Proceedings

Regional Workshop on Environmental Impact Assessment in Asia:  
*Good Practices and Capacity Needs*

ADB Headquarters, Manila  
9-10 June 2010
Preface

Developing countries in Asia and the Pacific have long identified environmental impact assessment (EIA) as one of the most useful tools for ensuring that development is environmentally sustainable. Impressive progress has been made to develop country EIA systems over the last three decades often with the support of the Asian Development Bank (ADB), the World Bank, and bilateral partners. Nevertheless, consistent and effective implementation of EIA requirements has faced many challenges and the instrument has not yet consistently lived up to its promise. Despite the adoption of an impressive array of legislation and regulations, many countries recognize that there is still an outstanding need to strengthen the implementation of EIA, including enforcement and compliance.

Against this backdrop, ADB and the Asian Environmental Compliance and Enforcement Network (AECEN) jointly organized a regional workshop entitled “Environmental Impact Assessment in Asia: Good Practices and Capacity Needs” at ADB Headquarters in Manila on 9-10 June 2010. The event was jointly funded by the ADB (under TA 6285-REG: Strengthening Country Safeguards Systems) and the United States Agency for International Development which provides funding support to AECEN. The main objectives of the workshop were to (i) take stock of status and advances of EIA practices in participating countries; (ii) provide an update on international best practice including the evolving safeguards policies of multilateral development banks (MDBs); and (iii) identify key challenges in strengthening country safeguards systems to achieve improved application and compliance of EIA requirements.

The workshop brought together senior environmental agency officials and technical experts from 20 countries across the Asia and Pacific region, along with representatives from MDBs, bilateral agencies and international experts in EIA. A total of 71 participants attended the workshop. Following the main event, the U.S. Environmental Protection Agency (USEPA) conducted a technical session for the participants focusing on the implementation of environmental management and monitoring plans.

The workshop provided a comprehensive overview of the current status of EIA policy and practice internationally and within the region and delivered rich deliberations on the gaps and barriers in its effective use. Identifying and documenting successful illustrations of EIA applications within the region, enhancing EIA process and review procedures, developing quality monitoring and databases for EIA, elevating environmental considerations to the policy, planning and program levels through strategic environment assessment and addressing the lack of institutional capacity and trained staff were identified as the some areas for concerted effort to strengthen the EIA practice and performance in the region. Good prospects for harmonization among development partners and alignment with country systems were also identified, with high potential for targeted capacity development of country safeguard systems as being pursued jointly by the World Bank and ADB. In addition, participating countries recognized tremendous opportunities to learn from each other’s experience, through South-South networking.

The organizers wish to sincerely thank all participants in the workshop for their valuable discussions and contributions. In addition to distinguished colleagues from countries across the region we appreciate the participation of representatives of the Australian
Agency for International Development, Agence Française de Développement, KfW (the German Development Bank), New Zealand’s International Aid & Development Agency, and Stephen Lintner, Senior Adviser of the World Bank (and President of the International Association for Impact Assessment) who shared their experience in EIA applications. Heartfelt thanks are also due to our distinguished resource persons Prasak Modak, Environmental Management Centre of India, Winston Bowman, United States Agency for International Development, Peter King, AECEN, Sachihiko Harashina, Tokyo Institute of Technology, Sang-bum Lee, Korea Environment Institute and the members of ADB’s Environment Community of Practice for their active engagement and sharing their knowledge. We would also like to express our deep gratitude to our colleagues from the USEPA, Carol Russell and Amy Zimpfer, for the successful conduct of technical session on implementation of environmental management and monitoring plans which was very well received by all.

The organizers would also like to express their gratitude to the following that assisted in organizing the workshop: ADB staff Vijay Joshi, Ma. Editha Cruz, Margaret Banas, Ma. Charina Munda and Marie Antoinette Virtucio as well as AECEN staff Omsaran Manuamorn, Jennifer Palmera, Jocelyn Sereno, and Lourdes Capule.

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<td>Asian Development Bank</td>
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<td>AECEN</td>
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<td>CoP</td>
<td>Community of Practice</td>
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<td>CPS</td>
<td>Country Partnership Strategy</td>
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<td>CSS</td>
<td>Country Safeguards System</td>
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<td>DMC</td>
<td>Developing Member Country</td>
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<td>ECO-Asia</td>
<td>Environmental Cooperation-Asia Project</td>
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<td>EIA</td>
<td>Environmental impact assessment</td>
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<td>EMMP</td>
<td>Environmental Management and Monitoring Plan</td>
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<td>MDB</td>
<td>Multilateral Development Bank</td>
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<td>IAIA</td>
<td>International Association of Impact Assessment</td>
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<td>GHG</td>
<td>Greenhouse Gas</td>
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<td>SEA</td>
<td>Strategic Environmental Assessment</td>
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<td>SPS</td>
<td>Safeguard Policy Statement</td>
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<td>USAID</td>
<td>United States Agency for International Development</td>
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<td>USEPA</td>
<td>United States Environmental Protection Agency</td>
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I. Executive Summary

The Asian Development Bank (ADB) and the Asian Environmental Compliance and Enforcement Network (AECEN) jointly organized a regional workshop entitled “Environmental Impact Assessment in Asia: Good Practices and Capacity Needs” at the ADB Headquarters in Manila on 9-10 June 2010. The event was jointly funded by the ADB and the United States Agency for International Development (USAID) which provides funding support to AECEN. The main objectives of the workshop were to (i) take stock of status and advances in environmental impact assessment (EIA) practices in member countries; (ii) provide an update on changes in safeguards policies of multilateral development banks (MDBs); and (iii) identify key challenges in strengthening the country safeguards systems to achieve improved application and compliance of EIA requirements. The workshop event brought together senior environmental agency officials and technical experts from 20 countries across the Asia and Pacific region, along with representatives from MDBs and international experts in EIA. A total of 71 participants attended the workshop. Following the main event, experts from the U.S. Environmental Protection Agency (USEPA) conducted a technical session for the participants focusing on the implementation of environmental management and monitoring plans (EMMPs).

At the present, virtually all countries in Asia require EIA and this is generally embedded in national laws, regulations, and mandated procedures. Over time, these countries have developed a standardized EIA process and experimented with various innovations to improve the enforcement and compliance with EIA legislations. In countries with more sophisticated EIA systems such as Japan and the Republic of Korea, good practices have been established with regards to mechanisms to ensure strong public participation, the identification of multiple alternatives for project development and mitigation measures, the avoidance of developments in critical ecosystems, the consideration of effectiveness and trade-offs of methods to reduce negative environmental impacts etc. In other Asian countries, innovative practices are emerging within the framework of each country’s legislation, for example, (i) a system for registering EIA consultants and for third-party audit in Malaysia; (ii) an enhanced, multi-partite monitoring and evaluation system in the Philippines; and (iii) the use of non-budgetary mechanisms to fund the conduct and review of EIAs in the Philippines, Indonesia and the People’s Republic of China (PRC). In addition, many new and advanced tools and considerations are increasingly mandated in EIA regulations in many Asian countries. For example, PRC requires strategic EIA (SEIA) for land use plans and Viet Nam requires strategic environmental assessments (SEAs) for social and economic development plans, while the Philippines mandates the consideration of induced impacts in EIA at the project level and of cumulative impacts at the programmatic level. Thailand also considers induced impacts in EIA for the health impacts caused by environmental pollution, while cumulative impacts are considered in some specific cases. At the same time, global issues such as climate change and biodiversity, which had traditionally not been addressed in EIA, have to be considered now by project proponents in the Maldives, Sri Lanka, and Indonesia. All of these developments reflect an emerging regional trend to improve the EIA practices along with an effort to upstream the consideration of systemic environmental issues to an earlier stage of decision-making through SEAs.

MDBs are committed to strengthening the efforts of developing countries to improve national EIA systems. The Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008) formed an important basis for the MDBs’ policy to strengthen the use of country safeguards systems in the development context. In line with the objectives of both documents, the ADB adopted in 2009 a new Safeguard Policy Statement (SPS) with a strong emphasis on supporting countries to strengthen their own country safeguard systems and capacity to manage environmental and social impacts and risks. Since 2005, the World Bank has been conducting a series of pilots to use the borrowing countries’ systems to address environmental and social safeguard issues in Bank-supported projects. Key challenges for the MDBs in further strengthening country safeguards lie in continuing dialogue and coordinated actions with governments and other stakeholders at all levels, addressing
different country needs, coordinating and harmonizing practices among the MDBs, and developing sustainable supplementary funding mechanisms.

Despite the MDBs’ efforts and recent advances in national EIA systems, significant challenges and capacity gaps in EIA implementation still exist in Asia. While there is an impressive array of legislation on paper, EIA rules are being implemented only partially in most Asian countries. Innovations such as cumulative assessments, health impact assessments, social impact assessments, and incorporation of climate change have been implemented by a few countries but are not yet widely adopted. Several reasons for these implementation gaps were identified by the workshop participants including (i) legal loopholes in the list of activities subject to EIA; (ii) inadequate mechanisms to enforce EIA implementation; (iii) sanctions that are too weak to act as a disincentive for non-compliance; (iv) limitations related to data, funding, staffing, and the quality of EIA consultants; and (v) the limited use of innovative approaches in EIA enforcement etc. Most countries also reported to be facing a common challenge especially in the implementation of EMMPs. In theory, EMMPs should be built into construction contracts and permits to operate and ensure that the identified mitigation measures are implemented in accordance with EIA reports, but the implementation and monitoring of EMMPs in Asian countries is largely inadequate in practice.

One conclusion of the workshop is that new EIA capacity building programs should be developed to address the above challenges faced by developing countries in Asia. In this context, the workshop participants expressed interest to engage in “South-South collaboration” to learn from each other in the field of environmental assessment, leading to the strengthening of capacity as well as wider replication of best practices within the region. Based on the outcomes of the workshop, AECEN, with support from USAID, will undertake a new multi-year initiative to strengthen capabilities in implementing EIA across the Asia and Pacific region. The initiative will support AECEN member agencies to establish agency-to-agency “twinning” partnerships and other capacity building activities to replicate best practices and ensure effective EIA implementation in the region. The ADB will explore the use of its Country Partnership Strategy (CPS) more effectively to upstream EIA considerations in the planning process and look for opportunities to integrate SEA applications in investment decisions. With inputs from this workshop and as part of the roll out of its SPS, the ADB also plans over the next three years to undertake –in partnership with the World Bank and others—targeted efforts towards the strengthening and use of country safeguard systems within the developing member countries (DMCs).
II. Introduction

Developing countries in Asia have consistently identified environmental impact assessment (EIA) as one of the most useful tools under their command, but in many cases actual implementation of EIA has faced many challenges and not lived up to its promise. Despite an impressive array of legislation and sophisticated processes on paper, there is still an outstanding need to strengthen the compliance and enforcement of EIA legislation in Asia.

Workshop objectives and participation

The Asian Development Bank (ADB) and the Asian Environmental Compliance and Enforcement Network (AECEN) jointly organized a regional workshop entitled “Environmental Impact Assessment in Asia: Good Practices and Capacity Needs” at the ADB Headquarters in Manila on 9-10 June 2010. The event was jointly funded by the ADB and the United States Agency for International Development (USAID) which provides funding support to AECEN. The main objectives of the workshop were to (i) take stock of status and advances of EIA practices in member countries; (ii) provide an update on changes in safeguards policies of Multilateral Development Banks (MDBs); and (iii) identify key challenges in strengthening the country safeguards systems to achieve improved application and compliance of EIA requirements. Prior to the workshop, the AECEN Secretariat conducted a rapid assessment of the status of EIA in the region to provide background information for the event. The assessment was finalized in September 2009. To complement the assessment, AECEN and the ADB conducted an online survey on “Assessing Environmental Impact Assessment Capacity in Developing Member Countries”. The survey was designed to gather additional information on the recent status of EIA practices in Asia with regards to (i) EIA legislation and accompanying regulations; (ii) EIA preparation and approval; (iii) EIA enforcement and compliance; (iv) the implementation and monitoring of EIA commitments; and (v) priorities for EIA capacity building. With responses from 13 countries, the survey assisted the ADB and AECEN in establishing benchmark capacity levels and organizing group discussions at the workshop around common strengths and weaknesses and ways to respond to the expressed capacity needs.

