LEGAL FRAMEWORK FOR ENVIRONMENTAL IMPACT ASSESSMENT IN WESTERN AFRICA

		BENIN	BURKINA FASO	CABO VERDE	CHAD	COTE D'IVOIRE	GUINEA	GUINEA-BISSAU	MALI	MAURITANIA	NIGER	SENEGAL	THE GAMBIA	TOGO
TERMINOLOGY	EIA: Environmental Impact Assessment; ESIA: Environmental and Social Impact Assessment; ESMF: Environmental and Social Management Framework; ESMP: Environmental and Social Management Plan	ESMP: Environmental and Social Management Plan EIA: Environmental Impact Assessment SESA: Strategic Environmental and Social Assessment NIE: Environmental Impact Notice CCE: Certificate of Environmental and Social Compliance ABE: Beninese Agency for the Environment MCVDD: Ministry of Living Environment and Sustainable Development (Ministry in charge of the Environment)	ESMP: Environmental and Social Management Plan EIA: Environmental Impact Assessment ESIN: Environmental and Social Impact Note EA: Environmental Assessment SEA: Strategic Environmental Assessment ESG/P: Environmental and Social Guidelines/Prescriptions.	EIA : Avaliação de Impacted Ambiental (AIA) EMP: Plano de Gestão Ambiental (PGA) EIS: Estudo Ambiental Simplificado (EAS) OHS : Saúde e Segurança no Trabalho (SST) ToR : Termos de referência (TdR) Apresentação de Medidas de Gestão Ambiental (Relatório) IEE: Categorização de projecto SEA: Avaliação Ambiental Estratégica (AAE) ToR : Termos de referência (TdR)/Definição de Ambito	ESMP: Environmental and Social Management Plan EIA: Environmental Impact Assessment ESIN: Environmental and Social Impact Note EA: Environmental Assessment SEA: Strategic Environmental Assessment DEELCPN: National Department of Environmental Evaluations and the Fight against Pollutions and Nuisances ESG/P: Environmental and Social Guidelines/Prescriptions.	EMP: Environmental Management Plan EIA: Environmental Impact Assessment CIE: Environmental Impact Statement EA: Environmental Assessment (EIA or CIE) SEA: Strategic Environmental Assessment ANDE: National Agency for the Environment MINEDD: Ministry of the Environment and Sustainable Development	Impact Notice FF: Environmental	EA: Avaliacao Ambiental EIA: Estudo de Impacted Ambiental SEA: Avaliacao Ambiental Estrategica ESMP: Plano de Gestão Ambiental e Social (PGAS) ESMF: Quadro de Gestao Ambiental e Social RP: Plano de Compensacao e Reinstalacao or Plano de Reinstalacao	DNACPN: National Direction of Sanitation and Control of Pollutions and Nuisances	EIA: Environmental Impact Assessment EMP: Environmental Management Plan IEA: Initial Environmental Analysis SEA: Strategic Environmental Assessment TOR:Terms of Reference NAP: National Adaptation Plan	ESMP: Environmental and Social Management Plan EIA: Environmental Impact Assessment ESIN: Environmental and Social Impact Note EA: Environmental Assessment SEA: Strategic Environmental Assessment BNEE: National Office for Environmental Assessment ESG/P: Environmental and Social Guidelines/Prescriptions.	EIA: Environmental Impact Assessment EMP: Environmental Management Plan IEA: Initial Environmental Analysis SEA: Strategic Environmental Assessment TOR:Terms of Reference DEEC: Direction de I'Environnement et des Etablissements Classes	EIA: Environmental Impact Assessment EIS: Environmental Impact Statement EMP: Environmental Management Plan NEA: National Environment Agency NEMA: National Environment Management Act TOR: Terms of Reference	CCE: Certificate of Environmental Compliance ESMP: Environmental and Social Management Plan EIA: Environmental Impact Assessment EE: Environmental Assessment ANGE: National Environmental Management Agency MERF: Ministry of Environment and Forest Resources
ENVIRONMENTAL AUTHORITIES	Entities and authorities with key responsibilities in the EIA process.	Agence Beninoise pour l'Environnement (ABE)	National Agency of Environmental Evaluations (ANEVE) Sectoral government agencies (proponents)	Ministry of Agriculture and Environment (MAA) National Directorate of Environment (DNA) Municipalities National Institute of Planning (INGT) Evaluation Committee (established by each project, including DNA, INGT, Municipality where the project will be implemented, and representative of the sector-related entity)	National Department of Environmental Evaluations and the Fight against Pollutions and Nuisances (DEELCPN) Sectoral government agencies (proponents)	ANDE	AGEE	Environment and Biodiversity Ministry (MAB); . Instituto Nacional do Ambiente (INA) .Competent Environmental Authority (AAC) Competent Environmental Assessment Authority (AAAC) Biodiversity and Protected Areas Institute (IBAP-Instituto da Biodiversidade e Areas Protegidas)	National Direction of Sanitation and Control of Pollutions and Nuisances (DNACPN) Sectoral government agencies (proponents)	Ministry of the environment and sustainable development (Ministere de l'Environnement et du Developpement Durable: MEDD) Ministry concerned by activities or project Department of Environmental Assessment and Control (Direction de l'Evaluation et du Control Environnemental: DECE) Regional Delegation of the Environment (Delegation Regionale de l'Environnement)	National Office of Environmental Evaluation (BNEE) Sectoral government agencies (proponents)	Ministry in charge of Environment; Directorate of Environment [Direction de l'Environnement et des Etablissements Classes (DEEC)]; National technical committee including involved sectoral ministries, local authorities, socio-professional organizations, and private sector; Regional Committee for Environmental and Social Monitoring (Comité Regional de Suivi Environmental et Social : CRSE).	National Environment Agency (NEA)	National Agency for Environment management (ANGE); Interministerial adhoc Committee of validation Ministry of Environment and Forest Resources(MERF, in charge of delivery of Certificate of Environmental Compliance-CCE-).
