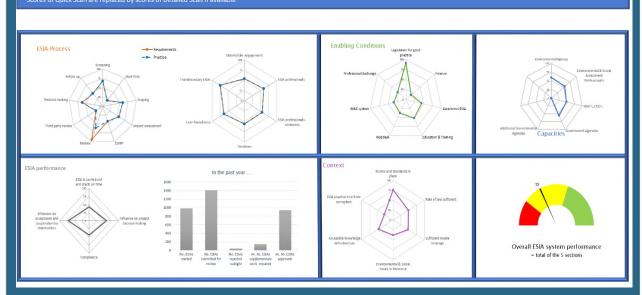


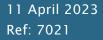
Netherlands Commission for **Environmental Assessment**

ESY mapping and SEA Introduction

3-5 April, Hoima, workshop report UGANDA

DASHBOARD - graphic representations of ESIA system Scores of Quick Scan are replaced by scores of Detailed Scan if available







Workshop report ESY mapping and SEA introduction Hoima, 3-5 April 2023

Title Workshop report ESY mapping and SEA introduction, Hoima, 3-5

April 2023

To NEMA

Attn Ms. Margaret Aanyu, Mr. Isaac Ntujju

Date 12 April 2023

From The Netherlands Commission for Environmental Assessment

Trainers Mr Rob Verheem (director international NCEA)

Ms Ineke Steinhauer (Technical Secretary)

Reference 7021

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Programme

Annex 1 Participants list

Annex 2-6 Copies of power point presentations

Annex 7 Notes Quick scan, actor capacities (section III) and Detailed scan (Q6, review)

Annex 8 Table with ideas for next steps

Annex 9 Evaluation results

Annex 10 Example of certificate

Annes 11 Compilation of photos

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Notes ESY mapping workshop and SEA training, Uganda







Fully

PROGRAMME FOR ESY MAPPING/EIA TRAINING WORKSHOP

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA) IN CONJUNCTION WITH THE NETHERLANDS COMMISSION FOR ENVIRONMENTAL ASSESSMENT (NCEA)

3RD – 5TH APRIL, 2023 AT KABALEGA RESORT, HOIMA

April 3: Start ESY mapping workshop: Quick Scan

Time	Agenda		
08:30 - 08:45	Participant registration		
08.45 - 09.00	Round of introductions of the participants and facilitators (all), if they		
	would have to choose an animal, what they would like to be and why?		
	Participants list in Annex 1		
09.00 - 09.15	Opening of the workshop/welcome to the participants - Margaret Aanyu		
	Speech on behalf of the Executive Director, NEMA - Isaac Ntujju		
	Remarks/Presentation by Isaac Ntujju, Oil & Gas Department - NEMA.		
09.15 - 09.45	Introduction about three oil project ESIAs: Tilenga, Kingfisher and EACOP		
	Introduction to ESIA and SEA in Uganda, Margaret Aanyu - NEMA		
09.45 -10.15	Introduction to the mapping workshop (NCEA, Ineke):		
	• Introduction NCEA and its activities in Uganda (Annex 2)		
	Objective of workshop & introduction to the mapping tool (Annex 3)		
	Overview of the workshop programme		
	Shows 6 animations on ESIA steps:		
	https://www.eia.nl/en/publications/videos		
10:15 - 11:00	Plenary session on Quick Scan, section I (NCEA, Rob) Annex 7, Notes of all		
	sessions of day 1 and 2, for the scores we used mentimeter, see ex. below		
11:00 - 11:15	Coffee/tea break		
11:15 - 13:00	Continued work on Quick Scan, section I (NCEA, Rob)		
13:00 - 14:00	Lunch		
14:00 - 15:30	Continued work on Quick Scan, section II, IV and V (NCEA, Ineke)		
15:30 - 16:00	Reflection on the day (NCEA, Ineke and all)		

April 4: Detailed Scan of selected topics (to be determined)

Time	Agenda
09:00 - 10:00	Taking stock of where we are: (NCEA, Rob)
	Present overview of the results of yesterday
	Group reflection on results
	NCEA presents overview of programme for day 2
10:00 - 11:00	Group work on Detailed Scan, section III (NCEA, Ineke and all)
11:00 - 11:15	Coffee/tea break
11:15 - 13:00	Presentation of Group work on Detailed Scan, section III (NCEA, Ineke
	and all)
13:00 - 14:00	Lunch
14:00 - 15:30	Plenary session on selected Detailed Scan Questions (NCEA, Rob)
15:30 - 15:45	Coffee/tea break
15:45 - 16:30	Continued session on selected Detailed Scan Questions (NCEA, Rob)
16:30 - 17:00	Reflection on the day, implications for the programme for the final day
	(NCEA, Ineke and all)

April 5: Results action planning of ESY map and introduction SEA/SEA distant learning:

Time	Agenda
09:00 - 11:00	Presentation, analysis and discussion of the results (NCEA, Rob), final
	result at next page
11.00 - 11.15	Coffee/tea break
11:15 - 13:00	Discussing conclusions and brainstorming about: (NCEA, Ineke and all)
	Opportunities and priorities for ESIA
	• Next steps to address strengths and weaknesses Annex 4,
	presentation with instructions for work in couples
	Results of planning for next steps in See notes, Annex 8
13.00 -14.00	Lunch
14.00 -15.30	General introduction SEA (NCEA, Rob), Annex 5
15.30 -15.45	Coffee/tea break
15.45 - 17.00	Presentation SEA distant learning course and possibility for exchange
	and evaluation by NEMA staff that have (partly) completed course
	(NCEA, Ineke and participants) <mark>Annex 6</mark>
17:00 - 17:15	Evaluation and closing of the workshop, certificates (NCEA and NEMA)
	Annex 9 (evaluation results) and 10 (example of certificate)
Evening	Travel back to Kampala

