

Public participation in Indonesian EIA

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INTRODUCTION

Public participation is a process of involving the public in a programme, project or policy. The inclusion of public participation in such processes is considered as a requirement:

all people and all human beings....shall have the right to live in dignity and freedom and to enjoy the fruits of social progress and should, on their part, contribute to it. (U.N, 1975:1).

Social progress and development require the full utilization of human resources, including the encouragement of creativity under conditions of enlightened public opinion. Environmental Impact Assessment (EIA) is an instrument of environmental policy defined as a study to assess the environmental impact of planned activity. EIA is a tool for decision making about the perceived feasibility of the planned activity. Thus, the public is encouraged to take part in the EIA process.

In Indonesia, the Environmental Management Act 23 of 1997 (a revision of Act no. 4 of 1982) states that

every person has the right to have environmental information related to environmental management.

This is applied to a proposed project in a certain location for which an EIA is required. Local people do have the right to have information about proposed projects to be built in their area. With such information, people can provide suggestions and comments and can raise concerns. Article 6 of the Act states that

every person who proposes a project is obliged to provide right and accurate information.

This means that the project proponent must provide information about the project description. This paper reviews the practice of public involvement in the EIA process and proposes new mechanisms and techniques which are socially and culturally appropriate in the Indonesian context.

See Topic 3

**UNEP EIA Training
Resource Manual**

Public involvement

NATURE AND SCOPE OF ISSUES

Based on the observation on the practice of Indonesian EIA since 1986, the issues of public participation include lack of public participation, the formality of the process and the inappropriateness of the techniques employed. These result in poor quality EIA documents. In other words, most EIAs fail to address the actual issues in the community.

