

RECOMMENDATIONS TO COMPANIES

Essential

- Be aware of, and compliant with, all Myanmar environmental regulation on the protection of the environment, and ensure all business partners do the same (see **Section 3**)
- Ensure that Initial Environmental Examinations (IEE)/Environmental Impact Assessments (EIA) and Environmental Management Plans (EMPs) meet the requirements of the EIA Procedure and incorporate biodiversity considerations (**Section 4**)
- Address biodiversity aspects at the EIA Screening stage, including whether the project is located in, or will impact, any legally designated Protected Areas (see Biodiversity Supplement) as well as other sites of international importance for biodiversity such as Key Biodiversity Areas (KBAs), highlighting this in the documentation submitted for Screening
- Take account of relevant information or requirements from Strategic Environmental Assessments (SEA)
- Ensure that the Scoping Study fully addresses potential biodiversity impacts and assesses 'alternatives'¹ so that adverse impacts on biodiversity can be **Avoided** wherever possible, consistent with the 'mitigation hierarchy' (Avoid, Minimise, Mitigate/Restore, Compensate/Offset) (**Section 5**)
- Use the Scoping Study to identify and engage stakeholders likely to be affected by business activities, so that the company can begin to understand community dependence on biodiversity and ecosystem services, and the potential for business activities to adversely infringe on any related human rights
- Make full use of existing data sources, consulting government officials in the Nature and Wildlife Conservation Division (NWCD) and other experts, and undertake appropriate surveys to fill gaps in baseline data
- Do not assume that degraded Natural Habitats have no biodiversity value
- Ensure that biodiversity/human rights impacts are addressed fully in the Assessment phase, drawing on local knowledge and that they are covered in all public consultation
- Incorporate mitigation measures into environmental and social management systems or plans, in partnership with communities, to ensure that potential impacts identified through the EIA process can be effectively mitigated for the benefit of both biodiversity and communities
- Ensure that project infrastructure and workers do not contribute to illegal trafficking in wildlife

1 Definition of 'Alternatives' in Myanmar EIA Procedure (2015) Article 2 (l) **Alternatives** in relation to a proposed Project, means different realistic and feasible means of meeting the general purpose and requirements of the Project, which may include lower-impact alternatives to: i) the property on which or location where it is proposed to undertake the Project; ii) the type of Project to be undertaken; iii) the design or layout of the Project; iv) the technology to be used in the Project; v) the operational aspects of the Project, and vi) any other substantive characteristic or aspect of the Project as deemed; necessary or appropriate by the Ministry.

- Publish on the company website all draft EIAs once submitted to the Ministry of Natural Resources and Environmental Conservation (MONREC) for consideration, in line with the legal requirement in the EIA Procedure. Publish all Monitoring Reports

Desirable

Operations

- Anticipate likely changes in Myanmar's National Environment Policy (NEP) and Strategic Framework, and to the EIA Procedure (see **Section 3**), as a means of ensuring that projects will not be subject to further restrictions that may impact on key operating parameters in the future
- Where there are gaps in the Myanmar regulatory framework, use international standards, for example International Finance Corporation (IFC) Performance Standards (PSs), including PS6
- Consider whether techniques and assessments such as Valuing Natural Capital, High Conservation Value (HCV) Assessments, and Community mapping would be useful (see **Section 5**)
- Plan and implement offsets according to good practice (**Section 5**)

Policy engagement

- Contribute to the development of Myanmar frameworks for offsets and payment for ecosystem services
- Bring a private sector perspective and engage in discussions on the implementation of the new Environmental Strategic Framework 2018 and enhancing the effectiveness of Myanmar's regulatory framework including incorporation of international standards
- Contribute to the work of the Sectoral Coordination Group on Environment and any subgroups which brings together government, development partners, NGOs/civil society, and business.

Capacity Building

- Support training initiatives for national and state/regional authorities on good EIA practice and biodiversity conservation, drawing on examples from outside of Myanmar
- Provide financial and technical support to the implementation of Myanmar's National Biodiversity Strategy and Action Plan (NBSAP), including support for Protected Areas and other KBAs

Information sharing

- Share biodiversity data derived from the EIA and monitoring, and other company activities, on appropriate public platforms (see **Section 4**)
 - Develop and share case studies, both nationally and for international audiences
 - Develop partnerships with NGOs, Government, Myanmar and international academics to build capacity and baseline diversity data, and ensure that this is publicly available
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