The workshop event brought together senior environmental agency officials and technical experts from 20 countries across the Asia and Pacific region, along with representatives from MDBs and international experts in EIA. A total
of 71 participants attended the workshop. Following the main event, the U.S. Environmental Protection Agency (USEPA) conducted a technical session for the participants focusing on the implementation of environmental management and monitoring plans (EMMPs).

Structure of the workshop

Day 1 – 9 July, 2010

Following welcoming and opening remarks from the ADB and USAID, the workshop featured a keynote speech from AECEN on the “Status of EIA in Asia: A Practitioner’s Perspective”. The speech was followed by expert presentations on key international topics in EIA including “New Developments in Environmental Impact Assessment”, “EIA as a Risk Mitigation and Value Add Tool in Investment Decisions” and “Strengthening of Country Safeguards Systems – Recent Efforts”.

In the afternoon, the workshop proceeded with a more regional focus. Country representatives discussed national EIA practices and experience in a session entitled “Country Status Reports on EIA and Capacity Building Needs”. The objective of the session was to identify shared trends, emerging innovative practices, and common key challenges in capacity development for the improved application of EIA in the Asia region. To facilitate participation by all of the countries present at the workshop, the session was subdivided into four panels along the four key themes identified from the responses to the pre-workshop online survey. The four themes were:

(i) Experience with the Implementation of EMMPs (Including Design Improvements) and Areas for Priority Actions;
(ii) Advanced Considerations in EIA – Strategic EIA, Induced Impacts, Cumulative Impacts and Non-budgetary Financing Support for EIA;
(iii) Global Issues in EIA – Climate Change, Greenhouse Gas (GHG) Analysis, and Biodiversity Conservation;
(iv) Capacity Needs and Institutional Strengthening of Effective EIA Considerations.

Within each panel, one country was assigned as the “lead panelist” to make a 12-15 minute presentation about its innovative practices and approaches in relation to the theme of that particular panel. The presentation was then followed by additional comments and observations by three to four countries, assigned as “panelists”, relating the topic back to their own country experience. To conclude the discussion on the status of EIA in Asia on Day 1, Japan and Korea shared their own experience in EIA in the final session entitled “Sharing of Good Practices in EIA in the Region”, highlighting emerging good practices which could be replicated by other Asian countries.

Day 2 – 10 June, 2010

Morning sessions aimed to facilitate interactive discussions among workshop participants. Based on the pre-workshop survey and discussions during Day 1, four break-out groups were formed based on four key areas of EIA implementation for which capacity building is identified as highly needed. The topics of the break-out groups were:

(i) Upstreaming EIA Considerations in Investment Decisions;
(ii) Enhancing the Effectiveness of Screening and Scoping in EIA;
(iii) Improving the Quality of EIA, Public Participation, and Official Review;
(iv) Improving the Implementation of EMMPs.

In each group, EIA practitioners exchanged information and ideas, and identified key challenges, needed solutions, and potential contributions of partner organizations such as the ADB and AECEN in strengthening capacity needs in their countries. Following the report-back session from all of the breakouts, the workshop concluded with a wrap up reflecting on the way forward by representatives from the ADB and the USAID Environmental Cooperation-Asia (ECO-Asia) project, which provides funding assistance to AECEN. After the official workshop closure, workshop participants who are technical staff attended a specially organized technical session by the USEPA in the afternoon.

The following section of the report provides a summary of the regional EIA workshop. Presentations and discussions are summarized, focusing on the main outcomes and the need for follow-up actions. The workshop agenda,
participants list, and summary of the pre-workshop online survey are also included in Annexes. More information on the workshop, including presentations and training materials, can be found at www.aecen.org/regional-workshop-2010

III. Workshop Proceedings

June 9, 2010

Welcoming Remarks: Setting the Context

Nessim J. Ahmad, Director, the Environment and Social Safeguards Division (RSES) concurrently Practice Leader (Environment), ADB

The need to achieve environmental sustainability has never been more important or urgent in the Asia and Pacific Region. The recent financial, food and fuel crises, combined with threats from climate change, have highlighted the vulnerability of economic growth and the need to rebalance development approaches. Like other international development partners, the ADB is striving to help the region meet these challenges. The ADB’s new Long Term Strategic Framework –Strategy 2020– has elevated environmental sustainability and climate change as key strategic agendas for the bank. At the project level, the ADB also recognizes the need to better integrate environmental and social considerations in investment decision-making and this is an area where EIA can have significant potential impact. EIA has been used for many years as an important planning tool in most countries in the region. Over the last decades, significant progress has been achieved in developing strong policy and legal frameworks for EIA. However, the record of success in effectively applying EIA has remained limited and uneven in many aspects.

In this context, the ADB’s new Safeguard Policy Statement (SPS) was adopted in 2009 following extensive consultations and has an added emphasis on biodiversity conservation and sustainable natural resources management; climate change and pollution prevention and abatement; occupational and community health and safety; and physical cultural resources. The policy also has a sharper focus on the implementation of safeguards and environmental management plans and has new provisions for the establishment of local grievance mechanisms and enhanced supervision by the ADB especially for complex and sensitive projects. Mr. Ahmad underscored that a central new feature of the policy, in line with the objectives of the Paris Declaration on Aid Effectiveness in 2005 and the Accra Agenda for Action in 2008, was the strong emphasis on support to participating developing member countries (DMCs) to strengthen their own country safeguard systems and capacity to manage environmental and social impacts and risks. As part of the roll out of the SPS, therefore, the ADB plans over the next three years to undertake – in partnership with the World Bank and others – targeted efforts towards the strengthening and use of country safeguard systems within the DMCs.

Mr. Ahmad stated that the workshop was planned to seek inputs from the DMCs to structure and plan the country safeguards strengthening effort and had three primary objectives. First, it provided an opportunity to reflect on the status and innovations in EIA practice that are taking place across the region and outside. Second, it aimed to understand country perspectives on their capacity needs and priorities so that capacity development initiatives can be better targeted. Third, and possibly the most important objective of the workshop, was to begin a dialogue and sharing of experience among developing countries in Asia to identify opportunities for South-South cooperation and knowledge sharing in the field of environmental assessment.

Opening remarks

Winston Bowman, Regional Environment Director, USAID Regional Development Mission Asia

Better implementation of EIA as the principal environmental design tool at the project level would go a long way towards meeting the region’s environmental quality goals. USAID has long recognized the critical importance of EIA and the challenges in its implementation in the Asia-Pacific region and requires EIAs to be undertaken for all projects with potentially significant environmental impacts. However, undertaking competent EIAs only for externally funded projects in developing countries is not
sufficient. Strengthened national capacity to undertake effective EIAs is necessary for all projects, regardless of the source of funding. Through the ECO-Asia project, USAID is assisting the region to focus on improved compliance and enforcement of environmental laws and regulations, including EIA. The principal focus of USAID’s assistance is on compliance, especially voluntary compliance, although the threat of enforcement and legal sanctions is often necessary to provide an incentive for compliance. For this reason, ECO-Asia is also working with the ADB and others to strengthen the environmental judiciary in the region and to assist with the creation of environmental courts, specifically mandated to deal with environmental enforcement. Mr. Bowman acknowledged the excellent cooperation with the ADB in all aspects of the AECEN work plan to date, and looked forward to continued cooperation with the ADB, as well as other development partners, to map out priorities for sharing best practices and capacity strengthening needs in the EIA domain. He also recognized the contribution of the USEPA, which is also funded by USAID under the AECEN umbrella for various activities in Asia, for leading a technical session on EMMPs on the second day of the workshop.

To complement the rapid assessment, the ADB and AECEN conducted an online survey of countries participating in the regional workshop and received comprehensive responses from 13 countries, including two responses from China. Reflecting the findings of the rapid assessment, the survey results indicated that EIA rules are still being implemented only partially in most Asian countries. In terms of EIA practices, project owners and consultants take responsibility for EIA preparation in most countries and most environmental agencies reported that they are capable of adequate EIA review. The main challenges identified are inadequate mechanisms to enforce EIA implementation and sanctions that are too small to act as a disincentive. Funding, staffing, and the quality of EIA consultants are also a key constraint, as well as the limited use of innovative approaches in EIA enforcement. Most countries similarly indicated that implementation of EIA mitigation measures falls down at the level of EMMPs. Capacity building is needed in the assessment of impacts, the design of mitigation measures, EMMP implementation, and audit and evaluation.

Keynote Address – Status of EIA in Asia: A Practitioner’s Perspective

Dr. Supat Wangwongwatana, Chair of AECEN, delivered by Dr. Peter King, Head of AECEN Secretariat

Dr. King summarized AECEN’s principal activities and programming approach, and discussed the main findings of two regional assessments conducted to provide background information for this regional workshop.

First, in 2009 the AECEN Secretariat conducted a rapid assessment on the status of EIA implementation in Asia. The assessment was conducted over a short period of time to provide an overview and was not intended to be comprehensive or definitive. Among key findings are that virtually all countries in Asia require EIA and this is generally embedded in national laws, regulations, and mandated procedures. Over time, these countries have experimented with various innovations, such as cumulative assessments, health impact assessments, social impact assessments, and incorporation of climate change, but these innovations have not been adopted widely. Asian countries also reported to be facing many common challenges in EIA, especially in the implementation of EMMPs. In theory, EMMPs should be built into construction contracts and permits to operate and ensure that the identified mitigation measures are implemented in accordance with EIA reports, but the implementation and monitoring of EMMPs in Asian countries is largely inadequate in practice.

New Developments in Environmental Impact Assessment

Dr. Stephen Lintner, President-Elect, International Association of Impact Assessment (IAIA) and Senior Technical Adviser, World Bank Group

Dr. Lintner put in perspective the past 40 years of EIA, summarized new developments, and outlined key ongoing and new challenges. Started as an assessment tool in North America, EIA was first mandated for international development projects by USAID in 1975 and then by the World Bank in 1989, representing the first time the Bank opened its projects for
public scrutiny. Since then, EIA has evolved from being a tool tied to the specific objectives of these organizations to be an effective way to integrate environmental and social concerns into policies more broadly. Key reflections and lessons learned from the past 40 years are that EIA has been widely used as a mechanism to ensure accountability, to mandate consideration of alternatives and evaluation of the “no action” alternative, to determine if decisions are based on adequate information, and to give voice to community participation. In the US and Canada, EIA has moved from being a permitting instrument to an effective planning instrument.

New developments in EIA can be summed up in three categories: integration, innovation, and implementation. While earlier EIAs had put more emphasis on risk analysis, new EIAs better integrate the assessment of both impacts and risks into planning, while expanding the range of parties and practitioners engaged in and familiar with EIA. Innovative instruments (such as Strategic Environmental Assessment (SEA), Programmatic Assessment, Sectoral Assessment etc.) are increasingly used in or associated with new EIAs which are usually conducted with an expanded scope and coverage in order to attain a better balance between impact versus risk, and between the physical and biological issues versus social and cultural issues. New innovations in EIA include (i) sophisticated communication strategies used to support assessments, especially for large programs and projects; (ii) accountability mechanisms such as company self-reporting and third-party monitoring; and (iii) expanded partnerships in EIA in order to look at climate change, labor, auditing issues etc. In terms of implementation, many old issues remain; EIAs are usually prepared with good upfront work but problems then arise from the planning to action stages. To improve EIA implementation, project proponents need to adopt adaptive management, increasingly make use of spatial databases for scoping and monitoring, and develop better redress mechanisms which are built into project design. Looking ahead, addressing climate change in the broad context of impact assessment is a key challenge, along with promoting the use of country systems and building more country capacity.

**EIA as a Risk Mitigation and Value Add Tool in Investment Decisions**

Dr. Prasad Modak, Environment Specialist and EIA Practitioner

Dr. Modak analyzed EIA in the context of investment and argued that EIA should not be looked at only as a permitting or compliance requirement. Rather, it is a valuable tool which helps project proponents in the sound management of investment risks, potentially adding significant value for projects to realize better and sustained investment outcomes. By integrating social and environmental considerations early in the planning stage, EIA can influence project concepts and design to avoid, minimize and mitigate adverse impacts. EIA also facilitates early involvement of local communities, a process which is not only important for the purpose of disclosure and consultation, but also for influencing the project design for improving effectiveness. Scenario generation in EIA also often adds value by helping in the identification and estimation of risks during the project life cycle. The trend is now to integrate EMS 14001 elements in the EIA preparation to understand implications of normal, abnormal and emergent behavior of the project activities. This leads to the preparation of an emergency preparedness plan, forming the basis for risk allocation and mitigation. Given the contribution of EIA in simultaneously improving return on investment and social accountability performance of projects, there is a need to build capacities of developing countries in appreciating and practicing this broader understanding and benefits of EIA through examples and case studies.

