
Environment and Climate Regional Accession Network (ECRAN)

1st Environmental
Assessment Working
Group Training of
Trainees

23 - 26 September 2014, Podgorica

ENVIRONMENT AND CLIMATE REGIONAL NETWORK FOR ACCESSION - ECRAN

TRAINING REPORT

**Activity No. 2.4 Environmental Assessments, Task 2.4.4. Train the Trainers
Programme on EIA and SEA**

1st Training of Trainers

September 2014, Podgorica, Montenegro



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List of abbreviations

EA	Environmental Assessments
ECRAN	Environment and Climate Regional Accession Network
EIA	Environmental Impact Assessment
EC	European Commission
EU	European Union
MS	Member State
PPP	Plans, programmes and projects
RENA	Regional Environmental Network for Accession
SEA	Strategic Environmental Assessment
ToT	Training of Trainers
WG	Working Group



I. Background/Rationale

General information about the training

The training was the 1st session of the Training of Trainers on SEA and EIA scheme as one of the activities of the Environmental Assessment WG. The whole ToT scheme includes altogether three training sessions:

- 1st Training of Trainers (September 2014): 4-days introductory training session focusing mainly on developing the first drafts of the country specific SEA/EIA training material as well as on training techniques and skills and planning of the local SEA/EIA training events.
- 2nd Training of Trainers (tentatively September 2015 – the exact timing will depend on the progress with the local trainings – see below): 2-days event will be used to review the experience gained through the local trainings and further enhance the training materials as well as to improve the training techniques and skills of the trainers.
- 3rd Training of Trainers (tentatively September 2016): This 2-days final event will focus on finalizing the training materials and further planning of the SEA/EIA capacity building in the beneficiary countries.

Between the ToT events, the trainers nominated by the beneficiary countries are supposed to deliver the SEA/EIA trainings at the local level in their countries.

The 1st ToT was held in Podgorica, Montenegro, from September 23 until September 26. The ToT was facilitated by a team of ECRAN and TAIEX experts

Current state of the affairs in the beneficiary countries in the specific sector

The SEA/EIA training relates to two EU Directives – the Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (SEA Directive), and the Directive 2014/52/EU, which recently amended the Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (EIA Directive).

Although the process of harmonizing the national legislation with the requirements of the EIA and SEA Directives has been initiated in all ECRAN countries, and some of the countries have already achieved full compliance with both Directives (Croatia, Montenegro, Kosovo*, Serbia, the FYR of Macedonia), the implementation of these two directives is still in many countries in an early stage. Almost all ECRAN countries are facing a lack of capacity for appropriate implementation both at the national and sub-national levels. The situation is more advanced in case of EIA, which has in all ECRAN countries longer history compare to SEA.

While there are national SEA/EIA authorities well established in ECRAN countries, the situation at the regional and local level requires further support. Since the local authorities/municipalities and other local stakeholders have an important role in SEA/EIA implementation, it is important to create a core group of the trainers in the ECRAN countries to ensure the knowledge transfer to the local level.

Summary of the main topics covered as per Training Needs Assessment



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The main features of the ToT scheme was introduced and agreed at the 1st Annual Meeting of the EA WG (Istanbul, November 2013). Since the 1st ToT session was supposed to cover all key elements of SEA/EIA procedure, the training manual had been prepared by the ECRAN and TAIEX experts and distributed prior the event.

The training manual provides an introduction to SEA/EIA as well as key principles and main SEA/EIA analytical steps following international principles of good practice. The training manual has following sections:

- **Introduction to SEA and EIA** providing a brief description of SEA/EIA tools and their evolution, international legal framework and linkages between SEA and EIA
- **SEA and EIA process** section introduces main principles of SEA/EIA good practice, describes the main stages of SEA/EIA process and its main actors
- **Main SEA/EIA analytical steps** chapter provides description of rationale, aim, overview of possible approaches and methods, topics for discussion and/or exercise and/or case studies as well as suggests for the structure of the presentation to be prepared
- **Stakeholders' consultations** part provide key principles for efficient consultations, overview of possible approaches and methods, topics for discussion and/or exercise and/or case studies as well as suggests the structure of the presentation to be prepared
- **SEA/EIA and decision-making** section describes how SEA/EIA outputs should be taken into account when adopting plan or programme, or approving the project

Besides SEA/EIA 'substance', the training skills element presented an important part of the training. Therefore, the ToT included also sections focusing on training, presentation and lecturing skills.



II. Objectives of the training

General objectives

The 1st ToT session shall prepare the participants for conducting trainings in their countries.

Specific objectives

- The drafts of the country-specific SEA/EIA training materials are prepared in English (i.e. the training manual and the MS PowerPoint presentation to be used for the trainings at the local level)
- The participants are familiar with the topic i.e. with international principles of good SEA/EIA practice as well as are aware of the key issues or challenges related to SEA/EIA application in their countries
- The participants have capacity to organize and conduct the training events at the local level i.e. they have appropriate training and facilitating skills

Achieved results/outputs

Considering the objectives outlined above, it can be concluded that the participants have sufficient expertise and knowledge of SEA/EIA to be able to conduct SEA/EIA trainings in their countries; however it should be also noted that regarding the training skills there is a room for enhancement.

The reflection of specific objectives is as follows:

- The training manual had been developed in English prior the training providing amount of information, which should enable to draft the presentations for the in-country trainings. The drafts of the country-specific presentations were prepared during the ToT, however – due to a lack of time – these do not cover all topics. Therefore further work on presentations before the trainings in countries is needed.
- The international principles of good SEA/EIA practice, main procedural and analytical steps of SEA/EIA were well addressed at the training. Presentations delivered by the trainees and the discussions reflected also country-specific issues and challenges.
- The training skills of the participants have been undoubtedly increased through the ToT, however an assistance from ECRAN will be needed to plan and conduct the training (e.g. developing the agenda, delivering presentations on certain topics etc.).



III. EU policies and legislation covered by the training

Summary of the main provisions for each EU Directive/Regulation covered by the training

As already mentioned above, the SEA/EIA training relates to two EU Directives – the Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (SEA Directive), and the Directive 2014/52/EU, which recently amended the Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (EIA Directive).

