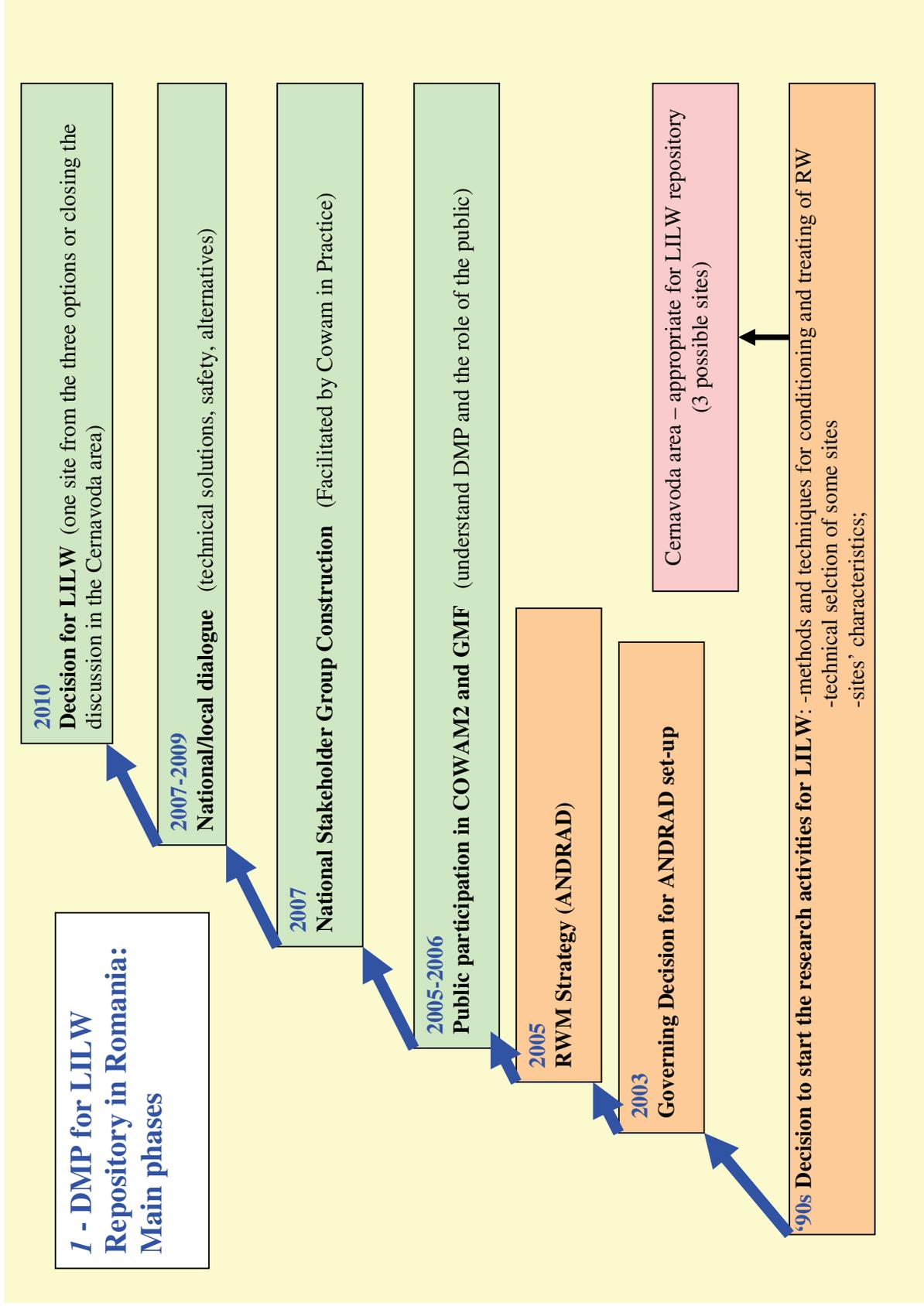


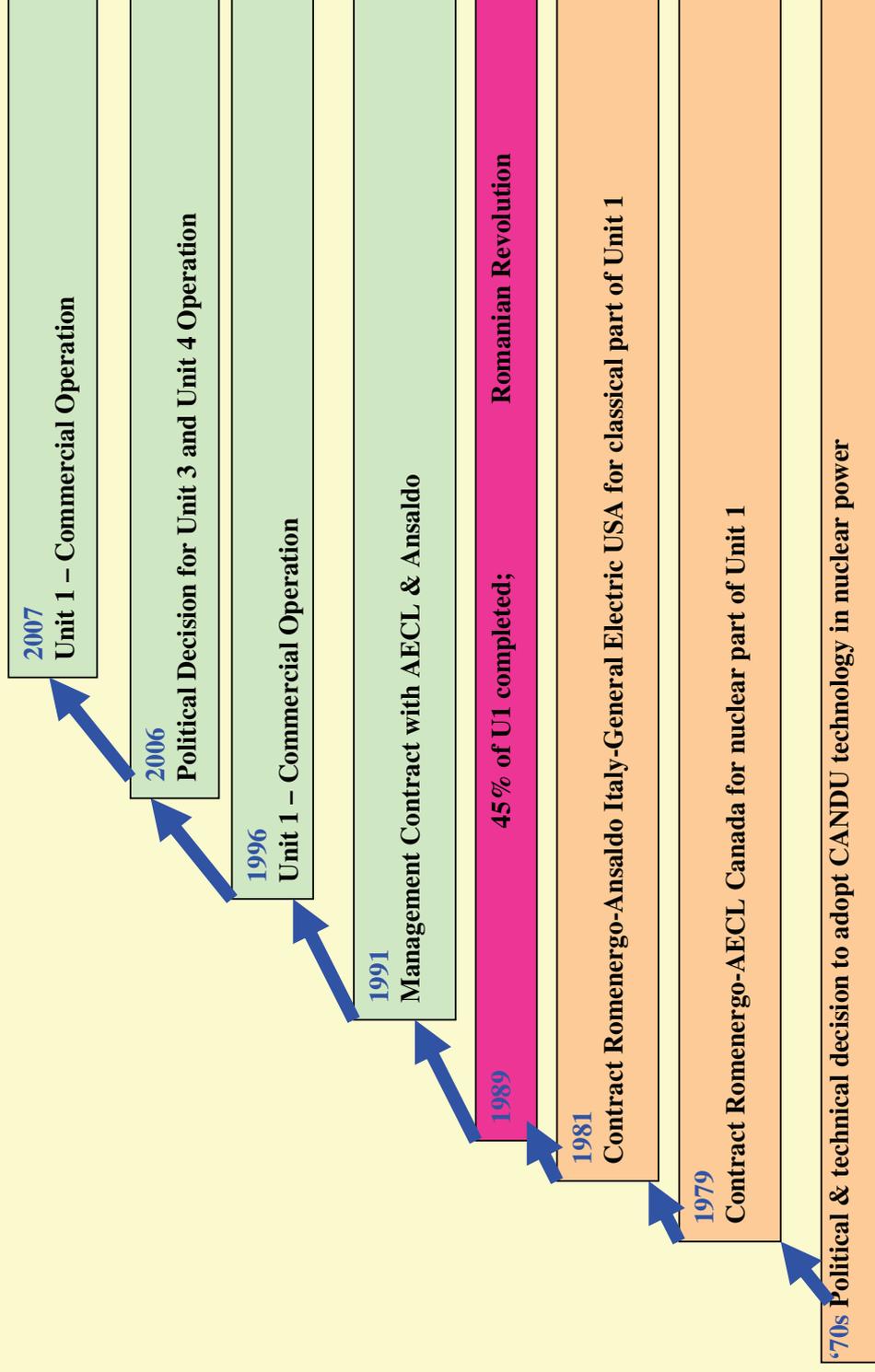
## **Annex 3: An Historical and Prospective View of Romanian Decision Making in the Nuclear Domain**

