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STRATEGIC ENVIRONMENTAL ASSESSMENT AND POST-CONFLICT DEVELOPMENT

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SEA TOOLKIT



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Preface

This is one in a series of Advisory Notes that supplement the *OECD DAC Strategic Environmental Assessment (SEA) in Development Practice: A Review of Recent Experience (2010)*. The 2010 review provides a comprehensive overview of major SEA activities in developing countries and serves as a monitoring report of 2006 OECD DAC Guidance on Applying Strategic Environmental Assessment.

The Advisory Notes are not intended to provide exhaustive, in-depth guidance but rather supplementary advice and links to resources where more specialised information can be found. They fall into one or more of the following categories.

1. applying SEA in particular situations or circumstances that will require unique sensitivity and awareness (*e.g.* post-conflict environments);
2. providing further perspective, information and guidance on emerging issues that may need to be more adequately integrated into an SEA (*e.g.* climate risk or ecosystem services);
3. undertaking an SEA that focuses specifically on a key emerging issue or policy area that was not sufficiently addressed when the DAC SEA Guidance was prepared (*e.g.* biofuel development strategies, post-conflict reconstruction plans).

The target audience of the Advisory Notes are SEA practitioners (to help strengthen the quality of SEA) and specialists in the specific issues or circumstances under consideration (to introduce them to the added value of SEA to their work).

This specific Advisory Note discusses the application of SEA in post-conflict situations. It guides planners and policy makers in applying SEA to a post-conflict re-construction plan or component policies, plans and programmes within such a plan. Further, it illustrates the special or challenging circumstances in which SEA procedures would be applied in a post-conflict environment.

Furthermore, this Advisory Note is one of the SEA Advisory Note series focusing on providing a thematic application of SEA. Other notes are available in the following topics:

- 1 SEA and Adaptation to Climate Change;
- 2 SEA and Disaster Risk Reduction;
- 3 SEA and Ecosystem Services

Strategic Environmental Assessment (SEA) and Post-Conflict Development

1. Introduction

Since 1989, the occurrence of violent conflict has become more prevalent in developing countries¹. The nature of conflict is inflicting a high cost and it has been estimated that:

- In the wars of the 1950s, the death rate of soldiers to civilians was 9 to 1. Today it is the reverse: for every soldier killed, nine civilians die.²
- The cost of each new conflict almost equals the value of annual development aid worldwide.³
- Human displacement as a result of conflict will have a significant bearing on the ability for MDGs to be realised.

Development and security are intimately related and one cannot be achieved without the other.

Many factors contribute to conflict including: political, religious, ethnic, tribal and clan divisions, economic factors, land tenure deficiencies and historical feuds. Environment and natural resources, while important, are generally *contributing* factors only and not the sole cause for tension⁴.

However, conflicts often have environmental impacts, direct or indirect, that affect human health and livelihoods as well as ecosystem services. If due consideration is not given to these impacts they can lead to further population displacement and socio-economic instability, undermining recovery and reconstruction in post-conflict states triggering a vicious cycle.

The *OECD DAC Good Practice Guidance on Strategic Environmental Assessment (SEA)* (2006)⁵ shows how SEA can help identify environmental risks and opportunities in the formulation and appraisal of development policy, plans and programmes (PPPs). It explicitly recognises that conflict can undermine sustainable development opportunities and that SEA in fragile states⁶ will need to address their special circumstances.

¹ Barnett J. (2006), "Climate Change, Insecurity and Justice", in: Adger, W., Paavola, J., Mace, M. and Huq, S. (eds.), *Justice in Adaptation to Climate Change*, MIT Press.

² IRC (n.d.), *Post-Conflict Development*, www.theirc.org/what/the_postconflict_development_initiative.html.

³ House of Commons – International Development Committee (2006), *Conflict and Development: Peace Building and Post-Conflict Reconstruction*, Sixth Report of Session 2005-06.

⁴ United Nations Environment Programme (2009), *From Conflict to Peacebuilding. The Role of Natural Resources and the Environment*, Geneva.

⁵ OECD DAC (2006), *Applying Strategic Environment Assessment: Good Practice Guidance for Development Co-operation*.

⁶ Definitions of fragility used by the DAC and several aid agencies emphasize the lack of capacity and willingness of a government to perform key state functions for the benefit of all. The effects of fragility stretch beyond poor services to include conflict, state collapse, loss of territorial control, extreme political instability, clientelist policies and repression or denial of resources to subgroups of the population (For more information see www.oecd.org/dac/fragilestates).

This Advisory Note addresses two dimensions of the application of SEA in post-conflict situations:

- undertaking an SEA of a post-conflict re-construction plan or component PPPs within such a plan; and
- the special circumstances in which SEA procedures would be applied in a post-conflict environment, and under which the SEA procedures recommended in the *OECD DAC SEA Guidance* may not be applicable.

