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: Compared to international guidelines and experience how can public participation in the Pakistan EIA system be improved?





How can public participation in the Pakistan EIA system be improved?

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Synopsis

The purpose of this report is to identify the constraints and problems in the current public participation practices in the development projects.

The report is based on the case study of Kalabagh dam project to high light the constraints in project implementation With reference to the Pak-EPA act 1997,

An analytical framework is developed based on WB guidelines and Aarhus convention for analysis and pinpoints the differences.

My investigation is based on the Mitchell at al stakeholders' topology to identify the various rationalities involved in delay of Kalabagh dam construction and their immediate cause against the WB guidelines and Aarhus convention guidelines

Preface

This report is outcome of the Master thesis in the Institute of Development and planning at Aalborg University Denmark of 10th semester of Environmental Management programme at the Department of Development and planning. The report is in accordance with 10 Semester theme, based on some empirical environmental management problem, and focused on transfer of knowledge from Denmark(Aarus convention) to developing countries and vice versa.

During my 8th semester, we had a short course on EIA and was greatly moved and motivated by EIA tool for the generalization of environmental consciousness and management at the development projects. But the course was too short to develop any ability and skills in using EIA as a tool.

Thanks God! This decision proved a blessing for me at the end of day, making it quality experience of learning of international finance agencies procedures for the environmental assessments/ public participation in the development projects.

I would like to express my gratitude and thanks to my worthy supervisor, Lone Kornov for her sincere and laborious assistance and supervision right from the beginning. I really appreciate her valuable contributions for the completion of this thesis. I am honoured and obliged by her to supervise this thesis.

I also acknowledge Mr. Zaheer (Environmental lawyer) and Mr. A. Amin for their valuable contribution and practical information on the case study.

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Shakeel Ahmed Awan

Aalborg, January 2006

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1. INTRODUCTION

Environmental impact assessment is a management tool, an off-spring of ecological revolution, being employed a policy tool for reducing the negative impacts of industrialization and increasing the sustainable development in the developed countries and EU for the assessment of the development projects. Originated in early 70s has spread over after the Rio Earth conference 1992 including LDC and countries in transition, following the mandatory international and national environmental obligations over the time and space (Wilson 1995)

The Brundtland Commission Report of (1987) titled “Our Common Future” recognizes the role of public participation in sustainable development: “Progress will be facilitated by recognition of, the rights of individuals to know and have access to current and basic information on the state of the environment and natural resources, the right to be consulted and to participate in decision making on activities likely to have a significant effect on the environment, and the right to legal remedies and redress for those whose health or environment has been or may be seriously affected.”.(WECD Report 42/87, 1987).

The Rio Conference of 1992, gave the strategy of planning the environmental management in Agenda 21, the principle 17 which specifically aims at introducing the appropriate environmental impact assessment procedures for the proposed projects by widely public information and public participation to encourage the assessment of the impacts of the policies and biological diversity.(UNECD Report June 1992)

In recent years, the Public participation and counselling is alarmingly inadequate and poor in developing countries, which is recognized as a fundamental element in Aarhus convention of (UNECE 1998).As in many developing countries the public still have only limited opportunity to participate in the economic, political,

and environmental decisions that affect their lives and their ecosystems by completely ignoring their environmental rights and justice. In practice, Public participation in the EIA systems in the transitional economies is frequently insufficiently developed because there is little tradition of public participation in decision-making (Clark, 1994)

This trend is followed in some LDC (least developed countries), giving a limited or general public participation in practice, specified to some international financed development projects strongly influenced by funding agencies. Practically, the public is not invited for the participation until the final draft of the EIA report is published having no legislative provisions for public involvement. The major development decisions are taken on the behalf of the public by the regional and central governments like in Malaysia, completely denying environmental justice and fundamental rights to involve the public in projects which are likely to affect their lives and ecosystems directly or indirectly.(Clive George 2000)

In developing countries EIA reports are regarded as confidential documents unless the donor agencies involved and demand to make it publicly accessible.(Bisset 1992-240)These EIA reports are often too “academic, bureaucratic, mechanistic and voluminous. This causes bias and disinterest of public in the projects causing EIA reports just bureaucratic formality, at the end of day, causing problems of public participation in these projects and seems to justifying the decisions that had already been taken and concerned only with the remedial measures;(Biswas 1992-217)

The international donor agencies like World Bank (WB), European Bank for Reconstruction &Development (EBRD) and Asian Development Bank (ADB) including most of the international and bilateral aid agencies had developed their own standards and criteria for EIA procedures and public participation procedures, while providing assistance for the development projects financing. (OECD1996).