Full map shared as a separate file

Annex 1: Participants list (no 1, 2 and 5 could not attend because of other obligations)

1	Dr. Barirega Akankwasah	Executive Director
2	Mr. Waiswa-Ayazika Arnold	Director, Environment Monitoring and Compliance
3	Ms. Margaret Aanyu	Environment Assessment Manager
4	Mr. Isaac Ntujju	Principal Environmental Inspector (Oil and Gas)
5	Ms. Eunice Asinguza	Legal and Corporate Affairs Manager
6	Ms. Sarah Kawala	Senior Environment Assessment Officer
7	Ms. Harriet Namara	Senior Environment Assessment Officer
8	Mr. Tonny Kiwanuka	Senior Environment Assessment Officer
9	Ms. Viola Mugisha	Senior Environment Assessment Officer
10	Mr. Deo Ekosile	Senior Environment Assessment Officer
11	Mr. James Kunobere	Senior Environment Assessment Officer
12	Ms. Christine Ainabyona	Senior Environment Inspector
13	Ms. Immaculate Namuleme	Senior Environment Inspector
14	Mr. Paul Junior	Senior Environment Inspector
15	Mr. Sarah Aijuka	Senior Environment Inspector
16	Ms. Anita Ainomugisha	Environment Assessment Officer
17	Ms. Mable Namubiru	Environment Assessment Officer
18	Ms. Doreen Komukama	Environment Assessment Officer
	Mugyenzi	
19	Ms. Prossy Khanzira	Environment Assessment Officer
20	Mr. John Okatch	Environment Assessment Officer
21	Mr. Timothy Izimba	Environment Assessment Officer
22	Ms. Justine Nakafeero	Environment Assessment Officer
23	Mr. Dan Kibuuka	Environment Inspector
24	Mr. Isaac Mugabi	Environment Inspector
25	Mr. Ogwang Francis	Environment Inspector - Community Affairs
26	Ms. Jane Rose Atwongyeire	Apprentice
27	Mr. Antonio Rubamba	Apprentice
28	Mr. Mr. Joseph Ahimbisibwe	Apprentice

Annex 2 Introduction NCEA and its activities in Uganda



What is ESIA and SEA?

- All over the world, it is legally required to conduct an environmental
- Aim: to ensure that the environmental and social consequences of proposed activities/plans are incorporated into decision making, through a <u>transparent and inclusive</u> process.
- EA for two levels of decision making on:
 • <u>projects</u>, such as a road, water supply or waste disposal → Environmental and Social Impact Assessment (ESIA).
 • <u>plans, programs or policies</u>, such as a land use plan or a water catchment plan → Strategic Environmental Assessment (SEA).

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What do ESIA and SEA guarantee?

- A solid assessment of environmental, social and other issues (information, on impacts and alternatives, including climate change solutions/alternatives)
- A well-structured public& government debate on these issues (process/dialogue, including the voice of women, youth and vulnerable
- A mechanism to take the results of assessment and debate into account (influence, providing the right information at the right moment)

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The NCEA, role in the Netherlands

- an independent body of experts, has a legal status and a role in all ESIA (and SEA) processes in the Netherlands.
- Provides (and publishes) non-binding advice on scoping/ToR for ESIAs/SEAs, and/or review of the quality of ESIAs/SEAs to the responsible government agencies for decision-making on environmental assessments.
- Only public tasks, the NCEA does not prepare/write the ESIA/SEA studies
- Independence assured in the Environmental Law (since 1987).

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The NCEA, role internationally

- Independent advice on scoping/ToR for, and reviews of ESIAs and SEAs
- Capacity development, through working on ESIA/SEA legislation and guidelines and institutional strengthening to improve ESIA/SEA practice
- Knowledge and learning platform www.eia.nl on ESIA/SEA legislation, practice and guidance
- Funds: Ministry of Development Cooperation, since 1993, for countries with which The Netherlands has a bilateral cooperation.
- Also 'strategic partners' such as the World Bank, other donors, WWF/IUCN Green Climate Fund....

NCEA secretariat

- Utrecht, The Netherlands
- 40 staff of which 50% works internationally
- Pool of (international) experts with a collective expertise covering all environmental and social related fields of the activities for which an ESIA or SEA is



(III)



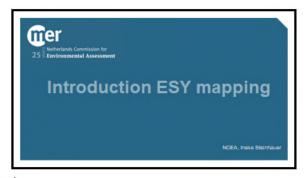








Annex 3 Introduction ESY mapping



What is ESY mapping?

- a diagnostic tool for assessing the quality of a national ESIA system.
- In a mapping workshop, ESIA practitioners and stakeholders discuss different components of the ESIA system.
- The bulk of the mapping questions look at the ESIA process itself. But the map also looks at enabling conditions and actor capacities needed for ESIA to be effective. Another topic addressed is ESIA performance—whether ESIA is leading to better outcomes. Contextual factors that influence ESIA are also analyzed.

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Questionnaire — 2 levels

QuickScan
37 questions

Detailed Scan
150 questions

150 questions

Detailed Scan
150 questions

Results:
graphical
representation of
shared view on
strong and weak
points and on where
action is most
needed. Can be
shown directly to
participants at end of
workshop

3

4

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Objectives of ESY Mapping

Assessment of and awareness raising /training on

• the strengths and weaknesses of the ESIA system and

• the opportunities to improve the performance of the ESIA system

Evaluate changes over time or compare with other countries/institutes (benchmarking)

History and application of the tool

Previously existing tools: ESIA Mapping as developed by the NCEA and the ESIA Barometer, developed by the Southern African Institute for Environmental Assessment.

