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Appendix: Supporting Data

Table 1: Scope of legislation review

Legislation Category	**Primary Legislation** (e.g. Codes, Acts, Laws)	**Secondary Legislation** (e.g. Regulations, Orders, Decrees)	**Mitigation Hierarchy (MH) Relevance**
Environmental Impact Assessment *Legislation specifically governing the EIA procedure applicable to all activities*	X	X	• Identifies classes of activity that are subject to Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) procedures. • Contains screening provisions to identify activities subject to EIA and SEA requirements. • Sets out the procedures for scoping and conducting EIAs and SEAs. • Sets out requirements for the Environmental and Social Management Plan • Provides for monitoring of compliance with EIA and SEA procedures and enforcement.
Environmental Protection *Legislation codifying the overarching management and protection of the natural environment*	X	X (limited)	• Contains the overarching principles for requiring EIAs and SEAs to be conducted. • Contains general principles of environmental protection that support avoidance.
Protected Areas *Legislation regulating the management of protected areas generally and of specific sites*	X	X	• Regulates development activity within and surrounding designated protected areas that may indirectly be relevant to MH measures

			• Identifies specific activities that require EIA or SEA procedures to be followed.
Mining *Legislation regulating all aspects of the mining industry within a range state*	X	X	• Links mining licences and permits to the requirement for EIA procedures to be followed. • Sets out the procedures for scoping and conducting EIAs for mining activities. • Sets out restoration and mitigation requirements relating to mining sites which may support MH measures. • Provides sanctions for environmental harm linked to mining activities.
Constitution *Overarching principles of governance applicable to the range state*	X		• Contains overarching duties to protect the environment and natural resources of the state and citizens' right to a healthy environment which may support MH measures.
Penal *Principle compilation of the criminal law applicable to the jurisdiction of the range state*	X		• Contains enforcement provisions and sanctions relating to environmental harm.

Table 2: Legislation reviewed for each country

Country	**Legislation topic**	**Title**
Costa Rica	EIA	Acta de la Sesion Ordinaria N° 087-2008-SETENA - Sesion Ordinaria de la Comision Plenaria de la Secretaria Tecnica Nacional Ambiental
		Resolucion No. 2370-2004-SETENA – Acuerdo de Comision Plenaria – 2004
		Resolución Nº 2653-2008- Acuerdo Comision Plenaria Ampliacion de la Resolucion No. 583-2008-SETENA – 2008
		Resolución Nº 1287-2008-SETENA – Acuerdo Comision Plenaria Modificacion Resolucion 2005-2006-SETENA – 2008
		Resolución Nº 583-2008-SETENA – Acuerdi Comision Plenaria Modificaion de la Resolucion No. 2370-2004-SETENA – 2008
		Resolución Nº 147-2009-SETENA – Acuerdo de Comision Plenaria Vigencia de la Viabilidad Ambiental – 2009
		Resolucion N° 1235-2009-SETENA – Acuerdo de Comision Plenaria Rotulacion de Proyectos con Viabilidad Ambiental – 2009
		Resolucion N° 02572-2009-SETENA – Acuerdo de la Comision Plenaria Guia Tecnica para Estudio de Diagnostico Ambietal – EDA – 2009
		Resolucion No. CP-280-2010-SETENA - Acuerdo de la Comision Plenaria Acta No. 138-2010 - 2010
		Resolución 2288-2011-SETENA – Acuerdo de Comision Plenaria Bitacora Ambiental – 2011
		Resolucion N° 2912-2011-SETENA – Acuerdo de la Comision Plenaria Comunicado a Todos los Consultores y Empresas Consultoras Amientales - 2011
		Reglamento General sobre los Procedimientos de Evaluación de Impacto Ambiental (EIA) - Nº 31849 -MINAE-S-MOPT-MAG-MEIC – 2004
		Modificación a la Regulación General sobre Procedimientos de Evaluación de Impacto Ambiental - Decree No. 32734 -2005
		Reglamento para la elaboración, revisión y oficialización de las Guías Ambientales de buenas practices productivas y desempeño ecoeficiente – Decretos Nº 34522-MINAE – 2008

		Reforma Reglamento General sobre los Procedimientos de Evaluación de Impacto Ambiental (EIA) - Nº 35550-MINAET-S-MOPT-MAG-MEIC – 2009
		Manual de Instrumentos Técnicos para el Proceso de Evaluación de Impacto Ambiental (Manual de EIA) - PARTE I - Nº 32079 – 2004
		Manual de Instrumentos Técnicos para el Proceso de Evaluación de Impacto Ambiental (Manual de EIA) - PARTE II - Nº 32712-MINAE – 2005
		Manual de Instrumentos Técnicos para el Proceso de Evaluación de Impacto Ambiental (Manual de EIA)- PARTE IV - Nº 32966-MINAE - 2006
		Manual de Instrumentos Técnicos para el proceso de Evaluación de Impacto Ambiental (Manual de EIA) - PARTE III - Nº 32967-MINAE – 2006
		Modificaciones al Manual de Instrumentos Técnicos para el Proceso de Evaluación de Impacto Ambiental (Manual de EIA – PARTE II) - Documento de Evaluación Ambiental D1 y otras regulaciones en materia Ambiental - N° 34375-MINAE – 2007
	Environmental Protection	Ley Organica del Ambiente – Decreto No. 7554 – 1995
		Ley de Biodiversidad – No. 7788 – 1998
	Protected Areas	Ley del Servicio de Parques Nacionales - N° 6084 – 1977
	Mining	Código de Minería - Nº 6797 – 1984 (amended 2018)
	Constitution	Constitution Politica de la Republica de Costa Rica – 1949
	Criminal Code	Codigo Penal – 1970
Côte d'Ivoire	EIA	Décret No 2005-03 du 6 janvier 2005 portant Audit Environnemental
		Décret n°2013-41 du 30 janvier 2013 relatif à l'Evaluation Environnementale Stratégique des Politiques, Plans et programmes
		Decret n° 96-894 du 08 novembre 1996 déterminant les règles et procédures applicables aux études relatives à l'impact environnemental des projets de développement
		Arrete 972-2007 Relatif a l'Application du Decret 96-894 Determinant les Regles et Procedures Applicable aux Etudes Relatives a l'Impact Environnemental des Projets de Developpement
		Arrete 973-2007 Relatif a l'Application du 2005-03 Portant Audit Environnemental