The SEA Directive is in force since 2001 and should have been transposed by July 2004 by all EU member states. Its requirements have had to be integrated in the national legal frameworks. More information can be found at <http://ec.europa.eu/environment/eia/home.htm>

The SEA Directive stipulates the framework for SEA application in EU Member States. It defines main responsibilities of the MSs to be ensured.

The SEA Directive defines a group of plans and programmes, which shall be subject of SEA (or screening). Plans and programmes in the sense of the SEA Directive are those, which are prepared or adopted by an authority (at national, regional or local level) and be required by legislative, regulatory or administrative provisions. However, the SEA Directive does not include a list of plans and programmes (as the EIA Directive does for types of projects), it rather defines criteria to be considered when deciding if SEA should / should not be applied for a certain planning document.

In principle, SEA shall be applied mandatory for plans/programmes which:

- Are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning or land use, and
- Set the framework for future development consent of projects listed in the EIA Directive, or
- Have been determined to require an assessment under the Habitats Directive.

The SEA procedure as designed by the SEA Directive includes for major steps:

- Preparation of environmental report, in which the likely significant effects on the environment and the reasonable alternatives of the proposed plan or programme are identified
- Consultations with public and the environmental authorities on the draft plan or programme and the environmental report prepared (including transboundary consultations if relevant)
- Taking into account the environmental report and the results of the consultations when adopting the plan or programme
- Providing information to the environmental authorities and the public on how the SEA has been taken into account in the adopted plan or programme and/or relevant decision.

The MSs are also obliged to monitor significant environmental effects of the plan or programme during its implementation.



The newly amended EIA Directive (2014/52/EU) entered into force on 15 May 2014 to simplify the rules for assessing the potential effects of projects on the environment. The main amendments are as follows:

- Member States now have a mandate to simplify their different environmental assessment procedures.
- Timeframes are introduced for the different stages of environmental assessments: screening decisions should be taken within 90 days (although extensions are possible) and public consultations should last at least 30 days. Member States also need to ensure that final decisions are taken within a "reasonable period of time".
- The screening procedure, determining whether an EIA is required, is simplified. Decisions must be duly motivated in the light of the updated screening criteria.
- EIA reports are to be made more understandable for the public, especially as regards assessments of the current state of the environment and alternatives to the proposal in question.
- The quality and the content of the reports will be improved. Competent authorities will also need to prove their objectivity to avoid conflicts of interest.
- The grounds for development consent decisions must be clear and more transparent for the public. Member States may also set timeframes for the validity of any reasoned conclusions or opinions issued as part of the EIA procedure.
- If projects do entail significant adverse effects on the environment, developers will be obliged to do the necessary to avoid, prevent or reduce such effects. These projects will need to be monitored using procedures determined by the Member States. Existing monitoring arrangements may be used to avoid duplication of monitoring and unnecessary costs.

More information about new EIA Directive can be found at <http://ec.europa.eu/environment/eia/review.htm>

Useful references on practical guides or links to various web sites

The training manual prepared for the ToT is based mainly on following documents and resources:

- A Practical Guide to the Strategic Environmental Assessment Directive. Office of the Deputy Prime Minister, UK, 2005
- Handbook on SEA for EU Cohesion Policy 2007-2013. GRDP, 2006
- Dusik, J., Smutny, M., Harmel, M.: Guidance for undertaking SEA: General methodological recommendations for practitioners. Prepared within EU-funded project 'Strengthening capacities for Strategic environmental assessment at regional and local level' implemented by EPTISA and DVOKUT ECRO d.o.o., 2014
- Sadler, B., McCabe, M.: Environmental Impact Assessment Training Resource Manual. UNEP, 2002
- United Nations' EIA Course Module (eia.unu.edu)
- Environmental Impact Assessment: A guide to good practice and procedures. Department for Communities and Local Government, 2006



Case studies/examples from EU Member States to illustrate practical situations or best practices that have been covered during the training

A number of case examples were provided by the trainers during the ToT in a form of MS PowerPoint presentations or background reading. These include:

- Linkages between SEA and EIA for a Business/Industrial zone Trnava, Municipality of Braslovče, Slovenia
- Approach to SEA and EIA screening in the Czech Republic and Slovenia
- EIA scoping for regional water pumping station and pipeline in Slovenia
- SEA scoping for the National Transport Strategies in teh Czech Republic
- SEA baseline for Ljubljana Spatial Plan, Slovenia
- EIA baseline for Landscape Sanitation of the Sandpits in Moravče District, Slovenia
- SEA baseline analysis for the Operational Programme Enterprizes and Innovations, Czech Republic
- Impacts assessment in SEA for Municipal Spatial Plan, Krasna Hora, Czech Republic
- Impact Mitigation in Environmental Assessment, Combe Down Stone Mines Stabilisation Programme, UK
- Czech legal requirements for a structure of SEA report
- Criteria for assessing 'communication' in the Environmental Statement Review Package, UK
- SEA/EIA quality control in the Czech Republic, Denmark and the Netherlands
- Public participation and Quality Control in EIA for Shaldon and Ringmore Tidal Defence Scheme, UK
- Public participation in SEA/EIA in the Czech Republic
- Considering SEA/EIA in decision-making in Slovenia and the Czech Republic



IV. Highlights from the training

Summary of each training session and description of the training activities (delivered presentations, small group work, plenary discussions, etc.) done during each training session

Following key training sessions were carried out during the ToT:

- **Main principles of efficient SEA and EIA and linkages between these two tools:** The presentation was delivered by Matthew Cashmore, TAIEX expert, introducing milestone in SEA and EIA history and evolution, important background documents (guidelines and methodologies, and core principles of SEA and EIA derived from the list elaborated by the International Association for Impact Assessment (IAIA). A good SEA/EIA should be:
 - Purpose-oriented: The main purpose of SEA/EIA is not to produce the report, but to achieve integration of inputs in the plan or programme (SEA) and project design (EIA) and its further implementation.
 - Focused i.e. addressing the key environmental and health problems and likely significant impacts and risks.
 - Transparent: SEA/EIA should be clear, easily understandable and open process allowing key stakeholders to participate during main stages, with open access to the main report and documents, and public records of the decisions taken and related justification.
 - Credible: SEA/EIA should be conducted with professionalism, its conclusions and results have to be objective and unbiased and supported by appropriate evidence as relevant to the nature of the plan/program or project
 - Efficient and thus presenting no- or minimal burden to the planning process or project preparation, however still delivering expected outcomes.