Before 2019, applied over 40 times in different countries. Each application brought lessons leading to updating and revising, and finally the integration of the two tools into the ESY-map.







Examples from practice, Pakistan

In Pakistan ESIA mappings were done in 8 provinces.
The results helped to:

determine planning for the National Impact assessment programme raise commitment for collaboration amongst the provinces.

highlight difference in ESIAapplication between provinces, which was relevant because the mandate for ESIA was about to be decentralized.

5 years later the mappings were repeated, and showed, for example, that fewer projects were escaping the ESIA requirements than had before.

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Examples from practise, Central Africa

Mappings were undertaken twice, with several years in between, as part of the NCEA collaboration with the regional secretariat of the Central African national EA associations (SEAAC).

The results showed:

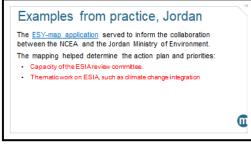
difference between the countries, as well as over time.

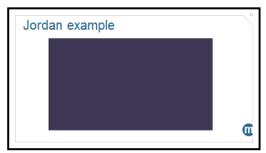
progress on different aspect of ESIA practice and regulation

workshop participants have become more knowledgeable, and therefore more critical in allocation mapping scores.

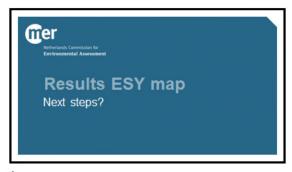
This mapping experience is detailed in this publication from 2014.

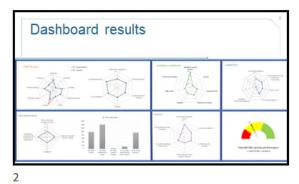
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Annex 4: Next steps on basis of ESY map results





What to celebrate and what to change?

• ESIA system can always be improved
• Up to you to decide
• Mapping results can help to come to this decision

Options for next steps

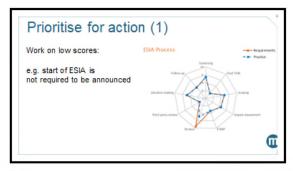
Within NEMA

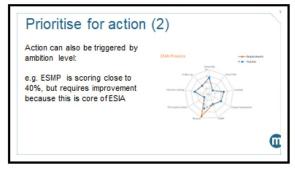
Complete (a selection of) detailed scan questions
Compare with initial Quick Scan results
Present results to management

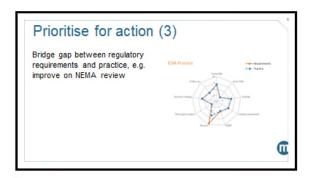
Other stakeholder groups
Repeat ESY map with all dother stakeholder groups, either facilitated by yourselves or with NCEA support

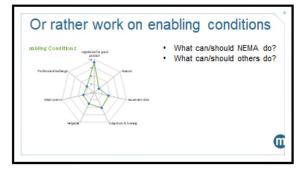
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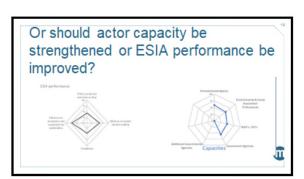






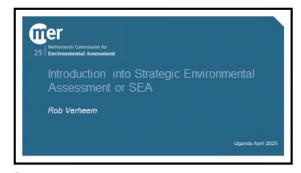








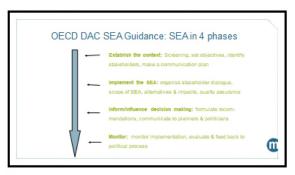
Annex 5 SEA introduction



Video: UN ECE SEA protocol

https://unece.org/video

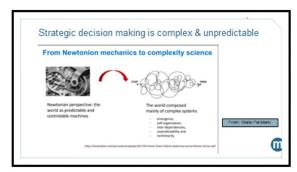
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Is having a good SEA procedure enough?

A legal SEA procedure needs translation in an effective SEA process!

3









Characteristics of an effective process

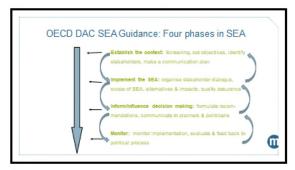
Iterative: ongoing sequence of information, dialogue and decision making

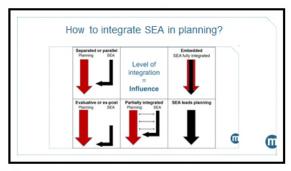
Flexible to meet ever changing demands

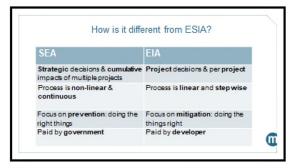
Continuously integrated into decision making process

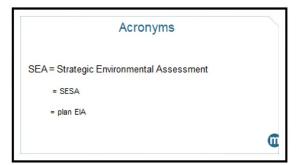


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SEA is typically based in law

SEA regulation is growing quickly worldwide



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SEA has professional standards & guidance
For example:

SEA performance criteria of the International Association for Impact Assessment (IAIA)

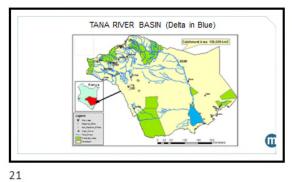
SEA guidance by the Organisation for Economic Cooperation and Development (OECD)

SEA protocol of the United Nations Economic Commission for Europe (UNECE)



