	Environmental Protection	Loi No 96- 766 du 3 Octobre 1996 Portant Code de l'Environnement
		Decret No 2014-507 du 5 Septembre 2014 portant organisation du ministere de l'Environnement, de la Salubrité Urbaine et du Développement Durable
		Decret No 98-43 du 28 janvier 1998 relatif aux installations classées pour la protection de l'environnement
		Décret no 2012-1047 du 24 octobre 2012 fixant les modalités d'application du principe pollueur- payeur tel que défini par la loi n°96-766 du 03 octobre 1996 portant code de l'environnement
	Protected Areas	Loi No 2002-102 du 11 Février 2002 relative à la création, à la gestion et au financement des parcs nationaux et des réserves naturelles
		Loi No 2013-864 du 23 Decembre 2013 modifiant l'alinea 2 de l'article 9 de la loi 2002-102 du 11 fevrier 2002 relative a la creation, a la gestion et au financement des parcs nationaux et des reserves naturelles
		Décret No 81-218 du 2 Avril 1981, portant création du Parc national d'Azagny
		Arrêté No 50 MINAGREF. du 25 Juin 1986, portant règlement du Parc national d'Azagny
		Décret No 68-81 du 9 Février 1968, portant création du Parc national de la Comoé
		Arrêté No 5 MIPRONA. CAB. du 4 Novembre 1976, portant règlement intérieur du Parc national de la Comoé
		Décret No 68-80 du 9 Février 1968, portant création du Parc national de la Marahoué
		Décret No 76-215 du 19 Février 1976, portant création du Parc national du Mont-Sangbé
		Décret No 72-545 du 28 Août 1972, portant création de la réserve partielle de Faune du N'ZO
		Décret No 72-544 du 28 Août 1972, portant création du Parc national de Taï
		Decret No 74-179 du 25 avril 1974, portant classement du Parc national des Iles Ehotiles
		Decret No 93-695 du 19 aout 1993, portant creation de la Reserve de Faune d'Abokouamekro
		Decret No 68-79 du 9 fevrier 1968, portant creation du Parc national du Mont Peko
		Decret No 2018-509 du 30 mai 2018 portant modification des limites du Parc national des Iles Ehotilé
		Decret No 2018-510 du 30 mai 2018 portant modification des limites du Parc national du Banco
		Decret No 2018-511 du 30 mai 2018 portant création de la réserve naturelle volontaire N'Zi River Lodge

		Decret no 2013-127 du 20 fevrier 2013 portant creation de la Reserve naturelle de Dahliafleur
	Mining	Loi No 2014-138 du 24 Mars 2014 Portant Code Minier
		Decret no 2008-25 du 21 fevrier 2008, portant creation, organisation et fonctionnement du Conseil national pour la mise en oeuvre des principes de l'initiative pour la transparence de Industries extractives
		Decret No 2014-397 du 25 juin 2014 déterminant les modalités d'application de la loi No 2014-138 du 24 mars 2014 portant Code minier
		Reglement N°18_2003_CM_UEMOA Portant Adoption du Code Minier Communautaire De L'UEMOA
	Constitution	Côte d'Ivoire Constitution – Loi 886 – 8 Novembre 2016
	Criminal Code	Le Code Penal Loi 81-640 du 31 Juillet 1981
Ghana	EIA	Environmental Assessment Regulations 1999
		Environmental Assessment (Amendment) Regulations 2002
	Environmental Protection	Environmental Protection Agency Act 1994
	Protected Areas	Wild Animals Preservation Act 1961
		Wildlife Reserves Regulations 1971
		Wildlife Reserves (Amendment) Regulations 1974
		Wildlife Reserves (Amendment) Regulations 1975
		Wildlife Reserves (Amendment) Regulations 1976
		Wildlife Reserves (Amendment) Regulations 1977
		Wildlife Reserves (Amendment) Regulations 1983
		Wildlife Reserves (Amendment) Regulations 1991
		Trees and Timber Act 1974

		Forest Protection Act 1974
	Mining	Mining Rights, Licences and Certificates (Imposition of Fees) (Consolidated Amendments) Act 1983
		Minerals Commission Act 1993
		Minerals and Mining Act 2006
		Minerals and Mining (Amendment) Act 2015
		Minerals Development Fund Act 2016
	Constitution	Ghana's Constitution of 1992 with Amendments through 1996
	Criminal Code	Criminal Code 1960 (Act 29, as amended up to 2003)
Guinea	EIA	Décret n° 199/PRG/SGG/89 du 08 novembre 1989 codifiant les études d'impact sur environnemental
		Arrete A/2013/473/MEEF/CAB/SGG du 11 Mars 2013, Portant Commissionnements Administratifs du Procesus D'Approbation des Dossiers D'Evaluation Environnementale et Sociale
		Arrete A/2013/474/MEEF/CAB/SGG du 11 Mars 2013, Portant Adoption du Guide General D'Evaluation Environnementale
		Arrete 2012/8004/MDEEF/CAB/SGG Portant creation, attributions, composition et fonctionnement des comites prefectoraux de sum des plans de gestion environnementale et sociale
		Arrete A/2017/5732/MEEF/SGG portant nomination des membres du comite national pour la preparation et le suivi de la strategie nationale de compensation des impacts sur la diversite biologique
	Environmental Protection	Loi L/2019/...../AN portant code de l'environnement de la Republique de Guinee
	Protected Areas	Loi No. 2018/0049/AN Portant code de protection de la faune sauvage et de reglementation de la chasse
	Mining	Code minier de la République de Guinée 2011
		Decret D/2014/14/PRG/SGG Portant Adoption D'une Directive de Realisation D'une Etude D'Impact Environnemental et Social des Operations Minieres
	Constitution	Constitution of Guinea 2010
	Criminal Code	Code Penal Loi 2016/059

		Code Procedure Penale Loi 2016/060/AN
Guinea-Bissau	EIA	Lei 10/2010 Sobre Avaliacao Ambiental
		Decreto 7/2017 Regulamento De Eestudo Do Impacto Ambiental E Social
		Decreto 9/2017 Regulamento Da Auditoria Ambiental
		Decreto 8/2017 Regulamento Do Licenciamento Ambiental
		Despacho 16 de Dezembro de 2004 Celula De Avaliacao Do Impacto Ambiental
		Decreto 5/2017 Regulamento de Participação Pública no Processo de Avaliação Ambiental
	Environmental Protection	Lei 1/2011 De Bases Do Ambiente
		Decreto 6/2017 Regulamento Do Fundo Ambiental
		Comunicado De Conselho De Ministros - 01.04.2015 - Moratoria No Corte De Arvores De Madeira
		Decreto 10/2017 - Regulamento de Inspecao Ambiental
		Decreto 11/2017- Corredores Ecologicos
	Protected Areas	Decreto-Lei n. 5-A/2011 de 1 de Março Revisao da Lei Quadro das Areas Protegidas
		Decreto 2/2005 Instituo da Biodiversidade e das Áreas Protegidas
		Decreto 9/2005 Plano De Gestao Da Area Marinha Protegida Comunitaria Das ilhas De Formosa, Nago E Chedia (Ilhas Urok)
		Decreto 13/2000 Criacao Do Parque Natural Das Lagoas De Cufada
		Decreto 14/2011 Cria O Parque Nacional De Cantanhez
		Decreto 12/2000 Criacao De Parque Natural Dos Tarrafes Do Rio De Cacheu
		Decreto 11/2000 Criacao De Parque Nacional Do Grupo De Ilhas De Orango
	Mining	Lei 3/2014 Codigo De Minas E Pedreiras

	Constitution	Constituicao Da Republica Da Guine-Bissau Dezembro 1996
	Criminal Code	Decreto Lei 4/1993 Codigo Penal
		Decreto Lei 5/1993 Codigo Do Processo Penal
Liberia	EIA	Forestry Development Authority - Regulation No. 113-08 – Regulation on Environmental Impact Assessment
	Environmental Protection	An Act Adopting the Environment Protection and Management Law of the Republic of Liberia 2002
		An Act Creating the Environment Protection Agency of the Republic of Liberia 2002
		An Act Adopting the National Forestry Reform Law of 2006
	Protected Areas	An Act Adopting the National Wildlife and Conservation Protected Area Management Law 2016
	Mining	Minerals and Mining Act 2000
		The Public Procurement and Concessions Commission Act 2005
		Extractive Industries and Transparency Initiative Act 2009
		Regulations Governing Exploration under a Mineral Exploration License 2010
	Constitution	Constitution of the Republic of Liberia 1984
	Criminal Code	Penal Law – Liberian Code of Laws No. 26 – 1976
		Extortion, Environmental Crime, and Illicit Trafficking in Human Beings and Migrant Smuggling Act 2012
Mali	EIA	Decret 2018-0991-P-RM Relatif a l'Etude et a la Notice d'Impacts Environnemental et Social
		Decret 2018-0992-P-RM Fixant les Regles et les Modalites Relatives a l'Evaluation Environnementale Strategique
		Decret 2018-0993-P-RM Fixant les Conditions d'Execution de l'Audit Environnemental
		Arrete No. 08-1850/MF-SG du 30 Juin 2008 Fixant le Regime Fiscal et Douanier Applicable aux Marches Realtifs aux Etudes d'Impact Environnemental et Social au Projet d'Amenagement de Taoussa.