These dimensions are intricately interlinked but clearly require special considerations beyond those addressed by *OECD DAC SEA Review (2010) and Guidance (2006)*.

2. The linkages between environmental stress and conflict

Interrelations between environmental stress and conflict are on often twofolds:

On the one hand, environment and natural resources are often *contributing factors* to violent conflict. In particular, competition over natural resources can fuel social tensions and conflicts. For example, one of the main drivers of conflict in the eastern Democratic Republic of Congo has been competition over mineral resources (DRC) (Box 1).

Box 1. Mineral resource extraction as driver of violent conflict in Eastern Congo

With 80% of its 53 million people living on less than 1 USD per day, the Democratic Republic of Congo (DRC) is one of the world's poorest countries. Decades of colonial exploitation, mismanagement and civil war have destroyed the country's economy, infrastructure, and social fabric and seriously impaired the integrity of ecosystems. According to the International Rescue Committee (2008), more than five million Congolese died as a result of the armed conflicts over the period of 1998 to 2003, the highest number of fatalities in any conflict since World War II. Despite a peace agreement in 2003 and democratic elections in 2006, the conflict continued to rage in the eastern Kivu Provinces that border Rwanda, Uganda and Burundi and in the Ituri district of Province Orientale, which borders Uganda. The signing of a Peace agreement by the government and various armed groups operating in the eastern provinces in January 2008 raised hope, but violence is not over. Since September 2008, clashes between rebels and government troops around the eastern city of Goma displaced more than 250.000 civilians in addition to at least one million already displaced over the past two years.

Competition over the rights to exploitation and trafficking of natural resources is one of the main drivers of armed conflict in the mineral-rich Eastern Congo. Amongst these are mineral resources. Natural resources could underpin economic growth and poverty reduction but without adequate governance of these resources the converse is also true. The main minerals in the east of the country are gold, cassiterite (tin ore) and columbite-tantalite ("coltan"). These are used, amongst other things, in consumer electronics (*e.g.* cell phones, laptops and game consoles). While its mineral wealth could make the DRC one of Africa's most prosperous countries, competition for control of the rights to mine and the subsequent profits from exploitation by warring parties has contributed to conflict. This is particularly true for cassiterite the prices of which have risen dramatically in recent years driven by increasing demand from industries in Europe, North America and Asia.

Unless the links between natural resources and conflict are addressed more effectively and systematically lasting peace in the region cannot be achieved. While the security and humanitarian needs are immediate, longer term strategies to improve the governance of eastern DRC's natural resources include the strengthening of the mining laws and their effective enforcement in the country and implementation of the norms, which regulate the international flow of finances and goods related to the extractive industry such as the Extractive Industry Transparency Initiative (EITI), the Kimberley process, and the OECD Guidelines on Multinational Enterprises (MNE).

The international private sector can also be a positive driver of change by taking responsibility for its mineral supply chains. For example the tin processing industry such as mobile phone providers could assure consumers through certification schemes that revenues do not fuel the Congolese conflict economy. Ultimately, to create and sustain development, mineral resources have to be converted into other forms of capital (human, social, financial and manufactured) and other, more sustainable livelihood opportunities.

On the other hand, *conflicts can have serious environmental impacts*, direct or indirect, that can affect human health and livelihoods as well as ecosystem services.

Direct impacts are those arising directly and solely from military action such as chemical spills, waste, land mines, resource contamination, and natural resource destruction.

Indirect impacts are impacts that can be credibly sourced in whole or in part to the conflicts and the associated war economy. They include environmental impacts related to population displacement; natural resource looting, arrested development and conservation programmes. Unless due consideration is given to these impacts, they can lead to further population displacement and socio-economic instability, undermining recovery and reconstruction in post-conflict states.

The conflict in Sudan for example had a range of direct and indirect impacts on the country's environment and natural resource base (Box 2). Box 2 examines two dimensions of SEA work in relation to post conflict environments. Firstly, it deals with post-conflict reconstruction plans or the component PPPs within such plans. Secondly, it considers the variations that may be required to the standard approach recommended in *OECD DAC Guidance* in order to meet the unique circumstances of post-conflict situations.

One of the risks that is often introduced by the need for rapid disbursement of financial aid following a conflict is the potential environmental damage resulting from reconstruction works which without thorough environmental consideration and assessment. For example, demand for timber to build replacement homes may destroy prime habitats in the absence of any guidance, regulation or conservation efforts. As a consequence, an SEA which draws attention to such constraints may be seen as 'unhelpful' to the relief effort unless it is very sensitively handled.

The status of the different interest groups and stakeholders will also be of critical importance to the way in which the SEA is conducted, since ownership and effective control over natural resources may be uncertain and often vested in the hands of former combatants.