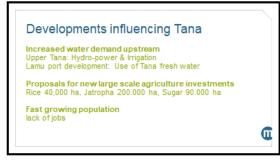




27 28







Leading to challenges

Severe water shortage: 50% less from 1999 to 2006

Deterioration of habitats and livelihoods

Competing land use leads to conflict (people get killed)

Lack of land rights and effective planning

Future: climate change

31 32



Purpose of the SEA

To find the best balance between:
agricultural potential
livelihoods of the people, incl jobs
biodiversity value & ecosystem services

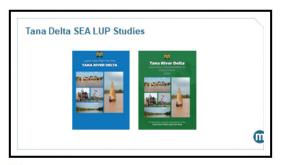
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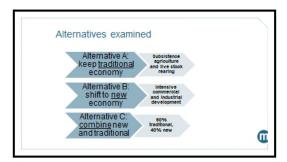
Approach: integrated LUP - SEA

Key approach: two teams working closely together

• LUP team & SEA team
• Partly overlap in members









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Annex 6 SEA distant learning course

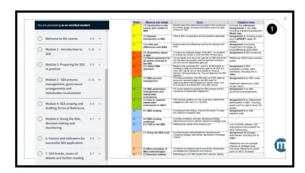






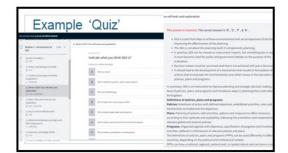


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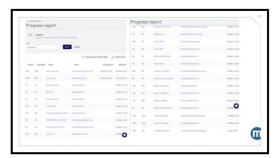












State of affairs Uganda

- 23 students enrolled of which 4 have completed the course (Mable Namubiru, Arita Amugisha, George Muganga and James Osiru)
 Feedback received:
- reedback received:

 The course was very informative and educative. However, I wish it had more room for one on one engagements with participants from different regions around the world to share experiences beyond the notes provided and assignments.'

 1 suggest that we also get the opportunity to have physical training which may be 2 weeks so that we gain more on SEA as a whole as well we have live examples of plans that have undertaken SEA in the Netherlands with the halp of the Training team' Given the work schedule, you restize that the time you give the orline training is less because you have to started to other office work. So it is about sacrifice so that you complete the training in the required fireframe.'

 Ny suggestion would be availing a zoom link for us to have face-to-face interaction with the trainer for some modules'.

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Questions to you 1) Other feedback on improvements to the course?
2) Can the ones that have completed the course (the more advanced ones) help the ones that have doubts/difficulties?
3) Could a small "SEA unit/team" within NEMA beset-up, that can act as a helpdack for MIDAs, UAIA members etc. in case of questions on SEA or stimulating the application of SEA in the various sectors?
4) Would creation of a zoom link for face-to-face interaction between participants be helpful?
5) Added value of physical training?
6) Hosting the course? Link has been shared with Makarere University, who has shown interest to experiment with it good idea?
7) Certificates needed? Obligatory requirements, in terms of assignment sent in on time?



Annex 7: Notes Quick Scan sections I to V, Actor capacities and Detailed Scan Q6 on review

SECTION 1 ESIA process

Q1:

Not positive? I have not seen any projects go through screening, I have never seen screening results.

Positive: we have very good schedules in place

In the middle: some projects should have full ESIA but instead do only project brief

Q2:

Positive: for any project there should be stakeholder engagement

Negative: only authority knows about start, but other stakeholders do usually not know Announcement is made, but usually too late

Q3:

Critical: if it is not done well, then ESIA's are also bad. Developers want to skip scoping, as they are in a hurry.

Sometimes consultants are late, or do not deliver good results, they do not know about what is expected from them.

Scoping/ToR are adequate for most of the projects.

Q4:

Some consultants do deliver good work, others do not perform well.

Reports seem very good, but do not reflect reality

Positive: consultants use more and more google maps, if they have the good tools this helps.

Q5:

ESMP's are ok, but they are not implemented

ESMP's are not good, they are academic, more of textbook

ESMPs usually come without budget, therefore not implemented

Monitoring takes place and they say they have consulted stakeholders, but no proof of this.

Q6:

We have mechanisms in place, but we do not involve other lead agencies, other stakeholders Mechanism is implemented, but for adequacy and effectiveness in practice some work remains to be done

Review should not done by an individual, but rather by a group of people

Q7:

For the ESIA petroleum projects we brought in third party review (e.g. NCEA/NEA) For high impact projects, we organize public hearings, and receive comments of lead agencies, but the comments are not visible for all.

There is not such a mechanism in the regulations, but NCEA/NEA can help. But there are no other examples of third party review

Is it provide for on paper, but rarely happens in practice

Q8:

Sometimes comments are taken seriously by developers and they will resubmit improved ESIA report, but others do not.

It involves reviewer, manager, ED, external review and then stakeholders. So this makes it robust.

Comments are not submitted in time, and there is no measure to take care of this problem

Q 9:

Big projects go reasonably fine, small projects not ok Follow up does not happen in relation to what is in the ESMP

Q 10:

Positive remark

If a project is sensitive, or if local government does not like project, they ask locals around to oppose

Negative, but stakeholders do not influence the process, the two public hearings only for high impact projects, not for all.

They do not comply with ToR which prescribes that stakeholder consultations should be held. They are trying to influence in a certain direction, manipulation takes place Some consultants make good efforts with stakeholders. In ESIA it is stated that stakeholder took place but in reality it has not happened.

Q 11:

That are those that are qualified, but that are others that are not qualified. Sometimes project in totally different location, as you can check by google maps.

Some consultants take different people on board

Once you have the certificate there is no requirement to renew.

