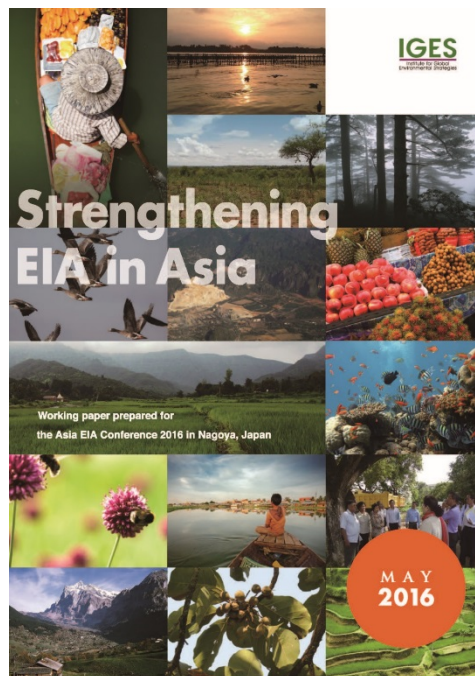


IAIA16:

How to enhance EIA in Asia

Strengthening EIA in Asia

- Based on seven-country study in Asia -



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Outline

1. Background

2. Key findings (Challenges, Good practices and ways forward)

- Quality of EIA
 - Screening and Scoping
 - Impact assessment and Environmental Management and Monitoring Plan (EMMP)
 - Review and approval of EIA
- Information disclosure and public participation
- Implementation of EMMP
- Strategic Environmental Assessment and Upstream EIA

3. Synthesis

- EIA as a project planning and management tool
- EIA as a tool for participatory decision-making process
- Implications for policy planning beyond project-level decisions for sustainable development

1. Background

- Most of the East and Southeast Asian countries are about finalizing establishment of basic EIA system. However, they still **need to strengthen its implementation** and **further establishment of EIA related policies and guidelines.**
- **Existing activities** on strengthening EIA by ADB, IFC, JICA, UNDP, USAID, USEPA, WB, and others in Asia
- IGES study **Identifies common challenges and opportunities** to strengthen EIA in Asia based on a study in seven Asian countries (Cambodia, Indonesia, Korea, Lao PDR, Myanmar, Thailand and Vietnam) supported by Ministry of the Environment, Japan from August 2014 to April 2016.

2. Key findings (1): Quality of EIA (Screening and Scoping)

Key Challenges	Good practices	Ways forward
<p>Screening</p> <ul style="list-style-type: none"> • Some projects are approved without screening process • Screening at the local level • Downsizing/splitting projects to avoid EIA in all countries • Limited information for screening <p>Scoping</p> <ul style="list-style-type: none"> • No scoping section in the EIA • Scoping depends on the reviewers' specialty • Fails to prioritize issues • No public participation during scoping stage 	<p>Screening</p> <ul style="list-style-type: none"> • Amended line ministries' regulations (Indonesia) • Online screening system (Indonesia) • Site visit at screening stage (Cambodia) <p>Scoping</p> <ul style="list-style-type: none"> • Detailed scoping guidelines and training systems (Indonesia) • An online information system to prevent overlooking important issues (Korea) 	<p>Screening</p> <ul style="list-style-type: none"> • Consider a new system to categorise the projects based on environmental consideration of project owners <p>Scoping</p> <ul style="list-style-type: none"> • Establish 'scoping specialist system' and/or special organisation for scoping.

2. Key findings (2): Quality of EIA (Impact assessment and EMP)

Key Challenges	Good practices	Ways forward
<p>Impact assessment</p> <ul style="list-style-type: none"> • Biased assessments • Limited budget and time • Limited access to scientific and laboratory analysis • Limited social or biodiversity/ecosystems impact assessment <p>EMMP development</p> <ul style="list-style-type: none"> • EMMP is too generic • Mitigation hierarchy is not well adopted • Alternatives are not required 	<p>Impact assessment</p> <ul style="list-style-type: none"> • Integrated environmental and social risk management into the Central Bank's credit/loan decision making (Indonesia) • Training and guidelines (Indonesia and Korea) • Separate contract for EIA and design consultants (Korea) <p>EMMP development</p> <ul style="list-style-type: none"> • Consider alternative options during Pre-EIA study (Korea) • Integrate EMMP into a concession agreement (Lao PDR) 	<p>Impact assessment</p> <ul style="list-style-type: none"> • Further ensure the independence of the assessment <p>EMMP development</p> <ul style="list-style-type: none"> • Seek net-positive impacts through EMMP

2. Key findings (3): Quality of EIA (Review and approval)

Key Challenges	Good practices	Ways forward
<ul style="list-style-type: none"> Needs to improve technical capacity, staff time and budget for EIA review. No external EIA review system Inter-agency coordination and consultation Project permission issues and/or construction starts before EIA approval 	<ul style="list-style-type: none"> Training for EIA review staff collaborating with international donors (Indonesia, Lao PDR and Myanmar). Established external review panels for EIA review (Indonesia, Korea, Lao PDR, Thailand and Viet Nam) Developed EIA review procedures and guidance (Myanmar, Lao PDR) Established regulations required environmental permit as requirement for project permission (Indonesia and Myanmar) 	<ul style="list-style-type: none"> Technical training of EIA review (Lao PDR/UNDP, Indonesia/US-EPA, and Myanmar/ADB) Establish an external review panel for EIA review (Indonesia, Korea, Lao PDR, Thailand and Viet Nam) Establish regulations required environmental permit as requirement for project permission (Indonesia/ADB, Myanmar/ADB)