The following graphics were developed by NF Marin Constantin (INR) for presentation and discussion at the 2<sup>nd</sup> NSG meeting in Romania (January 2008).

1. DMP for LILW Repository in Romania - Main Phases
2. Romanian History of Nuclear Power - Main Facts and Decisions
3. Cernavoda Area DMP: Dialogue Planning Including CIP Actions
4. Hypothetical Nuclear Industry Formulation of the DMP Stakes and Issues
5. Hypothetical Public Formulation of the DMP Stakes and Issues
6. How to Improve the Public Contribution to the DMP? Proposal for NSG Discussion



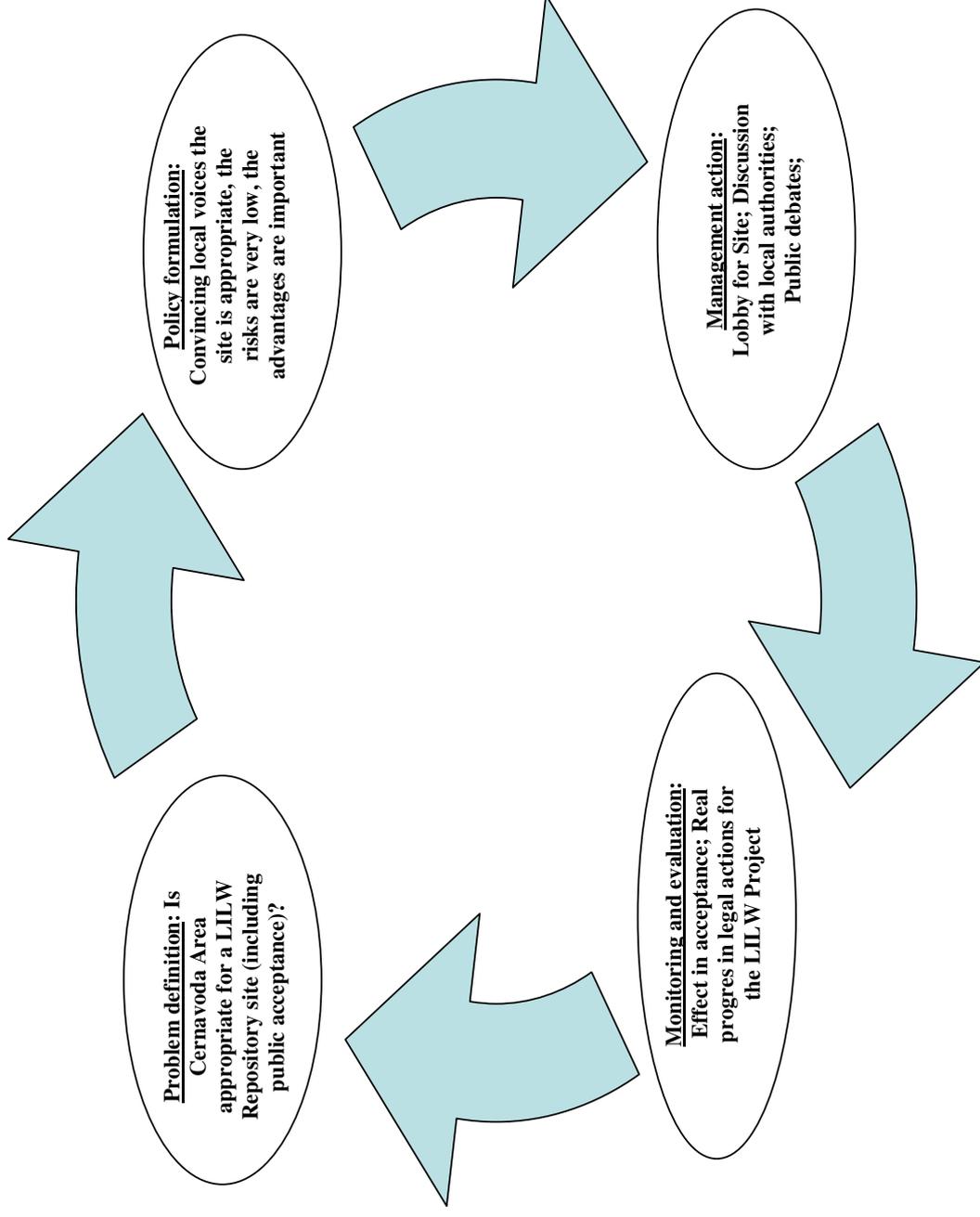
## 2 - Romanian History of Nuclear Power - Main Facts and Decisions



