

Name of Exercise: Parallel Public Participation in Environmental Impact Assessment

Location: South-Bohemian woodlands, Czech Republic

Participation Exercise under which Article? Article 6

Purpose of Participation Exercise:

To participate in the Environmental Impact Assessment of the proposal to invest in building a recreational park in the middle of the South -Bohemian woodlands.

Background:

A Dutch company initiated a proposal to build a recreation park called "Rajchero" in the South-Bohemian woodlands. The investment promised to bring into the traditionally poor region an investment of USD 100 million. The local NGOs and the general public found that the proposed park would destroy the habitat of 9 critically endangered species and 27 endangered species, and would have a major impact on nature conservation.

Participation Techniques used:

The local public was informed about the start of the EIA process related to the building of "Rajchero Park" through the media. An information campaign was organised by the developer and a public relations company, which included public presentations. The public authorities put a public notice on municipal notice boards and newspapers. The NGOs organised a campaign for media and newspaper coverage, including regional radio and national TV and newspapers.

This means that the public was invited in an effective way by official means to participate in commenting on the EIA, although it was not in compliance with the legislation. According to current standards, the proper means of notification should include articles in regional and local media and notices sent directly to interested organisations. These standards are found in the Czech nature protection act but not in the EIA Act.

The local NGOs decided to use a "parallel" public participation exercise since the opportunities for public participation in the formal EIA process were limited. In addition, the author of the EIA documentation tried to limit the distribution of the EIA documentation by claiming copyright over it. The following public participation techniques were used by the NGO to involve the public in the procedure:

- Establishment by an initiative of a core group of 3 interested NGOs of the 'Association Rajchero' (comprising 42 local NGOs and academic institutions) in order to support the detailed public review of the proposal; the advice of public participation experts was obtained, and contacts were made with environmental and non-environmental NGOs. Academic institutions and church groups were also contacted. All these organisations were interested in a fair and open procedure, regardless of their particular views on the proposal.
- Organising public hearings and participation in the public hearings in all the interested local communities within the 2 year EIA process; facilitators were hired with money from a grant from the 'Environmental Partnership', who organised 5 public discussions during the first few months of the 2-year process.
- Mapping and analysing the general public's comments about the proposal by preparation of three sociological surveys and socio-economic assessment. The NGO group developed a survey in collaboration with professional sociologists. A total of 1,050 citizens were surveyed on their opinions about the proposed park, its benefits, the information available, etc.

Who participated?

In addition to the representatives from the local government, 42 local NGOs and academic institutions (organised into the "Association Rajchertov") participated in the public hearings to review the EIA documentation. About one-third of the NGOs were local environmental NGOs, another third were local social-issue NGOs (Caritas, Scouts, Club of Retired Persons) and the final third were national environmental NGOs. Each public discussion was attended by between 50 and 70 members of the public.

Stage at which the public participated in the process:

The EIA process started after the local media disseminated the initial information about the EIA study for the proposed development. The local NGOs participated in the EIA process at the initial stage by using their parallel public participation exercise.

What information was made available?

The proponent had a public relations agent who participated in all meetings organised by the Association and who worked with the local media to support the project. New data and expertise were obtained by the local NGOs and the general public. Information on the identification of the general feelings of the community towards the proposal was also obtained in order to gauge the further steps. The preparation of the sociological and socio-economic assessment has resulted in dissemination of information on the impacts of the development. At each meeting, the Association disseminated a summary of the EIS and invited experts to give briefings.

What was the outcome of the public participation exercise?

The public's comments in the parallel public participation exercise meant that the EIA documentation had to be revised twice due to deficiencies in the content and procedural errors. The whole EIA process lasted more than 3 years and over 300 pages of public comments on the proposal were submitted.

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REC view on participation exercise:

A lack of trust between the NGOs and the authorities developed from the beginning. One apparent reason for this is the fact that the authorities did not involve the public early enough. Members of the public resorted to an alternative (parallel) public participation procedure because they considered that the normal EIA process would not allow them to participate sufficiently well.

This study shows that a failure to comply with proper procedures (based on law and generally accepted standards) generates public opposition. Despite this, the examples shows that it is possible for the public and NGOs to play an active role by organising parallel processes.

In this case, the parallel process generated more public involvement than the official one, since it gave better opportunities for public participation and more transparent and open discussion of comments. Because it had the same format that the official process should have had in order to implement international standards in this area, the parallel public participation procedure can serve as a model for the authorities in the future.

Significant omissions from requirements of Article 6:

The authorities did not comply with Article 6.2, particularly in respect of the early notification of the public. This omission affected the remainder of the approval process, generating a lack of trust and resulting in the public effectively taking over the process. The NGO parallel procedure met Article 6 in all major respects. The final results of the parallel procedure were handed over to the authorities for their consideration.