DECISION-MAKING RESPONSIBILITY	Authority responsible for the evaluation and final decision in the EIA process.	Based on a technical opinion provided by the ABE, the MCVDD shall issue the final decision on whether or not to grant the CCE.	National Agency of Environmental Evaluations (ANEVE)	Ministry of Agriculture and Environment (MAA) National Directorate of Environment (DNA)	National Department of Environmental Evaluations and the Fight against Pollutions and Nuisances (DEELCPN)	MINEDD signs the EIA approval order	AGEE for the EEs and the Minister of MEDD for the signature of the CCE	Since March 2020, the MAB consolidates under its responsibility four other institutions that work together to achieve sustainability objectives: (a) Institute of Biodiversity and Protected Areas (IBAP), created in 2004 to manage all protected areas in the country; (b) Competent Environmental Assessment Authority (AAAC), to implement the Environmental Assessment Law, and issue permits, licenses and titles for different economic activities or for research and extraction of natural resources, such as agriculture (and forestry), fisheries, mining, roads, ports, power plants, power lines, dams, etc.; (c) Environmental Fund; and (d) the recently created INA, with a mission of integrating environmental management policies and sustainable development. Outside protected areas or conservation areas, the Direcao Geral de Fauna e Florestas (DGFF) (D.G. for Fauna and Forests) are responsible for the preservation of protected fauna and flora.	National Direction of Sanitation and Control of Pollutions and Nuisances (DNACPN)	Ministry of Environment and Sustainable Development Ministry concerned by the activities or project Department of Environmental Assessment and Control	National Office of Environmental Evaluation (BNEE)	Ministry in charge of Environment; Directoriate of Environmente [Direction de l'Environnement et des Etablissements Classes (DEEC)]; National technical committee including involved sectoral ministries, local authorities, socio-professional organizations, and private sector; Regional Committee for Environmental and Social Monitoring (Comité Regional de Suivi Environmental et Social: CRSE).	National Environment Agency	National Agency for Environment management (ANGE); -Interministerial adhoc Committee of validation On the technical advice of ANGE, the MERF in charge of the evaluations, grants or not the CCE.
DEFINITION OF EIA	Characteristics of EIA according to the legal framework.	The EIA is the procedure that allows determining the possible impacts of the realization or execution of a project on the environment, and the project's insertion in its environment throughout its entire cycle.	An ESIA has to be prepared by a project promoter, i.e. any natural or legal person, private or public author of a request for an environmental feasibility certificate concerning a development project or program. ESIAs allow a promoter to develop a plan, design and implement a development program or project that minimizes adverse environmental effects and maximizes benefits in terms of cost effectiveness. It also aims at allowing, on one hand, the public to better understand the development project or program and its impacts on the environment and the populations concerned, and, on the other hand, the authority to take an informed authorization decision.	EIA:The instrument of preventive environmental policy, based on the realization of studies and consultations, with the effective participation of the public and the analysis of possible alternatives, which aims to collect information, identify and determine the effects on the environment of certain projects, as well as the identification and proposal of measures to avoid, minimize or compensate for these effects, with a view to a decision on the feasibility of the execution of these projects and their respective post evaluation.	An EIA makes it possible to identify, assess, evaluate and measure the direct and indirect effects in the short, medium and long term on the environment of any project. An Environmental Impact Notice is a lightweight form of the EIA to which Category B projects are subject. An EIA has to be prepared for all the projects related to facilities, structures and works likely to have significant environmental impacts and effects, as well as harmful consequences on the biophysical and human environment, especially in particularly sensitive areas.	EIA: Set of processes used to assess the effects of an activity on the environment and to propose all measures or actions with a view to eliminating, reducing or mitigating the harmful effects for the environment likely to be caused by such an activity.	procedure which	Environmental assessment is defined as a preventive policy instrument that consists of a systematic process of evaluating and managing the environmental and social risks, at the various stages of decision-making, with the objective of harmonizing the needs of economic growth with the promotion of social equity and preservation of the natural environment, as well as the protection of the needs of current generations without compromising the needs of future generations.	EIA has to be prepared by project promoters for all activities likely to harm the environment and the quality of the living environment. Legal texts make a distinction between a simplified ESIA (called "environmental and social impact notice ESIN") and an in-depth ESIA.	Decree Number 105-2007 definition EIE:: Under the terms of this decree, it is to be understood by: "Environmental Impact Study" the document required under the conditions established by this decree and by any other regulations in force, making it possible to assess, evaluate and measure the direct effects indirect and cumulative effects in the short, medium and long term on the environment of any project submitted to the related procedure. The Environmental Impact Study is submitted in support of the request prior to the carrying out the activities referred to in this decree. The impact study procedure defines, provides for, interprets and communicates information on the impacts of a proposed project on the natural environment (air, water, soil, flora, landscape, etc.), as well as on the human environment (social, economic and cultural) to optimize the benefits for project proponents, taking into account the knowledge and opinions of the public and the parties stakeholders.	EIA aims to identify impacts and mitigation measures, and get approval from BNEE. EIA refers to the activities, works and planning as well as the administrative approach to be followed for the integration of environmental concerns in the planning of programs, projects, and socio-economic development activities.	Article L 48 of the Environment Code defines environmental assessment as a systematic process consisting in assessing possibilities, capacities and functions of resources, natural systems and human systems in order to facilitate sustainable development planning in general and anticipate and manage adverse impacts and consequences of proposed developments in particular. There are 4 types of studies: (i) Environment impact studies which apply to project or programs with known components and implementation sites. These projects/programs may have a potentially important negative incidence on the environment which could be irreversible and affect a wider area. These are generally projects/programs of fairly sizeable scope and/or planned to be implemented in sensitive zones; (ii) The strategic environmental assessment intends to assess environmental impacts of decisions made for policies, plans and programs and their alternatives, and regional and sectoral studies; (iii) Audits of regulatory compliance for exploitation units authorized before the 2001 environment code or which had not been subjected to an environmental assessment as provided for by said code. (iv) The initial environmental analysis (IEA) is intended for projects, often of reduced scope, that might have limited impacts on the environment, which are generally contained to a restricted area and may be mitigated by simple measures.	EIA Regulations 2014:The process of screening, scoping, environmental impact study, review, decision making and monitoring, an assessment of environmental effects of the project that is conducted in accordance with the Act and these Regulations. National Environment Management Act, 1994: a systemic examination conducted to determine whether or not an activity may have adverse impacts on the environment.	EIA: Procedure for identifying, defining, evaluating the direct or indirect short, medium and long-term impacts of projects on the environment and proposing measures to remove, mitigate, avoid or compensate for negative impacts and improve positive impacts on the environment.