Finally, it is important to recognise that many of the participants may feel threatened by 'a full and objective' SEA, given continuing perceptions of insecurity and the absence of effective governance. For these reasons, the SEA process may need to set more limited objectives than might otherwise be the case.

Box 2. Assessment of the environmental impacts of conflict in Sudan

Major conflicts have, at times, extended over as much as 60 percent of the territory of Sudan, principally in the ten southern states, but also in the west (all three Darfur states), the centre (Blue Nile and Southern Kordofan states), the east (Kassala state) and the north-east (Red Sea state). In total, over 15 million people have been directly affected, not including the approximately six million people currently still impacted in Darfur.

The linkages between conflict and environment in Sudan are twofolds. Firstly, the country's long history of conflict has had a significant impact on its environment. Indirect impacts such as through population displacement, conflict-related resource exploitation and environmental mismanagement have been the most severe consequences to date. Secondly, environmental issues have been and continue to be contributing causes of conflict. Competition over oil and gas reserves, water and timber, as well as land use issues related to agricultural land are important factors for the instigation and perpetuation of conflict in Sudan. Confrontations over rangeland and rain-fed agricultural land in the drier parts of the country are a particularly striking manifestation of the connection between natural resource scarcity and violent conflict. In all cases, however, environmental factors are intertwined with a range of other social, political and economic issues.

These findings indicate that environmental considerations in post-conflict Sudan must not only include the direct legacies of conflict (which are relatively minor), but also the indirect impacts, as well as to chronic environmental problems such as land degradation, riverbank erosion and waste management and sanitation issues. This will be best achieved by integrating all of the issues into a holistic recovery programme rather than attempting to separate them on the basis of conflict linkages.

Source: United Nations Environment Programme (UNEP) (2007)⁹, *Sudan Post-Conflict Environmental Assessment*, UNEP, Geneva.

3. Focus of this Advisory Note: SEA in post-conflict situations

The term “post-conflict” is difficult to define. There are uncertainties about timing since the formal cessation of hostilities does not necessarily mean that violent conflict is over. For the purpose of this note, however, a “post-conflict” situation will be defined as one where some conflict has occurred and the focus is on increasing security through development support and direct intervention by the international community, generally following a peace agreement.⁷

In post-conflict settings there is usually a transitional period from peace and post-conflict stabilisation to democracy and development of variable durations. The different transitional stages provide different entry points for applying SEA.

In the early stages of post-conflict development, when institutional mandates and capacity are usually weak, international assistance agencies focus particularly on country-level programming.

As transitional administrations evolve and become more democratic, legal frameworks and institutional structures as well as national and sub-national / regional level planning processes evolve. Where sub-national conflict has been prevalent, legal frameworks may already exist. Institutional development may therefore become the key consideration.

This Advisory Note aims to assist in establishing the necessary pre-requisites for addressing long-term sustainability concerns at various stages of post-conflict development through the application of SEA. It provides decision-makers with a checklist of questions identifying key considerations relevant to post-conflict settings. These questions should be adapted to partner country circumstances, development agencies mandates and the specificities of the targeted policies, plans and programmes. The note also indicates the preconditions that will allow certain SEA procedures to be followed.

4. Potential benefits of applying SEA to post-conflict reconstruction

The fast disbursement of financial resources on a large-scale to meet urgent humanitarian needs and support post-conflict recovery and reconstruction often generates environmental risks as well as opportunities. Periods of post-conflict rehabilitation are often characterized by “hyper-development” resulting in increasingly severe environmental impacts (*e.g.* the requirement for increased supply of natural resources such as timber for reconstruction can cause widespread deforestation).

The key objective of a post-conflict SEA should therefore be to help identify such environmental risks and opportunities and ensure that they are taken into account as early as possible in developing post-conflict PPPs. SEA should promote wise management of natural resources as a foundation for effective and sustained recovery, growth, poverty reduction and the equitable sharing of benefits derived from the exploitation of these resources.

Where natural resources are controlled or exploited by conflicting parties, SEA can help to identify these parties and provide opportunities for developing appropriate frameworks for managing resources or, in certain situations, minimising the potential for renewed conflict. An SEA presents an opportunity to improve and strengthen governance and management of natural resources and prevent conflict over them.

⁷ Post-conflict support efforts within particular nation states are generally directed to political, social and economic stabilisation, democratic governance and sustainable development (*e.g.* Afghanistan, Liberia and Iraq), sometimes at the sub-national level (*e.g.* Aceh Province, Indonesia; Darfur and Sudan).

One of the first steps of a SEA in post-conflict situations with fragile governmental institutions will be to clarify the ownership of decision-making processes. By integrating different stakeholders in a process of democratic decision-making, SEA can thereby also underpin the democratisation process and support long-term political stabilisation.

