

REVIEW CURRENT ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SYSTEM IN CAMBODIA ON HYDROPOWER PROJECTS.

Mekong Environmental Symposium (March) 2013

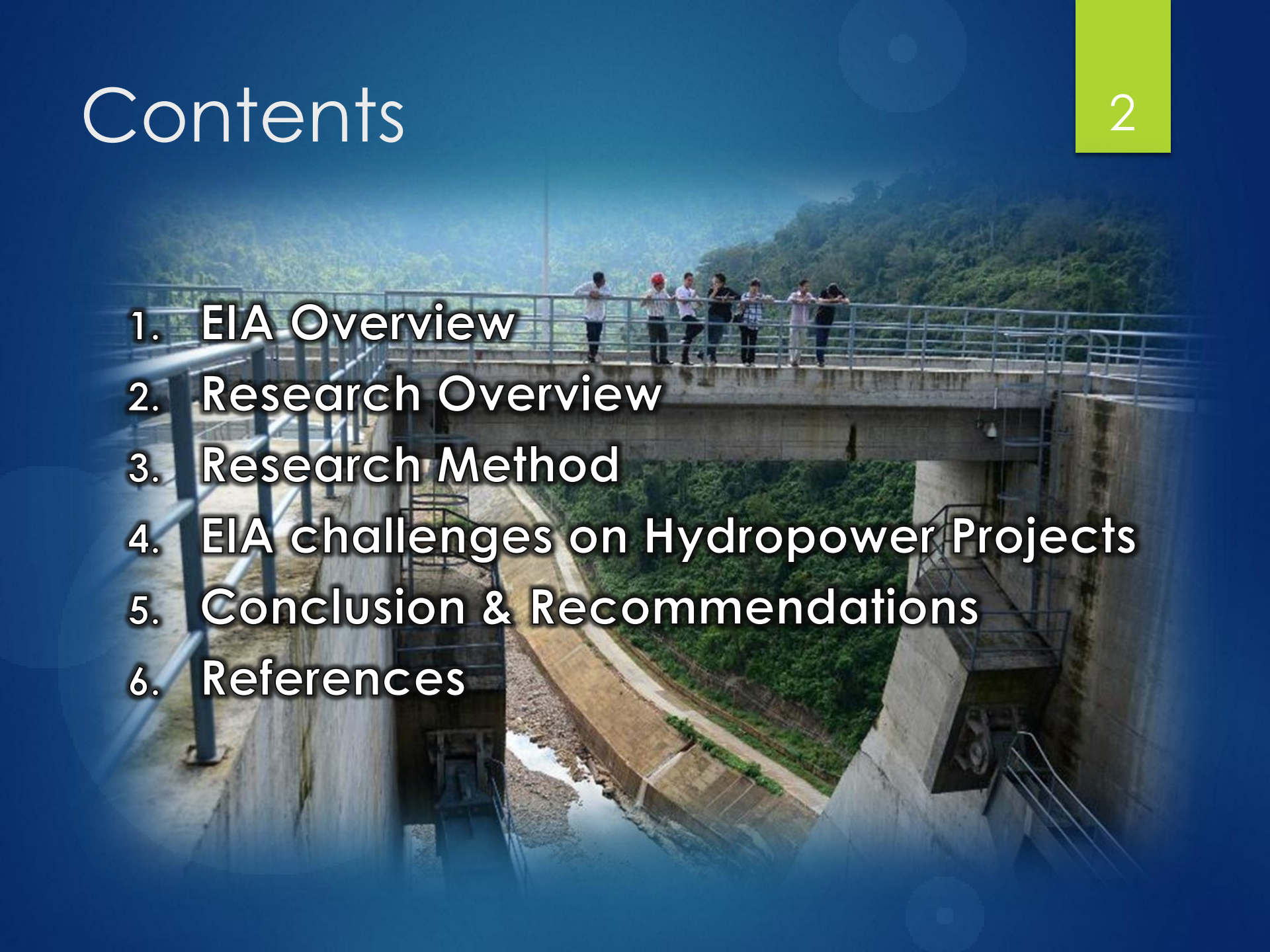
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1. EIA Overview
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1- EIA Overview (1-3)

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Definition of Environmental Impact Assessment (EIA):

The process for analyzing the potential environmental effects of a proposal project. To maximize/ensure positive effects & minimize/prevent negative effects