The phenomenal inexistence of Public participation in EIA procedures potentially creates problems for releasing the grants and financing of projects in developing countries .As due to the adoption of the public participation standards and procedures in the charter of these international financing institutions.

This phenomenon has generated the adhoc -ism in LDC countries having least EA legislation or to get the funding from the donor agencies, as donor agencies had precondition of public counselling and participation for the financing. Consequently, EIA is mainly conducted specifically for the activities financed by the development banks and aid agencies; whose operating systems required such conditions for financing. (Clive George 2000)

Interestingly, the responsibility and cost of conducting EIA and ensuring public participation rest with the recipient country .The role of these donor agencies is just to advice throughout the process to ensure that the procedures and guidelines are followed effectively during the implementation of the project. But, even these finance agencies differ on their procedures and guidelines .Sometimes, two or more funding agencies are involved in a development project, having different procedures creates confusion for the recipient country's experts to operataionlize the procedure and guidelines of each respective finance agency. So, the frequency, timing, purpose of public participation vary with respect to the environmental legislation of the particular country and project .Like, the Netherlands Aid Agency includes formal requirements for public participation, While World Bank has categorized the projects and procedure for the public involvement. (Clive George 2000).

The developed countries including Denmark had adopted Aarhus convention signed on 25 June, 1998 in the Ministerial conference of EU Countries as the minimum criteria of public participation in developing EIA reports of the projects. This convention granted the public right to obtain information on the environment, the right to justice and the right to participate in the decisions that effect the

environment. This convention provides the framework and basic procedure for the public participation and categorizing the decisions to which it should be apply. (Arhus convention 1998)

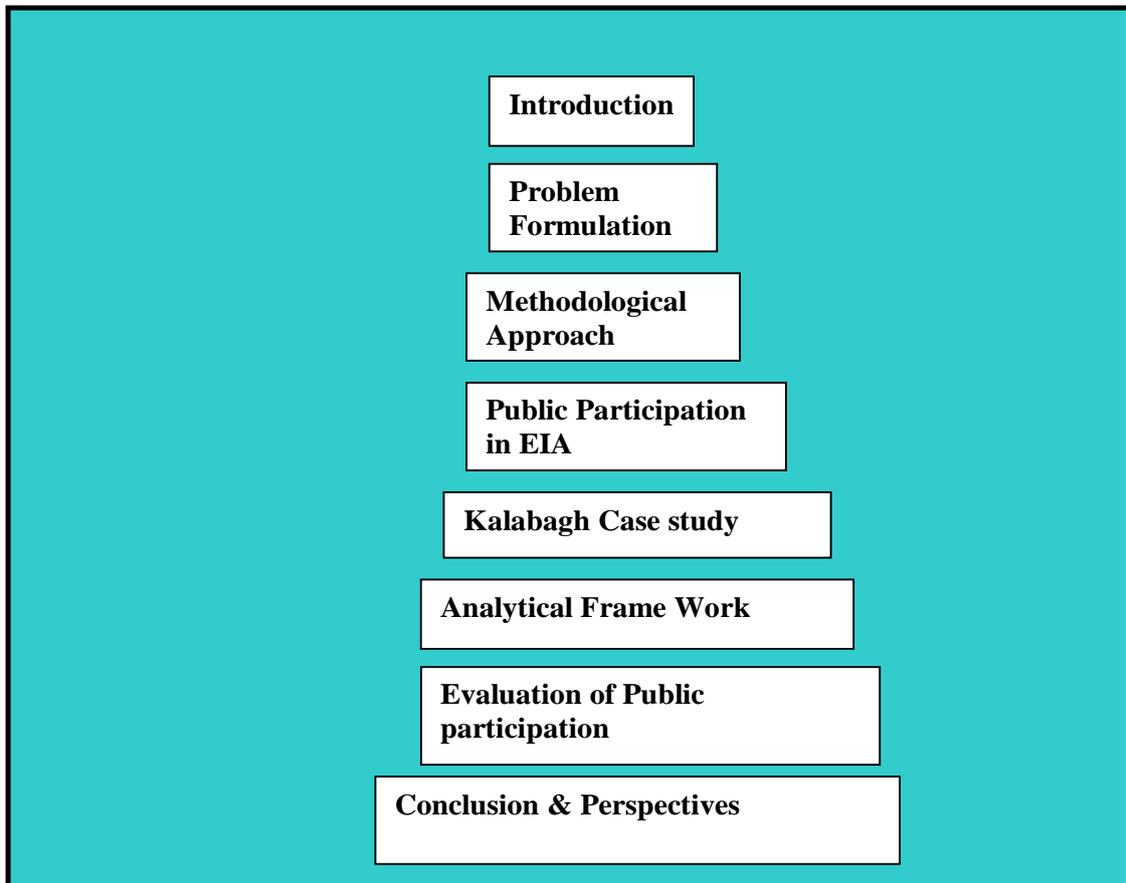
This embarks the urgency of increased public participation in developing countries to make it compatible and effective like developed countries for the generalization of environmental justice and greater participation for the sustainability of development projects in the global context. The overall research question is: *Compared to international guidelines and experience how can public participation in the Pakistan EIA system be improved?*

