

PUBLIC PARTICIPATION IN ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORTS: THE NIGERIAN EXPERIENCE

Agaja Silas

Industrial Safety and Environmental Technology

Petroleum Training Institute, Effurun

Delta State, Nigeria

silaagaja@yahoo.com

ABSTRACT

Public involvement and consultation is a major factor in all Impact Assessment process especially EIA. The level of public participation reported in some EIA reports submitted to the Federal Ministry of Environment (FMENV) in Abuja Nigeria between 2001 and 2012 were appraised using Smith model. Total of fifty three developmental reports were randomly selected for the study. The result showed that 54% of the reports had low public participation in their content, 15% were at medium level and 31% of the reports showed High level of public participation in the reports. The challenges of public participation during EIA process are discussed and how to mitigate the challenges.

Keywords: EIA, Public Participation, FMENV, Smith Model, Nigeria.

INTRODUCTION

The Environmental Impact Assessment (EIA) process in Nigeria recognizes the importance of the views and concerns of stakeholders, especially the affected population, in the successful implementation of development projects. This explains why public consultation and participation are central to the EIA process in Nigeria. The objective of such consultation and participation of affected stakeholders is to identify, early in the EIA process, their concerns about the impact of the proposed project in order to address such issues during the actual study and to reflect such comments in the EIA report. To further demonstrate the importance of public consultation and participation in Nigeria, the consultation process constitutes a key component of the EIA law in Nigeria (Ojesina, 1999).

Public participation is enshrined in the laws of the Federation of Nigeria EIA Act No. 86 sections 7 and 12 of 1992. “before the agency ‘Federal Ministry of Environment’ (FMENV) gives a decision on an activity to which an environmental assessment has been produced, the Agency shall give opportunity to government agencies, members of the public, experts in relevant discipline and interested groups to make comments on environmental impact assessment of the activity”.

The Act clearly recognizes public concerns in the EIA review process and spells out the procedure for notifying the public of this action and the modalities for filing comments. In addition, the Act details the stages of review where the public can be involved such as public display, mediation and review panel. Since 1995, Nigerian legislation has provided for stakeholder consultation by way of a continuous programme of public participation, public forums, the public display and review of documents and public attendance at panel reviews (FEPA, 1995a).

The objective of public participation and consultation is to achieve the following:

- (i) Ensure public and community participation in the definition of environmental policy objectives and decision making.
- (ii) Ensure public confidence in the administration of the environment by demonstrating the resolve of government to enforce the environmental stewardship of government agencies and organs, corporate citizens and elite organizations; and
- (iii) Grant the citizenry access to environmental information and data thereby promoting the quality of environmental management and compliance monitoring.

However, in practice it is still far from reality of the objective. Most times, it appears as a mere paper statements.