Q 12:

Difference between internal NEMA reviewers and lead agency reviewers (they may not be appropriately qualified)

Q 13:

14 days for reviewing project briefs is not enough, especially if you have many 60 days for ESIA review, but many tasks have to be done, like stakeholder consultations. Timelines are ok, it is mainly the bulk of the work. But there is insufficient capacity

Q 14:

Developers do not really understand what they are supposed to do. It could be better explained to the various stakeholders.

It is user-friendly, because there are regulations and guidelines, but developers are ignorant, they do not know about it.

Userfriendly: yes for authorities, it is not userfriendly for others. Some do not know what ESIA is, there is no internet access.

Q 15:

Transboundary examples: EACOP and other pipeline from Kenya, examples from Cong, hydropower projects. There are not a lot of examples

SECTION II Enabling conditions

Q 16:

ESIA legislation. Everything in place. Implementation is the problem. Neighbouring countries copied Uganda regulation.

Q 17:

Finance: Not enough. Budget NEMA cut by 40% following the Covid pandemic. Even at high level insufficient funds. Result is insufficient attention to the environment. ESIA practitioners ask a lot of money for the ESIA report. Should be enough. However, they complain: they

don't get enough money to do a good job. And don't pay fees. Resulting in too little budget for NEMA.

Q 18:

Well known concept?

- Yes, well known with some stakeholders such as authority, other agencies, etc. But not with the general public.
- No:
 - Not a well-known concept at local level: worked with local governments who don't know what their role is in the ESIA.
 - Many stakeholders don't know about ESIA until they start asking for a certificate from NEMA. Then don't look at the conditions in the certificate.
 - Big informal sector in Uganda. They don't know about ESIA. They have money to spent and don't have to adhere to formal procedures.

Q 19:

Education and training. Big spread: people disagree about the score (with average in the middle). High score: tool has been around for some time. Part of academic curricula at both bachelor en Master's level. Most people in the training were educated in University. Curriculum is of good quality. Training of NEMA staff: not enough. Should be more investment in staff competences and skills.

Q 20:

Helpdesk: does exist. People can send emails. Are channeled to the agencies that can provide answers. Also, people within government can be reached/called directly. However, there is no platform function where questions could be sent to or where answers are shared between agencies.

Q 21:

Monitoring: low score. Should be done by an independent entity. Spirit is there, but budget is not sufficient. So doesn't happen. However, there is some research by academic and or NGO. So some information is there, but not enough.

Q 22:

Platform for professional exchange. Low score, with huge variation. High score: platforms are there, but the word is not spread within NEMA. Also: at regional level EANECE. But again, not very well known. Low score: does exist but, sporadic only. Not systematic. Question: alumni of SIDA-NIRAS whatsapp group? Does not exist in Uganda. Opportunities do exists but staff is not.

SECTION IV ESIA Performance

Q 28:

Synchronization with project life cycle. Low score: often ESIA starts too late: only after the project started (70%). Gap in the law: it is possible to resubmit for renovation approval after the project was constructed (without certificate). So if they are too late, they can simply resubmit later.

Q 29:

Influence on decision making. Relatively high score. High score: there is influence because whenever ESIA is submitted a decision is taken on approved, rejected or should be added. NEMA's decision is respected. Low score: not enough influence on project decision as to

design or direction. The ESIA is only used by NEMA for its decision, not by the developer for its project.

Q 30:

Influence on the ground. Relatively low score. Important that the certificate has clear conditions so that the developer can be held accountable. However, in practice developer often does no adhere to conditions. Sanctions then are possible, but does not happen often. Better situation: the big developers/multinationals. These are influenced by the ESIA. But local developers do not pay attention to the ESIA. What has some effect though: to push back certificates in the case of clear shortcomings. For example where there is no ESMP. So in the end a mixed feeling about influence on the ground in Uganda.

Q 31:

Learning. Examples: learning with NEMA during the review of ESIAs. Very positive. Training on the job. Example: NCEA advice how to review complex ESIAs. After the training on the job consecutive ESIAs were reviewed more effectively.

Day 2 SECTION V Context

Q 32:

Norms and standards. Standards present: air, chemicals, Standards lacking: wetlands restoration because outdated. Vibration and noise is missing. Currently under review. Occupational safety and hazards. Also currently under review. High score because: standards are there. Summary: most are there, some need updating.

Q 33:

Rule of law. Medium score. But some scored 0 because rule of law exists but it is weak. 'We don't follow the law'. Sometimes even the reviewers approve for reasons that are not clear or known. Also, judges don't have sufficient environmental knowledge. Other opinion: rule of law is weak but there is improvement. E.g. prosecutors are trained. We are getting there. Negative: in some cases judges are compromised by the developer. Opinion: Rule of law is sufficient in principle, but not sufficient manpower, specifically at district level. Opinion: quality of judiciary is insufficient. E.g. Bugoma case. Environmental damage would happen, but judges insufficiently qualified to deal with it. Opinion: judiciary is still trying to understand what environmental crime is. Training in environmental law underway. But how to administer the court cases? The skills to deal with environmental issues is not there. Environmental specialists should be hired.

Q 34:

Media coverage. High score because recently lots of media attention and social platforms of environmental issues. Also attention on TV. Degradation is exposed. Cases of pollution are addressed. Medium score: there is much coverage, but typically invited by NEMA. Without invitation no press attention. Does NEMA has a press officer? Yes. Opinion: press attention indeed becoming more important. Opinion: medium score because only few journalists that understand environmental issues.

Q 35:

ESIA in national discourse. Does ESIA play a role in election campaigns? Yes, during election time they do. But typically is not implemented once elected. Opinion: very low score because during campaigns environmental issues are not addressed because voter are not interested in it. Not good for popularity. Opinion: there is a development in a more positive direction.

