



Event Report

Initial workshop *"Transboundary EIA application in Tajikistan"*



22 November 2018
Dushanbe, Tajikistan



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1. Background

The 2017-2020 workplan of the Convention on Environmental Impact Assessment in a Transboundary Context (the Espoo Convention) and its Protocol on Strategic Environmental Assessment (the Protocol on SEA) envisages technical advice to Tajikistan on improving environmental legislation in order to facilitate practical implementation of transboundary EIA and SEA procedures in accordance with the Espoo Convention and its Protocol on SEA. The activities are aimed to develop efficient mitigation measures to reduce anticipated negative environmental impact. Furthermore, in relation to recent developments in the region, notably the Belt and Road Initiative, for which all Central Asian countries are recipient, EIA and SEA become highly relevant tools to promote green and sustainable infrastructure.

The overall objective of the activity is to support Tajikistan in their efforts for joining the Espoo Convention and its Protocol on SEA, by reviewing national regulatory and legislative frameworks for environmental assessment systems and making recommendations to the Government on how to align these frameworks with the Espoo Convention and its Protocol. In addition, the project will aim to improve awareness of EIA and SEA benefits among the environmental and sectoral authorities, developers and EIA/SEA consultants, relevant NGOs and academia.

Initial workshop "Transboundary EIA application in Tajikistan" was held on 22 November 2018 in Dushanbe, Tajikistan. It was organized by the UNECE in cooperation with the Committee on Environmental Protection under the Government of the Republic of Tajikistan and the branch office of the CAREC in Tajikistan. The workshop gathered relevant governmental stakeholders at the decision-making level, national experts from the environmental authorities as well as representatives of international organizations, business, public associations and academia.

2. Workshop objectives

The aim of the workshop is to support development of modern EIA system in Tajikistan, to raise awareness of the representatives of environmental and sectoral authorities about the EIA benefits, to share the best practices of EIA application in the UNECE region and to facilitate a discussion on the way forward to development of modern EIA system in Tajikistan. Secondary aim included information-gathering for the EIA review to be prepared by UNECE international consultants.



3. Approach and methodology

The workshop utilized a highly interactive design. Each theoretical block was followed by opened discussion. It was held in English and Russian, with interpretation. The workshop included blocks regarding: concept of EIA, international standards of EIA, role of EIA review, place of EIA in the development control and roles of various actors, activities subject of EIA, concept of screening, scoping and EIA report, public participation, transboundary procedure, taking into account results of EIA and final decision, post-project analysis. Each block included detailed presentations by Mr. Jerzy Jendroska, followed by presentation of the key outcomes of the mapping study by Mr. Andriy Andrusevych and discussion. The discussion served multiple purposes, including better understanding by the participants of the issue, clarification of the mapping conclusions and, where relevant, gaps and needs to align national system to international standards.

4. Summary of the Workshop

Mr. Dz. Khalilov, Head EIA Division Committee of Environment Protection under the Government of the Republic of Tajikistan opened the meeting. He emphasized the role of environmental assessment procedures for enhancing environmental and health protection in Tajikistan, and – on behalf of the Committee – expressed his gratitude to the UNECE secretariat to the Espoo Convention for such a large-scale support provided.

Ms Zarina Nazarzoda, Deputy Chairman of the Committee on Environmental Protection under the Government of the Republic of Tajikistan, welcomed the international specialists and shared information on status and the structural schemes of draft Law on EIA. He stressed out that the Government of Tajikistan tries to establish the national legislative framework on EIA.

Following the opening of the meeting, Mr. Jerzy Jendroska, international key legal expert and Mr. Andriy Andrusevych, international legal consultant delivered a series of presentations on Environmental Impact Assessment system and facilitated interactive discussions on the current situation in Tajikistan.

The first part of the event was focused on introduction to Environmental Impact Assessment (EIA). Mr. Jerzy Jendroska, international key legal expert, introduced a concept of the Convention on environmental impact assessment in a transboundary Context (the Espoo Convention) and other international standards, providing key features of European model of EIA. Then, he explained a place of EIA in development control and roles of various national actors, illustrating typical examples of EIA procedures in EU and explaining obligations of competent authorities. During this part conceptual differences between European EIA model and OVOS/expertiza system were discussed with clear references to the national EIA system in Tajikistan and mapping study conclusions. This included group discussion about the development consent system in Tajikistan and its relation to the



OVOS/Expertiza system based on brief introduction of the mapping study conclusions by Mr. Andriy Andrusevych.

The next part of the event was dedicated to consideration of elements of the EIA scheme. Mr. Jerzy Jendroška, international key legal expert, presented the list of activities to be subject of EIA procedure, explaining to participants a concept of screening, procedural requirement and role of national authorities in the process, providing examples of approaches to screening in different countries. Then, he continued his presentation, explaining the process of scoping and the process of preparation of EIA Report according to the Espoo Convention and EIA Directive. Each presentation was followed by group discussion preceded by brief introduction of the mapping study by Mr. Andriy Andrusevych, i.e. bringing specific EIA element into the national context, in order to facilitate better understanding of the specific EIA element and the extent to which national system reflects (or includes) such element.

