

**INTEGRATING PUBLIC PARTICIPATION INTO THE
ENVIRONMENTAL PROTECTION PROCESS**

Inter-American Center for Environmental Policy

an association of the

Fundación Ambiente y Recursos Naturales

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I. Introduction

Participation of the public in the environmental protection process improves governmental decisions and identifies problems at an early stage. This paper offers an overview of methods through which public participation mechanisms can be integrated into the governmental environmental protection process. As such it serves as background information as governments of the Western Hemisphere discuss how to concretely incorporate public participation mechanisms into project development and implementation under the Summit of the Americas Action Plan.

The 1992 United Nations Conference on Environment and Development and the 1994 Summit of the Americas addressed the many benefits of public participation to the government, the regulated community, individuals and groups, and society as a whole. Both events stressed public participation as one of the goals to be achieved by governments as they develop their environmental programs.

At the 1994 Summit of the Americas, governments established as two key objectives a) enhancing democracy and b) protecting the natural environment. Governments at the Summit agreed that a vigorous democracy requires broad participation in governmental processes. In the Summit *Declaration of Principles*, governments invited the cooperation and participation of the private sector, labor, political parties, academic institutions, and other non-governmental actors and organizations in national efforts to assure public engagement and commitment in conserving the natural environment. As part of the "Partnership for Pollution Prevention" element of the Summit *Plan of Action*, governments agreed to:

- strengthen and build the technical and institutional capacity to promote public participation and awareness;
- undertake national consultations to identify priorities for possible international collaboration; and
- support democratic governmental mechanisms to engage public participation, in particular from members of indigenous and other affected communities, in the consideration of policies regarding the environmental impact of development projects and the design and enforcement of environmental laws.

As an important corollary to the above provisions, the Summit *Plan of Action* views the development of a strong network of NGOs as an important step in the democratization process and encourages governments to develop a regulatory framework which encourages effective NGO operation and financing.

To assist governments of the Western Hemisphere to incorporate public participation into projects under the "Partnership for Pollution Prevention" element of the Summit *Plan of Action*, the paper focuses on the different mechanisms governments in the Hemisphere have used to facilitate and encourage public participation, as well as describing the various stages of the environmental protection process where public participation can easily be incorporated.

II. Why Encourage Public Participation?

Environmental protection is a cooperative process, requiring government, individuals, business and other sectors of society to work together in order to achieve specific goals. Public involvement in the environmental protection process enhances this process by expanding the knowledge base for a decision, by identifying and dealing with problems at an early stage, and by strengthening the cooperation between different sectors. This section outlines how public participation can benefit the environmental protection process, while also benefiting the development of a democratic society.

Civil society is one of a nation's greatest resources for helping to develop and implement environmental projects, policies, and regulations. The public – citizens, non-governmental organizations (NGOs), together with the business sector – are all members of civil society. Individually, each member of civil society brings a unique perspective to the governmental decision-making process. Allowing all members of the public to make their views known and be taken into consideration improves the quality of environmental protection by expanding the knowledge base for decisions. In addition, participation of civil society improves the credibility, effectiveness, and accountability of governmental performance. A society with effective public participation will usually encourage decisions made through a transparent process, which includes public and institutional discussion and scrutiny. This type of process results in better implementation of environmental goals, as well as strengthened public support for governmental action.

Improve Environmental Decisionmaking

Governmental institutions gain significant benefits from public involvement in the environmental protection process. First, the government gains access to the direct, immediate knowledge which citizens and businesses have concerning environmental conditions in their communities and industries. Encouraging the public to share this knowledge with the government fosters better informed government decisions and decreases the likelihood of environmental harm. Second, input from the public can also supplement scarce government monitoring, inspection, and enforcement resources, thus saving money and time for the government. Members of the public can act as the government's "eyes and ears," identifying environmental threats or violations of applicable laws. Third, when the public has an opportunity to participate in government decisions from the outset, this defuses opposition to particular government actions and builds broad-based consensus for environmental programs. Finally, significant public involvement in an environmental issue can strengthen the position of the governmental agency responsible for environmental protection in relation to other government interests – the public can help ensure that the government as a whole does not ignore environmental concerns.