Opinion: social issues and gender issues become more to the forefront. Important in elections. But again: it's only about promises. Typically they are not enforced.

Q 36:

ESIA knowledge structure. Low score because data availability is a challenge. It is there, but scattered. Also, much reliance currently on hard copies. Currently a development towards soft copies.

Q 37:

Political interference. Corruption is different from political interference. Low score because much political interference. Also in cases where NEMA is involved, affecting day to day work. Sometimes, even after rejection during review, a case is simply sent to a new reviewer, who approves.

Group work on section III Actor capacities Reporting back per group

Q 23.1: Scores – Group 1: 13 Group 2: 14,5 Group 3: 14 Group 4: 11,5. Average 13 Group 1: explanation of score: first gave the sub-criteria weights. Mandates: NEMA in the lead. But responsibilities to other agencies too. However, these are not operationalized. Financing: is not 100%. Also, budget is needed for other activities too (other than ESIA). Leadership: some stability. Managers in place. Organizational structure: low score. Because not clear. New structure underway. Including new recruitment. Facilities available: some available. Local offices: coordination with national office challenge. Sufficient staff: too much work for staff available. Information management system: leaders tend to keep info to themselves. Does not arrive at the reviewers/inspectors. Tools/guidance: checklists, tools and manual do exist. Procedures not always efficient.

Other groups: no comments.

Q 23.2: Scores – Group 1: 15. Group 2: 18. Group 3: 18. Group 4: 14,7. Average: 16 Group 2: explanation. Multi annual plan: exists. Planning documents known: yes, are available. But maybe not everybody know these. Decision making and acting: yes, getting better. But implementation and follow up not always happening. Planning meetings: yes, take place. Sometimes ad hoc. Learning: low score. Doesn't happen enough. Anticipating new developments: high score. Management looking forward.

Other groups: communication with management usually is 1 way. Management overrules, no exchange. Exchange platform to be created.

Q 23.3: Scores - Group 1: 8. Group 2: 11. Group 3: 10. Group 4: 10. Average: 10. Group 3: Expertise available for administrative tasks: not enough. Training: not enough. Access to external experts: not enough. Access to information/databases: insufficient/nonexistent.

Other groups: no comments.

Q 23.4: Scores - Group 1: 17. Group 2: 22,5. Group 3: 22. Group 4: 17,1. Average: 20. Group 4: Cooperation with partners: takes place. Through requests. Leadership: ?. Platforms/networks: are created. Sharing of information: takes place ad hoc. Not easy to

organize, depends on personal relationships. Status of NEMA in government: NEMA recognized as a player.

Other groups: no comments.

Q 24.1 Scores: Group 1: 30. Group 4: 24,2. Average: 27

Q 24.2 Scores: Group 1: 16. Group 4: 6,4. Average: 11

Q 24.3 Scores: Group 1: 18. Group 4: 13,4 Average: 16

Group 1: Enough ESAPs, but they often lack enough expertise to do ESIA. E.g. in the oil and gas sector. Also problem: access to data. Sufficient tools/guidelines/etc available. Training of ESAPs: is available. Information is shared. Strategic relations working with other stakeholders: yes, to a growing extent. Professional ESIA association exists. Sharing information among themselves: yes. With government: no. E.g. no sharing with NEMA. Group 4: more critical as to expertise. Possible career in ESIA: no deliberate strategy for this

Q 25: - Group 2: 25.1 - score 9.6. 25.2 - score 20.4. 25.3 score 18.7. Group 2 explanation:

- **25.1** Role of CSO: ?. Structural financing: not available. Offices and equipment: not sufficient. CSO's fulfilling their role: only to limited extent. Access to information: some access but not enough. Tools available.
- **25.2** Expertise: CSOs do have expertise. Training of CSOs: yes, does take place. Finance available: yes, through donors
- **25.3** Strategic relations: highly. CSOs are very good at that, that's how they work. Platforms/networks/etc: yes, available. Sharing info among CSOs: yes. Also, their info and support are very helpful for NEMA.
- **Q 26** Group 3: Scores: 26.1 score 11. 26.2 score 12. 26.3 score 18. 26.4 score 16. Group 3: explanation.
- **26.1.** Mandates: ? Financing: insufficient. Staff and facilities: not enough. Information systems: gaps. Tools/guidance: insufficient.
- **26.2**: Decisions acted upon: not enough. Decisions are taken but too slow. Coordination meetings: do happen, ad hoc basis. Management encourages learning: yes, they do.
- **26.3:** expertise available: is available. Staff regularly trained: training takes place, but staff is insufficiently maintained.
- **26.4:** maintaining strategic relations. Cooperation with relevant partners: takes place sufficiently. Participation in platform and networks. Takes place. But not enough. Sharing information: not enough.

Afternoon day 2: Detailed scan, participant choose to do this for Q 6 Review

According to regulations

- 6.1.1 10, changed later into 9
- 6.1.2 scores 6 and 2, Margaret explains that there are review guidelines in place. There is also sectoral guidelines. There are some gaps because there are no guidelines for all sectors. Checklist/criteria are in the regulations. Guidelines are very old and have not been updated in accordance the new ESIA regulations. Some sections of Act are not in line with the ESIA regulations. But there is signal in the room that people need more guidance.

6.1.3 lead agencies always have to visit the site. In the regulation it says 'may require a site visit during review'. When lead agencies are reviewing, they are asked by NEMA to do inspections.