2. Key findings (4):

Info disclosure and public participation

Key Challenges	Good practices	Ways forward
<ul style="list-style-type: none">• Access to EIA related information• Disclosed information is too technical• Limited public participation to ensure the quality of the EIA• Not all community members are free to speak up• Participation of diverse stakeholders• Public participation needs to be stipulated in EIA law.	<ul style="list-style-type: none">• Web-based EIA information system (Indonesia, Korea, Thailand and Viet Nam)• Community engagement in early stage of EIA (Cambodia and Indonesia)• NGO involvement in monitoring and awareness raising activities (Myanmar, Cambodia)• Commercial banks implement the Equator Principles (Indonesia, Lao PDR)• Draft EIA law was developed through series of public consultations (Cambodia)	<ul style="list-style-type: none">• Establishing web-based EIA information system• Sharing good practices and experiences through face to face and/or on-line forums.• Training on effective public participation and for fostering facilitators of public participation• Holding a series of public consultation to amend the EIA law

2. Key findings (5): Implementation of EMMP

Key Challenges	Good practices	Ways forward
<p>EMMP</p> <ul style="list-style-type: none"> • Insufficient quality of EMMP • Compliance of EMMP • No motivation to implement EMMP <p>Monitoring</p> <ul style="list-style-type: none"> • Limited budget and capacity • Do not cover important monitoring items • Limited validity, accountability and effectiveness of monitoring results 	<p>EMMP</p> <ul style="list-style-type: none"> • Strengthened rules and penalties on EMMP implementation (Cambodia, Lao PDR) • Awarded good mitigation performance (Indonesia, Thailand) • Streamlined EIA into project financing (Indonesia) • Collected and pooled resources for mitigation (Indonesia) <p>Monitoring</p> <ul style="list-style-type: none"> • Independent review of monitoring reports (Korea) • Engagement of civil society (Myanmar) • Establishment of independent monitoring agency (Lao PDR) 	<ul style="list-style-type: none"> • Identifying intervention points to ensure EMMP implementation • Promoting information sharing among various actors to enhance cooperation • Build capacity of various actors

2. Key findings (6): SEA and Upstream EIA

Key Challenges	Good practices	Ways forward
<ul style="list-style-type: none"> • No legal basis and technical guidelines of SEA, and associated institutional capacity. • Inter-agency coordination and consultation is poor. • Baseline data is not available. • Securing transparency in the decision process or conflict resolution is difficult in many countries. • Securing appropriate resources is difficult or there is no strong willingness in many countries. 	<ul style="list-style-type: none"> • SEA is applied to landfill site selection (Korea). • Environmental Protection Planning (EPP) component was added in the Environmental Protection Law (Viet Nam). 	<ul style="list-style-type: none"> • Raise awareness of the public participation. • Increase hands-on experience and applications for policy-level decision making and avoid EIA coming to place too late. • Support SEA or other policy-level decision making with data collection and/or other policies/regulations that help mainstream environmental and social issues.

3. Synthesis (1): To strengthen EIA in Asia

EIA as a project planning and management tool

- **Collaboration with other ministries:**
 - Revising legislation of line ministries (Indonesia)
 - Requiring environmental permission as a pre-condition under the foreign investment law (Myanmar)
 - Developing more stringent laws with penalty clauses (Cambodia)
 - Establishing project management online database (Lao PDR)
- **Capacity development:**
 - For both governments (national and local), and EIA consultants and facilitators of public consultation (Indonesia, Lao PDR, Myanmar)
- **Establishment of Compliance mechanisms:**
 - EMMP as a part of concession agreements, regular review of the ECC, establishment of an independent monitoring body (Lao PDR)
 - Review of monitoring report by an external institution (Korea)

3. Synthesis (2): To strengthen EIA in Asia

EIA as a tool for participatory decision-making process

- **Stakeholder identification and engagement from earliest possible stage to monitoring and closure stage:** stakeholder engagement in screening, scoping, assessment, management plan, review and monitoring improve quality of EIAs, and help to achieve meaningful participation and sustainable development
- **Relevant and timely information disclosure:** users rights to know, access to all relevant information, timing of information disclosure
- **Collaboration with local organizations and NGOs:** identify key stakeholders; addressing cultural, religious and gender issues; managing expectations; and raising awareness and building trust with local communities.

3. Synthesis (3): To strengthen EIA in Asia

Implications for policy planning towards sustainable development

- **Integrating project planning** into land use planning, zoning and/or other existing plans (Korea, Indonesia and Viet Nam)
- **Strengthening coordination with other ministries** collaborating with international organizations
- **Awareness raising and experience sharing** of benefits of conducting SEA

Thank you !
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