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EU4Environment
Green Economy in Eastern Partner Countries

Effective Public Participation

2nd Subregional Workshop on the Practical Application of SEA
and Transboundary EIA

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Principles, techniques and recommendations for effective public participation

- ❑ UNECE (2014) The Aarhus Convention. An Implementation Guide (http://www.unece.org/fileadmin/DAM/env/pp/Publications/Aarhus_Implementation_Guide_interactive_eng.pdf)
- ❑ Good Practice Recommendations on Public Participation in **Strategic Environmental Assessment** (<http://www.unece.org/index.php?id=42234>) (in EN, RU and FR)
- ❑ Resource Manual to Support Application of the Protocol on **Strategic Environmental Assessment**. UNECE. 2012. <https://unece.org/resource-manual-sea>
- ❑ UNECE. 2006. Guidance on the practical application of the Espoo Convention. New York, Geneva: UNECE. <http://www.unece.org/index.php?id=7888>
- ❑ UNECE. 2006. Guidance on public participation in **environmental impact assessment in a transboundary context**. New York, Geneva: UNECE. https://www.unece.org/env/eia/pubs/pp_in_teia.html
- ❑ UNECE. 2009. Guidance on notification according to the Espoo Convention. New York, Geneva: UNECE. https://www.unece.org/env/eia/pubs/guidance_notification.html
- ❑ Guidance on the application of the **environmental impact assessment procedure for large-scale transboundary projects**, European Union 2013. <https://ec.europa.eu/environment/eia/pdf/Transboundry%20EIA%20Guide.pdf>



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COVID-19: alternative methods for public participation, information disclosure & engagement

- ❑ Various countries adopted temporary national regulations or guidelines for online public consultations
- ❑ Several International Financial Organisations issued supporting guidance, e.g.:
 - ✓ EBRD. 2020. Stakeholder engagement (PR10) EBRD briefing note. COVID-19. <https://www.ebrd.com/covid19-consultation.pdf>
 - ✓ EIB: 2020. Guidance note to EIB promoters on environmental and social performance in EIB-financed operations in response to the COVID-19 outbreak crisis. Annex 4 – Stakeholder engagement https://www.eib.org/attachments/covid19_guidance_note_to_promoters_a_nnex4_stakeholders_engagement_en.pdf
 - ✓ IFC. 2020. Interim Advice for IFC Clients on safe stakeholder engagement in the context of COVID-19. https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/publications/publications_tipsheet_covid-19_stakeholderengagement

Using:

- Local authority's / council mailing lists
- Social media such as Facebook, Instagram and Twitter
- Local authority's website
- Local online newspapers
- Issuing a weekly press bulletin
- Informing local neighbourhood forums and councils by email
- Informing local community, amenity and environmental groups by email or telephone
- Zoom meetings and seminars
- Online surveys and consultations
- Other methods of local communication for those who are likely to have an interest in the EIA but may not have internet access (e.g., community newsletters, local radio stations, adverts outside council offices and other public buildings, and the use of community noticeboards at supermarkets and other local centres).



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When are public hearings recognised as ‘valid’?

Question to the participants: are there any legal requirements in your countries on the number of attendees of a public hearing or their affiliations?

- ✓ No strict regulations on this matter in most of the countries;
- ✓ it is accepted that completing the min. legal requirements on public disclosure, notifications, and consultations will provide the public with the required opportunities to participate and influence
- ✓ Some countries have a different - more formalized approach

Examples:

Kazakhstan:

“Public hearings are considered **invalid in the absence of representatives of the public concerned**. Local executive bodies of the relevant administrative-territorial units (oblasts, cities of republican significance, the capital) within seven working days place a notice of **failed public hearings** under the heading "Public hearings". “

(‘Rules for Holding Public Hearings’, 2021. <https://adilet.zan.kz/rus/docs/V2100023901>)



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When are public hearings recognised as ‘valid’?

Examples:

Kyrgyzstan

“Public hearings are considered completed **if the public concerned participated**, having come at the appointed time and place. **If public hearings are declared invalid, the customer shall conduct public hearings again** An announcement about the repeated public hearings shall be published no later than ten calendar days before the hearings.”

(Regulation on Holding Public Hearings of Urban Planning Documentation in the Kyrgyz Republic. 2018. <http://cbd.minjust.gov.kg/act/view/ru-ru/200210>)

Uzbekistan:

“Public hearings are considered **valid** if they are attended by at least ten stakeholders“... If less stakeholders attend, then “The customer agrees with the organizer [local authorities] on the date of the **repeated public hearing** in the manner prescribed by this Regulation and issues a notice...”

(‘Procedure for conducting public hearings of environmental impact assessment projects’, 2020. <https://lex.uz/docs/4984499>.)

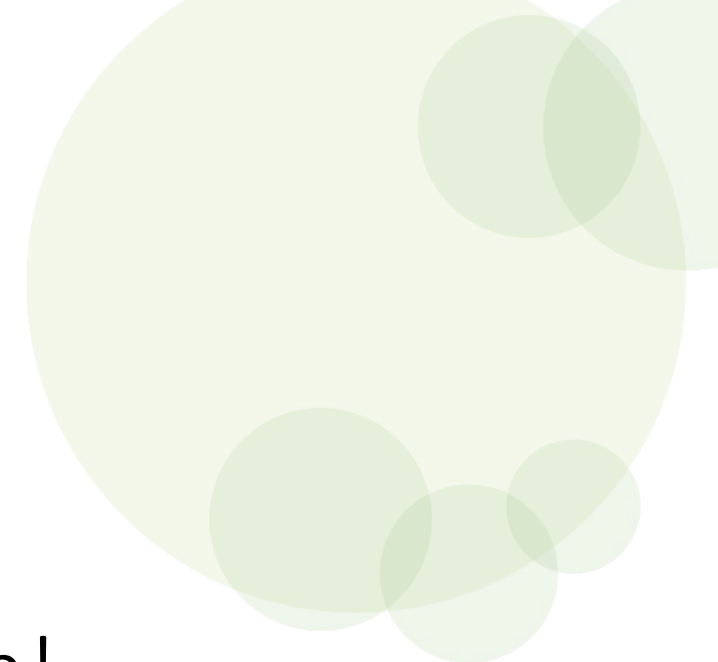
- ✓ Overall, difference approaches across countries, but very few regulate validity of public hearings
- ✓ Looser requirements on public hearings in SEA, and stricter for those in EIA.



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Thank you for your attention!

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