

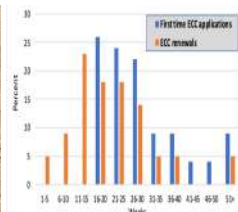
EIA Insights

Issue 2 October 2026

Namibia

How long do ECC's take?

EAP views on how to improve the ECC system



New Plant Resource

New plant information system for EIAs



Transparency under attack

How the DEA is limiting EIA transparency



Quality in every EIA stage: Join EAPAN's 2026 Annual Conference

Every EIA stands or falls on the quality of the work done at each stage of the process. A rushed screening decision, a scoping report that misses a key issue, an assessment built on shaky data, or a public participation process that people don't trust – any one of these can undermine months of otherwise good work. That is the thinking behind this year's EAPAN Annual Conference theme: "Quality in every EIA stage: Strengthening Environmental Planning Practice in Namibia."

Mark your diary:

Date: Friday, 23 October 2026, 10:30-17:00, immediately following the EAPAN AGM.

Venue: Stone Valley Environmental Management Facility, Swakopmund.

All EAPAN members, non-member EAPs, environmental specialists, students, MEFT and competent authority officials, and other interested stakeholders in Namibia's environmental assessment sector are warmly invited to attend.

This year's programme draws extensively from the practical experience of the speakers. Each session is led by practitioners sharing what actually happens on the ground – the shortcuts that cause problems later, the small decisions that make a big difference, and the lessons learned through tried and tested methods. Four sessions make up the day:

1. Screening: effective screening can influence everything that follows in the EIA process. Early environmental input into project planning helps to determine the appropriate level of assessment, identify the most appropriate specialist team, and guide the scope and approach to public participation. This session will unpack how experienced practitioners approach screening decisions in practice.

2. Scoping: where the direction of an EIA is set. A well-run scoping phase identifies the issues that matter and filters out the noise; a poorly run one leaves specialists chasing the wrong questions and conducting superficial site visits. Expect practical guidance on running scoping processes that actually work.



3. Assessment: the technical heart of the EIA, where impacts are predicted, evaluated, and mitigated. This session turns to the practicalities of producing assessments and providing practical, measurable, mitigation measures that are rigorous, defensible, and genuinely useful for decision-making, rather than exercises in box-ticking.

4. Panel discussion: Why bother asking the public? Public participation is often assumed to be a single, well-understood activity – but ask a developer, an EIA consultant, and an NGO representative what it's supposed to achieve, and you may get three different answers. A developer's representative, an environmental consultant, and an NGO representative will be part of the panel and bring their own starting point to the table, with the aim of building a shared, practical understanding of what good public participation in the Namibian EIA process should look like.

Whether you are a seasoned EAP, an early-career practitioner, a student, or someone who cares about how development decisions get made in Namibia, this conference is for you. Come ready to share your own stories, ask hard questions, and leave with practical ideas you can apply during your next engagement with an EIA.

Registration details and the full programme will be circulated to EAPAN members and posted on www.eapan.org and the EAPAN Facebook Page closer to the date. For queries, contact EAPAN via the association's website. We look forward to seeing you there!

