

**Myanmar Centre for
Responsible Business**



PWINT THIT SA PROJECT

Transparency in Myanmar Enterprises

Oil, gas, and mining: social and environmental impacts



www.mcrb.org.mm

myanmar.responsible.business

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Myanmar Geosciences Futures,

Yangon University, 20 January 2016

Myanmar Centre for Responsible Business



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Founders:

Current core funders:

- UK DFID
- DANIDA
- Norway
- Switzerland
- Netherlands
- Ireland



Shaping Policy • Advancing Practice • Strengthening Accountability

THE DANISH
INSTITUTE FOR
HUMAN RIGHTS

MCRB defines 'responsible business' as 'business activities that work for the long-term interests of Myanmar and all its people'.

MCRB ၏အဓိပ္ပါယ်ဖွင့်ဆိုချက် "မြန်မာပြည်သူ့ပြည်သားများ၏ ရေရှည်အကျိုးစီးပွားများ အတွက် ဆောင်ရွက်သောစီးပွားရေးလုပ်ငန်းများ

MCRB Objective

To provide an effective and legitimate platform for the creation of **knowledge, capacity and dialogue** concerning responsible business in Myanmar, based on local needs and international standards, that results in more responsible business practices.

ပို၍တာဝန်ယူမှုရှိသော စီးပွားရေးအလေ့အကျင့်များ

ဖြစ်ထွန်းလာစေရန်၊ နိုင်ငံတကာအဆင့်အတန်းများ၊

ဒေသလိုအပ်ချက်များအပေါ်မူတည်၍ မြန်မာနိုင်ငံ၌

တာဝန်ယူမှုရှိသော အသိပညာ၊ စွမ်းဆောင်ရည်နှင့်

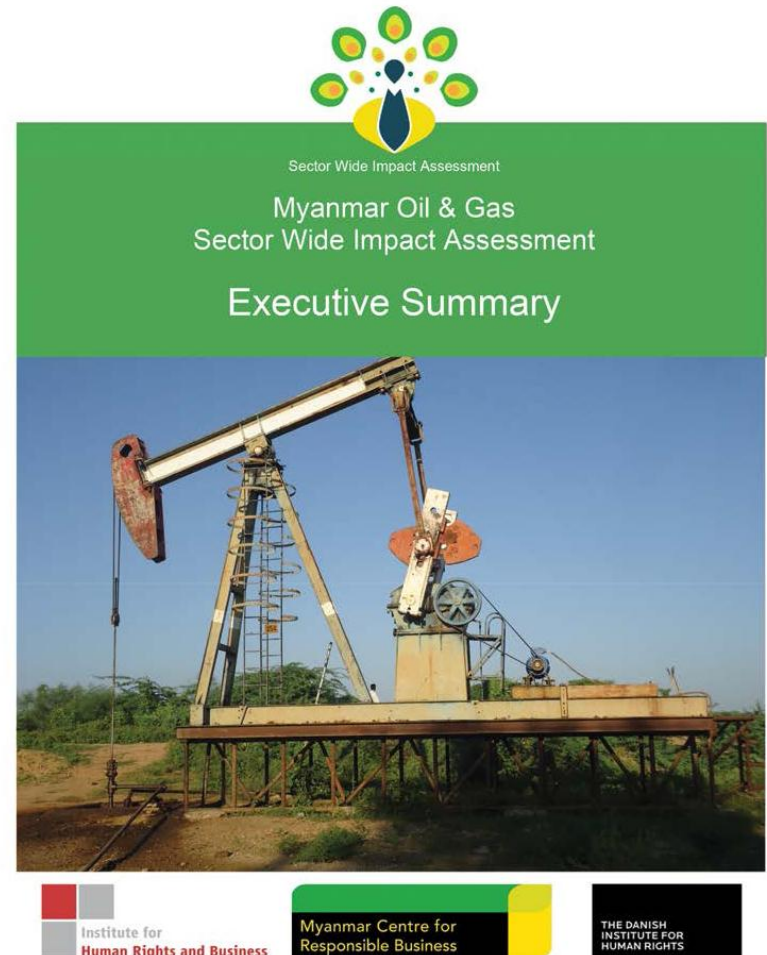
စကားပိုင်းများ ဖြစ်ပေါ်လာစေရန်အတွက် ထိရောက်သော

