



# Ministry of Mines & Energy, Namibia

Implementing of EMA and Regulations:  
Challenges

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## The Mining sector's role in EMA implementation

- Expected to follow the EIA (Environmental Impact Assessment) process as outlined in the EMA regulations
- Appoint the EAP to manage the assessment process
- Conduct a public consultation;
- Prepare the scoping report and obtain comments;
- Submit to the competent authority the application for Environmental Clearance and scoping report with the payment of prescribed fees;



## Ministry of Mines & Energy

- **Challenges:**
- -Legislation and funding mechanisms to address legacy mines – EMA/Minerals Act should make provision for this;
- **The Phosphate Mining Issue:**
  - Convincing applicants about mining activities in sensitive areas –
  - Activity is not undertaken anywhere else, how do we handle the challenge

# Continued-

- Challenges with regard to the laws governing Engineering and Environment Division of the Geological Survey
- Absence of Guideline Values/Standards for pollution or contamination prevention, i.e. in air, soils and stream sediments within the vicinity of the mining areas
- **Lack of resources for Implementing Agencies**
  - Technology & Equipment to conduct certain studies

# Continued-

- The work done by the Division of Engineering and Environmental Geology somewhat overlaps between the Minerals (prospecting and mining) Act, 1992, and the EMA, therefore it becomes a challenge as to which law should actually enforce the recommendations that come out of the Divisions monitoring reports.
- None of the two laws explicitly states who should manage the abandoned mines (MME or MET), in terms of carrying out rehabilitation work if there is a pressing need to carry out such an exercise.
- **Small Scale Miners-** they may not have the capacity to conduct EIA/EMPs.



# Challenges Continued-

- Demarcation of no go zones for exploration/mining activities (sensitive area). The areas are not demarcated.
- Clear guidance on how to issue licenses in environmentally sensitive area. The maps that shows how sensitive the areas, are not in our possession if they are available
- Guidance on establishment of trust funds for rehabilitation of mine sites when the mining activities are over
- Who should be responsible for inspections of mine site for environmental compliances and enforcing the rehabilitation of mine site? The law is not clear on that
- Samples of how an environmental impact assessment should look like or what it should cover



# MME Challenges-going on

- Lack of compliance of Small Scale Miners to environmental regulations associated with illegal mining and lack of education.
- Capacity limitations to investigate cases of non-compliance and enforce punitive/corrective measures.
- Capacity limitations to create awareness in all the parts of the country at a fast pace



# Recommendations

- Continuing Environmental Education for Stakeholders
- Funding & More Funding -Under funding of environmental initiatives hampers the enforcement of environmental law.
- Regulations to address legacy sites is required

Thank you.