5. Challenges for SEA application in post-conflict situations

The *OECD DAC SEA Guidance* suggests that a “full” SEA⁸ will only be effective where an institution (usually the state) exists in a country that has the mandate, the capacity and the willingness to follow up on the key results of the actions agreed in the SEA. Another critical precondition for undertaking an SEA is that stakeholders are both willing and able to participate without risk.⁹

In the early stages of post-conflict development, however, these preconditions may not be fulfilled. Pressing needs for humanitarian relief and reconstruction as well as insecurity concerns may cause resistance to the comprehensive and extensive approach of SEA. Transitional and elected governments may not necessarily see the relevance of mainstreaming environment in planning and decision-making in the early stages of reconstruction. A comprehensive SEA approach may therefore in many cases neither be a priority nor possible.

While at that early stage the priorities of international assistance agencies may be to provide emergency relief, rehabilitation and institution building, there may be some strategic fields (such as water supply, access to land or soil quality) which are also important in the process of reconciliation and which could serve as focus for the SEA. Highlighting the critical importance of such fields for reconstruction may help overcome resistance to undertaking an SEA.

Another significant constraint to implement SEA in the early stages of post-conflict development is that institutional mandates and capacity of post-conflict authorities are usually weak (as in the case of Afghanistan, see Box 3). Strengthening capacity for SEA should therefore form part of broader post-conflict governance and capacity building programmes (national or sub-national). This could be undertaken in conjunction with strengthening existing or developing new Environmental Impact Assessment (EIA) procedures and decision making.

Capacity development should combine top-down and bottom-up approaches. It should be targeted not only environmental agencies but also central ministries such as finance, planning and economic affairs.

⁸ Meaning an open, transparent and participative process, including all major stakeholders.

⁹ Verheem, R., R. Post, J. Switzer and B. Klem (2005), *Strategic Environmental Assessments: Capacity-building in Conflict-Affected Countries*, Social Development Paper, World Bank, Washington DC.

Box 3. Environmental mainstreaming of Afghanistan's interim National Development Strategy

In 2005, the United Nations Country Team prepared its Development Assistance Framework which provided a commitment to enhancing environment and natural resources as one of four priority areas between 2006 and 2008. The commitment stated: *'In line with Afghanistan's MDGs, environmental regulatory frameworks and management services will be established for the protection of air and water quality, waste management and pollution control, and natural resource policies will be developed and implementation started at all levels of government as well as the community level, by end-2007.'*

This commitment was later included as a benchmark in the Afghanistan Compact, the donor agreement established at the London Donor Conference in 2006. Afghanistan committed to prepare its National Development Strategy (ANDS) (similar to an Integrated Poverty Reduction Strategy) to reflect the London Compact and the principles embodied in the agreement between donors and partners. The ANDS process commenced with the establishment of seven sector working groups (consultative groups) representing the major development sectors to be targeted in the ANDS. Five cross-cutting thematic groups were established and to provide inputs to sector working groups in the course of formulation of the ANDS.

Capacity-building efforts were undertaken with the National Environmental Protection Agency to establish the cross cutting Thematic Working Group on Environment. Its tasks include:

- provide advice to assist ministries to incorporate environmental consideration into their benchmarks and annual work plans; identify and provide solutions for integrating environmental considerations in programme implementation;
- undertake quarterly reporting on types of interventions delivered to support environmental mainstreaming within sector development plans; analyse progress and shortfalls in integration of environment, and to make recommendations on strengthening the strategic review of sector plans and work of the consultative groups.

These activities required a high resource input and it was not possible to address all relevant issues due to resource constraints. In addition, lack of capacity hampered significant progress. However, several priority sectors were chosen and technical support provided to ensure progress in these strategic activities.

Streamlined forms of SEA may be suitable and needed during earlier stages and opportunities should always be sought to use such approaches as soon as practically possible. The data collection exercise on environmental impacts to be included into Donor Assistance Databases in Afghanistan and Iraq provide an example of such early consideration of the environment in post-conflict situations (Box 4).

Box 4. SEA of donor assistance databases – Afghanistan and Iraq

As part of its assistance to the United Nations Country Teams in Iraq and Afghanistan, UNEP provided support for collecting information on the environmental considerations contained in all project/programme submissions. Cross-cutting thematic markers were developed for project submission papers, including a marker to identify if a project or programme will possibly have an impact on environmental resources. The information was then included into databases of aid flows in support of post-conflict development.

Drawing from these databases, all existing and proposed projects in **Afghanistan** in the lunar calendar year 1384 (2005/2006) were assessed:

- 193 projects had the potential to have some impact on the environment: 21% (transport sector), 26% (energy, mining and telecommunications), 12% (urban development), and 33% (natural resources management).
- Further breakdown of sub-sectors identified where major project activities were undertaken, e.g. in the transport sector, 88% of projects were for road works.