တရားဝင် အခင်းအကျဉ်းတစ်ခု ပံ့ပိုးပေးရန်။

Oil and Gas Sector Wide Impact Assessment (SWIA)

Download the Myanmar O&G SWIA:

- [Full Report \(234 pages/20.9mb\)](#)
- [Cover, Acknowledgements, TOC](#)
- [Executive Summary](#)
- [Part 1: Introduction](#)
- [Part 2: Government Structure and Legal Framework](#)
- [Part 3: Sector-Level Impacts](#)
- [Part 4: Project-Level Impacts \(also download individual chapters below\)](#)
- [Part 4.1: Stakeholder Engagement & Grievance Mechanisms](#)
- [Part 4.2: Communities](#)
- [Part 4.3: Land](#)
- [Part 4.4: Labour](#)
- [Part 4.5: Ethnic Minority Groups / Indigenous Peoples](#)
- [Part 4.6: Groups at Risk](#)
- [Part 4.7: Security](#)
- [Part 4.8: Environment](#)
- [Part 5: Cumulative-Level](#)
- [Part 6: Region-Specific Conflict Considerations – Rakhine and Tanintharyi](#)
- [Part 7: Recommendations](#)
- [Annexes](#)



What is the Oil and Gas Sector– Wide Impact Assessment?

- Assessment through a human right lens
- Based on
 - field research in six locations (Magwe Region, Kyaukphyu, Dawei, Northern Shan)
 - desk analysis of laws and policies
 - Bilateral engagement and consultation
- Published 4 September 2014
- Available online at www.mcrb.org.mm
- MCRB's first sector-wide impact assessment (SWIA) possibly the first such sector-wide assessment ever, globally (MCRB has since conducted Tourism and ICT SWIAs....)
- Highlights the actual and potential impacts of oil and gas investment, positive and negative
- Makes recommendations for government, businesses and other stakeholders on how to increase positive and reduce negative impacts on human rights.



အစဉ်အလာတရားရည် နည်းလမ်းတစ်ခုမှာ အသက်ဆရာကပြောအား ကဏ္ဍတစ်ကွက် အရပ်အဝန်းထိခြင်းတို့ကို နိဂုံးရည် ပြု၍ နည်းလမ်းကဏ္ဍ တစ်ခုချုပ်စုရ အသက်အကျဉ်းစာ (MCR)၏ သုတေသနအဖွဲ့များ အသုံးပြုနိုင်ရန်အတွက် ပြုလုပ်ခြင်းဖြစ်သည်။ သို့ရာတွင် အသုံးပြုနိုင် နည်းလမ်းတစ်ခုချုပ်စုရ ၇၃ အဖွဲ့ အသက်ဦးစားကိုင်နည်းလမ်းတစ်ခုချုပ်စုရ စာတည်းတစ်စောင် အသုံးကုန်သည် အသုံးပြုနိုင်ခြင်း ဖြစ်ပါသည်။



<http://www.myanmar-responsiblebusiness.org/fact-sheets/>

Four SWIA headline messages...

1. Engagement with stakeholders by business has historically been almost completely absent
2. Myanmar's extractive industries are inevitably associated with **conflict**
3. **Land** is possibly the most complex challenge any business investing in Myanmar will face
4. During the transition, Government and businesses need to take steps to fill the existing gaps in **Myanmar's legislative framework** for the protection of the environment and human rights.

...accompanied by more detailed findings and associated recommendations to government, companies, civil society, donors, investors.....

The legislative framework

- ▶ 2012 Environmental Conservation Law, 2014 Rules, 2015 Environmental Impact Assessment (EIA) Procedures
- ▶ Under the EIA Procedures
 - Oil and Gas, and Mining projects need to submit an EIA or Initial Environmental Examination (IEE)
 - Full consultation and public disclosure
 - Environmental Management Plan – a contractual commitment
 - MOECAP issues an Environmental Compliance Certificate

Oil and Gas activities in Myanmar requiring IEE or EIA

1.	Type of Economic Activity	Requires Initial Environmental Examination	Requires Environmental Impact Assessment
12	Onshore Oil and Gas Seismic Surveys	All sizes	
13	Onshore Oil and Gas Exploration Drillings	–	All sizes
14	Onshore Oil and Gas Production drilling and production activities; transportation activities including pipelines; pump stations, compressor stations and storage facilities; ancillary and support operations; and decommissioning	–	All sizes
15	Offshore Oil and Gas Seismic Surveys	All sizes	–
16	Offshore Oil and Gas Exploration Drillings	–	All sizes
17	Offshore Oil and Gas Production drilling and production activities; offshore pipeline operations, offshore transportation, compressor stations and storage facilities; ancillary and support operations; and decommissioning	–	All sizes