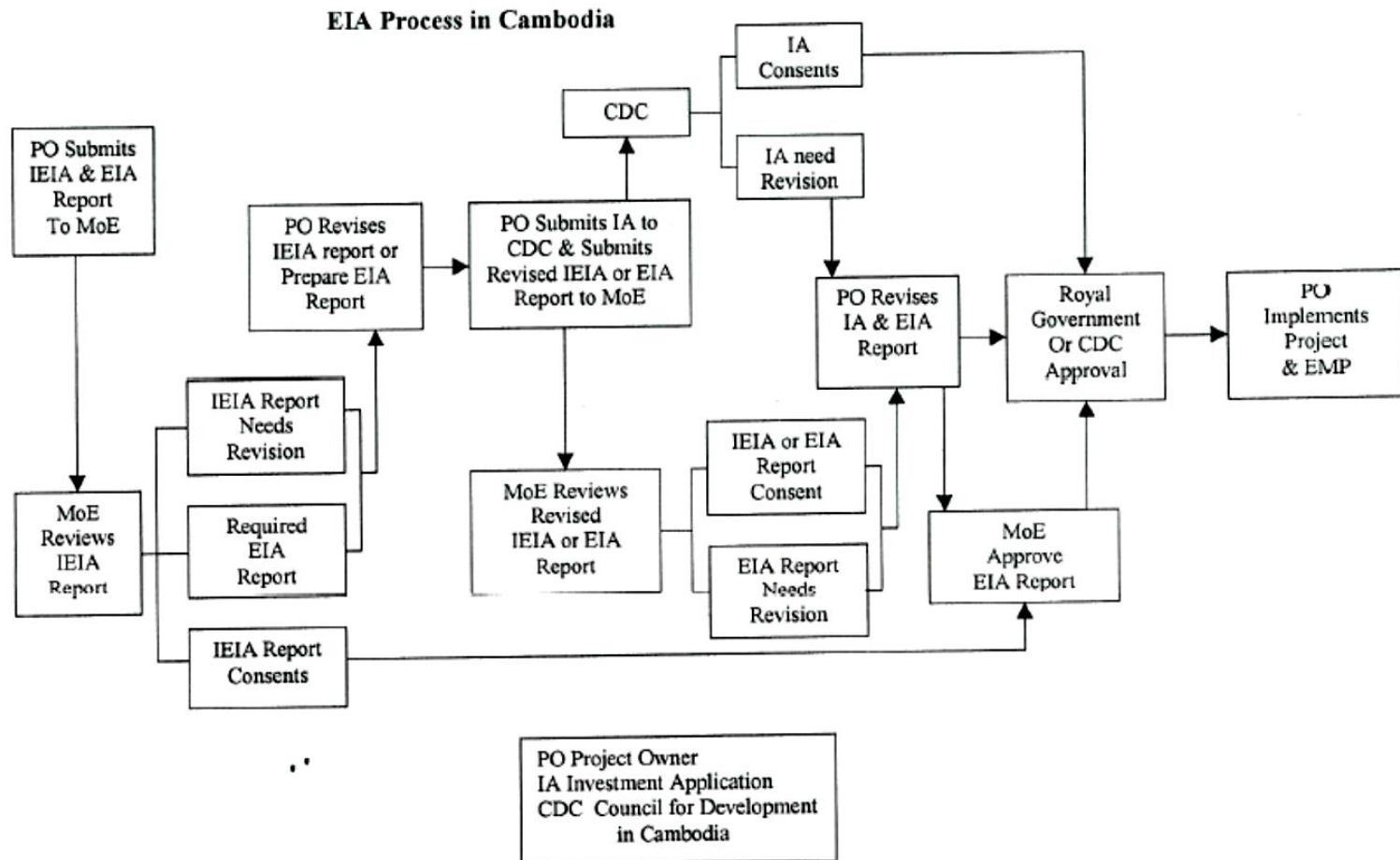
Objectives of EIA:

- Environmental effects considered before decisions are made
- Promote sustainable development
- Prevent adverse environmental effects from projects' activities
- Provide opportunity for public participation in EIA Process

1- EIA Overview (2-3)

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EIA Process in Cambodia:



1- EIA Overview (3-3)

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Legislation on EIA:

Sub-decree “Level” on EIA Process (8 Chapters, 34 Articles, and an annex, Approved on 11 August 1999)

Stakeholders

- Royal Government of Cambodia (RGC)
- Ministry of Environment (MOE)
- Council of Development (CDC)
- EIA Evaluation Committee (Other Ministries, NGOs...)
- Project Proponent
- Consultant Firm
- Public Participation (Public & Affected People)

2 - Research Overview

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Current Status

- Only 40% of population is electrified
- Annual energy consumption growth 10-15%
- 65% energy importing
- Only 3% energy from hydropower

2020 Plan

- 40% energy generate from hydro
- 20% import

Problems

Hydropower

3 Dams Operating (2012)

~ 10 Dams constructing (will operate in 2020)

- Social conflicts among stakeholders
- Environmental impact complaints
- Unsustainable Development criticisms

> 10 Dams committed to implement (till 2030)

- EIA law is still drafting
- No SEA on Energy sector yet.

