



Republika e Kosovës
Republika Kosovo-Republic of Kosovo
Kuvendi - Skupština – Assembly

Law No.03/L –230

ON STRATEGIC ENVIRONMENTAL ASSESSMENT

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of Republic of Kosovo;

Approves:

LAW ON STRATEGIC ENVIRONMENTAL ASSESSMENT

CHAPTER I
GENERAL PROVISIONS

Article 1
Purpose

1. The purpose of this law is to ensure through strategic environmental assessment of certain plans and programs, high level for protection of the environment and human health.
2. This law determines the conditions, form and procedures for the assessment of the impacts on the environment of certain plans and programmes (hereinafter: SEA) through integration of environmental protection principles in the preparation, approval and realization of plans and programmes, with the aim of promoting sustainable development

Article 2 Definitions

1. Terms used in this law shall have the following meanings:

1.1. **Plans and programmes** - plans and programmes, including those co-financed by the European Union or other international institutions, as well as any modifications to them, which; are subject to preparation or adoption (or both) by an authority at national, regional or local level; or are prepared by an authority for adoption, through a legislative, regulatory or administrative procedure by Parliament or Government;

1.2. **Strategic Environmental Assessment (SEA)** - the preparation of an SEA report, the carrying out of consultations, the taking into account of the environmental report and the results of consultations in decision-making and the provision of information on the decision in accordance with this law;

1.3. **Strategic Environmental Assessment Report (SEA Report)**" means the part of the plan or programme documentation containing the information required by this law;

1.4. **The Public** - one or more natural or legal persons, and their associations, organizations or groups;

1.5. **Commission** - the body proposed by the Ministry and approved by the Government, in a case when the Ministry is the responsible authority of the plan or program;

1.6. **Consultation bodies** - the Ministry or, when the Ministry is itself the responsible authority, the Commission; and any other bodies designated by law as having specific environmental responsibilities and which the Ministry considers are likely to be concerned by the proposed plan or programme;

1.7. **Responsible authority**", in relation to a plan or programme, means the authority by which or on whose behalf it is prepared;

1.8. **Ministry** - **Ministry** of Environmental and Spatial Planning;

1.9. **Minister** - the Minister of the Ministry of Environmental and Spatial Planning.

CHAPTER II STRATEGIC ENVIRONMENTAL ASSESSMENT FOR PLANS AND PROGRAMMES

Article 3 Scope

1. SEA shall be carried out for certain plans or programs when exist possibility that realization are likely to have significant environmental effects.
2. Drafting of SEA report is obligatory for plans and programs from spatial planning and city planning field, on land use, agriculture, forestry, fisheries, hunting, energy, industry, mines, traffic, waste management, water management, telecommunication, tourism, which give a frame for future development projects, which undergoes environmental impact assessment according to the Environmental Impact Assessment Law, as well as, plans and programs which, taking into the consideration location in which they realize, can have an effect on nature protected zones, on nature habitats and in wild flora and fauna.
3. For plans and programs from paragraph 1 of this Article, with which is foreseen also the utilization of small surfaces on local level or in case of minor modification of the plans and programs, which do not require a regular procedure for ratification as well as for plans and programs, which are not appointed on paragraph 2 of this Article, decision for SEA takes the responsible authority of plan or program, if according to the criteria determined in this law, confirms that likely significant effects on environment exists.
4. SEA should not be accomplished for plans and programs the sole purpose of which is to serve national defense or civil emergency, and for financial and budget plans.

Article 4 General obligations

1. Plans, programmes and modifications for which strategic environmental assessment is required in accordance with Article 3 of this law, shall not be adopted or submitted to the legislative procedure for adoption until the responsible authority:
 - 1.1. has carried out a strategic environmental assessment in accordance with this law;
 - 1.2. has taken account of the SEA report for the plan or programme and of the results of the consultations referred to in Articles 9, 10 and 11 of this law; and
 - 1.3. has satisfied the Ministry or, where the Ministry is itself the responsible authority, the Commission established in accordance with paragraph 5 of this Article, that the SEA report is of sufficient quality for the purposes of this law and

has received an environmental consent authorising the adoption or submission to the legislative procedure of the plan or programme.