TYPES OF EIA INSTRUMENTS	Different types of EIA instruments, their level of complexity, and their focus. The fiffrent categories as specified in the regulation.	Two different instruments: (a) Detailed and in-depth ESIA and (b) simplified ESIA.	Category A: Project with env and social impacts, requiring a complete/full ESIA; Category B: Project with moderate impacts, requiring a simple Environmental and Social Impact Notice; and Category C: Project with no significant E&S impact requiring simple environmental and social guidelines/prescriptions.	Category A: activities that have a high impact on the level of environmental degradation, including noise pollution, and other direct adverse effects on public health. => environmental impact assessment (EIA); Category B: activities that have a moderate impact on the level of environmental degradation, including noise pollution, and other direct adverse effects on public health. and other direct adverse effects on public health => simplified environmental study; Category C: activities with a low impact on the level of environmental degradation, including noise pollution and other direct adverse effects on public health. other direct adverse effects on public health. other direct adverse effects on public health => Environmental Management Plan (EMP)	Category A: projects that may have various and significant effects on the environment, requiring an EIA); Category B: projects that may have easily identifiable and limited effects on the environment and whose means of mitigating them are generally known (these projects are subject to the production of an environmental impact notice (NIE); Category C: projects with no significant effects on the environment, for which neither an EIA nor an impact statement is required).	Two different instruments: EIA Environmental Impact Statement (CIE)	Two different instruments: (a) Detailed and in-depth ESIA and (b) NIES: a superficial or simplified ESIA.	Instruments: EIA, SEA, Risks and Hazards Analysis, Environmental Audit, Economic Environmental Assessment, Environmental Permit, Environmental Monitoring, ESMP, ESMF, RP, Public Participation. Project Categories: Cat A: high risks of diversified negative and very significant impacts on the environment and human health, often at a large scale, and mostly irreversible -require a full EIA. Cat. B: environmental and social negative impacts less significant than Cat A, and usually localized and that can be mitigated with special measures; require a simplified EIA. Cat. C: none or insignificant negative impacts on the environment and human health. After the screening, no further environmental assessment is required.	Category A projects: Projects that may have very negative impacts, generally irreversible, unprecedented, most often felt in a larger area than the sites subject to the works. Category B projects: Projects whose negative impacts on the environment and on populations are less serious than those of category A projects. These impacts are of a delimited and rarely irreversible nature. Category C projects: Projects whose negative impacts are not significant on the environment (these projects need a ESIN)	There are two types of instruments: EIS: Environmental Impact Study is the most completed study EIN: Environmental Impact Notice, is the lowest environmental study	Category A projects, with more substantial E&S impacts, are subject to a detailed EIA. Category B projects, with moderate E&S impacts, are subject to an Environmental & Social Impact Notice (ESIN). Category C projects, with low E&S impacts, are subject to E&S requirements. Category D projects are not subject to any specific measures.	Article R 40 of the Decree n°2001-282 of April 22, 2001 on the application of the Environment Code establishes the obligations of authorities as well as of project and program promoters. Depending on the potential impact and the nature, scope and localization of the project, project types are classified in one of the following categories: i) category I - projects are likely to have significant impacts on the environment; a study that assesses impacts on the environment will enable the integration of environmental considerations in the project's economic and financial analysis; this category requires an in-depth environmental assessment; (list of projects concerned in Annex I of the decree); ii) Category 2 - projects have limited impacts on the environment or impacts may be mitigated by applying measures or modifications to their design; this category is subject to an initial environmental analysis (IEA); (list of projects concerned in Annex 2 of the decree).	EIA Classification: A - requires submission of an environmental impact statement; B - requires submission of additional information C - approved or rejected	Three different instruments:: (a) In-depth EIA (b) Simplified EIA (c) Environmental and Social Management Plan (ESMP)
SCREENING	Procedure to determine whether an activity is subject to EIA and the extent of the respective study.	The regulations specify the 4 different categories of projects to be submitted to environmental assessment: Category A projects are subject to In-Depth or Detailed EIA Category B projects are subject to Simplified EIA Category C projects are subject to NIE Category D projects are not subject to EE	The screening process aims to determine which project activities are likely to have adverse impacts; (i) determine which project activities are likely to have adverse impacts); (ii) determine appropriate mitigation measures for activities with adverse impacts; (iii) identify activities requiring separate EIA; (iv) describe the institutional responsibilities for the approval of the results of the screening including the categorization of the E&S risks associated with the activities, the implementation of the mitigation measures and the dispositions to be taken before the completion of civil works.	The proponent undertakes the work of characterizing the project's environment to the authorities for the purpose of applying for the categorization process to determine if an EIA (Category A), a Simplified EIA (Category B) or just a presentation of Environmental Measures (Category C) is required; Proponent submits the relevant aspects to be studied under the EIA.	The project promoter in accordance with DEELCPN undertakes a screening process to determine whether or not there is a likelihood of significant adverse impacts that require further investigation, or whether a decision can be made based on the information provided by the screening process.	The law and regulations list the types of projects and activities that require an EA in Annexes I, II and III. - Annexes I and III list the projects that require an EIA; - Annex II lists the projects that require an CIE.	determination of the	The proponent submits to the AAAC a summary of the project including its characteristics, size, location, activities, and all other information to enable the authority to determine the category of the project (A,B or C) and the type of EA instrument required.	EIA is an integral part of projects and programs and the results of the impact study are included in the submitted file for obtaining administrative authorization. The promoter is responsible for carrying out the study for the constitution of the ESIA file and covers the relevant costs. The promoter also guarantees the implementation of corrective, mitigation and/or compensation measures for the negative impacts of the project and is responsible for the internal monitoring/control in accordance with the required standards.	The screening tool is not relevant in the Mauritanian legal framework. Appendix I of decree 105-2007 relating to environmental assessments lists works, activities and developments in two categories: Category A for those subject to an EIA, or Category B for those subject to an NIE. This list is not exhaustive and is incomplete	The screening process aims to (i) determine which project activities are likely to have adverse impacts); (ii) determine appropriate mitigation measures for activities with adverse impacts; (iii) identify activities requiring separate EIA; (iv) describe the institutional responsibilities for the approval of the results of the screening and the implementation of the mitigation measures.	The proponent undertakes, in close collaboration with the Environment Agency, a preliminary environmental diagnosis including problem identification, preliminary consultations, field reconnaissance and initial project summary description. This work will allow to classify the project and determine the level of assessment to be carried out (Detailed EIA or IEA).	Schedule A of the NEMA lists projects requiring an EIA; The proponent completes and submits a screening form to the NEA with information on the proposed project. The NEA classifies the project and gives reasons for such classification.	The law and regulations provided for an environmental selection sheet which makes it possible to classify the project in three categories: Category A for projects subject to In-Depth EIA Category B for projects subject to Simplified EIA Category C for projects subject to ESMP.
