

## Suriname

### EIA profile

**Updated to:** 19 August 2020

#### Overview ESIA procedure

The ESIA guidelines suggest the following steps of the ESIA process:

- Screening: Includes the categorization of a project
- Scoping: Formulation of Terms of Reference
- Assessment process
- Review process: done by NIMOS/NMA
- Decision making: NIMOS/NMA gives recommendations for issuing of sectoral permit
- Compliance Monitoring

Important documents of the ESIA process as suggested by the ESIA guidelines are: Starting document (Screening), Terms of Reference (Scoping), ESIA report, review report, response letter of NIMOS/NMA on license application.

source

Environmental Assessment Guidelines; volume I; 2009.

### Screening

#### Screening process

The non-binding ESIA guidelines provide for screening. NIMOS/NMA decides on the need for an ESIA.

The proponent submits an application with general information on the project to the permitting agency, who sends the documents to NIMOS/NMA for an advice on the need for an ESIA. NIMOS/NMA uses the screening guidelines (Annex 1 of the ESIA guidance) and the screening list (Annex 2 of the ESIA guidelines) to decide on screening. Annex 1 provides a screening process consisting of several steps and a checklist to identify impacts. The outcomes of screening is that the activity is categorised into one of the categories listed in Annex 2. These are :

- Category A activities are requested to submit a full ESIA.
- Category B activities need to submit additional information. Three paths are distinguished that can be the outcome after screening of the additional information: 1) No further assessment is required; 2) an Environmental management plan, social impact assessment/ waste management plans/ ESIA statement/ ecological impact study, etc are required; 3) a full ESIA is required.
- Category C activities do not require ESIA.

In case an ESIA is needed (Category A or B), this is announced in the media. When an ESIA is not requested for a Category B project, this is also published in the media. The public may appeal this decision.

### *Sensitive areas*

The screening checklist includes (under characteristics of the proposed area) a check on whether the project will affect any areas that are protected by legislation and/or have unique natural features.

source

Environmental Assessment Guidelines; Volume I; generic, 2009.

Annex 1 and 2, Environmental Assessment Guidelines, 2009.

Environmental Framework Law, May 2020, articles 22, 23 and 25

### **Contents of the starting document**

The information submitted with the application for a permit should contain:

- Name, address and contact point of the applicant;
- Location, site characteristics, design, size and duration of project;
- A non-technical explanation of the project, including purpose;
- Demonstration of need and justification;
- Detailed site plan, including a map;
- Possible impacts on the environment;
- Other information on request.

source

Environmental Assessment Guidelines; volume I; generic, 2009.

### **Timeline Screening**

NIMOS/NMA takes 14 working days between submission of the starting document and the screening decision.

source

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Environmental Assessment Guidelines; volume I; generic, 2009.

### **Scoping**

#### **Scoping process**

The voluntary ESIA guidelines give provisions for scoping.

After NIMOS/NMA has decided that an ESIA is needed, the proponent is required to publish an

announcement stating the intent to undertake the project, according to the ESIA guidelines. This may be accompanied with announcements of public consultations: where the public can make comments on issues that they would like to see addressed in the ESIA. The proponent organises this consultation. In the scoping phase, the proponent also proposes a Terms of Reference (ToR) to NIMOS/NMA. Annex 6 of the ESIA guidelines provide instructions for scoping (including a checklist). After assessing the ToR, NIMOS/NMA issues project specific guidelines for the content of the ESIA report. NIMOS/NMA may consult other authorities in setting the guidelines.

source

EA guidelines, 2009. Volume 1

### **Contents of the scoping document**

The ToR can be considered the scoping document in this system. The ESIA guidelines do not set out the content of the ToR, but do indicate which issues need to be considered when drawing up this ToR (in Annex 6 of the guideline). These guidelines have been developed to assist the applicant in determining the scope of the project, the scope of the assessment and to assist NIMOS/NMA in determining the sufficiency of the TOR.

source

Environmental Assessment Guidelines; volume I; generic, 2009

### **Timeline scoping**

No timeline is specified for scoping.