Public Participation Encourages Sound Business Development

Public participation mechanisms also assist the business sector in a variety of ways. First, the business community gains a process for exercising a voice in governmental decisions. For example, public participation mechanisms offer the regulated community opportunities for describing their own perspective and providing unique forms of information on the technological and economic feasibility of proposed environmental regulations and standards. In this way, regulatory schemes and compliance plans can be adjusted to more realistic environmental goals and implementation schedules.

Second, public participation can assist members of the business community increase their knowledge of the impacts of their own operations on the environment and the surrounding communities. This helps the business community address problems before they become emergencies. In planning and carrying out projects, businesses may not always be aware of the local conditions which could adversely affect their operations. Listening to the surrounding communities provides the information to plan and develop projects which take local environmental and social conditions into consideration. Some public participation mechanisms require members of the business community to evaluate the effects of their activities on the environment. In the course of these evaluations, they can discover inefficiencies in production methods, raw material use, or energy consumption which they are then able to correct. Public participation also increases the business community's understanding of consumers' concerns and helps it learn how to market its products more effectively.

Public Participation Strengthens Democratic Regimes

A government will benefit most from public involvement in the environmental protection process if its own system is built on democratic principles. Free elections to select authorities, a healthy balance of power between the executive, the legislature, and the judiciary and guarantees of human, economic, social, and environmental rights are all preconditions for effective civic participation. Public participation contributes to governmental accountability by encouraging a more transparent decision-making process in which governmental officials listen to a wide range of perspectives from the various sectors of society.

Public Participation Strengthens Civil Society

Public participation in the environmental protection process helps build an effective and democratic civil society. Public participation mechanisms promote civil rights for individuals and groups by encouraging access to information, freedom of speech, and the ability to organize. This, in turn, empowers citizens and enables them to taken part in the public discourse and have a positive effect on activities undertaken by their government.

The ability to organize is very important for effective participation of individuals. Individual citizens can have a long-lasting and substantial effect on the environmental

protection process, if they are able to organize into associations and other non-profit groups or non-governmental organizations (NGOs). Such groups represent the perspective of specific public interests in the public debate. As organizations with a financial and professional base, they are able to develop an expertise on issues and participate more effectively in the environmental protection process than are individual citizens. Independence from government and other, for-profit sectors of society is one of the major attributes of NGOs. In addition to their independence, NGOs have diverse and well-established expertise in fields needed to implement environmentally sound and socially responsible sustainable development.

However, for NGOs to function effectively they need an institutional and financial environment which encourages their development. Organization by individuals into NGOs requires political support and adequate legal regimes which foster the creation of NGOs and their productive involvement in civil society. Government can support the creation and involvement of NGOs through special tax regimes and special grant programs which encourage a firm financial basis. Governments can develop laws giving NGOs the right to take legal action to protect the public interest.

III. How Have Governments Structured Public Participation?

There are many public participation mechanisms which allow for contributions by members of the affected public to the process of making decisions, implementing regulations and policies, and enforcing laws. These mechanisms can be used throughout the environmental protection process, both in the decisionmaking process and in the day-to-day implementation and enforcement of environmental law. The following are examples of typical public participation mechanisms which can be established by governments to encourage public participation in their environmental protection process.

A. Information Resources for Civil Society

To effectively contribute to the environmental protection process, the public needs access to information about proposed decisions, the decisionmaking process, the potential environmental effects of the activities undertaken, and what the government is doing to monitor and enforce the environmental protection system. Access to information allows members of the public to make their contributions as useful and accurate as possible. Information access is also a necessary safeguard for ensuring public accountability. Members of the public need to know what their government is doing in order to hold government institutions responsible for their actions.

