

Minutes of the Meeting

Title of the meeting

1st Annual Meeting of Environmental Assessments Working Group

Date: 07 November 2013

Venue: Istanbul, Turkey

Participants:

Beneficiaries:

Mileva TAGASOVSKA FYR of Macedonia/Ministry of Environment and Physical Planning

Biljana SPIROSKA FYR of Macedonia/Ministry of Environment and Physical Planning

Muhamet MALSUI Kosovo*/Ministry of Environment and Spatial Planning

Shukri ShABANI Kosovo*/Ministry of Environment and Spatial Planning

Brankica CMILJANOVIC Montenegro/Ministry of Sustainable Development and Tourism

Tamara BRAJOVIC Montenegro/Ministry of Sustainable Development and Tourism

Nihan SAHIN HAMAMCI Turkey/Ministry of Environment and Urbanisation

Nihan SUMMER Turkey/Ministry of Environment and Urbanisation

Ozlem YILDIZ Turkey/Ministry of Environment and Urbanisation

European Commission

Madalina IVANICA Directorate General for Environment (DG ENV), Unit E1- International relations and Enlargement

Andrzej JANUSZEWSKI Directorate General for Environment (DG ENV), Unit E1- International relations and Enlargement

Project Team

Martin SMUTNY ECRAN KE 3

Ruza RADOVIC ECRAN Project Director

Melike AYDOGAN ECRAN Consortium - WYG Turkey



Agenda and main conclusions

Welcome and opening	Ms. Madalina Ivanica, EC DG ENV Mr. Andrzej Januszewski, EC DG ENV Ms. Nihan SAHIN HAMAMCI, Ministry of Environment and Urbanisation, Turkey Mr. Martin Smutný, Key Expert 3
Brief overview of RENA activities in EIA/SEA and main challenges in EIA/SEA practice in ECRAN “region”	Mr. Martin Smutný, Key Expert 3
Introduction to ECRAN	Ms. Ruza Radovic, ECRAN Secretariat
Proposed EIA/SEA activities within ECRAN and work plan – presentation and discussion	Mr. Martin Smutný, Key Expert 3
ECRAN support to SEA pilots – presentation and discussion	Mr. Martin Smutný, Key Expert 3
Practical arrangements/cooperation with TAIEX	Ms. Ruza Radovic, ECRAN Secretariat
Summary conclusions and closure of the meeting	Ms. Madalina Ivanica, EC DG ENV Mr. Martin Smutný, Key Expert 3



Introduction

The meeting was opened by Mr. Smutny welcoming the participants.

Ms. Ivanica followed with welcoming the participants and indicating the meeting objectives, being the presentation and agreement on the work plan, criteria for selection of pilot sites for practical SEA implementation and arrangements for Train the Trainers sessions. Ms. Ivanica announced that the annual meeting will be followed up with ECRAN side event within the EIA international conference organized by the Turkish Ministry of Environment and Urbanisation (08 – 10 November 2013). Ms. Ivanica expressed her dissatisfaction with the last minute cancellation of Serbia and Bosnia and Herzegovina and announced that the measures will be taken to avoid this kind of situation again.

Mr. Januszewski indicated that participation at the EIA International Conference will be beneficial for ECRAN countries since Turkey has a long history in the transposition and implementation of the EIA Directive, while at the ECRAN side event, participants will be introduced to the changes to the EIA Directive recently made by the European Commission.

Ms. Sahin Hamamci welcomed the participants and thanked the European Commission and ECRAN Secretariat for accepting the participation at the EIA International Conference but also for their support provided through Regional Accession Network for Accession in the process of transposition and implementation of relevant legislation. An International EIA Congress will be held between 8-10 November 2013 with the following objectives: to strengthen Environmental Impact Assessment practices, to increase the quality of specialists working within this process and improve corporate capacity, to exchange ideas and information between respective stakeholders concerning international EIA practices, to Increase the quality of EIA reports and to consider technological innovations regarding EIA practices. In Turkey, the Environmental Impact Assessment (EIA) procedure was first introduced in 1993 with the enactment of the EIA Regulation and has been practiced for the past two decades.