In **Iraq**, standard assessment methods were seen as obstructive to fast pace development required in the post-conflict situation. *Rapid* environmental assessments assisted projects proponents to integrate environmental management procedures into their proposals. This support was provided in a legal and regulatory vacuum where general EIA procedures were not yet in place.

As transitional administrations evolve and become more democratic, legal frameworks and institutional structures tend to become better established. Where sub-national conflict has been prevalent, legal frameworks may already exist, making institutional development the key entry point for SEA.

6. Checklist of questions for SEA of post-conflict reconstructions policies, plans and programmes

This set of questions is structured along the four main stages of an SEA suggested in the *OECD DAC SEA Guidance* (see Box A.2 in the Annex and for more details pages 54-61 of the Guidance).

Establishing the context of an SEA

- Under which conditions and in which context have peace and post-conflict stability been established?
 - *Has a dedicated peace agreement been negotiated and what is the intent of the agreement in terms of post-conflict development?*
 - *Is there broad support from the international community with regard to the agreement and the post-conflict stabilisation and development strategy?*
 - *Is a new constitution proposed or in place, or is it proposed to modify existing legal frameworks to support post-conflict stabilisation and development? In particular, is there a specific reference to environment and natural resources?*
 - *Has a new or transitional government been appointed as a result of the peace agreement and what capacity development support is directed to environment related issues?*
- Are there any immediate or recognisable environmental impacts of the conflict – which may influence post-conflict development?

- Are there pre-existing chronic environmental problems, *e.g.* land degradation, water resources depletion or contamination that may constrain reconstruction?
- What are the main priorities of the reconstruction plans and programmes which have an impact on natural resources and the environment (*e.g.* humanitarian relief or employment creation)? Are there any strategic fields (*e.g.* water supply, access to land or soil quality) which are also of critical importance in the process of reconciliation, which could be highlighted to help overcome resistance to a comprehensive SEA?
- How is the ***flow of finance for post-conflict reconstruction*** activities arranged? Might the reconstruction process result in a “hyper-development” which in turn could lead to increased environmental impacts?

If answers to the above questions establish that it is useful, appropriate and feasible to undertake an SEA, then the following questions will help to scope it.

Collect baseline information

- What information is available on the possible linkages between the conflict and natural resources and the environment?
 - *What are the socio-economic conditions surrounding resources use?*
 - *Are the required data available for assessing these issues, e.g. from international agencies such as the UN and World Bank involved in Post-Conflict Needs Assessments (PCNAs)?*
- What information is available on the potentially affected environmental and social systems?
 - *Are there any restrictions to access to databases or remotely sensed data needed to support the SEA?*
 - *What qualitative information can support the SEA activity?*
 - *What specialist skills may be required to assess this information?*

Setting objectives

- What is the objective of the SEA?
 - *To provide environmental or social safeguards in the context of development?*
 - *To integrate principles and practices to address environment-poverty or environment-conflict linkages into the design of PPPs?*
 - *To address MDG 7 (“ensure environmental sustainability”) or any of its sub-indicators?*
 - *To engage civil society in dialogue on common ecological problems as an instrument of crisis prevention and peace building?*
 - *Any combination of these items?*

Identify stakeholders

- Who are the main stakeholders and what is their relationship to the former conflict parties?
- Is there evidence of conflict between groups of stakeholders with respect to natural resources, particularly in terms of access, ownership and multiple uses?
- Are there any particularly vulnerable groups or displaced people in the conflict or post-conflict setting whose needs must be given due consideration?
- Who are the key stakeholders in establishing the development agenda in the post-conflict setting?
 - *Which stakeholder group does the transitional government represent?*
 - *Will the parties to the conflict be represented in the new or transitional government? If not, is it possible to invite these stakeholders without creating new conflicts?*
 - *Who are the major international supporters of the post-conflict rehabilitation and development agenda?*
- What are the **mandate and capacity of national institutions** (e.g. Environmental Protection Agency) and **civil society** to understand and cope with environmental stress?
 - *What are the institutional governance structures for environment and development related issues?*
 - *Is there a clear mandate within the government to respond to environmental issues?*
 - *Is there adequate institutional capacity to carry out SEA activities?*
 - *Are civil society organisations engaged in environment or conservation issues?*
- What are the co-ordination mechanisms between donors and government which may provide a clear entry point for SEA activities? Who is responsible for these co-ordination mechanisms and is there support for integrating SEA techniques or tools?
- What aspects (e.g. institutional arrangements, political will, knowledge of decision-makers) pose **barriers** or present **opportunities for influencing the decision-making process** in terms of integrating environmental considerations at the strategic level?

The sector SEA undertaken in Liberia illustrates the **possible benefits of stakeholder consultation** in a post-conflict situation (Box 5).