Mining

Extraction of Rock, Gravel or Sand from a River or Marine Waters	$\geq 1,000 \text{ m}^3/\text{a}$ but $< 50,000 \text{ m}^3/\text{a}$	$\geq 50,000 \text{ m}^3/\text{a}$
Construction, Building and Ceramic Minerals Extraction (aggregates, limestone, slates, clay, gypsum, feldspar, silica sands, granite, kaolin, bentonite, marble, and quartzite)	< 200 acre and $< 100,000 \text{ t/a}$	≥ 200 acre or $\geq 100,000 \text{ t/a}$
Extraction and Refining of Industrial Minerals (barite, fluorite, phosphate, potash, salt, soda ash, asbestos)	< 200 acre and $< 100,000 \text{ t/a}$ ore	≥ 200 acre or $\geq 100,000 \text{ t/a}$ ore
Extraction of Ferrous, Non-Ferrous Metal and Precious Metal Ore Except Gold (iron, manganese, silver, copper, tin, antimony, lead, nickel, zinc, chromium, bauxite), and Precious Stone	< 50 acre and $< 50,000 \text{ t/a}$	≥ 200 acre or $\geq 50,000 \text{ t/a}$
Refining of Metal Mineral Ore (without using hazardous chemicals)	$< 50,000 \text{ t/a}$	$\geq 50,000 \text{ t/a}$
Refining of Metal Mineral Ore (using hazardous chemicals)	$< 25,000 \text{ t/a}$	$\geq 25,000 \text{ t/a}$
Extraction and Refining of Gold Ore (without using hazardous chemicals)	< 20 acre	≥ 20 acre
Extraction and Refining of Gold Ore (using hazardous chemicals)	< 20 acre and $< 25,000 \text{ t/a}$	≥ 20 acre or $\geq 25,000 \text{ t/a}$
Coal Mining (underground and surface)	$< 100,000 \text{ t/a}$ coal	$\geq 100,000 \text{ t/a}$ coal
Mining, including Dredging of Heavy Mineral Sands (tungsten, ilmenite, rutile, zircon, titanium, monazite)	$\geq 1,000 \text{ m}^3/\text{a}$ but $< 50,000 \text{ m}^3/\text{a}$	$\geq 50,000 \text{ m}^3/\text{a}$

Needs and opportunities for the Myanmar Higher Education Sector to support effective environmental impact assessment

Areas of expertise for studies of EIA and IEE Type Project are indicated as follows:

- a) Air quality and bad odor;
- b) Agriculture
- c) Archaeology;
- d) Cultural study;
- e) Ecology and biodiversity;
- f) Engineering (to be specified);
- g) Forestry;
- h) General environmental management;
- i) Geology and soil;
- j) Geomorphology;
- k) Geotechnical study;
- l) Global climate change;
- m) Groundwater;
- n) Hazard management;
- o) Health;
- p) Hydrology;
- q) Land use;
- r) Landscape and visual image;
- s) Legal study;
- t) Meteorology;
- u) Mining and quarrying;
- v) Noise and vibration;
- w) Social study and economy;
- x) Soil contamination study;
- y) Solid waste management;
- z) Waste water management;
- aa) Water quality; and
- bb) Other (shall be declared).

Extract from the draft EIA Consultant
Registration Procedures, MOECAP

MCRB follow up to the Oil and Gas Sector–Wide Impact Assessment (SWIA)

- ▶ Multi–Stakeholder Workshop on Community Engagement in the Extractive Industries” in Yangon on 27/28 January 2015
- ▶ Engagement with oil/gas companies and MOECA, MOGE and MIC, and Norwegian Government, on the EIA process
- ▶ Engagement with Extractives Industries Transparency Initiative and the multistakeholder group
- ▶ Advice to individual companies and civil society organisations
- ▶ A Mining SWIA in 2016: tin/tungsten, gold, limestone





Sector-Wide Impact Assessment (SWIA)

Thank you!

www.mcrb.org.mm

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<http://www.myanmar-responsiblebusiness.org/rss.xml>