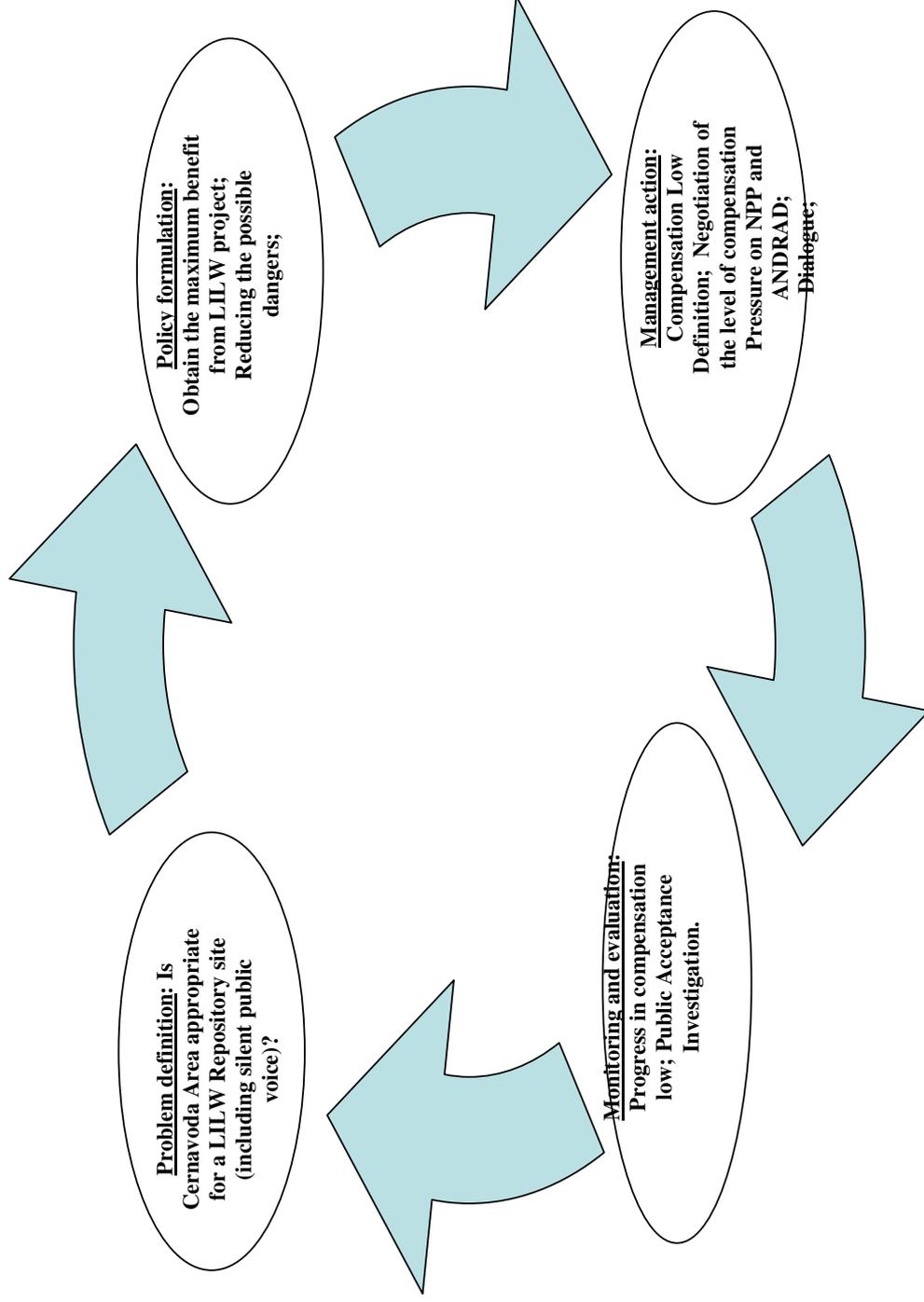
### 3 - Cernavoda Area DMP - Dialogue Planning Including CIP Actions

	Theme	Observations
1	Role of Cernavoda Area Association in DMP for RW	<p><b>Problem:</b> Is Cernavoda Area appropriate for a LILW Repository site (including public acceptance)?</p> <p><b>Vision:</b> Obtain a good level of compensations</p> <p><b>Mission:</b> Law initiative, lobby, dialogue, pressure</p>
2	Role of NSG	<p><b>Problem:</b> Is Cernavoda Area appropriate for a LILW Repository site (including public acceptance)?</p> <p><b>Vision:</b> National/local dialogue for harmonisation of different interests</p> <p><b>Mission:</b> ??</p>
3	Local Committee Construction or remain at NSG structure and limitations?	
4	Are technical solutions proposed for LILW safe for people and environment?	
5	Risks and level of risks; Acceptation?	
6	Compensations or increase safety? Public requirements for acceptance.	
7	Social Program or Compensation System?	
8	Repository Control System and public information. What is important for public and for health?	
9	Form of the public decision: Referendum/LC responsibility/Cernavoda Area Assoc/Public Debate?	
10	Final Decision. Agreement and conditions or Rejection of the Site.	