		Arrete Interministeriel No. 10-1509/MEA-MIICMEF Fixant le Montant, les Modalites de Paiement et de Gestion des Frais Afferents aux Activites Relatives a l'Etude d'Impact Environnemental et Social.
		Arrete Interministeriel No. 2013-0256/MEA/MATDAT-SG du 29 Janvier 2013 Fixant les Modalites de la Consultation Publique en Matiere d'Etude d'Impact Environmental et Social
	Environmental Protection	Loi No. 01-020 Relative aux Pollutions et Aux Nuisances
		Loi No. 10-027/ du 12 Juillet 2010 Portant Creation de l'Agence de l'Environnement et du Developpement Durable
		Decret No. 2019-0353/P-RM du 29 Mai Fixant l'Organisation et les Modalites de Fonctionnement de l'Agence de l'Environnement et du Developpement Durable
	Protected Areas	Loi No. 2018-036/ du 27 Juin 2018 Fixant les Principes de Gestion de la Faune et de son Habitat
		Decret No. 01-098/P-RM du 23 Fevrier 2001 Portant Classement de la Foret du Sounsan
		Decret No. 01-099/P-RM du 21 Fevrier 2001 Portant Classement de la Reserve de Faune du Nienendougou
		Decret No. 10-091/P-RM du 15 Fevrier 2010 Portant Classement de la Reserve de Faune du Mande-Wula
		Decret No. 10-092/P-RM du 15 Fevrier 2010 Portant Classement de la Reserve de Faune du Nema-Wula
		Decret No. 98-135/P-RM Fixant l'organisation et les modalités de fonctionnements du Parc Biologique de Bamako
		Decret No. 2011-055/P-RM du 10 Fevrier 2011 Portant Classement de la Mare Sanke et les Sites Associes dans le Patrimoine Culturel National
		Decret No. 2012-289/P-RM du 13 Juin 2012 Portant Classement de la Reserve de Faune de Djangoumerila
		Decret No. 2012-290/P-RM du 13 Juin 2012 Portant Classement de la Reserve de Faune de Djinetoumanina
		Decret No. 2012-291/P-RM du 13 Juin 2012 Portant Classement de la Reserve de Faune de Dialakoro
		Loi No. 02-002/ du 16 Janvier 2002 Portant Classement du Parc National du Kouroufing
		Loi No. 02-003/ du 16 Janvier 2002 Portant Classement du Parc National du Wongo
		Loi No. 97-030 Portant Creation du Parc Biologique de Bamako
	Mining	Loi No. 2012-015/ du 27 Fevrier 2012 Portant Code Minier

		Decret No. 2012-311/P-RM du 21 Juin 2012 Fixant les Conditions et les Modalites d'Application de la Loi Portant Code Minier
		Decret No. 2013-690/P-RM du 28 Aout 2013 Portant Modification du Decret No. 2012-311/ P-RM du 21 Juin 2012 Fixant les Conditions et les Modalites d'Application de la Loi Portant Code Minier
	Constitution	Decret No. 92-0731 P-CTSP Portant Promulgation de la Constitution
	Criminal Code	Loi No. 01-079 Code Penal
Senegal	EIA	Arrete Ministeriel n° 9468 MJEHP-DEEC en date du 28 novembre 2001 portant réglementation de la participation du public à l'étude d'impact environnemental
	Environmental Protection	Code de L'Environnement 2001
		Decret N° 2001 – 282 du 12 Avril 2001 Portant Application du Code de L'Environnement
		Arrete Ministeriel n° 9469 MJEHP-DEEC en date du 28 novembre 2001 portant organisation et fonctionnement du Comité technique
		Arrete Ministeriel n° 9470 MJEHP-DEEC en date du 28 novembre 2001 fixant les conditions de délivrance de l'Agrément pour l'exercice des activités relatives aux études d'impact sur l'Environnement
	Protected Areas	Loi No. 86 Portant Code de la Chasse et de la Protection de la Faune 1986
	Mining	Décret 2012-647 relatif aux attributions du Ministre de l'Energie et des Mines
		Décret 2013-1279 relatif aux attributions du Ministre de l'Industrie et des Mines
		Décret 2013-1283 relatif aux attributions du Ministre de l'Energie et des Mines
		Code Minier Loi No. 2016-32 du 8 Novembre 2016
		Décret 2017-459 fixant les modalités d'applic.ation de la loi n°2016-32 du 08 novembre 2016 porrant Code minier
		Décret 2017-1593 relatif aux attributions du Ministre des Mines et de la Géologie
	Constitution	Loi No 2001-03 de 22 Janvier 2001 Constitution, Amendee
	Criminal Code	Loi de Base N0. 65-60 du 21 Juillet 1965 Portant Code Penal
		Loi n° 2016-29 du 08 novembre 2016 modifiant la Joi n° 65-60 du 21 juillet 1965 portant Code Penal

Sierra Leone	EIA	Environment Protection Agency Act 2008
	Environmental Protection	The Forestry Act 1988
		Wildlife Conservation Act 1972
	Protected Areas	National Protected Area Authority and Conservation Trust Fund Act 2012
	Mining	Mines and Minerals Act 2009
		Mines and Minerals Regulations 2009
		Environmental and Social Regulations for the Minerals Sector 2012
	Constitution	Sierra Leone's Constitution of 1991, reinstated 1996, with amendments through 2008
	Criminal Code	The Criminal Procedure Act 2014

Table 3: Mitigation hierarchy (MH) review framework

MH Element	Procedural Step	Question	Provisions Identified & Scoring
AVOID	Strategic Environmental Assessment (SEA)	1. Is there express provision for undertaking SEAs?	3 – Express requirement for the State to undertake SEAs in relation to development activities. 2 – Express provision for SEAs, but their implementation is either optional or limited in some way. 1 – Express provision for SEAs but only in very limited circumstances. 0 – No provision for SEAs.
		2. Do SEAs apply to relevant activities (e.g. plans, programs, trans-jurisdictional development)?	3 – SEAs expressly apply to relevant activities. 2 – SEAs are not mandatory / some restriction on their application. 1 – SEAs only required in limited circumstances. 0 – No provision for SEAs.
		3. Do SEAs expressly require avoidance of negative impacts?	3 – SEAs expressly require avoidance. 2 – SEAs expressly require avoidance, but in limited circumstances. 1 – SEA provisions may indirectly achieve avoidance. 0 – No provision for SEAs to require avoidance.