The specific context for analysing public participation is the EIA of the Kalabagh Dam project in Pakistan to identify the various constraints and factors effecting the current public participation practices and suggestions to improve upon the existing EIA procedures to integrate the economic, social and environmental benefits for the generalisation of environmental justice and rights in the global context.

The report is structures as follows:

Structure of the report

This part will give an overview of the structure of the report adopted in this study. The structure gives the information about the gradual progress of the report from the introduction till conclusion.



1

Chapter 1 introduces the introduction, problem formulation and research question

Chapter 2 deals with methodology, project design and scope of report.

Chapter 3 introduces the public participation in EIA, methods and constraints.

Chapter 4 is based on the description of the case study, location, history.

Chapter 5 develops the analytical framework based on WD guidelines, Arhus

Chapter 6 evaluates the public participation in KBD, differences, causes

Chapter 7 consist of conclusion and perspectives

2. RESEARCH FOCUS AND METHODOLOGY

This chapter will focus on the problem formulation to develop the research question to be answered in this study supported by main sub questions. The purpose of this chapter is also to develop an approach to get the appropriate method or technique to address the research question supported by useful data and analysis.

2.1 What is the problem?

Public participation and Environmental Impact Assessment are the issues of great concern in the developing countries and their use as tools of environmental assessment and public participation are phenomenal, having no tradition of consultation and participation in the projects, which are likely to effect their lives (Lee 2000a) and as Boyle (1989) remarked that in south Asian countries, " *the public is effectively excluded from the project planning and decision making.*"

As most of the development projects in the Asian developing countries are initiated and financed by the international donor agencies like WB, EDP, UNDP and ADP. These donors agencies has developed their own criteria and standards of public participation for the realization of the project financing like the Aarhus Convention, World Bank guidelines etc.. These standards can be problematic if there is no compatibility with the host country infrastructure, resources availability, literacy, technical knowledge and legislative provisions for public participation, because the donor agencies ensures compliance of these standards for the approval of the project financing. This phenomenon of non-compliance with public participation criteria can generate delay in allocations of grants and aid for the projects following the international obligations of United Nations Development programme, which ensures the public participation and consultation throughout the devolvement of the project (OECD 1996).

The problem is intensified with the notion that the primary responsibility of carrying out the EIA rest with the borrower country, and the donor agencies role

is just to advise throughout the process by ensuring that public participation is integrated into the project development and implementation. (Collin Lee 2000)

2.2 Why it is problem?

Because in most of the developing countries there is no environmental legislation or they remained at the enabling level, EIA is mainly carried out mainly for the activities that are financed by the development banks and agencies whose main operations procedures required EIA as the condition for funding (Clive George 2000).

The environmental assessment procedures and practice strongly influenced by the development banks and agencies has triggered the environmental legislation and participatory approaches in the developing countries following the mandatory obligation of UNEP, now being practised in 100 countries worldwide. (Bisset 2000).

The developing countries and project planning consultants are in bewildering situation mainly due to a variation in the procedure and requirements for the EIA and participation, causing different terms of reference to meet the requirements of the different agencies. The situation becomes very confusing for a project having multilateral funding agencies to identify which set of principle applies. For the developing countries project planners, where the EIA procedures are at the initial stages and most of the officials are not familiar with the EIA procedures find it difficult to understand the variation in the different procedures, this affects the quality and credibility of EIA reports. (OECD/DAC 1996)

The environmental legislation in most of the developing countries is at the initial stages without clearly defining the procedure and guidelines for public participation during the project cycle of the development projects. consequently, the public in the developing countries is not invited sometimes for the participation unless the final draft of the EIA report is published. The public rights in terms of the access to the information and participation opportunities to

express their democratic right of choice to the decisions and activities which had affect on their lives and eco-systems are very limited. The important decisions are taken in the name of “public interest” and welfare by the state authorities to meet the requirements of the developers. (Clive George 2000)