Questions:

- What are key factors that lead to social and environmental criticism and conflicts over Hydropower Projects in Cambodia?

Objectives:

- Evaluate the challenges of current EIA.

3 - Research Method (1-2)

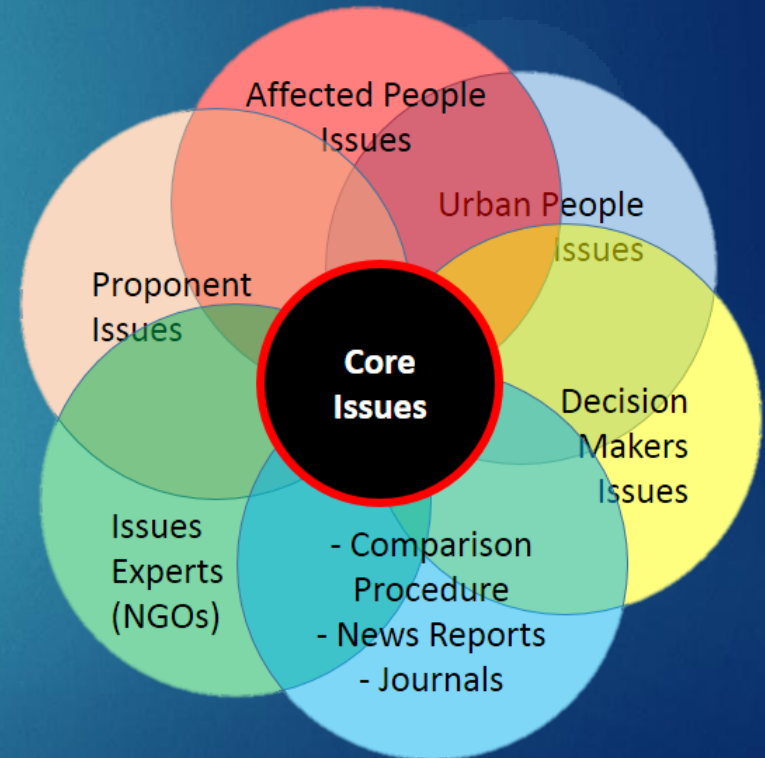
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Method: **Grounded Theory**

- Qualitative Methodology
- To Formulate Hypotheses Based on Conceptual Ideas
- To Discover the Challenges of Current EIA



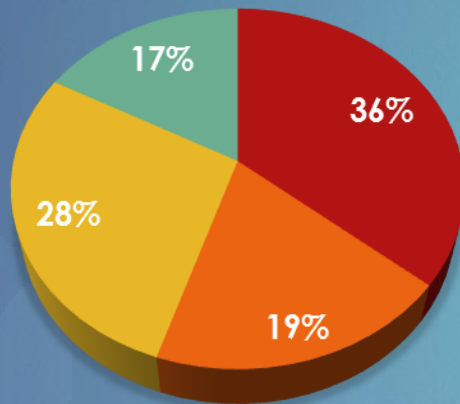
Theorizing Core Issues of EIA



3 - Research Method (2-2)

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Dataset



- Urban People Interview
- Affected People Interview
- Reports/ Journals
- Experts/ Decision Makers Interview

