significant number of pilot studies and practical applications of SEA in a variety of sectors, including transport, it remains difficult to find examples of SEA which have had a clear influence on the final decision. The shortage of information on practical examples remains an important limitation to the effective development of SEA practice. Thus, for a better understanding of the procedural and practical application of SEA, the improvement of documentation and information exchange should be considered a priority.

Structured planning processes and SEA guidance

The difficulties relating to the transport planning systems, referred to above, can be better understood through an analysis of the experience to date of most SEA examples: those relating to land-use plans.

Indeed, the majority of SEA examples in the EU (and possibly in the CEECs) relate to land-use planning. Experience has focused on applying SEA to formal plans with spatial reference, whilst very little has been done in relation to informal plans or programmes without spatial reference or indeed to private sector plans and programmes. Land-use planning procedures are more strictly regulated (for example in terms of responsibilities, timetables for action and decisions, stages in the decision-making process which lead to a final approval, etc.) and possibly more well established due to their long standing history, compared to most sectoral planning areas.

Since SEA is intended to provide an input into a decision-making *process*, this may suggest that its application will increase as countries progress in structuring the planning process for the transport sector, as well as linking it more closely to land-use plans (eg the United Kingdom). Such a linkage between structured planning and SEA is also supported by the experience of SEA of development programmes funded by the EU or international funding institutes. These programmes tend to be strictly regulated, thus enabling the competent authority for development to identify specific moments where SEA can make a contribution during the planning process. A good example of this is provided by Structural Funds Regulations setting out:³

- the type of plans and programmes required;
- the contents of such documents;
- the role of Member States, the European Commission and third parties in the planning and approval of such documents;
- the type of evaluations which must be carried out (including a strategic assessment of the environmental implications of development plans).
- As a result of this Regulation, the European Commission has produced concrete guidance on how to carry out an SEA of Structural Funds plans in the context of their specific programming process (CEC 1999a).

With regard to the transport sector, the Commission (DGVII) has also recently commissioned a manual on how to apply SEA to transport infrastructure plans (CEC 1999b). However, this guidance is inevitably less specific since there is no single way of producing a plan or programme in the various Member States. It provides guidance to public authorities and practitioners involved in SEA of transport plans and programmes. It describes: a) the principles of SEA for transport, b) the main SEA steps, and c) the basics of assessing global, regional and local impacts. The methods and practical suggestions are based on international good practice and research.

When it comes to assessing *policies* or broad legislation, the SEA process will differ considerably from that which can be applied to plans and programmes. Experience of this type of SEA to date is much more limited. Nonetheless, in several countries, some provisions for SEA of policies either already exists (eg Denmark and Sweden) or there is a plan to introduce them. The introduction of “help-desk” in Netherlands for “environmental tests” is an example of provisions made to encourage co-operation between different ministries, which is seen as an essential element of the SEA process at such strategic level.

³ Council Regulation (EC) No 1260/1999 of 21 June 1999 laying down general provisions on the Structural Funds.

International Financial Institutions and SEA practice

Several international organisations have recognised the need for SEA and are either setting up procedures or guidelines or are investigating the possibilities of doing so. A brief overview of some of the leading international funding institutions shows how SEA is slowly progressing:

The World Bank produced guidance on what it calls regional and sectoral environmental assessments in 1993 and 1996 and, as a result of its increasing focus on assessing investment programmes -as well as individual projects-, it has carried out a growing number of sectoral and regional EAs since the early 1990s (World Bank 1999b).

In Europe, **the European Bank for Reconstruction and Development (EBRD)** has Environmental Procedures which state that, in addition to EIA on specific operations, the Bank may also carry out SEA of plans or programmes related to an economic sector such as transport, or to a geographical region, "as the need for them arises".⁴ Whilst recognising the benefits of such strategic approach (e.g. assessment of cumulative impacts, broader types of alternatives), to date the Bank has not carried out any such evaluations.