Box 5. Stakeholder consultation in the SEA of the Liberia Forest Policy

An SEA, funded by the World Bank, is being undertaken by International Union for Conservation of Nature (IUCN), the Sustainable Development Institute in Liberia, and the ProAct Network for the Liberian forest sector. It will examine the strategic challenges posed by each of the three aspects of forest management: a rapidly expanding commercial forestry industry, an expanding protected area system, and increased community-based forest management. In addition, the SEA will address the challenges posed by the interrelationship between the forest sector as a whole and other sectors such as agriculture and mining.

The SEA follows a standard assessment process including an inception phase, consultations with identified and representative stakeholders, scoping phase to refine and prioritize the issues under investigation, and identifying alternatives and an action plan to address the strategic challenges. Four situation assessments will be undertaken, each describing the relevant environmental, social, economic, legal and institutional aspects of the Liberian forest sector. The outcomes of this analysis will inform the line of query for two case studies that will examine in more detail the implications of possible alternatives and action taken on identified priority issues. The case studies will help to define specific recommended actions to minimise negative environmental and social impacts associated with the forest policy.

An aspect of the SEA specific to the current Liberian context is the consultation process being undertaken in the scoping process. A consultation team, led by the Liberian Sustainable Development Institute, will visit seven regional capitals and population centres across the country. In each, consultations will be held with local government and traditional leaders, civil society and village representatives. This level of consultation is framed by two key factors:

- A total breakdown of sub-national government processes caused by the civil war has led to the capital, Monrovia, being isolated from the rest of country. So, hitherto, Government officials have not had complete access to the interior of the country, either because of security concerns or because they lacked the resources and logistical capacity. The regional consultations therefore provide a counter balance and reality check on field-level information obtained from sources not previously accessible.
- The community forestry component of Liberian forest management is still largely undefined from a policy and legislative perspective. As part of the formulation of a Community Rights Law with respect to forest lands, a regional consultation process is planned. In order to benefit from increased logistical capacity, better information-sharing and the proactive identification of synergies from a strategic standpoint, it was decided to combine the consultation processes of the SEA and the Community Rights Law. It is hoped that both the SEA and the legislative drafting process will benefit from this expanded consultation.

Implementation of SEA

Assessing the legal, institutional and policy framework

- Are there any existing or pre-existing environmental policies, regulations, laws or decision frameworks (e.g. donor agreements) that support the application of SEA?
- Do the donors and multilateral agencies involved in the reconstruction have policies to integrate environmental considerations into their activities? Do they regularly undertake analyses of the vulnerability of specific social groups to environmental degradation?
 - *Examples may include: food security projects that integrate sustainable farming methods and funding towards these issues; recognising traditional access to non-timber forest products.*

- What laws have been developed to govern the development or exploitation of natural resources?
 - *Are environmental or sustainability safeguards built into these laws and regulations?*
 - *Is there formal support to mainstream environment into development plans? Is there any overarching development policy guidance that frames sustainable development goals?*
 - *Is there a commitment to sustainable development and responding to MDG 7 and sub-indicators?*
- Does that include plans for major long-lived/large-scale infrastructure or network development (e.g. road networks, large dams)? Who is responsible for these plans, and is there support for SEA of these proposals?
- Which institutional constraints need to be accepted in implementing the SEA? Is there a need for capacity development in the concerned authorities?

Dialogue with stakeholders

- Is it possible to develop an early alliance with the proponents of the PPPs in question to allow sufficient attention to relevant issues?
- How can groups, likely to be unduly influenced by the PPP, be included in consultations?
- Are there constraints to consultation with civil society groups or stakeholders such as security considerations or lack of representation of stakeholders?
- How can local agreement and ownership of SEA procedures be encouraged?

Assessment of alternatives

- Do specific post-conflict circumstances constrain the assessment of alternative PPPs?

For example, population displacement may not allow alternative water supply options to be examined; similarly, destroyed infrastructure (transport, energy etc) may need extensive rehabilitation and given the urgent needs to recreate access and economic opportunities, the consideration of alternative policy choices to improve sustainability from a social and environmental perspective may be redundant.

Informing and influencing decision-making

- What mechanisms and structures are in place to co-ordinate the SEA work and develop an ongoing channel of communication between all stakeholders and decision makers? Which are the key government counterpart agencies?

Monitoring and evaluation

- Which indicators can help to measure whether the incorporation of environment considerations in the PPP is adding value? Could MDGs or sub-indicators help to frame useful indicators?

7. Lessons learned

The important lessons learned from applying SEA to post-conflict development have a lot similarities compare to the application to disaster risk reduction. They include:

Screening: At the outset it will be necessary to assess whether sufficient co-operation is likely to be available from key participants (the Government/Donors/NGOs/Aid Agencies and local people). Similar questions need to be asked about the level of environmental baseline and other information and, critically, the availability of an SEA team with the necessary experience of operating in such conditions. These judgements will often require snap decisions and may need to be made with incomplete information.

