

EUROPEAN PARLIAMENT

2004



2009

Session document

A6-0221/2008

4.6.2008

REPORT

on the proposal for a Council decision 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
(COM(2008)0132 – C6-0161/2008 – 2008/0052(CNS))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Bogusław Sonik

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5
EXPLANATORY STATEMENT	6
PROCEDURE.....	7

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council decision 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

(COM(2008)0132 – C6-0161/2008 – 2008/0052(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the proposal for a Council decision (COM(2008)0132),
 - having regard to the Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context,
 - having regard to Article 175(1) and Article 300(2), first subparagraph, first sentence of the EC Treaty,
 - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0161/2008),
 - having regard to Rules 51 and 83(7) of its Rules of Procedure,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A6-0221/2008),
1. Approves conclusion of the protocol;
 2. Instructs its President to forward its position to the Council and the Commission, and to the governments and parliaments of the Member States and the United Nations Economic Commission for Europe.

EXPLANATORY STATEMENT

The fifth Ministerial Conference "Environment for Europe held" in Kiev, Ukraine in May 2003 adopted the Protocol on Strategic Environmental assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in Transboundary Context (SEA Protocol). The Commission on behalf of the European Community signed the SEA Protocol on 21 May 2003.

The 1991 UN/ECE Convention on transboundary Environmental Impact Assessment (**the Espoo Convention**), building on existing EIA law, established procedures for consulting Parties likely to be affected by transboundary environmental impacts of proposed projects. The Convention entered into force in 1997. The European Community signed it on 26 February 1991 and ratified it on 24 June 1997. Its main provisions are implemented by Directive 97/11.

Directive 2001/42/EC, on the assessment of the effects of certain plans and programmes on the environment (the Strategic Environmental Assessment (SEA) Directive), applies to a broad category of plans and programmes, and sets out detailed requirements for assessing and reporting on their environmental effects. The ability to adverse environmental effects at project level may be constrained by decisions taken in plans or policies. For this reason, it has been established that a process of assessment should be carried out these levels. This is the SEA- process.

The SEA - Directive includes a provision on transboundary effects inspired by the Espoo Convention.

The SEA - Protocol's objectives are to provide for a high level of protection of the environment, including health, and to ensure that these concerns are integrated into measures and instruments designed to ensure sustainable development.

The European Community, in conformity with its Strategy on Sustainable Development and Better Regulation, intends to implement Article 13 of the Protocol on Strategic Environmental Assessment to the Espoo Convention through the impact assessment procedures set out in the Communications on Impact Assessment, which address in a balanced manner the economic, social and environmental components of sustainable development.

Several aspects of the EU dimension deserve consideration. The EC and the Member States have been among the leaders in developing the concept and practice of the SEA and they should confirm their support by ratifying the Protocol on Strategic Assessment to the Espoo Convention on environmental impact assessment in a transboundary context.

PROCEDURE

Title	Protocol on Strategic Environmental Assessment to the 1991 UN/ECE Espoo Convention on Environmental Impact Assessment in a Transboundary Context						
References	COM(2008)0132 – C6-0161/2008 – 2008/0052(CNS)						
Date of consulting Parliament	8.4.2008						
Committee responsible Date announced in plenary	ENVI 10.4.2008						
Rapporteur(s) Date appointed	Bogusław Sonik 14.4.2008						
Date adopted	3.6.2008						
Result of final vote	<table> <tr> <td>+: </td><td>55</td></tr> <tr> <td>–: </td><td>0</td></tr> <tr> <td>0: </td><td>0</td></tr> </table>	+:	55	–:	0	0:	0
+:	55						
–:	0						
0:	0						
Members present for the final vote	Georgs Andrejevs, Margrete Auken, Liam Aylward, Pilar Ayuso, Irena Belohorská, Johannes Blokland, John Bowis, Frieda Brepoels, Martin Callanan, Magor Imre Csibi, Chris Davies, Avril Doyle, Mojca Drčar Murko, Edite Estrela, Anne Ferreira, Karl-Heinz Florenz, Matthias Groote, Françoise Grossetête, Cristina Gutiérrez-Cortines, Satu Hassi, Gyula Hegyi, Marie Anne Isler Béguin, Christa Kläß, Eija-Riitta Korhola, Peter Liese, Jules Maaten, Roberto Musacchio, Riitta Myller, Péter Olajos, Miroslav Ouzký, Vladko Todorov Panayotov, Vittorio Prodi, Frédérique Ries, Dagmar Roth-Behrendt, Guido Sacconi, Carl Schlyter, Horst Schnellhardt, Richard Seeber, Kathy Sinnott, Bogusław Sonik, María Sornosa Martínez, Antonios Trakatellis, Anja Weisgerber, Åsa Westlund, Anders Wijkman, Glenis Willmott						
Substitute(s) present for the final vote	Inés Ayala Sender, Iles Braghetto, Bairbre de Brún, Genowefa Grabowska, Rebecca Harms, Jutta Haug, Henrik Lax, Johannes Lebech, Alojz Peterle						