		4. Is the precautionary principle expressly applicable to SEA procedures?	3 – Precautionary principle expressly applicable to SEAs. 2 – Precautionary principle expressly applicable to SEAs, but limited in some way. 1 – Precautionary principle applicable to environmental management generally, but not specifically SEAs. 0 – No reference to the precautionary principle.
	Environmental Impact Assessment (EIA) Screening	5. Is screening required to be undertaken at an early stage?	3 – Screening is expressly required at the earliest opportunity. 2 – Screening is indirectly required before activity begins (e.g. because an EIA is required as a condition of licencing the activity). 1 – Screening is indirectly required before activity begins, but types of activity are limited. 0 – No express reference to when screening must occur.
		6. Are relevant activities automatically subject to a full EIA?	3 – Express requirement for a full EIA for all mining activity. 2 – Express requirement for a full EIA for the majority of mining activity, with limited exceptions. 1 – Express requirement for a full EIA for the majority of mining activity, with substantial exceptions.

			0 – No express requirement of a full EIA for mining activity.
		7. Are there any activities known to have negative environmental impacts not automatically subject to a full EIA?	3 – No mining activity excepted from requirement for a full EIA. 2 – Full EIA required for mining activity, but some activity only requires more limited EIA. 1 – Greater exceptions to the requirement for a full EIA for mining activity. 0 – No express requirement of an EIA for mining activity.
		8. Are any relevant activities expressly excluded from the requirement for a full EIA?	3 – No categories of activity are excepted from the requirement for a full EIA provided impact thresholds are met. 2 – Limited exceptions to the requirement for a full EIA, which do not include mining activity. 1 – Limited exceptions to the requirement for a full EIA, which include mining activity. 0 – Extensive exceptions to the requirement for an EIA, which include mining activity.
	EIA Scoping	9. Does the area of influence under review encompass the landscape level?	3 – Express requirement to consider the landscape level in the scoping exercise. 2 – Express requirement to consider impacts beyond the immediate project site, but no reference to the landscape level.

			1 – General requirement to consider impacts that could occur beyond the immediate project site. 0 – No express or indirect requirement to consider the landscape level in the scoping exercise.
		10. Is there a requirement to consider alternatives to the proposed activity?	3 – Express requirement to consider land-use alternatives. 2 – Provisions indirectly require substantial consideration of land-use alternatives. 1 – Provisions indirectly require limited consideration of land-use alternatives. 0 – No requirement to consider land-use alternatives.
	EIA Decision Making	11. Is the precautionary principle expressly applicable to EIA procedures?	3 – Express requirement to adopt precautionary principle in EIA procedures. 2 – Precautionary principle applies generally to environmental management or to relevant activities. 1 – Provisions which indirectly achieve the precautionary principle apply to EIAs. 0 – No reference to the precautionary principle.
	Express Prohibition on development	12. Is there an absolute prohibition or special consideration given to “no go” areas (e.g. protected areas, world heritage sites or habitat of endangered species)?	3 – Express prohibition on mining in protected areas. 2 – Prohibition on mining in protected areas without authorisation. 1 – General requirement to protect certain areas, but no express prohibition on mining.

			0 – No protected area provisions.
		13. Are there other overarching requirements that would support avoidance (e.g. general liability for environmental damage)?	3 – Provisions that expressly support avoidance. 2 – Provisions that indirectly support avoidance. 1 – Provisions that provide only limited support for avoidance. 0 – No provisions that support avoidance.
		14. Are any relevant activities exempt from EIA requirements that would compromise the ability to avoid impacts?	3 – No relevant activities are exempt from EIA requirements. 2 – Limited relevant activities may be permitted by State and/or under strict regulation. 1 – Wide range of relevant activities may be permitted by the State. 0 – Relevant activities are expressly exempt from EIA requirements.
MINIMISE	Public Participation in the EIA Process	15. Is there a requirement for wide-ranging stakeholder engagement within the EIA process?[1]	3 – Express requirement to undertake stakeholder engagement activities required within EIA process including public consultation, advertising public hearings, making EIA documents publically available. 2 – Express requirement to undertake stakeholder activities, but these are limited in nature.

[1] Whilst stakeholder engagement is relevant to all stages of the EIA process, this question is deemed particularly relevant to the success of measures to minimise impacts as these in situ measures require significant depth of knowledge, especially from local stakeholders, to ensure their effectiveness.

			1 – General requirement for public consultation but no detailed provisions as to the activities to be undertaken. 0 – No express requirement to consult with stakeholders.
	EIA Scoping[2]	16. Is there a requirement to adopt an ecosystem approach when considering specific impacts?	3 – Express reference to the requirement for an ecosystem approach to impact assessment. 2 – Requirement to consider impacts on the environment surrounding the project site and not just the site itself. 1 – Provision for optional consideration of impacts beyond the project site or only required where "it is deemed appropriate". 0 – No requirement to consider impacts beyond the project site.
		17. Is there a requirement to consider impacts over the entire life-cycle of the project?	3 – Express requirement to consider impacts throughout the project's life-cycle. 2 – Requirement to consider long-term impacts which is likely to cover the project's life-cycle. 1 – Reference to optional consideration of long-term impacts or impacts beyond the initial installation phase of the project.

[2] Having an ecosystem, entire life-cycle and/or cumulative impact approach to the EIA scoping process is deemed to increase the potential for well designed measures to minimize impacts because it helps to identify more impacts in the first place and enables measures to comprehensively address wide-ranging impacts, even where opportunities to avoid impacts have been lost.

			0 – No reference to the timescale over which project impacts must be considered.
		18. Is there a requirement to consider the cumulative impacts of the project?	3 - Express requirement to consider the cumulative impacts of the project. 2 – Requirement to consider impacts at different geographical scales (including trans-boundary) which is likely to result in a consideration of cumulative impacts. 1 – Reference to optional consideration of impacts at different geographical scales. 0 – No requirement to consider the project's cumulative impacts.
	EIA Assessment Standards[3]	19. Does the EIA assessment process require a scientific, transparent and participatory approach?	3 – Express requirements as to the terms of reference for the EIA which support scientific rigour, transparency and participation from stakeholders. 2 – Express requirement to adopt best available scientific methods, but limited detail as to the terms of reference for the EIA. 1 – General requirement to use scientific methods, but no specific requirements as to the terms of reference for the EIA.

[3] Whilst the questions under EIA Assessment Standards and EIA Monitoring & Enforcement are potentially relevant to avoidance and offset measures as well, these questions are deemed particularly relevant to measures seeking to minimise impacts because they identify practices which contribute to ongoing management of impacts (e.g. specific, measurable and time bound measures, adopting an adaptive approach, or requiring external monitoring).

			0 – No specific requirements as to the terms of reference for the EIA.
		20. Are mitigation measures required to be specific, measurable, and have clear timelines?	3 – Express requirement for mitigation measures to be documented in an Environmental and Social Management Plan which are clear, include key performance indicators and have clear timeframes. 2 – Express requirement for mitigation measures to be specific, measureable and time-bound, but these are in some way limited. 1 – Reference to specific, measurable and time-bound criteria for mitigation measures, but these are optional. 0 – No requirement for mitigation measures other than that they be included within the EIA.
		21. Is there a requirement to engage external experts in the assessment process and in developing mitigation measures?	3 – Express requirement to engage external experts to undertake EIA, which may include that the expert's are independently accredited and registered with the State. 2 – N/A 1 – N/A 0 – No requirement to engage external experts to undertake EIA.
		22. Is there a requirement to adopt an adaptive approach to implementing mitigation measures?	3 – Express requirement for Environmental & Social Management Plan to adopt an adaptive approach.