2. The SEA in accordance with this law shall be carried out during the preparation of a plan or programme and before its approval.
3. The Responsible authority for plans or programs is bodies of central and local level.
4. The competent authority for reviewing the SEA report is the Ministry, except as provided in paragraph 5, of this Article.
5. Where, for a plan or programme, the Ministry is itself the responsible authority, the Minister shall, after the first preparatory act of the plan or programme, the established Commission shall carry out the supervisory and other functions which would otherwise be carried out by the Ministry.
6. The members of the Commission established in accordance with paragraph 5 of this Article, shall possess such skills, knowledge and experience as appear to the Minister to be necessary in the light of the plan or programme in question.
7. The SEA required by this law for a plan or programme co-financed by the European Community shall be carried out by the responsible authority in conformity with the specific provisions in relevant European Community legislation.
8. The SEA required under this law shall be without prejudice to the requirements of the Law on SEA and of any other law enacting requirements of European Community legislation in the Republic of Kosovo.

Article 5

Determination of need for SEA

1. The responsible authority shall determine, in a case-by-case examination, in accordance with the criteria in Annex I, whether the plans or programmes referred to in Article 3 paragraph 3 and 4 of this law that are likely to have significant environmental effects and therefore to require SEA.
2. Before making a determination under paragraph 1 of this Article, the responsible authority shall consult the consultation bodies.
3. Where the responsible authority determines that the plan, programme or modification is unlikely to have significant environmental effects (and therefore does not require a SEA), it shall prepare a statement in writing of its reasons for the determination including the criteria from paragraph 1 of this Article.

4. The Minister may at any time require the responsible authority to send him a copy of: any determination made under paragraph 1 of this Article; the plan, programme or modification to which the determination relates; and any statement prepared in accordance with paragraph 3 of this Article.

5. The responsible authority shall comply with a requirement under paragraph 4 of this Article within seven (7) days.

6. The Minister may direct that a plan, programme or modification is likely to have significant environmental effects whether or not a copy of it has been sent to him in response to a requirement under paragraph 1 of this Article and when he has been sent such a copy would respond within ten (10) days of receiving it.

7. Before giving a direction under paragraph 6 of this Article, the Minister shall take into account the criteria specified in Annex I to this law; and will take an opinion by consultative bodies.

8. The Minister shall, after giving the direction, send to the responsible authority and to each consultation body a copy of the direction and a statement of his reasons for giving the direction.

9. When the Minister has given a Direction in respect of a plan, programme or modification, any determination under Article 5 paragraph 1 relating to the plan, programme or modification shall cease to have effect; and if no determination has been made under Article 5 paragraph 1, with respect to the plan, programme or modification, then the responsible authority shall cease to be under any charges imposed by that Article.

Article 6

Information on determinations and directions

1. Within thirty (30) days of making a determination under Article 5 paragraph 1 of this law, the responsible authority shall send to each consultation body;

1.1. a copy of the determination; and

1.2. Where the responsible authority finds that the plan or programme does not require a SEA, issue a statement of its reasons for the determination.

2. The responsible authority:

2.1. keep a copy of the determination, and any accompanying statement of reasons, available at its principal office for access by the public at all reasonable times and free of charge; and

2.2. within thirty (30) days of the determination, informs the public through website of the Ministry and public announcements. Information of public should contain:

2.2.1. of the title of the plan, programme or modification to which the determination relates;

2.2.2. that the responsible authority has determined that the plan, programme or modification is or is not likely to have significant environmental effects and accordingly that a SEA is or is not required in respect of the plan, programme or modification; and

2.2.3. the website address of the Ministry, at which a copy of the determination may be obtained and any accompanying statement of reasons may be accessible.

3. Where the responsible authority receives a direction under Article 5 paragraph 6, it shall:

3.1. keep a copy of the direction and of the Minister's statement of his reasons for giving it available at its principal office for inspection by the public at all reasonable times which depends from the specifics of a plan and program and free of charge; and

3.2. within thirty (30) days of receiving such a direction, informs the public through a website of the Ministry and through public announcements;

3.2.1. of the title of the plan, programme or modification to which the direction relates;

3.2.2. that the Minister has directed that the plan, programme or modification is likely to have significant environmental effects and, accordingly, that it requires a SEA; and

3.2.3. address of the website of the Ministry, at which can be accessible or a copy can be obtained for determination and accompanied declaration of reasons.