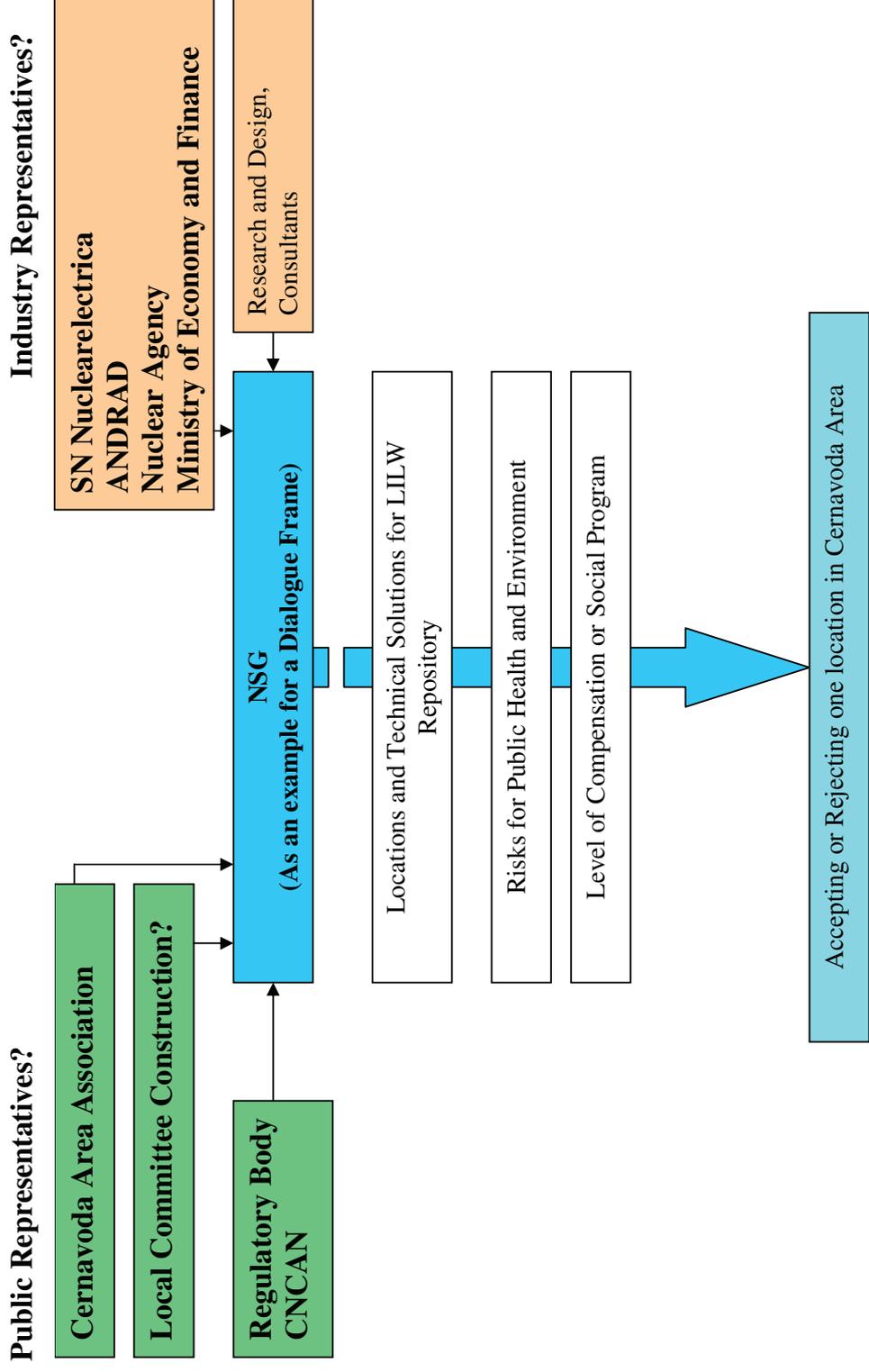
## 4 - Hypothetical Nuclear Industry Formulation of the DMP Stakes and Issues



## 5 -Hypothetical Public Formulation of the DMP Stakes and Issues



## 6 – How to Improve the Public Contribution to the DMP? Proposal for NSG Discussion



## Annex 4: Siting and DMP: Best Practices from COWAM 2

Managing radioactive waste involves developing a technical storage concept, finding a site, constructing, filling, then closing and monitoring the installation. This process involves many players and decisions, and lasts many years. In this perspective, the technical aspect isn't the only one to consider. We also have to develop a robust and acceptable decision-making process, including ways for local people to participate actively.

The following material has been gathered from reports developed in the COWAM 2 program<sup>29</sup>. Four seminars allowed stakeholder reference groups from a total of 14 countries to conduct cooperative research on the following major themes:

1. Implementing Local Democracy and Participatory Assessment
2. Local Influence on National Decision-Making Processes
3. Quality of the Decision-Making Process
4. Long-Term Governance.

In the course of these seminars a great deal of guidance was compiled. The condensed recommendations below reflect particularly the final report of Seminar 3 ("*Decision-Making Processes in Radioactive Waste Governance: Insights and Recommendations*"<sup>30</sup>).

### **A few recommendations for a sound DMP**

- Allow sufficient time for the process  
Many steps cannot be compressed and people will have to be involved for years.
- Define roles and responsibilities of each player
- Stick to the "rules of the game"  
Rules must be set ahead of the process and each change must be agreed upon.
- Ensure early and inclusive participation of the local framework  
The governance of radioactive waste is a complex and contentious socio-technical issue. It is technically driven but must be solved by society. Therefore, an early and comprehensive participation of all relevant stakeholders and the public is necessary to develop, decide and implement a sustainable long-term management.  
Example: form a LC in places that have no RWM installation but may be under consideration to become a host site. The purpose, remit and role of LCs should be clearly defined at the time of their constitution. Members should be able to define their objectives, mission, chairmanship and rules of functioning, complying to a general framework. The responsibility of members must be clearly defined, including their responsibility to the stakeholder group they represent on the LC.

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<sup>29</sup> All the final reports from COWAM 2 are available online: [www.cowam.com](http://www.cowam.com) .

<sup>30</sup> Online: [www.cowam.com/IMG/pdf\\_cowam2\\_WP3\\_v2.pdf](http://www.cowam.com/IMG/pdf_cowam2_WP3_v2.pdf)

- Consult and engage the local communities and stakeholders beyond the potential sites for a RW facility...

The institutional mechanisms designed to engage local stakeholders shouldn't be restricted to the potential sites for a RW facility. The scope of the notion of "local" should be extended from the narrow meaning of potential host communities to a much broader meaning of local communities and actors having stakes in the policy process.

- ... But recognise the special importance in the DMP of the most affected communities

National consultation processes should recognise that some communities may have more stakes than others in a project (e.g. candidate communities for hosting a RWM facility, neighbouring communities, people on transport routes, etc.). The weight given to a community's views should recognise the potential impact of the decision on it.

- Secure influence of participants

If national actors do not give due regard to the expressed local views, the process will be counterproductive. Local committees and local authorities should have the right and capacity to complain to the guardian of the policy-process so that their contributions are assessed fairly.

- Recognize the role of local authorities...

