

Inception Reports

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Name of Organization and Country :

Ministry of Environment - Republic of Iraq.

Current Position :

Lateef is a Head of Environmental Impact Assessment and land Use
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2- Explanation of Country Information

Iraq has a land area of approximately 437,000 square Km ,which can be divided into four major geographical zones, these are described briefly below:

1. Desert plateau: Approximately 40% of Iraqi territory consists of a broad, stony plain with scattered stretches of sand , lying west and southwest of the Euphrates River.
2. North-eastern highlands: covering approximately 20% of the country with mountains ranging up to 3600 m high, this region extend north of a line between Mosul and Kirkuk towards the borders oh Turkey and Iran.
3. Uplands region : approximately 10% of the country , in the northwest , comprises transitional area between the desert plateau and the highlands. The region is arid ,with irregular topography and deeply cut watercourses .
4. Alluvial plain: Approximately 30% of Iraq is composed of the flat alluvial plain formed by the combined flood plains and deltas of the Tigris and Euphrates rivers. the region extends from north of Baghdad (the capital of Iraq) to the Gulf coast bordering Iran.

In general the climate of Iraq is mostly desert condition with mild to cool winters with dry, hot summers. Occasionally heavy snows in the north an melt in early spring and sometimes causing extensive flooding in central and southern Iraq

.Iraqi budget in year 2010 (73) milliard dollar .

Iraq shares border with Turkey , Iran, Arab Gulf, Kuwait, Saudi Arabia, Jordan and the Syrian Arab Republic. There is also neutral zone between Iraq and Saudi Arabia administered jointly by the two countries. The country main topographical features are the two rivers , the Euphrates and the Tigris , which flow from Turkey and Syrian Arab Republic borders in the north to the Gulf in the south. The northeast is mountainous , while the country in the west is arid desert (as shown below) .