SCOPING	Procedures by which EIA's scope and focus are defined (through consultation on planned activity with stakeholders and dissemination of information on the proposed activity); in the absence of a specific procedure, the regulations define the minimum scope.	The ABE notifies the project promoter of the nature, scope and extent of the EIA that it must prepare. The project promoter is officially provided with the general and specific guidelines and administrative procedure for conducting an impact study, and is requested to prepare the ToR according to the type of EIA required.	ANEVE will determine the appropriate category of the sub-project as well as the E&S work to be carried out in accordance with the regulations governing the conditions and procedures for the implementation and validation of the EIA and social impact notice (three categories of activities are distinguished, that are likely to have significant direct or indirect environmental and social impacts).	The proponent submits the Scope of the EIA to the AIA authority. The definition of scope is optional. After reviewing the proposal and the information provided by the proponent, as well as a site visit if needed, the authorities approve the ToR with or without recommended modifications. The EIA must be conducted by an accredited consulting team.	Procedures include six steps, including guidelines for project promoters on how to prepare an EIA, the organization of public consultations, issuance of an environmental permit by the Ministry of Environment, and monitoring and evaluation procedures. The six steps are the following: (i) preparation and transmission of a directive indicating EIA nature and scope from Minister of Environment to project promoters; (ii) elaboration of EIA by project promoter; (iii) public information to enable community participation in decision making process; (iv) assessment of EIA by ministry of environment; (v) official transmission of both EIA and Ministry of Environment agreement for final administrative decision, and (vi) environmental monitoring of project in collaboration with Ministry of Environment and relevant sectoral Ministries.	Upon receipt of the project opinion, ANDE draws up the ToRs for the type of study that the promoter must carry out on the basis of the nature, scale, scope and sensitivity of the receiving environment. A field visit is generally carried out for the preparation of the initial version of the ToRs of the EIA.	submission of the project opinion, the promoter submits the	Following the screening process and the determination of the EA instrument by the AAAC, at the scoping phase the proponent must submit the draft TOR to the AAAC for validation. After reviewing the draft TOR and any complementary information requested, as well as based on the results of a site visit if needed, the AAAC approves the TOR. In some cases, depending on the category, the list of approved companies or experts to preform the environmental studies is also approved together with the TOR.	Procedures for the preparation of the EIA include 9 different steps, from preparation and classification of activities (according to their impact), the organization of public consultations, the integration of environmental clauses in the tenders, and monitoring and evaluation.	After the activity has been classified by the promoter and validated by the DECE, a document called the Terms of Reference is prepared by the person in charge of the activity, after its approval by the DECE. A scoping meeting is convened by the Ministry of the Environment and the ministerial department concerned by the activity to better orient, frame and adjust the study and identify its partners and the modalities of consultations and public inquiries. After the study, the document is evaluated by the department and a decision on its environmental feasibility is made.	The screening process includes 9 different steps, including the definition of the level of risk; the approval by the BNEE of the risk rating; the preparation of EIA and other instruments (if necessary), the issue of the Environmental Authorization; the organization of public consultations; and etc.	Carrying out environmental studies is dictated by the selection that follows the environmental screening by the proponent in collaboration with the Environment Directorate (DEEC). The procedure to be followed by the proponent is as follows: (i) preparation of the ToR of EIA (ii) validation of the ToR of EIA by the DEEC; (iii) recruitment of a consultant approved by the Ministry in charge of Environment; (iv) carrying out the EIA studies by the consultant; (v) transmission of the EIA report by the proponent to the DEEC for review and clearance by the National Technical Committee; (vi) public consultation meeting including local communities; (vii) submittal of final version of EIA taking into account comments and observations from the national technical committee and the population. This procedure is governed by the Environmental Law, its implementing decrees and the ministerial orders.	The NEA in consultation with the EIA Working Group will develop the scope of the study, and this may include site visits and consultations.	For any project subject to an EIA, the promoter is required to send a project notice to ANGE, which conducts an examination based on the technical nature and scope of the project, as well as the sensitivity of the environment in which it is located, and specifies the type of EIA with its guidelines and scope.
TERMS OF REFERENCE	Who defines the content of the ToR and who conducts the corresponding study.	The project promoter drafts the ToR describing the requirements for the type of EIA required according to the General Guidelines for Conducting an Environmental Impact Assessment. The project's promoter then hires the consultant to conduct the EIA.	Law No. 006-2013/AN of April 2, 2013 on the Environmental Law in Burkina Faso. Decree n° 2015-1187 determines the conditions and procedures for carrying out an EIAs ,and the ESI Notice (NIES) in accordance with the provisions of the Environmental Law. According to the law, a project promoter has to prepare the draft of the ESIA ToR and submit it to the ANEVE for approval. Any project that has an impact on the environment must be subject to an environmental assessment and must obtain an environmental feasibility opinion from the competent authority.	The basic content and procedures of the EIA is specified by the law, but it should be adjusted in the scope definition phase by the AIA Authority.	The ToR are prepared by the Project Promoter in accordance with DEELCPN. Any contracting authority may use a consultant of his choice to carry out the EIA, but the consultant must be among those who are approved by the ministry in charge of the environment.	The EA ToRs are prepared by ANDE in consultation with the promoters. The promoters then recruit consultants accredited by MINEDD to carry out the EA.	The promoter submits the initial version of the ToRs for review and approval by the AGEE. The promoter then recruits the consultant for the completion of the EA.	The draft TOR is prepared by the proponent but the final version and content is defined and approved by the AAAC. The corresponding study must be conducted by an expert company accredited by the environment authority. Foreign companies need to be associated with a national company duly accredited.	By virtue of the law, the project promoter has to prepare the draft of the EIA's ToR and submit it to the DNACPN for approval.	The content of the terms of reference is specified in the decrees on environmental and social impact studies. The ToR are carried out by the promoter within the framework and under the control of the DECE.	On the basis of BNEE's guidelines, the project promoter prepares the draft of the ToR. After the ToR are cleared by BNEE, the promoter carries out a complete EIA and submits it to the BNEE for review and approval and issuance of the Certificate of Environmental and Social Compliance. The EIA has to be conducted by an accredited individual consultant or firm.	The content of the ToR is governed by Ministerial Order No. 9471 MJEHP - DEEC. The Environmental Directorate (DEEC), in collaboration with the technical bodies responsible for the activities of the concerned project, can draft specific terms of reference. Furthermore, in practice, it is the proponent which prepare the ToRs and submit them for DEEC approval, which may, depending on the nature of the project and the environmental issues, add requirements to the ToRs. A site visit of the project is often conducted by DEEC prior the validation of the ToRs.	The NEA issues a scoping report to the project proponent, explaining the extent of the study and drafts the ToR (after a site visit and consultation with the EIA Working Group, Lead Department and any relevant party including the community) stating the issues to be addressed in the study. The project proponent identifies an independent consultant to carry out the study.	Upon guidance from the ANGE, the sponsor submits the initial version of the ToR which is reviewed and validated by the ANGE. A consultancy firm or an independent consultant approved by the MERF is recruited by the promoter to carry out the EIA.