The local authorities should be regarded as a leading player in the decision-making process and must therefore be sufficiently resourced to be able to participate fully in the process, for example to appoint its own dedicated staff or engage its own independent expertise.

- ... While making sure that the local people are informed by local authorities

The discussions the local authorities have on RWM issues need to be public; the local community should be kept informed and engaged in the related local political processes. Resources need to be made available for this.

- Allocate adequate resources

To enable participation, the DMP must allocate sufficient resources. There should be regular checkpoints and particular steps where local stakeholders express their views about proceeding in the process.

- Ensure weighting and balancing of values and interests

All viewpoints must be taken into account

- Always provide alternatives

The final decision will be made among alternatives

- Be comprehensive

Safety is foremost but not the only issue. The non-technical issues must be addressed as well.

- Be transparent and open (show what you are doing and how you take views into account)

Trust must be established by a constant dialogue between local and national decision-makers. Transparency and openness have proven to be prerequisites to gain social trust in institutions and in the procedures set up by them. Some public authorities have developed practices aimed at enhancing transparency and trust in the process, making information on the ongoing consultation processes available and giving reliable feedback to the participating stakeholders.

- Proceed stepwise (identify phases and check decisions before proceeding)
- Address the design of the phased DMP explicitly

An integration of semi-formal processes (such as national debates) into formal procedures (like licensing, *etc.*) guarantees that they do not get “lost” in the further course of a waste programme.
- Ensure flexibility (be sure an early action does not close down a desired option)
- Adapt format to tasks (match tools and procedures to what you have to achieve)

Each stage of the decision-making process may require the constitution and operation of different participatory and deliberative mechanisms.
- Ensure continuity of structure and awareness

RWM is a multi-generation issue. The ability to take care of it must be passed along.
- Establish control of the process (someone has to drive it along)

Processes have to be monitored and evaluated, especially when the programs extend over decades. First, because they are prone to political volatility, procrastination and arbitrariness. There may be a tendency to delay decisions through the political tendency of NIMTOO. Second, because new ideas or emerging “new” solutions may shift the emphasis. Consequently, there is a need to establish a “guardian” to ensure that the programme sustains its momentum and keeps on target. This body would oversee the processes and make sure that they are legitimate. This task should be implemented by a body independent of the government as well as the nuclear industry.
- Empower the local people

The population does not have a precise knowledge of nuclear activities. It is necessary to empower members of local communities, including the members of the local authorities and local interest groups (e.g. through capacity building) to increase their opportunities for participation, make local dialogues and deliberations more effective and increase their autonomy.
- Encourage the creation of local community groups

Active citizenship is enhanced by the organisation of such citizens’ structures (e.g. NGOs, civil society groups, employees’ groups, trade unions). Those groups should be in close communication with local authorities to enable joint fact-finding and stretching of national actors within an overall cooperative approach. The existence of effective local community groups is a means to stretch the industry.

- Develop a local democratic structure
 

The structure of the democratic process in the local community and its engagement with local stakeholders play a key role in its success in influencing national decision-making processes.
- Consider creating a specific discussion forum
 

On the local level, the RWM debate could take place within the municipal council. However, with such a complex issue it may be better to design a specific discussion forum. There may be more serenity, more possibilities open for exploration, and the opportunity to incorporate more viewpoints in a local committee.

On the national level, a forum involving concerned stakeholders from affected local and regional communities could:

  - empower local citizens to scrutinise the RWM institutions over the long term.
  - complement existing democratic structures.
  - be flexible. Its membership should adapt to the stage in the decision-making process.
- Diversify the sources of expertise
 

The use of many sources of knowledge and expertise (public experts, NGOs, international experts ...) in the policy process is a key element for its legitimacy and for developing stakeholders' support for the process.

## Annex 5: SWOT - Analysis of strengths, weaknesses, opportunities and threats of Local Partnership functioning in Krško and Brežice (Slovenia)

The tables below are drawn from the draft "Prospective Case Study" submitted by the National Facilitators of the CIP Slovenia NSG<sup>31</sup>. They report the judgments by NSG participants regarding the internal strengths and weaknesses found in the Local Partnerships of Krško and Brežice after one and a half years of operation, and the external opportunities and threats faced by these organizations.

Note, as pointed out by NSG participants, the “weaknesses” appear to be due in many cases to circumstances outside the Local Partnerships’ direct control.

Strengths	Weaknesses
<ul style="list-style-type: none"> <li>- <b>Integration of local actors</b>, nongovernmental organizations and civil society (13)<sup>32</sup></li> <li>- <b>Providing information</b> (10)</li> <li>- <b>Opportunities to participate in decision-making processes</b> (5)</li> <li>- <b>Learning about best practice examples</b> (5)</li> <li>- <b>Better decisions</b> (4)</li> <li>- <b>Learning about and researching the role of individual actors</b> (4)</li> <li>- <b>Opportunity to consult and make arrangements</b> as well as exchange of opinions and experience of participating partners</li> <li>- <b>Enhanced confidence among partners</b> and reduced obstacles</li> <li>- <b>Enhancing the partner culture</b> among three partners (although the situation is not perfect)</li> </ul>	<ul style="list-style-type: none"> <li>- <b>Defective dialogue culture and the resulting decrease of interest in cooperation</b> (10); Dialogue is often limited to a small circle of people; No direct dialogue between the inhabitants and the Agency for RadWaste Management, the municipality is the mediator</li> <li>- <b>Unrealized expectations and decreased interest in local partnership cooperation;</b> Unrealistic expectations, difficult to implement (6)</li> <li>- <b>Motivation for participation</b> – increased role of opinion leaders (6)</li> <li>- Disregarding the local partnership importance, principles and rules (6)</li> <li>- Politicization (6)</li> <li>- <b>National institutions not included in communication with the local partnership</b> (5)</li> <li>- <b>Insufficient, biased information;</b> national institutions to be included in the information flow</li> <li>- <b>Irrational use of funds</b></li> <li>- <b>Partial interests problem;</b> many</li> </ul>

<sup>31</sup> Report D1-8 (First Draft - January 2009) *Prospective Case Study; Country Report on the Cooperative Investigation: Slovenia*; authors: Nadja Železnik (ARAO), Milena Marega (REC).

