

Chad

EIA profile

Updated to: 17 January 2020

Overview ESIA procedure

The guide stipulates six phases of the administrative procedure:

1. Preparation and transmission of a project directive. This directive indicates the nature, scope and extent of the EIA.
2. The completion of the EIA by the Contracting Authority, in compliance with the directive.
3. Inform the public about the project to allow them to participate in the decision-making process. The public can obtain all the necessary information regarding the content of EIAs.
4. Examination of the EIA and judgment (in order to issue the Approval).
5. Transmission of the EIA report and the Approval to the competent authority for a final decision.
6. Environmental monitoring, carried out by the contracting authority, in collaboration with the ministry in charge of the environment.

source

Guidelines on EIA procedure (arrêté 039)

Screening

Screening process

The client must prepare a document stating his intention to carry out a project. The document describes the general nature of the project and presents general information.

Scoping

Scoping process

The directorate in charge of impact studies has the task of approving the terms of reference for project impact studies.

Contents of the scoping document

The project owner prepares the Terms of Reference (ToR). The ToR are based on general and sector-specific guides, which are sent to the contracting authority by the ministry in charge of the

environment.

Timeline scoping

The ministry in charge of the environment has 14 working days to approve the ToR.

Assessment

Contents of the EIA report

- an executive summary (must be presented separately);
- a precise description of the project including information relating to its site and the criteria used for its selection, design and dimensions;
- the objectives and the justification of the project;
- an analysis of the initial state of the site and its environment;
- the measures likely to be taken to remedy the negative effects of the project on the environment, and if possible compensate for the damaging consequences of the project on the environment;
- analysis of toxicological risks and risks of technological accidents;
- emergency measures in the event of an accident;
- alternatives to the project, if any, or possible variants of the project;
- subsequent project phases and related projects;
- a specification drawn up by the competent authority retraces in detail the conditions required to benefit from an authorization depending on the case;
- an environmental management plan including monitoring and follow-up activities, during and after the completion of the project.

Accreditation of consultants

Applications for formal accreditation from consultants are processed by the ministry in charge of the environment. It retains a directory of approved consultants for EIAs.

source

Décret 630-2010

Review

Review process

After the EIA is submitted to the ministry in charge of the environment, it has 15 days to determine its admissibility.

Subsequently, the ministry organizes a public consultation, where everyone has the opportunity to express themselves on the subject and to indicate the collective values that are important for

decision-making.

After the public consultation, the client has one month to respond to comments and review the EIA.

The ministry then analyzes the EIA, in consultation with the ministries and other bodies concerned. The ministry sets up a specific working committee for each EIA.

source

Guidelines on EIA procedure (arrêté 039)

Timeline Review

After the submission of the EIA, the ministry has 3 months to express itself on the report. This deadline includes public consultation.

source

Décret 630-2010

Decision making

Integration of ESIA into decision-making

As described above, the competent authority makes the decision, based on the approval of the Ministry of the Environment. Without the environmental permit, the competent authority cannot authorize a project.

Decision justification

The opinion of the ministry in charge of the environment takes into account the technical components (nature, intensity, duration of impacts, etc.) and the results of the public consultation. The decision is based on the EIA, the public consultation report, the report of the specific working committee.

source

Guidelines on EIA procedure (arrêté 039)

Follow-up

Compliance monitoring

Environmental monitoring of projects is the responsibility of the ministry in charge of the environment. Monitoring ensures the sufficiency and effectiveness of mitigation measures. The terms of the monitoring program are contained in the Environmental Management Plan (EMP).

source

Guidelines on EIA procedure (arrêté 039)

Non-compliance penalties

The types of offenses are described in Decree 630 and include projects without authorization, unauthorized design offices, non-compliance with technical prescriptions, etc.

Violations are punished either with the termination of the project or according to the laws in force.

Stakeholder engagement

Public participation requirements for ESIA process stages

Public participation is included in the EIA review.

source

Décret 630-2010

Timeline for public comments

After submission of the EIA, the ministry in charge of the environment brings it to the attention of the public. The consultation is open for a period of 45 days. Anyone interested has 30 days to request access to the entire EIA report.

ESIA practice

Central ESIA database

The EIA agency maintains an archive of EIAs submitted to it.

source

Décret 630-2010

Professional bodies

Chad is part of the Secretariat for Environmental Assessment in Central Africa (SEEAC), which aims to promote environmental assessment among its member states.

source

<https://www.mediaterre.org/docactu,SUVQRI9kb2NzL291dnJhZ2Vjb2xsZWNoaWZzZWVhYw==,6.pdf>

Background information

Legal framework

Enabling law

The constitution of Chad states that everyone has the right to a healthy environment (art. 47).

The [Environmental Protection Law \(1998\)](#) describes the legislation on the environmental impact study instrument (art. 80-91).

[Decree no. 630 \(2010\)](#) covers more detailed impact assessment regulations.

More recently, [Order no. 039 \(2012\)](#) provides a general guide to conducting EIAs.

Note that the legislation in Chad speaks of 'EIA', not of 'ESIA'

source

[Loi 14-1998](#), includes general principles on environmental protection.

[Décret 630-2010](#), provides EIA regulations.

[Arrêté 039-2012](#), introduces a general guide on EIA.

Note: Chadian legislation has not been translated to English.

Guidelines

There is a general guide, introduced by decree 039-2012.

In addition, two other decrees related to environmental protection and EIA are noted:

- Decree 561 of 15 November 2004 prohibiting the use of green wood and charcoal for cooking bricks;
- Decree 904 / PR / PM / MERH / 2010 regulating pollution and nuisances.

Scope of application

All developments and works likely to have significant incidences and effects, as well as damaging consequences on the biophysical and human environment are subject to the prior authorization of the Minister in charge of the Environment.

An EIA can be required based on the project's environment, in particular in sensitive areas such as forests, arid or semi-arid areas subject to desertification, oases, wetlands, areas sheltering protected animal or plant species. or endangered, areas of historical and archaeological interest.

For category B projects, an impact notice is required rather than an EIA.

source

Décret 630-2010

Institutional setting

Central ESIA authority

The authority responsible for EIA is the 'Direction des évaluations environnementales et de la lutte contre les pollutions et nuisances', part of the ministry in charge of the environment.

Other key (governmental) parties

It is the competent authority (e.g. line ministry) which issues the administrative authorization for the implementation of the project, taking into account the approval of the ministry in charge of the environment.

Payment system

The client pays for the examination of the EIA report directly to the ministry in charge of the environment.

Contact

Direction des évaluations environnementales et de la lutte contre les pollutions et nuisances.

Tel.: +235 22 52 67 86

E-mail: minenv.po@intnet.td