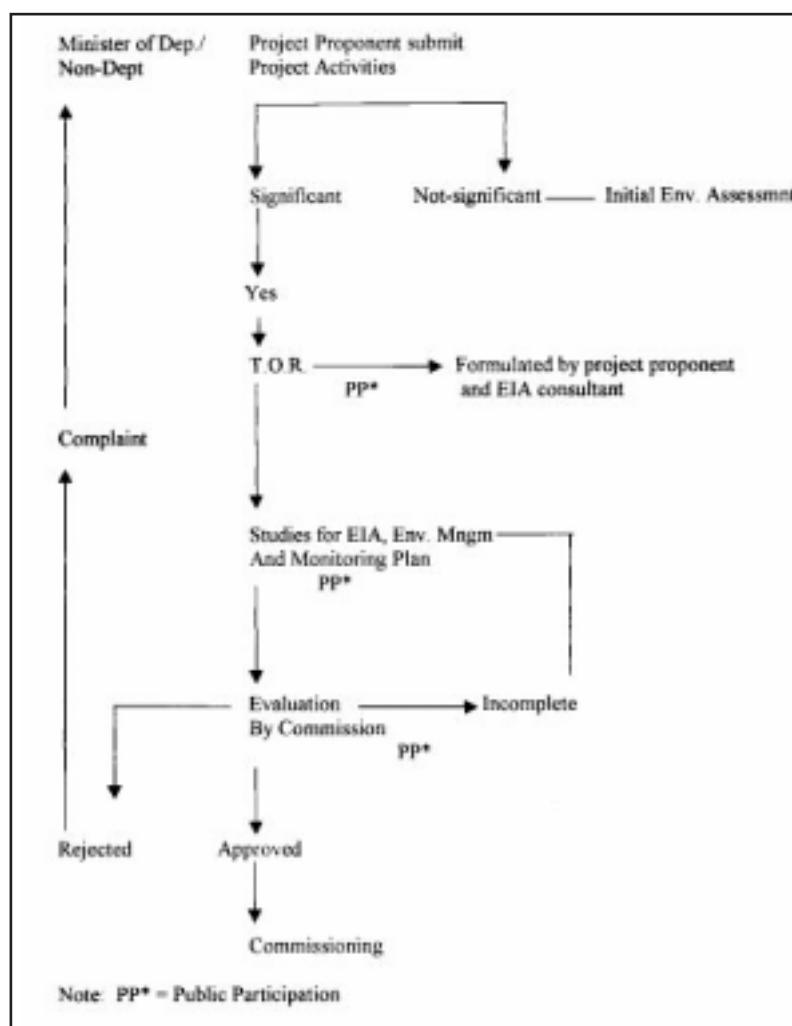


Figure 1: The procedure of public participation in EIA

THE PROCEDURE AND THE FORM OF PUBLIC PARTICIPATION

Figure 1 shows the procedure and the form of public participation in the Indonesian EIA process. The procedure is divided into three stages. These stages include the formulation of terms of reference (ToR), the EIA process and the process of evaluating or reviewing EIA.

Terms of Reference

The figure suggests that if the proposed project is categorized as a project which causes significant environmental impact, the project proponent (assisted by a consulting firm) must provide the terms of reference. To provide the terms of reference, in addition to a project description, the consulting firm requires data regarding the area of the proposed project. The consulting firm gathers the data regarding the issues. This should include an investigation of local attitudes towards the project. So there is room for the public to participate in formulating the terms of reference. Unfortunately, at this stage, local people generally do not have detailed information about the project. The project proponent usually does not provide information about the project description. The consulting firm generally relies on the secondary data gathered through village offices. Consequently, the Terms of Reference which are formulated through the scoping process, (see Figure 2) are still too broad and too general and do not address the actual issues in the community.

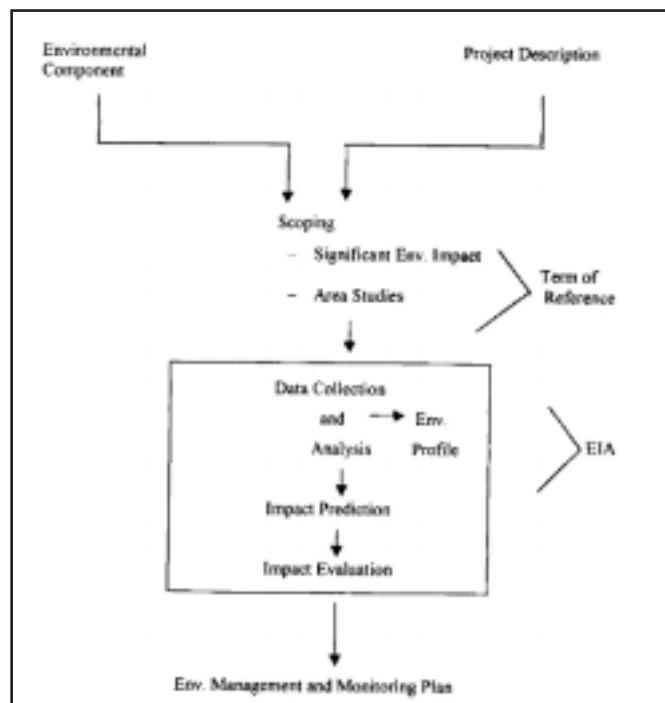


Figure 2: EIA studies process

Actually, the project proponent, as stated by government regulation and the revised draft of that regulation on EIA, is obliged to make known to the public any proposed activity which requires an Environmental Impact Assessment. When this is announced people should be able to make

comments or complaints and to provide suggestions regarding the proposed project. However, such announcements are rarely made by project proponents.

EIA studies

At this stage, local people could take part in the study by providing information through questionnaires administered through surveys. The data gathered could include socio-economic (people's income, occupation) and socio-culture (education, social relation patterns) and community health (type of diseases, health services available). The people's perception of the proposed project should also be sought. Again, because of lack of information about the proposed project, local people have difficulty in figuring out the impacts likely to be caused by the project. The most common response given by local people is that the proposed project will generate employment and job opportunities.