The **European Investment Bank's (EIB)** "Environmental Guidelines" describe the tools which the Bank uses during project work, including *sector studies*. These are certainly the most interesting in terms of strategic-level assessment: they insist on a broader analysis of environmentally sensitive sectors (such as transport) with the aim of describing the context, evaluating the issues and identifying the scale, scope and nature of potential Bank opportunities. Such work generally incorporates environmental considerations and could therefore be seen as a contribution towards an SEA-type approach. However, to date sector studies are carried out selectively (for example in a period of structural change) and are therefore not sufficiently common to provide a strategic overview to most EIB transport projects.⁵ In terms of full SEAs, the EIB has not yet carried out similar assessments, although it is currently drafting Policies and Procedures Notes on "Strategic Environmental Impact Assessment".

To improve the use of SEA by IFIs a number of suggestions can be considered. Apart from greater distribution of guidelines, methodologies and examples of good practice - all of which should lead to an increasing use of SEA by IFIs, consideration should also be given to the opportunities of greater collaboration in the very influential area of investment in the transport sector. A number of joint initiatives by the IFIs has already been promoted in the "environmental" sector:⁶ Although these examples are not focused on transport, they provide some important lessons and suggestions for a way forward in the future. The framework for cooperation was quite successful and could serve as a model for a series of strategic assessments of the transport sector in different regions which are being targeted for investment by different IFIs. The advantage of these joint initiatives was the fact that all institutions felt they had ownership of the process and its results. The result of such assessments could be some guidelines or prioritisation

⁴ EBRD (1996) Environmental Procedures.

⁵ EIB (1997) Environmental Guidelines.

⁶ For example, in its 1996 publication "The European Investment Bank and the Environment", the EIB refers to the Baltic Sea Joint Comprehensive Programme involving the World Bank, EIB, EBRD, EU, and the Nordic Investment Bank - NIB. The idea was to provide (and finance) a common framework for studies which would examine the environmental problems of the Baltic Sea, and in particular the "hot spots" facing the region, including point sources and agricultural run-off for liquid effluent, air pollutant emission sources, land use issues, etc.. Another example relates to the Danube Environmental Action Programme - a joint initiative of the World Bank, EIB, EBRD, and EU). This was another attempt to assess the environmental issues as a whole for a given natural resource. The programme led to the setting up of a permanent secretariat located in Vienna, funded by the European Commission, which follows up the results and recommendations of the initiative.

mechanisms which might influence the individual institutions' loan programme in favour of environmentally, socially and economically sustainable solutions. This joint approach would have several beneficial results, including a better and more cost-effective use of existing information on environmental issues related to the transport sector in certain regions or countries.

Legal requirements for SEA

Most European countries have recognised the need for SEA for plans and programmes as an improvement on EIA, or a means towards more sustainable development. In a number of countries, legislation and procedures are being developed, either integrated in existing EIA legislation or under separate laws usually requiring SEA of plans and programmes for a number of sectors (eg energy, transport, agriculture) as well as general land-use plans (see Table 2).

However, the overall picture is still rather patchy and many countries are far from having draft legislation in the pipeline. The European Union is now discussing the final approval of the proposed Directive on SEA and hopefully this will lead to more comprehensive application of SEA.⁷ The transport and environment reporting mechanism⁸ and the assessment of Member States progress towards integration (the *Global Assessment*) coordinated by the European Commission in collaboration with the EEA, will also highlight the importance of SEA with particular reference to the transport sector.

Table 2 SEA in the EU Member States, legal requirements (A), examples (B) and other mechanisms (C)

Question Country	A	B	C Other Mechanisms for Integrating Environment into Policies, Plans, and Programmes			
	Legal Status	General Examples*	Institutional Mechanisms	Strategies/ Policies	Land Use Planning	Other
Austria	none to date	yes		yes		yes
Belgium (Brussels)	none to date	yes		yes	yes	
Belgium (Flanders)	planning					
Belgium (Wallonia)	Legislation exists				yes	
Denmark	Legislation exists	yes				yes
Finland	Legislation exists	yes	yes			
France	(limited legislation exists)	yes			yes	
Germany	none to date	yes			yes	
Greece	none to date	(yes)				
Ireland	planning	yes	yes		yes	yes

⁷ The Commission has adopted in 1996 a Proposal for a Directive on Environmental Assessment of plans and programmes (Strategic Environmental Assessment or SEA [COM (96) 511 final]). In October 1998, the European Parliament has finalised the First Reading of the SEA Proposal. The Commission has amended the SEA-Proposal in February 1999 and the negotiations at the Council level are expected to come to an end by end of 1999 or the beginning of 2000.