As the variation exists between the procedures of the developed and developing nations mainly due to the variation in resources, political, administrative, social and cultural systems and the level of economic development, there is urgency of increased compatibility and integration between the developing countries and developed nations to facilitate and co-ordinate the public participation procedures for implementation of the development projects in terms of delays and cost effectiveness. (George 2000)

2.3 For whom it is a problem?

The main problem rest with the Government of Pakistan, who is finding it difficult to implement the international financed projects, following the variation and capacity of the current environmental legislation of EPA act 1997 to meet the requirements of the donor agencies. The section 12 of EPA act 1997, about the public participation and counselling has adequately failed for implementation of the international financed projects with sound environmental achievements in terms of public participation and counselling to develop a consensus among the stake holders. The problem has resulted in patchy public participation in the development projects and most of the projects are facing strong opposition from the public, following the current practices of public participation in Pakistan.

Although the section 12(1) act specifies that “No proponent of a project shall commence constructional operation unless he has filed with the Federal Agency an initial environmental examination or, where the project is likely to cause an adverse environmental effect, an environmental impact assessment, and has obtained from the Federal Agency approval in respect thereof.” (Pak-EPA 1997)

But in practice only few development projects had gone through the environmental impact assessment. While the major projects with adverse environmental and social impacts, had been implemented without environmental impact assessment. (Haggler Bailly April, 2000)

The EPA public participation guidelines despite their legal cover, exist only on paper and neither practiced in Pakistan and are introduced merely to fulfill the condition of executing foreign donors' sponsored development projects. Public Consultations in development projects are carried out in a manner that leads to the results desired by the relevant authorities. (Nauman 2005)

As the environmental legislation was initiated very late in the country until 1997, EPA act which specifies the public participation as the binding part of any development project environmental assessment, remains unclear to define the specific public rights in terms of participation and seek information in the decision making process to promote the democratization to make participation meaningful and decentralised for decision-making process at the grass-root level.

The research is therefore aiming at finding the measures that can bring improvement to public participation in Pakistan, by identifying the various setbacks and constraints in public participation. The research question of the study is:

Compared to international guidelines and experience how can public participation in the Pakistan EIA system be improved?

The next chapter will introduce the methodological approach adopted to answer the research question.

2.4 Methodological approach

Project design

The project design will explain the methodological approach adopted for this research to have a clear view of approach used for the data collection methods, procedure and technique used for analysis of this study. The study is based on the analytical review of the documents and data from the interviews and personal communications.

The research design is based on a case study of Hydro dam project Kalabagh, which has been waiting implementation since 1952.

The research question greatly determine the design of the research based on the analytical review of the multi purpose documents to develop the basis and methodology of an analytical framework tool to reflect the differences and evaluate the current public participation practices against the framework. These analyses give the pinpoint differences and causes of poor public participation and provide the basis to answer the research question.

Methods for data collection

The data collection was mainly conducted by using review of literature and interviews.

1. Review of literature

There is a lot of literature available from library and the Internet on EIA and public participation methods, procedures and techniques. The study and review of the book: "Environmental assessment in developing and transitional countries" by Norman Lee and Clive George proved very helpful to understand and analysis the current trends in developing countries. The review of WB guidelines, the

Aarhus Convention, UNEP, ADB and Pak-EPA are highly appraisable to develop an analytical framework to answer the research question.

The documentary study regarding the Kalabagh Dam project provided the project history, different scenarios and constraints in project implementation. The ladder of citizen's participation by Arnestein (1969) and Stake holders' topology by Mitchell at al (1997) provide the analytical tool of different stakeholder interactions and influence for the project implementation.

2. Communication

Following the nature of the research question, I tried to interview some officials and got success in only two interviews and waiting for response from another IUCN official up to the date. The main interview was conducted with Mr. Zaheer Baber, a leading environmental Lawyer and journalist. The interview was semi-structured interview with conversational style. During the interview, the main emphasis was on the constraints and problems in the implementation of the dam construction and general implications of environmental legislation.

The other interview was conducted by Mr. A. Amin, a friend of mine, and working as a community co-ordinator in IUNC project of "salinity and water logging" in Punjab. I invited him on my residence and had a semi-structured interview about the general issues regarding public participation and different constraints in the public participation.

Constraints in getting data/information

There were multidimensional difficulties and problems in getting useful data about the Kalabagh dam project, as there is no official EIA report has been published and no data's are available with Environment Ministry about the project.