By: Sheldon Husselmann and Christina Tromp

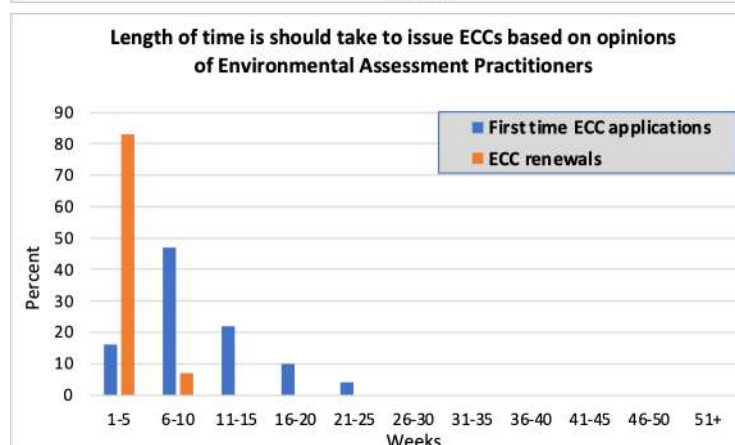
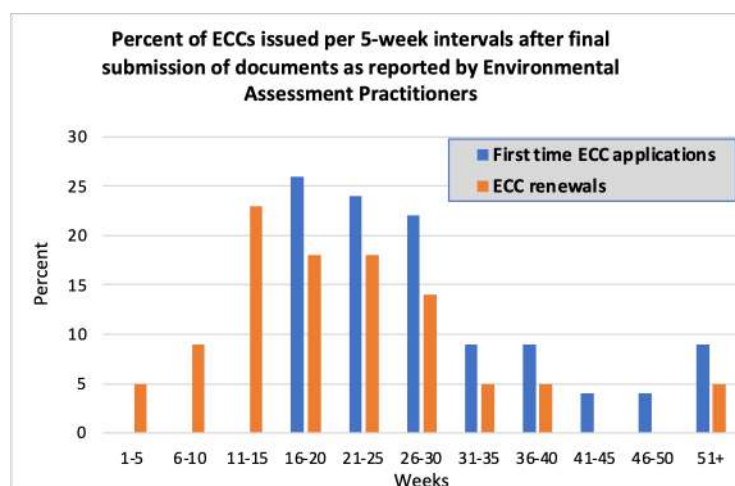
EIA Insights is brought to you by:



How long does it take to get an Environmental Clearance Certificate?

In response to our first EIA Newsletter, several Practitioners raised concerns about the length of time it takes to get an Environmental Clearance Certificate (ECC) after submitting all EIA documents. This applies to applications for both new projects with first-time ECCs and for renewals.

We decided to run a short survey to gather information on the subject. We asked practitioners to complete a simple form and report the number of weeks it had taken them to receive ECCs after all the required EIA documents had been submitted to the Office of the Environmental Commissioner (OEC), over the past two years. We also asked them to give their views on how long it should take the OEC to process the documents and issue an ECC. The results are shown in the two graphs below and they differ wildly!



The median length of time to get an ECC for first-time applicants is 28 weeks or 6.5 months. After four months only 13% of applications had received ECCs, by five months only 26% had. It took eight months before 80% of applications had received their ECCs and 10 months before reaching 90%. The longest periods reported were 16 and 18 months.

For renewals of ECCs, the median time is 20 weeks or 4.5 months. It took six months for 80% of renewal ECCs to be issued. The longest period reported was 22 months.

By contrast, Practitioners are of the view that first-time

ECCs for most projects should realistically be issued within 10 weeks (less than 2.5 months). Only in the case of potentially high impact, high risk and contentious projects, which constitute fewer than 5% of all EIAs, should more time be permitted, and up to a maximum of 5 months.

We also asked the following questions – and provide the answers received:

(i) Why is slow processing of EIAs a problem?

Our respondents identified three main problems relating to the slow processing of EIAs:

- 1) Impacts on Namibia by reducing investment;
- 2) Impacts on Proponents of development projects; and
- 3) Impacts on EAPs.

Impacts on Namibia	Impacts on Proponents	Impacts on EAPs
Interested investors (both national and foreign) are lost to Namibia. They take their ideas and resources to more efficient countries.	Cost increases, loss of access to capital loans, and expiry of other permits, approvals, authorisations, concessions, agreements.	The slow performance of the OEC makes the work of the EIA consultants and practitioners look unprofessional and incompetent.
Namibia's reputation as a good investment jurisdiction is tarnished in the eyes of both investors and financiers.	Variation in time for ECC makes project planning impossible.	The survival of entrepreneurial practitioners and consultancies are placed at risk, because final payment is often held back until the ECC is issued.
As virtually all developments in all sectors require an EIA, the impacts cut across all investment and development in Namibia.	Projects are severely delayed in terms of construction and operation of facilities. Agreements with contractors are jeopardised, employment is delayed.	
Inefficient and ineffective administration becomes an obstacle to investment and national development.		

How long does an ECC take? (Cont.)

(ii) What have investors (project proponents) said about the time it has taken to issue ECCs?

- **Disbelief** that it takes more than two months for an ECC to be issued for a routine, simple low-impact project.
- **Frustration** at administrative inefficiency of the OEC.
- Investors have asked if people in the OEC are expecting a bribe to do their work.
- Expressed **discontent** because of the risk of losing investment commitments and compounding project costs.
- Practitioners state that many clients have **lost their investors** due to the lengthy, slow process and lack of transparency around issuing ECCs.
- Time is unacceptably long. Investors with bank financial guarantees are compelled to start drawing down on funds and use them in a given period. The whole investment is jeopardised.
- **Unimpressed and frustrated** – Namibia says it wants investment but delays such as those associated with issuing ECCs send a different message.