The purpose of conducting SEA and EIA was discussed as well as the linkages between these two tools. The presentation also mentioned current amendments of the EIA Directive.

- **Main SEA/EIA-related challenges in beneficiary countries to be addressed in the ToT and further trainings:** The introductory presentation was delivered by Klemen Strmšnik, providing an overview of existing challenges regarding SEA and EIA in ECRAN countries. Among others, it was mentioned that ECRAN 'region' presents a very diverse region with high biodiversity and other values (cultural heritage, landscape, etc.); however at the same time it is the area with rapid economic development and unique challenges. Therefore, environment-related problems and conflicts are almost inevitable, and thus SEA and EIA should be properly applied to avoid or mitigate the consequences of the development. More specific issues were mentioned, including:
 - Improper application of screening, leading to situation that not for all relevant plans, programmes and projects SEA/EIA is applied
 - 'Ex-post' SEA practice still prevails more efficient 'ex-ante' application
 - Inefficient stakeholders' involvement, when tools and approaches are not always well selected, there is a limited role of health authorities, limited consideration of public



opinions in the PPPs/decision-making, and limited feedback is often provided to the stakeholders

In follow-up discussion, participants stressed out that a number of challenges can be identified in their counties e.g.

- Insufficient knowledge of EIA/SEA procedure at the local governments level
- Separate procedure for EIA and Environmental permitting
- Low quality of SEA/EIA experts: even if there is a scheme of licensing individual experts, the quality of reports is not good
- Lack of quality control
- High fluctuation of staff in governmental agencies leading to loss of 'institutional memory'
- Inefficient public participation and low interest of public to participate in SEA/EIA
- Improper EIA screening leading to only few EIAs conducted so far
- Lack of public SEA/EIA information system
- Unclear level of data and analysis to be performed in EIA
- Unclear procedure of Appropriate Assessment
- Cases of 'salami slicing'
- Problems with baseline data availability

After the discussion, poster session was organized and facilitated by Daniel J. Swartz, TAIEX expert, to get further suggestions regarding the training needs. Results can be summarized as follows:

- *Question 1: What organisation and management skills do you lack that are preventing you from being as effective as possible?*
 - Lack of capacities
 - No staff and knowledge in different fields (nature protection, industrial pollution)
 - Presentation skills
 - Not enough financial resources
 - Support by the relevant officials
 - No guidelines for ToR and scoping
 - How to focus on important issues
 - Duplicated steps within procedure
 - Low awareness on SEA among other (non-environmental) authorities
- *Question 2: How can ECRAN best support your training efforts?*
 - By capacity building at the national and local levels
 - To foster regional cooperation
 - To improve implementation of Espoo Convention and UNECE SEA Protocol
 - To get a key points
 - Methodology of SEA/EIA trainings
 - To find gaps in practice
 - SEA for legislation/policies



- To emphasize the importance of educational process by active presence by ECRAN representatives and their financial participation
 - Expert support in further trainings
 - Work on specific case studies
 - Sharing experience
 - *What are the three main challenges to SEA/EIA practice in your country?*
 - Role of the NGOs
 - Long and expensive way of the knowledge transfer to local governments
 - Quality of the reports
 - The Law on Urban Construction does not recognise SEA and EIA procedure
 - Control mechanisms for P/P at the local level
 - EIA procedure is too long for construction and urban permit
 - How to assess impacts on human health
 - How to establish info and consultation strategies
 - Enhance admin capacities
 - To well define the EIA/ environmental permit procedure
 - Public participation in scoping phase
 - Methodology for ToR writing and scoping
- ***SEA/EIA Directives and the Czech experience with their transposition:*** The presentation was delivered by Libor Dvorak, TAIEX expert. He dedicated the first part of presentation to the EIA and SEA Directives, describing its key elements and features. In next section he described the EIA system in the Czech Republic i.e. the model with
 - Separate EIA and permitting procedures
 - Different authorities for EIA and permit procedures
 - Not binding EIA conclusion
 - EIA quality expert report
 - EIA experts authorized to prepare EIA documentation/quality expert report

The positive aspects of the EIA system can be summarised as (i) existence of specialized EIA body, (ii) detailed assessment and comparison of alternatives, setting ranking of them, and (iii) very open for public in first stage of EIA, while weaknesses are (i) weak link between EIA and permit procedures, (ii) fragmented responsibility of bodies, (iii) some EIA requirement can be later refused, and (iv) limited public participation in permitting procedures. The last part of the presentation was focused on current Czech experience with infringement regarding the EIA.

- ***Training and presentation techniques and tools, part 1 and 2:*** Both sessions on training skills were facilitated by Daniel J. Swartz, TAIEX expert, and organized in a very interactive way. The key presentations skills and feedback principles were introduced and its practical use explained – following topics were addressed: non-verbal communication, hand-signs, brain storming rules and practice, consensus decision-making, feedback and feedback rules, networking skills, participatory approaches (such as metaplans, posters, brainstorm, fish bowls, rounds, straw polls, role plays and reverse role plays, project circle etc.). Besides



dedicated sessions, the training skills were practiced throughout the training – after each presentation delivered by participants, reflection regarding the presentation skills was provided, the participants were also asked to develop and facilitate their own ‘energizers’, which were performed at the beginning of morning and afternoon sessions.

- **Teambuilding and networking:** Similar to the training and presentation techniques and skills, this sessions was facilitated by Daniel J. Swartz, TAIEX expert. He introduced key questions to be considered before organizing a workshop:
 - Do the participants know each other?
 - Have they ever been to a workshop/TOT/ECRAN event... before?
 - Is this workshop a follow-up to a previous one? And if so, how many participants were at the previous workshop?
 - Can we use the walls to hang posters? If so, what are the walls made of? Can they withstand blue tack or masking tape? If not, what space can we use to hang posters?
 - Are there set meal times?
 - Are there any special food requirements (kosher, Muslim, vegetarian, vegan...)
 - Are there areas for small groups we can use?
 - For meals, how far away is the restaurant? How much time do we need for lunch? 1 or 1.5 hours? Can we see a menu and choose in the morning and pre-order?
 - Do the tables and chairs move or are they bolted to the floor?
 - What are ages, nationalities, education, capital city or countryside, gender, gender preference, ethnicity, experience with the subject, leader/staff/volunteer, and language ability?
 - Is translation needed? If so, for how many languages?
 - Is the training venue at the the same hotel as the participants stay?
 - Will there be "observers?" And if so, how many and what will be their role?
 - Can the participants officially represent their organisations or are they there under personal title? Can they take responsibility for binding decisions?