Scoping: From a theoretical base it is sometimes assumed that the full scope of an SEA can be determined before the process begins, but in post-conflict and disaster response situations the levels of uncertainty about priorities and options may be too high that it is better to allow the process and project team to define the detailed scope of the work in response to stakeholder needs.

Stakeholders: Stakeholder analysis is critically important for both types of SEA, but it may not be possible to undertake this in a systematic or rigorous way. The SEA team will need to encourage as wide a level of stakeholder participation as possible while recognising that time for involvement may be very limited, and that conflicting interests may be particularly prevalent.

Implementation of the SEA: In both post conflict development and disaster risk reduction SEAs, there is unlikely to be comprehensive baseline information; relevant maps and plans may be hard to find. Much of the assessment may have to be based on first principles rather than detailed modelling. Choices and alternatives will often be dictated by short term needs and objectives and it will be important that the SEA looks closely at the opportunities for reviewing early findings and monitoring outcomes so that corrective action can be taken as soon as conditions stabilise. A primary objective in both types of SEAs will be to seek to avoid environmental degradation and social disbenefits arising from poorly planned reconstruction efforts. **In all applications of SEA in post disaster or conflict situations, it is critical that the SEA does not inadvertently contribute to already existing community stressors, which could result in destabilisation of weakened community resilience, and hence possible conflict. The SEA field team will need to be keenly aware of this issue and adjust the scope and process of the SEA accordingly.**

8. Further information

United Nations Environment Programme – Post-Conflict and Disaster Management Branch,
<http://postconflict.unep.ch>.

International Institute for Sustainable Development – <http://www.iisd.org/security/es/>.

Trudea Centre for Peace and Conflict Studies – <http://www.trudeaucentre.ca/>.

State of the Art Review on Environment, Security and Development Co-operation, IUCN, The World Conservation Union for the OECD DAC,
http://www.sustainable-peace.org/download/state_of_art_envsec_oecd_review.pdf.

International Peace Research Institute – <http://www.prio.no/>.

Al-Hamndou, D., Bouchard, M.-A. (2007), “Conflits armés et Environnement : Cadre, modalités, méthodes et rôle de l'Évaluation Environnementale”, in : *Développement durable et territoire*, Dossier 8 : Méthodologies et pratiques territoriales de l'évaluation en matière de développement durable.

Verheem, R., Post, R., Switzer, J. and B. Klem (2005), *Strategic Environmental Assessments: Capacity-building in Conflict-Affected Countries*, Social Development Paper, World Bank, Washington DC.

UNEP (2007), Sudan Post Conflict Environmental Assessment, <http://www.unep.org/sudan/>.

Annex 1

The OECD DAC Review and Guidance on SEA

Strategic Environmental Assessment (SEA) supports the principles of the [Paris Declaration on Aid Effectiveness](#) in terms of ownership, alignment, harmonisation, managing for development results and mutual accountability. In this Declaration, both donors and development country partners made a commitment to “develop and apply common approaches for ‘strategic environmental assessment’ at the sector and national levels”.

In response to this commitment, the OECD DAC Network on Environment and Development Co-operation (ENVIRONET) has developed SEA Guidance: *Applying Strategic Environment Assessment – Good Practice Guidance for Development Co-operation* (OECD DAC 2006), hereafter called the *OECD DAC SEA Guidance*. The Guidance provides a commonly agreed and shared framework for developing appropriate, fit-for-purpose applications of SEA in diverse areas. To enhance the SEA Guidance, ENVIRONET is developing a series of Advisory Notes to link SEA to key topical challenges. This Advisory Note bridges Strategic Environmental Assessment and disaster risk reduction. Others address climate change adaptation, ecosystems services and post-conflict development.

The *OECD DAC SEA Guidance* defines SEA as “*analytical and participatory approaches that aim to integrate environmental considerations into policies, plans and programmes and evaluate the inter linkages with economic and social considerations*”. Hence, SEA is not a single, fixed and prescriptive approach, but rather an umbrella approach using a basket of analytical and participatory tools. It is largely principles-based and adaptive, focused on strengthening institutions and governance, and tailored to a specific context. The core of the OECD DAC SEA Guidance is organized around 12 broad entry points for the application of SEA to different areas of strategic decision making (Box A.1).

In 2010, a *Review of SEA Experiences in Development Co-operation* is produced (OECD DAC 2010). It provides a comprehensive review of major SEA activities in developing countries. The Review covers nine developing countries – Benin, Bhutan, Ghana, Honduras, Mauritius, Montenegro, Namibia, Sierra Leone and Vietnam. It serves as a monitoring report of the 2006 Guidance.