(iii) What could be done to speed up the process?

Suggestions included improving the processes and capacity of the OEC and increasing oversight of the OEC (see Table).

Procedural improvements	Oversight improvements
Reduce the number of trivial developments undergoing EIAs. Over 50% of EIAs currently being administered by the OEC are considered low risk projects with insignificant impact on the environment. These include petrol stations, rezoning of land and activities in municipalities that should be addressed locally. Getting rid of half the EIAs will allow (a) important EIAs with potentially high impact to get proper attention, and (b) speed up processing time.	In the draft Environmental Management Bill, a Sustainable Development Council was established specifically to hold the OEC accountable, but also to provide support and guidance, and to ensure transparency in an institution potentially at high risk of corruption. This Council comprised four people from different government agencies and four from different organisations outside government, under the chair of the MEFT Executive Director. Unfortunately, this arrangement was changed just before the EMA was finalised, to remove the Council from its intended oversight role and make it an “advisory” Council to the Minister. It has little purpose and leaves the OEC without proper accountability.

Procedural improvements	Oversight improvements
Categorise EIAs based on potential environmental impact. Could be four categories: a) Small low impact projects could be addressed by fast-track checklists and processed within 2 weeks; b) Medium impact projects with modest impacts could be processed within a month; c) Higher impact projects where there are some concerns could be processed within 2 months; and d) High risk, high profile and contentious projects should be processed within 4-5 months. Proponents and their Practitioners should be informed within one week of the category assigned to their project, so that they can plan their work accordingly.	Set deadlines for processing EIAs (see left) and hold the OEC accountable to meet these deadlines
Get rid of paper – do everything online. And keep it fully in the public domain, long-term.	As a result of the lack of oversight of the OEC, there are no statistics on the OEC to track progress and performance. This is a basic requirement for accountability and adaptive management.
Use experienced and trusted Practitioners to assist the OEC to review and process EIAs.	
Improve the capacity of the OEC – both in number and capability of staff.	

By: Chris Brown



Improving the quality of EIAs and other reports

The assessments, plans, specialist studies, and other documents produced by EAPs are meant to provide real information from the ground that can be used to guide decisions. When these documents are not well researched, or copied from others, or generated entirely by AI without editing, the whole process of evaluating development projects prior to granting Environmental Clearance Certificates (ECC) can be derailed.

Unfortunately, there have been instances of malpractice in this regard by some EAPs in Namibia. In the most obvious cases, the details of the site are clearly incorrect – e.g., a project in the Kavango contains information about biodiversity in the //Karas Region. Other cases involve plagiarism, where parts of the report are copied from a source without rephrasing and providing the reference. The use of AI is introducing further problems by inventing references to sources that do not exist or missing important details in the documents it is told to summarise, due to lack of context.

Navigating these matters requires **integrity and professionalism** among EAPs, **training and incentives** to improve the quality of written work, and more stringent **quality control** by governing bodies.

For EAPs, this starts with knowing what quality work looks like and how to produce it. Research skills are required to know where to find reliable sources of information and how to recognise its relevance to the site and type of development in your current project. The Environmental Information System (EIS) and the EIA Tracker within it are two key sources of information that EAPs should refer to frequently. Google Scholar provides published works, and AI search tools (e.g. Google Gemini) can assist you to find relevant information.

These sources must be used responsibly. Plagiarism includes copying and pasting from a source document without changing it, or using the ideas or facts in a document but not referencing it. **If any idea or concept, statistic or fact comes from a source other than your own observation and data collection for that project, it must be referenced.** This includes a detailed reference list with report titles, dates and names of authors.

The result of this research can be a large volume of work, only some of which is relevant. At this stage, it is tempting to use AI to summarise the information without reading any of it yourself. But AI does not know what information you are looking for or how it is associated with your study site. It may miss important details buried in a long report that you could have discovered by reading it. If AI is used to write the whole report, it may generate false references, draw incorrect conclusions from the source information and overlook critical information. Using AI responsibly involves choosing the correct AI tool, spending time training it, and thoroughly cross-checking and editing its output.

