# Environmental impact in a transboundary context: approval of the protocol on Strategic Environmental Assessment to the UN/ECE Espoo Convention

2008/0052(CNS) - 11/03/2008 - Legislative proposal

PURPOSE: the approval on behalf of the European Community of the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context.

PROPOSED ACT: Council Decision.

CONTENT: on 21 May 2003, at the fifth Ministerial Conference “Environment for Europe” held in Kiev, Ukraine, 21-23 May 2003, the Commission, on behalf of the European Community, signed the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context.

The Protocol helps to protect the environment by providing for the assessment of the likely significant environmental, including health, effects of plans and programmes and, where appropriate, policies and legislation, thereby integrating environmental, including health, concerns into measures and instruments designed to promote sustainable development.

The Protocol’s substantive obligations fall into three groups:

- there are general provisions on assistance and guidance to the public, recognition of and support to relevant associations, promotion of the Protocol’s objectives internationally, and the rights of persons exercising their rights under the Protocol not to be penalised or discriminated against on grounds of citizenship, etc;
- there are provisions dealing with the environmental assessment of certain plans and programmes. These are divided into two groups: one for which assessment is mandatory except in certain limited cases, and one which requires assessment when Parties consider they are likely to have significant environmental effects. There are detailed provisions on the different stages of the environmental assessment;
- the Protocol builds on the provision referring to policies in the Espoo Convention by establishing requirements on policies and legislation. Parties are to ‘endeavour to ensure that environmental, including health, concerns are considered and integrated to the extent appropriate’, in preparing policies and legislation that are likely to have significant effects on the environment, including health.

The Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context should therefore be approved by the European Community.