The ‘metaplan session’ on matching resources and needs, which was organized at the end of this part of training, generated a number of concrete agreements between participants to cooperate and support each other in the future, for example:

- Albania and Macedonia: agreement on exchange info on SIA on PA
- Croatia – Macedonia: experience on EIA/SEA wind power and other SEA cases (transboundary)
- Montenegro – Croatia: exchange of experience on ToR preparation
- Croatia – Montenegro: NGO regional network guidelines
- Macedonia – Serbia: exchange of SEA concerning administrative procedures, screening, scoping
- Croatia – Albania – Serbia: exchange of legal framework and case studies on EIA/SEA
- Macedonia – Serbia: agreement on logistical support by NGO during the organization of the trainings

These agreement can be further used, when developing future trainings and SEA capacity building within ECRAN (and beyond).



- **SEA/EIA training in beneficiary countries i.e. planning of training events in the ECRAN countries:** The wrap-up session of the training was dedicated to the discussion on further trainings – the participants were asked to outline EIA/SEA trainings already planned to be conducted and/or EIA/SEA training to be carried out within ECRAN (and SEA/EIA ToT scheme). Results are summarized in following matrices¹:

COUNTRY	ALBANIA		
	Workshop 1 – already planned and to be implemented	Workshop 2	Workshop 3
TARGET GROUP	Responsible Authority, Environmental inspectors, Local Government	Sector ministries, practitioners, NGOs	Local governments
NO. OF TREINEES	15	15	15
FOCUS OF THE WORKSHOP	EIA + permitting system	SEA – good practice	SEA/EIA
TIMING	1 x 1-day workshop – 19. 10. 2014	February/March 2015	12 x 2-day workshops, after the 2 nd ToT i.e. after January 2016
TAIEX/ECRAN SUPPORT NEEDED	NA	YES	YES
COMMENTS	Dealing with existing problems	The workshop could facilitate discussion on the expected changes of the SEA legislation	Case studies at the regional and local levels are needed

COUNTRY	KOSOVO*		MACEDONIA
	Workshop 1	Workshop 2	National SEA/EIA conference

¹ Final set up for national follow up trainings will be agreed with the beneficiaries during 2nd Annual Meeting of WG planned for November 2014. The final set up will also include planning for Turkey and Bosnia and Herzegovina



TARGET GROUP	Ministry, Practitioners, NGO's	Local governments	Ministry, Practitioners, NGO's
NO. OF TREINEES	Approx. 50	25 participants in average	120-150
FOCUS OF THE WORKSHOP	SEA/EIA (with discussions regarding legislations and proposed changes)	SEA/EIA	SEA/EIA (4 plenary session for legislation background and 3 main focus problems in implementation of SEA/EIA e.g. how to approach the quality control)
TIMING	1 x 3-day workshop – January 2015	7 x 2-day workshop – February-April 2015	October 2015
TAIEX/ECRAN SUPPORT NEEDED	YES	YES	YES
COMMENTS	Already existing support from UNDP – watch out for overlaps	Already existing support from UNDP – watch out for overlaps	Help with practical examples and foreign experiences, one of the major problems is a low quality of SEA/EIA reports

COUNTRY	MONTENEGRO	
	Workshop 1	Workshop 2
TARGET GROUP	Local Government, Environmental agency	Ministries, local government, practitioners
NO. OF TREINEES	30	50-70
FOCUS OF THE WORKSHOP	SEA/EIA on Hydropower exploitation	Quality of SEA report/process + good ToR preparation practice
TIMING	1-2 day – December 2014	2 x 5-day events – October /December 2015



TAIEX/ECRAN SUPPORT NEEDED	YES (experts inputs)	YES
COMMENTS	Organizer – Green Home (NGO) with WWF support – it will be also used to identify needs for 2 nd workshop	

COUNTRY	SERBIA		CROATIA	
	Workshop 1	Workshop 2	Workshop 1	Workshop 2
TARGET GROUP	Experts	Provincial and Local governments	Sector ministries	Counties + Municipalities
NO. OF TREINEES	20-30	40	50	50
FOCUS OF THE WORKSHOP	EIA/SEA, quality of reports	EIA/SEA	EIA/SEA – implementation, good practice	EIA/SEA – implementation, good practice
TIMING	2 day workshop – April/May 2015	3x2 day workshop – April/May 2015	2-day workshop – February/March - April 2015	2-day workshop – February-April 2015
TAIEX/ECRAN SUPPORT NEEDED	YES	YES	YES	YES
COMMENTS			Possible involvement of local consultants to present current practice in Croatia	Possible involvement of local consultants to present current practice in Croatia

Outputs during group work.

The group work presented the core of the ToT. As mentioned above, participants were supposed – based on the training manual, and with the help of facilitators – to develop their own presentations and deliver these.



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Altogether four group work sessions were included in the ToT, focusing on:

- **Session 1: Introduction to SEA/EIA**

Strategic Environmental Assessment (SEA) is one of the key instrument for integrating environmental concerns and sustainable development principles into strategic planning and decision-making. It is an internationally recognized tool for participatory planning used to analyse and incorporate environmental and health concerns into proposed policies, plans and programmes.

The Strategic Environmental Assessment (SEA) can be understood as “a systematic and anticipatory process, undertaken to analyse the environmental effects of proposed plans, programmes and other strategic actions and to integrate the findings into decision-making”.