After conducting extensive desktop research and literature review, the EAP must fill identified knowledge gaps with site-level data collection and observation. Fieldwork reveals things that desktop reviews will miss, like graveyard sites, locations of poorly studied species, or places of cultural importance. An EIA should therefore generate new knowledge about the site, which contributes to Atlases and other publicly available datasets.

EAPAN has proposed training courses on research and writing for EAPs in the past, although this would be available to its members first, then other stakeholders. The EAPAN Code of Conduct and associated disciplinary measures are designed to prevent unethical practices among its members.

Without a legally recognised professional Council for EAPs that has the power to fine, suspend or ban practitioners that breach a national Code of Conduct, unethical behaviour may still go unpunished. To this extent, **EAPAN has been in discussion with MEFT regarding submission of the Environmental Professionals Bill, drafted by EAPAN members.**

South Africa has legally constituted a Council for EAPs, but this Council's disciplinary decisions are not publicly disseminated. This lack of transparency reduces the power of this Council to deter unethical practices among EAPs. Namibia can learn from this experience while establishing its own Council by stipulating that its decisions must be communicated to the public.

Poor quality documents impede the OEC's ability to make evidence-based decisions on each case. If an EIA is incomplete, for instance, the OEC needs to ask follow-up questions and do further investigations to get the necessary information that should have been provided in the initial EIA. This can cause delays in decision-making and the issuing of Environmental Clearance Certificates. In other cases, developments may be approved based on incomplete knowledge, resulting in unmitigated environmental damages or project delays.

Some measures can be taken by the OEC to raise the quality bar. First, each submission could be run through plagiarism checking software (most of which also claim to detect AI, but these results are not always accurate). If a document hits a certain threshold for plagiarism, it should be rejected outright and returned to the EAP for resubmission. Similarly, if major discrepancies are detected during the initial reading of the report, the whole report should be rejected on that basis. These preliminary steps will cut down on the time spent working through sub-standard reports and send a clear message that only quality documents will be accepted.

By: Piet Smit and Gail Thomson

A new plant information resource to support EIAs

The new Plant Information System went live on the Environmental Information Service (EIS) website in March 2026. It is designed with EAPs and those evaluating EIAs in mind. (<https://www.the-eis.com/>)

The System provides a searchable list of indigenous Namibian plants with basic information on all species. One can search using criteria like protected status and Namibian region where it occurs, among others. More detailed information on the near-endemic plants can be accessed from a search list containing near-endemic plants. Endemic plants have similar info, but this is still being updated. This work was conducted under the auspices of NCE, with funding from the JRS Biodiversity Foundation.

can be expected to occur in the area of interest. If the area falls near the border of a QDS, the neighbouring QDS's list can also be checked.

Since a QDS (approx. 25 x 25 km) is usually larger than most project sites and because this list is based on incomplete records from the past, it should not be considered as the final list of important species for the area. The list should rather be used to indicate which important plants could be in the area, to be verified by a baseline survey through a competent specialist.

If you have any questions about the Plant Information System or the lists, please contact Herta Kolberg at boscia.nam@gmail.com

By: Herta Kolberg and Sofia Amakali

Displaying 1 - 84 of 84

Group

Select All

☐ Dicot

☐ Gymnosperm

☐ Monocot

Family

Acanthaceae

Aizoaceae

Alismataceae

Amaranthaceae

Amaryllidaceae

Anacampserotaceae

Anacardiaceae

Annonaceae

Anthericaceae

Species

Type a string to search for

Status

Select All

☐ Endemic

☒ Near-endemic

Protected

Select All

☐ NC: Nature Conserv

☐ FA: Forestry Act No. 1

☐ NC & FA: Both NC and

Sort by

Order

Species

Asc

Apply

Reset

PLANTS IN NAMIBIA

APOCYNACEAE

Cynanchum pearsonianum Liede & Meve, Kew Bull. 67(4): 753 (2012)

TYPE: from Namibia

Synonyms: *Sarcostemma pearsonii* N.E.Br.