4. The responsible authority provides a copy of the Minister's determination and statement of reasons free of charge.

CHAPTER III SEA REPORT AND CONSULTATION PROCEDURES

Article 7 Preparation of SEA report

1. In the cases when a SEA is required by Article 3 of this law, the responsible authority shall prepare an SEA report in accordance with paragraphs 2 and 3 of this Article.
2. The report identifies, describes and evaluates the likely significant effects on the environment of:
 - 2.1. implementing the plan or programme; and
 - 2.2. reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme.
3. The report shall include such of the information referred to in Annex II as may reasonably be required, taking account of:
 - 3.1. current knowledge and methods of assessment;
 - 3.2. the contents and level of detail in the plan or programme;
 - 3.3. the stage of the plan or programme in the decision-making and the stage of process to which certain matters are more appropriately assessed at different levels in that process in order to avoid duplication of the assessment.
4. Information on the effects of plans or programmes on the environment obtained at other levels of decision-making or through other legislation can be used in the preparation of SEA reports.
5. When deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies. Consultation body shall do so within the period of 5 (five) weeks beginning with the date on which it receives the responsible authority's invitation to engage in the consultation.

Article 8 Consultation procedures

1. Every draft plan or programme for which an SEA report has been prepared in accordance with Article 8 of this law and its accompanying SEA report shall be made available for the purposes of consultation in accordance with this Article.

2. As soon as possible after the preparation of the relevant documents, the responsible authority shall :

- 2.1. send a copy of those documents to each consultation body;
 - 2.2. undertake the steps that considers as the relevant documents to the attention of persons who are affected or likely to be affected by, or have an interest in the decisions involved in the assessment and adoption of the plan or programme concerned;
 - 2.3. inform the public of the address, which includes its own webpage and the webpage of the Ministry, at which a copy of the relevant documents may be viewed, or from which a copy may be obtained free of charge; and
 - 2.4. invite the consultation bodies and the public to express their opinion on the relevant documents, specifying the address to which, and the period within which, opinions must be sent.
3. The period referred to in sub-paragraph 2.4 paragraph 2 of this Article must be long enough to ensure that the consultation bodies and the public are given an effective opportunity to express their opinion on the relevant documents and shall in any case be thirty (30) days or more.
4. The responsible authority shall impose available copy of the relevant documents by the public at reasonable times according to the provisions set up in the Aarhus Convention and Law on access to public documents.

Article 9

Public debate

1. The responsible authority shall arrange for the draft plan or programme and the draft SEA report to be subject to public debate.
2. Not less than fifteen (15) days before the debate is to be started, the responsible authority informs the Ministry, the consultation authorities and the public of the detailed arrangements for the public debate.
3. The arrangements to be notified in accordance with paragraph 2 include:
 - 3.1. the address at which a copy of the draft plan or programme and the draft SEA report and any other environmental information already available by members of the public and the times at which they may have approach;
 - 3.2. the address from which copies of the draft plan, programme or report may be obtained;

3.3. the address to which any written comments must be sent and the date by which they must be received;

3.4. the address, date or dates, time and agenda for the public debate.

Article 10

Transboundary consultation

1. Where a responsible authorities, except the Minister, is of the opinion that a plan or programme for which it is the responsible authority is likely to have significant effects on the environment of another country, as soon as it is implemented after forming that opinion it shall :

1.1. notify the Minister of its opinion and of the reasons for it; and

1.2. supply the Minister with a copy of the plan or programme concerned, and of the accompanying SEA report.

2. Where the Minister has been notified under paragraph 1.1 paragraph 1 of this Article the responsible authority shall, within such period as the Minister may specify by notice in writing to the authority, provide the Minister with such other information about the plan or programme or its accompanying SEA report as he may reasonably require.

3. In cases where:

3.1. the Minister, whether in consequence of a notice under subparagraph 1.1 or otherwise, considers that the implementation of a plan or programme in any part of the Republic of Kosovo is likely to have significant effects on the environment of another country; or

3.2. a country that is likely to be significantly affected by the implementation of a plan or programme the Minister before the adoption of the plan or programme, forward a copy of it and of its accompanying SEA report to the country concerned.