Evaluating EIA documents

When the draft EIA document is ready, it will be reviewed or evaluated by the EIA Commission. The task of the Commission is to comment on, and evaluate, the Terms of Reference, the EIA document and the environmental management and monitoring plan. There are three possibilities for recommendations given by the Commission including:

- the EIA is considered incomplete and will need to be revised ;
- the EIA document is approved and the project can go ahead; or
- the EIA is rejected because it is considered that there is no technological management adopted to deal with the significant impacts likely to occur. In this latter case, the project proponent can submit a complaint to the relevant Minister of Department/other agency.

According to Ministerial Decree 13 of 1994 and draft of government regulation of EIA, local people can be non-permanent members of the EIA Commission both at central and provincial levels. In practice, at the Provincial Commission, local people are frequently represented by the head of the village or district head. In the Federal (Central) Commission, local people are represented by the head of the Environment Division or the Local Government Development Planning Board. This raises the question of representativeness. Limiting participation to village or district heads does not fully meet the principle of public participation. In addition, their opinions may not substantially represent the concerns of the local people. The head of the village or district often tends to favour the project proponent.

RESULTS AND IMPLICATIONS

Formulating the Terms of Reference

There are two weaknesses in the practice of formulating the Terms of Reference. The first is lack of information about the proposed project because the project proponent does not provide information about the project. The second is the perceived over-formality in the procedures employed in gathering the data.

With little knowledge about the proposed project, people cannot identify the likely environmental impacts. When the EIA researcher collects the data, people cannot raise their concerns and issues. With regard to the procedure employed, EIA researchers rely on formal approaches such as visiting the head of the village and gathering local people in the village hall. This formal method is not appropriate. The method used is categorized as non-participative and the intensity of contact is considered low.

Undertaking EIA studies

The survey administered through face-to-face interviews theoretically produces the best information and may be necessary for a long complex questionnaire. The interviewer can see that the questions are properly understood and that the answers are properly expressed. The interviewer can probe the answers, find out why people answer the way they do, and ask open-ended questions. The interviewer also serves as a motivating force for completing the questionnaire even if it is long and difficult. However, in the Indonesian context, the face-to-face interview also has a disadvantage. Respondents will tend to answer in ways that they believe the interviewer will approve of. The respondents tend to provide the 'right' answer in order not to disappoint the interviewer. For instance, when respondents had difficulty providing information about the amount of his/her income, he/she tended to let interviewers calculate it. Whatever the result of interviewer's calculation, a respondent would agree with it. Another example was when the respondents were asked about their involvement in the community they usually said something nice, although the reality may have been different. This is because they did not want other people (moreover outsiders as interviewers) to know something bad about their community.

It can be concluded that questionnaire surveys through face-to-face interviews are only adequate for gathering 'hard data' such as educational attainment, number of households, social institutions and other services and facilities available in the community. Under the cultural circumstances of this case, this method fails to discover the real attitudes, concerns and perceptions of people; data that are essential for sound assessment, evaluation and recommendation.

Evaluating EIA documents

The evaluation of EIA is done by either the Central EIA Commission or the Regional EIA Commission. Membership of the Central Commission consists of departments related to environment, the Environmental Impact Management Agency, departments/agencies related to the proposed project, representatives of provincial and local government, the Environmental Research Centre, relevant experts, NGO and affected people. The Regional EIA Commission consists of the regional Development Planning Agency, regional Environmental Impact Management Agency, Investment Coordinating Board, other relevant departments, representatives of local government, the Environmental Research Centre, relevant experts and affected people. The evaluation of the EIA document is too formal. It is difficult for local people to participate in such a formal atmosphere. People feel powerless sitting down with high ranking officials.

LESSONS LEARNED

The effectiveness of public participation is measured by the degree of communication, the intensity of contact and the degree of influence for decision making. At the stage of formulating the terms of reference with the methods of collecting data such as field visit to informal leaders, the degree of communication and the intensity of contact are considered low. The input from informal leaders has little influence on the Terms of Reference. At the stage of the EIA studies, the survey method employed does not address the specific issues such as concerns and perception of local people regarding the proposed project. Surveys are also considered as one way communication. People only respond to the questions raised by interviewers. In other words, the method does not address the real issues. In the evaluation process, the formal meeting is not good for local people. They cannot comfortably air their concerns. They cannot actualize their concerns and aspirations. It is hard to incorporate the people's input into the EIA decision.