Ecology: very dry, stony habitat

Description: perennial shrub 0.4 - 0.6 m high; stem round, mostly erect, in segments, up to 6 mm in diameter; young stems more reddish, older stems grey, with white sap; flowers yellow to yellow-green, fruit seed follicles mostly single, up to 8 cm long, on short stalks

Distribution: Endemic to Namibia and South Africa

References: Bruyns, P.V. The Apocynaceae of Namibia. Steidlitzia 2014:341-151.
Geyer, D.L. Nomenclatural changes resulting from the transfer of tropical African *Sarcostemma* to *Cynanchum* (Apocynaceae).
Compiled by Herta Kolberg and Sofia Amakali, December 2025

JRS Biodiversity Foundation

The database is developed and these pages produced using BROWSE software

NCE

Group	Family	Species	Lifeform	Status	Protected	IUCN Category	CITES Category	Regions	Specimen info	Download pdf of info
Dicot	Aizoaceae	<i>Amphibolia obscura</i>	shrublet	Near endemic	NC	LC		KAR		Download info (0.16 MB)

Under the “Resources” tab, you can find several downloadable lists useful to EAPs, for instance the protected or threatened species. Of particular interest will be the list of “Important Indigenous Namibian Plant Species” that occur within each quarter-degree square (QDS) in Namibia, which must be considered during the EIA process. The QDS grid is a mapping system used mainly by botanists in the recent past, and is still useful for grouping occurrence records. The downloadable document contains an explanation of how this system works (download guide here). The list also explains the scoring system we used to include plants on this list. This score is displayed in the first column of the list.

For any EIA or scoping report, the location’s QDS can therefore be worked out and the list checked for the important plant species that have been previously recorded in that grid square. This will be an indication of the species that

QDS

LIST OF IMPORTANT INDIGENOUS NAMIBIAN PLANT SPECIES PER QUARTER-DEGREE SQUARE (QDS)

1613CC

4

Adenium boehmianum

2

Boscia microphylla

3

Ceraria longipedunculata

5

Commiphora crenato-serrata

5

Commiphora glaucescens

5

Commiphora multijuga

3

Commiphora virgata

4

Cordia sinensis

2

Cucumis asper

1

Enneapogon desvauxii

3

Euphorbia eduardoi

4

Hoodia parviflora

2

Indigofera lexeirae

5

Moringa ovalifolia

1

Orthanthera albidia

2

Rhigozum virgatum

4

Sesamothamus benguelensis

5

Xerophyta glutinosa

Score

Strengthening the Environmental Management Act and its implementation

The Environmental Management Act (EMA) (No. 7 of 2007) and associated Environmental Impact Assessment (EIA) Regulations of 2012 are based on Article 95(l) of the Constitution. They provide the legal basis and guidelines for regulating and managing activities that have significant environmental impacts (known as 'listed activities' in the Regulations).

In the 14 years since this legislation has taken effect, many lessons have been learned in terms of legal gaps and challenges during implementation by environmental assessment practitioners (EAPs) and administration by the regulator – the Office of the Environmental Commissioner (OEC). There have been at least three attempts to revise the legislation over the past 10 years, with extensive multi-sector consultations, but no progress has been made. As every significant development in Namibia requires an Environmental Clearance Certificate (ECC), this legislation impacts every sector of Namibia's development and job creation. Shortcomings in the legislation and its implementation have profound national consequences.

We present here a summary of perhaps the more important issues that need to be addressed as a matter of priority and urgency.

A. Institutional shortcomings and solutions

1. The OEC is arguably the most powerful technical office in Namibia, and one with virtually no apparent oversight. This office should make rational decisions to protect the environment and people within the context of sustainable development. However, in many cases, this is not achieved because of poor administration that impacts local and foreign investment, job creation and Namibia's economic performance.

The current slow processing time (see article in this newsletter), lack of accountability and transparency, and weak regulatory capacity in both in staff complement and levels of practical expertise contributes to Namibia's demonstrable history of declining business-environment performance, particularly during the 2010's. There is little internal analysis of the information and data on EIAs, and seemingly no consideration of efficiency and improved service delivery. There is too little consultation with experts, even within the same ministry, and some demonstrably bad projects are allowed to continue to Namibia's detriment. The critical position of the OEC in development and investment makes it highly vulnerable to corruption.

A simple solution is for the Sustainable Development Advisory Council (SDAC) to revert to its intended purpose of being a Sustainable Development Council, comprising four members from different government agencies, four members from outside of government selected by their respective sectors, chaired by the ED of MEFT, to provide oversight, guidance and support to the OEC and hold it accountable.

