Corruption is more likely to arise when:

• ESIA reports are not publicly available and there are no clear and transparent criteria for environmental approval > creating space for environmental approvals to be given or denied for political or personal reasons

• The relevant government authority doesn’t have the skills or resources to verify the contents of ESIAs > enabling applicants to knowingly provide incorrect information about the potential impacts of their project

• The relevant government authority is unable to monitor compliance > opening the door for applicants to commit to conditions that they have no intention of fulfilling

RISKS

One important cause of this risk is lack of institutional capacity – insufficient geo-spatial information and financial, human and technical resources.

When the relevant government authority doesn’t have the capacity to verify the contents of ESIAs, licence applicants can produce assessments that contain misleading or fraudulent statements or omissions about their potential impacts. In turn, it is less likely that their mitigation plans will be adequate, making it harder to hold them accountable for any negative environmental or social impacts.

The absence of truthful information about potential environmental and social impacts means community members cannot participate meaningfully in consultation processes.
The risk of no or inadequate verification of the veracity and accuracy of ESIAs is one of the most common and serious risks identified in the countries in this study.

In South Africa under the streamlined mining approvals process – the One Environmental System – the Department of Mineral Resources is responsible for the environmental approvals process for mining companies: approving environmental impact assessments; issuing environmental authorisations; and monitoring and enforcing compliance with environmental obligations. The Department lacks the necessary capacity and expertise to properly perform these functions and its failure to fulfil its environmental responsibilities has led to multiple legal actions and an increased burden on the courts.

The risk of no or inadequate verification of the veracity and accuracy of ESIAs is one of the most common and serious risks identified in the countries in this study. Failure to verify ESIAs increases the risk that the project proponents can deliberately mislead decision-makers and the public about the nature and severity of their potential impacts.

**ACCOUNTABLE MINING**

Transparent and accountable mining can contribute to sustainable development. This begins with corruption-free approvals – the very first link in the mining value chain.

As part of Transparency International’s Accountable Mining Programme, national chapters – from Africa, Latin America, Central Asia, the Asia Pacific, and North America – have identified and assessed corruption risks in mining approvals.

The six case studies in this series highlight some of the most common and serious corruption risks. These are the key questions to ask before corruption gets a foothold in mining approvals processes.

**POLITICAL & ADMINISTRATIVE CONTEXT**

Who benefits from mining approval decisions?

**LAND ALLOCATION**

How ethical and fair is the process for opening land to mining?

**LICENCING**

How fair and transparent is the licencing process?

Who gets the right to mine?

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT**

How accountable are companies for their environmental and social impacts?

**COMMUNITY CONSULTATION**

How meaningful is community consultation?