The degree of development of legal regimes for access to government-held information varies from country to country. In many countries, recently amended constitutions and national environmental laws grant the citizen the right to have access to information, but fail to provide implementation and enforcement mechanisms. Governments can provide access to information both actively (through a duty to notify citizens, for example in notice requirements) and passively (through a duty to provide information on request, for example, under freedom of information laws). In many countries, citizens can also request and receive from the government environmental monitoring data, results of environmental studies done by the government, and information concerning proposed and existing environmental laws and policies.

- *Government Publications and Information Dockets*

A fundamental method to provide information to the public is through government publications. These may provide basic information about actions such as proposed permits, proposed environmental impact assessments, or planned government projects. Official publications inform members of the public about proposed governmental actions and how to participate in the environmental protection process.

In addition, the government can provide public access to all pertinent information about a decision under consideration. By collecting in one place all information and commentary about a proposed decision, an "information docket" enables interested parties to respond to arguments and data submitted by others. By keeping an up-to-date information docket, a governmental institution will encourage comments of higher quality, and will spend less time reviewing duplicative submissions. An information docket usually contains all written comments and documentary information received during the comment period, as well as drafts of the proposed decision and transcripts of any public hearings.

- *Notice of Decisionmaking*

Effective public participation depends on members of the public learning about a proposed governmental action or decision at an early stage of the process. Timely notice is critical to allow citizens the opportunity to affect the proposed decision. Notice of any proposed project or rule enables non-experts to understand how the decision might affect them, and how they may communicate their views or objections to the agency.

Public notice of a proposed decision, such as a rule, a permit, or a development project generally provides complete and comprehensible information about the proposed decision and the process for submitting comments. Countries which provide for notice usually require that it be distributed in a manner that reaches the widest possible audience. For example, notice can be published in the official government register, local newspapers, clearly posted near the site of the proposed action, and publicized by radio or other means in communities where there is no real access to print media.

- *Right to Petition*

In some countries, the constitution establishes a right to petition. This constitutes a vehicle for the public to direct inquiries to the government to which the government must respond in some manner.

- *Freedom of Information Laws*

In some countries, access to information legislation exists in the form of so-called "freedom of information" laws and "community right-to-know" laws. Under freedom of information laws, citizens can access government records unless the information is specifically exempted from disclosure. Typical exemptions include documents concerning trade secrets, confidential business information, and law enforcement investigations and records. Access is usually limited to information that has already been generated by the government; there is rarely a duty for the government to collect or analyze information in response to a request. For access based on requests to be a useful tool, it is important that the request be answered in an affordable and timely fashion.

Community right-to-know laws are also found in a growing number of countries. Community right-to-know laws give the government an affirmative duty to provide access to information on the use or discharge of pollutants. This is accomplished through requiring industry to keep records of certain chemicals used in the industrial process and report on the amounts stored, used, and released to the government. The government then establishes databases of this information and has a special duty to notify the community in the case of chemical accidents.

B. Civil Society as Advisor

The public functions as a vast source of knowledge and technical expertise about its country's natural environment, natural resources, and pollution problems. By gaining access to such information through public participation, environmental decisions can be significantly improved.

In some countries, governments have established formal and informal methods for consulting with members of the various sectors of society. As described below, two common methods for consulting with members of the public are through the establishment of formal or informal advisory committees and through soliciting comments from members of the public, either in writing or during public hearings.

- *Advisory Committees*

Advisory committees, made up of members of the public, are frequently a useful means of furnishing expert advice, ideas, and diverse opinions to the government. In addition, committees can facilitate public participation by helping the general public to communicate with the government. A governmental institution may appoint a general advisory committee to provide guidance on a number of policy questions, or it may appoint more specialized committees to address particular problems or regulatory issues. Advisory committee members are usually selected based on their expertise concerning the agency and the subject matter at hand. The membership of the committee can reflect the range of interests that will be affected by the project or policy. For example, an environmental advisory committee could include representatives of both the regulated industry and interested citizen organizations. Such diversity ensures that the agency is exposed to a range of relevant viewpoints. Citizen groups can assist not only in identifying relevant issues, but also in suggesting the necessary compromise which will satisfy all partners.

