Biodiversity and Impact Assessment in Asian Countries

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PRESENTATION ‘A’
The presentation aims to:

• Provide an overview of EIA and biodiversity aspects in select Asian countries, based on IUCN’s work over the past several years
• Serve as additional insight into relevant issues
• Provide input to decisions taken on regional and country level implementation of the CBBIA project
Coverage of IUCN Asia
Key issues - EIA and Biodiversity

MEAs/CBD

• Weak understanding of MEAs and country obligations
• Inadequate understanding of the concept of biodiversity
• Missing, incomplete or inaccurate baseline data on biodiversity
• Weak status of institutional framework
• Human concerns given precedence over biodiversity - livelihood aspects of biodiversity not considered
• Insufficient coverage of biodiversity in EIA regulations - NBSAPs not recognised
Key issues - EIA and Biodiversity…cont’d

EIA/SEA

• Poor legal basis for EIA
• Misconceptions about EIA process
• Time and resource constraints
• Inadequate institutional and technical capacity, with a limited pool of trained human resources and “tools” at national level
• Vague Terms of Reference (ToRs) for EIAs
• Poor stakeholder participation; perceived to be “green wash”
Key issues - EIA and Biodiversity…cont’d

• No concept yet of SEAs; EIA very much project/donor driven
• Lack of awareness, public involvement and literacy
• Use of political power in EIA decision making process
• Post EIA monitoring non-existent
Key issues - EIA and Biodiversity…cont’d

EIA & CBD

• Development plans do not integrate EIA & biodiversity
• Lack of political will to give consideration to EIA findings on biodiversity
• Indifference towards indirect impacts related to biodiversity
• Conditions for EIA and biodiversity are often tied to donor support - there is limited “endogenous” commitment
• Huge difference in definitions of “environment” across region
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<th>Country</th>
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<td>Afghanistan</td>
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<td>1993 - acceptance stage</td>
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<td>Lao PDR</td>
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Status of relevant legislation

South Asia

Bangladesh
- EIA legislation for industrial projects does not place emphasis on biodiversity/ecosystems
- Environment Conservation Act (ECA) 1995
- Environmental Conservation Rules (ECR) 1997
- NBSAP to be finalised in April 2004

India
- Coastal Regulation Zone (1991)
Status of relevant legislation...cont’d.

India

♦ Public Hearing Notification (1997)
♦ National Environment Appellate (1997)

Nepal

♦ Nepal Environmental Policy and Action Plan (NEPAP) 1993
♦ Environmental Protection Act (1996) makes integration of biodiversity mandatory
♦ Environment Protection Act 1996 requires EIA study to be conducted
♦ National Biodiversity Action Plan (BAP) under implementation
♦ No mention of biodiversity as a specific concern for EIA in EPA (1997)
♦ Environment Protection Regulations enacted (1997)
Status of relevant legislation…cont’d.

Pakistan

- EIA legal requirement in The Pakistan Environmental Protection Ordinance (PEPO 1983) – converted to Pakistan Environmental Protection Act (PEPA 1997) – biodiversity issues not addressed
- EIA regulation strong (1988)
- Issuance of a No Objection Certificate (NOC) mandatory for development projects
- BAP prepared (1996)
- Pakistan Environmental Protection Act (PEPA) (1997) but biodiversity issues not addressed in depth
- Policy and procedures for EIA (1997)
- Guidelines for preparation and review of Environmental Reports (1997)
- Guidelines for Public Consultation (1997)
Status of relevant legislation…cont’d.

Pakistan

♦ EIA rules and regulations notified (2000)
♦ Public Hearing Notification (1997)
♦ National Environment Appellate (1997)

Sri Lanka

♦ Separate guidelines for public participation issued
♦ Guides for project approving agencies, conducting environmental scoping, social impact assessment
♦ Biodiversity not mentioned as a specific concern of EIA.
Status of relevant legislation…cont’d.

Southeast Asia

Lao PDR

♦ Environment Protection Law does not mention biodiversity as a specific concern of EIA
♦ General Regulations on EIA adopted in 2000
♦ Regulation on the Management of the National Biodiversity Conservation Area (NBCA), Aquatic and Wild Animals
♦ National Environment Quality Monitoring Programme (NEQMP) 2003–2010
♦ National Biodiversity Strategy and Action Plan (NBSAP) being developed
Status of relevant legislation…cont’d.

Thailand

Vietnam
♦ EIA legislation poorly implemented
♦ Environmental Protection Law (1993) being revised (2005) and EIA being considered
♦ BAP prepared (1995)
Examples of effective integration

Making a Start

- Participatory Strategic Planning Workshop for Strengthening EIA Capacity - Kathmandu, Nepal (1999)
- Establishment of the South Asian Regional Environment Assessment Association (SAREAA) - 1999
- National Environmental Assessment Associations (NEAA) formed under SAREAA in India, Nepal, Pakistan, Sri Lanka
- IUCN Asia Programme focusing on EA and biodiversity issues – training workshop to be held in 2004; NBSAPs and integration of EIAs
Examples of effective integration

Making a Start…cont’d.

– Proposal developed on “Integration of biodiversity concerns in EIA process of seven Asian countries” - Bangladesh, Cambodia, Lao, Nepal, Pakistan, Sri Lanka and Vietnam

– Gaps and opportunities identified for improving EIA guidelines in Bangladesh, Bhutan, India, Nepal, Pakistan and Sri Lanka
Examples of effective integration

Making a Start…cont’d.