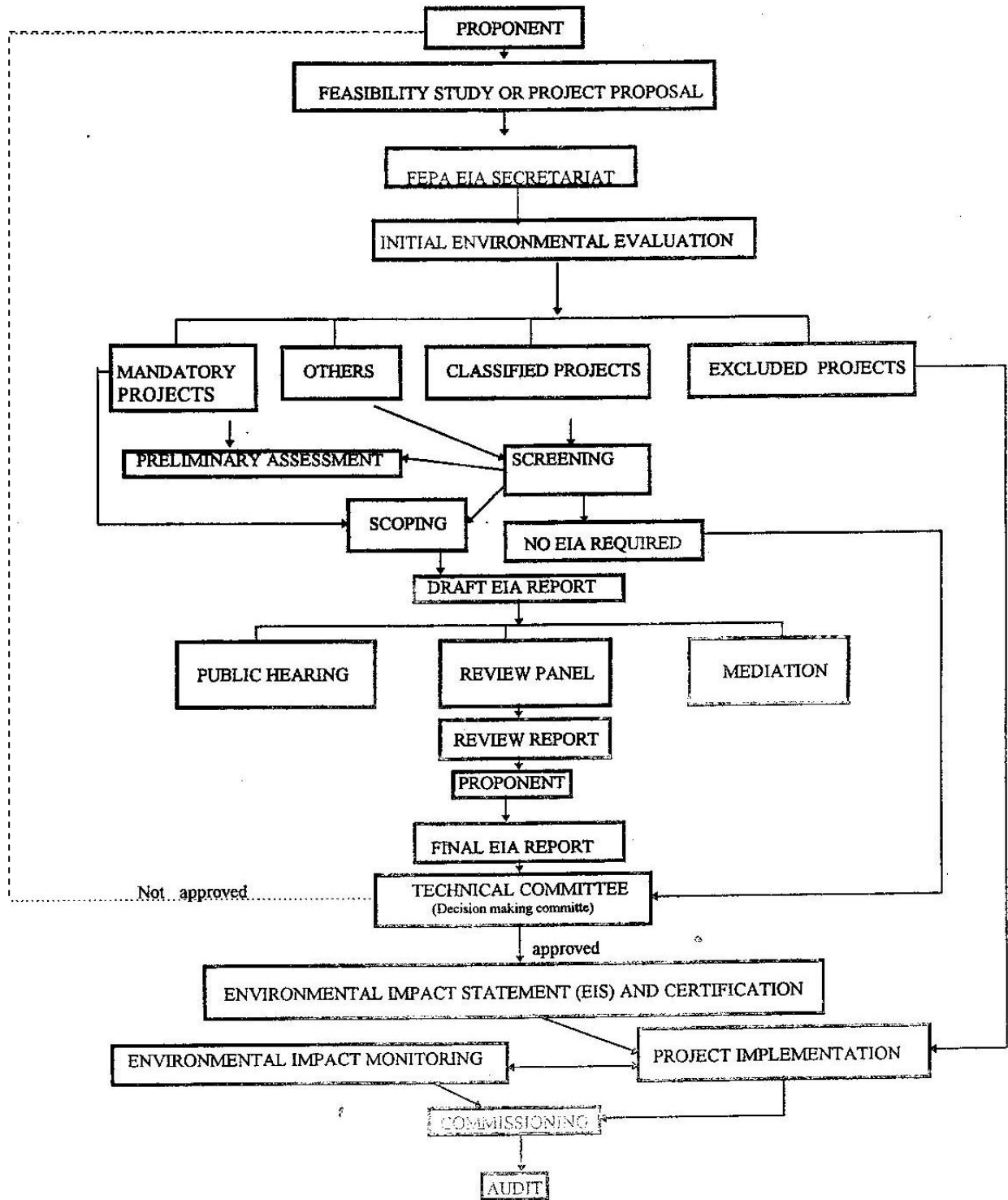


Fig. 1: Federal Ministry of Environment (FMENV) EIA Procedure, 1994.

Source: FMENV EIA Procedural Guidelines

Table 1: Model for evaluation of public participation

CONTENT	PROCESS	OUTCOME
<ul style="list-style-type: none"> • Historical background • Institutional framework • Political structure and awareness and processes • Legislative provisions and regulations • Administrative set up • Agency features • Administrative status • Functions • Terms of reference • Financial resources 	<ul style="list-style-type: none"> • Goals and objectives of participation • Mandate for participation by concerned agency • Objectives of participants • Number and nature of public involved • Who the participants are? • How organized they are? • Methodology adopted • Techniques of participation • Access to information • Availability of resources 	<ul style="list-style-type: none"> • Result of participation exercise • Effectiveness of participation • Focus on issues • Representative of participant • Appropriateness of process • Degree of awareness achieved • Impact and influence of participation • Time and cost

Source: Adapted from Smith (1984).

METHODOLOGY

The primary source of data for this study consist of fifty three EIA reports submitted to the Federal Ministry of Environment in Abuja, Nigeria between 2001 and 2012. The reports covers developmental projects ranging from oil and gas, solid mineral mining, Telecommunications, maritime, manufacturing, tourism and transportation table 1.

The dimensions used for the study was adapted from Smith Scheme for public participation (Smith, 1984). Table 2. The factors were ranked High = 3, Medium = 2, Low = 1 and None = 0.

RESULT AND DISCUSSION

The aggregates scores was computed to rate each report. The outcome shows that 16 reports representing 31% were rated high in level of public participation. Eight of the results (15%) were ranked medium level of public participation, while majority of the reports 29 representing 54% were ranked low in their contents for public participation.

Public participation could be both strength and weakness for an EIA process.

Table 1: EIA Reports Classification

Sector	Number	Percentage
Oil and gas	20	37.7%
Solid mineral mining	5	9.4%
Telecommunications	15	28.3%
Maritime	2	3.8%
Manufacturing	2	3.8%
Tourism	3	5.7%
Transportation	4	7.5%
Others	2	3.8%

Table 2: Factors used in the study

	Factors	High	Medium	Low
1	Pre-heating arrangements notification/ mobilization			
2	Identification of objectives/ Goals of meeting			
3	Identification of relevant stake holders and community.			
4	Techniques/process of conducting meeting			
5	Inputs and efforts of stakeholders			
6	Evaluation of the success of public hearing			
7	Time and cost			

Ranking of factors

High = 3, Medium = 2, low = 1, None = 0

Nigeria public participation and consultation has been a weak aspect of the EIA process in Nigeria. There are many factors responsible which includes: lack of relevant skills and experience in Public participation by the EIA team, negative perception of the public process by regulators, and poor funding of EIA process by project proponents.

CONCLUSION

One of the key components of EIA process and EIS is public consultation and participation. It promotes democratization of EIA process, transparency and acceptability of the project. The outcome of this study shows that public consultation and participation reported during the EIA process is low. Therefore, the regulators of EIA in Nigeria (Federal Ministry of Environment). The EIA team/consultants, stakeholders and public must ensure that mutual trust exists between them during EIA process to promote sustainable Environment and projects.

REFERENCES

- Ojesina, A.O. 1999:** *The role of the public in the Environmental Impact Assessment process.* In Adewoye, R.O. and Adegoke, O.S. (eds) Capacity Building for Environmental Impact Assessment in the Benue Trough Federal Environmental Protection Agency (FEPA), Abuja, pp156 – 160.
- Nwafor, J.C., 2006:** *Environmental Impact Assessment for Sustainable Development.* The Nigerian perspective, El-Demark Publishers, Enugu, pp588 – 590.
- Smith, L. G. 1984:** *Public Participation in sustainable policy making, Geoforum, 15(2) ;:253-259*

ACKNOWLEDGEMENT

The author express profound gratitude to the Federal Ministry of Environment Abuja Nigeria for permission to have access to relevant materials in their library.