4. Where the Minister receives from another country any request to enter into consultations before the adoption of a plan or programme forwarded to it in accordance with paragraph 3 of this Article, the Minister shall:

4.1. consult with the country detailed arrangements, including a reasonable time for the duration of the consultations, to ensure that: the environmental authorities, the public, and environmental non-governmental organizations in the country likely to be significantly affected are informed and given an opportunity to forward their opinion within a reasonable time; and

- 4.2. enter into consultations with the country concerning
 - 4.2.1. the likely transboundary environmental effects of implementing the plan or programme; and
 - 4.2.2. the measures envisaged to eliminate such effects; and
 - 4.2.3. where he is not the responsible authority, direct the responsible authority that it shall not adopt the plan or programme, or submit it to the legislative procedure for adoption, until the consultations with the country have been concluded.
5. Where consultations take place pursuant to paragraph 4, the Minister:
 - 5.1. as soon as it is practicable after those consultations begin, notify the consultation bodies of that fact; and
 - 5.2. notify the consultation bodies and, where he is not the responsible authority, the responsible authority, of the outcome of the consultations the outcome of the consultations.
6. During interpretation and application of the Article, relevant authorities shall apply the principles required according to the ESPOO Convention.

Article 11

Plans and programmes of other countries

1. Where the Minister receives from another country a copy of a draft plan or programme that:
 - 1.1. which is being prepared in that country and whose
 - 1.2. implementation is likely to have significant effects on the environment of any part of the Republic of Kosovo,
2. Minister shall indicate to that country whether the Republic of Kosovo wishes to enter into consultations concerning the likely transboundary environmental of:
 - 2.1. effects of implementing the plan or programme and
 - 2.2. the measures envisaged to reduce or eliminate those effects.

2. 3. in such cases, the Minister shall agree with the country concerned detailed arrangements for those consultations within reasonable time frames for them.
3. Where such consultations take place, the Minister:
- 3.1. inform the consultation bodies that he has received the draft plan or programme and provides copies of the draft plan or programme and relevant report of SEA
 - 3.2. undertake such steps that it considers appropriate to bring the draft plan or program to the attention of persons affected, or potentially could be affected, or have an interest in decisions involving the evaluation and adoption of mentioned plan or program;
 - 3.3. inform the transboundary consultees of the address (which may include a website) at which a copy of the draft plan or programme and the respective SEA report may be approached, or from which a copy may be obtained; and
 - 3.4. invite the consultation bodies and the transboundary consultees to send him their opinions within a specified period, which shall end at least thirty (30) days before the end of the period that the Minister has agreed with the country concerned as reasonable for the duration of their consultations.

Article 12

Review of the SEA report

1. The responsible authority, where it is not the Ministry, shall send a copy of the draft plan or programme, draft SEA report, a report on the participation of the public and the consultation bodies and of the public debate, and any follow-up documentation to Ministry, for consent on SEA report.
2. When the responsible body is the Ministry, it shall send the documents referred to in paragraph 1 above to the Commission established in accordance with Article 4 subparagraph 5 of this law.
4. On receipt of the report referred to in paragraph 1 of this Article, the Ministry may seek advice or additional information from the responsible authority or from other authorized organizations or from professional persons if this is necessary to enable it to take its decision.
5. In its assessment of the SEA report referred to in paragraph 1 of this Article, the responsible body of the Ministry shall employ such of the criteria contained in Annex 3 of this law.

6. Based on its assessment, a draft decision will be prepared by the responsible body of the Ministry within sixty (60) days, of the date of receipt of the SEA report.

Article 13

Decision for the Consent to SEA reports

1. Based on its assessment in accordance with Article 13 of this Law, the responsible body of the Ministry or, as the case may be, the Commission shall prepare a draft decision which it shall present in writing to the Minister.

2. Within fifteen (15) days of receipt of the proposal-decision from the responsible body of Ministry or the Commission, the Minister shall decide to grant or refuse Consent for the SEA report and convey this decision to the responsible authority the Government and the Assembly of Republic of Kosovo, in written form.