## **Assessment**

### **Assessment process**

The ESIA guidelines state that the ESIA should cover both social and environmental effects. The ESIA must be undertaken in accordance with the ToR approved by NIMOS/NMA. Upon completion of the ESIA, the project proponent must submit the following documents to NIMOS/NMA: An executive summary of the ESIA (also translated into Dutch), five hard copies of the ESIA and one digital version of the ESIA.

The guidelines do not prescribe a specific method for assessment. Review criteria for the ESIA report, as given in the Annex 10 do provide some suggestions on how to decide if a method is appropriate.

source

EA guidelines, 2009

### **Contents of the EIA report**

The recommended structure for the EIA report is:

- executive summary;
- legal and institutional framework;

- project description;
- justification for the project;
- evaluation of project alternatives;
- description of the existing environment (baseline);
- environmental impacts(positive and negative);
- Environmental Management Plan;
- significance of residual impacts (after mitigation);
- public consultation (including a list of stakeholders, methodology for consultation, public concerns & responses to those concerns);
- Monitoring Plan;
- plan for decommissioning;
- project impact management summary management table;
- references.

source

Environmental Assessment Guidelines; volume I; Annex 7 and 9, 2009.

### **Accreditation of consultants**

There is no accreditation system for consultants who deliver services in ESIA report preparation. However the new Environmental Framework Law stipulates that consultants need to have at least a BSC degree and 5 years of work experience in their specific areas of expertise.

source

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Environmental Framework Law, article 25

## **Review**

### **Review process**

Annex 8 of the ESIA guidelines describes the review process. NIMOS/NMA is responsible for undertaking ESIA review. After receiving the ESIA report from the proponent, NIMOS/NMA conducts a quick compliance check using a checklist and the project specific guidelines/ToR. NIMOS/NMA may request additional information.

Once the ESIA report is considered complete, NIMOS/NMA uses a Technical Circulation Checklist to determine which governmental agencies should receive the report with an invitation to submit comments.

The executive summary of the ESIA report is sent to potentially affected people. The public (all) may comment on it.

For the more in-depth review, the review team that NIMOS/NMA sets up, evaluates the ESIA report

against the checklist in Annex 10 (with an explanation in Annex 11) of the guidelines, and draws up a review report. The Review Report contains a project impact management summary table. This table compares the project action-potential impact-proposed mitigation measures-proposed monitoring plan and makes additional recommendations. The report conclusions include:

- a description of compliance with legal requirements (or non-compliance);
- recommendations for approval or denial of the Sectoral Permit;
- proposed conditions for the authorization, including the mitigation measures , the environmental management implementation plan and the monitoring plan.

Based on the review report, NIMOS/NMA drafts a response on the license application. This response letter of NIMOS/NMA should consolidate all technical review opinions.

source

Environmental Assessment Guidelines; volume I; generic, 2009, Annex 10 and 11.

### **Review expertise**

As indicated in the guidelines, checks include consultation with relevant government staff and the composition of a multidisciplinary team to undertake the review. NIMOS/NMA can decide to contract external expertise to assist the team. In the course of the review, NIMOS/NMA may organize a closed meeting with other government officials to discuss conflicting opinions.

source

Environmental Assessment Guidelines; volume I; generic, 2009.

### **Timeline Review**

The timeline is not specified. In practice it varies, a review can take between 60 and 135 working days. Following submission of the Draft ESIA Report, the project proponent is required to publish a public announcement that the ESIA is available for review by the public. The announcement must be published in two national daily newspapers and include information on where and how the ESIA documents can be accessed. The general public then has between 30 and 90 days, depending on the complexity of the project and level of public interest, to submit written comments to NIMOS/NMA. NIMOS/NMA may decide that a public meeting is required to gather any comments if there is sufficient public interest in the ESIA.

Following conclusion of the 30 to 90 day public commenting period, NIMOS/NMA has a further 30 working days to study the Draft ESIA Report and indicate to the project proponent whether additional information is required.

Should NIMOS/NMA require the Draft ESIA Report to be updated, the project proponent will update the ESIA Report to meet NIMOS's/NMA's requirements and shall submit a Final ESIA Report to NIMOS/NMA for final review and approval. NIMOS/NMA has 30 working days to review the Final ESIA Report.

source

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## Decision making

### Integration of ESIA into decision-making

The ESIA guidelines state that before any permit will be issued, NIMOS/NMA will receive the application for the permit and will submit a binding advice to the licensing agency both on approval/rejection of the project and on any environmental conditions that should be attached to this decision (e.g. by a sector ministry). For projects that NIMOS/NMA considers to require an ESIA, NIMOS/NMA will give advice on the project only after approval of the ESIA. Any conditions NIMOS/NMA advises can then be based on the ESIA outcomes.

