

SEA profile of small islands states and territories: The European ultra-peripheral islands case

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Abstract

Sustainability represents a key concern for Small Islands due to their fragile ecosystems, economies and human systems, and therefore, there is an immediate need to find solutions for sustainable development for Small Island states and territories. Environmental assessment of islands policies, plans and programs play a central role in the development of these isolated territories, beyond the fundamental and more common instrument of impact assessment of projects. The major goal of this research is to establish the Strategic Environmental Assessment (SEA) profile in small islands, identifying how the current methods and practices are being used in these territories. The European ultra-peripheral islands regions are used as case study (the Azores and Madeira, the French overseas departments and the Canaries). A review of published literature and legal documents was conducted for all these island regions in order to identify and analyse the SEA legislation, institutional framework and practices. This paper provides an overview analysis of the SEA practice in the European outermost regions. The overall results demonstrate a low adoption level of new specific SEA approaches, which stresses that islands mainly direct import the SEA developed for other realities.

Keywords: Strategic Environmental Assessment, ultra-peripheral regions, comparative analysis, small islands.

1. Introduction

Since the strategic environmental assessment (SEA) practices and methodologies still are being developed and discussed, there is a need to understand what is being done, how it is being developed and how it affects the overall process of planning with the aim of improving the outcomes (Sadler, 1996; Polido & Ramos, 2011). For this purpose it is necessary to develop tailored approaches to evaluate territorial and sectorial SEA effectiveness.

Small islands have special vulnerabilities and unique characteristics and have to face different environmental and socio-economic pressures and challenges (Ramos et al., 2009). In some islands SEA is already in practice and is a legal requirement but often what they have incorporated have probably been more influenced by outside agencies than any local agency. Therefore, there is a need to understand island assessment methods and analyse how they highlight island specific features, such as biodiversity/ecological, socio-cultural and public health effects.

Fischer and Gazzola (2006) stress that the main international SEA practices have developed based on the experiences of a selected number of countries only and to date, there are no clear answers to whether they are fully valid in all systems and countries worldwide. The same kind of problem can arise between small island states, territories and the landed and continental territories.

The Treaty on the Functioning of the European Union (TFEU)¹ identifies eight² outermost regions (OR): Guadeloupe, French Guiana, Martinique, Réunion (French overseas departments and regions), and Saint-Martin (French overseas collectivity), the Azores and Madeira (Portuguese autonomous regions) and the Canary Islands (Spanish autonomous community). All OR are archipelagos or islands with the exception of the French Guiana which is a continental region.

¹ Articles 349 and 355.

² With the amendment given by the European Council Decision of 29 October 2010 amending the status with regard to the European Union of the island of Saint-Barthélemy (2010/718/EU).

The main characteristics of the European ultra-peripheral island regions are their (i) remoteness and isolation from the mainland, (ii) small size (demographic and/or geographically), (iii) fragmentation in the case of archipelagos or mountainous islands, (iv) rich but fragile environment (v) specific climate, (vi) economic dependence, (vii) limited resources, and (viii) vulnerability in the face of natural disasters (Kirkwall Declaration, 2002; Hudson, 2006; Trujillano et al., 2006; TFEU, 2010; Mira, 2011). These specificities have been largely discussed in terms of sustainable development for Small Islands Developing States (SIDS) (Bass & Dalal-Clayton, 1995; Douglas, 2003; Ramjeawon & Beedassy, 2004; McIntyre, 2004; UNEP, n.d.). After the United Nations Conference on Environment and Development (UNCED) in 1992 and the United Nations Global Conference on the Sustainable Development of SIDS in 1994, the concept of sustainable development has been integrated in several islands conservation strategies, environmental action plans, green plans, among others (Bass & Dalal-Clayton, 1995; Douglas, 2003).

As part of the European Union (EU), these OR use as SEA baseline legal framework the SEA Directive (Directive 2001/42/CE). Recently, the UE Committee of the Regions (The Committee of the Regions, 2010) made an echo of the Report from the Commission (The Commission of the European Communities, 2009) and stated that “[t]here is a need to develop capacity in the MS [Member States] so as to ensure effective implementation of the SEA Directive. In order to do this, capacity building must be strongly encouraged, in particular through targeted campaigns for the recruitment and training of SEA experts and guidance documents”. The Committee also quantified that SEA increased the relevant planning costs by 0.1-1% and approval times by 20 to 25% above the normal duration. Therefore, there is an urgent need to study the specificities of these territories in order to obtain new understanding (supported by formal and informal knowledge, such as lay, traditional and local information) and achieve an efficient and effective SEA process.