**Strengthening of Country Safeguards Systems – Recent Efforts**

Dr. Xiaoying Ma, Principal Environment Specialist, RSES, ADB

The Paris Declaration on Aid Effectiveness (2005) and the Accra Agenda for Action (2008) formed an important basis for the strengthening and use of country safeguards systems in the development context. The documents espoused five principles: country ownership, alignment, harmonization, managing for development
results, and mutual accountability, with a key implementation focus on “the strengthening and use of the borrower’s systems to meet donor requirements” as applied to financial management and procurement. In the Asia and Pacific region, DMCs of the ADB have developed throughout the past 20 years their own environmental assessment (EA) systems in varying degrees. All DMCs have adopted some form of legislation on EA, while other institutional aspects of EA (such as environmental standards, public participation, and human resources) are not in place in all DMCs. Capacity for implementing, enforcing and complying with national laws and regulations needs to be strengthened in all DMCs.

Many recent efforts by MDBs were aimed at strengthening country safeguards systems. In March 2005, the World Bank’s Board of Directors approved the piloting of the “Use of Borrower Systems to Address Environmental and Social Safeguard Issues in Bank-Supported Projects” as a response to the Paris Declaration. Lessons learned from a series of pilots included the need to (i) select countries and sectors based on country interest; (ii) work closely with national and local authorities rather than focusing exclusively on the loan borrower; (iii) develop a more flexible process for the Bank to accommodate countries’ interests in improving their systems; (iv) communicate to and agree with borrowers at the outset of diagnostic studies on expected outcomes etc. Similarly, in 2005, the ADB approved TA No. 6285 for Strengthening Country Safeguards Systems (CSS), as an input to its SPS which was approved in 2009. Many of the key lessons learned from the CSS and SPS consultations were similar to those from the World Bank pilots, especially on the need for effective communication and flexible approach in working with countries. Additional lessons learned by the ADB were on the need to develop a clear, consistent, and easy-to-use methodology for CSS review and the need for sustainable supplemental funding for strengthening CSS.

Key challenges in strengthening country safeguards systems for MDBs lie in continuing dialogue and coordinated actions with DMC governments and other stakeholders at all levels,
addressing different country needs, coordinating and harmonizing practices among the MDBs, and developing sustainable supplementary funding mechanisms.

**Country Status Reports on EIA and Capacity Building Needs**

**Panel I. Experience with the implementation of EMMPs (Including Design Improvements) and Areas for Priority Actions**

*Lead panelist: Malaysia*
*Panelists: PRC, Lao PDR, Philippines, and Singapore*

**Malaysia**

The main objectives of EMMPs in Malaysia are to comply with legislation, policy, guidelines and EIA approval conditions, and to provide support to the planning of environmental management of the project. The environmental management system in Malaysia has three main components: EIA, EMMP and environmental audit. EIA is required at the planning stage of the project and EMMP at the stage of implementation. An EMMP is thus a continuation of an EIA and provides a detailed description of mitigation measures highlighted in the EIA and represents a formal commitment by the management for their implementation. EMMPs must be submitted to the Department of Environment (DOE) at least 90 days before the project is implemented, after which DOE monitors the implementation of EMMPs and approval conditions to ensure compliance. In the Malaysian EIA system, an EMMP is considered a “living document” that needs to be improved and adapted throughout the life of the project to reflect changing conditions. EMMPs are subjected to periodic reviews to ensure their continued relevance and validity. EMMPs in Malaysia also need to be prepared following a given format to ensure that all important issues are addressed with adequate details. Typical information presented in EMMPs includes a construction schedule, detailed mitigation measures, management commitment, baseline data, a monitoring and reporting schedule, a sampling regime required during the implementation stage, justification for the selected monitoring locations, budget, capacity building and training program, and a contingency plan for the management of environmental impacts in case of the project being abandoned after partial construction.

To date, Malaysia has been successful in developing (i) guidelines for the preparation of effective EMMPs; (ii) a standardized format for EMMP reports; and (iii) a process to evaluate the quality of the EMMPs according to the format. To ensure quality of EIAs and EMMPs, EIA consultants are required to be registered with DOE. All consultants need to meet strict qualification requirements. In terms of challenges, Malaysia noted that EMMPs could raise higher public expectations while the quality of EMMPs depends mainly on the quality of consultants which varies in practice. Some of the challenges in preparing EMMPs include how to select the most appropriate mitigation method from an available suite of technical options, and how to include climate change considerations at the project level.

**Singapore**

The format for EMMPs in Singapore is quite similar to that of Malaysia. In practice, Singapore's EMMPs reflect a four-tier approach of environmental management which relies on (i) land use planning control by the Land Use Development and Planning Authority, which is formulated in consultation with all other relevant agencies by way of an Integrated Master Plan; (ii) building plan control which includes mitigation measures such as wastewater treatment plants, air pollution control equipment and height constraints on chimneys etc; (iii) legislation which sets environmental standards such as those for emissions and related monitoring requirements; and (iv) a monitoring and enforcement regime to assess the effectiveness of the control measures.

Singapore also has an extensive system of environmental monitoring for air and water quality. In addition, a continuous dialogue is maintained between the Government and the industries to educate them on new monitoring requirements and discuss the feasibility of their implementation.

Challenges faced by Singapore are similar to Malaysia and include high expectations of people and the incorporation of climate change considerations into planning. Unlike Malaysia, Singapore has an added constraint of land...
scarcity that puts a high pressure for the authority in balancing environmental quality and development.

**The Philippines**

EMMPs in the Philippines are part of EIAs and need to be submitted before the project is approved. But as in Malaysia, they are also treated as living documents that could be improved. There is a standard template for EMMPs and normally EMMPs entail a semi-annual reporting obligation. Beyond EMMPs, the Philippines recognized the importance of an effective environmental monitoring system, largely prompted by the need to monitor over 40,000 projects. As a result, the country recently developed an enhanced monitoring and evaluation system which is based on the idea that not only environmental agencies have the responsibility in environmental monitoring, but also project proponents, local governments, and communities. Therefore, the system was designed to be “multi-partite” in nature and integrates community monitoring and self-monitoring by project proponents. A database of information and standardized forms still need to be developed to accompany the system.

**Lao PDR**

They are some key similarities and minor differences between EMMPs in Lao PDR and in Malaysia. Preparing an EMMP is a legal requirement for EIA in Lao PDR. In the past, an EMMP had to be reviewed before a certificate (permit) was given to a project proponent. Currently, a new EIA Decree approved this year requires an EMMP to accompany each EIA. The Decree also requires a two-step review of EMMPs: first, the project proponent needs to submit an EMMP for the construction period, and, second, after construction, the project proponent needs to submit a revised EMMP before being given a permit to operate. EMMP is an important way to pay greater attention to environmental monitoring, and Lao PDR agreed with Malaysia that an EMMP should be treated as a living document. In practice, however, it should be recognized that it is easier to negotiate an EMMP with developers before their investment budget has been fixed. The negotiation becomes very difficult after the developers have incurred the investment. In terms of challenges, Lao PDR would like to further improve the enforcement and monitoring of EMMP implementation in the country.

**PRC**

EMMPs are an integral part of EIA reports in PRC. According to the laws, EMMPs are required to monitor the impact of projects on many environmental resources such as land, water etc. EMMPs need to specify clearly the monitoring locations, frequency and parameters. Project owners are responsible for EMMP implementation. The costs of environmental protection measures, including equipment and operational costs, must be specified in the EIA.

**Discussion**

A question was raised from the audience with regards to the comparative advantages and disadvantages of making EMMPs an integral part of EIAs versus preparing the two documents sequentially. Both Malaysia and Lao PDR panelists commented that they prefer the sequential approach because it is difficult to prepare an EMMP with adequate details during the time of EIA. However, it is recognized the EIA team can identify significant impacts of the project and start to outline key measures to address them.

The audience also asked how EIA can influence project design improvements in practice. The Malaysian panelist responded by citing example cases for which violations of environmental regulations were found (such as buildings which are proposed to be located on excessive slopes) during the EIA review process, thus leading to necessary corrections. EIA also helped all sides understand the negative impacts of a proposed project and led to design changes to eliminate or reduce the impacts to an acceptable level. For example, in a complex project that deals with
land reclamation that would lead to the formation of an island in Malaysia, hydrodynamic modeling studies indicated that such formation will adversely affect sea grasses at the river mouth. Consequently, the island development idea of the project had to be changed and the project design modified to lower the environmental impacts.

Panel II: Advanced Considerations in EIA – Strategic EIA, Induced Impacts, Cumulative Impacts and Non-budgetary Funding Support for EIA

Lead panelist: People’s Republic of China (PRC)
Panelists: Indonesia, Philippines, Thailand, and Viet Nam

PRC

Strategic EIA (SEIA) is currently applied for land use plans which are defined as the construction and exploitation plans of regions, river basins and sea areas. Ten special plans which are subject to SEIA are industrial, agricultural, livestock breeding, forestry, energy, water conservation, transportation, urban construction, tourism, natural resources and other specific plans. The Ministry of Environmental Protection (MEP) is only responsible for convening a panel of experts to review the SEIA, while the approval needs to be granted by planning approval authorities. PRC started to pilot SEIAs nationwide in 2004 and later implemented SEIAs in Inner Mongolia starting in 2005. In 2006, 13 SEIAs were successfully carried out for state hydropower projects. In 2007, SEIAs were applied to key industrial development plans in five large regions. Today, SEIA is perceived in PRC to help optimize economic growth opportunities generated by the proposed plans by raising awareness of the governments at all levels on the importance of environmental resources, and by promoting the concept of coordinated development of economy, society and the environment. Key challenges related to SEIA in PRC are (i) legal loopholes in the list of activities requiring SEIA (for example, SEIA is not required for policies); (ii) the unclear relationship between project EIA and planning EIA; and (iii) the lack of serious commitment at various levels of the Government.

There are currently no clear requirements on induced impacts in the EIA guidelines in PRC. But it is recognized that there are real projects that could cause induced impacts such as coal power plants, chemical plants, colored metal smelting plants etc. Many of these projects pose a significant challenge for improvement as they invariably followed the initial approval which did not give enough consideration to induced impacts. Overall, the level of understanding in the assessment of cumulative impacts of multiple projects in PRC is still limited at this stage, though there are some recent efforts such as in assessing the cumulative impacts of heavy metal pollution from mining projects. There is also a parallel effort to improve environmental monitoring to better understand the cumulative impacts of multiple projects. However, understanding is still limited on the cause-effect relationships of the impacts on the environment and people’s health and thus the capacity to build this understanding needs to be strengthened.

Since 1992, EIA review in PRC has been funded by project owners, but from 2006 onwards, it has also been co-financed by the government through MEP. The government covers some of the review costs, expert panel fees, and monitoring costs while other costs have to be borne by project owners. Important plans for which EIA is co-financed by the Government are, for example, EIAs for the five large regions (the Circum-Bohai-Sea Region, the West-Straits Economic Area, the North Gulf Economic Zone, the Chengdu-Chongqing Economy Region and the Upper and Middle Yellow River Energy Chemical Region). However, the government co-financing has raised some questions about fairness.
Indonesia

Before 2009, Indonesia adopted an integrated approach for regional EIA for larger projects. In 2009, Indonesia enacted a new Environmental Protection Act that makes SEA obligatory and assigns the responsibility in conducting SEAs to governments at the central, provincial and district levels. The new legislation requires that all policies, plans and programs should be based on the SEAs.

Experience in Indonesia suggests that assessing cumulative impacts at the project level is not effective because mitigation measures need to be implemented by the Government and are beyond the control of the project proponent. The panelist raised an example of the development of a 2,000 hectare industrial estate which generated employment for more than 160,000 workers and in turn induced an influx of workers to the estate and the surrounding areas. The cumulative impacts of such a large influx cannot be managed at the level of individual projects within the estate.