6.1.4 to 6.1.9 score 10

6.1.10

Practice

- 6.2 Are there any ESIAs reviewed and if so, are they reviewed properly and within timelines. 70%, 100%, 60% because of timelines not adhered to, not because of NEMA fault, but because lead agencies sometimes do not submit their comments at all and/or timely. I cannot make estimate because I do not have the total overview of number of ESIA submitted. 80%
- 6.3 10%, must be higher, because lead agencies do not want to give their comments unless they have visited the site, therefore 35%. 40%, 10%, 50% because lead agencies do site verification
- 6.4. in most of the cases 70%, over 80%, almost in all cases. In some cases you would not approve the project, and therefore it will not be forwarded
- 6.5 100%, but in some cases the report shows that the project in a wetlands, and then you stop reading.
- 6.6 always ESMP is looked at

6.7

- 6.8 In some cases the Certificates are published in the newspapers, they are all in the database of NEMA and some are on the websites.
- 6.9 Maybe in 5% of all ESIA review leads to better reports, especially the bigger ones. Maybe 10% by asking additional information, 20%. In 90% of the cases when we ask for additional information, then they will improve. Only in 1% of the cases they give follow up to what you ask for
- 6.10 Quality of ESIA, but reports that come in now they are actually get worse. 50% Observation that earlier a 10% has been given so how possible?. 50 % are not good enough, but they might not necessarily be important because of low impact. Most of ESIAs that come in are of poor quality, and all of them are like that. 5%.

Rob summarizes and shows results of comparison of regulations and practice. We also look at statistics and discuss about number of ESIA submitted etc. and whether that can be done by available staff: Solution, either increase number of staff or decrease number of ESIA by adjusting Schedules

Annex 8 Table with ideas for next steps

Recommen- dation	What is needed	Who is in the lead	When to do it	Enabling conditions to put in place
Strengthen actor capacity.	Create platform for exchange of info and experiences. Both within NEMA and outside (lead agencies for example). Actors are MDAs and NEMA. But also development partners and those that prepare ESIA report. More staffing and funding for NEMA and lead agencies. For example for necessary site visits. Lead agencies need training. Current staff is often insufficient skilled Practitioners need training on how to prepare ESIA reports. Currently many ESIAs are of insufficient quality. Rotation of staff is a problem; skilled people are lost regularly.	NEMA	As early as possible. Should be a continuo us process.	Budget. Time reservation in work schedule. Management support. Establish membership programs. Provide general checklist for reviewers and practitioners. Donors should be included in the ESIA process for high impacts projects.
Training of various actors in ESIA	Training both within NEMA and outside.	NEMA	As early as possible	Budget. Time reservation in work schedule. Find the right trainers (ex NEMA staff?). Management support.
Recruit new skilled technical personnel, for example at local level	Recruitment	NEMA	As early as possible	Budget, time reservation in work schedule. Management support
Start of ESIA: improve transparency through a better process for	Process for announcement of start of ESIA should be improved. Including more active participation at this stage. To achieve this NEMA	NEMA	As early as possible	Screening process should be in place and effective. Other agencies to be involved and in the

announceme nt	should 'go out' more. Involve local agencies. Involve media. Engage with sector agencies			lead. NEMA to coordinate
Strengthen Review capacity at local and sectoral level.	Train local people & MDAs how to review ESIA. Currently there is no capacity at local level for effective review. Put in place a mechanism to avoid compromising of the review promise. Improve coordination between NEMA and local agencies. Have appropriate resources and timeframes for review	NEMA	As early as possible	Financial support to local and sectoral reviewers. Provision of tools for reviewing.
Strengthen the option to have a third party review	Have it in the regulation. Developer to pay for it	NEMA	July	Good governance & resources.
Communicat e more effectively about necessary fees at the start of the process	NEMA to reach out early and effectively to avoid misunderstanding and subsequent delays	NEMA	As soon as possible	
Improve ESIA performance	Bring private sector up to speed. Currently they are not so much interested in the ESIA but mostly in the certificate. Awareness to be raised.	NEMA, practiti o-ners	Continuo us process	Rewards for those that do a good job. Name and shame for those that not comply. Also, they should not get a certificate.
Improve enabling conditions: awareness, professional exchange and finance. Finance is most important.	1)Increase budget, both for NEMA and local government. NEMA to provide plans timely to enable reservation of budget. 2) Awareness: increase public awareness of ESIA by using social media. Use local languages in explaining the ESIA process.	Ministe r to lobby for more budget. NEMA to prepare plans.	As to finance: after current financial year.	Finance: to have a certain % earmarked in the national budget for environmental management.

Improve Follow up (currently hardly happens)	3) Education and training: more training, more studies, create platform (or assign to existing platforms such as IAIA) to get access to literature. Staff should be linked to such platforms. Appointment of NEMA internal info coordinator to improve access of staff to info. 4) Enhancing budget for ESIA system monitoring: how well is ESIA doing in Uganda? 5) Create exchange programs with expert bodies. NEMA has database for improved projects. But categorisation on magnitude of impact is lacking. On this basis: prioritisation of investment in follow up. Also: include in the database the date at which projects were improved. Make inventory of needed expertise available to do follow up. And budget	Ministry of Finance to secure budget. NEMA to secure finance other than from govern ment budget NEMA (workin g with other agencie s)	As early as possible	Mapping of qualifications completed. Start with NEMA. After that local levels. Reorganisation of the current database.
Improve awareness on ESIA	needed for follow up. First and foremost: create a department focusing on awareness and communication. Then this dpt develops a workplan for ESIA awareness. Make use of existing platforms to communicate to the public. Use social media. Use IAIA. Link to donor programs. NEMA to work closely with the lead agencies and local governments for them to understand the process better.	NEMA	As soon as possible	NEMA needs to help its staff to understand ESIA better so that they can more effectively reach out to other stakeholders. NEMA, in cooperation with the communication department, to develop a plan for awareness raising. Improve ICT within NEMA. Bring more information online. Upload regularly.