The aim of the present research is to outline an SEA profile for the OR islands, identifying how the current methods and practices are being used in these territories. In order to achieve this goal a review comparative analysis of published literature and legal documents was conducted for all these island regions in order to identify and analyse the SEA practices.

2. Methodology

In order to identify the SEA practices and methods an assessment of the SEA legislations, institutional framework and practices was accomplished through the comparative analysis review of regional publications (e.g. institutional technical reports and communications, guidelines, manuals, and internet sites) and legal documents available online at national and regional authorities' websites. In order to complement the assessment a broader research including technical and scientific literature was also conducted.

The regions considered for this research were all the OR islands. The French Guiana will not be considered since it is a continental region.

The parameters used to conduct the analysis to the SEA systems in the OR were adapted from the work developed by Chaker et al. (2006) and El-Fadl and El-Fadel (2004) when comparing different SEA systems. The parameters used are shown in Table 1.

Table 1. Categories and parameters for assessing the SEA system in the OR islands and archipelagos (Azores, Madeira, Canaries, Martinique, Guadeloupe and Réunion)

SEA Categories	Parameters
a. Legal	a1. National legal basis a2. Regional legal basis
b. Institutional	b1. Authority responsible for initiating SEA b2. Authority responsible for conducting SEA b3. Authority responsible for reviewing SEA
c. Practice	c1. Components of the SEA Process

c2. Specific guidelines for the OR

The three SEA main categories were distributed into seven parameters in order to assess the legal, institutional and practice framework:

a. Legal Framework:

- a1. National legal basis – which is the legal document that gives the SEA outline for the OR?
- a2. Regional legal basis – how did the OR integrated/adapted the national law? Was there a specific legislation for the OR or the OR used the national law without adaptations?

b. Institutional Framework:

- b1. Authority responsible for initiating SEA – which entity starts the SEA process? The environmental authority, the PP promoter or other?
- b2. Authority responsible for conducting SEA – which entity is accountable for the development of the SEA process? The environmental authority, the PP promoter or other?
- b3. Authority responsible for reviewing SEA - which entity seeks to integrate the public consultation into the environmental assessment? The environmental authority, the PP promoter or other?

c. Practice Framework:

- c1. Components of the SEA Process – which stages does the SEA observes?
- c2. Specific guidelines for the OR – Are there recommendations, procedures and/or tools for the SEA practice in the OR?

3. Results and Discussion

The comparative analysis among the different OR assessed through the selected parameters, presented in Table 1, was then conducted. The obtained SEA profile of the different OR is synthetize in Table 2. The main findings for each SEA category are the following:

a. Legal Framework

The only OR that adapted the national law into a regional legislation was the Azores (*Decreto Legislativo Regional n.º 30/2010/A de 15 de Novembro*), which integrated environmental impact assessment and SEA in the same document. Nonetheless, the Canaries and Madeira have adapted the national legal basis for spatial management plans that, in both cases, includes the specific details for the SEA development of spatial management plans³. In French OR rules the national law (Jiricka and Pröbstl, 2007).

b. Institutional Framework

The different national laws create the institutional framework and, in the Portuguese and French case, it leaves the responsibility of the SEA development for the PP promoter, nonetheless the environmental authority must be consulted on the scoping. Regarding the Canaries, the environmental authority is involved since the beginning of the SEA process and has, as its mission, to prepare the SEA scoping and to review the assessment with the PP promoter. The scoping phase in the Canaries is achieved by a “*documento de referencia*” which details which entities must be consulted and what must be studied. This document may be prepared for a type of PP or it may also be developed on a case by case basis.

³ Madeira: Decreto Legislativo Regional n.º 43/2008/M; Canaries: Decreto 55/2006

c. Practice Framework

The components of the SEA process are very similar between all the OR (screening, scoping with support written document, environmental assessment with formal report, consultation and monitoring), with the exception of the French system that does not predict a scoping phase *per se*.

Overall, there is a lack of available information about the SEA practice in the OR, and there are no specific SEA guidelines for the OR islands. The regional governments use the national laws and guidelines for the practice of SEA. The information retrieved from the regional authorities' website was mainly the legal framework, however for all the OR with the exception of the Canaries, this information was of difficult access. The Canaries regional authority website⁴ has gathered in the same website different sorts of information about the SEA procedures, relevant legislation and parts of the SEA process components (namely the screening and scoping phase). A broader research showed that the French OR have fewer available SEA cases than the others OR.

