

ENVIRONMENTAL IMPACT ASSESSMENT IN SURINAME

Las opiniones expresadas en este documento son responsabilidad de los autores y no necesariamente reflejan los puntos de vista del Banco Interamericano de Desarrollo.

1. Introduction

In order to review the application of Environmental Impact Assessment Systems in the Caribbean and Latin American countries the IDB has sent questionnaires to all the focal points of their member countries.

NIMOS, particularly the office of Environmental and Social Assessment, is the focal point for the IDB program. Our main task is to develop an Environmental and Social Assessment System for Suriname, which will be part of our first Environmental Legal Framework. To accomplish our task for the first two years, we are being financially supported by the IDB, European Union and the Surinamese Government.

The National Council for the Environment (NCE)

The National Council for the Environment was established by presidential decree on 09 June 1997. Its mandate is to support the Government of the Republic of Suriname by providing advice concerning the preparation of environmental policy at the national level and the exercising of control in the implementation thereof.

The President of Suriname appoints the members of the council for a period of two years. The NCE envisions its tasks within columns: human wellbeing, ecology, energy and natural resources, and conflict resolution.

For each of these corresponding experts have been appointed in the council, and it currently consists of three members:

- Mrs. Drs. Ellen Naarendorp (chairperson),
- Mrs. Drs. Elfrieda Sewnath, and
- Mr. Drs. Winston Wirht.

In the near future it will be expanded to ten members, adding representatives of the inhabitants of the interior (Indigenous Peoples and Maroons), private sector, labor unions and consumers.

However, the National Council has to date not been able to carry out its functions. Meetings have not been held, due to the fact that the Council has some vacant positions. The current President of the Republic of Suriname will invite the National Council soon for a meeting. During this meeting the role of the environmental institutions will be discussed. Hopefully the President will instruct the Council to fill in the vacant positions in the short term so it can commence its crucial work.

Current status

In the beginning 1999 the IDB sponsored a training for government officials, project managers and consultants in the applications and methodology of Environmental Impact Assessment. No follow-up has been given since then.

NIMOS currently is in the process of training more than 40 lawyers and experts. These lawyers will be instrumental in writing the laws, regulations and legal framework designed to regulate environmental issues in the country. It is planned that the first draft of these environmental protection laws will be completed by January 2001. NIMOS places great emphasis on public participation. By having a high degree of public participation NIMOS hopes that the implementation of these environmental protection laws will be smooth, due to the fact that parties concerned will endorse these laws.

After the Draft, a Final document will be ready for presentation to Parliament, hopefully in 2001. It is difficult to establish a date by which these environmental protection laws will be adopted by Parliament.

2. Methodological Approach

The questionnaires (annexes) were distributed to all seven big groups of relevant actors with a covering letter explaining the scope and purpose of the survey.

The response was meager and integrated into the answered annexes. The environmental evaluation is based on our meetings with the industry and the answered annexes (see attachments).

On some aspects of the questionnaires no concrete answers can be given, as until a legislation is in place. Prior to the establishment of NIMOS there was no responsible coordinating agency in place. So there was no controlling agency to monitor the development.

Annex 1

Since there is no EIA legislation and responsible authority to oversee the EIA process, most topics cannot be answered at this stage. It needs to be mentioned that in developing the EIA process in Suriname most of the topics addresses will be taken into consideration.

Annex 2

As is the case for annex 1, most of the topics cannot be addressed since there is no EIA legislation. According to a renowned national consultant, who has been involved in conducting EIAs for the industry and Donor institutes, at least 26 EIAs are documented. These EIAs cannot be placed in categories, because there is no responsible authority to guide the overall process. In the case of the industry, the industry screens whether or not an activity needs an EIA. If needed a consultant is hired which, based on the information available, determines the scope (T.O.R.) for the EIA. The final report (EIS) is reviewed and approved (or not) by the company.

It is also a policy of the International Development Agencies (e.g. IDB, EU) that before financial support is granted, an Environmental Impact Assessment of the project be conducted and approved.

Annex 3

El Anexo 3 fué eliminado de este informe por contener información confidencial.