REQUIREMENTS	Requirements specified in the ToR regarding the impacts to be taken into account by the ESIA.	The ToRs includes the context of the EIA, its justification, objectives and expected results, the methodology for analyzing the different type of impacts and risks, the consultations to be carried out, the analysis of alternatives, etc. They also indicate the profile of the consultant, the duration and scope of the mission, the area of intervention, etc.	The ToRs includes the context of the EIA, its justification, its objectives and results, the methodology for analyzing the different type of impacts and risks, carrying out consultations, analysis of alternatives, etc. They also specify the profile of the consultant, the duration and scope of the consultancy mission, the area of intervention, etc. The ESIA is required to consider potential positive and negative environmental and social impacts and risks (on physical, chemical, biological, social, and cultural conditions and environments), including direct and indirect, short- and long-term as well as cumulative risks and impacts.	The ToR must specify the requirements for the preparation of the ESIA - The EIA must consider the impacts on land, water, vegetation, fauna, air, climate including climate changes, aesthetic, and socio-economic environments including human health and population, cultural heritage, landscape and land use. The EIA shall determine the baseline for the valued ecosystem components for the area covered by the study; and assess the impacts of the project due to the project location, possible accidents, project design, project construction, regular operations, final decommissioning or rehabilitation of a completed project, as well as the impacts due to the use of new and untested technology in the project and the impacts due to technological failures. The EIA shall determine the mitigation measures to prevent, mitigate and compensate the foreseen impacts and risks and set the monitoring process. The EIA shall guarantee the public consultation on relevant decision.	By virtue of the law, are subject to the EIA all projects and works likely to have significant impacts and effects as well as harmful consequences on the biophysical and human environment due to their technical nature and importance of their size and their environment, especially in particularly sensitive areas.	The studies must take into account the potential environmental impacts of the project, in particular the direct, indirect, reversible, irreversible, cumulative, synergistic effects; and corrective measures for the prevention, elimination and mitigation of negative environmental impacts and enhancement of positive impacts.	The potential impacts of the project on the biophysical and human environment of the project area.	The EIA must include at least: the non-technical summary; the EIA report; the ESMP; and annexes. The EIA report must include: i) a summary of the national legislation, regulations and guidelines applicable to the ecological and socioeconomic aspects and the baseline; ii) project objectives; iii) processes and technologies to be used; iv) materials to be used in the construction and execution of the project; v) products and sub-products of the project; vi) delimitation of the project's area of influence; vii) environmental and social baseline; viii) environmental and social impacts, direct and indirect, cumulative, irreversible, long, medium and short-term impacts; ix) technological alternatives considered, reasons for the selection of the adopted alternative, location alternatives studied and the reasons for the site selection; x) measures to prevent and mitigate risks to human health and ensure the safety of the working environment for workers, and the management of emergencies; and xi) identification of the knowledge gaps and uncertainties. The ESMP consolidates the proposed measures to avoid, eliminate, minimize or mitigate and compensate the negative impacts, including costs, schedule for implementation, and responsibilities, environmental monitoring, and proposals for capacity strengthening. The non-technical summary must include as a minimum: the main negative impacts, project alternatives, mitigation measures and recommendations.	The EIA is required to consider potential positive and negative environmental and social impacts and risks (on physical, chemical, biological, social, and cultural conditions and environments), including direct and indirect, short- and long-term).	The ToR proposal must include at least: a description of the summary preliminary project (APS) or the pre-feasibility study (EPF) of the project; a description of the environment, biophysical and human the project and the interrelationships between its components; Precise determination of the field of study; development of a list of issues and potential impacts; arising from the project and setting priorities; the public consultation plan.	The EIA is required to consider potential positive and negative environmental and social impacts and risks (on physical, chemical, biological, social, and cultural conditions and environments), including direct and indirect, short and long-term impacts and risks)	The environmental impact study includes at least an analysis of the initial state of the site and its environment, a description of the project, a study of the changes that the project is likely to cause, and the measures considered to eliminate, mitigate or compensate for the negative impacts of the activity, as well as the cost of these measures before, during and after the project's completion. Ministerial Order No. 9471 MJEHP - DEEC specified the detailed requirements in the TOR.	The EIS must outline project activities, describe the baseline environment, describe proposed technology and processes, reasons for the selection of the site, the environmental impacts including direct, indirect, cumulative, short and long term impacts, and possible alternatives. It shall also identify the proper measures to eliminate, minimize or mitigate adverse impacts. It must also identify gaps and uncertainties, and the jurisdiction of the mitigating measures. The legal and institutional framework shall be included.	The ToR specify the potential impacts (direct, indirect, cumulative, residual impacts) related to the project activities on both the biophysical and socio-economic levels.
ALTERNATIVES	Analysis of various alternatives to the proposed project, including the no project alternative.	The regulations specify that the EIA must contain a section/chapter on the description and analysis of the project alternatives.	The ESIA includes alternative to the proposed project (in order to minimize risks).	The EIA must include an analysis of alternatives, including site and technology alternatives, and alternative without project.	The EIA includes alternative to the proposed project (in order to minimize risks).	Only Annex I projects (subject to EIA) need to include an analysis of project alternatives, including the no-project option.	The EA must include an analysis of project variants, including the option of not carrying out the project.	The EIA must include an analysis of alternatives, including site and technology alternatives.	The EIA is required to analyze alternatives to the proposed project (including alternative of not conducting it at all).	The EIA actually don't include an analysis of alternatives, or carrying out different alternative or situation.	The EIA includes alternative to the proposed project (in order to minimize risks).	The EIA must include an analysis of alternatives, including site and technology alternatives.	The EIA shall include an analysis of alternatives (sites, processes, designs etc.) and the null alternative.	The EIA must include an analysis of the project variants, including the option without carrying out the project activities.
INSTITUTIONAL COORDINATION	Consultation with public entities and organizations in the EIA process.	Public Participation is the 3rd main stage of the EIA implementation procedure. The ABE organizes the consultation of the population on environmental issues.	The law stipulates that any initiator of policies, plans, projects, programs, works, projects, activities or any other initiative likely to have significant impacts on the environment, has to inform/consult, by any appropriate means, the local administrative authority and the population of the place of execution of the planned project, of the results of the EIA or of the ESI notice, including the mitigation measures that will be implemented.	EIA processes follow this steps: (i) Undertakes the elements of environmental characterization of the Project to the authorities; (ii) Conception and submission of EIA guaranteeing public consultation throughout the process Submission of the EIS; (iii) Constitution of the Evaluation Committee and beginning of the evaluation process; (iv) Evaluate the conformity of the EIA; (v) Publish the EIS for public consultation and prepare the public consultation report; (vi) Prepare the Environmental Impact Statement (DIA) proposal to be signed by the member of the government (MAA) based on the opinion from the Evaluation Committee; (vii) Conduct the post environmental assessment; (viii) Subsequently, prior to start-up of operations, issue the Environmental License (LAE).	Order n°041 of July 09, 2013 regulating public consultations in the field of environmental impact studies defines the framework of the Public Consultation for both category A and B projects.	ANDE organizes public surveys so that the stakeholders concerned by the project can decide on the content and quality of the EA.	The promoter must consult the town halls, the prefectures and the decentralized technical services concerned during all the phases of the EA process.	The EIA report is reviewed by a Technical Committee (Ad Hoc) designated by the AAAC. The members of the Technical Committee are selected according to the characteristics of the project. In addition, the general public is also consulted and their opinions must be shared with the Technical Committee to be integrated in the final report and taken into account in the decision-making by the Technical Committee.	Consultation with stakeholders (local authorities, populations, civil society organizations, etc.) are aimed at identifying local concerns and assess project's acceptability and to determine ways of taking these concerns into account. Results of consultations are incorporated into the EIA report and are made available to the public.	Consultations and public inquiries are conducted during environmental and social assessment studies with organizations, administrative and territorial authorities, the population, and civil organizations.	Consultation with stakeholders (local authorities, populations, civil society organizations, etc.) are aimed at identifying local concerns and project's acceptability and to determine ways of taking these concerns into account. Results of consultations are incorporated into the EIA report and will be made available to the public.	Public consultation is an integral part of the environmental impact assessment. Participation of the public responds to the will to democratize the decision-making process and is guaranteed by the State in the sense of decentralization and regionalization. The public is consulted upstream during the development of the EIA and downstream during the validation of the document.	The EIA Working Group constitutes relevant institutions in addition to parties that may be invited on an ad hoc basis as required. The EIA Working Group reviews the EIS.	The consultation of the stakeholders (including local authorities and decentralized technical services) and especially the populations likely to be affected by the implementation of the project, is mandatory before the validation of the terms of reference of the EIA.