			2 – Requirement to adopt an adaptive approach but only in limited circumstances. 1 – Requirement to update the Environmental & Social Management Plan which may indirectly encourage an adaptive approach. 0 – No provisions which would facilitate an adaptive approach to implementing mitigation measures.
	EIA Monitoring & Enforcement[4]	23. Is the project subject to external monitoring of environmental impacts and implementation of mitigation measures?	3 – Express requirement for an external environmental audit of projects subject to an EIA. 2 – Provision to undertake external environmental audits, but these are at the discretion of the State. 1 – Requirement to undertake an environmental audit, but this may be run internally. 0 – No requirement to undertake an environmental audit either internal or external.
		24. Does the legislation provide for a grievance mechanism for affected communities to raise concerns about the implementation of mitigation measures?	3 – Express provision for a grievance procedure whereby individuals can complain to the State about implementation of the EIA. 2 – Provision for a grievance mechanism, but limited or at the State's discretion. 1 – Provision for complaints to be made about granting an environmental licence or related decision of the State but not about implementation of the EIA itself.

[4] Refer to footnote 3.

			0 – No provisions relating to a grievance mechanism in respect of the EIA or project implementation.
		25. Is a financial guarantee required to secure performance of mitigation measures?	3 – Express requirement for a deposit or guarantee sum to be paid prior to project commencement to secure performance of mitigation measures. 2 – State may require a deposit or guarantee but this is not an automatic requirement. 1 – Deposit or guarantee required but only for certain mitigation measures (e.g. site rehabilitation). 0 – No provisions relating to a financial guarantee to secure performance of mitigation measures.
		26. Can the state suspend or terminate a permission to operate for failing to comply with the EIA legislation?	3 – Express provision that a project may be suspended or terminated for failure to comply with the EIA legislation. 2 – Provision for a project to be suspended or terminated for breach of environmental or mining legislation generally. 1 – Provision for a project to be suspended or terminated, but only in limited circumstances. 0 – No provisions enabling a project to be terminated for failure to comply with the EIA legislation.
OFFSET	Assessment Procedure	27. Is there a requirement to assess the residual impacts of the project?	3 – Express requirement to monitor residual impacts of project.

			2 – Requirement for post-closure monitoring which would facilitate assessment of residual impacts. 1 – Requirement for monitoring generally, which may facilitate assessment of residual impacts. 0 – No provisions to directly or indirectly facilitate assessment of impacts on the site after project closure.
		28. Are offsets permitted only where all other mitigation measures have been exhausted?	3 – Express requirement for offsets only to be used as a last resort where all other mitigation measures have been exhausted. 2 – Express requirement to restrict offset use which achieves the objective of making them a tool of last resort. 1 – Requirement to use offsets where project destroys habitat that cannot be restored, but no express requirement to be a last resort. 0 – No provisions which would facilitate the restriction of offsets to where other mitigation measures have been exhausted.
		29. Is there a requirement to consult affected communities within the offset design process?	3 – Express requirement to consult public in offset design process. 2 – Requirement to take into account local perceptions/views in offset design process. 1 – General requirement to involve the public in the EIA process which may facilitate consultation on offset measures.

			0 – No requirement that would facilitate public consultation in the offset design process.
	Implementation of Offsets	30. Is there a requirement to document specific and measurable offset measures within a Biodiversity Offset Management Plan?	3 – Express requirement for offset measures to be specific and measureable and to be included in a Biodiversity Offset Management Plan. 2 – General requirement for mitigation measures to be specific and measurable and recorded in a management plan. 1 – General requirement for mitigation measures to be documented but no requirement that they be specific or measurable. 0 – No requirement for mitigation measures.
		31. Is there a requirement to minimise the time between the impact occurring and implementation of the offset?	3 – Express requirement to minimise the time between the impact occurring and implementation of the offset. 2 – Requirement to implement mitigation measures within a timescale appropriate to the impact. 1 – Requirement to set timescales for implementation of mitigation measures, but not to minimise them. 0 – No requirement to set timescales for implementation of mitigation measures or to minimise them.
		32. Is there a requirement to secure the long-term implementation of offsets through institutional, legal and/or financial measures?	3 – Express requirements to secure the long-term implementation of offsets through multiple tools (e.g. legal, institutional, financial).

			2 – Requirement to secure mitigation measures generally through multiple tools (e.g. legal, institutional, financial). 1 – Requirement to secure performance of mitigation measures with a financial guarantee or deposit. 0 – No requirement to secure performance of offsets or mitigation measures generally.
	Outcomes	33. Is there a requirement to achieve no net loss / a net gain in the habitat of endangered species?	3 – Express requirement to offset net loss of biodiversity with an equivalent or greater area of biodiversity gain. 2 – Express prohibition on projects which result in a net loss of biodiversity. 1 – Requirement for measures to offset biodiversity loss, but not to achieve 100% no net loss. 0 – No requirement to achieve no net loss through offset measures or otherwise.
		34. Is there a requirement to minimise cost shifting by ensuring the creation of additional biodiversity benefit at the offset site?	3 – Express requirement to ensure that offsets provide measurable additional biodiversity gain at the offset site. 2 – Requirement for offsets to provide additional biodiversity gain at the offset site, but no provision for this to be measureable. 1 – Requirement for offsets to be additional to any existing conservation projects at the offset site, but no

			express requirement to create additional biodiversity benefit. 0 – No requirement to ensure that offsets provide additional biodiversity gain at the offset site.

Table 4: Mitigation hierarchy review scores

	Costa Rica	Côte d'Ivoire	Ghana	Guinea	Guinea-Bissau	Liberia	Mali	Senegal	Sierra Leone
AVOID									
Strategic Environmental Assessment (SEA)									
1. Is there express provision for undertaking SEAs?	3	3	0	3	1	1	3	3	1
2. Do SEAs apply to relevant types of activities (e.g. plans, programs, trans-jurisdictional development)?	3	3	0	3	3	3	3	3	2
3. Do SEAs expressly require avoidance of negative impacts?	1	1	0	0	0	0	1	0	0
4. Is the precautionary principle expressly applicable to SEA procedures?	0	1	0	0	1	0	0	1	0
Environmental Impact Assessment (EIA)									
EIA Screening									
5. Is screening required to be undertaken at an early stage?	2	2	2	2	2	2	2	1	2
6. Are relevant activities automatically subject to a full EIA?	2	2	2	2	2	2	2	2	3
7. Are there any activities known to have negative environmental impacts not automatically subject to a full EIA?	1	2	1	1	1	1	1	1	1

8. Are any relevant activities expressly excluded from the requirement for a full EIA?	0	3	0	0	0	0	0	0	3
EIA Scoping									
9. Does the area of influence under review encompass the landscape level?	2	3	0	0	0	0	0	3	0
10. Is there a requirement to consider alternatives to the proposed activity?	3	3	3	3	3	3	3	0	3
EIA Decision-making									
11. Is the precautionary principle expressly applicable to EIA procedures?	1	2	0	3	2	2	0	0	2
Express Prohibition on development									
12. Is there an absolute prohibition or special consideration given to “no go” areas (e.g. protected areas, world heritage sites or habitat of endangered species)?	3	3	1	3	1	1	3	1	2
13. Are there other overarching requirements that would support avoidance (e.g. general liability for environmental damage)?	3	3	3	3	3	3	3	3	0
14. Are any relevant activities exempt from EIA requirements that would compromise the ability to avoid impacts?	3	1	1	1	1	1	1	3	1
MINIMISE / RESTORE									