The purpose of SEA can be defined as ensuring that environmental considerations inform and are integrated into strategic decision-making in support of environmentally sound and sustainable development. In particular, the SEA process assists authorities responsible for plans and programmes, as well as decision-makers, to take into account²:

- Key environmental trends, potentials and constraints that may affect or may be affected by the plan or programme
- Environmental objectives and indicators that are relevant to the plan or programme
- Likely significant environmental effects of proposed options and the implementation of the plan or programme
- Measures to avoid, reduce or mitigate adverse effects and to enhance positive effects
- Views and information from relevant authorities, the public and – as and when relevant – potentially affected States

Generally, SEA should be applied for plans, programmes, policies and other documents of a strategic nature (including possibly also legal documents). However, not all above documents automatically require SEA. In principle, SEA should be carried out for the documents prepared and adopted by public authority based on the legal provisions in various sectors. The list of documents to be a subject of SEA might include³:

- Sector-specific policy, plans and programmes
- Spatial and land-use plans
- Regional development programmes
- Natural resources management strategies
- Legislative and regulatory bills
- Investment and lending activities
- International aid and development assistance
- Structural adjustment fund and operations
- Macro-economic policy

² Resource Manual to Support Application of the UNECE Protocol on SEA (UN and REC CEE, 2007)

³ From Partidario, M., 2001: Strategic Environmental Assessment (SEA) Training Manual, and adapted by Sadler, B., McCabe, M., 2002: Environmental Impacts Assessment Training Resource Manual (UNEP)



- Budget and fiscal plans
- International trade agreements

Environmental Impact Assessment (EIA) can be defined as “a systematic process to identify, predict and evaluate the environmental effects of proposed actions and projects”⁴. It has been developed as a tool for preventing, reducing or offsetting the significant adverse environmental effects of development proposals, and enhancing positive ones⁵. In a broader sense, EIA should contribute to environmentally sound and sustainable development.

EIA aims at providing information on environmental consequences to decision-makers and thus EIA is supposed to be applied prior to a decision or commitment on implementation of certain projects or activities being made.

Two general aims of EIA, which are mentioned above i.e. (i) to provide information on environmental consequences to decision-makers, and (ii) to support sustainable development, can be translated into following objectives⁶:

- To ensure that environmental considerations are explicitly addressed and incorporated into the decision making process related to development projects and activities;
- To anticipate and avoid, minimize or offset the adverse significant biophysical, social and other relevant effects of development proposals, and enhance the positive ones;
- To protect the productivity and capacity of natural systems and the ecological processes which maintain their functions; and
- To promote development that is sustainable and optimizes natural resource use and management opportunities.

EIA is applied for development proposals – e.g. infrastructure (highways), industrial facilities (oil refineries, chemical plants), energy production (hydropower plants) etc. Originally, EIA was supposed to be conducted only for major projects and activities (nuclear power plants, airports) having likely significant impacts, however a tendency for its application for smaller projects (e.g. residential areas) can be seen e.g. in the European Union countries.

- **Session 2: Screening**

Many human activities may cause environmental and health impacts. However, SEA and EIA are supposed to address mainly significant impacts. Thus, the screening identifies whether or not SEA or EIA needs to be applied for a specific plan, programme, or project. The screening is very important from efficiency of the entire SEA/EIA system point of view – a well defined screening policy focuses resources upon those plans, programme and projects which might potentially lead to significant environmental and health effects and exclude from SEA/EIA systems those with only minor (or without) environmental and health consequences.

⁴ Environmental Impact Assessment Training Resource Manual (UNEP, 2002)

⁵ Environmental Impact Assessment: A guide to good practice and procedures (Department for Communities and Local Government, 2006)

⁶ Based on “Principles of Environmental Impact Assessment Good Practice” (IAIA, 1999)



There are various approaches to be used for screening. Often screening is based on the list of criteria, which would help to identify if certain plan, programme or projects should be a subject of SEA/EIA, or list of project types (for EIA) with or without thresholds for the project capacity or size.

In many SEA/EIA systems, screening involves also consultations with relevant environmental and health authorities. Often, the screening is conducted directly by SEA/EIA competent authority based on the information (e.g. notification) submitted by the planning agency or the project developer.

Taking into account the requirements of the EU SEA Directive, the major criteria to be considered when conducting screening for plans and programmes can be formulated as follows:

Question	Rationale
Is the plan or programme subject to preparation and/or adoption by an authority at national, regional or local level or is it prepared by an authority for adoption, through a legislative procedure by Parliament or Government, and is it required by legislative, regulatory or administrative provisions?	Only those plans and programmes should be considered as a subject of SEA. SEA should not be applied for ad-hoc documents, which are not formalized through any form of the legal decision or approval by the governmental authority.
Is the plan or programme prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use?	The EU SEA Directive lists these sectors as the most important for strategic planning with potential significant environmental and health impacts.
Does the plan or programme set the framework for future development consent of projects which may require EIA?	If the plan or programme implementation may include implementation of the projects requiring the EIA, then the significant impacts can be expected and SEA should be carried out.
Can impacts on Natura 2000 ⁷ sites be expected?	If Appropriate Assessment in accordance with the Articles 6 or 7 of the Directive 92/43/EEC is required, the “full” SEA should be applied.

For EIA, the list of projects (or types of projects) can include inclusive or exclusive thresholds and lists – see Box 1 below. Annex 1 of the EU Directive is an inclusive list because all projects

⁷ Natura 2000 is an EU-wide network of nature protection areas established under the 1992 Habitats Directive. The aim of the network is to assure the long-term survival of Europe's most valuable and threatened species and habitats. It is comprised of Special Areas of Conservation (SAC) designated by Member States under the Habitats Directive, and also incorporates Special Protection Areas (SPAs) which they designate under the 1979 Birds Directive.



listed in this annex always require EIA, regardless of where they are proposed. Annex II of the EU EIA Directive can be used as an example of inclusive and exclusive criteria, which has served as a basis for developing similar list in many European countries. Especially for EIA (and far less in SEA), deciding about necessity of EIA application may involve already preliminary identification of likely impacts and evaluation of their potential significance. Annex III of the EU EIA Directive provides criteria to be considered when discussing the significance of likely impacts.

Box 1 Inclusive and exclusive thresholds and lists

Inclusive thresholds specify limits over which EIA needs to be applied (e.g. if the length of highways is more than 10 km, if the production is more than 100,000 tons / year etc.), while exclusive threshold define limits below which EIA is not required (e.g. if the volume of the water dam is lower than 5 mil m³, if the area of deforestation is less than 10 ha etc.).

An inclusive list specifies projects which always require EIA. These are typically large and controversial developments which are known to produce significant environmental impacts (e.g. nuclear power stations, large chemical plants, major infrastructure developments, etc.). Annex I of the EU EIA Directive lists developments which always require EIA in the EU.