– Database of biodiversity experts in Asia being prepared
– The IUCN Mekong Biodiversity Project and Mekong Wetlands Programme actively working on integration – preliminary EIA of navigation channels in the Mekong
Examples of effective integration: country-specific

South Asia

Bangladesh

- Study of Environmental Impact of 1998 Flood in Dhaka – assessment of damage to biodiversity

India

- 6 pipeline projects for transportation of crude oil and natural gas evaluated and mitigation measures suggested by integrating biodiversity concerns in EIA
- Integrated EIA of Liquefied Natural Gas (LNG) Import Terminal and Regasified LNG pipeline in Pipavav-Jhanjhmer-Hazira Regions.
- Silent Valley and Bodhghat hydroelectric Projects abandoned for fear of loss of biodiversity
Examples of effective integration…cont’d.

India
- EIA being introduced as a part of the course curriculum in universities
- Expertise from regional level is used for developing best practice guides for various projects

Nepal
- Protected Area Planning System – provisions of buffer zone regulation, the Parks and People Programme, community forestry programme
- Criteria and methodology for biodiversity assessment (Participatory Biodiversity Assessment Methods) prepared by IUCN
Examples of effective integration…cont’d.

Pakistan

♦ IUCN Pakistan actively working on EIA and environmental audits
♦ Pakistan Environment Assessment Association (PEAA) formed in 1999
♦ EIA study conducted on Ghazi Barotha Hydropower Project
♦ Detailed EIA study conducted on Hub Thermal Power Station
♦ EIA conducted on Nara Chotiari Dam Project
♦ Biodiversity assessment of Kirthar National Park undertaken
♦ Impact Assessment of gas pipeline in Balochistan: impacts on biodiversity
♦ EIA courses being undertaken in universities
Examples of effective integration…cont’d.

Sri Lanka

- IUCN conducted comprehensive biodiversity assessment in Maduganga mangrove wetland (2000 and 2001)
- Protected areas were created within the Mahaweli development zone (1977 onwards) – Wasgomoowa National Park, Maduru Oya National Park, Flood Plains National Park, Victoria-Randenigala- Rantembe Sanctuary
- Separate guidelines for public participation issued
- EIA related courses and programmes being offered in universities
Examples of effective integration…cont’d.

Southeast Asia

Lao PDR

- Protected Area Planning Systems – IUCN’s contribution to National Biodiversity Conservation Areas (NBCAs)
- GoLPDR has adopted policies to strengthen EA capacity: development of The National Third Party Monitoring Guidelines
- Independent Third Party Environment Monitoring of Rural Access Roads Project (environmental guidelines, capacity building)
Examples of effective integration…cont’d.

Thailand
◆ IUCN is a member of a Royal Thai Government committee overseeing an EIA for the blasting of rapids in the Mekong River in Thailand

Vietnam
◆ EIA for hydropower project in Na Hang approved by Government – IUCN prepared supplementary EIA covering biodiversity issues
Examples of poor integration: country-specific

South Asia

Bangladesh

- Non-compliance of EIA regulations has led to “development disasters”
- Sustainable environmental practice not ensured: EIA reports meet procedural requirements only
- Building of the Jamuna multi-purpose bridge

Nepal

- EIA guidelines do not mention the need of a biodiversity expert in the EIA team
- Presently biodiversity conservation issues in EIA are expressed in terms of existing forest types
Examples of poor integration: country-specific…cont’d

Nepal
♦ Poor mitigation measures for the conservation of biodiversity
♦ National EIA requirements are ignored
♦ Consideration for sites important from a biodiversity point of view cover protected areas only

Pakistan
♦ Fauji Oil Terminal Company (FOTCO) opening of oil terminal in mangrove forests- massive destruction
♦ Construction of highway from Islamabad to Lahore resulted in loss of species
♦ The construction of Karakorum Highway has resulted in loss of species and habitats
♦ Pakistan Motorway Project not subjected to EIA
♦ Construction of Lyari Expressway uproots 20,000 people – no EIA conducted
Examples of poor integration: country-specific…cont’d

Southeast Asia

Lao PDR
- EIA limited to projects funded by multilaterals
- Dependent on foreign expertise; no national capacity building
- Controversial dam projects affected by political and economic pressures (NNT 2)
- Peer review of EIAs not given time
Examples of poor integration: country-specific…cont’d

Vietnam

♦ Construction of the Ho Chi Minh highway cutting across PAs and not taking biodiversity impacts into consideration
♦ Coastal development projects not taking EIA and biodiversity into consideration
Summary of strengths and weaknesses, barriers to effective integration

Strengths

– Some progress in level of training
– Increasing number of experts and professionals available at regional level
– Increasing interest in ensuring that biodiversity concerns are effectively addressed.
– Increasing numbers of EA practitioners and the rise of national level professional EA organisations
– Enhanced awareness
Summary of strengths and weaknesses, barriers to effective integration...cont’d.

**Weaknesses/Barriers**
- Weak legal basis of EIA
- Lack of support for EIA or trust in its effectiveness
- Institutional frameworks lacking in status and political clout
- Lack of public interest and awareness in EIA
- Inadequate institutional and technical capacity and baseline information for sound decision-making on biodiversity issues
- Lack of interaction between EIA professionals and biodiversity experts
Summary of strengths and weaknesses, barriers to effective integration...cont’d.

Weaknesses/Barriers
– Lack of resources
– Environmental concerns are easily overridden by economic considerations.
– Lack of inter-sectoral co-ordination within the government
– Politicised decision making in mega-projects
– EIA only undertaken to fulfill a legal requirement
– Weak environmental lobby
Thank you