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PUBLIC-EIA
Regulating and promoting public participation in EIA in selected pilot Provinces and Municipalities

Public Participation in China: Weaknesses, Strengths and Lessons Learned

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Bert Enserink, Mariachiara Alberton, Dušica Radojčić, Peggy Lerman

Delft University of Technology, The Netherlands

European Academy EURAC, Bolzano, Italy

Green Istria Association, Pula, Croatia

Lagtolken AB, Jordö, Sweden





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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EUROPEAN ACADEMY - BOLZANO (EURAC), Project Lead
博尔扎诺欧洲科学院 - 项目牵头单位



CHINESE ACADEMY FOR ENVIRONMENTAL PLANNING (CAEP)
环境保护部环境规划院



YUNNAN INSTITUTE OF ENVIRONMENTAL SCIENCE (YIES)
云南省环境科学研究院



SHANDONG ACADEMY OF ENVIRONMENTAL SCIENCE (SAES)
山东省环境保护科学研究设计院



UDRUGA ZELENA ISTRA (GREEN ISTRIA ASSOCIATION)
绿色伊斯特里亚协会





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.