An alternative approach is to develop an exclusive list of projects which never require EIA. This approach has been used e.g. by most federal authorities in the USA.

- **Session 3: Scoping, Baseline analysis**

Clear focus of SEA/EIA is an important starting point that will influence the rest of the SEA/EIA process. The issues identified in the scoping will guide the evaluation of the environmental baseline, actual assessment of the likely impacts and consideration of possible alternatives or options. Therefore the scoping is a key step for efficient SEA/EIA – well-defined scope of the assessment enables keeping SEA/EIA focused on the key problems and thus minimizes personal and time demands. Not all environmental aspects have to be addressed in each and every assessment – on the other hand, especially SEA can consider including wider environmental or social topics e.g. adaptations to climate change, employment opportunities etc.

The aim of the scoping it to determine the key issues to be addressed in specific SEA/EIA as well to justify which environmental issues are not relevant and thus do not need to be included in further analysis. Scoping should also preliminary outline:

- Possible alternatives or options which should be addressed within the SEA/EIA
- Territorial dimension of likely impacts
- Analyses and surveys to be conducted as well as methods and tools to be used



Stakeholders to be involved (including environmental and health authorities as well as public) and the level and nature of their involvement in the SEA/EIA procedure

Evaluation of likely impacts cannot be conducted without proper understanding of the existing situation for the key issues identified in scoping. Especially for SEA it is also important to outline possible future trends – and therefore analysis of past trends should be carried out in order to estimate likely future developments.

Baseline analysis provides a basis for impact evaluation, formulation of mitigation measures and monitoring scheme. It builds on the results of scoping and can lead to better specification of the key issues, identification of the key problems relevant to the plan, program or project, and determination of the territory likely to be affected.

- ***Session 4: Impacts analysis and mitigation measures, Compiling SEA/EIA report***

Both SEA and EIA should analyse the significant adverse as well as positive effects of the proposed plan, programme or project. One of the main benefits of SEA is that it enables the identification of environmental effects for a number of proposals included in the strategic document and thus it can address likely cumulative effects, which can result from individually minor but collectively significant actions taking place over a period of time. On the other hand, the advantage of EIA lies in detailed analysis of impacts providing quantified description of likely impacts, its significance, magnitude and scope.

Following the risks and impacts identified, SEA/EIA has to suggest measures to address the likely adverse effects as well as to enhance positive impacts likely resulting from the plan, programme or project. Appropriate monitoring scheme can be understood as one type of mitigation measures.

SEA/EIA Report has to summarize all findings and conclusions achieved during the entire SEA/EIA process and serve as a basis for consultations with relevant authorities and other stakeholders. The aim of SEA/EIA Report is to prepare a well-readable and understandable report, which provides all important information and data, conclusions and recommendations in a clear way and thus enables efficient consultations with relevant authorities and other stakeholders. Optimally, the report should also indicate if (and how) any inputs from SEA/EIA have been already accepted and integrated in the draft plan or programme or the project design respectively.

In principle, SEA/EIA Report is a main document consulted with all relevant stakeholders, and thus it needs to be well organized and readers-friendly. Such qualities of the SEA/EIA report help to ensure efficient communication with stakeholders (which thus understand information provided by the SEA/EIA) and also enhance chances that suggestions and conclusions will be agreed by them. On the other hand, SEA/EIA report is not an academic or scientific study – it should be clear and apparent what are the main messages to be considered by relevant stakeholders, more detailed information can be attached in a form of annexes.



Conclusions and recommendations have to be clearly formulated i.e. SEA/EIA report needs to explicitly describe (i) what is suggested (mitigation measures, monitoring schemes, conditions to be adopted by decision-makers etc.), (ii) why it is suggested (e.g. in order to minimize certain adverse effects), and (iii) who / which institutions should perform these actions (planning agency, project developer, environmental agencies, decision-makers etc.).

Both SEA and EIA Directives provides a list of items and information to be provided by the SEA/EIA Report. Also, usually, the structure of the SEA/EIA Report is stipulated by the national legislation. However, it is important to allow SEA/EIA practitioners to take legally prescribed structure of SEA/EIA Report rather as a framework and thus enable them to organize the SEA/EIA Report as appropriate to a specific SEA/EIA and the key information to be presented, while covering all topics listed in Annex I of the SEA Directive / Annex IV of the EIA Directive and/or relevant provision of the national legislation.

- **Session 5: Quality control, Consultation with stakeholders, SEA/EIA and decision-making**

Both SEA and EIA provide inputs to decision-making i.e. adopting the plan or programme or project approval. However, only assessment providing reliable and objective information should be considered in the decision-making process, otherwise it may lead to counter-productive results – it means decisions are based on misleading and biased conclusions, and thus likely causing environmental and health damages. The quality control should ensure that SEA/EIA process provide reliable and objective information to be considered when adopting the plan or programme or approving the project and communicate this information effectively to stakeholders.

The role and understanding of the quality control differ between SEA and EIA. Very often, the quality control in SEA is conducted less formally and to the large extent relying on the internal quality control by SEA experts, while many national EIA processes include quality control as a well-defined specific procedural step.

Since there are no quantitative benchmarks for “standard” SEA/EIA and SEA/EIA report, the quality cannot be quantified. Therefore, the quality review in SEA/EIA is mostly qualitative and it lies on the verbal description of how certain aspects of quality (represented by quality criteria) have been met in a specific SEA/EIA case. Following arrangements are used in SEA/EIA scheme for quality control:

- Internal quality control i.e. done by the SEA team during the process
- SEA/EIA-certified or licensed experts and/or companies (both legally required or voluntarily schemes)
- Quality control by SEA/EIA Competent authorities is usually conducted on the SEA/EIA Report submitted before further public consultations
- Expert(s) appointed to review the quality of SEA/EIA report and prepare the quality review report
- Ad-hoc committees (more usual in EIA) established specifically for each SEA or EIA process and often focusing on the SEA/EIA report only
- Specialized institutions conducting the quality control of the SEA/EIA report



- Provisions for checking agreed mitigation measures are implemented and effective

It needs to be also noted that consultations with public can be considered as another type of quality control – very often, public discussion reveals insufficiencies or incorrectness in SEA/EIA report, or misinterpretation of conclusions etc.