Public Participation in the EIA Process									
15. Is there a requirement for wide-ranging stakeholder engagement within the EIA process?	3	2	1	3	3	3	3	3	3
EIA Scoping									
16. Is there a requirement to adopt an ecosystem approach when considering specific impacts?	3	2	1	3	0	0	0	3	2
17. Is there a requirement to consider impacts over the entire life-cycle of the project?	3	0	3	3	0	2	2	3	3
18. Is there a requirement to consider the cumulative impacts of the project?	3	3	0	3	3	3	2	2	0
EIA Assessment Standards									
19. Does the EIA assessment process require a scientific, transparent and participatory approach?	2	1	0	1	1	0	3	1	1
20. Are mitigation measures required to be specific, measurable, and have clear timelines?	3	0	0	0	3	3	3	0	3
21. Is there a requirement to engage external experts in the assessment process and in developing mitigation measures?	3	3	0	3	3	3	3	3	0
22. Is there a requirement to adopt an adaptive approach to implementing mitigation measures?	3	1	0	0	1	1	1	0	3
EIA Monitoring & Enforcement									

23. Is the project subject to external monitoring of environmental impacts and implementation of mitigation measures?	3	3	1	1	3	3	3	3	3
24. Does the legislation provide for a grievance mechanism for affected communities to raise concerns about the implementation of mitigation measures?	3	0	1	0	0	1	0	0	3
25. Is a financial guarantee required to secure performance of mitigation measures?	3	1	1	1	2	3	3	3	3
26. Can the state suspend or terminate a permission to operate for failing to comply with the EIA legislation?	3	3	3	2	3	3	3	3	3
OFFSET									
Assessment Procedure									
27. Is there a requirement to assess the residual impacts of the project?	3	2	0	3	3	3	2	0	2
28. Are offsets permitted only where all other mitigation measures have been exhausted?	1	0	0	1	1	0	0	0	1
29. Is there a requirement to consult affected communities within the offset design process?	2	1	1	1	2	2	2	1	1
Implementation of Offsets									
30. Is there a requirement to document specific and measurable offset measures within a	2	1	1	1	1	2	2	1	2

Biodiversity Offset Management Plan?									
31. Is there a requirement to minimise the time between the impact occurring and implementation of the offset?	2	0	0	0	1	1	1	0	1
32. Is there a requirement to secure the long-term implementation of offsets through institutional, legal and/or financial measures?	1	1	0	0	1	0	1	0	1
Outcomes									
33. Is there a requirement to achieve no net loss / a net gain in the habitat of endangered species?	0	0	0	3	0	0	0	2	0
34. Is there a requirement to minimise cost shifting by ensuring the creation of additional biodiversity benefit at the offset site?	0	0	0	0	0	0	0	0	0

Table 5: Mitigation hierarchy review summary

AVOID	**Costa Rica**	**Côte d'Ivoire**	**Ghana**	**Guinea**	**Guinea Bissau**	**Liberia**	**Mali**	**Senegal**	**Sierra Leone**
Strategic Environmental Assessment (SEA)	General provision for undertaking SEAs in economic development planning. Applies to plans, programs and policies of national, bi-lateral and regional importance. No express reference to avoidance of impacts identified, but incorporates environmental fragility concept into land-use planning. No express reference to the precautionary principle identified.	SEAs are required in relation to mining. Applies to policies, plans and programs. SEAs must report on specific avoidance measures, but no express requirement for avoidance identified. General requirement to adopt the precautionary principle for activities which may cause environmental harm.	No identified requirement for SEAs.	General requirement, where harm to the environment or human health is likely, for environmental assessment, which may include SEAs. Applies to policies, plans, programs. No express reference to avoidance of impacts identified. No express reference to precautionary principle identified.	SEAs may be required at a project level depending on nature of project. Applies to policies, plans and programs. No express reference to avoidance of impacts identified. General requirement to adopt the precautionary principle in environmental management.	No identified requirement for SEAs, but State is required to maintain a National Environmental Action Plan (NEAP). NEAP applies to policy, legislation and development programmes. No express reference to avoidance of impacts identified. No express reference to the precautionary principle identified.	SEAs are required where significant environmental impact is likely. Applies to policies, plans and programs. SEAs are required to consider reasonable alternatives, but no express requirement for avoidance identified. No express reference to the precautionary principle identified.	General requirement for projects likely to harm the environment to undertake environmental assessment, which may include SEAs. Applies to plans, programmes and policies. No express reference to avoidance of impacts identified. General requirement to consider the principles of prevention and precaution in protection of the environment.	No identified general requirement for SEAs, but they are required for artisanal mining districts. Applies to artisanal mining practices within the area. No express reference to avoidance of impacts identified. Precautionary principle applies generally to mining activity.
Environmental Impact Assessment (EIA) screening and scoping	EIA required prior to start of project. Full EIA required for mining activities with moderate or high potential impact. Exemption for low impact projects. Scoping must consider direct and indirect areas of influence, but no express reference to landscape-level impacts identified. Mining projects must consider alternative land-uses. Precautionary principle applies generally to protection of biodiversity.	EIA process aims to screen for impacts at the conceptual and implementation stages. Mining projects which risk environmental damage automatically require an EIA. An application for a mining exploitation permit must be accompanied by an EIA. No exemptions to EIA requirements identified. EIA is required to consider landscape-level impacts. EIA must provide consideration of alternatives. Precautionary principle applies to environmental assessment generally.	Screening is required when applying for an environmental permit. EIA required for mining activities >10 hectares or quarrying within 3 km of residential, commercial or industrial areas. No requirement to consider landscape-level impacts identified. EIA must include consideration of alternatives. No requirement to exercise precautionary principle identified.	EIA required prior to any development or construction project that risks environment damage. Industrial and semi-industrial mining requires a full EIA. Survey/research permits require notice of environmental impact only. Artisanal mining requires environmental commitment only. No requirement to consider landscape-level impacts identified. EIA must include presentation of alternatives to development. Any development project or program must take into account the precautionary principle to protect and	Screening required prior to project commencement. Mining project >10 hectares and quarrying >400M^3 per year requires a full EIA. Mining project <10 hectares and research permit requires simplified EIA. No requirement to consider landscape-level impacts identified. EIA must include consideration of alternatives. Precautionary principle applies generally to environmental management.	Extractive industries (including mining) require an EIA prior to commencement of operations. All mining subject to environmental assessment, but assessment level depends on size of project. Small-scale mining licence (<25 acres for 1 year does not require an EIA. No requirement to consider landscape-level impacts identified. Scoping must include consideration of alternatives. General application of precautionary principle to EIA law.	Activities likely to harm environment require prior approval based on an EIA. Mine operator must submit EIA prior to grant of licence. Industrial mining, artisanal processing of minerals, and quarrying require an EIA, but small mines and quarries only require a simplified impact notice. Modification to industrial mining projects of < 100t/day output and exploration only require simplified impact notice. No requirement to consider landscape-level impacts. EIA must include analysis of alternatives. No reference to precautionary principle identified.	No express requirement to undertake EIA at an early stage identified. Industrial mining requires a full EIA. Extraction and processing of non-metal and aggregate materials require more limited environmental analysis. Scoping must consider landscape-scale impacts. No express requirement to consider alternatives identified. No requirement to use the precautionary principle identified.	Screening is required during feasibility stage of mining licence application. EIA required for small and large-scale mining licences. No exemptions to EIA requirements identified. No requirement to consider landscape-level impacts identified. EIA must include consideration of alternatives. All mining activity must take account of precautionary principle.