<sup>32</sup> The numbers in brackets represent the importance placed on individual aspect with regard to the workshop participants' priorities. Low numbers are not stated.

	<p>understand the local partnership as a platform for marketing their interests</p> <ul style="list-style-type: none"> <li>- <b>Insufficient knowledge, skills and rules</b> of local partnership operation</li> <li>- <b>Lack of cooperation with other local partnerships</b></li> <li>- <b>Insufficient representation i.e. structure of local partnership participants:</b> not all layers of population are equally represented (i.e. civil initiatives, NGO...), which results in the affected local population not being represented</li> <li>- <b>Lack of trust in institutions</b></li> <li>- <b>Undetermined relation between the local partnership and the municipality;</b> prevalent role of the Mayor; Municipal councillors do not participate in the local partnership; Agreements are made outside the local partnership</li> <li>- <b>The role and purpose of the local partnership is not explained well and often enough</b> in public and in media.</li> <li>- Doubt about <b>the name "local partnership" being appropriate</b></li> </ul>
<b>Opportunities</b>	<b>Threats</b>
<ul style="list-style-type: none"> <li>- <b>Awareness</b> that issues of national interest may be solved in a specific local community; mutual understanding for interests of other parties – also on the part of local community towards the government (14)</li> <li>- Financial compensation (10)</li> <li>- Reaching an agreement and producing criteria and methods with regard to allocation of funds acquired to compensate negative impacts, determined according to the distance from a facility and irrespective of current interests of local residents</li> <li>- Reconciling of interests, the impact of population on region’s development; <b>Improving long-term social relations</b> (8)</li> <li>- Foreign experience; <b>Connecting local</b></li> </ul>	<ul style="list-style-type: none"> <li>- Unsuitable criteria to examine regions and allocate compensations (13)</li> <li>- Unsuitable and highly complex procedures; Stimulation of rivalry instead of cooperation (12)</li> <li>- Interference of politics; <b>Political propaganda for self-promotion</b> (8)</li> <li>- <b>Pursuing specific, personal or local interests</b> with almost no possibility to <b>provide legal framework</b> (6)</li> <li>- <b>Solving issues on the street</b> (6)</li> <li>- <b>Broken agreements, unfulfilled politics’ promises; poorly defined agreements</b> (5)</li> <li>- Subjective media, boosting negative public opinion (5)</li> </ul>

<p><b>players, NGO and civil society on international level (4)</b></p> <ul style="list-style-type: none"> <li>- Access to information; <b>Interest in information</b>; Research incentives (4)</li> <li>- Awareness of the importance of participation</li> <li>- Politics and experts' understanding and <b>willingness to improve the quality of life in immediate surroundings; Quick response of politics and experts to local partnerships' initiatives</b></li> <li>- Objective local media coverage</li> <li>- State of Slovenia's energy balance and EU policy</li> <li>- <b>Dialogue between various expert fields</b>; Understanding of experts and their decisions</li> <li>- De-ideologisation of environmental issues</li> <li>- <b>Opportunity to settle debt</b>; Opportunity to solve issues from the past or unsolved issues</li> <li>- Opportunity for the government to <b>adopt this approach in other projects</b> (HE, Feniks)</li> <li>- <b>Informing Slovene general public</b> about this area and process</li> <li>- <b>Maintaining local partnerships after the repository siting is finalised</b></li> </ul>	<ul style="list-style-type: none"> <li>- <b>Time pressure (5)</b></li> <li>- <b>Disregarding relevant local partnerships' proposals (4)</b>; Rigid national institutions, Treating local partnerships' proposals selectively</li> <li>- <b>Underestimating public views</b></li> <li>- <b>Insufficient awareness of leading players' responsibility</b></li> <li>- <b>Local partnership</b> feels as if treated as a <b>non-equal partner</b></li> <li>- Risk of <b>neglecting environmental protection and biotic diversity</b></li> <li>- <b>High costs</b></li> </ul>
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## **Annex 6: Finnish Experience of EIA Process**

The following is the presentation by Claire Mays (Symlog) to the Slovenian NSG-3 meeting in June 2008.

First the presentation outlined why it is interesting to compare the Finnish and the Slovenian contexts when considering EIA as a tool for public influence of the DMP. It carefully reviewed some important differences between the two contexts.

After telling the story of the Finnish EIA for repository siting<sup>33</sup>, the presentation evaluated that process, using the Slovenian SWOT "high priority" findings as criteria.

At the end of this annex, the findings by NSG discussion subgroups are reproduced.

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### **Are FIN and SLO EIA processes strictly comparable? – NO...**

#### **SLO EIA**

1. Will concern a selected site and technical concept
2. Conducted by Environment Ministry
3. Offers two official points for participation: during assessment and at hearing for impact report

#### **FIN EIA**

1. Was part of choosing among 4 sites and several tech options
2. Conducted by the proponent Posiva
3. Gave supplementary participation opportunity during preliminary SCOPING phase

One reason for this difference is: FIN EIA was performed not too long after the EIA Act was passed in 1994, responding to the EC Directive.

The SLO EIA is taking place later in history. The SLO process responds to later Directives taking into account lessons learned from early EIAs. Importantly, Directives now foresee the application of a "Strategic Impact Assessment" earlier in the process.

Because laws are changing and being built up all the time, we can almost consider that such procedures are in a permanent experimental phase...

It is important to notice a fundamental difference between the SLO EIA (according to law) and the FIN EIA (according to the history of what happened): In SLO, the public does not participate in scoping. The law today does not give much detail, but PP is concentrated in the assessment period and then again in reaction to the EIA report. In Finland, scoping itself was a major period and opportunity for public input. Scoping could be called "too important to be left to the sole authorities" and so the NSG work should constitute an "informal" but high-quality contribution of guidance on scoping to the responsible EIA authority.

Posiva is the waste management company funded by the Finnish nuclear industry. There would be a closer parallel here if in SLO, it was ARAO who had to run the whole EIA.

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<sup>33</sup> This account drew upon NEA (2002) *Stepwise Decision Making in Finland for the Disposal of Spent Nuclear Fuel. Workshop Proceedings - Turku, Finland - 15-16 November 2001*. Paris: OECD.