3. When the proposal-decision is to refuse consent, the Minister may decline to follow or may amend the responsible authority's draft decision, only for imperative reasons of overriding public interest, including reasons of an economic, social or environmental nature. In this case, his decision must be sent to the Government and to the Assembly in accordance with the following paragraphs for confirmation.

3.1. the Minister notify in written form the Assembly of the decision that is taken to decline or amend the draft decision. The Minister's notification shall contain the justification for his proposed decision;

3.2. the Government and the Assembly shall review, approve, refuse or amend Minister's decision to decline or amend the draft decision within thirty (30) days from the day the draft decision was submitted;

3.3. if the Assembly does not act within thirty (30) days from the day of notification on Minister's decision, based in paragraph 3, sub-paragraph 2 of this Article, the Assembly shall be considered to have approved the Minister's decision on the draft decision.

Article 14

Adoption of the plan or programme

The responsible authority shall take in account the SEA report, the results of consultation including any transboundary consultation, during the preparation of the plan or programme and before its adoption.

Article 15
Information on the decision

1. Once a plan or programme for which a strategic environmental assessment has been carried out has been adopted, the responsible authority shall inform the consultation authorities, the public, the persons who were consulted for the purposes of Article 9 subparagraph 2.2 of this Article and the Minister of the fact that the plan or programme has been adopted, the date of its adoption, the address, which may include a website where a copy of it and its accompanying SEA report,
2. The Minister shall inform the country with which consultations in relation to the plan or programme have taken place of the matters referred to in paragraph 1 of this Article.
3. The particulars referred to in paragraph 1 of this Article, are:
 - 3.1. how environmental considerations have been integrated into the plan or programme;
 - 3.2. how are integrated the environmental issues in plan or programme;
 - 3.3. how the opinions of the consultation authorities, the public including the public consultees, and any views expressed as a result of transboundary consultations have been taken into account;
 - 3.4. the reasons for choosing the plan or programme from a review of the reasonable alternatives; and
 - 3.5. the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.

Article 16
Monitoring

1. The responsible authority shall monitor the significant environmental effects of the implementation of each plan or programme with the purpose of identifying unforeseen adverse effects at an early stage and being able to undertake appropriate remedial action.
2. The responsible authority's monitoring arrangements may comprise or include arrangements established otherwise than for the express purpose of complying with paragraph 1 of this Article.

CHAPTER IV SUPERVISION

Article 17

1. The application of this Law shall be monitored within a framework of responsibilities defined by the Ministry.
2. The duties to supervise the application of this law shall be performed by the Ministry Inspectorate in accordance with Law.
3. A Report on the application of this Law shall be prepared by the Ministry three (3) years after its entry into force, and subsequently every five (5) years.

CHAPTER V TRANSITIONAL AND FINAL PROVISIONS

Article 18

Plans and programmes subject to this Law

1. The SEA of plans and programmes, of which the first formal preparatory act is before the date on which this Law comes into effect, shall be carried out in accordance with the provisions of Law No 03/L-015 of the Republic of Kosovo.
2. Component parts of this law are also the annexes from one (1) to three (3).

Article 19

Upon entry into force of this law, the Law on Strategic Environmental Assessment no 03/L-015 of Republic of Kosovo.

Article 20

This Law shall enter in force fifteen (15) days after publication to the Official Gazette of the Republic of Kosovo.

**Law No. 03/L-230
30 September 2010**

Member of the Presidency of the Assembly

Xhavit Haliti



Republika e Kosovës
Republika Kosovo-Republic of Kosovo
Kuvendi - Skupština – Assembly

Law No.03/L –230

ON STRATEGIC ENVIRONMENTAL ASSESSMENT

ANNEX 1

**CRITERIA FOR DETERMINING THE LIKELY SIGNIFICANCE OF EFFECTS
ON ENVIRONMENT- ARTICLE 5**

1. The characteristics of plans and programmes, having regard, in particular, to:
 - 1.1. the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;
 - 1.2. the degree to which the plan or programme influences other plans and programmes, including those in a hierarchy;
 - 1.3. the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
 - 1.4. environmental problems relevant to the plan or programme
 - 1.5. the relevance of the plan or programme for the implementation of European Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:
 - 2.1. the probability, duration, frequency and reversibility of the effects;
 - 2.2. the cumulative nature of the effects;

- 2.3. the trans-boundary nature of the effects;
- 2.4. the risks to human health or the environment (e.g. due to accidents);
- 2.5. the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- 2.6. the value and vulnerability of the area likely to be affected due to:
 - 2.6.1. special natural characteristics or cultural heritage,
 - 2.6.2. exceeded environmental quality standards or limit values,
 - 2.6.3. intensive land-use;
- 2.7. the effects on areas or landscapes which have a recognised national, European Community or international protection status.