	Costa Rica	Côte d'Ivoire	Ghana	Guinea	Guinea Bissau	Liberia	Mali	Senegal	Sierra Leone
				enhance the environment.					
Express prohibition on development	Mining is prohibited in national parks, bio reserves, forest reserves, and wildlife refuges. Overarching requirement for State to prevent, mitigate and restore environmental damage and to maintain ecological processes. Projects expressly exempted from EIA requirements do not include mining.	Mining is prohibited in national parks and nature reserves. General requirement for activities to avoid a detrimental impact on biodiversity. Use of space for non-reversible uses must be limited. Polluter pays principle applies to mining. In partial nature reserves mining may be permitted by reserve management. Mining may occur in areas surrounding national parks or reserves, and maintenance and major repairs are exempt from the EIA requirements unless they have a clear environmental impact.	State may prohibit mining in certain areas. General requirement for State to take appropriate measures to protect and safeguard the natural environment. State may acquire land compulsorily for mining.	Mining strictly prohibited in integral natural reserves, natural areas, and national parks. Overarching requirement for companies undertaking industrial/commercial activities to integrate environmental concerns into operations and minimise negative effects on environment. Development is permitted in buffer zones around protected areas where compatible with wildlife protection.	State may prohibit, limit or regulate activities in protected areas. Exploitation of underground resources must take account of nature conservation. Mining may be permitted in forest areas where it is in the interests of the national economy and does not harm plantations or the ecological balance. Construction works in protected areas may be authorised.	Forestry Development Authority may regulate or prohibit certain activities within protected areas. General requirement to protect habitat of endangered species. Small scale mining licence (<25 acres for 1 year), reconnaissance, exploration or prospecting (< 1,000 km^2) does not require an EIA.	Mining is prohibited in national parks and wildlife reserves. Mining Code requires prospecting, research and exploitation work to comply with constraints and obligations relating to conservation of soil, flora and fauna. Mining research within national parks may be permitted. Development may be permitted in areas with lower protected area status (e.g. partial reserves, wildlife ranches and sanctuaries).	State may prohibit mining in certain areas. Overarching requirement for environmental assessment where project will have significant environmental impacts. No exemptions identified.	Mining is prohibited in national parks, nature reserves and game reserves without authority. No other overarching requirements identified that would support avoidance. Mining reconnaissance is permitted without an environmental assessment provided it is confirmed that there is no negative environmental impact.
MINIMISE Public participation	Requirement to consult with local communities to gauge perceptions of the project and its potential impacts. All EIA documents must be publicly available.	EIA procedure must include public inquiry and EIA documents must be publicly available. Mining permit holder must consult with local communities to produce community development plan.	Public consultation required in preparing EIA. State may require a public hearing for projects with significant adverse public reaction, extensive environmental impacts or displacement of communities.	Public must be notified ahead of EIA site visits and consultation meetings must be held to gather feedback.	Public consultation required during EIA process. Public hearings are mandatory for some projects. Public engagement also required for environmental audits. EIA documents must be publicly available.	Public participation required in scoping EIA and formulating terms of reference. Project proposal and anticipated impacts must be published to alert stakeholders in advance of public hearing. EIA documents must be publicly available.	EIA requires public consultation, including public meeting, and results must be incorporated into the environmental management plan.	Public consultation is integral to EIA process. Public engagement shall include consultation with local stakeholders, public hearing to review technical findings of EIA, and making EIA documents publicly available. Projects posing a risk of serious damage require a public enquiry.	Public consultation required during EIA process and throughout life-cycle of mining project. Achieved through public meetings and community liaison committee. EIA documents must be publicly available.
Scoping	Scope of assessment includes ecosystem focus. Requirement to assess impacts over the entire life-cycle of the project. Requirement to establish measures to reduce cumulative impacts of the project.	Requirement to assess elements of natural environment. No requirement to consider impacts over the project's life-cycle identified. EIA must include an analysis of cumulative impacts.	No reference to an ecosystem approach to scoping identified. Requirement to assess impacts throughout project's life-cycle. Requirement to consider trans-boundary impacts, but no general requirement to consider cumulative impacts identified.	Scope of assessment includes specific reference to an ecosystem focus. Requirement to describe entire life-cycle of the project. Requirement to consider cumulative impacts of the project.	No requirement to apply an ecosystem approach to scoping identified. No requirement to consider impacts over the project's life-cycle identified. Requirement to consider cumulative impacts, including trans-boundary.	No reference to an ecosystem approach to scoping identified. Requirement to consider impacts at each stage of project. EIA must include a description of cumulative impacts including liaising with neighbouring states regarding trans-boundary impacts.	No reference to an ecosystem approach to scoping identified. EIA is required to assess immediate and long-term impacts, but no reference to project life-cycle identified. EIA is required to assess local and distant impacts, but no express reference to cumulative impacts identified.	Scope of assessment includes specific reference to environment and ecosystems (flora and fauna). Requirement to assess impacts before, during and after completion of the project. Requirement to consider cross-border impacts, but no general requirement to consider cumulative impacts identified.	Scope of assessment includes baseline data for several ecosystem components. Requirement to consider impacts during all stages of project. No requirement to consider cumulative impacts identified.