CITIZEN PARTICIPATION	Provision for the participation of the entire community or specific parts of the community as well as those directly interested in the EIA process.	Beninese environmental assessment regulations have foreseen public consultations and public hearings as main provisions to guarantee the participation of the community or specific parts of the community, as well as those directly affected by the project.	Public consultations are organized at local, regional and central levels during the different phases of the preparation of the ESIA and prior to its publication. The stakeholders should also be informed on the disclosure and where the documents can be accessed.	"Public hearing is mandatory for all Categories A and B projects. Overall, public consultation is divided into two components: (i) a public hearing at the site or in its close proximity, district-wise, to be carried out as specified by legislation, for ascertaining concerns of local affected persons, and (ii) additional consultation and obtaining written responses from other concerned persons having a plausible stake in the environmental aspects of the project or activity. The mandatory public hearing is organized by the authorities, which prepares and finalizes the report on the public hearing. The proponent is required to address all material concerns expressed during the public consultation and make any appropriate changes in the draft EIA and EMP.	Public consultations are organized at local, regional and central levels during the different phases of preparation of the EIA and prior to its publication.	Consultations of the people affected by the projects are carried out during all the stages of preparation of the EA by the promoters.	the AGEE, the	Public participation in the environmental assessment process is granted in the Environmental Assessment Law (Law 10/2010) and in the Basic Environmental Law (Law 172011). In addition, public participation in the environmental assessment process is further detailed in the Decree 5/2017 (Regulations of Public Participation in the environmental assessment process). According to the Environmental Assessment Law, during the review of EIAs, the Technical Committee may recommend to carry on a Public Hearing. However, a Public Hearing may be requested by any civil entity, the Public Attorney, or through a petition by a minimum of 40% of the residents in the project area. In addition, a Public Hearing is mandatory for all Cat. A and B projects. The Proponent is responsible for all costs associated with the Public Hearings, and after the Public Hearing, the Technical Committee will issue a report detailing the hearing process, the conclusions and recommendations. The detailed procedures for the participation of the public in the decision-making associated to the environmental assessment are established in the 2017 regulations mentioned above. This includes the ability for the AAAC to impose fines when the proponent fails to comply with any of the requirements of the Decree 5/2017. National Institute of Environment (INA) on June 10, 2021, the participation of civil society is increasing, particularly through the participation of technical NGOs/ Academia in the Scientific Committees in INA and in AAAC (Autoridade de Avaliacao Ambiental Competente).	Public consultations are organized at local, regional and central levels during the preparation of the EIA and prior to its publication.	In the current situation there is no restriction for public participation it is open to all physical or legal parties, there are also no targeted or categorized sectoral parties.	Project promoters undertake public participation during the EIA process. The BNEE can also undertake public consultations. Public consultations are organized at local level during the preparation other EIA. They are also organized with all concerned stakeholders at regional and national level.	All categories of population can participate to the process of consultation (upstream during preparation of EIA and downstream during public hearing).	The Act and Regulations require that the public, particularly communities likely to be affected by the Project, be invited to participate in the EIA process from scoping to review of the EIS. The Act prescribes that public hearing may be held as necessary.	Public consultations and Citizen participation are required during the process of carrying out the Environmental and Social Impact Study.
DISSEMINATION	Public notification and dissemination of information generated in the EIA process.	The MCVDD publishes the EIA within fifteen days as of the date of its submittal by the project promoter. The EIA report is kept by the ABE and made public and may be examined by any natural or legal person who expresses the need for examining it.	National regulations require public disclosure of screening and ESIA-related information and dissemination (information should be available to the public). A Public Survey, timely carried out by independent surveyers, aims at presenting the project to different stakeholders and collect their perceptions (results are included in ESIA).	The proponent disseminates the draft EIA report (in hard and soft copies before public hearing), final EIA report. The authorities (Ministry of Environment and MoF.) discloses minutes of screening, scoping and appraisal meetings on their websites. The proponent must advertise in national and local newspapers as to where the public could access the studies.	The EIA regulation requires public disclosure of screening-related information and the EIA.	ANDE disseminates information likely to objectively clarify the assessment of the corrective measures envisaged for the project and their scope. The final EAs are kept by MINEDD and accessible to anyone who requests them.	Although the law does not explicitly cover the dissemination of reports, in practice copies of reports are deposited in the offices of the rural communes concerned and a copy is recorded in the AGEE database.	The AAAC, in collaboration with the proponent, must disseminate the draft EIA report prior to the final evaluation by the Technical Committee. In the case of Public Hearings, all information must be disseminated at least 10 days prior to the public event, in communication media and languages appropriate to the different affected groups. If during the Public Hearing there is no consensus regarding the project and the recommendations, the AAAC is responsible for promoting the mediation and negotiation, according to the procedures defined in its Methodological Guide to Mediation and Negotiation. Other than public hearings, the public participation process involves meetings, discussions with focus groups, and individual interviews, all the responsibility of the AAAC. The proponent must also implement questionnaires and interviews with affected groups.	According to Malian laws, EIA, including reports related to public consultation, must be published and divulgated.	After the end of the environmental and social impact studies, a non-technical summary in Arabic and French must be published in the newspapers. Validation workshops with stakeholders are conducted for validation and possible amendment. at the end of the process the documents are published on the websites of the Ministry of the Environment and the department concerned.	EIA regulations require public disclosure of screening-related information and dissemination (information should be available to the public).	Public hearing is organized to present a summary of the environmental impact study report and collect local actors' opinions, comments and suggested modifications. The promoter takes into account public concerns and submits a final report to the technical committee. The final report includes the environmental and social management plan (ESMP) which will be appended to the compliance certificate. The ESMP constitutes a commitment and an obligation for the promoter. The relevant authority may decide to revoke the compliance certificate in case of failure to fulfill these commitments.	The EIS is disclosed for comments from the general public, project affected persons and interested parties.	Once the draft reports have been received, the ANGE distributes copies of this report to the member of the Ad'hoc committee for review. Copies of the report are also sent to stakeholders for their assessment and advice.