Indonesia is currently reorganizing its environmental assessment system to integrate more strategic level assessment tools. Among recent developments, the country has just introduced new regulations on SEA and eco-regions which require the regions to take stock of natural resources prior to identifying projects and undertaking EIAs. The impact of global climate change also needs to be considered. Like cumulative impacts, the panelist commented that factoring climate change into planning requires a higher level consideration and cannot be addressed effectively at the project level. Therefore, Indonesia views SEA as a very important instrument in mainstreaming environmental considerations at the highest level of policy making and planning. As evidence of progress related to SEA, it is now obligatory that spatial planning in the country be based on SEAs. One important advantage of placing more emphasis on SEA is expected to be the lower efforts needed in EIA at the project level and thus the reduced burden of EIA review and monitoring.

Indonesia has not yet considered induced impacts in its environmental assessment. Considerations of induced impacts have to be addressed on a larger scale as in the case of cumulative impacts. SEA is also seen as an appropriate vehicle to address induced impacts in the future.

Finally, while mandating more tools for larger projects, Indonesia also established a trust fund for small scale projects and an environment revolving fund similar to that in the Philippines.

The Philippines

The Philippines still does not have an explicit policy on SEA although bills have been drafted to introduce such requirements and have been under active considerations for some time. There have been, however, instances when the Environmental Management Bureau (EMB) received and reviewed SEAs. To review SEAs, EMB refers to the experience of other countries familiar with such a practice. The Philippines is currently developing SEA guidelines integrating climate risk reduction concerns as part of an attempt to elevate climate change considerations in EIA from the project level to strategic and sector levels.

Induced impacts are considered as part of project-level EIA in the Philippines while cumulative impacts are considered for programmatic impact assessment. Especially for industrial development areas, the concepts of discharge allocation and maximum allowable limits are applied for co-located projects within the same industrial development area.

As for non-budgetary funding support for EIA, the Philippines has established an EIA review fund similar to that in PRC. As part of environmental clearance requirements, the project proponent is required to set up an environmental monitoring fund. There is also a
public environmental revolving fund which is replenished by the penalties for violations of EIA regulations and pollution control laws. The fund is used to complement the budgetary support for EIA from the national government. In addition, the Philippines also established an environmental guarantee fund which is reserved to compensate and rehabilitate persons affected by environmental accidents and damages.

One difficulty faced by environmental authorities in the Philippines is that the responsibility for project plans and programs is usually divided among different agencies and departments. A centralized implementing authority is possibly a way forward.

**Thailand**

The EIA system in Thailand is improving over time. In 2009, 34 types of projects require EIA compared with 22 types in 1992. The National Environmental Board chaired by the Prime Minister is the governing body that appoints the Environmental Expert Review Committee to review EIAs. The Board has also appointed an SEA Review Subcommittee. Project proponents have the responsibility to prepare EIA reports and bear the preparation costs, while the budget to review them comes from the Government.

In Thailand, EIA integrates both health impact assessment and social impact assessment. There is now a new requirement that the government sector has to undertake SEA if its policies, plans and programs have a potential impact on natural resources and the environment.

Induced impacts are not considered in EIA except for health impacts caused by environmental pollution. Cumulative impacts are considered in some special cases. For example, when there are existing industrial facilities in an area, the incremental impacts of air pollution from new facilities need to be combined with those of the former ones by using air quality modeling. The emissions and air quality impacts are then compared with emissions and ambient standards in order to control the cumulative impacts.

**Viet Nam**

In Viet Nam, SEA was introduced in legislation under the second Law on Environmental Protection in 2005 and came into effect in 2006. In the last three years, approximately 30 SEA reports have been prepared, primarily focusing on economic and social development plans for provinces. The content of SEAs covers several themes such as the identification of primary environmental impacts; the prediction of future impacts with respect to a baseline scenario for the proposed plan as well as to alternative plans; public and stakeholder consultations; and modifications in the proposed development based on consultations. A main task of the Ministry of Natural Resources and Environment of Viet Nam is to review EIAs and SEAs. Experience from the review of previous SEAs indicates that the rigor in the identification and assessment of impacts by project proponents has been substantially below expectations. The Vietnamese panelist indicated that Viet Nam is interested in learning from the experience of PRC and other developed countries in this area and looks forward to capacity development opportunities through regional cooperation.

**Discussion**

Given the linkage between the cost and quality of EIA, an audience member suggested that the cost of EIA should be subsidized by the government. In addition, the panelists believed that since SEAs generally apply to government plans and policies it will be appropriate for the government or donor agencies to fund the assessment.

Another participant commented on the importance of political commitment for implementing the recommendations of SEAs and asked about experience of the panelists in securing such commitments. Also, an audience member mentioned that there is generally a lack of SEA...
at the policy level which possibly is the most appropriate level for the assessment. Inter-agency conflicts were also considered as a barrier to the effectiveness of SEA.

Acknowledging all of the above concerns, a panelist mentioned that the present experience with SEA in Asia is still in a nascent stage and the region as a whole needs to learn more from developed countries and by sharing experience among themselves.

In response to a query on the limited quality of environmental data and of the development plans themselves, a panelist argued there is a need to explore ways to systematically overcome these constraints and suggested that this issue should be subject to further deliberations among the workshop participants and EIA practitioners in the region.

**Panel III: Global Issues in EIA - Climate Change, Greenhouse Gas (GHG) Analysis and Biodiversity Conservation**

*Lead Panelist: Indonesia, Panelists: Maldives, Nepal, Sri Lanka, and Viet Nam*

**Indonesia**

Indonesia has created an inventory of natural resources in order to take stock of key resources. The EIA system in Indonesia, or Analisis Menganai Dampak Lingkungan (AMDAL) in local terms, addresses global environmental issues such as biodiversity and GHG emissions at various stages:

**Screening:** a proposed project has to be situated in an appropriate location according to spatial planning guidelines. Proposed projects which are located near protected areas require an AMDAL. No projects are allowed in conservation areas.

**Public consultation and information disclosure:** the EIA team needs to gather information from the affected community to analyze impacts of the project on biodiversity, indigenous people, archeological sites etc.

**Scoping and comparing alternatives:** Endemic species, indigenous people, archeological sites, excessive GHG emissions, and land use change are major indicators for possible significant impacts. In preparing EIAs, the team must consider alternatives for the site plan, location, technology, process, design, capacity, and raw and additive materials.

**Impact prediction and evaluation:** Impacts on biodiversity and excessive GHG emissions are indicators for an impact defined as “significant”. Cumulative impacts and assessment of project alternatives must also be assessed. The project proponent must provide a sufficient plan to avoid, mitigate or compensate significant impacts in order for the project to be defined as environmentally feasible.

**EMMPs:** The project proponent must provide a specific and detailed plan on mitigation and compensation measures for every significant impact at every project stage.

**Maldives**

The constitution of Maldives states that any project with detrimental environmental impact cannot proceed. In practice, EIAs in Maldives are not reviewed by the Environmental Protection Agency (EPA), but by independent consultants which are not part of the Government. Project proponents have to pay for the review. Changes to the project have to be made if environmental impacts are seen as significantly high. Maldives plans to be “carbon neutral” by the year 2020, and therefore all projects planned now need to consider GHG emissions in the EIA process.

Biodiversity is a big issue for EIA consideration in Maldives. As a result, Maldives makes it mandatory in the scoping process for EIA to address biodiversity. To implement projects in sensitive areas, proponents have to consult with the EPA. Climate change is also a prominent
Every EIA for projects along the coast and vulnerable areas has to address vulnerability issues related to key hazards such as storm surges, floods etc.

Nepal

EIA is conducted only at the project level, and it is not a current practice to include climate change and GHG emissions as analyzed factors. However, the importance of these issues is recognized, since Nepal is very exposed to floods, and there is high-level interest in the Government for hydropower and other types of clean energy. Several partners including GTZ, the ADB, KfW, and the World Bank are supporting projects on these issues in Nepal.

EIA guidelines and policies in Nepal provide for protection and conservation of biodiversity measures. If such impacts are perceived, the EIA needs to elaborate adequate explicit mitigation measures for biodiversity conservation. These measures are implemented by district offices and forest departments while the costs of mitigation are borne by the project proponent.

Sri Lanka

Climate change adaptation measures are being taken into consideration in many policy areas such as flood control management. In addition to the water sector, projects in the coastal zones also give serious consideration to climate change. To be effective, many of the adaptation measures require interventions at the policy and planning levels.

GHG emissions are not considered a serious problem in Sri Lanka because the country’s per capita emissions are still much lower than developed countries. Therefore, the emphasis in EIA is placed on climate change adaptation rather than mitigation of GHG emissions.

Biodiversity assessment is an essential element of EIA in Sri Lanka. In practice, however, not many EIAs provide adequate considerations on biodiversity primarily due to gaps in baseline data. Since data collection for biodiversity impact assessment is a time-consuming and expensive process, many project proponents are reluctant to commit resources to collect the data without being assured of an approval for the project. The practice in Sri Lanka is therefore to approve first the project based on the screening-level assessment. Later, a detailed EMMP will be prepared that addresses biodiversity protection and conservation issues adequately before moving into the implementation phase.

Viet Nam

Viet Nam is among the two developing countries most affected by climate change worldwide and therefore a large number of climate adaptation measures are underway in Viet Nam. Land use changes over the years have heightened the threat to biodiversity as reflected by the increasing number of species in the threatened species list. Project level EIA, though a very useful tool to address environmental impacts at the project level, is of limited utility to address biodiversity and climate change impacts. Both issues require environmental planning at a larger scale, and environmental planning and SEA are more appropriate to address these issues. With the help of international donors, Viet Nam hopes to improve the country’s legislation to strengthen the SEA and EMMP requirements.

Panel IV: Capacity Needs and Institutional Strengthening for Effective EIA Considerations

Lead Panelist: India
Panelists: Bangladesh, Cambodia, Malaysia, and Mongolia

India

In India, EIA was initiated in late 1970s as an administrative requirement for river valley and hydropower projects. EIA became mandatory through the EIA Notification of 1994 under the...
provisions of the Environmental Protection Act of 1986 for 32 categories of projects and processes. The EIA regulatory mechanism went through a major change in 2006. The objectives of this change were to formulate a transparent, decentralized and efficient regulatory mechanism to incorporate environmental safeguards at the planning stage; to proactively involve stakeholders in the consultation process; and to target the EIA efforts to the potential impacts instead of the size of investments. The modifications that took place in 2006 included the categorization of projects based on the impact potential; the enhanced emphasis on the scoping and upfront identification of significant environmental issues; the decentralization of the appraisal and clearance process; and a more structured public consultation process, with the prescription of time limits for approvals.

The EIA review and appraisal process was strengthened by the establishment of sector specific Expert Appraisal Committees (EACs) and of state level EIA authorities and committees. To improve the quality of EIA reports, a scheme for the accreditation of consultants has also been initiated. Currently, only project level EIA is practiced in India; strategic EIAs are not yet undertaken.

More participation by stakeholders, especially people in the project area, is considered vital for improving the effectiveness of EIA. To enhance transparency and stakeholder involvement, the Environmental Clearance (EC) conditions for each project are uploaded on the web, while EC letters are sent to local Panchayats (village councils) and municipal corporations. EMMP compliance status, along with observations on key environmental parameters, is also uploaded on the web and has to be displayed near the main gate of the facility by the project proponent.

Some of the major remaining challenges in EIA in India are related to the quality of EIA reports, the effective monitoring of and compliance with EC conditions, the availability of reliable environmental databases, technical manpower for EIA preparation, and the review process and guidance for the selection of technology options for mitigation. Steps taken to improve the EIA process in India include the accreditation of consultants through the Quality Council of India, the review conducted of the EIA monitoring mechanism, the shift towards a regional EIA approach such as a river basin approach and a cluster approach for mining projects, and the beginning of the process to establish the National Environment Protection Authority (NEPA) along the lines of the EPA in the US.

Priorities in capacity building include improving (i) the availability, analysis and interpretation of baseline data; (ii) the quality of the assessment of impacts; (iii) the design of mitigation measures and their implementation; (iv) the effective monitoring and evaluation that could lead to mid-course correction; and (v) the institutional strengthening with an emphasis on training manpower for EIA at various levels.

