Practices on Methodologies of the Trans-boundary EIA

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EIA Legislation and Regulation (revised and new one)

The Tajikistan Law "On nature protection" foresees the ecological expertise conduction, and details are clarified in Law "On ecological expertise".

Some conditions and regulations are indicated partially in other environmental laws

EIA Legislation and Regulation (revised and new one)

- Tajikistan acceded to Espoo Convention on Environment Impact Assessment in Trans-boundary Context by the order of the President of the Republic of Tajikistan from 17.02.04, №1287
- The updated *Guidance on environment impact assessment* was approved by the regulation of the Tajikistan Government on 3.10.2006, №464
- *Competent body* - State Control Service on Nature use and protection under the Ministry of agriculture and Nature Protection

Methodology used in impact assessment in the EIA procedure in Tajikistan and other CA countries

- Prediction methods
- Methods for the comparison of alternatives
- Quantitative and qualitative analysis
- Forecasting methods (final impact)
- Expert analysis
- Assessing the geographical and time scale of the impact
- The category of impact level

Main Steps of the EIA by methodology

- **Definement and assessment of environment impacts (space scale, time scale, intensity – category revealing)**
- **Mitigation and prevention of the impacts**
- **Assessment of the extent of residue consequences**

Requirements of EIA documentation:

- **Contain the materials on defining, describing and assessment of the direct and indirect impacts of the planned activity on environment status, including social-economical situation**
- **Assessment and comparison of alternatives and explanation of the selecting the best decision**
- **Mitigation and prevention measures for negative impacts, or for enhancing of the positive environment impact of the planned objects and activities**

Practices - An Initial Environmental Examination with Trans-Boundary Issues

The Khatlon Flood Management Project – appendix III of the EIA Convention – "…located close to an international frontier…"

Severe flood damage in Khamadoni June-July 2005

The Khatlon Flood Management Project will include:

- Rehabilitation of dikes to be included in comprehensive Flood Management Plan
- Plan will comprise structural & non-structural components
- Plan will include assessment and mitigation of social and environmental impacts in Tajikistan and Afghanistan

Conduction of Initial Environmental Examination (IEE)

- IEE is an important tool for incorporating environmental concerns at the project level.
- **The requirement to prepare an IEE is one of several requirements identified in the Terms of Reference (ADB rules) and national legislation and comply with stages of an assessment according to the Convention**
- **The draft IEE has been prepared in accordance with the guideline "Content and Format Initial Environmental Examination" produced by ADB in 2003.**

Main stages of the EIA procedure conduction in accordance with the Espoo Convention

- **to determine whether an activity may have significant impact across borders – screening**
- **notifying the affected Parties**
- **organizing participation of stakeholders**
- **providing information flow**
- **Providing EIA documentation and final results**

Initiation of the stages of an assessment by the country of origin

- The River Pyanj forms the international frontier between Tajikistan and Afghanistan for a river distance of approximately 1000 km
- Data and information was collected during a series of site visits in Tajikistan and Afghanistan during the period from the 9th to 26th January 2007
- The field teams comprised consultants from the Khatlon Flood Management Project team in Dushanbe, Tajikistan, an ADB consultant from Afghanistan and staff from the Afghanistan Ministry of Water and Electricity (MEW) and the Afghanistan Natural Environment Protection Agency (NEPA).

- Their draft findings were presented and discussed at a workshop held in Taliban, Takhar District, Afghanistan on the 26th January 2007 and attended by the Governor of Kunduz Province, the Governor of Takhar District and officials from relevant Afghanistan government agencies and projects..

