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

2008/0052(CNS) - 20/10/2008 - Final act

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

LEGISLATIVE ACT: Council Decision 2008/871/EC on 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.

CONTENT: on 21 May 2003, on the occasion of the fifth Ministerial Conference "Environment for Europe" held in Kiev, Ukraine, 2123 May 2003, the Commission, on behalf of the Community, signed the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context.

This 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 texts by integrating environmental, including health, concerns into measures and instruments designed to further sustainable development.

The Protocol’s substantive obligations fall into three groups:

1. 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.;
2. 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 effects;
3. 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 aim of this Decision is to approve, on behalf of the Community, the abovementioned Protocol. The Decision also provides that the European Community and the Member States should take the necessary steps to allow the deposit, as far as possible simultaneously, of the instruments of ratification, approval or acceptance.

ENTRY INTO FORCE: the Protocol shall enter into force when the ratification, approval or acceptance procedures have been carried out.