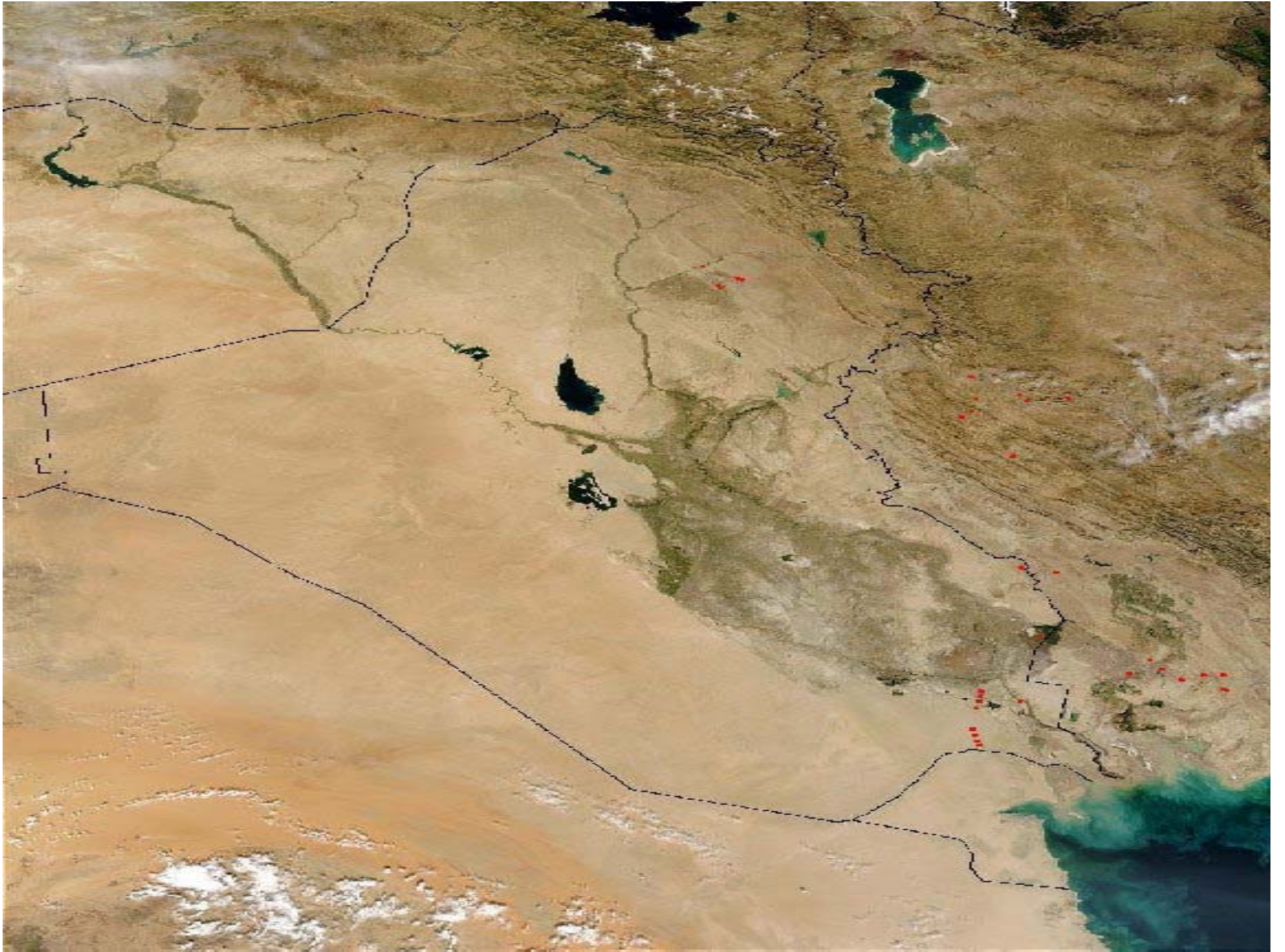
Population and Density

Iraq has a population of approximately 30 million with over 75% of the population concentrated in urban centers located along the Tigris and Euphrates river systems. The region surrounding Baghdad has in excess of 8 million inhabitants.

As only 14% of Iraq is considered arable land, the historical pattern of land use and development principally reflected the constraining effect of limited water resources. The alluvial plains and riverine regions are densely populated, whilst in general population density is low to very low in the more arid regions distant from sources of irrigation water.

In the second half of the twentieth century Iraq became increasingly urbanized and industrialized. Urban growth was highest in the Baghdad and Basrah regions. Over the period 1970 to 2000 the economy became dominated by the oil sector which has come to account for 95% of foreign exchange earnings.

Oilfields and mining areas are found throughout Iraq, with the great majority of oil production focused in the south around Basrah and in the north around Kirkuk.





Industrial development background

Iraq's industrial development has had a turbulent history , with period of rapid growth and decline . Development began at the start of the twentieth century with the commencement of significant oil production near Kirkuk and Basrah .This growth ,however , was largely limited to the oil industry and related services, and most of the equipment was imported.

Broader industrial development began in the 1970s when the Iraqi government started a development programme largely founded from oil export revenues . The focus was on medium technology industries such as textiles, foods production and construction materials and heavy industry including iron , steel and basic petrochemicals.

The minerals industry grew gradually with a focus on sulphur , phosphate and potash including post-processing of ores to produce sulphuric acid ,alum and fertilizers. At its peak in the 1980s, Iraq was one of the worlds largest producers of fertilizer

By 1979, oil production represented 63%of Iraq's GDP. Peak production Of 3.7million barrels per day (bpd) was achieved in 1979 , compared to a low of 1.5 million bpd in 2002 and the current rate (June 2009) of approximately 2.5 million bpd.

Organizational framework and Job Description

- Ministry of Environment , the main mission are to Environmental protection and improvement.
- Organization chart (as shown in Annex)
- Environmental Impact Assessment Department is one of the Technical Directorate which deals with the activity have to obtain an agreement in order to work (No. of staff (19) (17 Engineer And 2 administer).
- Ministry staff reach to 1500 employment distributed to many branches (north ,center ,middle and south directorate) as well as (Radiation center .central laboratory , legal department, Technical deputy ,administrable deputy, minister office , Administrable directorate...etc)
- Our jobs (Environmental Impact Assess. Dep.) are Evaluation the EIA reports of many activities (social , industrials , economics , agricultural...etc) and give them the licenses and later monitoring the environment in order not to exceed the our limits (standard limitation) or change the position.