⁸ European Environment Agency (1999) Towards a transport and environment reporting mechanism (TERM for the EU - Part 1 and 2. EEA Technical Reports.

Italy	planning	yes				
Luxembourg	none to date	no		yes	yes	
Netherlands	Legislation exists	yes	yes			
Portugal	none to date	yes				
Spain	planning/ some Legislation exists	yes				
Sweden	none to date	yes	yes	yes		
United Kingdom	none to date	yes	yes	yes		

Source: ECMT 1999

Notes: * = the examples considered range from SEAs of local plans to assessments of national strategies and do not reflect the number or the importance of the examples for each country.

In most Central and Eastern European countries (CEEC) SEA is being introduced in their first national EIA laws as a new procedure for the environmental assessment of strategic decision-making levels (see Table 3). Some elements of SEA are not entirely new to these countries. Prior to 1990, comprehensive socio-economic plans - economic plans for different sectors and spatial plans for regions and localities - provided the framework for development planning in these countries.

Table 3 SEA provisions in Central and Eastern European Countries

Country	Provisions for assessing likely environmental impacts at the Policy, Plan, and Programme level	Sectors to which some assessment provisions currently apply
Slovak Republic	The legal status of SEA is ensured by the fourth part of the Slovak Parliament Law N° 127/1994 on EIA, where development policies and territorial planning documentation are subjects of the assessment of their likely impact. In 1996-97 draft SEA Regulation was prepared. It is expected to be completed in 1999.	Energy supply, mining, tourism, transport, agriculture, forestry, water management, waste management, land-use planning.
Slovenia	No statutory form of SEA exists at the national level; existing EIA legislation is confined to projects. The new Environmental Protection Act 1993, however, requires former regional plans to be replaced by 'environmental vulnerability studies' covering all ecological regions in the country.	Regional development planning.
Poland	No statutory form of SEA exists at the national level. The new Land Use Act (January 1995) states that sustainable development is to be the basis for all land-use management decisions. The Act stipulates that a 'forecast of environmental consequences (a simplified form of SEA) be performed for local land-use plans. A separate executive order of the Minister of Environmental Protection, Natural Resources and Forestry states the content requirements for the forecast.	Local land-use plans.
Hungary	The Environmental protection Act of 1995 provides the basis for SEA. It notes that SEA is required for national socio-economic plans, decisions with regional impact, economic regulatory tools related to environmental protection and regulations which could affect the environmental media, the quality of environment, and human health in relation to the environment.	Socio-economic plans, economic tools related to environmental protection and regulations
Czech Republic	SEA is required in preparation of development programmes and proposals for legal acts by the Czechoslovak Federal Act of 1992.	Programmes and proposals for legal acts
Bulgaria	EIA is required for national and regional investment development programmes, regional and urban plans and their changes, and plans leading to land use change for specific activities.	National and regional investment programmes, urban plans, and land use change plans

A workshop organised by the European Commission in 1998 revealed that the legal and/or political constraints are still the most significant.⁹ The need to adopt SEA is often questioned, linked to fears that it will lead to delays and difficulties without providing additional benefits. The experts concluded that the environmental sector should make a greater effort to highlight and explain the possible benefits of SEA and to overcome political constraints. The experts also identified difficulties in the practical implementation of SEA where planning and environmental responsibilities are shared between different agencies or different administrative levels. This was found to be particularly true of countries with federal structures.

Public participation and SEA

Public participation has been recognised as a right and an important factor in securing sustainable decisions¹⁰, nonetheless, many of the examples of SEA to date have failed to secure in any significant way the participation of the public (both in terms of the individuals, or organised groups such as NGOs) (see Table 4). Reasons for this weak record include: arguments that involving the large public (eg. At national level) is difficult, costly, and/or time consuming; arguments that involving large sections of the public at an *early* stage of strategic planning (eg a national plan) can be difficult because issues and alternatives have not yet been reasonably defined to allow a debate; lack of adequate tools and mechanisms; lack of experience and good examples.

Table 4 Public Participation Requirements

The Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention) 1991

It places a general requirement on the Parties to establish "an environmental impact assessment procedure that permits public participation" in respect of projects likely to cause significant adverse transboundary impact (Article 2, 3 and 6).

The Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention 1998)

This goes beyond the provisions of the EIA Directive and the Espoo Convention in laying down requirements for public participation in EIA and SEA. In respect of public participation concerning plans, programmes and policies (SEA), Article 7 requires parties to make appropriate practical and/or other provisions for the public to participate during the preparation of plans and programmes relating to the environment, within a transparent and fair framework, having provided the necessary information to the public.

The Proposal for a Council Directive on Assessment of the Effects of Certain Plans and Programmes on the Environment, as amended (COM (96) 511 and COM (99)73)

This would, if adopted, introduce legal requirements at EU level for strategic environmental assessment (SEA). Under Article 6 of the current draft, Member States would have to ensure that a copy of any draft plan or programme (which is widely defined) as well as an accompanying environmental statement was made available to the public concerned and that they were given the opportunity (within appropriate time frames) to express their opinion on these documents before the adoption of the plan or programme. (It would be up to Member States to designate the public to be consulted and the detailed arrangements for information and consultation). The competent authorities responsible for preparing and adopting the plan or programme would be required to take into consideration the opinions expressed by the public, during the preparation of the plan and prior to its adoption (Article 8). Following its adoption, the authority would have to provide the public concerned with a copy of the plan or programme, as well as a statement of how their opinions had been taken into account (Article 9).

⁹ In 1998 Directorate-General XI of the European Commission in co-operation with Environmental Ministry of the State of Brandenburg and Federal Environmental Agency (Germany) organised a workshop - Strategic Environmental Assessment in Europe.

¹⁰ Article 1 of the "Aarhus" Convention on access to information, public participation in decision-making and access to justice in environmental matters, 1998) reads: "In order to contribute to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being, each Party shall guarantee the rights of access to justice in environmental matters in accordance with the provisions of this Convention".

Interestingly, the review of six cases by the World Bank shows that public participation can indeed be done, at least for large scale programmes involving a wide range of sub-projects, and that it can provide important benefits, including (World Bank 1999):

- Helped to identify the issues and concerns which were at the basis of the EA;
- Clarified the level of support for the project by the local populations or other stakeholders;
- Identified the concerns of local populations;
- Reduced resistance to negative impacts during project implementation;
- Produced design recommendations;
- Helped to select potential alternatives at the sectoral level;
- Helped to weigh impact parameters (eg during fine ranking process).

SUMMARY OF PRIORITIES FOR FURTHER DEVELOPMENT

Within the next few years SEA of policies, plans and legislation which are likely to have significant implications for the environment and natural resources, will become a mandatory procedure in many ECMT countries. The efforts of ECMT countries should concentrate on moving SEA from its “experimental” phase to become a process which is recognised and supported by national governments, both in terms of its role in decision-making and in terms of providing the necessary resources for ensuring its effectiveness.

The following priorities should be addressed:

- Clear **political support** from governments is required. This can affect the actual possibility of carrying out an assessment, or the weight and role that is given to its findings when making a final decision over the policy, plan or programme;
- Greater attention should be given to the **process** of SEA, and ways in which this can be integrated into the transport planning procedures in order to provide information and support from its very early stages;
- The provision of **technical and financial support** to ensure that trained and experienced staff can provide support to the competent authorities in charge of the development of policies, plans and programmes for the transport sector (the Dutch “helpdesk” system offers a useful example);
- Greater effort should be devoted to the application of SEA at **policy and legislative** levels, as well as to plans and programmes;
- SEA of **funding mechanisms** should be given immediate priority, particularly with regard to transboundary corridors. The results of SEA should be linked to the decision to grant financial support. IFIs and the European Commission should seek ways to join forces on SEA of the transport sector in CEECs;
- Urgent attention should be given to the role of **public participation** and consultation at strategic planning and at how to meet the requirements of Espoo and Aarhus in the context of large transport schemes;¹¹

¹¹ The European Commission (DGXI) is currently funding a study on this subject. See DGXI’s web site for more information.

- Greater effort should be devoted to ensure that economic, technical and environmental assessments are at least **co-ordinated**, so that those involved are fully aware of the types of alternatives being discussed in the different studies. The aim should be to provide a complete overview to decision-makers.

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