TOWARDS SOCIALLY RESPONSIBLE PUBLIC PARTICIPATION

Formulation of Terms of Reference

In line with the Environmental Management Act 23 of 1997, under which the project proponent has the responsibility to inform local people about proposed projects, the project proponent is obliged to provide a forum which enables people to have information about the project. The forum proposed for this is public displays and public meetings. With public displays, the project proponent provides visual displays illustrating where, when and how the proposed project will be built. Such project visualization describes clearly the purpose of the project, its location, and activities at the pre-construction, construction and operational stages. Local people (the host community) and other interested parties visit the displays and learn about the project. These public displays are then followed up by public meetings.

In these meetings people could voice their opinions, and raise concerns, complaints and questions related to project. Their input will be more directed because they have learned about the project through public displays.

The purpose of conducting public displays is to provide information about the proposed project. The strength of public displays as mentioned by Canter (1991) is that they create intensity of communication and the degree of communication is two way.

Public meetings provide forums in which the intensity of contact and the degree of two way communication is high. To apply this in the Indonesian context, the public meeting should be designed with small groups of 10 to 15 people and take place in several different locations. Such a format enables each participant to take part in the process. The participants should be divided into several homogeneous groups such as formal leaders, informal leaders, lay persons, etc. This grouping will help create an intensive discussion. Public meetings provide the opportunity to successfully identify issues and to gather feed back. In the public meeting, the EIA practitioner and project proponent can also gather ideas for formulating an environmental management and monitoring plan.

Improving EIA studies

At this stage, people have the opportunity to convey, through interviews, their opinions and perceptions regarding the proposed project. The EIA practitioners can make use of contacts that have been made during public displays and public meetings. To gather data regarding perceptions it is suggested that a conventional instrument such as a questionnaire not be used but rather that there should be an interview guide for in-depth interviewing. Respondents need to be selected through a snow balling technique by utilizing contact people. It is important to note that the quality of information is more important than the number of information providers. In other words, selecting respondents through snow balling techniques will create valid and accurate data.

The Stages of EIA Studies	Public Participation Techniques	Objectives	The Scope	Participants
Formulation of ToR	Public Displays Public Meeting in Small Group (10-15 people) in some places	To inform about the project To identify issues and to solicit feed back	Informative Consultative	Affected people and other relevant interests Affected people consisting of village officials, informal leaders and local people

EIA studies	1. In-depth Interview 2. Focus Group Discussion	To identify feed back To get ideas for Environmental management	Informative and consultative Partnership	Affected people
Evaluation of EIA document	Public Review	To evaluate EIA document and to get feed back	Partnership	Affected people and other relevant interests

In addition to interviews, it is suggested focus group discussions be employed. Each group consists of five to seven people with similar backgrounds – for instance informal leaders, formal leaders, lay persons etc. The discussion topic is focused to solicit perceptions and opinions of local people and to seek their suggestions. The objective of collecting data is to identify the impacts, to obtain the feed back and to get suggestions for environmental management.

Evaluating the EIA

In addition to the EIA Commission Forum, the project proponent is obliged to provide a forum for public review. After the EIA document has been reviewed by the Commission, but before a decision is made, the general public including affected people have an opportunity to air their opinions, concerns and complaints about the document. Because people have been involved since the initial stage of the EIA studies, they are aware of whether their ideas have been incorporated in the EIA document. In the Indonesian context, the public review must be conducted in an informal atmosphere. Community input should not be submitted in written form, because not all people are used to writing down their ideas. Given this, the project proponent is obliged to open a *hot line* in an accessible place such as village hall or neighbourhood hall. The objective of the public review is to evaluate the document and to obtain feed back from the people.

LIST OF RELEVANT PUBLISHED PAPERS AND OTHER SOURCE MATERIAL

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Key words

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