Environmental Protection and Management of Resources

- The Iraqi Constitution sets the basis for environmental, social and health legislation in the country with Section 33 of the Iraqi Constitution recognizing that every individual has the right to live in a safe environment and that the state undertakes the protection of the environment and biological diversity.
- Law No. 27 of 2009 – Environmental Protection and Improvement is the primary environmental legislation in Iraq. Chapter 4 of this law specifies a number of detailed provisions with which projects must comply.

- General environmental provisions and specific oil and gas provisions that may be applicable to the project are as follows:
- Section 1 – General Provisions:
 - Providing systems of pollution treatment through the use of the cleanest technologies and if a defect in the efficiency of this technology occurs, remedy the defect as soon as possible and inform the ministry.
 - Providing devices for the measurement and control of the pollutants, specific to the nature of the pollutant.
 - Initiate and maintain a project specific database recording concentrations and the nature of project pollutants.
 - Implement, where possible, the use of renewable energy technology to reduce the pollution.

- • Section 7 – Protecting the Environment from Pollution Resulting from Exploration and Extraction Oil Wealth and Natural Gas:
 - Take the necessary measures to limit the potential damages and dangers resulting from oil and gas exploration activities and take the necessary precautions and arrangements to protect the land, air, waters and the groundwater basins from pollution and destruction.
 - Make the necessary arrangements to disperse the saline waters associated with the extraction of the crude oil in environmentally acceptable methods.
 - Prohibiting the pouring of oil on the surface of land or injecting it in the geological layers from which water is used for human and agricultural purposes.
 - Reporting incidents to the ministry and providing information related to the causes and response actions.

- Additionally, Article 33 of Law No. 27 of 2009 – Environmental Protection and Improvement provides for penalties for non-compliance and violations and these penalties are both administrative and judicial. Regulators include the Environmental Controller within the Ministry of Environment (Chapter 5 of the law) and an Environmental Law Enforcement Division is currently being established within the Ministry of Interior
- Regulation No. 2 for 2001 – Protection of Water Resources may also apply to the project. The aim of this regulation is to protect water resources from pollution and improve the quality of water resource through the removal of polluting factors. This regulation provides for licences to enable the discharge of wastes into public waters, should such discharge be compliant with appropriate legislative standards, and also provides for the protection of public waters.

Development Projects for Chemical, Petrochemical and Oil Industries', which is classified as 'activities polluting environment class (A)'. The following site limitations are placed on these types of industries:

- The nearest sensitive receptors (such as residential areas) must be at least 15 km in the direction of the prevailing wind and at least 10 km in other directions from the site boundaries.
- It is prohibited to establish these projects in valleys and narrow depressions. Establishment is also prohibited on plains if a natural or artificial structure (hill, plateau, or forests) diverts the prevailing wind from the site. Where this requirement cannot be met, a study must be undertaken to evaluate the environmental impact of the proposed project.
- The point of discharge for any treated waters must be at a distance not less than 5 km from the nearest drinking water source.

■ **Environmental requirements that are required by these environmental instructions for this development type are as follows:**

- Liquid industrial wastes must be treated to comply with Regulation No. 25 of 1967 – Protection of Rivers and Public Water from Pollution.
- Gaseous and/or solid air emissions must be treated to comply with the local air quality specifications.
- The project proponent will be responsible for maintaining the efficiency of treatment operations and the compliance of any discharged treated waters with Regulation No. 25 of 1967 –Protection of Rivers and Public Water from Pollution.
- Solid waste must be treated by sanitary dumping or burning. Hazardous or toxic solid wastes must be disposed of in officially allocated sites.

State of EIA system

There is no EIA law in Iraq yet but now there is a proposed EIA law under studies and now we work according to Iraqi environmental law number (27) in the year 2009 with an article number (18) and we can find in this law environmental conditions which require to give different projects the license (agreement) depending on the distance between the border of cities and the location of the project or distance between houses, schools, high way, rivers, etc and the location of the project as well as the nature of land-use and we can find the environmental requirements which should be taken when the project starts working and the environmental agreement depends on the EIA Report which must be presented from the proponent, in this law the project is divided into three categories (A, B, C), this classification is similar to the classification of the World Bank for projects such as class (C) parallel to white list and class (B) parallel to gray list and class (A) parallel to black list.

