

IAIA Section on Governance and Implementation Systems

The IAIA Board approved the creation of a new section on impact assessment “Governance and Implementation Systems” in the late fall of 2017.

Goals:

- To address in a holistic way the entire ESIA process and its implementation by countries and institutions
- To identify common implementation challenges and system weaknesses consistently identified around the globe by countries and/or institutions responsible for implementing ESIA programs and ways they are being addressed
- To provide an ongoing forum and facilitate exchange of best practices and lessons learned to improve efficiency and effectiveness of ESIA program implementation.
- To avoid duplication with other IAIA sections for example, implementation of stakeholder involvement, institutional relationships, biodiversity etc. by maintaining a unique focus on the entire process, referring information to those other sections or suggest a joint undertaking.

Co-chairs

Cheryl Wasserman, Environmental Governance Institute International, retired US EPA
Heather Smith, Canadian Environmental Assessment Agency

Near term program of work:

- 1 Draft compilation of reports on efforts to strengthen EIA program implementation, lessons learned and best practices
- 2 IAIA WEBINAR 1: Two presenters on Priority Topic 1 followed by questions and answers, distribution of presentations and discussion
- 3 INECE WEBINARS: International Network for Environmental Compliance and Enforcement is organizing a series of 4 webinars on Tuesdays 9:00-10:15 am EST; see attachment on how to register, presenters and content for
 - ESIA and Enforcement at the National Level Tuesday, April 17,
 - ESIA and Enforcement in Transboundary and Regional Contexts Tuesday, May 1
 - ESIAs, Public Participation, and Environmental Compliance Tuesday, May 8
 - ESIA and the World Bank's New Environmental and Social Framework: Challenges and Opportunities
- 4 IAIA 2018 Durban Session on recent reforms: Canada, El Salvador, World Bank
- 5 IAIA 2018 Durban Section Meeting
- 6 IAIA WEBINAR 2: TBD 2018

Potential Topics

- Identification and discussion of current country reform efforts of their ESIA programs
- Consideration of the potential applicability of World Bank Group ESIA reforms and what is similar or different in country searches for more efficient and effective ESIA
- Design and use of web based systems and digital communications to advance efficiencies in implementation and communications – as a continued follow up to the theme of IAIA 15 in Florence, Italy;
- Approaches to facilitate follow up monitoring, compliance and enforcement of commitments made in the EsIA process, connecting EsIA and environmental permitting and how to provide continuous learning through and from these processes;
- Ways to manage and facilitate access to data and information for baselines and calibrated predictive models and to secure ongoing utilization of data developed within EsIAs;
- Allocation of responsibilities and accountability for implementing procedures to provide for meaningful and early stakeholder involvement;
- Building effective and efficient inter-governmental and inter-institutional relationships to secure essential expertise and input and mutually supportive decision making;
- Funding ESIA program implementation and how to allocate costs;
- Transboundary ESIA design and implementation; and/or
- Experiences with efforts to improve ESIA quality in analysis and documentation.

Potential Long Term Outputs:

- A compendium challenges facing ESIA program implementation and potential solutions
- Comparative list of specifications and functions supported by developing IT systems designed to improve ESIA implementation
- Identification and discussion of current country reform efforts of their EsIA programs;
- Consideration of the potential applicability of World Bank Group EsIA reforms and what is similar or different in country searches for more efficient and effective EsIA and Coordination between development bank and country EsIA program implementation: challenges and opportunities;
- Design and use of web based information systems and digital communications to advance efficiencies in implementation and communications – as a continued follow up to the theme of IAIA 15 in Florence, Italy –including exchange of experience in the design, implementation, maintenance and upgrading of hardware and software, initiatives to reduce cost and facilitate completion of applications, track and manage ESIA related documents, review and comment among government and non-governmental institutions with expertise and response to citizen comments to better resolve/prevent conflict;
- Approaches to facilitate follow up monitoring, compliance and enforcement of commitments made in the ESIA process, connecting ESIA and environmental permitting and how to provide continuous learning through and from these processes; and experiences using independent third party auditors versus government inspectors to follow up on implementation of commitments in EsIA
- Ways to manage and facilitate access to data and information for baselines and calibrated predictive models and to secure ongoing utilization of data developed within ESIA's;
- Allocation of responsibilities and accountability for implementing procedures to provide for meaningful and early stakeholder involvement;
- Building effective and efficient inter-governmental and inter-institutional relationships to secure essential expertise and input and mutually supportive decision making;
- Funding ESIA program implementation and how to allocate costs;
- Transboundary ESIA design and implementation;
- Ways that countries have found to manage the steps in the process that contribute to delay and uncertainty, for example, categorization criteria and application of environmental review, procedures, transparency, accountability and follow up; how deadlines introduced to ensure more efficient implementation are working and ways they help or hinder achievement of ESIA goals; and/or how ESIA processes manage and govern project modifications and when and whether an ESIA needs to be redone; successes, lessons and challenges in efforts to improve the quality of ESIA submissions and avoid the back and forth to correct deficiencies;
- Approaches to implement ESIA and mechanisms to ensure accountability for performance among different levels of government when capacity and capability is uneven – how to effectively build that capability including different ways to better address projects with low and moderate impacts:
- Approaches to facilitate follow up monitoring, compliance and enforcement of commitments made in the ESIA process: how to manage EsIA programs to integrate measures and conditions for approval into other legal instruments and for other institutions to assume responsibility for follow up; successful approaches to enforce ESIA requirements and conditions; unique application of consequences and penalties for the types of violations involved in EsIA; criteria and approaches to describe mitigation and avoidance measures to enhance enforceability and more readily transferrable to enforceable permits and other legally binding instruments;
- Alternative institutional designs and relationships to match authority and responsibility and how to garner support from other institutions outside the ESIA program; and how to effectively link implementation of strategic and project level ESIA where appropriate including application of decisions made at one level to another, when and how a strategic assessment might be triggered by a project level review.
- Financing ESIA program implementation including issues related to when and how costs might be shifted between the public and private sector e.g. for the cost of baseline data and/or decision models for managing and predicting impacts on affected resources or for infrastructure etc.
- Management and access to information for baselines and predictive models and utilization of data developed within ESIA's for subsequent project and strategic reviews