



Netherlands Commission for
Environmental Assessment



Independent advice on ESIA for complex projects

At the request of a government authority, the NCEA can advise on the scope and quality of the information in Environmental and Social Impact Assessment (ESIA).

The NCEA does not prepare ESIA reports, nor do we advise on the decision to approve a project. Our role is to check if an ESIA offers a solid basis for public debate and political decision-making. This can be done in the scoping, review and implementation / monitoring phases of the ESIA process. All our advisory reports are published and available via our website.

An independent advisory body

Established in 1987, the NCEA is an independent advisory body with a regulatory role in the Dutch environmental assessment system. The international department was added in 1993. In addition to advisory services, the NCEA supports environment and sector ministries, environmental assessment professionals and non-governmental organisations to achieve better environmental assessment practice. It consists of a small secretariat and a large pool of Dutch and international experts.

Who can request advice?

Eligible organisations can request our advice. In general this concerns a government authority on ESIA – for example an environmental or planning ministry, environmental protection agency etc. – as they have the mandate for decision-making. NGOs can be instrumental in asking for NCEA involvement and establish first contacts. The NCEA also prepares advisory reports at the request of International Finance Institutes, the Dutch Ministry of Foreign Affairs and Royal Netherlands Embassies.

What are complex projects?

Complex projects have the following characteristics

- likely significant environmental and/or social impacts;
- likely transboundary impacts;

- politically sensitive;
- new type of project and therefore limited expertise is available in the country.

Better safety measures for Adjarala dam, Benin and Togo

In 2014, the NCEA reviewed the ESIA for a hydro-electric dam that is planned at Adjarala, at the border between Benin and Togo. The development of the dam was highly controversial. An earlier dam in the same river had considerable impact on livelihoods and safety of thousands of people. The NCEA working group concluded that, amongst others, the ESIA did not clearly describe prevention of – or compensation for – similar impacts of the new Adjarala dam. The environmental ministers of Benin and Togo decided to postpone the construction permit until additional information would be provided. In 2015 they approved the project under joint conditions and early 2016 the construction started.

Our approach

In order to prepare an international project-specific advice, the NCEA puts together a tailor made working group of experts:

- The **chair** of the working group is responsible for contacts with the competent authorities and for a well-balanced advice with sound scientific content and clear messages for decision makers. Chairs typically have significant (international) experience with political management of complex and politically sensitive projects.
- A **technical secretary** is appointed to coordinate the activities of the working group and to draft the advice based upon expert input. The technical secretary is a

staff member of the NCEA secretariat.

- The **members** of the working group together cover the relevant fields of expertise for the project in question. They are not NCEA employees. When appointed as a working group member they act in a personal capacity, not on behalf of any organisation. Experts are selected to have no stake in the project concerned.



In principle, the working group **visits the country** requesting the advice. The working group meets with relevant (representatives of) stakeholders who have an interest in the project and those that might be affected by the project. These people provide important project and site-specific information. Government staff responsible for ESIA may collaborate with the NCEA working group. In this way, the preparation of the advisory report can be considered as an on-the-job training exercise.

Experience has shown that an advisory report can be finalised **in six to eight weeks**, i.e. from the moment the formal request for advice is received. With optimal support from the requesting authority the NCEA is able to visit the country in the fourth or fifth week. The main findings of the draft advice are usually presented to the government before the NCEA leaves the country.

The NCEA makes its advisory reports **publicly available** via its website and informs consulted stakeholders on its publication.

Scope of work

The reference for good quality ESIA is decided at the start. It includes the national legal context for environmental and social impacts, in agreement with the competent authority. It is usually also supplemented with international best practices. This encompasses environmental management plans, social compensation plans, and monitoring

plans. It may also include reliability of business cases if that has relevance for the environmental and social impacts.

Experiences

The NCEA has drafted more than 110 advisory reports for governments in Africa, Asia, Europe and Latin America. Type of projects include:

- oil and gas sector for exploration, exploitation, pipelines and refineries;
- energy sector such as hydropower projects, and power transmission lines;
- mining sector for open pit mining;
- coastal zone development such as construction works, dredging and land reclamation;
- linear infrastructure such as roads and waterways.

Reconsidering canal options in Colombia

In Colombia, the NCEA reviewed in 2013 the quality of the EIA report for a new access canal in the Bay of Cartagena. It concluded that there were significant omissions in the EIA report and also advised to describe alternative options in more depth. This led the Colombian government to re-evaluate the need for a new canal, and see if deepening of the existing canal would be a better option that could save, amongst others, valuable coral reef ecosystems. In 2014, the decision was indeed taken to widen the existing canal.

Costs

The costs for NCEA's advisory services are covered by the Dutch Ministry of Foreign Affairs. All countries that have a bilateral agreement with the Dutch Ministry of Foreign Affairs can make use of our services free of charge.

Other countries can contact us for more information on possibilities.

Contact

Dr. Sibout Nooteboom
 Technical Secretary at the NCEA
 e-mail: snooteboom@eia.nl