ANNEX 2
THE INFORMATION TO BE PROVIDED IN SEA REPORTS, ARTICLE 7

1. an outline of the contents, main objectives of a plan or programme and relationship with other relevant plans and programmes;
2. the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme;
3. the environmental characteristics of areas likely to be significantly affected;
4. any existing environmental problems which are relevant to the plan or programme, including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;
5. the environmental protection objectives, established at national, international or European Community level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation;
6. the likely significant effects on the environment (including secondary effects, cumulative, synergistic, short, medium and long-term, permanent and temporary, positive and negative and, where relevant, transboundary effects), on such issues as biodiversity, population, human health, flora, fauna, soil, water, air, climatic factors, material assets, cultural and natural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;
7. the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;
8. an outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties - such as technical deficiencies or lack of know-how - encountered in compiling the required information;
9. a description of the measures envisaged concerning monitoring in accordance with Article [...];
10. a non-technical summary of the information provided under the above headings.

ANNEX 3

CRITERIA FOR ASSESSMENT OF SEA REPORTS

1. Plan or programme:

1.1. the aims and contents of the plan or programme, zones for which it is prepared, and the spatial and time horizons employed are introduced clearly;

1.2. the environment protection issues which have been introduced in preparing of aims of plan and programme;

1.3. the way links with other plans and programmes are reflected.

2. Environmental situation:

2.1. the state of the current and future environments are introduced;

2.2. description of the state of the environment in accordance with the aims and indicators for SEA;

2.3. there is a description of the sources of information on the state of the environment and the methodology is in accordance with the level of SEA sustainability.

3. Alternative solutions:

3.1. there is a description of the way the alternative solutions have been prepared and reviewed for problems relating to the environment;

3.2. the alternative solution of not realizing the plan or programme together with the best alternative solutions have been prepared;

3.3. an environmental assessment has been carried out for the alternative solutions and a comparison made between them.

3.4. the reasons are stated for choosing the most reasonable alternative taking account of the environmental aspects.

4. Assessment of environmental effects:

4.1. there is a description of the way significant impacts of the plan or programme on environment have been defined and assessed;

4.2. during the environment impact assessment are involved the following contents: air, water, soil, climate, plant and animal world, nature habitats, biological diversity, cultural, natural and historic value, the public and human

health, cities and other settlements, infrastructure objects, industries and other objects;

4.3. during the environment impact assessment are taken into consideration the following characteristics of impacts: probability, intensity, complexity/reversibility, time dimension: duration, frequency, repeating and spatial dimension: location, geographic zone, number of exposed people nature of inter border, cumulative and synergistic nature of impact, other characteristics of impact;

4.4. determination and assessment of important impacts has been carried out with reference to appointed standards, regulations and limit values;

4.5. a useful methodology has been prescribed.

5. Measures and programme for monitoring the state of the environment;

5.1. measures are foreseen for avoiding and mitigating negative effects, and increasing positive impacts on the environment for every impact assessment;

5.2. there is a description of how directions for drafting of impact assessment on projects on environment and other strategic impacts are prepared;

5.3. a programme for monitoring the state of the environment during the realization of the plan or programme has been prepared.

6. Report of SEA:

6.1. the role of competent organs of drafting the SEA report is clearly defined;

6.2. report of SEA is prepared in a clear manner;

6.3. all report elements for SEA in Article 13 of this Law are present and the information sources for the professional comments are given;

6.4. there is a description of the way environmental issues are dealt with in the plan or programme, the manner of taking the decision and the main reasons for choosing the plan or programme from alternatives which are reviewed;

6.5. the non-technical summary has been clearly drafted.

7. Participation of consultation authorities and the public:

7.1. the comments of the consultation bodies, the public and any other country that has been consulted are included and the way they have been taken into account in the decision is described.