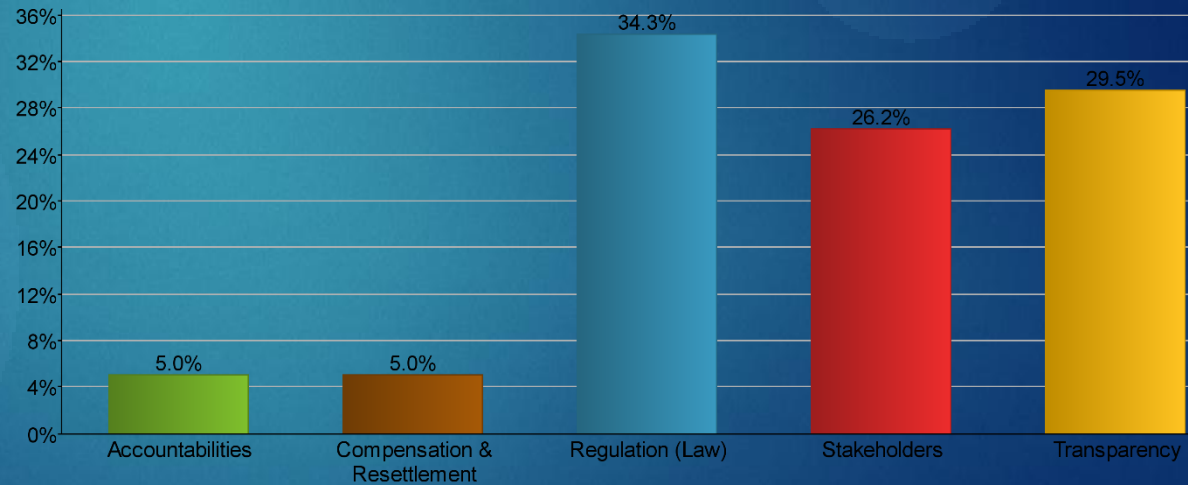
Computer Apps: MAXQDA

Coding:

Total Number of Dataset: 53

Total Code: 991

Core Categories



4 – Challenges of EIA (1-5)

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1- Regulation (Legislation) Issues (1/2)

- Objectives
 - EIA is regarded as requirement procedure to fulfill the approval condition rather than discover & solve bad impacts of the project
- Enforcement
 - EIA “sub-decree level” has less enforcement compare to law level; no penalty to enforce the accountability.
 - Political Influence: The government set potential degree of projects “Higher Potential = Urgent Approval Required”
- Contents Issue
 - Unmatched information between EIA report itself
 - Inconsistency Information between EIA & Other reports
 - Limited Transboundary Discussion
 - Discuss-less on Indirect Impacts

4 – Challenges of EIA (2-5)

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1- Regulation (Legislation) Issues (2/2)

- Ordering Procedures Issues
 - Occurs at Late Stage of Planning Process
 - Approval Stage Inefficiency (Projects Implement Before EIA Getting Approval)
- Evaluation Issues
 - Expertise & Cooperation among Decision Makers
 - Timing
 - Disclosure
 - Funding Support
- Monitoring Issues
 - Expertise & Cooperation
 - Disclosure
 - Funding Support

4 – Challenges of EIA (3-5)

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2- Transparency Issues

- Information Disclosure Issues:
 - Project's Information
 - Public Discussion
 - Report Evaluation & Approval
 - Environmental Management Plan (EMP)
 - Monitoring Report
- Public Participation Issues:
 - Weakness of Public Consultation
 - Unclear Consulting Procedure
 - Shortage of Consulting Information
 - Timing Constraint (late consulting)
 - Number Representative
 - Communication Barrier
 - Consultation Result Monitoring
 - Lack of Affected People Consultation

4 – Challenges of EIA (4-5)

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3- Stakeholder's Issues

- Decision Makers
 - Lack of: Expertise, Strong Mandating Power, and Cooperation with other Institutions
 - Political Influences
- Report Maker (Consultant)
 - Capability Issues (Poor Report Quality)
 - Conflict Interest (No Independency Work)
- Civil Societies (NGO) & Local Authorities
 - Regarding as; Social & Environmental Protecting Activism & Problem Makers
 - Lack of Mandate Power (Evaluation Stage)
- Direct & Indirect Affected People
 - Low Education

4 – Challenges of EIA (5-5)

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4- Accountabilities Issues

- Undefined Punishment in Sub-decree Level for Wrong Doer
- Weakness of Assessment Cause from Avoid the Criticism from Development Partners
- Lack of Payment for Environmental Services

5- Compensation & EMP Issues

- Unsatisfied Solution (Weakness of Public Consultation)
- Corruption (Transparency Issues)
- Unsustainable Solution (Imbalance Solution Social & Environmental Impact)

5 – Conclusion & Recommendation (1-2)

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EIA on Hydropower Projects in Cambodia have a lot of challenges.

Causes:

- Regulation (Legislation)
- Transparency
- Stakeholders
- Accountabilities
- Compensation & EMP

Effects:

- Inaccurate Impact Finding
- Bad Social Impacts
- Local & Regional Conflicts
- Natural Resources Decline
- Unsustainable Development

5 – Conclusion & Recommendation (2-2)

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- Assessment of EIA Regulation Needs to be Stronger in Enforcement as Law Level
- Strategic Environmental Assessment (SEA) on Hydropower Projects Planning is Urgent Required.
- Strengthening Capacity Building and Technical Support for Report Makers and Evaluation Stakeholders.
- Cleared Defining on Responsibility and Punishment.
- Public Participation and Consultation Should be Applicable
- Information Disclosure, Monitoring & Auditing should be more Practicable.
- Considering Payment for Environmental Services (PES) and Affected People Sustainable Compensation.

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