ENVIRONMENTAL MANAGEMENT PLAN	Planned measures to apply during project implementation to address issues and meet requirements identified in the EIA process.	The EIA report includes an ESMP including measures to avoid, mitigate, cancel and compensate the negative impacts and risks; maximize or enhance the positive impacts and opportunities offered by the project.	ESIA include an ESMP describing a range of mitigation measures, costs, an environmental monitoring plan, and institutional mechanisms. Guidelines also require an ESMP for contractor before the beginning of civil works.	The EIA report must include an EMP, describing: (i) all mitigation measures, listed by item, to be taken during the construction, operation, and the entire life cycle of the project to minimize adverse environmental impacts; (ii) the environmental monitoring plan for compliance to the various environmental regulations; (iii) emergency or accidents management plan; (iv) social impact management and resettlement and rehabilitation plan; and (v) the institutional mechanism to guarantee that the approved EMP is implemented, and that the effectiveness of such implementation is monitored.	The EIA includes an ESMP describing a range of mitigation measures, costs, an environmental monitoring plan, and institutional mechanisms. Guidelines also require an ESMP for contractor.	The EIA must include an EMP that includes measures to prevent, mitigate, correct, compensate or restore negative environmental impacts and enhance positive impacts. The EMP must also include a budget, timelines and definitions of responsibilities for the implementation of these measures.	The EA must include an Environmental and Social Management Plan (ESMP) including the mitigation and compensation measures for the impacts generated during the different phases of the project, the surveillance and monitoring arrangements, as well as the schedule and costs.	The ESMP consolidates the proposed measures to avoid, eliminate, minimize or mitigate the negative impacts, including costs, schedule for implementation, and responsibilities, environmental monitoring, and proposals for capacity strengthening. When mitigation measures are not sufficient, compensation measures must be considered. Monitoring must be executed during and after project implementation, to provide crucial information regarding the environmental impacts, the effectiveness of the mitigation measures, and to allow the proponent to adopt corrective measures.	EIA includes an ESMP describing a range of mitigation measures, costs, an environmental monitoring plan, and institutional mechanisms. Guidelines also require an ESMP for the contractor.	For the moment, there is no mechanism developped to solve the occasional problems during the implementation, and no instruments like the environmental audits but inspections can be carried out by the ministry of the environment and proposals for amicable settlement are offered.	EIA includes an ESMP describing a range of mitigation measures, costs, an environmental monitoring plan, and institutional mechanisms. Guidelines also require an ESMP for contractor.	The EIA report must include an ESMP, describing: (i) a statement of proposed mitigation measures or alternative designs for the project to mitigate adverse environmental impacts, together with proposals for the conduct of the activities, including cost estimates, implementation period and the entities in charge of the monitoring (ii) a list of measures for the protection and/or resettlement of affected population groups, with an indication of their response to the proposals made to them.	Planned measures are presented in the environmental management plan included in the EIS. It will include impacts and corresponding mitigation measures, responsibilities for mitigation and monitoring, timeframe and budget.	The ESMP including measures to avoid, remove, mitigate or compensate for negative impacts and prevent and manage risks on the one hand, and improve the positive impacts of the project, on the other hand, is included in the EIA.
MONITORING AND REPORTING	Monitoring and supervision of the fulfillment of the requirements specified in the EIA. Provisions regarding the information to be submitted to the authority or public by the parties executing an activity throughout the execution of the activity.	Environmental monitoring is carried out by the project promoter and an environmental monitoring is carried out by ABE. Regarding reporting, the project promoter must submit to the ABE during the execution of the project, once a year, an environmental monitoring report.	ANEVE is responsible for monitoring environmental conditions, as well as effectiveness of the implementation of mitigation measures by frequent site visits.	Monitoring and supervision is supported by AIA Authority. Reporting activities are determined adhoc by the DIA and carried out by the proponent. The report requirements shall be adjusted in the LEA every 3 years.	DEELCPN and regional environmental delegates are responsible for monitoring environmental conditions, as well as effectiveness of mitigation measures.	The promoter is required to perform daily monitoring. ANDE is responsible for monitoring the implementation of the EMP. However, there is no legal obligation for the production of reports by the promoters or the ANDE.	The sponsor is required to perform daily monitoring. On the other hand, AGEE and its branches are responsible for carrying out an external audit to assess the effectiveness of the mitigation measures.	Environmental monitoring must be performed by the proponent at its own expenses and according to the terms and periodicity specified in the environmental permit, or, in its absence, the project environmental assessment. This includes providing to the environmental authority the monitoring reports, in the periodicity specified in the environmental permit, or, in its absence, the project environmental assessment. Based on the monitoring reports, the AAAC may impose additional measures to mitigate or compensate for environmental impacts that have not been considered during the construction, operation, exploitation or completion of the project. AAAC is responsible for the administrative monitoring, and as such, it may, at any time, preform site visits and inspections, and may impose fines for violation of the conditions and requirements specified in the environmental permit.	DNACPN is responsible for monitoring environmental conditions, as well as effectiveness of mitigation measures.	Under the current provisions, the promoter is solely responsible for the implementation and monitoring of the measures included in the ESMPs. However, the competent body at the Ministry of the Environment is responsible for the control. No provision is made for the submittal of reports to the authority or to the public regarding the application and monitoring of the measures and no penal provision.	BNEE is responsible for monitoring environmental conditions, as well as effectiveness of mitigation measures.	The competent authority is responsible for ESMP implementation. However, environmental monitoring is not regulated. It usually takes place when planned by the competent authority and only if resources are available. These environmental monitoring missions are conducted by the competent authority (environmental assessment office) and are executed with the relevant members of the technical committee.	The Project management is responsible for the internal monitoring and the NEA for the external monitoring to make sure that the specified measures are implemented. Periodic audits shall also be conducted to guarantee systemic compliance. The EIS shall include a monitoring plan including responsibilities, parameters and indicators. Reporting structure, requirements and frequency are specified.	The ANGE controls and monitors the implementation of the ESMP measures. The promoter guarantees the implementation of the ESMP during the life of the project and at its completion or end of operation. Regarding reporting, periodic reports on the execution of the ESMP are sent to the ANGE by the promoters or the project coordination units.