Bangladesh

The EIA process in Bangladesh was initiated in 1984. In the early years, EIAs were undertaken for large industrial and infrastructure projects only. EIA was formally incorporated in the legal system through the enactment of the Environmental Conservation Act in 1995. In Bangladesh, EIA is undertaken at the project level and is mandatory for polluting industries. The projects are reviewed and, where
appropriate, approved by the Department of Environment under the Ministry of Environment and Forest. In major projects, the preparation of EIA follows a two step process. First, based on secondary data, the project proponent prepares an Initial Environmental Examination that if approved leads to the site clearance. Second, a detailed EIA is prepared simultaneously to the project development and has to be based on primary data. This two step process facilitates faster implementation of the projects.

The shortage of trained manpower in Bangladesh is seen as a major constraint for the effective implementation of EIA regulations. In this context, training and knowledge sharing for both preparation and review of EIA is important. Given the impact of climate change, the conduct of SEA will also be very useful for Bangladesh. Also, there is a need to improve the quality and availability of data especially in the form of geo-referenced, GIS compatible spatial databases that use modern satellite data. There is also a need to improve the environmental monitoring infrastructure in Bangladesh to enhance the quality of monitoring during the preparation and implementation of EIA.

Cambodia

The practice of EIA in Cambodia commenced in 1999. The Department of Environmental Impact Assessment in the Ministry of Environment is responsible for overseeing EIA implementation. EIA is legally required for all planning and development projects and there are general guidelines for preparing the EIA. The guidelines, however, were adopted only last year and still have gaps that need to be filled.

The responsibility for reviewing and monitoring EIA for projects is at two levels – national and provincial. For projects with less than US$2 million in investment, the responsibility for reviewing and monitoring is delegated to the provincial department of environment, but these departments do not have adequate capacity for effective EIA implementation. Also, due to weaknesses in the legislation, it is difficult to enforce penalties for non-compliance and violations. The overall effectiveness of EIA implementation in Cambodia is therefore low. Some of the areas that capacity development efforts should address both at the provincial as well as national levels are: the improvement in analytical capacity of EIA consultants, the availability of trained manpower, the development of sectoral EIA guidelines, the improvement in EIA regulations and policy framework, and the added emphasis on cumulative and strategic assessments.

Malaysia

Primary institutional constraints in the EIA process in Malaysia are similar to those in India. Especially, EIA is perceived as a stumbling block that delays decision making, and therefore attention is not paid to the quality of EIA reports. Malaysia is striving to improve the process and has reduced the approval time to five weeks for preliminary EIAs and to less than five months for detailed EIAs. Malaysia has recently obtained ISO 9000 standard for the quality management system in EIA processing as well as EIA compliance. Though it has been a difficult task, the panelist believed that by standardizing the EIA management system throughout the country, the Department of Environment will be able to make the process of EIA more effective as well as transparent.

To improve EIA enforcement, Malaysia has been considering a new draft legislation that allows for immediate action in cases of non-compliance with EIA recommendations such as by issuing a summons to the offending party. For the purpose of monitoring, the progress on implementation of EIA recommendations is made available to the public on the web.

Experience from starting a registration system for EIA consultants and for third-party audit by external agencies has proven to be helpful in improving EIA quality and implementation in
Malaysia. In the realm of EIA implementation, Malaysia has also introduced in the legislation a provision to issue “stop work” orders in cases of unacceptable damages to the environment. There has also been a five-fold increase in financial penalty for non-compliance of EIA recommendations. For further capacity development in EIA, the Malaysian panelist emphasized the need to improve databases and the development of manpower through training.

**Mongolia**

Mongolia started its EIA system in 1993-1994 when the ADB supported the implementation of an EIA improvement project in the country. In 1998, the Parliament enacted the Mongolian law on EIA and subsequently established all related legislations and guidelines. In 2001, the Mongolian EIA law was amended by the Parliament and remains in effect until the present.

The Mongolian EIA system consists of two types of assessment – “General EIA” and “Detailed EIA”. As the main tool for the screening process, General EIA should be done during project planning. It is required for all projects intending to make use of natural resources in the construction, renovation or expansion of new or existing industries, services, structures etc. The assessment involves an upfront determination and evaluation of the expected environmental impacts of the project. The Ministry of Nature, Environment, and Tourism and local government offices are responsible for completing General EIAs, which could lead to the classification of projects into four different categories (i) direct implementing projects –small projects with no negative impact for human health and the environment; (ii) implementing project with environmental conditions –projects with low negative impacts for human health and the environment; (iii) projects for which detailed EIAs are required – projects with negative impact for human health and the environment or those of which the negative impacts cannot be determined during the General EIA stage, thus requiring a more detailed assessment; and (iv) projects with no possibility for implementation–projects which do not conform to relevant regulations, do not consider a land management plan, and employ harmful technology for human health and the environment.

Detailed EIA must be conducted by authorized (licensed) professional EIA companies and consultants. Detailed EIA reports are reviewed by the EIA Commission and approved by the Ministry of Nature, Environment and Tourism. A Detailed EIA must describe the following issues (i) basic environmental characteristics of the area; (ii) the technologically best version of the project; (iii) risk assessment; (iv) negative impacts and the anticipated extent, spread and outcomes; (v) mitigation measures and recommendations for adoption; (vi) an environmental protection plan and monitoring program; (vii) public opinion and local government considerations; (viii) the cultural heritage of the area and its interrelation with the project; and (ix) a reclamation plan. Specifically, the environmental protection plan must contain detailed mitigation measures, an implementation plan with a clear budget and a timetable. The plan and its associated monitoring program must be inspected by the Public Representative Khural and the inspector of local government from the Aimag, Soum and district levels.

Key areas of future improvement in the Mongolian EIA system include the adoption of new tools such as SEA and Initial Environmental Examination, and the improvement in the EIA methodology.

**Sharing of Good Practices in EIA in the Region**

*Environmental Impact Assessment in Japan – Towards a Sustainable Society*

Prof. Dr. Sachihiko Harashina, Dean of Interdisciplinary School of Science and Engineering, Tokyo Institute of Technology; Past-President of IAIA

Prof. Dr. Harashina discussed the evolving approach and best practices related to EIA in Japan. He presented a brief history of EIA in the country, with key milestones including the enactment of the Basic Environmental Law in 1993; the establishment of the EIA Act in 1997; the conclusion in 1999 of the Fijimae Tidal Flat EIA –the first Japanese EIA with strong citizen participation; and, most recently, the adoption
by the Japan International Cooperation Agency (JICA) of a new guideline for environmental and social considerations in 2010. In analyzing Japanese EIA practices, he argued that the role of impact assessment is to support consensus building for sustainable development and that both rational and fair judgments are needed. This is because while science is key to ensure rationality, public participation and information disclosure are essential to ensure fairness. The importance of public participation was clearly demonstrated in the case of the Fujimae Tidal Flat EIA. Throughout the process, which lasted between January 1994 and August 1998, the EIA reviewing committee of the Nagoya city treated the NGO community not simply as a protesting group but rather as a collaborator to resolve the environmental problem. As a result of the collaboration, the reviewing committee was able to identify clear impacts of the proposed municipal landfill project on the environment, especially with regards to migratory birds, and subsequently changed policy in favor of the site from the project. The continued emphasis on public participation can be seen today under various requirements of the Japanese EIA Act.

**Environmental Impact Assessment System in Korea**

Dr. Sangbum Lee, Research Fellow, Korea Environment Institute

Dr. Lee explained that there are two major types of assessment that constitute the environmental assessment system in Korea. The first one is EIA, which was adopted in 1977 under the Environmental Preservation Act and is currently enforced under the Act on Assessment of Impacts of Works on Environment, Traffic, Disaster, etc. Today, EIA is required for 63 project types in 17 fields. The second type of assessment is called Preliminary Environmental Review System (PERS) which was adopted in 1993 under the directive of the Prime Minister. PERS is currently enforced under the Framework Act on Environment Policy and applies to administrative plans (46 plans) as well as development projects (22 project types) in environmentally sensitive areas. Equivalent to SEA, PERS is required before approval or confirmation of a plan or program and focuses on siting and planning alternatives. On the other hand, EIA is required before the approval or confirmation of a project and focuses on identifying mitigation alternatives. In some cases, the conduct of EIA and PERS successfully brought about cancellation or modification of environmentally unsustainable development plans. They also promoted better environmental planning such as by raising awareness of developers to plan for a higher share of parks and green space in housing development. Finally, Dr. Lee highlighted some best practice elements of the Korean EIA system, which include the identification of multiple alternatives, strong public participation, the avoidance of developments in good ecosystems, the practice of informing decision makers at an early stage, and of making recommendation for methods to reduce negative environmental impacts.

**June 10, 2010**

**Breakout Groups on Capacity Building Needs for EIA Processes**

After a brief reflection on Day 1, workshop participants were divided into four breakout groups. Each group was asked to consider three questions in relation to the group’s topic:

1) What are the main capacity challenges?
2) What are the potential solutions?
3) What external assistance could be valuable?

The discussion was moderated by representatives from the ADB and AECEN. The following section summarizes the results of discussion from each group.

**Group 1: Upstreaming EIA Considerations in Investment Decisions**

Members: Bangladesh, Cambodia, China, Georgia, Indonesia, Maldives, Myanmar, Nepal, the Philippines, Singapore

Main capacity challenges:
• Economic barrier – investors are very concerned with short term economic gains rather than environmental performance.
• Policy and political barriers – many countries lack green laws, regulations and policies, while governments do not pay enough attention to environmental issues. Amending these laws and policies to mandate environmental considerations upstream is a challenge. It is also difficult to conduct good SEA in these circumstances.
• Environmental consciousness – there is a lack of environmental and biodiversity knowledge at the decision making level. Public participation in decision making is not adequate. There is also a negative perception that EIA is an obstacle for investment rather than a useful planning tool.

Potential solutions:
• Merging environmental, economic and social perspectives into the monetary valuation and cost benefit analysis of projects
• Properly communicating with politicians and devising measures to persuade governments
• Citing successes and failures based on the experience of other countries
• Instituting the SEA process at the local level
• Finding gaps where SEA can be introduced into the current laws and legislation, and amend the laws and regulations where appropriate
• Increasing public participation

External Assistance:
• Strong advocacy from international institutions for improved policies and practices to integrate environmental considerations in investment decisions
• Sharing international success stories
• Providing financial assistance to cover the cost of EIA
• Providing technical and financial assistance

Group 2: Enhancing the effectiveness of screening and scoping in EIA

Members: Cambodia, Georgia, India, Indonesia, Korea, Malaysia, Mongolia, Sri Lanka, Thailand, Viet Nam

Main capacity challenges:
• Lack of clarity on potential project impacts and how to respond to them prior to having a detailed project design due to inadequate details in the pre-feasibility study. A key problem is how to determine the scope of an EIA properly when there is still a lack of project engineering details.
• Lack of focus on critical issues and study boundaries due to limited availability of data needed for scoping and predicting the impacts. Limitation of data series is a common problem in all of the project areas.
• Lack of human resources and limited capacity of consultants and reviewers.

Potential solutions:
• Developing databases and data series, especially GIS-based, on land use, meteorology, demography, technology etc. to provide the needed baseline information for EIAs
• Developing guidelines and manuals on data requirements and standards for screening and scoping EIAs. This is to allow EIAs to be prepared by persons with high expertise

External assistance:
• Building GIS databases and assisting in all forms of data collection, storage and maintenance
• Providing certification and quality control
• Developing toolkits, guidelines, and manuals to be shared and translated into local languages
• Supporting bilateral cooperation in EIA
• Promoting the collection and publication of EIA standards
• Providing a forum for communication on EIA good practices such as through a websites etc.

Group 3: Improving the Quality of EIA, Public Participation, and Official Review

Members: Indonesia, Korea, Lao PDR, Maldives, Mongolia, Myanmar, Sri Lanka, Thailand, Viet Nam

Main capacity challenges:
• Quality of EIA – the quality of EIA consultants is currently not adequate. EIAs are not conducted with enough focus. As a result, there is a need to develop a set of objective criteria for selecting consultants. In addition, there are not enough staff to review submitted EIA reports. Better review criteria also need to be developed to assist the review process.
• Public participation – current EIA practices generally do not engage the public properly. Public participation for complicated projects should also be handled by elected officials.
• Official review – genuine public concerns are not adequately addressed, leading to the lack of social acceptance and projects being stopped. The role of NGOs and other representatives of the civil society needs to be increased especially for complex projects.