I tried to contact by mail and interview an official in EPA named Siafullah, but he refused to talk about the "forbidden" project of Kalabagh. He replied only one

mail commenting that he is not official spokesman of the ministry and resumed e-mails saying that kalabagh is a “dull drum”.

Another high official Ahmed Saeed from IUCN was recommended by my learned supervisor Lone, but on my request of interview and getting some data's about the Kalabagh and public participation. He replied that there is no tradition of maintaining the data's about participation in development projects. He also resumed communication and disappeared from the scene. Despite my reminders, he never responded documents about current participation methods and techniques employed in the development projects in Pakistan.

From the above mentioned evidences, I concluded that there is general environment of secrecy and inertia prevailed in the institutions to allow the access to the general information and data's about development projects, even for the research purpose.

Scope of the project

The scope of this project is to identify the constraints and problems in the current public participation practices with reference to the Pak-EPA act 1997 guidelines and to identify various rationalities involved in delay of Kalabagh dam construction and their immediate cause against the WB guidelines and the Aarhus Convention guidelines. The ultimate objective is to provide basis for integration and compatibility of Pak-EPA guidelines with international standards to provide suggestions and recommendations to improve the current public participation practices upon the existing ones.

Three good reasons of selecting the case study (Kalabagh)

- Kalabagh dam is pending for implementation since 1952 being the oldest project waiting for implementation.
- Kalabagh dam is the most controversial project of development history because of stakeholders' conflicts over the implementation.
- Kalabagh dam is the largest project of power generation (3600MW) in Pakistan and will have extensive socio-economic and bio-physical effects.

2.5 Theoretical Methodology

As the primary focus of the report is identification of the constraints of public participation in EIA in Pakistan based upon the experiences of KBD case study, the study will focus on the stakeholders' interactions and interests to determine the current practices of public participation in development projects.

It was necessary to use an established theory to give a structural understanding of the issue at hand. The theory will provide an analytical tool to understand the complexity of the issue of stakeholders' interactions to gain of the knowledge of their contributions and their specific roles to influence the process of project implementation positively or negatively by identifying the causes and reasons based upon the KBD case study. So, I decided to take "stakeholders topology" by Mitchell et al 1998, as my theoretical reference point.

Public participation and the theory of stakeholder typology will be presented and discussed in the next chapter.

3. Public participation in EIA

This chapter will introduce public participation in general and various methods of public participation, including benefits and level of participation. It will also highlight the different constraints in the successful and effective public counselling and participation in development projects. The main purpose of this chapter is to get the understanding and develop an insight to evaluate and analyze the public participation in Pakistan in general and in KBD project specially.



3.1 Defining public participation

The word “participation” is one of those words which had many interpretations and meanings; each may be applicable and true simultaneously depending upon the context and perspective of defining it.

According to the WB participation source book participation is defined as “The participation is a process through which stakeholders’ influence and share control over the development initiatives and the decisions and resources which affect them” (World Bank, 1994)

Public participation can be defined as the public “...*Actively involved in the activities and decisions which are effecting are likely to affect directly or indirectly their lives and ecosystems with incorporation of the declared and accepted principles of sustainable development, equality, partnership, transparency and accountability principle*”. (Cooper& Vargas 2004)

Another definition by Cohen and Up Hoff in the context of rural development recognizes as “participation includes people's involvement in decision-making processes, in implementing programmes, their sharing in the benefits of

development programmes and their involvement in efforts to evaluate such programmes.' (Cohen and Uphoff, 1977)

“Participation stands for partnership which is built upon the basis of dialogue among the various actors, during which the agenda is jointly set, and local views and indigenous knowledge are deliberately sought and respected”(OECD, 1994)

From the definitions it is concluded that there is no universally agreed definition of the public participation, but there is a general acceptance of the principle of involving the public in project development and implementation, but there are no set guidelines, rules and models of involvement for their participation. The location, magnitude, frequency and methods of participation can vary from location to location and project to project. (Kørnø, 2005)

3.2 Participation Approaches

There are two different approaches adopted regarding the interpretation of the concept of the participation in the development projects, participation as means and participation as an end.

Participation as means stands for a process in which the participation of local peoples is sponsored by the foreign agency. The local people cooperate and coordinate with the foreign development projects and activities and the purpose of this kind of participation is to ensure the support and outcome of the projects. The technique of “participatory development “is used to describe this kind of participation.