3. Conclusion

Concerning an EIA System in Suriname: **There is no legislation on EIA yet.**

However, it is a policy of some companies to conduct EIAs for projects/activities to be undertaken, even though the legislation does not require this. The company screens whether or not an activity needs an EIA. If needed a consultant is hired, which based on the information available, determines the scope (T.O.R.) for the EIA. The final report (EIS) is reviewed and approved (or not) by the company.

It is also a policy of the International Development Agencies (e.g. IDB, EU) that before grants are awarded, an Environmental Impact Assessment of the project be conducted and approved.

So even though no EIA legislation exists for Suriname, EIAs are being conducted in the country.

| Products | | | |
|---------------------------------------|---|--|--|
| Environmental Evaluation | Main Results (Weaknesses/ Opportunities) | Conclusions | Recommendations |
| Process Characteristics | No formal process available | With the financial support of the IADB, EU & Government of Suriname, an EA process and system will be in place in the next two years | Acknowledging that the EA process is a novelty, the expertise available to conduct the scoping - and reviewing phases of the EA process will be limited. Therefore, it is important that capacity building be pursued in order to sustain the EA process |
| System Characteristics | No formal system available | | |
| Environmental Reports Characteristics | Environmental Reports are done by multinational companies, the state oil company and projects that are financed by donor agencies such as IADB, EU, PAHO etc. Strikingly, the Terms of References (T.O.R.) of these reports are being composed by the consultant who prepares the EA report | With the introduction of projects lists in the screening phase of the EA process, all projects/activities that have environmental & social impacts will be required to produce environmental reports | There is a need for specific guidelines and advising per aspect of the EIA process: e.g. how to create/establish monitoring plans or Environmental Management plans, protection guidelines, reclamation guidelines per sector (oil, mining, etc.). These guidelines can be used to help develop the proper t.o.r. for the report preparation |

ANNEX 1

VERIFICATION MATRIX OF LEGAL/PROCEDURAL FRAME

| VERIFICATION MATRIX ON THE LEGAL/PROCEDURAL FRAME (*) | | | |
|--|------------|-----------|--|
| TOPIC (**) | YES | NO | OBSERVATIONS (***) |
| 1. Is there any preventive environmental policy in an official document that supports EIA? | | X | |
| 2. Are there any preventive sectorial or local environmental policies that support EIA? | | X | |
| 3. Are there any explicit environment protection principles or criteria in the law, regulations or formal documents? (health, landscape, etc.) | X | | Yes, but not in relation with EIA. You can find the protection principles in the Hindrance act, Mining Decree, Forest Management Act, Petroleum Act. But in these acts the regulations should be updated and extended. |
| 4. Are there any legal formal documents demanding obligatory EIA? | | X | |
| 5. Is there any obligation to apply EIA within a sole national system? | | X | Only as required by IDB, EU and Worldbank. |
| 6. Is the national system non-aggregated at territorial level? (regional, provincial, municipal, etc.) | | X | |
| 7. Are there any sectorial obligations for EIA which are not integrated or articulated to each other? | | X | |
| 8. Are there any sectorial obligations for EIA that are territorially non-aggregated? (regional, provincial, municipal, etc.) | | X | |
| 9. Are the responsibilities and rights of the institutions involved in the SEIA specified ? | | X | |
| 10. Is there a formal document explaining the details and procedures of a classic EIA process and of the current obligations in the country? | | X | |
| 11. Are there any institutions with specific empowerment to review and environmentally authorize the execution of proposed activities? | | X | Currently NIMOS is making an Environmental Assessment legal framework, wherein NIMOS Will be the responsible authority |
| 12. Are there any requirements to enter into the EIA evaluation system? (types of de projects, environmental criteria, etc.) | | X | |
| 13. Are the administrative procedures regulated? | | X | |

(*) Refer to all current obligations, including internal procedures and handlings used by authorities.

(**) If any other topics of interests, these must be incorporated into the matrix.