Stakeholders' consultations and participation is an integral part of SEA/EIA process. Efficient involvement of relevant stakeholders will contribute to quality of the assessment, might provide inputs into SEA/EIA analysis and report, as well as it can support implementation of the plan or programme after its approval, and contribute to better acceptance of the project. The aim of the stakeholders' consultations is two-fold:

- To provide early, timely and effective opportunity for all relevant stakeholders to provide inputs in SEA/EIA, when all options are open. It means, there must be a realistic space for considering the comments raised by stakeholders at least in the SEA/EIA report, optimally also in earlier steps.
- To get information, data and/or verification of the findings and conclusions formulated by SEA/EIA.

Efficient stakeholders' consultations and participation should be focused on the key stakeholders that are interested in the plan, programme or project, or may be influenced by its implementation. From SEA/EIA practitioners point of view, the consultations should help to obtain additional information and data, which would reinforce the analyses and / or contribute to development of new alternatives of the plan, programme, or project with better environmental and health performance. There are following main groups of stakeholders to be consulted and/or involved in SEA/EIA:

- Environmental and health authorities
- Public (including NGOs)⁸
- Other stakeholders i.e. other governmental agencies, universities, unions, etc.
- Foreign countries (in case of likely transboundary impacts)

However, relevant stakeholders will be different for each specific SEA and EIA as well as purpose for their involvement might differ in various stages of the process. It strongly depends on the nature and content of the plan, programme and type and location of the project, likely effects to the environment and public health, and overall arrangement of the SEA/EIA process.

As mentioned previously, the main purpose of SEA/EIA is to ensure that environmental considerations inform and are integrated into strategic decision-making. Following provisions of SEA/EIA Directives, recommendations given by SEA/EIA must not be accepted obligatorily. However, decision-makers have to have information of likely environmental and health

⁸ In accordance with the Aarhus Convention and the EU EIA Directive the public means "one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organizations or groups". For EIA purpose is also important to define "public concerned", which should be understood as "the public affected or likely to be affected by, or having an interest in, the environmental decision-making; for the purposes of this definition, non-governmental organizations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest".



consequences related to their decision – i.e. approval of the plan, programme, or project and this information is supposed to be delivered by SEA/EIA.

Decision-makers always should consider conclusions provided by the SEA/EIA report (which includes mitigation measures as well as summarizes comments received during consultations with stakeholders) – in case of SEA, the SEA report should be submitted as an integral part of the plan or programme. In EIA, the EIA report usually serves in subsequent permitting process; it informs decisions on whether or not the approval should be granted and, in some cases, what conditions should be attached to the approval (e.g. in relation to maximum noise levels, etc.).

After adoption of the plan, programme, or project, the public and environmental and health authorities (and optimally all other stakeholders) have to be informed about the decision. As stipulated by the SEA Directive, the approved plan or programme publicly available together with a statement summarizing how the environmental and health considerations as recommended by SEA have been integrated in the plan or programme have to be published as well as explanation, why certain alternative of the plan or programme has been selected and approved, must be provided to public.

Each group work session (always morning sessions) was introduced by a short presentation delivered by one of the facilitators (i.e. ECRAN or TAIEX expert) and highlighting key issues relevant to a given topic. After introduction, the participants grouped in the country groups were working on the presentations with assistance from the trainers. Depending on a topic, the participants should also prepare a case example(s), exercise and/or topics for discussion.

In the afternoon, the participants from selected countries (usually 2 – 3 countries were selected) were delivering their presentations to the auditorium. The example of the presentation is provided below:



LEGAL FRAMEWORK

- **Accredited legal persons (practitioners)** for preparation for SEA/EIA/AA documentation (EPA and Regulation on issuing permits)

Requirements:

1. In the register have registered activity for environmental protection;
 2. Have employed professionals;
 3. Have adequate equipment/office space.
- One legal person can be accredited for all of these activities or should cooperate with ones already accredited
 - Practitioners collect data and are responsible (competent body is obligated to share existing data – reduce costs) to include latest, authentic and available information

EXPERT ADVISORY COMMITTEE

- Competent body brings the decision on appointment of EAC (from expert list which is being constantly revised).
- EAC evaluates the study completeness regarding prescribed or scoped content and study expertise before public participation
- After public participation EAC meets again (EIA mandatory and SEA optionally depending on results of the public hearing)



PUBLIC QUALITY CONTROL

Public involvement:

- through information during scoping
- public hearing and public participation after EAC evaluates completeness and expertise of the study

THANK YOU FOR YOUR ATTENTION



Conclusions

All relevant aspects and typical SEA/EIA stages were addressed during the training. The participants were very enthusiastic and keen on to work on training materials. Only drafts of the country-specific presentations were prepared within the ToT as well as several exercises were adjusted and questions for discussions developed. In general, case examples from EU countries presented by the trainers, can be used also for the country trainings.

Undoubtedly, the participants of the 1st ToT (i.e. future trainers) have sufficient expertise and knowledge of SEA/EIA to be able to conduct SEA/EIA trainings in their countries; however it should be



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also noted that regarding the training skills there is a room for enhancement, since for training efficiency, the performance as the trainer is as important as the knowledge of the topic. There is a need for an extensive practice in training, optimally together with a training expert (not necessarily the SEA/EIA expert).

Considering above mentioned, the ECRAN support should be provided both in terms of developing training materials, regarding the training design and agenda as well as when it comes to training skills.

Further follow-up training activities in the countries as well as next ToT sessions will be discussed at the 2nd Annual Meeting of the EA WG to be organized in Vienna, November 26, 2014.



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V. Evaluation

Summary of the training evaluation report, developed on the basis of analysis of the TAIEX training questionnaires.