Box A.1. Key entry points for SEA in development co-operation

(A) For SEA led by partner country governments

1. National overarching strategies, programmes and plans
2. National policy reforms and budget support programmes
3. National sectoral policies, plans or programmes
4. Infrastructure investments plans and programmes
5. National and sub-national spatial development plans and programmes
6. Trans-national plans and programmes

(B) For SEA undertaken in relation to donor agencies’ own processes

7. Donors’ country assistance strategies and plans
8. Donors’ partnership agreements with other agencies
9. Donors’ sector-specific policies
10. Donor-backed public private infrastructure support facilities and programmes
11. For SEA in other, related circumstances

(C) For SEA in other, related circumstances

12. Independent review commissions
13. Major private sector-led projects and plans

Source: OECD DAC (2006).

The approach to SEA applied policies and plans/programmes is likely to differ, the former focusing much more on the institutional dimension (key steps are shown in Box A.2).

Box A.2. Key steps in SEA

SEA can be undertaken across the hierarchy of strategic decision-making levels from the policy-level to the plan and programme level, and the approach required at these different levels will vary.

(A) SEA at the policy level

Typical steps are difficult to codify or prescribe as the processes of policy-making vary considerably and, ultimately, are political. Compared to project-level EIA, SEA undertaken at the policy level demands a thorough understanding of political economy factors and institutional settings (see C below). Proponents of SEA can take advantage of windows of opportunity as leverage points for mainstreaming environment in policy processes and persuade decision makers to use the SEA process to integrate environmental issues. In practice, there are still relatively few examples of SEAs being undertaken at this level.

(B) SEA at the plan / programme level

1. Establish context
 - Screen the need for the SEA, set objectives, identify stakeholders and develop a communication plan
2. Implement the SEA
 - Collect baseline data, scope in dialogue with stakeholders, identify alternatives and their impacts, identify options for mitigation and compensation, arrange quality assurance of the assessment
3. Inform/influence decision making
 - Make recommendations in dialogue with stakeholders
4. Monitor implementation and evaluate

(C) Addressing the institutional dimension of SEA

1. Institutional and governance assessment
 - Review the country's environmental management and governance systems, covering:
 - i. Systems in place to address the environmental linkages with key policy goals and issues, particularly capacity to manage uncertain/unexpected environmental impacts or take advantage of environmental opportunities.
 - ii. Institutions, incentives and processes that support improved governance and public and private sector engagement.
 - iii. Environmental governance mechanisms for ensuring/reinforcing social accountability
 - Review analytical capacity (in government, research and academic institutions, civil society organisations and private sector).
 - Gain access to decision-making – exploit opportunities to mainstream environment issues in policy formulation.
2. Institutional and governance strengthening
 - Support mechanisms that increase social accountability and improve governance
 - Assist countries in adaptive learning – ensuring continuity in SEA processes

About the OECD, DAC and ENVIRONET

Organisation for Economic Co-operation and Development

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The OECD was founded in 1961 and its members now comprise 33 democratic nations with advanced market economies. It has active relationships with some 70 other countries, NGOs and civil society. The OECD's work covers economic and social issues from **macroeconomics**, to **trade, education, development** and **science and innovation**, and it is best known for its **publications** and its **statistics**. Its basic aim is to promote policies to: (a) achieve the highest sustainable economic growth and employment and a rising standard of living in member countries, while maintaining financial stability; (b) contribute to sound economic expansion in all countries; and (c) contribute to the expansion of world trade on a multilateral, non-discriminatory basis in accordance with international obligations.

The OECD Development Assistance Committee (DAC) (www.oecd.org/dac) is one of the key forums in which the major bilateral donors work together to increase the effectiveness of their common efforts to support sustainable development. The Committee holds an annual *High Level Meeting* in which participants are ministers or heads of aid agencies. Much of the detailed work is undertaken through subject-specific working parties and networks such as ENVIRONET (the DAC Network on environment and development co-operation). The work of the DAC is supported by the *Development Co-operation Directorate*, (DCD), one of some dozen directorates in the OECD. The DCD is often referred to as the DAC Secretariat because of this key function.

DAC members are: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Japan, Korea, Luxembourg, Netherlands, New Zealand, Portugal, Norway, Spain, Sweden, Switzerland, United Kingdom, United States, and the Commission of the European Communities. The International Monetary Fund (IMF), the United Nations Development Programme (UNDP), and the World Bank participate in the work of the DAC as observers.

The ENVIRONET

The DAC Network on Environment and Development Co-operation (ENVIRONET) focuses on environmental issues at the interface of development co-operation and environment. Its mandate is to:

- contribute to the formulation of coherent approaches to sustainable development in the context of the OECD cross-sectoral approach to sustainable development;
- formulate specific guidance for development co-operation efforts in support of environment and sustainable development; and provide its members with a policy forum for sharing experience and disseminating good practice with regard to the integration of environmental concerns in development co-operation.