



Netherlands Commission for  
Environmental Assessment

# Advice on the approach for the SEA for the planning of resource use in the Mozambique part of the Zambezi Catchment

Memorandum by the NCEA

27 May 2011



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**Advice of the Secretariat**

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**To** Ministry for Coordination of Environmental Affairs (MICOA/DPE),  
Mozambique

**Attn** Mr. Erasmo Nhachungue, Mr. Domingos Gove  
**c.c.** Mr. Felix Hoogveld, Ms. Celia Jordão (Netherlands Embassy)  
**From** Mr. Reinoud Post (The Netherlands Commission for Environmental  
Assessment, NCEA)  
**Date** 27 May 2011

**Subject** **Advice on the approach for the SEA for the planning of re-  
source use in the Mozambique part of the Zambezi Catchment**

By: Secretariat of the Netherlands Commission for Environmental  
Assessment – with expert input from the Chairman and the Insti-  
tutional and Public Administration expert of the Working Group.

Advice 2011-05

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## 1. INTRODUCTION

SEA is done to inform planning processes. MICOA, by letter of 31 March 2011 has asked the NCEA to advice on an SEA meant to inform the territorial planning process in the Zambezi Valley:

.....MICOA hereby formally request the Netherlands to consider the expansion of the technical support from the NCEA in relation to ii) backstopping role in the development of the SEA instruments and iii) support to the mainstreaming of the SEA finding into a spatial territorial Zambezi river catchment plan. In addition MICOA does request the deployment of the team of experts in the field of SEA and the management of river catchment areas within the next three month for a scoping mission to support MICOA together with the other responsible sector institutes to prepare the technical foundation and plan of action for the proposed targeted strategic approach for the Zambezi River Catchment area.....

In preparation of the scoping mission, the NCEA herewith advices on steps that MICOA can take that must guarantee a successful start of SEA-supported planning process.

## 2. STATEMENT OF THE PROBLEM

According to MICOA the following issues are relevant for the development of the targeted plan:

- Tete province is in rapid development. A multitude of exploration and exploitation concessions is granted and mineral reserves in quantities and concentrations that warrant economic harvesting is found. Some major operations have started producing and major quantities of mining prod-

ucts need to be transported to the coast. Transport infrastructure needs rapid planning and development.

- Concession granting causes substantial involuntary resettlement of populations at apparently unsatisfactory compensation conditions. The Beira corridor that includes that larger part of Tete province, due to its fertile soils and potential for irrigation (Zambezi), is also in focus for large scale agricultural production. The pressure on land resources is at a sharp rise and is headed for conflict. The legal security of land titles is threatened. Conflicts on land tenure are imminent.
- Rapid development of towns in Tete province enhances the pressure on land and the urban environment.
- Mining, mineral processing, hydropower (duplication of capacity – design new dams in progress (Mpanda Nkuwa, Lopete and Boromo ) and increase in irrigated agriculture (16 x the present area) all require substantial water resources, threatening the water resources and the water level in the Zambezi river. There is pressure on government to develop the Zambezi as transport axis for mining products. This requires a sustained minimum water level. Yet another potential conflict area.
- The Zambezi basin hosts and sustains a number of protected areas of international importance (declared Ramsar site “ Marromeu” in Sofala). Expected changes in land tenure and river regime (hydropower, irrigation) threaten these areas to the extent that infractions on international conventions ratified might occur, which has drawn international attention.
- There is actually no governmental body that has the legal authority to manage in an integrated manner the resources at stake (mineral, land, water and conservation areas) in the Mozambican part of the Zambezi basin. The body that seemed to have had such authority (GPZ, according to Dr. Erasmo) has been dissolved. The Zambezi ARA (Zambezi River Authority Mozambique stretch) has limited authority (over water only). On April 28<sup>th</sup> 2011 a DG has been sworn in, in the recently established Zambezi Valley Development Agency. NCEA ignores the formal authority of this agency with regard to resource use planning.
- There is presently no basin development model or example in Mozambique of a formal (legal) planning tool that allows for integrated planning of land, water and other resources at the same time.

### **3. PLANNING AREAS INVOLVED, LIBERTY TO PLAN AND COMPETENCE FOR DECISION MAKING : NEED FOR PRE-SEA CONSENSUS AND COMMITMENT**

Assuming that mining concession granting is a fact and can no longer be influenced by planning tools, the secretariat of the NCEA identifies urban development planning, agricultural production planning, transport planning, territorial planning and water use planning as the key planning processes that could benefit from this SEA.

Spatial Territorial Planning, the planning process for which MICOA has asked NCEA support, usually relies on inputs from government departments that have sector planning in their portfolio. In the case of the Zambezi catchment, NCEA ignores the level of development of plans for the sectors that have a bearing on spatial and territorial planning (transport, urban development and

agricultural production). Moreover, NCEA has the opinion that water use planning can hardly be addressed by spatial territorial planning tools.

These points were discussed in the lunch-the meeting with the Minister for the Coordination of Environmental Affairs at the residence of the Netherlands Ambassador. During this meeting, the Minister indicated that MICOA would call a meeting with the relevant sector authorities to get consensus on the scope for the SEA. This meeting is probably still to be held.

As it judges the stakes at this meeting to be high (it concerns the authority of sector ministries and institutes to decide on sector plans and the acceptance that SEA will be done and might influence their plans), the NCEA is not sure about the outcome of such a meeting. The outcome might well be that a sector ministry or institute does not accept that the proposed SEA is also done for its own sector plan. The final outcome might also be that the sector institutes only wish to collaborate if the SEA is done for the spatial territorial plan alone. In that case, the planning of the use of the river and its waters would by and large fall outside the scope of this SEA.

The NCEA strongly advises to held this meeting and come to conclusions before NCEA sends in an (expensive) expert scoping team (that now is provisionally composed in the assumption that the SEA will be used for all relevant sector plans).

The NCEA advises that MICOA:

1. (in personal talks) informs key decision makers in the sector institutes and local authorities on its intentions with this SAE;
2. invites them to call a meeting to formulate and sign a statement of intent indicating for which planning processes the SEA will be done and what are the conditions for, and the limits to the liberty of planning;
3. (if judged useful) has this statement of intent sanctioned y the council of ministers.

Such a declaration would form the firm basis needed to safely engage in investing in a planning/SEA trajectory. Once consensus is reached on the bearing of the SEA (in such a declaration of intent), there is a clear cut assignment for the NCEA that will allow the NCEA to compose the correct team of experts and, unlike the present situation, does not carry the risk that (part of) the NCEA team returns to the Netherlands without having been able to make a useful contribution.

#### **4. DEVELOPING AN APPROPRIATE SEA PROCESS**

The NCEA will send in an expert team (tuned to the decided bearing of the SEA) to advice on an appropriate process for this SEA. The form of this process depends on what the relevant sector institutes have agreed on the bearing of the SEA. The NCEA-team will also advice on the institutional embedding of this SEA.

## **5. DETERMINING THE SCOPE FOR THE SEA**

In addition to advice on process and institutional embedding, the team will provide detailed advice on ToR for the SEA (substance matter: context / base line / sustainability criteria / development targets / alternative scenario's / assessment of impacts / comparison of alternatives, etc.)