This is a very important difference between the two procedures. Not only did the public (and also, many other institutional stakeholders) have three times to raise their voice. Also, during one year before the assessment, all the stakeholders got a chance – during the scoping phase - to build up their information and understanding about what is important to assess. Public universities also performed studies to identify EIA questions to be asked, and make suggestions about how to implement the consultation and how to evaluate it. The concerned public got information about the technical alternatives that might be possible. They had some time to think about the messages they wanted to put into the assessment. The institutional stakeholders (technical ones and also elected ones) got some time to talk with the public and understand what were their concerns.

Perhaps it is correct to say that the Slovenian local partnerships, functioning now for 2 years, have provided similar opportunities for some stakeholders to better understand their positions and needs.

### **The NSG can play a role**

- CIP national stakeholder groups are not decision makers
- However in each of the 5 countries they are proving to be a unique discussion forum, putting different stakeholders together, and providing thoughtful input to the decision making process
- Today's NSG meeting can develop advice for the future SLO EIA, thereby
  - completing early participation opportunities as in FIN
  - possibly improving the EIA outputs for democracy and socio-technical decision making

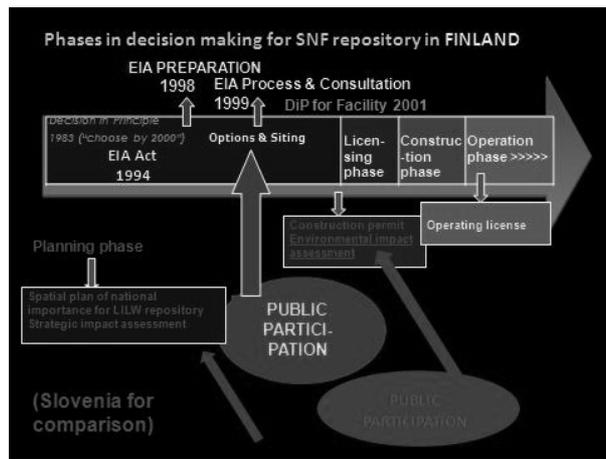
Still, the local partnerships were not focused until now on preparing an EIA.

Now the EIA will be coming and it will be an important opportunity for local people– not only the municipal council and the local partnerships– to raise their voice and to influence the form of the technical and societal project. This is the intention of EIA in the legislation.

Before the EIA is a good time to think about how to get all the potential from the EIA consultation and assessment, as a benefit for democracy and for socio-technical decisions.

At the third NSG meeting today, as a representative of the European research team, I want to emphasize the role that this group can play.

I will review some of the different steps that took place in the FIN EIA, and then I will recall the most important points to be made when trying to understand the EIA.



The FIN decision making process about nuclear power production and later, radioactive waste management, took place in a clear and continuous manner from the late 1950s. In 1983 there was a “Decision in Principle” taken by the national Government, setting its waste management policy. This said that if waste was to be stored in FIN, one site should be chosen for an underground repository by the year 2001.

Remember, in the 1980s Finland was receiving nuclear fuel from the USSR, and sending the spent fuel right back there.

Only in 1994 - considering the state of the former Soviet Union- did the Parliament ban the import and export of SNF. A moral consensus was found, and even opponents to nuclear energy agreed that the waste had to be taken care of in Finland. Municipal councils have a strong veto power under Finland’s Nuclear Energy Act. Because of this new situation with the FSU, councils of nuclear host communities which before had resolved not to store waste, had a new debate and changed their position.

In the same year 1994 the EIA Act was passed. As of 1998, in order to choose a site and a technical option by 2001, an “EIA Preparation” was held for one year. It was a time to gather information and to think. I will talk about this more after coffee this morning. Then the formal EIA consultation and reporting took place in 1999. It concerned four “screened” communities, of which two were nuclear hosts (there were 4 reactors in FIN at the time). The EIA also compared some various technical alternatives (but not in the amount of detail that some stakeholders desired).

Here I will make the story very short. In 2000 a municipality voted in favor of accepting a repository investigation. Government delivered a decision in principle, saying that investigating the feasibility of a facility was in the interest of society as a whole, and Parliament ratified it in 2001. From that point an Underground Rock Characterization Facility could be built, and subsequently construction licensing for a repository could be undertaken in 2004.

What I want to stress for our work today is: The EIA is not a procedure that is written in stone. It has been applied in different manners according to context. It was unusual for a FIN EIA to benefit from a scoping or preparation phase. This was seen as very beneficial. It allowed many actors to define WHAT THE EIA SHOULD DELIVER TO THE DMP. I hope that we can address the same question in our participative work this morning.

# Cowam In Practice

International Case Study:

## Finnish EIA Participatory Experience

Presentation to SLO NSG-3

Session 2: EIA, an experience of participation

June 17, 2008

Claire Mays, Symlog



## What was the utility of the EIA preparation or Scoping phase?

- EIA should
  - Bring more transparency and interactions among the stakeholders in planning projects that may have a significant impact on physical or social environment
  - Compare different technical alternatives (and the “do-nothing” option) against the impacts=> assess impacts
- Posiva needed to concentrate on the impacts of most concern to local people since they have veto power. Scoping phase allowed Posiva to find out these concerns. They spent most of their effort here (even more than performing the assessment studies to measure the impacts)



Cowam in Practice

## Stakeholders identified by Posiva

- Local people living in the 4 investigated communities
- Their representatives in the municipality councils
- Safety regulators
- Public administrators in energy and environment areas (including regional environment agencies)
- Scientific community
- Whole population and national representatives
- Governments of neighboring countries



Cowam in Practice

## Methods used in the FIN EIA SCOPING PHASE (Identifying concerns)

- Information documents were distributed to households in 4 communities (reports, brochures, leaflets, videos); exhibitions
- Local liaison groups (Posiva + authorities)
- EIA contact person meeting daily with individuals of the public
- Public hearings at local and national level to collect guidance for the assessment
- Surveys
- Written comments could be submitted by public and by administrations



Cowam in Practice

## High participation of local opposition NGO

Strong moral rejection of deep disposal, so:

- Offering alternative solutions in seminars
- Also analysing EIA process itself in seminar
- For easier written participation, petition allowing local people to submit a clear “NO”
- Article in local press/radio each day for 2 years
- Educated professionals maintaining serious knowledge-based profile