2. Under current legislation, virtually anyone can set



An abandoned mine from pre-independence. The importance of properly implementing the Environmental Management Act to prevent damaging consequences cannot be overstated.

themselves up as an environmental assessment practitioner (EAP) and conduct EIAs. There is no national, mandatory accreditation system for EAPs in Namibia, or minimum qualifications and experience criteria. While EAPs are required to submit their CV as part of their reports, these are no longer available on the DEA portal (see p.6), and there are no publicly available criteria used to assess whether they are suitably qualified.

While the EAP is required to declare any conflicts of interest to the OEC on a per project basis, there is no legal requirement for the EAP to be independent from the development proponent. **Although an EAP may be paid by the proponent of a proposed development, the EAP's real client is Namibia's environment and her people.** Few EAPs fully appreciate this. This principle needs to be captured in the legislation and reinforced by the OEC.

As a result of the lack of professional standards, there is a huge range of competencies in the "profession" and a wide range of quality of EIAs (see p.4 for recommendations). As a result of the lack of capacity in the OEC, little is done to address the situation – indeed there is a resistance to doing so. Almost 10 years ago, a comprehensive EIA Professional Practitioners Bill was drafted with wide sector consultation and presented to the OEC. Sadly, there has been no progress.

An overdue solution is to promulgate the EIA Professional Practitioners legislation that requires (a) a registration and accreditation system for EAPs that includes qualifications and experience required for different EAP levels (e.g. early career/entry level that may assist with the EIA process, through to lead EAPs that have substantial qualifications and experience), (b) legal requirements for EAP independence, (c) a binding code of conduct (breach of which results in deregistration of the EAP), (d) standards for the quality of Scoping, EIA Reports and EMPs, (e) a minimal list of potential socio-economic, biophysical and environmental impacts that must be considered in the EIA, including when specialists should be appointed and when economic assessments should be undertaken for cost-benefit analyses between options.

Strengthening the Environmental Management Act and its implementation (Cont.)

B. Legislative shortcomings and solutions

While all the issues covered here require legislative reform, some areas have not been addressed at all. These include:

1. **Strategic Environmental Assessment (SEA – sometimes called Strategic Environmental and Social Assessment SESA, with the social component being taken for granted in SEAs, as are economic and livelihoods components).** It is important that new legislation captures exactly what is intended by a SEA – it is not just a large EIA. A SEA is applied to policies, plans, and programmes at a much earlier stage of decision-making. SEA is broader in scope, considering a wider range of alternatives and cumulative impacts, and aims to integrate environmental and socio-economic considerations into strategic planning.
2. **Commercial fishing is not a listed activity and is without doubt the most harmful activity to the marine ecosystem and its biodiversity.** This sector could be addressed by means of a series of SEAs covering each fishery sub-sector separately, resulting in the development of enforceable regulations and guidelines.
3. **Most listed activities have no thresholds for triggering EIAs or guiding the extent and depth of work required.** This should be based on the expected level of environmental and socio-economic risk, determined by means of a screening process. Currently, projects with little or no risk get the same treatment as higher risk projects (see p.3 for recommendations on addressing this matter).



C. Administrative and regulatory shortcoming and solutions

The following is a subset of the more critical issues needing attention:

1. **Transparency and accountability.** All EIA documents and all decisions taken, with their rationale, should remain permanently in the public domain. Any notion that these documents are somehow private, or contain privileged information, is profoundly wrong (see p.6). There is nothing secret about these documents, and any alternative views should raise deep concerns.
The above website should also make provision for a whistle blower component, where members of the public, EAPs, civil servants, NGOs and even employees of transgressing companies can report illegal activities and those in contravention of the EIA, EMP and conditions of the ECC.
2. **Alternatives.** There is currently no requirement to understand the economic impacts and implications of a development at both national and local levels, and how local livelihoods might be impacted. This is especially relevant where a new development might impact existing or planned activities. In this context, short-term benefits may need to be assessed against sustainable long-term benefits as well as who loses and who gains.
EIAs should include a review of regional and local land-use plans and regional and national development plans to ensure that the proposed development does not undermine these plans. Where there is conflict, or potential conflict, with existing or proposed alternative developments, economic assessments must be undertaken to identify costs and benefits at national, local and community levels.
3. **No-go option.** Some proposed developments have huge impacts that are clearly unacceptable with no realistic mitigation. A case in point is the Stampriet aquifer in-situ uranium leach mining proposal. Such projects must be identified at an early stage before any authorisations and approvals are given. This would prevent unnecessary investment by the proponent, damage to the environment, wasteful public engagement and tensions, and prevent future legal action against the regulator.