CLIMATE	EIA regulations and norms. Environment authority website.	The process of integrating climate change adaptation and mitigation into Benin's EIA legal framework is underway as the Environmental Law of 1999 and associated sectoral guides on the Environmental and Social Impact Assessment are all being revised to integrate climate change and social aspects including gender.	Burkina Faso has adopted in 2015 its National Climate Change Adaptation Plan, whose twin objectives are (i) to reduce vulnerability to the impacts of climate change by strengthening adaptation and resilience capacities; and (ii) to facilitate the integration of climate change adaptation, in a coherent manner, into new or existing policies, programs or activities, and into specific development planning processes and strategies within relevant sectors and at different levels. But no climate change provisions have been integrated in the EIA legal framework yet.	Cabo Verde adopted a decree integrating provisions for Climate Change adaptation and mitigation into its EIA legal framework (Decree 27/2020 of March 2020). In addition, under its revised NDC, Cabo Verde comprehensively increased the scope and ambition of its mitigation goals while also enhancing their focus on adaptation, climate justice and gender equality, transparency, and good governance.	Chad has adopted in 2021 its First National Plan for Climate Change Adaptation, a strategic document that presents adaptation priorities and reinforces the long-term perspective and the links between adaptation priorities, sustainable development needs and the National Development Plan. But There are no provisions for climate change adaptation and mitigation in the EIA legal framework in Chad.	No legal provision relating to climate change adaptation or mitigation is integrated into the legal framework for EIA even though the CC policy and NDC are enforced. The Environmental Code is presently being updated to incorporate climate resilience.	Guinea's NDC outline mitigation efforts and adaptation goals across sectors and articulate links with national policies and strategies. But no links to EIA process have been articulated yet.	No provisions for resilience to climate change in the EIA process.	Mali has approved a National Policy on Climate Change in 2011. Mali passed a decree (Decree n° 2018-0991) on Climate Change but there are no provisions on mitigation or adaptation in the EIA legal framework. Recent guidance is requiring climate change impact assessment during ESIA preparation process.	As part of the aim to incorporate environmental aspects into the long-term developmental agenda, the Government launched the National Adaptation Plan (NAP) in April 2019. This plan is focused on will (i) strengthening technical and institutional capacities to manage climate change adaptation; (ii) improving the quality and access to climate change data; (iii) supporting the acquisition of adaptation financing, and (iv) enhancinge the monitoring and evaluation of adaptation planning. But no climate change adaptation or mitigation provisions are integrated in the EIA legal framework.	In Niger, there are no legal provisions relating to climate change adaptation or mitigation. Niger has approved the National Policy on Climate Change in 2012 placing emphasis on the sustainable management of natural resources and ecosystems, the implementation of the great green wall and efforts to adapt to climate change to ensure the sustainability of the productive base of agriculture.	No provisions for resilience to climate change in the EIA process.	No provisions for resilience to climate change in the EIA process. National Climate Change Policy 2016 implemented by the Climate Change Secretariat under the Ministry of Environment, Climate Change and Natural Resources. www.meccnar.gov.gm	There are no provisions for climate change adaptation and mitigation.
EIA REGULATIONS	Integration of CC adaptation and mitigation provisions into EIA legal framework.	Law No. 98 - 030 of February 12, 1999 on the environmental Code in the Republic of Benin Decree No. 2022-390 of July 13, 2022 on the organization of environmental and social assessment procedures Website of the Ministry of the living environment and sustainable development https://cadredevie.gouv.bj/	Law No. 006-2013/AN of April 2, 2013 on the environmental code in Burkina Faso. Decree n° 2015-1187 determines the conditions and procedures for carrying out ElAsand the ESI Notice (NIES) in accordance with the provisions of the Environmental Code. The same Decree distinguishes three categories of projects likely to have significant direct or indirect impacts.	Decree-Law No. 27/2020 approving the Legal Framework for Environmental Impact Assessment (EIA) www.legis-palop.org http://extwprlegs I.fao.org/docs/pdf/cvi I 94850.pdf https://maa.gov.cv/index.php/ambiente/avaliacao-do-impacte-ambiental	Law No. 14/PR/98 of August 17, 1998 defining the general principles of environmental protection, and its implementing texts: Decree No. 630/PR/PM/MERH/2010 of August 4, 2010 regulating environmental impact studies. Order No. 039 of November 29, 2012 on the general guide for carrying out an environmental impact study. Order No. 041 of July 9, 2013 regulating public consultations on environmental impact studies.	The Environmental Code (1996); Decree No 96/894 determining the rules and procedures applicable to studies relating to the environmental impact of development projects (1996); The ANDE website http://www.ande-ci.com/	No legal provisions on reporting.	Law n.° 10/2010, of September 24, 2010 (Environmental Assessment Law), which determines the fundamental principles for the environmental assessment of projects, programs, plans and development policies. • Law n.° 1/2011 (Basic Environmental Law-Lei de Bases do Ambiente) • Decree n.° 07/2017, of June 16, 2017 (Environmental and Social Impact Assessment Regulations). Law no. 3/2014 of April 29, regulating mineral and mining extraction activities and specifying that the mining/licensing title for any mineral resource requires an EIA. • Decree n.° 05/2017, of June 28, 2017 (Public participation in the Environmental Assessment process); Decree n° 07/2017, of 16 June, Regulation of the Environmental and Social Impact Study; and Decree No. 08/2017, of 28 June, Regulation on environmental licensing; Decree 51, of June 2021, that creates the National Institute of Environment (Instituto Nacional do Ambiente -INA). Decree 14/2011 of February 22 on forest preservation,; Decree-Law n° 5-A/2011, on the creation, declassification and management of protected areas; and Decree 11/2017 on the creation of Ecological Corridors.	Decree n° 2018-0991 of 31/12/2018 stipulates that public and private projects (consisting of works, development; construction or other activities in the industrial, energy, agricultural, mining, artisanal sectors, etc.) are subject to an ESIA. Decree N°2018-099 setting the rules and procedures relating to strategic environmental assessment and Decree N°2018-0993 of 31/12/2018 sets the conditions for the execution of the environmental audit. Main Info in: https://www.pseau.org/outils/organisme s/organisme_detail.php?org_organisme_id=11879 (under construction)	Legislative and regulatory texts are governed by Law No. 2000-045 of July 26, 2000 on the framework code for the environment. The framework law is supplemented by the two implementing decrees: Decree 2004-094 of November 04, 2004 relating to the environmental and social impact study (ESIA), and Decree 2007-105 modifying and supplementing certain provisions of the decree 2004-094 of 04 November 2004 on environmental and social assessments. There are also provisions relating to EIAs in sectoral texts. Among these we can mention in particular Law 2005-0030 of February 02, 2005 on the water code.	Law 2001-032 of December 31, 2001, on the orientation of the Land Use Policy aimed to establish the legal framework for all interventions by the State and other actors; Law 2018-28 of May 14, 2018 determines the fundamental principles of environmental assessment in Niger. Decree No. 2000-397/of October 20, 2000, determines the administrative procedure for environmental impact assessment and review (EIA), the content of the impact study, and the publicity mechanism provided for in Article 36 of the framework law on environmental management. Decree No. 2000-398 of October 20, 2000, determines the activities, works and planning documents subject to an environmental impact study.	Law N° 2001 - 01 of January 15, 2001 establishing the environmental code Decree N° 2001 - 282 of April 12, 2001 implementing the environmental code - Order n°009470 of November 28, 2001 on the conditions of issuing an approval for exercising activities related to the environmental impact studies; - Order n°009471 of November 28, 2001 on the terms of references for conducting environmental impact studies; - Order n°009472 of November 28, 2001 on the report on environmental impact studies; - Order n°009468 of November 28, 2001 on the regulation of the public participation in the environmental impact study; - Order n°009469 of November 28, 2001 on the technical committee organization and operation. https://www.denv.gouv.sn/	National Environment Management Act 1994; Environmental Impact Assessment Regulations 2014; EIA Guidelines 1999; EIA Procedures 1999 www.nea.gm	Law No. 2008-005 of May 30, 2008 on the framework law on the environment Decree No. 2017-040/PR of March 23, 2017 setting the procedure for EIA. Order No. 0151/MERF/CAB/ANGE of December 22, 2017 establishing the list of activities and projects subject to EIA. The website of the MERF: https://environnement.go uv.tg/