(***) A brief description and base documents of all those topics with information, identifying the annex number that includes it should be attached.

| VERIFICATION MATRIX ON THE LEGAL PROCEDURAL FRAME (*) | | | |
|---|------------|-----------|---------------------------|
| | | | ...continuation |
| TOPIC (**) | YES | NO | OBSERVATIONS (***) |
| 14. Are there any obligatory activity schedules that must be subject to the EIA system ? | | X | |
| 15. Are there any obligatory exclusions of activities? | | X | |
| 16. Are there any categories grouped into projects? | | X | |
| 17. Do you ask for a preliminary evaluation to enter into the EIA system and define requirements? | | X | |
| 18. Are there any categories of EIA reports? | | X | |
| 19. Is coverage, scope and content defined for each category of this reports? | | X | |
| 20. Is there any obligatory Terms of reference (TDRs) for the categories of report? | | X | |
| 21. Are there any methodological guides for orientation? | | X | |
| 22. Are environmental management plans expressly requested? | | X | |
| 22.1. Are mitigation programs requested? | | X | |
| 22.2. Are compensation programs requested? | | X | |
| 22.3. Are contingency and risk prevention programs requested? | | X | |
| 22.4. Are inspection and follow-up programs requested? | | X | |
| 23. Is formal citizen participation requested? | | X | |
| 24. Are there any citizen participation mechanisms incorporated in the regulations? | | X | |
| 25. Are there any conflict solving mechanisms? | | X | |
| 26. Are there any review methods formalized to review EIA reports? | | X | |
| 27. Are there any intermediate reviews by the authority? | | X | |
| 28. Are there any review deadline per EIA report category? | | X | |
| 29. Are there any obligatory methodologies to identify environmental impacts? | | X | |

(*) Refer to all current obligations, including internal procedures and handlings used by authorities.

(**) If any other topics of interests, these must be incorporated into the matrix.

(***) A brief description and base documents of all those topics with information, identifying the annex number that includes it should be attached.

| VERIFICATION MATRIX ON THE LEGAL PROCEDURAL FRAME (*) | | | |
|---|------------|-----------|---------------------------|
| | | | ...continuation |
| TOPIC (**) | YES | NO | OBSERVATIONS (***) |
| 30. Is there any obligatory classification of environmental impact per category? | | X | |
| 31. Are there any sanctions due to unfulfillment of any of the established requirements? | | X | |
| 32. Is there an administrative system that allow to verify the current situation of the EIA reports (i.e. in elaboration, in reviewing, approved, rejected, etc)? | | X | |
| 33. Are there any administrative files that allow to review the situation of each EIA reports that is approved , rejected, or in progress? | | X | |
| 34. Are the activities linked to the IADB with special impact evaluation procedures or requirements? | | X | |

(*) Refer to all current obligations, including internal procedures and handlings used by authorities.

(**) If any other topics of interests, these must be incorporated into the matrix.

(***) A brief description and base documents of all those topics with information, identifying the annex number that includes it should be attached.

VERIFICATION MATRIX OF THE APPLICATION FRAME AND WORKING INDICATORS OF THE SEIA

**VERIFICATION MATRIX OF THE APPLICATION FRAME AND
WORKING INDICATORS OF THE SEIA (*)**

Term: **2000**

| INDICATOR (**) | Availability of Information | | Number of Studies | | | | | Percentage (in relation to the total studies) | | | |
|---|-----------------------------|------|-------------------|------------|------------|------------|-------|---|------------|------------|------------|
| | YES | NO | Category 1 | Category 2 | Category 3 | Category 4 | Total | Category 1 | Category 2 | Category 3 | Category 4 |
| 4. 1. Reports Presented | 5 | 6 | 7. 2 6 | 8. | 9. | 10. | 11. | 12. 1 0 0 | 13. | 14. | 15. |
| 16. 2. Reports Approved | 17. | 18. | 19. | 20. | 21. | 22. | 23. | 24. | 25. | 26. | 27. |
| 28. 3. Reports Rejected | 29. | 30. | 31. | 32. | 33. | 34. | 35. | 36. | 37. | 38. | 39. |
| 40. 3.1. Reports Rejected due to failure in using the proper category | 41. | 42. | 43. | 44. | 45. | 46. | 47. | 48. | 49. | 50. | 51. |
| 52. 3.2. Reports Rejected due to bad technical quality | 53. | 54. | 55. | 56. | 57. | 58. | 59. | 60. | 61. | 62. | 63. |
| 64. 3.3. Reports Rejected due to lack of environmental sustainability | 65. | 66. | 67. | 68. | 69. | 70. | 71. | 72. | 73. | 74. | 75. |
| 76. 4. Reports in process of review | 77. | 78. | 79. | 80. | 81. | 82. | 83. | 84. | 85. | 86. | 87. |
| 88. 5. Projects that present follow-up plans and environmental management plans once the Reports have been approved | 89. | 90. | 91. | 92. | 93. | 94. | 95. | 96. | 97. | 98. | 99. |
| 100. 6. Projects sanctioned/fined because of not applying environmental management plans once approved the Reports | 101. | 102. | 103. | 104. | 105. | 106. | 107. | 108. | 109. | 110. | 111. |
| 112. 7. Claims from several actors to the decision of the authority | 113. | 114. | 115. | 116. | 117. | 118. | 119. | 120. | 121. | 122. | 123. |