Strengthen	Regular engage with the press. The public is an ally because of their knowledge of what happens on the ground. Place this information on the NEMA website. Keep track on NEMA website of status of ESIA process and project decision making and implement. Create a helpdesk, that can answer questions from the public. Including recent changes in ESIA regulation. Make screening more			All information should
screening	effective by making actors more aware of the requirement to do ESIA			be available to all actors
Strengthen ESIA performance	 Have more reviewers in the ESIA process. Both NEMA and other lead agencies. Improve ESIA influence on the ground by having a mandatory requirement for developers to include environmental experts in implementing the provisions in the certificate. 	NEMA to strengt hen review, develop ers to strengt hening implem entatio n	Soon	Find the right people. Have sufficient budget.
Improve quality of ESIA reports	Strengthening the certification scheme. Currently not enough capacity within NEMA to verify if the certified consultants do a good job.	NEMA	Evaluatio n annually	Funding, staff in NEMA
Strengthen enforcement of ESIA requirements	Strengthening of the Enforcement Team. More staff, more facilities.	NEMA		Finance.
Strengthen implementati on of the law	Most people don't know about the law. Translate into local languages. Inform stakeholders about the law.	NEMA	Continuo us	

	Publish what the ESIA is supposed to do and what are its results. Strengthen knowledge of practitioners about the law. Train practitioners in the law and its requirements. Focus attention on the ToR for the ESIAs as the developers sometimes don't pay notice of it. Also, unclarity of which stakeholders to engage.		
Strengthenin g quality and implementati on of ESMPs	To create awareness with developers op de importance of the ESMPs. And attaching budget to ESMPs for its implementation.	NEMA	

Evaluation of training in 1 word



Most valuable elements



Mentimeter

ESY Mapping

ESY mapping tool as an evaluation mechanism

Esy mapping

Why ESY mapping is undertaken

SEA

What can be done in improving ESIA process such as enhancing communication to relevant stakeholders at start of ESIA well as publicity of the outcomes of ESIA which enhances proper implementation

Firstly, ESY mapping was very insightful and clearly defined the current situation in Uganda especially the ESIA and the associated aspects. Secondly, the SEA was well elaborated and well understood

SEA legal procedure, ESIA System Mapping, Awareness on ESIA, ESIA performance, differences between SEA and ESIA Discussions of Third Party Reviews and SEA

Review process versus practice

The idea of having examples, jokes and ice-breakers related to the topics being taught.

link between SEA and EIAEvaluation of the EIA process

The ESIA process had weaknesses and strength that need to be addressed

ESY MAPPINGESIA PROCESS, REVIEW OF ESIA'S

introduction to SEAReview process vs practiceimportance of reviewing the ESIA process

Quick scan into the practice and requirements On the law

Strategic Environment Assessement

Difference between SEA and EIA

ESIA process, review of ESIAs,

ESY mapping/ Analysis of gaps in ESIA process and recommendations for improvement

Being able to keenly analyze the esia system, the gaps are within and how they can be bridged

More of knowing what the NCEA does and how it has impacted on the Different Aspects of the EIA process and how best it has benefited the counties involved.

Different Approaches to Strategic Environment Assessment Enabling Conditions of ESIA Process

ESIA and SRAvdifferences



More time allocated to the exercise.	Include other stakeholders for EIA review	Attract senior managers to participate in learning process
More time is needed, we had to cover a lot in the shortest time	Course could be conducted for longer probably two weeks to incorporate	bring more stakeholders on board
More practical sessions	more elements and more practical work	Allocate more time for the SEA lecture.
Having the ESY map scan, in particular the quick scan, structured and tailored made to country specific	Next time the participants should be given an opportunity to interact with the ESY Mapping tool and also, more	Decision makers should be part of the ESY mapping
scenarios.	time should be given to the training, as topics were rushed through.	
More physical activity to enhance performance especially during	For the NCEA Training, more time is	More time should be allocated to the training
Use of practical examples,	needed for the presentation sessions. There should be the inclusion of other relevant stakeholders otherwise, it was perfect!	More time for discussions More ice breakersMore of questions to the participants for further prompting
How to review different categories of projects using existing checklists - examples	Have the participants propose and agree on the priorities and conditions as a team clearly indicating what will be implemented first.	If given more time for face to face interactions, would give a broad picture of the content to the participants
More time should be allocated to the training	Give it more time to incorporate a broader scope of the SEAINCORPORATE LOCAL GOVERNMENT AND OTHER MDA'S	There's need to practically refer to an ESIA report and use it to show how real review should be done
	bringing together the different stakeholders involved in the ESIA process eg Authority, Practitioners, Local Government, Developers, university etc	
	Different stakeholders in ESIA process need to up scale their roles and	

Usefulness of training







Certificate of attendance

The Netherlands Commission for Environmental Assessment (NCEA) awards this certificate to

Mr. Antonio Rubamba

For successfully participating in the ESY mapping (ESIA system assessment) and SEA introduction workshop, Hoima, Uganda 3-6 April 2023

Organised by the NCEA and the National Environment
Management Authority

On behalf of the NCEA

Mr. Rob Verheem
Director International
Netherlands Commission for
Environmental Assessment

On behalf of NEMA

Mr. Barirega Akankwasah, Phd Executive director

National Environment Management Authority

Annex 11: Compilation of photos