Potential solutions:
• For the quality of EIA:
  o Certifying EIA consultants
  o Disapproving low-quality EIA reports
  o Collaboration between national and international consultants and NGOs
  o Assistance from international and national consultants to national EIA reviewing units
  o Learning from examples and EIA review materials from other countries
  o Collection of more baseline data by government institutions
  
  o Requiring project proponents to conduct public consultation at the scoping stage
  o Requiring EIA units to conduct public consultation
  o Providing hand-on trainings in public consultation for complex projects

• For official review:
  o Carrying out both formal and information consultations for EIA with consideration of cultural aspects
  o Including EIA training in education curriculum
  o Recognizing environmental champions and win-win solutions
  o Bringing information down to local people in common language

External assistance:
• For the quality of EIA:
  o Providing assistance in setting up the consultant certification process
  o Providing training to local EIA units to be able to review and disapprove EIA in cases of insufficient quality of reports
  o Helping to establish funding mechanisms for EIA consultants

• For public participation:
  o Taking part in the rule and regulation formulation process
  o Providing financing support for hands-on trainings on public participation

• For official review:
  o Contributing to the training of EIA units
  o Providing examples of curriculum on EIA
  o Organizing international conferences and workshops to recognize champions and countries that have come up with successful EIA visions, solutions, and replicable practices
  o Supporting the preparation of EIA summaries for the public in local languages

Group 4: Improving the Implementation of EMMPs

Members: Bangladesh, PRC, Korea, Lao PDR, Malaysia, Nepal, the Philippines, Singapore, Thailand
Main capacity challenges:
- Formulating practicable EMMPs which include (i) specific, detailed and measurable mitigation strategies; (ii) a measurable time schedule for implementation; and (iii) an effective monitoring system at the various stages from construction to operation
- Inadequate capacity to monitor compliance
- Devising a clear division of responsibility in implementing EMMPs

Potential solutions:
- Capacity building for all parties including project proponents, regulators and other stakeholders
- Improving the compliance evaluation system both for internal and external auditing purposes
- Using modern tools like GIS, remote sensing etc. to support the conduct of EIA

External assistance:
- Facilitating cooperation among countries
- Sharing experience and knowledge on emerging approaches and best practices in EIA
- Providing technical and financial assistance or modern monitoring tools

Wrap Up and Way Forward

Paul Violette, Chief of Party, ECO-Asia

Mr. Violette thanked the ADB for hosting the successful workshop. In moving forward, AECEN, with the support of USAID through the ECO-Asia project, would like to facilitate more twinning partnerships and linkages between countries in order to improve EIA capacity in Asia through the exchange of experience and replication of best practices. These new partnerships will build upon the success of the ongoing Malaysia-Nepal twinning partnership on EIA facilitated by AECEN. As a next step, AECEN will be soliciting proposals and ideas for new twinning partnerships from workshop participants. AECEN can play various roles in supporting such partnerships including facilitating the creation of a community of practice (CoP) on EIA, providing IT support and website space, and serving as a clearinghouse for information sharing and dissemination. AECEN also recognizes that strengthening EIA capacity is a longer term and multi-donor process. Therefore, AECEN is committed to working with the ADB and all other partners to maximize the potential of available resources to support EIA capacity development in the region.

Vijay Joshi, Environmental Specialist, RSES, ADB

Mr. Joshi thanked the participants for rich deliberations during the workshop which provided a comprehensive overview of the current status of EIA practice in the region and an understanding about the gaps and barriers in its effective use. He noted that it was encouraging to see many examples of innovations, of the use of EIA in achieving improvements in project design, and of the application of strategic level tools as SEA. One important takeaway of the workshop for the ADB was to the need to identify “win-win” solutions within the region and seek opportunities for experience sharing in a more contextual manner. This effort will be pursued by the ADB along with other development partners and networks such as AECEN.

In the context of capacity needs, developing quality databases for EIA using modern data synthesis tools and addressing the lack of trained manpower were among the primary concerns. The ADB, in cooperation with other development partners, will attempt to address these gaps as part of its effort to strengthen country safeguards.

Elevating environmental considerations to the policy, planning and program levels was another important need expressed by the participants. A strong commitment from decision makers is needed for such considerations to be effective.
The ADB will explore the use of its CPS more effectively to upstream EIA considerations in the planning process and look for opportunities to integrate SEA applications in investment decisions.

IV. USEPA Technical Session: Summary

Pre-workshop assessments identified an outstanding need to focus capacity strengthening efforts on the tail-end of the EIA process. In the afternoon session following the closing of the main workshop, the USEPA organized a technical session for workshop participants focusing on recent advances in the implementation of EMMPs.

The focus of the session was to provide practical details related to EMMPs which could be applicable for countries in the Asia and Pacific region. Two EPA senior experts, Ms. Amy Zimpfer and Ms. Carol Russell, started the session by discussing EMMP measures during various stages including (i) pre-construction; (ii) construction; (iii) operation; and (iv) decommission and/or restoration stages. They highlighted features of a good EMMP and shared experience using examples of existing projects. Specific topics were covered which relate to main challenges for EMMPs e.g. the identification of stakeholders and their roles in the implementation, the adaptive management and enforcement of EMMP recommendations, and the monitoring and reporting of the progress of EMMPs and ways to judge effectiveness.

The experts described a range of mitigation measures available to facilitate the effective monitoring of EMMPs, while stressing the need to allocate a clear responsibility to different parties and reflect it in enforceable agreements. They also covered topics such as institutional arrangements for the effective implementation of EMMPs, sanctions for inadequate implementation, and means to redress the grievances of affected communities. Finally, the presenters shared experience on how to design an EMMP implementation monitoring program which incorporates elements of adaptive management. In this context, the role of third party audit programs, the identification of non-compliance, and dispute resolution were also discussed.
ANNEX: 1 Workshop Agenda

ANNEX: 2 List of Participants

ANNEX: 3 Results of the Pre-workshop Online Survey
ANNEX I: Workshop Agenda

Regional Workshop on Environmental Impact Assessment in Asia:

*Good Practices and Capacity Needs*

9-10 June 2010

**DAY 1, 9 JUNE 2010**

8:00 – 9:00 Registration

Chairperson: Nessim J. Ahmad, Director, Environment and Safeguards (RSES) concurrently Practice Leader (Environment), ADB

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>9:00 – 9:15</td>
<td>Welcome Remarks: Setting the Context</td>
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<tr>
<td></td>
<td>Nessim J. Ahmad, Director, RSES, ADB</td>
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<tr>
<td>9:15 – 9:30</td>
<td>Opening Remarks</td>
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<tr>
<td></td>
<td>Winston Bowman</td>
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<td></td>
<td>Regional Environment Director</td>
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<td></td>
<td>USAID Regional Development Mission Asia</td>
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<tr>
<td>9:30 – 10:00</td>
<td>Keynote Address: Status of EIA in Asia: A Practitioner's Perspective</td>
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<tr>
<td></td>
<td>Dr. Supat Wangwongwatana</td>
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<td></td>
<td>Chair, Asian Environmental Compliance and Enforcement Network</td>
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<tr>
<td>10:00 – 10:30</td>
<td>Coffee Break (and Group Photo)</td>
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<tr>
<td>10:30 – 11:00</td>
<td>New Developments in Environmental Impact Assessment</td>
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<td></td>
<td>Stephen Lintner, President-Elect, IAIA and Senior Technical Adviser, World Bank Group</td>
</tr>
<tr>
<td>11:00 – 11:20</td>
<td>EIA as a Risk Mitigation and Value Add Tool in Investment Decisions</td>
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<tr>
<td></td>
<td>Prasad Modak, Environment Specialist and EIA Practitioner</td>
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<tr>
<td></td>
<td>Xiaoying Ma, Principal Environment Specialist, RSES, ADB</td>
</tr>
<tr>
<td>11:40 – 12:15</td>
<td>Discussion</td>
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Chairperson: Peter King, Head, AECEN

Panel I: Experiences with implementation of EMMPs (including design improvements) and areas for priority actions — PRC, Lao PDR, Malaysia, Philippines, and Singapore

Panel II: Advanced Considerations in EIA – Strategic EIA, Induced Impacts, Cumulative Impacts and non-budgetary funding support for EIA – PRC, Indonesia, Philippines, Thailand, and Viet Nam

15:15 -15:45 Coffee Break

15:45 - 17:15 Country Status Reports on EIA and Capacity Building Needs

Panel III: Global Issues in EIA - Climate Change, GHG Analysis and Biodiversity Conservation — Indonesia, Maldives, Nepal, Sri Lanka, and Viet Nam

Panel IV: Capacity Needs and Institutional Strengthening for Effective EIA Considerations — Bangladesh, Cambodia, India, Malaysia, and Mongolia

17:15 - 17:45 Sharing of Good Practices in EIA in the Region

Environmental Impact Assessment in Japan – Towards a Sustainable Society
Sachihiko Harashina, Dean of Interdisciplinary School of Science and Engineering Tokyo Institute of Technology; Past-President of IAIA

Environmental Impact Assessment System in Korea
Sangbum Lee, Research Fellow, Korea Environment Institute

17:45 - 18:00 Recap and Summary – Chairperson

18:00 - 19:00 Cocktail Reception, Executive Dining Room, ADB
**DAY 2, 10 JUNE 2010**

**Chairperson:** Javed Mir, Director, Agriculture, Environment, and Natural Resources Division, SERD, ADB; Co-Chair, Environment Community of Practice

<table>
<thead>
<tr>
<th>Time</th>
<th>Event Description</th>
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<tbody>
<tr>
<td>9:00 - 10:30</td>
<td>Breakout Groups on Capacity Building Needs for EIA Processes</td>
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<tr>
<td>Group 1</td>
<td>Upstreaming EIA Considerations in Investment Decisions</td>
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<tr>
<td>Group 2</td>
<td>Enhancing Effectiveness of Screening and Scoping in EIA</td>
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<td>Group 3</td>
<td>Improving Quality of EIA, Public Participation and Official Review</td>
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<tr>
<td>Group 4</td>
<td>Improving Implementation of EMMPs</td>
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</table>

| 10:30 -11:00  | Coffee Break                                                                      |

| 11:00 -12:00  | Report Back to Plenary by Breakout Groups                                          |
|              | 10 minutes per group plus 20 minute discussion at the end                          |

| 12:00 -12:30  | Wrap Up and Way Forward                                                           |
|              | Paul Violette, Chief of Party, ECO-Asia                                            |
|              | Vijay Joshi, Environment Specialist, RSES, ADB                                    |

| 12:30 -14:00  | Lunch                                                                              |

| 14:00 -15:30  | Technical Session on Environmental Monitoring and Management Plans                  |
|              | For technical staff - Detailed technical session on Implementation of Environmental Monitoring and Management Plans by USEPA |

| 15:30 – 16:00 | Coffee Break                                                                       |

| 16:00 -17:30  | Technical Session on Environmental Monitoring and Management Plans                  |
|              | For technical staff - Detailed technical session on Implementation of Environmental Monitoring and Management Plans by USEPA |
## ANNEX II : List of Participants

### Bangladesh

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<th>Title/Position</th>
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</thead>
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<tbody>
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### ANNEX III : Results of the Pre-workshop Online Survey

#### 1. Please provide the following information

<table>
<thead>
<tr>
<th>Information</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>100.0%</td>
<td>14</td>
</tr>
<tr>
<td>Agency</td>
<td>100.0%</td>
<td>14</td>
</tr>
<tr>
<td>Country</td>
<td>100.0%</td>
<td>14</td>
</tr>
<tr>
<td>Email Address</td>
<td>100.0%</td>
<td>14</td>
</tr>
</tbody>
</table>

- **answered question**: 14
- **skipped question**: 0

#### 2. Please provide web links to the primary legislations related to EIA in your country.

<table>
<thead>
<tr>
<th>Response Count</th>
<th>14</th>
</tr>
</thead>
</table>

- **answered question**: 14
- **skipped question**: 0

#### 3. Which agency (ies) have the mandate to enforce the EIA laws and accompanying regulations in your country? Please explain very briefly the role and responsibility of different agencies in the EIA process.