None of the OR islands have specific guidelines for SEA. However, Réunion has a specific tool to support the practice of SEA, identifying the relevant environmental themes to the island, the environmental profile of the island, diagnostic tool and tool for integrating sustainable development into the PP.

Although it is not stated in Table 2, the scoping document produced by the Canaries environmental authority for a case by case approach or for a type specific PP may be viewed as a series of guidelines for the SEA process in the island, due to its regional detail and type of PP specificity.

4. Conclusions and future developments

The aim of the present research was to obtain an SEA profile for the OR islands, identifying how the current methods and practices are being used in these territories, however, there is a general lack of research and official information about the SEA approaches and practices in the OR. Nevertheless, the research findings demonstrated a low adoption level of new specific SEA approaches for the OR. The regions use the same legal, institutional and practice framework as the mainland, with the exception of the Azores, in some extent, that adapted the national legislation to the regional legal framework. Also, there are no specific guidelines for the OR, with the exception made by the scoping phase at the Canaries; nonetheless the Réunion Island has a specific tool to support the environmental assessment.

There is a need for further investigation, and in order to enhance the SEA profile in the OR, a web questionnaire survey will be developed on the basis of a self-assessment by the local public services in charge of this tool and other public and private actors involved in SEA processes, such as private consultancy companies. The survey will address the following main topics: i) the degree of responsiveness, specifically in relation to SEA institutional strategies, practices and tools; ii) the level reporting (measurement and communication); v) the stakeholders' SEA engagement practices; vi) the of SEA education and training; iii) the availability of SEA information and data; iv) the state of SEA international, national, regional and local institutional assistance and cooperation within SEA issues.

These future developments are justified by the need to develop the SEA practice through specific guidance and training in the OR due to their specificities such as their remoteness and isolation from the mainland, small size, fragmentation, rich but fragile environment, specific climate, economic dependence, limited resources, and vulnerability in the face of natural disasters, in order to achieve an effective SEA process decreasing the relevant planning costs and approval times.

⁴ <http://www.gobiernodecanarias.org/cmavot/medioambiente/evaluacionambiental/eapp/index.html> (accessed March 2012)

Table 2. SEA Profile in the OR islands and archipelagos (Azores, Madeira, Canaries, Martinique, Guadeloupe and Réunion)

a. Legal		b. Institutional		c. Practice		Sources
a1. National legal basis	a2. Regional legal basis	b1. Authority responsible for initiating SEA	b2. Authority responsible for conducting SEA	b3. Authority responsible for reviewing SEA	c1. Components of the SEA Process	c2. Specific guidelines for the OR
Portugal	<i>Decreto-Lei 232/2007 de 15 de Junho</i>	PP promoter and Environmental authority (<i>Secretaria Regional do Ambiente e do Mar</i> through <i>Direcção Regional do Ambiente</i>) PP promoter and Environmental authority (<i>Secretaria Regional do Ambiente e Recursos Naturais</i> through <i>Direcção Regional do Ambiente</i>)	PP promoter	PP promoter	Screening; Scoping and report; Environmental assessment and report; Consultation; Monitoring	Governo do Açores; Secretaria Regional do Ambiente e do Mar
Azores						
Madeira	<i>Decreto Legislativo Regional n.º 30/2010/A de 15 de Novembro</i>					Governo da Madeira; Secretaria Regional do Ambiente e dos Recursos Naturais e Direcção Regional do Ambiente
Spain	<i>Ley 9/2006 de 28 de abril</i>	PP Promoter and Environmental Authority (<i>Comisión de Ordenación del Territorio y Medio Ambiente de Canarias</i> ⁵)	PP promoter	Environmental authority and the PP promoter	Screening; Scoping; Environmental assessment and report; Consultation; Monitoring	Gobierno de Canarias; Consejería de Educación, Universidades y Sostenibilidad
France	<i>Code de l'environnement</i>	PP promoter and Environmental authority	PP promoter	PP promoter	Screening; Environmental assessment and report; Consultation; Monitoring	Ministère de l'Ecologie, du Développement durable, des Transports et du Logement; Ministère de l'Outre-Mer
Martinique						Conseil Régional de la Martinique; Direction de l'Environnement, de l'Aménagement et du Logement (DEAL) de la Martinique
Guadeloupe						Conseil Régional de Guadeloupe
Réunion						Conseil Régional de la Réunion
Saint-Martin						Collectivité de Saint-Martin

⁵ This commission will act as the environmental authority for all of the spatial planning PP.

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