Activity impact examination on strenghtening of Pyanj river in Khatlon (Tajikistan) – joint examination with Afghanistan representatives

- **Applying to Afghanistan party and inviting to participate in joint examination of the flood consequences and impact on hydrotechnical structures of the Pyanj river left bank**
- **Organizing of delegation (commission) including: from Afghanistan side – 3 persons from the Afghanistan Ministry of Water and Electricity (MEW); 3 persons from the Afghanistan Natural Environment Protection Agency (NEPA) and experts from the Tajikistam**
- **The commission worked from 9.01.07 to 26.01.07.**
- **Preparation of the draft Inception Report**

Activity impact examination on strenghtening of Pyanj river in Khatlon – joint examination with Afghanistan representatives (continue) – consultation between parties (art.5)

- **Examination of the right bank of the Pyanj river – status on January 2007.**
- **Visiting of affected sites form flood of 2005 from Afghanistan side – (5 districts)**
- **Conducting of the meetings with chairmen of the districts, local governors, villagers and etc.**
- **Conduction of the final workshop with participation of stakeholders**

Outcomes of the final workshop in Afghanistan - consultation between parties (art.5)

- **Accepting that the proposed project works in Tajikistan have no adverse environment impact on Afghanistan side**
- **Embankment protection works of the Pyanj river should be done symmetrically in both sides of Afghanistan and Tajikistan**
- **Recommendations of the urgent surveys and preparation of technical-economical proposals for possible project in Afghanistan**

Consultation between parties (art.5)

- Starting from March 23 till March 29, 2007 Dushanbe a joint meeting of delegations of two countries took place concerning bank strengthening activities in the district of Khamadoni starting from the border outpost 142 up to 139/2.
- The Tajik delegation was led by the Deputy Minister of the Ministry of Land reclamation and Water Resources of the Republic of Tajikistan, and the delegation of the Islamic Republic of Afghanistan was led by the Governor of Takhor province.

Consultation between parties (art.5)

- Members of delegations, having considered the extreme emergency situation, occurred as a result of seasonal flooding and with the purpose of prevention of damages, have discussed the following specific measures:

  1. Demarcation of the border line between the two countries according to existing and available documents.

  2. Execution of bank strengthening emergency works within a distance of 20 km.

  3. Proposals of two sides to the Asian Development Bank and other financial international institutions, concerning financing of bank strengthening works.

Consultation between parties (art.5)

- After consideration of the above-stated issues, the parties have come to the following agreement:
- 1. With the purpose of execution of the major bank strengthening works on both banks of the river, the both sides have come to such conclusion, that first of all on this site border line should be demarcated according to existing and available documents.
- 2. With the purpose of implementation of the first item as above it is necessary to establish a joint competent and authorized working group.
- 3. Joint working group will commence their activities first of all from the most vulnerable and dangerous sections and they will finish the mentioned activities within 15 days.
- Simultaneously the sides accept the responsibility on safety of experts, maintenance of machinery/ equipment and temporary premises.

Consultation between parties (art.5)

- 4. Upon completion of the works specified in item 3, the joint working group will obtain sanctions of the supreme bodies of their countries, regarding the determination of the border line from the mentioned area of the Afghanistan side and its opposite bank in the territory of Tajikistan.
- 5. The both sides consider strengthening the left and right bank of the river Pyanj in interests of the two countries, and will strengthen cooperation on the basis of joint consultations.
- 6. The both sides, concerning financing works on bank strengthening for the first stage and the subsequent stages will submit their appropriate projects separately to the ADB and other international financial institutions.
- 7. The both sides have agreed that with the purpose of the best use of bank strengthening works, in necessary cases, joint meetings will be held in the most damaged and suffered sites of the banks of the river Pyanj in territories of Tajikistan and Afghanistan by turns.

- These minutes consists of 7 items, is made in languages of Dari and Tajik and is equally authentic.
- According to the proposal made by the delegation from the Afghanistan side, the next meeting of the sides for solution of problems in Kukpakhon and Arabkokul should be held within one month, in province of Takhar

Main chapters of the draft IEE

- **Description of the environmental status on the project area (geology, topography, water resourses, air quality, habitat descriptions, status of the flora, fauna, protected areas, flood history and etc.)**
- **Potential environment impact and mitigation measures on proposed components of activities**
- **Institutional requirements (legislation-policy aspects on both countries)**
- **Conducted consultations**

Road rehabilitation Project – Dushanbe – Chanak

- Roads,
- Bridges,
- Corridors,
- Cleaning of geological formations and etc.

Thanks for attention!