Cowam in Practice

## Was something new brought into the assessment process? YES

- Local concerns included
  - Safety during operation of facility and in long term
  - Safety during transport of spent nuclear fuel
  - Community image: impact on real estate prices, agricultural product value, tourism...
- NGO brought the idea that Retrievability and Monitorability had to be assessed
- Other authorities pointed to alternative disposal solutions that should be compared as well as “most likely” scenario chosen by Posiva



Cowam in Practice

## Methods used during assessment phase (researching likely impacts)

- Posiva's safety research program was accordingly extended
- Extensive social impact studies were conducted (projections on many factors)
- Interim assessment results were presented in bulletins, leaflets, at liaison meetings
- Assessment report was presented at public hearing, comments could be submitted



Cowam in Practice

## So what happened?

- Posiva offered the scoping period to make the EIA better – Many stakeholders said this was good – The assessments were detailed and well-conducted
- At the same time, Posiva published an advertising campaign portraying critical voices as naïve and backward...
- And Posiva signed an agreement with one community BEFORE the end of the EIA!
- *Many actors then stopped their participation. It meant the loss of information valuable for implementing a future repository.*



Cowam in Practice

## Evaluating the FIN EIA participation experience

- Let us compare FIN stakeholder comments with certain Slovenian SWOT High Priority findings
- We recognize that this cannot be a point-by-point valid comparison
  - The starting points, the legal framework, etc. are so different in the two contexts
  - The processes of EIA and Local Partnership are not supposed to serve the same purpose
- Still, your SWOT represents your insight into participation, and it can be useful for identifying EIA issues & preparing your own EIA consultation



Cowam in Practice

### Comparing FIN EIA with SWOT High Strengths

- *Providing information*
  - Yes, many felt that the documents were of high quality and widely available for citizens
  - Some felt there was too much information
  - And the information was meant to “educate” or “convince” instead of simply “inform”
  - The “most likely solution” got the most publicity
- *Opportunities to participate in decision making processes*
  - Yes, stakeholders really influenced decisions, they introduced local concerns & changed the scope of solutions considered (retrievability, monitoring...)
  - It was difficult for citizens to understand how the EIA fit into the whole decision making process



Cowam in Practice

### Comparing with SWOT High Opportunities

- *Mutual understanding for interests*
  - People appreciated the presence in communities of an EIA Contact person who was really listening and informing. It was easier & more natural to talk than to write opinions.
- *Financial compensation agreement*
  - Posiva found out what the Eurajoki community would like (renovation of retirement home...)



It this led to early signing of agreement before the EIA was equitably terminated!

Cowam in Practice

### Comparing FIN EIA with SWOT High Weaknesses

- *Defective dialogue culture*
  - Posiva denigrated critical voices with unpleasant advertising - showing no understanding for the value of debate
  - It was a constant, exhausting struggle for the “little ones” to make their voice heard, and they had to invest their own person, time, money, while the “big ones” had so many resources and set the agenda
- *Unrealized expectations*
  - There are different ideas of what is “participation” and the strong partners were able to impose their model
- *Disregarding principles and rules*
  - Posiva took bilateral agreement before the end of process
- *No national-local partnership communication*
  - Opponents found at the end that they had fought the wrong battle: the EIA was less important than the national “Decision in Principle” by government and ratified by Parliament.



Cowam in Practice

### Comparing FIN EIA with SWOT High Threats

- *Unsuitable and highly complex procedures*
  - *Rational written opinions were preferred, there was no good arrangement to “translate” other feelings, values, concerns*
  - *People participated “less than expected” but the questions were not posed in a way that concerned them & their lives*
  - *It was not clear to people whether they could really influence anything*
- *Solving issues on the street*
  - *Even the official EIA did not prevent Posiva from signing an agreement outside the rules*



Cowam in Practice

### Drawing the lessons

- There are many more stories to tell about the Finnish EIA
- Probably there are additional positive remarks that could be highlighted (it was rated the best of 130 EIAs in Finland! mainly because of the early, additional scoping opportunity)
- Still, it was appropriate for us to identify the difficulties and downfalls, so that these can be addressed to design a more adequate consultation in a new context



Cowam in Practice

Below are reproduced the findings by the NSG discussion subgroups<sup>34</sup>, in response to the questions developed by the National Facilitators (see Section 4.2 of this research brief).

#### Group 1:

Participation in EIA also in other local communities with similar experience.

It is good that the public should be integrated in CEIA.

Possible influences by the organiser i.e. investor (possible data modification).

The need to include independent experts.

More extensive and intense integration of the local partnership with regard to all information.

EIA for nuclear facilities is specific; therefore experts should be integrated to make the opinions known to the public.

Better transfers of foreign experience into Slovenian practice, with the legislation only presenting minimal standards.

<sup>34</sup> Drawn from the *Minutes* of the NSG-3 meeting (cf. footnote 12).

Group 2:

CEIA – is it really a comprehensive assessment or is it a rough environmental assessment.

People are only informed when everything is ready, therefore there is no trust.

The procedures don't allow any real impact on the process.

People are still poorly informed, therefore deadlines for informing must be made longer.

Maybe the aim is to site the repository before the environmental impacts are dealt with at all.

There was a willingness to participate in affected groups but no one wanted to listen to them.

Extremely complicated legislation, too many legislative liabilities, which causes chaos and transfer of responsibility.

We need to start implementing the 2nd and 3rd pillars of Aarhus convention on public participation and protection of rights.

As some nuclear facilities were sited already (Krško Nuclear Power Plant) it is difficult to evaluate the null situation for a LILW repository – it can be seen there used to be no clear legislative provisions.

All complaints must also be transferred to the Slovenian Human Rights Ombudsman.

Group 3:

Before proceeding with EIA, a scoping of areas should be formed that EIA would observe (environmental, social, economic aspects).

It should incorporate all stakeholders (not only spatial planning operators, but also NGOs, local partnerships...)

The public must be provided with data and procedure management supervision.

It is necessary to define the scope of activity and integration, so that the aim can be observed (measures for public complaint observation).

Each procedure should preliminary be defined a uniform strategy.

It is necessary to ensure good practice and learning from bad experience.