

3.2.11 Zambia

(K. Chapman and B Walmsley: SAIEA 2003)

a) Legal Framework

The Environmental Protection and Pollution Control Act, No. 13 was enacted in 1994. The Zambian National Conservation Strategy was updated by preparing a National Environmental Action Plan, which was completed and adopted in 1994. Environmental impact assessment (EIA) regulations were formulated in 1997 through the provisions of the Environmental Protection Pollution Control Act. The implementation of EIA in Zambia is still in its formative years.

EIA guidelines

Five sets of guidelines currently are available in a draft form for these sectors: energy, fisheries, forestry, social impact assessment and tourism. Guidelines on mining are complete but need to be refined. These guidelines are meant to be used in the reviewing of EIAs. The Zambia Wildlife Authority also has its own EIA guidelines to review developments in protected areas, and the National Heritage Conservation Commission has developed guidelines for developments near heritage sites, furthermore, Ministry of Mines and Mineral Development has also developed regulations for EIAs in the mining sector.

Figure 9. EIA process in Zambia



b) Public participation

EIA regulations specify where public participation is required throughout the EIA process and public views thus to be considered during the following EIA stages.

- 1) Preparation of the terms of reference:- The proponent is compelled to arrange a public consultation process involving government agencies, local authorities, NGOs community based organisations (CBOs) and interested and affected parties, to contribute in deciding on the scope of work when undertaking the EIA.
- 2) Before coming to an end of the EIA and submission of an EIA report, the proponent has to ask for the views of stakeholders via:-
 - The media and meetings to present the information on the project and to acquire the communities' viewpoints and fears;
 - Placing the EIA report in public buildings for comment and review; and/or
 - Public hearing, when significant environmental impacts are anticipated from the proposed development.

A major shortcoming in conducting public participation is the gender inequality because men make most decisions.