Workshop - participant Evaluation

57313 - ECRAN - TAIEX-ECRAN MultiCountry Workshop on Environmental Assessment (Podgorica - 23/09/2014 to 26/09/2014)

Question	N°. Responses	Yes	No	Partially	Do not know	
1. Was the workshop carried out according to the agenda	16	14 (87)%	0 (0)%	2 (12)%	N/A	
2. Was the programme well structured?	16	14 (87)%	0 (0)%	2 (12)%	N/A	
3. Were the key issues related to the topics addressed?	16	14 (87)%	0 (0)%	2 (12)%	N/A	
4. Did the workshop enable you to improve your knowledge?	16	14 (87)%	0 (0)%	2 (12)%	N/A	
5. Was enough time allowed for questions and discussions?	16	15 (93)%	0 (0)%	1 (6)%	N/A	
6. How do you assess the quality of the speakers?	Speaker/Expert	N°. Responses	Excellent	Good	Satisfactory	Poor
	Mr Smutny	16	14 (87)%	1 (6)%	1 (6)%	0 (0)%
	Mr Dvorak	14	6 (42)%	7 (50)%	1 (7)%	0 (0)%
	Mr Strmsnik	16	13 (81)%	3 (18)%	0 (0)%	0 (0)%
	Mr Cashmore	16	14 (87)%	1 (6)%	1 (6)%	0 (0)%
Mr Swartz	15	13 (86)%	2 (13)%	0 (0)%	0 (0)%	



Question	N°. Responses	Yes	No	Partially	Do not know	
7. Do you expect any follow-up based on the results of the workshop (new legislation, new administrative approach, etc.)?	16	16 (100)%	0 (0)%	N/A	N/A	
8. Do you think that further TAIEX assistance is needed (workshop, expert mission, study visit, assessment mission) on the topic of this workshop?	15	15 (100)%	0 (0)%	N/A	N/A	
9. Were you satisfied with the logistical arrangements, if applicable?	Conference venue	16	10 (62)%	0 (0)%	6 (37)%	0 (0)%
	Interpretation	12	10 (83)%	0 (0)%	2 (16)%	0 (0)%
	Hotel	15	8 (53)%	1 (6)%	6 (40)%	0 (0)%
<p>57313: Comment: excellent staff!</p> <p>57313: Comment: The training was very successful, organized in an interesting way, and very useful. Pleasure to be part of the team TAIEX-ECRAN</p> <p>57313: Comment: I have issues regarding accommodation and hotel food. My hotel room wasn't according to standard 4 stars hotel. Speaker's knowledge and good friendly atmosphere contribute that we had a very good and successful workshop. I hope in future TAIEX will organize more workshops like this, we sure need it. Daniel energizers and teaching how to carry out the facilitating of the event is excellent. Martin, Klemen and Matthews sharing knowledge was very helpful for all of us. Thank you TAIEX!</p>						

Workshop - speaker Evaluation

57313 - ECRAN - TAIEX-ECRAN MultiCountry Workshop on Environmental Assessment (Podgorica - 23/09/2014 to 26/09/2014)

Question	N°. Responses	Yes	No	Partially	Do not know
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1. Did you receive all the information necessary for the preparation of your contribution?	7	6 (85)%	0 (0)%	1 (14)%	N/A
2. Has the overall aim of the workshop been achieved?	7	7 (100)%	0 (0)%	0 (0)%	N/A
3. Was the agenda well structured?	7	6 (85)%	0 (0)%	1 (14)%	N/A
4. Were the participants present throughout the scheduled workshop?	7	7 (100)%	0 (0)%	0 (0)%	N/A
5. Was the beneficiary represented by the appropriate participants?	7	5 (71)%	0 (0)%	2 (28)%	N/A
6. Did the participants actively take part in the discussions?	7	6 (85)%	0 (0)%	1 (14)%	N/A
7. Do you expect that the beneficiary will undertake follow-up based on the results of the workshop (new legislation, new administrative approach etc.)?	7	6 (85)%	0 (0)%	N/A	1 (14)%
8. Do you think that the beneficiary needs further TAIEX assistance (workshop, expert mission, study visit, assessment mission) on the topic of this workshop?	7	7 (100)%	0 (0)%	N/A	N/A
9. Would you be ready to participate in future TAIEX workshops?	7	7 (100)%	0 (0)%	N/A	N/A
10. If applicable, were you satisfied					
	Conference venue	7	7 (100)%	0 (0)%	0 (0)%



with the logistical arrangements?	Interpretation	2	1 (50)%	1 (50)%	0 (0)%	0 (0)%
	Hotel	6	5 (83)%	0 (0)%	1 (16)%	0 (0)%

57313: Comment: Ad 2) I can't give complete feedback at this point, since I was at the workshop only the first day. As I can say from the course of the first day, I'd answer YES.

57313: Comment: The training team was great and worked very well together. Alitalia lost my bag for 4 days and were not helpful solving the problem. Q. 5. Perhaps the target group could have included a mix of BOTH SEA/EIA experts (well represented) AND actual trainers within the ministries and NGOs.

57313: Comment: Several of participants suggested that "field work" or visit of sites of "case examples" would also be beneficial to better results of the workshop.

Besides formal evaluation through TAEX online forms, the poster sessions was organized at the end of the training to get immediate feedback from the participants. The results are summarized below:

- **Question 1: What did you like the best?**
 - Interactive way of organizing presentations
 - Energizers
 - Exercises
 - Consensus method
 - Simulation of presentations
 - General encouraging to interact
 - Mitigation measure exercise

- **Question 2: What was the most useful?**
 - The way how to draft to PowerPoint presentation
 - Finding and discussing the process problems in the countries
 - Quality control session
 - Energizers
 - Daniel's presentations
 - Screening section
 - Exchange experience between countries
 - Preparation and work on presentations

- **Question 3: What could be improved and how?**
 - Working on concrete real case as example
 - More examples of good practice in EU countries
 - Visiting one case site
 - Clear directions regarding exercises

- **Question 4: What would you like as follow-up?**
 - Study tour



- Site visit
- Training on linking SEA/EIA with economical and social risk assessment, and safeguards
- Training on SEA/EIA implementation and inspection control
- Training on SEA for Cross-border cooperation programmes
- Training on SEA/EIA and transboundary procedures and impacts

Considering participants' evaluation and suggestions, it can be concluded that the training was appreciated – its' general arrangement (i.e. group work presenting the core part of the training), focus on drafting the presentations and mock training, as well as having training skills sections included. For further ToT sessions, providing even more detailed guidance on exercises and group work can be considered. The real case to be possibly used as a basis for exercise should be optimally from ECRAN countries i.e. to be proposed by the participants. Specific topics suggested for further trainings will be discussed at the 2nd Annual Meeting of the EA WG as well as including a site visit in the training agenda.



VI. Training/workshop materials

Workshop materials are available for download from the ECRAN website (see link below):

<http://www.ecranetwork.org/Events/28>



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