The final part of the event was focused on importance of public participation in accordance with the Espoo Convention. Mr. Jerzy Jendroška, international key legal expert described the obligations of public authorities in providing an access to information and role of private actors involved in public participation. Then, talking about transboundary procedure, Mr. Jerzy Jendroška explained the concept and stages of transboundary procedure.

In conclusion, Mr. Jerzy Jendroška described the process of post-project analysis according to the Espoo Convention and EIA Directive. He gave some useful examples of post-project analysis based on Polish legislation.

As noted, each presentation was followed by opened interactive discussion, facilitated by Mr. Jerzy Jendroška, international key legal expert and Mr. Andriy Andrusevych, international legal consultant. The discussions seemed to generate much interest and exchange of views among the participants, including between EIA personnel and health authorities, developers.

5. Workshop conclusions

The workshop was carried out as it had been planned and, following the prepared agenda, it fulfilled its objectives. Thus, as a result of the workshop, the participants have:

- (a) learned about the experience of the countries of Eastern Europe and the Caucasus in reforming their national environmental assessment systems and the practical application of the transboundary EIA procedure in accordance with the Espoo Convention;
- (b) increased awareness on benefits of transboundary EIA and its practical application;
- (c) identified existing challenges related to the application to transboundary EIA and actions needed to address these challenges.
- (d) gained good understanding of the national EIA system as compared to international standards and European model of EIA;
- (e) interest expressed in involvement of international experts in the process of developing the environmental code of the Republic of Tajikistan in terms of EIA and public involvement.

Annex I



Transboundary EIA application in Tajikistan

INITIAL WORKSHOP

22 November 2018
Dushanbe, Tajikistan
Hilton Dushanbe

PROGRAMME

- 09:00 – 09:30** **Registration**
- 09:30 – 09:45** **Opening of the meeting, welcome comments**
- Ms Zarina Nazarzoda, Deputy Chairman of the Committee on Environmental Protection under the Government of the Republic of Tajikistan;*
Mr Khusrav Makhmadulloev, Head of Department of State Ecological Expertise of the Committee of Environment Protection under the Government of the Republic of Tajikistan.
- 09:45 – 10:30** **Concept of EIA; Convention on environmental impact assessment in a transboundary Context (the Espoo Convention) and other international standards; role of the review of the national environmental impact assessment system via-a-vis the provisions of the Espoo Convention.**
Presentations
- Mr. Jerzy Jendrośka, UNECE international key legal expert;*
Mr. Andriy Andrusevych, UNECE international legal consultant.
Questions and answers session
- 10:30 – 11:00** **Place of EIA in development control and roles of various national actors**
Presentation and facilitated discussion on the situation in Tajikistan
- Mr. Jerzy Jendrośka, UNECE international key legal expert;*
Mr. Andriy Andrusevych, UNECE international legal consultant.
Questions and answers session
- 11:00 – 11:30** **Coffee break**
- 11:30 – 12:30** **List of activities to be subject of EIA procedure**
Concept of screening and role of national authorities
Presentation and facilitated discussion on the situation in Tajikistan



*Mr. Jerzy Jendrośka, UNECE international key legal expert;
Mr. Andriy Andrushevych, UNECE international legal consultant.
Questions and answers session*

12:30 - 13:30

Scoping, EIA Report and role of national authorities
Presentation and facilitated discussion on the situation in Tajikistan

*Mr. Jerzy Jendrośka, UNECE international key legal expert;
Mr. Andriy Andrushevych, UNECE international legal consultant.
Questions and answers session*

13.30 – 14.30

Lunch

14:30 – 15:30

Public participation and role of national authorities
Presentation and facilitated discussion on the situation in Tajikistan

*Mr. Jerzy Jendrośka, UNECE international key legal expert;
Mr. Andriy Andrushevych, UNECE international legal consultant.
Questions and answers session*

15:30 – 16.00

Transboundary EIA procedure and role of national authorities
Presentation and facilitated discussion on the situation in Tajikistan

*Mr. Jerzy Jendrośka, UNECE international key legal expert;
Mr. Andriy Andrushevych, UNECE international legal consultant.
Questions and answers session*

16:00 – 16.30

Coffee break

16:30 – 17.00

Taking into account the results of EIA, final decision and post-project analysis
Presentation and facilitated discussion on the situation in Tajikistan

*Mr. Jerzy Jendrośka, UNECE international key legal expert;
Mr. Andriy Andrushevych, UNECE international legal consultant.
Questions and answers session*

17:00 – 17.30

Mandatory requirements for a national EIA scheme
Presentation and facilitated discussion

*Mr. Jerzy Jendrośka, UNECE international key legal expert;
Mr. Andriy Andrushevych, UNECE international legal consultant.
Questions and answers session*

17:30 – 18.00

Conclusions and closure of the day: summary of discussion outcomes and the way forward toward development of modern EIA system in Tajikistan



Initial workshop on transboundary EIA application in Tajikistan

Dushanbe, Tajikistan

Hilton Dushanbe

22 November 2018

Participants: 39

Female participants: 6

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