In some countries, regulations concerning government meetings require that the meetings of advisory committees be open to the public. In addition, the agenda, minutes, and transcripts of the committee meeting are made available for public inspection and copying at a single location in the offices of the advisory committee. Funds can also be made available for travel expenses of citizen organizations in order to facilitate their participation. These measures help ensure that the committee keeps abreast of the views and concerns of the public.

- *Public Comments and Hearings*

In addition to providing adequate notice of a proposed decision or action and allowing access to certain documents, a governmental institution can establish procedures for structuring subsequent public input. The government can solicit input from the public in the form of written comments or verbally through public hearings. Public comments are most useful if the public is given sufficient advance notice that comments are desired and if the comments are solicited at a stage in the process when the input can still affect the proposed decision or activity.

Written comments are a convenient means for interested parties to communicate information and arguments to the government and written communication allows the agency to review and digest submissions in an efficient manner. However, written comments are usually prepared by legal and technical experts. Individual citizens may lack the technical and financial resources to prepare effective comments. Therefore, acceptance of written submissions may be supplemented by opportunities for oral communication with the agency, such as public meetings with agency personnel.

In addition to having a process for submission of comments, environmental protection will benefit from a process for governmental consideration of comments and for dialogue between the different parties involved in addressing the concerns raised by the comments. Public participation in decisionmaking will have no effect unless the agency actually reads and considers the comments it receives. One option is to require agencies to fully consider all submissions about a proposal and to document that consideration in writing. In some countries, governmental agencies can not adopt a final rule until the time for receiving comments has expired.

C. Civil Society as Investigator and Advocate

When the interests of the government and the citizens are similar, individuals and NGOs can fill the gaps in government enforcement caused by resource constraints. Public involvement in monitoring and enforcement is a logical next step for democratic political systems that have encouraged public participation in the creation of environmental statutes and regulations. Allowing citizens to have a concrete role in implementing the regime they helped to design strengthens public support for and awareness of environmental goals. Avenues for public participation in enforcement are many and varied. Several common methods, such as citizen monitoring, citizen advocacy, and creating the institution of ombudsman, are described below.

- *Citizen Monitoring*

Citizen participation in information-gathering and reporting efforts may be critical if enforcement goals are to be met. The sheer size of environmental problems and the increasing demands on limited government resources combine to make environmental agencies

underequipped to perform all the necessary investigatory and monitoring duties. Monitoring alerts the government not only to possible violations of the law, but also to potential damage or threat to the public health and safety. A governmental institution can either make use of citizen monitoring which may already be taking place, or it can contract specifically with citizen groups or communities and enlist their assistance in monitoring efforts. In some countries, governmental institutions even provide basic training for community groups which wish to engage in monitoring activities.

- *Citizen Complaint Mechanisms*

The public complaint process is a key mechanism for public input in environmental protection in some countries. The process allows any person to file a complaint with the state regarding activities that are causing environmental harm or ecological imbalance. The state or municipal government is then required to look into the matter and provide a response within a relatively short period of time. Examples of methods for receiving the complaints are a governmental hotline, a toll free number, and a special "green" mailbox.

Some countries have an independent complaint committee or designated staff member (ombudsman) at the national and local levels. Citizens can lodge their complaints with the committee whenever they disagree with any measure taken by the government. The institution is usually independent of the government and is competent to deal with complaints on the basis of statutory rules. The law requiring an ombudsman also regulates what kinds of complaints are included. Complaints are sometimes directed to the court system for relief. In most cases, the publicity achieved through the complaints puts pressure on the actor in question.

- *Citizen Advocacy*

In some countries, citizens are allowed to take legal action to enforce environmental laws, either under constitutional rights, under specific provisions in environmental laws, or in accordance with a special law providing for popular actions. Legal action by citizens has been used to enforce environmental regulations and duties against both governmental institutions and private entities.

