

Guinea

SEA profile

Updated to: 28 July 2022

For your information....

The 2019 Environment Code first introduced SEA in Guinea. Subsequently, in July 2022, a ministerial Arrêté was published that provides procedural requirements.

source

Code-de-l'Environnement-du-04-juillet-2019-1.pdf (medd-guinee.org)

Chapter 1, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Overview SEA procedure

SEA in Guinea is applied to any policy, strategy, plan, programme or project consisting of multiple sub-projects (from now on: PPP), of which the exact locations are not yet known and which may have environmental and social impacts.

SEA aims at a better consideration of environmental and social concerns in decision making, including on climate change, biodiversity loss, security, health, preservation of the living environment, and pollution control. SEA also aims to look at cumulatif impacts and to respect the principles of sustainable development. If applicable, she defines social and environmental conditions for projects that result from the PPP it is applied to.

The SEA procedure includes the following steps:

- A statement that the PPP will be developed
- Screening
- Scoping and Terms of Reference
- Realisation of the SEA
- Analysis of the report
- Decision making
- Implementation and follow-up

source

Articles 4 -6, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Establishing context

Screening process

The proponent must submit to MEDD a written Declaration of notice of the intention to develop a PPP, including a request that an SEA be realised.

Upon receiving the Declaration, the AGEE proceeds to do the screening, to decide whether an SEA is required or not.

source

Article 7 & 8, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Timeline Screening

Within 15 working days upon receiving the screening advice from the AGEE, the MEDD informs the proponent of its decision.

Note: it is not indicated how long the AGEE can take for the screening itself.

source

Article 8, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Implementing SEA

Scoping process

Upon receiving the positive screening decision from the MEDD, the proponent is required to develop a ToR for the SEA and submit it to the MEDD.

The AGEE evaluates the quality of the scoping report and ToR and advises the MEDD, who signs and transmits his decision to the proponent within 15 working days.

Note: it is not indicated how long the AGEE can take for the evaluation itself.

source

Article 9, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Documenting results

The SEA study results in an SEA report, to be submitted to the MEDD for review and decision making.

source

Article 10, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Content of SEA report

The minimum requirements for the contents of the SEA include:

- A non-technical summary

- An introduction explaining the reason for the SEA
- A description of the PPP
- Direct and indirect results
- The context of the PPP, explaining the reason for which the planning is foreseen
- The scope, structure and way of the evaluation
- Potential environmental and social impacts, identification and analysis
- Adaptation and resilience to climate change, biodiversity, migratory species and their habitats
- Effects on gender and vulnerable persons
- Measures, including technical, legal, institutional and capacity development measures
- A mechanism for the follow up of these measures and recommendations
- A conclusion
- Annexes

source

Article 12, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Review process

AGEE is responsible for the review of the SEA report, with the help of the Technical Committee for Environmental Analysis (CTAE).

Costs related to the review are for the proponent.

source

Article 11, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Timeline review

The final SEA report, integrating the comments and observations of the CTAE, is submitted to the MEDD, which then has 14 working days to take its final decision.

Note that no timeline is provided for the review itself.

source

Article 11, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Informing decision making

SEA and planning decision-making

The arrêté does not provide information on SEA and decision making on the PPP.

Projects that follow from PPP for which an SEA is done, are still required to undergo the appropriate environmental assessment to obtain authorisation.

source

Article 14, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

Follow-up

Monitoring and evaluation

Once the SEA report is approved by the MEDD, an agreement ('convention') is prepared to deliver the environmental authorisation. Follow-up of the convention is assured by the AGEE.

The ESMP becomes the directive for the proponent to follow. He is required to submit periodical reports to the AGEE. The AGEE and MEDD follow the ESMP, where the AGEE reports to the MEDD on the follow-up.

source

Article 11 & 13, Arrêté A/2022/1646/MEDD/CAB/SGG portant procédure administrative d'évaluations environnementales.

SEA practice

Background information

Legal framework

Institutional setting

Central SEA authority

Agence Guinéen pour l'Evaluation Environnementale (AGEE)

Initiator of the SEA

The proponent of the SEA is the authority responsible for the development of the PPP. The proponent bears the costs related to the SEA.

Contact

MEDD-GUINEE - Ministère de l'Environnement et du Développement Durable

www.medd-guinee.org