From the Environmental protection and Improvement Law(No. 27 for years 2009):

Article 10 Chapter (4) include :

- I. the owner of any project before its establishment shall be abode to prepare a report regarding the estimation of environmental impact including as the following: -
 - A. the estimation of negative and positive impact of the project on the environment and impact of surrounding environment on it,
 - B. the proposed means to avoid and to treat the causes of the pollution to be abode by Environmental regulations and directives.
 - C. emergency pollution cases and probability and the precautions should be taken to prevent its occurrence
 - D. the possible alternatives to use technology less harmful for the environment and rationalizing the resources usage
 - E. reduction the waste and recycle or reuse it as much as possible
 - F. evaluation of environmental feasibility for the project and evaluation the cost of pollution compare with the production,
- II. Economical and technical feasibility study for any project shall contain the report stipulated in the provision (first) of this article

Copy of the Law and Flowchart of EIA attachment below. ■

Key Stages of the process of EIA

- **Screening:** the part of EIA process.
- **Consultation and Scoping:** is the activity of identifying significant potential environmental impacts and deciding the focus of the EIA report and identifying the stakeholders. Consultation with the Ministry of Environments Provincial office shall be held by the developer .The Provincial office may advise the Developer on the scope of the EIA report and how carry out farther consultation. Consultation should be held with the concerned public , stakeholder , municipalities and Ministries. Comments given during the consultation shall be taken into account and presented in the EIA report.
- **Preparing an EIA Report :** The Developer performs environmental studies to collect and prepare an EIA report , the report shall cover the different phases of the realization of the project like (Pre-Construction , Construction , Operation and Decommissioning or Closure).Developer shall submit the EIA report and the agreement from the concerned Ministries to the Provincial office and then to the ministry of Environment in Baghdad (EIA Department)
- **Review of the EIA :** The Ministry of Environment in Baghdad reviews EIA reports .The ministry may required the Developer

To revise the project design or to conduct farther EIA studies and \or submit additional information .Any such request from the Ministry of Environment must be submitted by means of an official letter through the provincial office within 45 days from receiving the EIA report. The provincial office forward the requests to the developer

- **Environmental Compliance Certificate** : The Ministry of Environment gives the approval and issues the Environmental Compliance Certificate (license) for Class A and B Projects , in which the conditions that need to be fulfilled are stated. The Ministry of Environment Provincial office issues the Environmental Compliance Certificate for Class C Project. Within the Environmental Compliance Certificate the developer can apply for a permit from the relevant Ministries .No construction works or activities can be implemented before a permit is issued.
- **Monitoring** : is important to ensure that the terms and condition stated in the Environmental Compliance Certification are fulfilled. Monitoring action shall be described in the Environmental Management Plan (EMP) which apart of EIA report

Activities Class A

- Chemical , petrochemical and petroleum industries
- Synthetic fiber industry
- Protein plants
- Pharmaceutical industries
- Tannery plants
- Cement plants
- Gypsum plants
- Bricks plants
- Asbestos products plants
- Mines
- Glass and ceramic industries
- Thermal power station
- Hazardous waste dumping sites
- Asphalt plants
- Iron , steel and aluminum industries
- Waste water treatment plants
- Rocks grinding plants

Activities Class B

- Food industries
- Slaughtering houses
- Gas power stations
- Solid waste landfills
- Fish breeding lakes
- Textile industries
- Chemical industries ,low production capacity
- Construction products industries
- Metal Melting plants
- Electronic and electrical industries.
- Fertilizer storage building
- Pesticides storage building
- Soap industries
- Ice production plant
- Sand and rocks serving sites
- Tobacco industries
- Reuse waste oil plants
- Electro power transfer station

Case Study

We have many problems in EIA application which we need to solve it like:

- A. We don't have EIA law or system.
- B. Our regulation are very old and we want to develop it.
- C. The major problems , that Iraq want to rehabilitation infrastructure and open to the world through the investment (all the laws of other Ministries may causes Baffles to implementation the projects).
- D. Due to the previous history of conflict (Iraq war , Gulf war) and lack of application of the Rule of Law under the previous regime, identification of relevant and applicable Iraqi legislation, directives and instruction has been difficult. As such, there is currently a level of uncertainty and complexity associated with the identification and application of relevant Iraqi legislation.

THANK YOU

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