Overview of activities and results achieved under RENA/identified challenges of EIA/SEA implementation in the region

Since the work plan of ECRAN Environmental Assessment WG is building on the results achieved under RENA EIA/SEA WG, Mr. Smutny provided brief overview of the activities implemented and results achieved under RENA EIA SEA WG as follows:

- Capacity building programme with practical examples provided by the selected pilot cases/sites

Training workshop	Pilot case/site	Place and time	Documents developed
1. Approaches to transposition of EIA/SEA Directives. Application of EIA/SEA and IPA projects.	Case examples of SEA/EIA legal systems from old and new EU MSs Case study on SEA on the Operational Programmes for 2012-2013 (IPA III)	Istanbul, Turkey, 06–08 June 2011	Training report, including a description of examples used during the training. Compilation of all relevant methodological documents produced to date.
2. SEA for IPA Programmes.	Examples of Operational Programmes	Dubrovnik, Croatia, 08-09 November 2011	Training report, including a description of examples used during the training. ToR for SEA example.
3. EIA/SEA differences and common features.	Neretva/Trebinjica river basin management with focus on upper horizon	Mostar, BiH, 24-25 April 2011	Training report, including a description of examples used during



Training workshop	Pilot case/site	Place and time	Documents developed
	(cross-border countries – Croatia and BiH)		the training. Answer to a special beneficiary request regarding the appropriate assessments.
4. SEA cross-border procedures, including consultation and interpretation of cross-border impacts.	Four HPPs on the Moraca River (cross border countries Montenegro and Albania)	Budva, Montenegro 25-27 September 2012	Outline for the Guide to the transboundary consultations process: steps, activities to be carried out and responsibilities
5. EIA cross-border procedures, including consultation and interpretation of cross-border impacts.	Motorway Morinë – Merdar (cross border countries Kosovo* ¹ and Albania)	Tirana, Albania, 12-14 December 2012	Guide to the transboundary consultations process: steps, activities to be carried out and responsibilities.

- Development of the Guide for Transboundary Consultations through the training sessions conducted within the project.

In addition, Mr. Smutny presented the main challenges that ECRAN countries are facing during implementation of EIA and SEA compared with the key aspects of good practice such as: scope of application; timing and coordination with planning process / project desing; stakeholder’s participation and quality control. Mr. Smutny indicated that the main remark he personally have is that the mandate of SEA/EIA in some of the countries may be considered in a way that demands the inclusion of SEA/EIA final recommendations in the plan/programme adoption or project approval, which inevitably leads to preparation of such reports and recommendations that can be taken into consideration with “no harm” for the planning agency or project developer, and thus deteriorating in some of the cases the quality of produced reports and the strength and objectivity of the SEA/EIA conclusions. Following this conclusion, one of the items to be taken into consideration for further support and capacity building is the Quality Control. Another important topic that could receive further support at least for some of the ECRAN countries is the management of available data and documents. The Czech Republic has established the integrated SEA/EIA information system that is used as the data base containing the records on all conducted EIA and SEA processes and documents developed. The documents are available for download and can be used in case of EIA or SEA is conducted for similar area/project as a reference, hence saving resources and time. Montenegro has adopted the similar kind of system.

Ms. Sahin Hamamci asked what the best tools for quality control are and Mr. Smutny explained that he considers the combination of review committees and independent experts as the best one. Ms. Cmiljanovic added that this is the combination used in Montenegro where the review committees also involve NGO representatives. Mr. Malsiu added that the same combination is used in Kosovo* too. As for the transposition of relevant legislation and comment of Mr. Smutny that it is formulate too strong, Ms. Cmiljanovic explained that in Montenegro the law states that EIA report recommendations have to be taken into account but not adopted at any cost. The report from public hearing is always made public and the list of accepted comments and recommendations is also published as well as the list of those not accepted with justification.

¹ This designation is without prejudice to positions on the status and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.



Introduction to ECRAN

Ms. Radovic presented the ECRAN structure, its division into Environment and Climate components, as well as the expected outputs as well as the differences between RENA and ECRAN (changes in the project team, new Working Groups, cooperation with TAIEX). The division of the responsibilities between ECRAN Secretariat and TAIEX was explained as indicated below.

ECRAN Secretariat	TAIEX
Ministerial Meetings;	Provision of experts for capacity building activities;
WG Annual Meetings;	Logistical arrangements for capacity building activities;
EF Public Participation;	Evaluation of capacity building activities.
Coordination with other relevant networks;	
Other non-capacity building activities;	
Drafting agendas , work plans, ToRs;	
Selection of TAIEX experts;	
Quality control and review;	
Invitations and lists of participants;	
Workshop Reports.	

Introduction to work plan of the Environmental Assessment Working Group (EA WG)

Mr. Smutny presented the overview of activities that will be implemented under the (EA WG) including the provisional timing for each of the activities. Building on the results of RENA that were focused mainly on the capacity building; the activities are designed to incorporate the practical aspects of implementation. Apart from EIA and SEA, EA WG includes also other appropriate assessments such as those related to Nature and Water. There are three main activities in the work plan:

1. Practical support to SEA implementation provided for the selected pilot sites. This would include:
 - definition of criteria for selection of pilot sites, pre selection, meetings with relevant institutions to confirm their willingness to participate in the planned activities, selection of 1 to 3 pilot sites (November 2013 - April 2014);
 - provision of expert input to support the relevant institutions with implementation of specific/selected issues (April 2014 – September 2015);
 - design and delivery of regional meetings to promote the results achieved and distribute the lessons learned through the practical work (September 2015 – September 2016).
2. Other environmental assessments capacity building designed in cooperation with Nature and Water WGs. Planned regional trainings will address potential bottlenecks in the implementation of:
 - SEA/EIA
 - Appropriate Assessment
 - Assessment under the Water Framework Directive.