	Costa Rica	Côte d'Ivoire	Ghana	Guinea	Guinea Bissau	Liberia	Mali	Senegal	Sierra Leone
Assessment standards	Requirement to use conventional and scientifically accepted methodology to conduct EIA including use of a detailed environmental impact importance matrix. Mitigation measures must specify action, timing, responsibility and performance indicators. Requirement to engage professionals registered with State to conduct the EIA. Project design requires an adaptive approach.	Terms of reference for the EIA must be approved by the National Environment Agency. Reference to a scientific basis for EIA, but no specific requirements identified. No KPI requirements for mitigation measures identified. EIA must be undertaken by offices approved by State. No specific reference to an adaptive approach to mitigation measures, but any extension of an operating licence requires review of mitigation measures under original EIA.	No specific technical requirements for EIA identified. No KPI requirements for mitigation measures identified. No requirement identified to use external consultants to conduct EIA. No requirement to adopt an adaptive approach to implementing mitigation measures identified.	Requirement to use recognised and verifiable techniques to undertake EIA, but no specific technical requirements identified. No KPI requirements for mitigation measures identified. EIA must be undertaken by consultants with national/internationally recognised qualifications. No requirement to adopt an adaptive approach to implementing mitigation measures identified.	EIA required to adopt best scientific methods available, but no specific requirements identified. Mitigation measures must be achievable and cost effective with a timetable for implementation. EIA must be undertaken by accredited environmental study experts registered with State. No requirement to adopt an adaptive approach to implementing mitigation measures identified, but must assess whether additional mitigation or compensation measures are required during audit.	No specific technical requirements for EIA identified. Environmental mitigation plan must specify measures, timeframe, cost and monitoring provisions. EIA to be undertaken by State registered consultants. No express requirement to adopt an adaptive approach to implementing mitigation measures identified, but any changes to the project may require a revised EIA.	EIA legislation sets out full list of requirements including scientific assessments, and operator must submit terms of reference for approval. EIA must include mitigation measures with timescales and KPIs. EIA must be undertaken by a consultant of the operator's choosing. No express reference to an adaptive approach to mitigation measures, but under the Mining Code the EIA must be updated within its Annual Report to the Minister of Mines.	Environment Ministry technical committee promotes good practice in environmental assessment practices, but no specific requirements identified. No KPI requirements identified for mitigation measures identified. Requirement to use State approved consultants to conduct EIA. No requirement to adopt an adaptive approach to implementing mitigation measures identified.	Requirement to use environmental baseline data and adhere to international mining best practice, but no specific technical requirements identified. Mitigation measures must be specific, identify person responsible, timescale to implement and include monitoring provisions. No requirement identified to use external consultants to conduct EIA. Requirement to adopt an adaptive approach to implementing the environmental management plan.
Monitoring and enforcement	State will undertake random inspections to ensure compliance and can require environmental audits to be undertaken. Requirement to report breaches of EIA legislation to State. State hears complaints from the public regarding projects subject to EIA. A deposit is required to guarantee performance of EIA obligations for mining projects. State may suspend or close a project if EIA legislation is breached.	EIA must include auditing measures. Audit is carried out by external State approved auditors to ensure compliance with Environmental Management Plan. Additionally, mines are subject to an external annual environmental audit. No grievance mechanism relating to public concerns about the EIA process identified. Mine operator must hold an escrow account, but this is limited to site rehabilitation costs. State may withdraw project authorisation for failure to follow EIA procedure.	General provision for State to ensure compliance with EIA procedures, but no express reference to monitoring provisions identified. No grievance mechanism relating to public concerns about the EIA process identified, but Environmental Protection Agency will hear complaints about its own decisions. A performance guarantee deposit is required, but this is limited to reclamation works. State may suspend, cancel or revoke an environmental permit for breach of mitigation commitments.	Environmental audit is compulsory to ensure compliance with Environmental & Social Management Plan, but it may be internal or externally lead. EIA legislation refers to external audits by State but no provision for implementation. No grievance mechanism relating to public concerns about the EIA process identified. An environmental trust account is required but this is limited to securing the restoration of the site post-closure. Any operator of a classified installation in breach of Environmental Code may be required to give a deposit to secure	State may undertake environmental audits and operator is required to provide assistance. No grievance mechanism relating to public concerns about the EIA process identified. A guarantee deposit or insurance may be required to ensure compliance with Environmental & Social Management Plan. State may suspend or close an economic operation for breach of ESIA legislation.	State conducts periodic environmental assessments of projects. No grievance mechanism relating to public concerns about the EIA process identified, but any person may appeal a decision of the Environmental Protection Agency to the Environmental Court. Mining projects a required to provide deposit to guarantee performance of environmental obligations. State may terminate mining licence where mining legislation is breached.	External environmental audit required for projects subject to EIA every 5 years. No grievance mechanism relating to public concerns about the EIA process identified. Mine operators (including prospecting or exploration permit holders) must provide a performance guarantee deposit for EIA obligations and site rehabilitation. State may terminate project and require site restoration for failure to comply with ESIA legislation.	State agents appointed to monitor compliance with EIA obligations. No grievance mechanism relating to public concerns about the EIA process identified. A deposit account is required to cover implementation of the environmental management plan. State my suspend operation pending compliance with EIA legislation and may withdraw mining permit where adequate steps are not taken to protect the environment.	State to undertake routine and random inspections of projects and may require full audits. Requirement to submit annual report to Director of Mines on environmental management plan implementation. Requirement for mine operator to establish a grievance mechanism to hear concerns of local communities. A deposit is required to guarantee performance of environmental management obligations. State may suspend or cancel mining licence for breaches of legislation relating to environmental and social requirements.

	Costa Rica	Côte d'Ivoire	Ghana	Guinea	Guinea Bissau	Liberia	Mali	Senegal	Sierra Leone
				compliance with correction actions. State may suspend or terminate project for failure to comply with Environmental Code.					
OFFSET									
Assessment procedure	Requirement to assess residual impacts with lower weighting given to those than can be offset. Offset measures apply to those impacts which are unavoidable. Requirement to consider local perceptions when designing mitigation and compensation measures.	Mining Code requires closure and rehabilitation plan to include post remediation monitoring. No express requirement for offsets to be a last resort identified. General public consultation requirement in ESIA process.	No express requirement to assess residual impacts identified. No express requirement for offsets to be a last resort identified. General requirement to consult with public during EIA process.	Requirement for ESIA to assess residual impacts of development project. Negative impacts which cannot be mitigated may be offset, no requirement for them to be a last resort. May be used where net loss of habitat is deemed sensitive or high value. General requirement to consult with public during EIA process.	Requirement for ESIA to monitor residual impacts. Compensation may be required where operator cannot restore site, but no express reference to this being a last resort. General public consultation requirement in ESIA process.	Requirement to assess irreversibility of environmental impacts. No express requirement for offsets to be a last resort identified. General requirement to consult with public during EIA process.	Mining Code requires closure plan to include post-closure monitoring. No express requirement for offsets to be a last resort identified. General public consultation requirements in ESIA process.	No express requirement to assess residual impacts identified. No express requirement for offsets to be a last resort identified. General requirement to involve public in EIA process.	Only required to consider residual impacts after project closure. Compensatory measures are permitted where mitigation is not feasible, cost effective or sufficient. General requirement to consult with public during EIA process.
Implementation	EIA legislation requires a management plan for mitigation measures generally. Mitigation measures generally to be implemented in a timeframe appropriate to severity of impact. Performance deposit secures implementation of management plan.	Environmental and Social Management Plan to include any compensation measures, but no requirement to be specific or measureable identified. No requirement to minimise time between impact and offset identified. Mining Code requires an escrow account to cover site rehabilitation costs, but no express reference to offsets identified.	EIA must include all mitigation measures, but no requirement to be specific or measureable identified. No requirement to minimise time between impact and offset identified. State may require a deposit to cover all reclamation activities, but no express reference to offsets identified.	Environmental and social management plan must include any compensation measures, but no requirement to be specific or measureable identified. No requirement to minimise time between impact and offset identified. No institutional, legal or financial measures to secure offset implementation identified.	Environmental and Social Management Plan to include any compensation measures, but no requirement to be specific or measureable identified. ESIA mitigation measures must provide for timing of implementation, but no requirement to minimise time between impact and offset identified. State may require deposit or insurance to guarantee performance of Environmental and Social Management Plan.	Environmental mitigation plan must include an assessment of efficacy of measures implemented. Environmental mitigation plan must provide for timing of implementation, but no requirement to minimise time between impact and offset identified. No institutional, legal or financial measures to secure offset implementation identified.	Environmental and Social Management Plan must include KPIs for any compensation measures. Environmental and social management plan must provide for timing of implementation, but no requirement to minimise time between impact and offset identified. Holders of operating licence, prospecting or exploration permit, and small scale mine operators must provide a performance guarantee deposit for ESIA obligations.	EIA document must include any offset measures, but no requirement for offsets to be specific or measureable identified. No requirement to minimise time between impact and offset identified. No institutional, legal or financial measures to secure offset implementation identified.	Any compensation measures included in environmental and social management plan must have specific commitments and monitoring provisions. EIA must include timescale to implement mitigation measures general, but no requirement to minimise time between impact and offset identified. State may require a guarantee to cover all reclamation activities, but no express reference to offsets identified.
Outcomes	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	EIA legislation requires net loss of biodiversity to be offset by an area of equal or higher value elsewhere. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.	Absolute prohibition on projects which would result in residual impacts creating serious disadvantage or danger. No requirement to minimise cost shifting through creating additional biodiversity	No requirement for offsets to achieve no net loss or a net gain in habitat identified. No requirement to minimise cost shifting through creating additional biodiversity benefit at the offset site identified.

	Costa Rica	Côte d'Ivoire	Ghana	Guinea	Guinea Bissau	Liberia	Mali	Senegal	Sierra Leone
								benefit at the offset site identified.	