<table>
<thead>
<tr>
<th>Response Count</th>
<th>14</th>
</tr>
</thead>
</table>

- **answered question**: 14
- **skipped question**: 0
4. Please indicate who takes legal responsibility for the accuracy of EIA reports?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project owner</td>
<td>78.6%</td>
<td>11</td>
</tr>
<tr>
<td>EIA consultants</td>
<td>57.1%</td>
<td>8</td>
</tr>
<tr>
<td>Environmental agencies</td>
<td>14.3%</td>
<td>2</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>0.0%</td>
<td>0</td>
</tr>
</tbody>
</table>

answered question: 14
skipped question: 0

5. Does EIA in your country explicitly incorporate aspects of social impact assessment (SIA)?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>85.7%</td>
<td>12</td>
</tr>
<tr>
<td>No</td>
<td>14.3%</td>
<td>2</td>
</tr>
</tbody>
</table>

If Yes, would you rate the effectiveness of SIA in identifying and mitigating negative social impacts of investments as “High”, “Satisfactory”, “Limited”, or “Very Limited”?

answered question: 14
skipped question: 0

6. Does EIA in your country explicitly incorporate aspects of health impact assessment (HIA)?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>57.1%</td>
<td>8</td>
</tr>
<tr>
<td>No</td>
<td>42.9%</td>
<td>6</td>
</tr>
</tbody>
</table>

answered question: 14
skipped question: 0
7. If the answer to the above question is "Yes", which aspects does the HIA in your country include?

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and safety of construction workers</td>
<td>75.0%</td>
<td>6</td>
</tr>
<tr>
<td>Health and safety aspects of communities</td>
<td>62.5%</td>
<td>5</td>
</tr>
</tbody>
</table>

8. Does EIA regulations in your country require that "induced impacts" are considered in the analysis? (Definition - "Induced impacts" are adverse and/or beneficial impacts on areas and communities from unplanned but predictable developments caused by a project which may occur later or at a different location."

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>50.0%</td>
<td>7</td>
</tr>
<tr>
<td>No</td>
<td>50.0%</td>
<td>7</td>
</tr>
</tbody>
</table>

If Yes, would you rate the effectiveness of such analysis in identifying and mitigating negative 'induced impacts' of investments as 'High', 'Satisfactory', 'Limited', or 'Very Limited'? (14 answered, 0 skipped)

9. Does EIA regulations in your country require that "cumulative impacts" are considered in the analysis? (Definition - "Cumulative Impacts" refers to the combination of multiple adverse and/or beneficial impacts from further planned development of the project or other sources of similar impacts in the geographical area, any existing project condition, and other project-related developments that are realistically defined at the time due diligence is undertaken.)

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>53.8%</td>
<td>7</td>
</tr>
<tr>
<td>No</td>
<td>46.2%</td>
<td>6</td>
</tr>
</tbody>
</table>

If Yes, would you rate the effectiveness of such analysis in identifying and mitigating negative 'cumulative impacts' of investments as 'High', 'Satisfactory', 'Limited', or 'Very Limited'? (13 answered, 1 skipped)
10. Is there a provision in the law requiring the use of upstream EIA tools such as Strategic EIA or Sectoral EIA?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>33.3%</td>
<td>4</td>
</tr>
<tr>
<td>No</td>
<td>66.7%</td>
<td>8</td>
</tr>
</tbody>
</table>

answered question 12
skipped question 2

11. Are the EIA provisions in your countries adequate to incorporate bio-diversity conservation concerns in investment decisions?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>71.4%</td>
<td>10</td>
</tr>
<tr>
<td>No</td>
<td>28.6%</td>
<td>4</td>
</tr>
</tbody>
</table>

If Yes, would you rate the effectiveness of such EIA provisions in identifying and mitigating negative impacts on bio-diversity due to investment decisions as “High”, “Satisfactory”, “Limited”, or “Very Limited”? 10

answered question 14
skipped question 0

12. Do the EIA regulations require climate change adaptation considerations as part of the project level analysis?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>28.6%</td>
<td>4</td>
</tr>
<tr>
<td>No</td>
<td>71.4%</td>
<td>10</td>
</tr>
</tbody>
</table>

answered question 14
skipped question 0
13. Does your agency plan to include GHG emissions in impact analysis to encourage low carbon alternatives or to assess incremental global impacts due to projects?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>42.9%</td>
<td>6</td>
</tr>
<tr>
<td>No</td>
<td>57.1%</td>
<td>8</td>
</tr>
</tbody>
</table>

answered question 14
skipped question 0

14. Do the EIA regulations include provisions for conservation of physical cultural resources?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>71.4%</td>
<td>10</td>
</tr>
<tr>
<td>No</td>
<td>28.6%</td>
<td>4</td>
</tr>
</tbody>
</table>

answered question 14
skipped question 0
15. What are some of the key legal and regulatory limitations to effective implementation and enforcement of EIA requirements in your country? Please select the most important three reasons.

<table>
<thead>
<tr>
<th>Reason</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>List of prescribed projects are not sufficiently comprehensive or clearly defined</td>
<td>15.4%</td>
<td>2</td>
</tr>
<tr>
<td>EIAs are not legally required early enough in a project cycle</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Inadequate EIA regulations do not provide clear guidelines on the conduct of EIA</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Laws do not impose enough accountability on developers and/or EIA consultants</td>
<td>38.5%</td>
<td>5</td>
</tr>
<tr>
<td>There are overlapping and/or conflicting jurisdictions of multiple agencies</td>
<td>30.8%</td>
<td>4</td>
</tr>
<tr>
<td>Sanctions are inadequate for violation (e.g., financial penalty is too small to act as a deterrent)</td>
<td>46.2%</td>
<td>6</td>
</tr>
<tr>
<td>Process is lengthy and cumbersome to acquire EIA approval</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>EIA laws and regulations do not require effective public participation</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Guidelines are inadequate for EIA approving authorities</td>
<td>7.7%</td>
<td>1</td>
</tr>
<tr>
<td>Mechanisms are inadequate to monitor and enforce EIA regulations</td>
<td>83.8%</td>
<td>7</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>15.4%</td>
<td>2</td>
</tr>
</tbody>
</table>

answered question 13

skipped question 1
16. Is EIA implementation and enforcement receiving increasing or decreasing policy attention and budget allocation in your country?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increasing</td>
<td>76.8%</td>
<td>10</td>
</tr>
<tr>
<td>Decreasing</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>About the same</td>
<td>23.1%</td>
<td>3</td>
</tr>
</tbody>
</table>

17. Apart from the budget, are there other sources of funding to support EIA review costs, expert panel fees, monitoring costs, etc?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>42.9%</td>
<td>6</td>
</tr>
<tr>
<td>No</td>
<td>57.1%</td>
<td>8</td>
</tr>
</tbody>
</table>

18. If the answer to the previous question is “Yes”, what are the other sources of funding to support EIA?

<table>
<thead>
<tr>
<th>Source</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental protection fund</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>EIA fund</td>
<td>16.7%</td>
<td>1</td>
</tr>
<tr>
<td>Project bonds</td>
<td>50.0%</td>
<td>3</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>50.0%</td>
<td>3</td>
</tr>
</tbody>
</table>

answered question 13
skipped question 1

answered question 14
skipped question 0

answered question 6
skipped question 8
19. How would you describe the level of strength of the full time staff involved in the approval and enforcement of EIA?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adequate</td>
<td>9.1%</td>
<td>1</td>
</tr>
<tr>
<td>Faces minor shortfall</td>
<td>36.4%</td>
<td>4</td>
</tr>
<tr>
<td>Faces major shortfall</td>
<td>54.5%</td>
<td>6</td>
</tr>
</tbody>
</table>

Please provide the number of regular, full-time staff in your agency who are directly involved in the implementation and enforcement of EIA, if available

- answered question 11
- skipped question 3

20. If the answer to the above question is (ii) faces minor shortfall or (iii) faces major shortfall, what are the main reasons?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inadequate funds</td>
<td>45.5%</td>
<td>5</td>
</tr>
<tr>
<td>Lack of trained and experienced manpower</td>
<td>54.5%</td>
<td>6</td>
</tr>
<tr>
<td>Lack of motivation due to inadequate emphasis of environmental considerations in decision making</td>
<td>36.4%</td>
<td>4</td>
</tr>
<tr>
<td>Inadequate legislative provisions</td>
<td>36.4%</td>
<td>4</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>0.0%</td>
<td>0</td>
</tr>
</tbody>
</table>

- answered question 11
- skipped question 3
21. Does your agency have a roster of certified EIA consultants?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>57.1%</td>
<td>8</td>
</tr>
<tr>
<td>No</td>
<td>42.9%</td>
<td>6</td>
</tr>
</tbody>
</table>

If the answer to the above question is “Yes”, please provide (if available) the number of qualified professionals registered in the roster: 7

Answered question: 14
Skipped question: 0

22. Does your agency have a roster of certified EIA experts for the formulation of EIA expert panels?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>36.7%</td>
<td>5</td>
</tr>
<tr>
<td>No</td>
<td>64.3%</td>
<td>9</td>
</tr>
</tbody>
</table>

If the answer is “Yes”, Please provide (if available) the number of qualified professionals registered in the roster: 5

Answered question: 14
Skipped question: 0

23. Has your agency developed any standardized EIA guidelines for project owners/EIA consultants/experts?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>92.8%</td>
<td>13</td>
</tr>
<tr>
<td>No</td>
<td>7.1%</td>
<td>1</td>
</tr>
</tbody>
</table>

Please provide additional comment on the effectiveness of the guidelines, if any: 8

Answered question: 14
Skipped question: 0
24. What is the average annual number of projects which your agency has overseen in the preparation, review, approval and implementation of EIAs?

<table>
<thead>
<tr>
<th>Category</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 10 projects</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>Over 10 but under 20 projects</td>
<td>15.4%</td>
<td>2</td>
</tr>
<tr>
<td>Over 20 but under 100 projects</td>
<td>15.4%</td>
<td>2</td>
</tr>
<tr>
<td>Over 100 but under 400 projects</td>
<td>46.2%</td>
<td>6</td>
</tr>
<tr>
<td>Over 400 but under 1000 projects</td>
<td>7.7%</td>
<td>1</td>
</tr>
<tr>
<td>Over 1000 projects</td>
<td>15.4%</td>
<td>2</td>
</tr>
</tbody>
</table>

answered question: 13
skipped question: 1

25. What is an average time for a project to acquire EIA approval (in months)?

<table>
<thead>
<tr>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
</tr>
</tbody>
</table>

answered question: 12
skipped question: 2

26. Of the total projects submitted, what is the average annual number of projects for which EIA approval is refused?

<table>
<thead>
<tr>
<th>Category</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 5 %</td>
<td>75.0%</td>
<td>9</td>
</tr>
<tr>
<td>Between 6-10%</td>
<td>16.7%</td>
<td>2</td>
</tr>
<tr>
<td>Between 11-20%</td>
<td>8.3%</td>
<td>1</td>
</tr>
<tr>
<td>Between 21-30%</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>More than 30%</td>
<td>0.0%</td>
<td>0</td>
</tr>
</tbody>
</table>

answered question: 12
skipped question: 2
27. How would you rate your agency’s overall capacity to review and approve EIA reports?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Limited</td>
<td>7.7%</td>
<td>1</td>
</tr>
<tr>
<td>Limited</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Adequate</td>
<td>15.4%</td>
<td>2</td>
</tr>
<tr>
<td>Satisfactory</td>
<td>30.8%</td>
<td>4</td>
</tr>
<tr>
<td>High</td>
<td>23.1%</td>
<td>3</td>
</tr>
</tbody>
</table>

answered question: 13
skipped question: 1

28. Which MONITORING tools are available within your country’s legal framework for the enforcement of EIA commitments?

<table>
<thead>
<tr>
<th>Response</th>
<th>Percent</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-monitoring, record keeping and self-reporting by project owners following EIA approval and completion of project</td>
<td>76.9%</td>
<td>10</td>
</tr>
<tr>
<td>Citizen monitoring</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Monitoring by environmental agencies</td>
<td>84.6%</td>
<td>11</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>0%</td>
<td>3</td>
</tr>
</tbody>
</table>

answered question: 13
skipped question: 1
29. Which INSPECTION tools are available within your country’s legal framework for the enforcement of EIA commitments?