Category 1: __EIA__

Category 2: __No EIA__

Category 3: _____

Category 4 _____

(*) Minimum indicators considered. The list with indicators can be supplemented.

(**) If necessary, attach one annex per topic.

**VERIFICATION MATRIX OF THE APPLICATION FRAME AND
WORKING INDICATORS OF THE SEIA (*)**

Period: _____

| INDICATOR (**) | Availability of Information | | Number of Studies | | | | | Percentage (in relation to total studies) | | | |
|--|-----------------------------|------|-------------------|------------|------------|------------|-------|--|------------|------------|------------|
| | YES | NO | Category 1 | Category 2 | Category 3 | Category 4 | Total | Category 1 | Category 2 | Category 3 | Category 4 |
| 124. 8. Projects with which there were citizen conflicts | 125. | 126. | 127. | 128. | 129. | 130. | 131. | 132. | 133. | 134. | 135. |
| 136. 9. Projects with citizen participation in certain stages | 137. | 138. | 139. | 140. | 141. | 142. | 143. | 144. | 145. | 146. | 147. |
| 148. 10. Projects with applications of citizen just within the formal review process | 149. | 150. | 151. | 152. | 153. | 154. | 155. | 156. | 157. | 158. | 159. |
| 160. 11. Projects that did not submit a EIA reports in spite of its being demanded | 161. | 162. | 163. | 164. | 165. | 166. | 167. | 168. | 169. | 170. | 171. |
| 172. 12. Reports with review-terms respected according to what had been established | 173. | 174. | 175. | 176. | 177. | 178. | 179. | 180. | 181. | 182. | 183. |
| 184. 13. Real time period of report approval | 185. | 186. | 187. | 188. | 189. | 190. | 191. | 192. | 193. | 194. | 195. |

Category 1: _____

Category 2: _____

Category 3: _____

Category 4: _____

(*) Minimum indicators considered. The list with indicators can be supplemented.

(**) If necessary, attach one annex per topic.

**VERIFICATION MATRIX OF THE APPLICATION FRAME AND
WORKING INDICATORS OF THE SEIA (*)**

Period: _____

| INDICATOR (**) | Availability of Information | | Number of Studies | | | | | Percentage (in relation to total of studies) | | | |
|---|-----------------------------|--------|-------------------|------------|------------|------------|-------|--|------------|------------|------------|
| | YES | NO | Category 1 | Category 2 | Category 3 | Category 4 | Total | Category 1 | Category 2 | Category 3 | Category 4 |
| 196. 14. Amount of the investments per Category of project | 197. | 198. | 199. | 200. | 201. | 202. | 203. | 204. | 205. | 206. | 207. |
| 208. 15. Amount of the investments per Category of EIA report | 209. | 210. | 211. | 212. | 213. | 214. | 215. | 216. | 217. | 218. | 219. |
| 220. 16. Number of studies with expost verification | 221. | 222. | 223. | 224. | 225. | 226. | 227. | 228. | 229. | 230. | 231. |
| 232. 17. Number of years since EIA is demanded | 233. | 234. 0 | 235. | 236. | 237. | 238. | 239. | 240. | 241. | 242. | 243. |
| 244. 18. Changes to the EIA law (includes in process) | 245. | 246. | 247. | 248. | 249. | 250. | 251. | 252. | 253. | 254. | 255. |
| 256. 19. Changes in the EIA regulations (includes in process) | 257. | 258. | 259. | 260. | 261. | 262. | 263. | 264. | 265. | 266. | 267. |

Category 1: _____

Category 2: _____

Category 3: _____

Category 4: _____

(*) Minimum indicators considered. The list with indicators can be supplemented.

(**) If necessary, attach one annex per topic.