
The Strategic Environmental Assessment Directive is eight years old.

Is the Directive fulfilling its key purpose, and in its present form can it deal with the challenges posed by what may be a new Industrial Revolution?

Article 1 states, that....

“The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development...”

European Commission, DG ENV
Study concerning the
report on the
application and
effectiveness of the SEA Directive
(2001/42/EC)

Final report

January 2009

The study presents the views of the Consultant and does not necessarily coincide with those of the European Commission or the 27 Member States

<http://ec.europa.eu/environment/eia/pdf/study0309.pdf>

Some examples of problem areas drawn from the analysis are:

- i) The discretion left to Member States in transposing Art. 3(2)(a), i.e. the definition of Sector Plans and Programmes;
 - ii) The organisation of the scoping process is entirely left to the Member States, with the exception of the obligation to hear concerned authorities;
 - iii) The Directive and the SEA Guidance leave several issues related to monitoring and implementation unclear. Much is left to the discretion of Member States which in effect may leave uncertainties in the practical application of Art. 10 of the SEA Directive.
 - Additional concerns regarding the absence of an established base of Case Law from the European Court.
-

Variations on a Theme



‘STRATEGIC’ cannot be viewed as *either*
Environmental *or* Geopolitical.....

- Although the Directive is referred to as the *Strategic Environmental Assessment Directive* the term is not used within the document.
 - However, *Strategic* decisions on the need to *increase, rather than stabilise or reduce* the supply and demand for electrical energy, from whatever source, as a function of year on year economic growth appear to have been already made.
 - It is not clear how, or if, these decisions will be assessed in a similarly robust *Strategic Environmental sense*.
-

Nationalisation of 'Foreign' Infrastructure....

Nasser to Chavez



- From Mexico in 1933 through the Suez 'adventure' in 1956 and on through Algeria and Persia/Iran, right up to present day Venezuela, the lessons of history illustrate the potential for problems with extended energy infrastructure.



'Strategic' Environmental Assessment

- Electrical power transmission and battery storage are enormously resource hungry, both in extraction and processing. SEA is **not *strategic*** if it fails to assess from point of extraction to final recycling.





- **BLAIR COMMITS MORE TROOPS TO EU INFRASTRUCTURE PROTECTION FORCE AS POWER SHORTAGES CAUSE CHAOS**
-

REPORT FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

On the application and effectiveness of the Directive on Strategic Environmental Assessment (Directive 2001/42/EC)

‘The general findings of this first report suggest that the application of the SEA in MS is in its infancy, and that further experience is needed before deciding on whether the Directive should be amended and, if so, how this should be done.

MS seem to prefer stability in the legislative requirements, to allow SEA systems and processes to settle down and provide the opportunity to establish robust ways of using SEAs to improve the planning process.

The next evaluation report should be prepared in 2013.’