<table>
<thead>
<tr>
<th>Inspection Type</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine facility inspection conducted during construction</td>
<td>33.3%</td>
<td>4</td>
</tr>
<tr>
<td>Routine facility inspection on project completion, before commissioning/approval to operate</td>
<td>66.7%</td>
<td>8</td>
</tr>
<tr>
<td>Unannounced facility inspection visits</td>
<td>66.7%</td>
<td>8</td>
</tr>
<tr>
<td>Follow-up inspections conducted</td>
<td>66.7%</td>
<td>8</td>
</tr>
<tr>
<td>Certified third-party inspections</td>
<td>33.3%</td>
<td>4</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>1</td>
</tr>
</tbody>
</table>

Total answered question: 12
Total skipped question: 2

30. Which APPROVAL AND PERMITTING tools are available within your country’s legal framework for the enforcement of EIA commitments?

<table>
<thead>
<tr>
<th>Approval Type</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuance of permits to operate</td>
<td>91.7%</td>
<td>11</td>
</tr>
<tr>
<td>Issuance of discharge permits</td>
<td>66.7%</td>
<td>8</td>
</tr>
<tr>
<td>Moratorium on specific EIA approvals</td>
<td>50.0%</td>
<td>6</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

Total answered question: 12
Total skipped question: 2
31. Which ENFORCEMENT ACTIONS are available within your country’s legal framework for the enforcement of EIA commitments?

<table>
<thead>
<tr>
<th>Action</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warnings and informal notices of violation</td>
<td>61.5%</td>
<td>8</td>
</tr>
<tr>
<td>Formal notices of violation</td>
<td>84.6%</td>
<td>11</td>
</tr>
<tr>
<td>Criminal enforcement (fines, imprisonment etc)</td>
<td>76.9%</td>
<td>10</td>
</tr>
<tr>
<td>Administrative enforcement (monetary penalties, revocation of permits, suspension of operations, closure of facilities etc.)</td>
<td>84.6%</td>
<td>11</td>
</tr>
<tr>
<td>Civil judicial enforcement (damage claims, findings of liability or injunctions etc.)</td>
<td>46.2%</td>
<td>6</td>
</tr>
<tr>
<td>Citizen lawsuits</td>
<td>46.2%</td>
<td>6</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td></td>
<td><strong>13</strong></td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td></td>
<td><strong>1</strong></td>
</tr>
</tbody>
</table>
32. Which COMPLIANCE PROMOTION AND INCENTIVES are available within your country's legal framework for the enforcement of EIA commitments?

<table>
<thead>
<tr>
<th>Compliance promotion and assistance programs (such as EIA training)</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public disclosure programs</td>
<td>97.5%</td>
<td>7</td>
</tr>
<tr>
<td>Fiscal incentives (credits, monetary compensation, permit extensions, advanced permit renewal or review, etc.)</td>
<td>75.0%</td>
<td>6</td>
</tr>
<tr>
<td>Award programs for exemplary compliance by regulated enterprises</td>
<td>50.0%</td>
<td>4</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

answered question 8

skipped question 6

33. What is the average annual number of enforcement actions related to EIA commitments does your agency initiate?

<table>
<thead>
<tr>
<th>Under 5 cases</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 5 cases but under 10 cases</td>
<td>15.4%</td>
<td>2</td>
</tr>
<tr>
<td>Over 10 but under 50 cases</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Over 50 but under 100 cases</td>
<td>7.7%</td>
<td>1</td>
</tr>
<tr>
<td>Over 100</td>
<td>23.1%</td>
<td>3</td>
</tr>
</tbody>
</table>

answered question 13

skipped question 1
34. Which type of EIA violations is more common?

<table>
<thead>
<tr>
<th>Violation Description</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procedural violations (failure to follow the appropriate EIA process etc.)</td>
<td>45.5%</td>
<td>5</td>
</tr>
<tr>
<td>Substantive violations (failure to apply specified national technical standards, failure to implement mitigation measures as documented in EMMPs etc.)</td>
<td>54.5%</td>
<td>6</td>
</tr>
</tbody>
</table>

Answered question: 11  
Skipped question: 3

35. Based on your agency's experience in reviewing EIA reports, what is the proportion of EIAs approved each year that actually improved project design?

<table>
<thead>
<tr>
<th>Response Category</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10%</td>
<td>33.3%</td>
<td>4</td>
</tr>
<tr>
<td>10%-25%</td>
<td>16.7%</td>
<td>2</td>
</tr>
<tr>
<td>26%-50%</td>
<td>16.7%</td>
<td>2</td>
</tr>
<tr>
<td>51%-75%</td>
<td>16.7%</td>
<td>2</td>
</tr>
<tr>
<td>More than 75%</td>
<td>16.7%</td>
<td>2</td>
</tr>
</tbody>
</table>

Answered question: 12  
Skipped question: 2
36. Based on your agency’s experience in reviewing EIA reports, approximately what percentage of EIAs give proper attention to the identification of mitigation measures?

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Response Count</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10%</td>
<td>2</td>
<td>16.7%</td>
</tr>
<tr>
<td>10%-25%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>26%-50%</td>
<td>4</td>
<td>33.3%</td>
</tr>
<tr>
<td>51%-75%</td>
<td>2</td>
<td>16.7%</td>
</tr>
<tr>
<td>More than 75%</td>
<td>4</td>
<td>33.3%</td>
</tr>
</tbody>
</table>

answered question 12
skipped question 2

37. Based on your agency’s experience in reviewing EIA reports, approximately what percentage of EIAs give appropriate attention to the preparation of an Environmental Monitoring and Management Plan (EMMP)?

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Response Count</th>
<th>Response Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10%</td>
<td>2</td>
<td>16.7%</td>
</tr>
<tr>
<td>10%-25%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>26%-50%</td>
<td>4</td>
<td>33.3%</td>
</tr>
<tr>
<td>51%-75%</td>
<td>2</td>
<td>16.7%</td>
</tr>
<tr>
<td>More than 75%</td>
<td>4</td>
<td>33.3%</td>
</tr>
</tbody>
</table>

answered question 12
skipped question 2
38. What are some mechanisms by which mitigation measures identified in the EMMPs are implemented in practice?

<table>
<thead>
<tr>
<th>Mechanism</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incorporation of EMMPs into contractual obligations (such as bill of quantities etc.)</td>
<td>50.0%</td>
<td>6</td>
</tr>
<tr>
<td>Permits to commence construction</td>
<td>41.7%</td>
<td>5</td>
</tr>
<tr>
<td>Conditions attached to construction bonds</td>
<td>8.3%</td>
<td>1</td>
</tr>
<tr>
<td>Local government permits</td>
<td>58.3%</td>
<td>7</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

39. How does your agency monitor the implementation of EMMPs in practice?

<table>
<thead>
<tr>
<th>Monitoring Method</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Routine supervision of EMMPs during construction on a weekly/monthly basis</td>
<td>16.7%</td>
<td>2</td>
</tr>
<tr>
<td>Periodic inspection of EMMP progress at construction milestones</td>
<td>66.7%</td>
<td>8</td>
</tr>
<tr>
<td>Post-project EIA/EMMP completion reports</td>
<td>83.3%</td>
<td>10</td>
</tr>
<tr>
<td>Self-reporting by project owner</td>
<td>83.3%</td>
<td>10</td>
</tr>
<tr>
<td>Reports by the affected community or independent third parties</td>
<td>33.3%</td>
<td>4</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td></td>
<td>12</td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>
40. Based on your experience, what are the key obstacles for the effective implementation and monitoring of EMMPs? Please select the three most important reasons.

<table>
<thead>
<tr>
<th>Obstacle</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of ownership/commitment for EMMPs by project owner</td>
<td>53.8%</td>
<td>7</td>
</tr>
<tr>
<td>High transaction cost and inadequate funding in preparing the EIA</td>
<td>30.8%</td>
<td>4</td>
</tr>
<tr>
<td>Inadequate financing for monitoring EMMPs</td>
<td>61.5%</td>
<td>8</td>
</tr>
<tr>
<td>Insufficient procedural guidance</td>
<td>30.8%</td>
<td>4</td>
</tr>
<tr>
<td>Lack of baseline data and no funding for data collection</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>No sound basis/ expertise for proposed mitigation measures</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Proposed EMMPs are not cost-effective</td>
<td>23.1%</td>
<td>3</td>
</tr>
<tr>
<td>Inadequate sanctions (e.g. level of financial penalty is too low)</td>
<td>46.2%</td>
<td>6</td>
</tr>
</tbody>
</table>

Other (please specify) 0

answered question 13

skipped question 1
41. How are lessons learned from previous EIAs being incorporated to improve future project design in your country?

<table>
<thead>
<tr>
<th>Method</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public disclosure</td>
<td>69.2%</td>
<td>9</td>
</tr>
<tr>
<td>Mandated through new laws/regulations</td>
<td>61.5%</td>
<td>8</td>
</tr>
<tr>
<td>EIA Trainings</td>
<td>61.5%</td>
<td>8</td>
</tr>
<tr>
<td>Website with lessons learned</td>
<td>15.4%</td>
<td>2</td>
</tr>
<tr>
<td>Incorporation into guidance manuals</td>
<td>61.5%</td>
<td>8</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

answered question 13
skipped question 1

42. Please list any ongoing or past programs related to strengthening human and institutional capacity to implement and enforce EIA requirements in your country in the past 5 years.

answered question 14
skipped question 0

43. How would you rate the effectiveness of the previous and ongoing capacity development efforts in achieving their goals?

<table>
<thead>
<tr>
<th>Rating</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>7.1%</td>
<td>1</td>
</tr>
<tr>
<td>Satisfactory</td>
<td>50.0%</td>
<td>7</td>
</tr>
<tr>
<td>Limited</td>
<td>21.4%</td>
<td>3</td>
</tr>
<tr>
<td>Very Limited</td>
<td>21.4%</td>
<td>3</td>
</tr>
</tbody>
</table>

answered question 14
skipped question 0
44. Please identify priorities for capacity building in your country in relation to the following stages of EIA, as High, Medium, or Low.

<table>
<thead>
<tr>
<th>Stage</th>
<th>High (%)</th>
<th>Medium (%)</th>
<th>Low (%)</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Screening</td>
<td>25.0%</td>
<td>58.3%</td>
<td>16.7%</td>
<td>12</td>
</tr>
<tr>
<td>Scoping</td>
<td>33.3%</td>
<td>66.7%</td>
<td>0.0%</td>
<td>12</td>
</tr>
<tr>
<td>Baseline study</td>
<td>41.7%</td>
<td>33.3%</td>
<td>25.0%</td>
<td>12</td>
</tr>
<tr>
<td>Assessment of impacts</td>
<td>63.6%</td>
<td>36.4%</td>
<td>0.0%</td>
<td>11</td>
</tr>
<tr>
<td>Design of mitigation measures</td>
<td>53.8%</td>
<td>38.5%</td>
<td>7.7%</td>
<td>13</td>
</tr>
<tr>
<td>Assessment of alternatives</td>
<td>48.2%</td>
<td>30.8%</td>
<td>23.1%</td>
<td>13</td>
</tr>
<tr>
<td>EIA report preparation</td>
<td>33.3%</td>
<td>50.0%</td>
<td>16.7%</td>
<td>12</td>
</tr>
<tr>
<td>EIA review process and approval</td>
<td>41.7%</td>
<td>58.3%</td>
<td>0.0%</td>
<td>12</td>
</tr>
<tr>
<td>Implementation of mitigations</td>
<td>58.3%</td>
<td>33.3%</td>
<td>8.3%</td>
<td>12</td>
</tr>
<tr>
<td>measures/EMMPs</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Audit and evaluation</td>
<td>58.3%</td>
<td>16.7%</td>
<td>25.0%</td>
<td>12</td>
</tr>
</tbody>
</table>

Answered question: 13
Skipped question: 1

45. Are you aware of any country in Asia-Pacific with institutional capacity and best practices in EIA which would be applicable for adoption by your country?

<table>
<thead>
<tr>
<th>Response</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>50.0%</td>
<td>7</td>
</tr>
<tr>
<td>No</td>
<td>50.0%</td>
<td>7</td>
</tr>
</tbody>
</table>

If the answer is Yes, please name the country (ies) and describe briefly the capacity and practices that you would like to consider for adoption.

Answered question: 14
Skipped question: 0