One type of legal action available to citizens is the so-called "citizen enforcement suit" which permits any person (including an individual, organization, or corporation) to bring legal action against any other person (including the government or a polluting business) who is violating the requirements of the specific statute. Typically, before filing a suit, a citizen must notify the government as well as the alleged violator that a lawsuit is pending. Once the suit is filed, the government has no power to dismiss it and may affect the outcome only by intervening in the case. If the citizen wins, the court may order the defendant to stop the violating activities. In certain circumstances, the court may award the court costs and attorney

fees associated with bringing the action to the plaintiff. A further option is to allow the plaintiff to ask the court to impose civil penalties upon the violator, payable to a government fund.

Another type of legal action used in some countries is the "popular action." Popular actions are a way for individual citizens belonging to a specific community to bring legal action in court in order to defend a collective right which is in danger. Popular actions can be brought to stop the threat of harm to a collective right. It can also be brought to protect public property and its users, including for repair of actual damages. Finally, to assist governmental enforcement efforts, popular actions can take the form of compliance actions which allow citizens to demand that the government comply with its own regulations and administrative acts.

IV. When in the Environmental Protection Process is Public Participation Most Effective?

Public involvement may be useful at any stage where a governmental institution needs to make a decision or take an action. The following section gives examples of stages in the environmental protection process when public participation would contribute beneficially to the outcome of the decision or action.

It is important to involve the public in each stage of the environmental protection process as early as possible. Only if this is done can problems be discovered and addressed at least cost. If problems are not discovered until a late stage in the project, it can be very costly to change plans. In addition, the public has the best opportunity to address all environmental impacts as well as alternatives during the planning stage of any project. During the planning stage, the public can make real contributions to the decision, and the public does not simply react to an almost final proposal.

A. Policy and Regulation

As a first step, public participation is important in the development of environmental policies. Members of the public have a unique perspective as to which environmental problems are of the highest priority for their communities. In addition, an informed civil society, which understands and agrees with the priorities ultimately set by the government, will also make useful contributions to and provide needed support for the legislation, rules, and strategies needed to implement and enforce the policy.

Public participation in policymaking can be achieved using a variety of mechanisms. One common method is the use of advisory committees with representation from the different sectors of civil society. Public hearings which both inform the public and provide a forum for discussion and comment on the proposed policy also provide a useful forum. Controversial, high-priority issues may require special policy dialogues between the various affected parties.

Legislation is the first step to implementing an environmental policy. Participation of civil society in the legislative process can occur at many levels. First, the Ministry or Parliamentary committee engaged in drafting a law can circulate the draft to representatives of interested NGOs, citizen associations, private for profit groups, and other interests for comment. Special advisory committees or hearings can be established to assist in the drafting of the law.

Rulemaking refers to the process by which administrative agencies establish legal standards of conduct through regulations, executive orders, decrees, or any other legally

binding documents which are not subject to the legislative process. Agencies develop these "rules" primarily to refine and implement the goals expressed in statutes.

Rulemaking can play a particularly important role in environmental protection, where the expertise of a specialized agency is needed to prevent and abate pollution. In some countries, public participation is encouraged in rulemaking through a process known as "notice and comment rulemaking." This process requires the agency to notify the public of a proposed rule and to consider written comments submitted by the public before adopting the rule.

To ensure informed public participation in the rulemaking process, agencies provide adequate notice of a proposed rule, and give interested parties an opportunity for comment. These requirements can be usefully supplemented by other procedures for public participation before a rule is formally drafted and proposed by an agency. Public participation procedures can include the right to petition for new rules, the formation of advisory committees to the agency in specific areas of policy, the issuance of advance public notice of planned rulemaking, the holding of negotiated rulemaking sessions, and the initiation of discussions with parties likely to be affected by existing and prospective agency policies.

