Public Participation in China: Weaknesses, Strengths and Lessons Learned

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PUBLIC-EIA PROJECT

“Regulating and promoting public participation in Environmental Impact Assessment in selected pilot Provinces and Municipalities”

提高试点地区公众参与在环境影响评价中的作用

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objectives

• improve the quality, transparency and effectiveness of procedures for PP in EIA in China

• Gaps in EIA PP procedures

• support local environmental protection bureaus by best practices
Common practice

• Disclosure:
  – Notices in residential areas
  – Local newspapers
  – Website of enterprise/local government

• Collect information:
  – Door-to-door interviews; questionnaire

• Submit opinions
  – Classify and accept public opinions
  – Rectifications and improvements
  – Conclusion in public involvement chapter of EIA report
The Wastewater pipe in Qidong, Jiangsu
Analysis of Qidong and other cases

• contested projects have undergone a systematic and scientific EIA
• public involvement is symbolic
• government organs indifferent; ‘going through the motions’
• public cannot express their appeal for public interest
• lacks of channel to express opinions and carry out inquiry and debate even if a hearing is held
• disclosure system for information is unsound
• procedural design does not safeguard and satisfy the right for the public to participate and know
How does this look like?

• Bureaucratic exercise; a ritual
• Start after major decisions
• No safe environment for constructive criticism
• Manipulated schedules and reaction times
• Relevant publics are not informed timely and information is hard to get.
• Citizens not content and reverting to obstruction and delay strategies in court
recommendations

• introduce a public involvement system into the decision-making process of land use planning
• state the right of civilians to participate in government decision-making and social management
• safeguard this right through detailed rules of implementation.
• improve the environmental information disclosure system.
• Get involved departments implementing environmental protection in key planning and engineering project decision-making
recommendations

• expand the scope of public participation:
  – not only the affected citizens, communities and experts
  – also interested citizens, organizations, experts and government agencies
  – include environmental non-governmental organizations (NGOs) through legislation
  – promote development of environmental NGOs as an important force in the development and progress of environmental protection.
How do better?

• Recognize that publics are entitled to information and consultation and can have a valuable contribution to decision-making
• Set conditions for meaningful participation, create safe environment (rules)
• Initiated very early in process
• Led by the neutral authority
• Focus on negotiable issues relevant to the decision making.