The environmental advice from NIMOS/NMA will be classified into one of the following categories:

- Advice to prevent the project from proceeding - if the impacts of the project are so adverse that mitigation is not possible;
- Advice to allow the project to proceed with additional conditions - additional mitigation measures will be required in order to reduce the environmental impact of the project (NIMOS/NMA can include these measures as conditions in the advice); and
- Advice to proceed with the project, without additional conditions - the project impacts described in the ESIA Report are adequately mitigated and no further controls are required.

source

EA guidelines, 2009.

Final ESIA Block 54, Offshore Suriname, Tullow Oil 2017

### Decision justification

Apart from the information on the quality, accuracy and completeness of the ESIA study it is suggested that the ESIA review team responsible for the review, also reports on the justification of the approval (or denial) of the project. The binding advice from NIMOS/NMA is based on the Review Report and compiled into a letter for the decision-maker or the permitting agency.

Publication of the decision is the responsibility of the permitting agency.

source

EA Guidelines, 2009

### Timeline decision-making

Not specified in the guidelines, responsibility of the permitting agency.

source

NIMOS

## Possibilities for appeal

There are possibilities for appeal within the ESIA process, as set out in Annex 5 of the ESIA guidelines. Appeal must be made within 30 days of decision-making and is directed to the Minister for Environment. A hearing will be held on the appeal. The National Environmental Council advises to the minister on the appeal decision. The decision is provided within 30 days.

The public may appeal the screening decision or it may appeal the final ESIA review decision.

Anyone can make an appeal: government agencies, the proponent and the public.

source

EA guidelines, Annex 5, 2009

## Follow-up

### Compliance monitoring

According to the ESIA guidelines, monitoring of environmental conditions is a requirement. The proponent submits a monitoring plan and environmental management plan with the ESIA report. Annex 12 of the EIA guidelines gives extensive instructions for developing an environmental management system and plan. The guidelines state that the proponent is obliged to implement the proposed plan. The proponent also needs to conduct mandatory monitoring if it is required as an outcome of the ESIA.

According to the guidelines, NIMOS/NMA and the permitting agency review the monitoring results and post-decision evaluation every year, taking into account the implementation of the Environmental Management Plan. On the basis of the monitoring results, the permitting agency and NIMOS/NMA may require additional mitigation measures and/or requirements to the permit.

source

Environmental Assessment Guidelines; volume I; generic, 2009

### Non-compliance penalties

No information specifically for ESIA. The Environmental Framework Law however contains extensive information on penalties in relation to e.g. environmental offenses.

## Stakeholder engagement

### Public participation requirements for ESIA process stages

The ESIA guidelines set out requirements for public participation. Its importance during the scoping and review phases is highlighted.

The requirements for public participation as stated in the ESIA guidelines include dissemination of information and the organisation of a public hearing. The guidelines further suggest that NIMOS/NMA take a facilitating role, in receiving public comments and ensuring the proponent addresses these.

The public may make comments, both verbally and in writing, regarding issues to be addressed in the ESIA when the screening decision is published, and may later comment during the scoping phase and on the conclusions from the ESIA report.

Optional: Prior to formal Public Hearings, smaller community-based meetings can be held at which local residents and other interested parties will be given the opportunity to discuss their concerns in the presence of NIMOS/NMA and representatives of the proponent (including the study team). Also in attendance will be spokespersons for government agencies and research establishments who also make representations to the ESIA if needed.

source

EA guidelines, 2009

### **Timeline for public comments**

Not specified, also depends on whether or not a public hearing will be held.

During review, the general public has between 30 and 90 days, depending on the complexity of the project and level of public interest, to submit written comments to NIMOS/NMA.