B. Integrating Environmental Protection into Development Planning

Most development activities have many environmental impacts: the public may be more aware of the causes and consequences of these impacts than the implementing governmental institution. As governments develop land-use plans and development projects, the public has an especially important role to play in making its concerns for protection of the environment and the public health known. Especially in the case of activities carried out by institutions which do not have jurisdiction over environmental interests, public participation ensures that a system of sustainable development can begin to grow in a country.

● *Land-use Plans*

Many countries have extensive regulations for the use of land. The process of regulating land-use is called land-use planning. Land-use plans are developed at the national, regional, and local level and affect economic, social, cultural, and environmental interests of the community. The plans usually concern issues as diverse as housing and urban expansion, agricultural production, conservation and recreation, industrial development, and transportation infrastructure.

Governments can involve the public in the land-use planning process through the use of public hearings and requests for public comment on the proposed plans. The earlier the public is involved in the land-use planning process, the more successful such a plan can be and the more public support it will enjoy. Land-use plans directly affect the economic and environmental well-being of members of the community. It is important for individuals to feel they have a say in the future development of their community.

- *Project Development*

In the wake of the United Nations Conference on Environment and Development and the Summit of the Americas, most countries in the Western Hemisphere are taking environmental concerns into consideration as they prepare new development projects. The views of affected groups and local NGOs facilitate project design and implementation. Taking the views of members of the civil society into account improves project viability, by ensuring the project proponents fully understand the local conditions and needs. Projects in which the affected community's views were excluded, have tended to suffer from more frequent delays and have been of poorer quality.

Developers can communicate early with the affected community through informal discussions, informational hearings, questionnaires, and establishment of a process for continued contact with civic leaders. The effort of involving the public in project design and implementation can take place at many stages, including the environmental impact assessment process, discussed below.

C. Implementation of Environmental Law

Two main tools often used by governments to implement environmental law are permitting and environmental impact assessment (EIA). Both of these processes provide opportunities for public participation.

- *Environmental Permits*

An environmental permit is a legal instrument that specifies the conditions under which a regulated entity may operate. These may include: the types and amounts of pollutants it may discharge, requirements for reporting, recordkeeping, operation, and maintenance, and all aspects of monitoring, including frequency, methodology, and sampling locations. In addition to providing specific discharge limits, a permit may also specify a range of other requirements concerning operation, including the disclosure of important technical (and even financial) information about the business and its operations and emissions.

There are several appropriate places within the permitting process where the public can be involved. The government can provide notice to the community that a permit has been requested and provide for an opportunity for the community to comment on the permit. Such an opportunity may include both informational and comment-oriented public hearings. Members of the public can contribute a useful perspective regarding both new permits and in the process of permit renewal or amendment.

- *Environmental Impact Assessment*

One of the key opportunities in many countries for public participation is found in the environmental impact assessment (EIA) process. EIA is a process by which the government

reviews the environmental impact of proposed development projects. The purposes of EIA are to identify alternatives to the projects or to subject the project to compliance with certain environmental standards.

The EIA process generally includes identification of the main environmental impacts of the proposal, a discussion of alternative projects and their impacts, and the development of mitigation techniques to minimize environmental damage. Public participation is usually an integral part of the EIA process. At various stages in the process (for instance, during identification of the main environmental issues involved or when the government issues a draft or final EIA document), the government can notify citizens of their right to submit comments or attend public hearings. Written comments and public hearings are two commonly used methods of gathering public views during the EIA process. As a general rule, the view of members of the civil society should be requested as early as possible in the process. To ensure that the public perspective is considered, the government can also require that public views be actively incorporated into the final EIA document.

Members of the public also have an important role to play in the evaluation and monitoring of a project after the EIA documents are completed and the project is approved - often with specific conditions. A monitoring program can be used to confirm that mitigation measures identified during the planning stages of the project are actually carried out by the developer.

C. Compliance and Enforcement

Citizens can support and contribute to the environmental enforcement system in several ways. First, citizens' day-to-day observations give them access to information about environmental conditions which may otherwise be unavailable to governmental institutions. Second, the injection of varied, non-institutional perspectives and information sources into the decisionmaking process may improve the quality of enforcement decisions. Third, citizens can supplement the inspection and monitoring efforts of government officials who may not be able to discover every violation throughout the country.

