Public access to EIA register: how it works in practice

Tamara Malkova,
ICO Information Center “Green Dossier”
RECOMMENDATIONS ON ELECTRONIC INFORMATION TOOLS. PRIORITY CATEGORIES OF INFORMATION:

Environmental impact assessment and strategic environmental assessment documentation where it is held in electronic form or, where it is not available in such form, a reference to where such documentation can be accessed.

Among key priorities of EaP programming document ”Eastern Partnership - 20 deliverables for 2020”:

SEA and EIA legislations, Shared Environmental Information System, Improving on-line access to data and state of the environment analyses.

“Environmental Assessment Watch” project (Implementation of SEA and EIA: civil society monitors the situation in Belarus, the Republic of Moldova and Ukraine; EaP CSF RE-GRANTING 2018)

- SEA and EIA legislations at national levels. Summary
- Public monitoring of the environmental assessment procedures implementation. Part 1. Methodology
- Public monitoring of the environmental assessment procedures implementation. Part 2. Practice
  - Creation of a model system for civil society monitoring; sharing to other EaP countries

• Project partners:
Public access to EIA register

Common problems and needs, recognized in the project:
1. Lack of public attention
2. Difficulties to follow the progress
3. Low quality of EIA reports

Belarus: people usually miss the EIA stage, and start to be active only when they face the impact of the projects implementation. They theoretically have a right to participate earlier, but don’t use it.

The Republic of Moldova: according to AA the open EIA register was created, but it is a simple table that includes not a lot of information. For the eight months of 2018 — 15 requests have been submitted. Not possible to identified the current status and if the public consultations have been initiated. Reformation of the Ministry of Environment caused no access to EIA cases, documents are not available online.

Ukraine: EIA law has been in operation since December 18, 2017. The open EIA register is active and regularly updated, more than 4000 entries for now. More than 20% of projects got comments from public.
Public access to EIA register: experience from Ukraine

Ukrainian EIA register: great success and useful example for other countries. But experts and users note also that:

- It has essential difficulties in navigation
- Complex monitoring of new messages and registry changes
- Public comments are poorly tracked and reflected
- Lack of direct interactive communication “question – answer”
- Difficult to verify compliance, no monitoring mechanism
- Lack of capacity in official structures
- Lack of publicity/ visibility (including at official webs)
- Local communities are not aware enough
Public access to EIA register: experience from Ukraine

CSOs’ suggestions and action:

- Follow the process: in regions, in hot items
- Work with communities: trainings, informing, consulting, assistance in arranging of public hearings
- Involvement of experts, including local and universities
- Improvements of electronic format and software, adaptation for mobile apps, creation of an electronic cabinet
- Availability of information on typical / similar projects
- Mechanism to stop the procedure in case of violations
Improvement

Suggestions for the Aarhus community

➢ To support current achievements, stating and keeping good practices in EaP countries; to facilitate their further developing

(Example: Ukrainian EIA register is working in testing regime. All comments from public are welcome and taking into account. Ukraine has very good Indicators of improving in accordance to Open Government Partnership researching)

➢ To do all the best for avoiding and prevent recognized errors

(Example: We noted systematic problems in access to information caused by modernization/reform in the Republic of Moldova. We are very keen to prevent such errors in other countries)

➢ To assist preservation and sharing of the best practices as a basis for further progress in all countries
The Eastern Partnership (EaP) is a joint policy initiative between the European Union and its six Eastern neighbors: Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine.

EaP CSF – “The Eastern Partnership Civil Society Forum (EaP CSF) is a unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms. EaP CSF is a non-profit, non-government, non-partisan civil society organization.”

https://eap-csf.eu/
https://twitter.com/eapcsf