### **Access to information**

NIMOS uses different communication and public participation mechanisms, as follows:

- A summary of the ESIA study, in non-technical language, will be required; this will be accessible at various easy-to-access locations, in the region where the project is proposed to be developed;
- During the review process, information regarding the major positive and negative impacts of the project, and the proposed mitigation measures will be disclosed in the media, via radio, newspapers and television by the proponent; full (complete) ESIA available at NIMOS/NMA.

source

EIA guidelines 2009

## **ESIA practice**

### **Annual no. of ESIA's**

The number of ESIA's has been growing steadily in the last years. In 2009, 14 ESIA's were reviewed by NIMOS/NMA. Exact data on the number of ESIA's are not available, as ESIA is still a voluntary process and NIMOS/NMA does not necessarily receive all ESIA's prepared. In an overview provided by NIMOS in 2017, over 100 ESIA's have been reviewed, of which over 50% is in the oil and gas sector.

source

NIMOS

### **Central ESIA database**

There is no central ESIA database, but NIMOS/NMA does keep records on all the ESIA's that it advises on. This repository website has been created to facilitate the public with information and download links regarding ESIA studies that have been conducted.

<https://sites.google.com/view/nimos-eia-repository/home>



## Professional bodies

No information

## Relevant links

Website of NIMOS

## Background information

### History of ESIA

ESIA practice is relatively young in Suriname. Although ESIA's were conducted before the existence of NIMOS (1998) there was never an established ESIA system as such. The ESIA approach that NIMOS has introduced was drafted in the year 2001 and disseminated from 2003 onwards.

source

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## Legal framework

### Enabling law

National Environmental Framework Law, 7 May 2020

source

[http://dna.sr/media/291351/SB\\_2020\\_97.pdf](http://dna.sr/media/291351/SB_2020_97.pdf)

### National detailed regulation

ESIA regulation and procedures have been drafted, but not yet formalised.

### Guidelines

Five (voluntary) guidelines have been issued: a generic guideline on ESIA (updated in 2009) and guidelines for ESIA for Power Generation and Transmission, Social Impact, and one for ESIA in Forestry and Mining. All were issued by NIMOS.

New versions of the guidelines became available in 2017 in English and Dutch.

A ESIA guideline for offshore oil and gas development is being drafted and expected to become available in October 2020.

source

NIMOS

### **Scope of application**

The generic ESIA guidelines state that all activities which are likely to have adverse environmental impacts are subject to ESIA, and that ESIA applies to both public and private initiatives.

source

EIA guideline part I (2009)

### **Exemptions from application**

The ESIA guidelines state that project proponents may apply for an exemption from ESIA in cases where:

- immediate project implementation is required to address matters of health or safety, or to prevent environmental damage;
- for matters of national importance;
- if an ESIA for the activity has been approved before, and the ESIA has not changed considerably since then, and public debate has been adequate.

The ESIA guidelines states that NIMOS may exempt activities subject to ESIA from the ESIA obligation in certain cases.

source

Environmental Assessment Guidelines; volume I; 2009.

## **Institutional setting**

### **Central ESIA authority**

Within ESIA practice, the National Institute for Environment and Development (NIMOS, now NMA) has a central role. NIMOS was set up in 1988 as the executive and research arm of the National Council for the Environment (NRM), which provides the government with advice on the development of environmental policy and its implementation. When the Ministry for Labour, Technological Development and Environment was set up in 2000, NIMOS was given additional responsibility to advise on environmental management to this ministry, as well as to report on progress with implementation.

NIMOS has issued guidelines on ESIA, advises on screening decisions for ESIA, advises on the scope of EsIAs, and reviews the ESIA reports prepared.

The 2020 Environmental Framework Act establishes the National Environment Authority (NMA) as an independent administrative body with legal personality, that budget-wise comes under the Ministry of the Interior. NIMOS and the Coordination Environment under the Cabinet of the President are now merged into the new NMA.

source

Environmental Assessment Guidelines; volume I; 2009.

**Other key (governmental) parties**

NIMOS (now NMA) works in close cooperation with line ministries and administrative bodies responsible for the approval of projects that affect the environment.

**(De)centralisation of mandates**

No specifications for decentralisation of ESIA mandates have been made.

source

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**Payment system**

The payment of a fee for processing the ESIA is not yet a mandatory aspect of the ESIA system.

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(National Institute for Environment and Development in Suriname), in 2020 renamed to NMA (National Environmental Authority)

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