Avenues for public participation in enforcement include using citizen volunteers to collect, review, and analyze information for use in enforcement, allowing citizens to intervene in government enforcement proceedings through filing friend-of-the-court briefs setting forth their position, allowing citizen participation in reviewing the terms of settlement decrees, and allowing legal action to be brought by citizens to enforce environmental law.

V. Principles for Public Participation

The above discussion identifies different methods of public participation, and when to use these methods in the environmental protection process. However, even if these mechanisms are used, the quality and effectiveness of public participation is not guaranteed unless the governmental agencies take advantage of the information and assistance provided by the public.

For public participation to be effective, governments should take into consideration the following principles:

- ***Participation should be meaningful:*** In order for participation to be meaningful, the lead agency must be willing and able to change, sometimes substantially, the program or project based on the input received.
- ***Participation should be informed:*** The lead agency should ensure that people attending consultations are adequately informed about the program at process. The nature of the project and the issues it presents must be made clear to the public, together with the process of the consultation, with adequately detailed information about the program or project made available early in the process.
- ***Participation should be continuing:*** The approval process for the project or program must be transparent, with adequate opportunity to comment meaningfully throughout all stages of the program or project cycle, such as project identification, planning, implementation, and monitoring.
- ***Participation should be local:*** Public participation should include or emphasize the local communities which are most affected by the decisions or activities whenever appropriate. This allows input from the communities involved in programs or projects, who may not be able to easily participate in hearings or meetings held in the capital city.
- ***Participation should be facilitated:*** Governmental institutions can facilitate public participation by providing the minimum necessary funds to inform the public and to achieve a broadly based set of views. In some cases, this objective can be met by holding regional or field-based consultations, which include the communities most directly affected by the decisions or activities.
- ***Participation should be accurately reported:*** The public may not be willing to participate in a process for an activity of which they disapprove if their participation is likely to be interpreted as an endorsement of that activity. In addition, when participants give negative feedback, this should be so indicated by the lead agency in its reports.

VI. Conclusion

The ability of a country to follow a sustainable development path is determined to a large extent by the capacity of its people and its institutions. Sustainable development initiatives require consensus among the individuals participating in and affected by any program or project, and this consensus is achieved in part through effective public participation.

This paper attempts to identify various methods for public participation, and the circumstances and times in which the methods might be used. The paper also attempts to provide some guidelines on how governments can insure that the participation process is made meaningful.

By increasing citizen involvement, public participation processes can increase the effectiveness and the acceptance of environmental protection programs. They also help to build a strong civil society and democratic governance by building a sense of ownership as well as accountability within the public.



About Fundación Ambiente y Recursos Naturales and the Environmental Law Institute

The Fundación Ambiente y Recursos Naturales (FARN) of Argentina (Foundation for Environment and Natural Resources) is a non-profit, non-advocacy environmental legal organization. Established in 1985, FARN conducts research and publications, awareness building, information, advisory and training activities. Its goal is to promote public and private organizations capable of responding through politics, law, and economics. FARN works with public and private decision-makers, such as members of the National, Provincial, and Municipal executive bodies, legislators, judges, enterprises, and media. Although most of FARN's activities concentrate on the Southern Cone, especially Argentina, it's work also includes the rest of Latin America and other international activities.

The Environmental Law Institute (ELI) is a national non-profit, non-partisan research and education institution with an interdisciplinary staff of lawyers, economists, scientists, and journalists. The Institute develops pragmatic solutions to the most pressing environmental problems and devises creative responses to help achieve national environmental goals. ELI also serves as a convening forum for professionals of different disciplines and viewpoints. The Environmental Law Institute conducts activities in three broad, interrelated categories: education and training, publications, and policy research and technical assistance. As part of its international work, ELI's Inter-American Program has been developing a partnership among the nations of the Americas to protect the hemisphere's environment.

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