Planned timing is June 2014 – April 2015, with the first training focused on the linkages between SEA/EIA and Appropriate Assessment to be held in September/October 2014. The trainings related to Nature and Water WGs will be organized on the pilot sites selected by Nature and Water WGs, therefore also the exact timing of the workshops can be determined only later in coordination with the respective WGs.
3. Train the Trainers which includes the following:



- Design of the training programme, selection criteria for trainees, selection of trainees (January – April 2014);
- First ToT (September 2014)
- Local trainings delivered by the train trainers with support of TAIEX using the programme and methodology received during the ToR session (November 2014 – June 2015).
- Second and third ToT (September 2015 – September 2016).

When it comes to ToT, Mr. Smutny proposed that the trainings should be planned so that EIA and SEA are covered separately and not jointly. Ms. Ivanica added that the countries need more support in the area of SEA Directive since most of the countries have more experience in the area of transposition and implementation of the EIA Directive. Mr. Malsiu on the other hand suggested that joint trainings on the EIA and SEA would be beneficial. Ms. Ivanica then suggested that the first ToT should focus on the basic requirements and differences between EIA and SEA. Ms. Cmiljanovic informed the participants that Montenegro currently implements national project that has objective to build capacities for EIA and SEA on a different levels through ToT.

ECRAN support to SEA pilots – presentation and discussion

Mr. Smutny explained that ECRAN should support only pilots that have potential of delivering a good quality SEA. To achieve this intensive cooperation with planning agency is required. Selection criteria for pilot sites were developed and distributed to the participants prior to the meeting. The proposed selection criteria are the following:

- Time schedule of planning or programming process
- Transboundary aspect
- Commitment of planning agency

Each of the criteria has its own weight. The selected pilots should be the one where planning processes have not started yet and thus the SEA can follow it from the very beginning. Plans and programmes to be a subject of the pilot SEAs should optimally have transboundary effect (and thus the transboundary consultations would be a part of the pilots), however more important criteria is the commitment of the planning agency.

Ms. Sahin Hammaci informed the participants that Turkey is about to initiate the IPA funded project that aims at assisting the implementation of SEA Turkey through development of SEA plans for four selected pilot sites. She explained that the Ministry should decide on the pilots for national project soon and at the same time they can check the possibility of proposing one pilot for ECRAN. However, it should be taken into account that Turkey is not part of ESPO convention and the selected site might not have the transboundary aspect.

Ms. Ivanica explained that the criteria of transboundary effect will be more important for other ECRAN countries and not so much for Turkey as they are not bordering with other ECRAN countries. Mr. Smutny asked if the activities of ECRAN can be combined with the upcoming national IPA project in Turkey and Ms. Ivanica replied that this is possible, but the activities should not overlap.

Ms. Cmiljanovic said that Montenegro will take into account the selection criteria and propose the possible pilot sites. Mr. Smutny explained that ECRAN will provide support in preparation of SEAs, which is required by the national legislation and thus the SEA would be conducted anyway, however the SEA itself will have to be carried out by the SEA team established for that by the planning agency. This means that proposed pilots should be cases where the plan for preparing the SEA already exists and resources for this are made available through the national / provincial budgets, so ECRAN provides additional support and chance to the beneficiaries to get practical experience.

Mr. Malsiu added that one of the pilot sites could be SEIA for Termo Power Plant in Kosovo. Preparation of the SEIA will be supported by Kosovo Energy Corporation that will ask Ministry for approval and WB will support the development SEIA report. Review committee established by the Ministry will need support from ECRAN. Mr. Malsiu will send more details on the planned project to ECRAN team for further



discussion. The other option, could be SEA plan for the new highway Pristina – Skopje. The available documentation for this one will be sent too.



This Project is funded by the
European Union



A project implemented by
Human Dynamics Consortium

Wrap-up (Summary of action to be undertaken)

No	Activities	Responsible	Deadline
1	Selection criteria, draft MoM and materials form the annual meeting to be sent to beneficiaries (EA WG Coordinators)	ECRAN Secretariat	15 November 2013
2	Beneficiaries to propose the SEA pilots	EA WG Coordinators	31 December 2013
3	Preparing the preliminary list of SEA pilots and conducting additional consultations with the countries to make to final selection	EA WG KE and Coordinators	30 April 2014
4	Definition of training programme, selection criteria for trainees for the first ToT to be sent to beneficiaries (EA WG Coordinators)	ECRAN Secretariat	28 February 2014