Such early decisions can be achieved by (a) the Sustainable Development Council (see point A.1. above) declaring a project a potentially no-go project, (b) the OEC setting up a meeting with responsible partner ministries (in the case above, the ministries responsible for mines and water, plus any outside technical experts considered to be relevant) and agreeing that the project is not in Namibia's best interest. At the same time, thresholds should be developed for certain receiving environments and activities.

For example, the Australian Best Practice Guide for uranium in-situ leach mining sets a threshold that any aquifer that (i) is being used for human consumption, (ii) could be used in future, and (iii) is connected to an aquifer (and thus

Strengthening the Environmental Management Act and its implementation (Cont.)

could cause contamination) that is or could be used for human consumption, may not be approved for in-situ uranium leach mining. The door is closed from the outset.

4. Review process. Decisions made by the OEC are not sufficiently transparent (see C.1. above). In cases where the project was approved, the OEC does not need to publish the reasons for approval or the criteria by which the proposal was measured. A case in point is the approval on a mining ECC in an area where there was clear conflict with a conservancy that benefited from an up-market tourism facility in a black rhino conservation area. Despite concerns raised by many parties outside of the mining proponent, including colleagues in MEFT, an ECC was granted. The warning proved to be correct. Tourism and community revenue was lost and not replaced by mining, the rhino conservation programme suffered, but there is no recrimination or consequences for the poor decision to grant an ECC.

Second, the time it takes to review and issue ECCs is totally unreasonable (see p.2-3) This needs to be addressed as a matter of extreme urgency as it has significant impact on Namibia's development, resource mobilisation, job creation and Namibia's reputation as an investment jurisdiction.

5. Appeals. Appeals against decisions made by the OEC can only be lodged by people who can demonstrate "direct and substantial interest" and are thus "aggrieved" by the decision. This limits the pool of potential appellants. The cost of appealing (N\$ 1,000) may further reduce the ability of poor Namibians to appeal. Appeals go before the minister of MEFT but are not taken seriously and remain unattended for years, in contravention of the legislation. Those who can afford it are forced to take the matter up with the courts, while those who cannot are left without answers. This situation requires urgent

action, as follows:

- Expand the definition of parties that may appeal decisions.
- Eliminate the cost of appeal.
- Take the appeal to the Sustainable Development Council (see A.1. above) and place a time limit for a final decision of 1 month.

6. Audits. There is no legal requirement for the OEC to audit projects against their EMPs and the conditions in their ECC. As a result, most projects are never visited or audited. The implications are that the government is running a paper-based EIA process with no real interest in implementation and environmental and social protection. Once an ECC is granted, then developers can do as they wish in the knowledge that no one will audit them. This makes the whole EIA process a farce.

- The EMA needs to be amended to make monitoring and reporting by the proponent obligatory, as well as auditing by the OEC or its appointed agent.
- The capacity of the OEC is weak, both in staff complement and levels of practical expertise. Audits should be outsourced to approved EAPs and specialists as appropriate. Lack of capacity is unacceptable as a reason for any shortcomings in the OEC. If a government agency sets up an obligatory bureaucratic process – especially one that impacts virtually all Namibia's developments and investments – the onus must be on that agency, and ultimately the responsible minister, to deliver. Lack of capacity is a weak, overused excuse. This now needs to be elevated to the Office of the President.

By: Chris Brown

Acronyms used in the environmental assessment sector

BID	Background Information Document
DEA	Department of Environmental Affairs
EAP	Environmental Assessment Practitioner
EAPAN	Environmental Assessment Professionals Association of Namibia
EC	Environmental Commissioner
ECC	Environmental Clearance Certificate
EIA	Environmental Impact Assessment
ESIA	Environmental and Social Impact Assessment
EMA	Environmental Management Act
EMP	Environmental Management Plan
I&AP	Interested and Affected Party
MEFT	Ministry of Environment, Forestry and Tourism
NCE	Namibian Chamber of Environment
NEWS	Namibian Environment & Wildlife Society
NGO	Non-Governmental Organisation
OEC	Office of the Environmental Commissioner