The approach of participation as an end can be explained in terms of the people’s capabilities, skills, knowledge and experiences to take greater responsibility of their development by their own with greater control and access to the resources to improve their lives. This can provide direct involvement of “have -nots” in the development process. (Andrew Clayton et al1997)

3.3 Levels of participation

There has been misconception of the term “Public participation” in the development process. For most of the people, the term “Public participation” stands for all the citizens (poor, rich, powerless) holding the same social status to be involved in the development process. But in practices, it is not so because there has been several gradations in terms of citizens participation and empowerment in the decision making process. To be able to understand the citizen’s participation in corresponding different levels of participation, Arnstein introduced a pattern of “ladder of citizens’ partnership” in 1969.

The ladder of participation is a useful tool to understand the potential level of participation. According to Arnstein, public participation is ...”*a categorical term for citizens power. It is the redistribution of power that enables the have nots citizens, presently excluded from the political and economic processes, to be deliberately included in the future.*”(Arnstein 1969)

The ladder of Arnstein consist of the eight rungs each corresponding to the citizens power in the decision making process, moving from the token participation to the full empowerment at the other end. The ladder rungs consist of following levels of participation corresponding to their character tics:
Manipulation, therapy, informing, consolation, placation, partnership, delegated Power and citizens control.

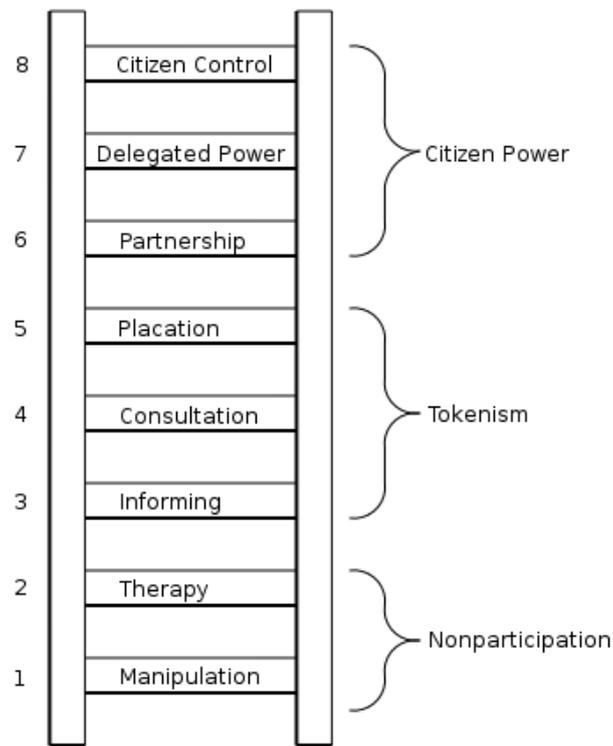


Figure No2; Ladder of citizens' participation

Source: Arnstein 1969

From the figure above, the bottom rungs of the ladder describe non-participation level bases on manipulation and therapy. These two rungs have been contrived to substitute for genuine participation by the power holders. In the name of citizen participation, people are placed on rubberstamp advisory committees or advisory boards for the purpose of "educating" them or engineering their support. The characteristics of this level imply that the decisions are already taken by the power holders. The objective is to manipulate the citizens to agree with the system. Under these conditions there are no real opportunities for the real participation by the citizens.

The ladder rungs 3 and 4 mark the levels of "tokenism" that allow the have-nots to hear and to have a voice by informing and consultation. This implies that the citizens receive information and this information is controlled by the authorities.

The citizens may have or may not the feedbacks facility from the authorities.

The citizens have the opportunity of communicating their views, concerns and local knowledge. But under these conditions they lack the power to be insured that their views will be heeded by the powerful. When participation is restricted to

these levels, there is no chance of changing the situation.

At the stage of “placation” the people began to have some influence, but still the tokenism is apparent in the whole process. The ideal situation is to place some hand picked public bodies like board of education ,police commission, housing authorities and local representative bodies, which are not accountable to the their local constituencies, in terms of representation of” have nots “.They allow citizens to advise but retain for power holders the right to judge the legitimacy or feasibility of the advice.

The high up in ladder there is level of citizen partnership. At this level, the power is redistributed through negotiation between citizens and power holders. They agree to share planning and decision-making responsibilities through such structures as joint policy boards, planning committees and mechanisms for resolving differences but they are not subject to unilateral change.

The stage of “delegated power” level of participation grants the citizens the power to assure accountability of the program to them. The citizens can achieve dominant decision-making authority over a particular plan or program .At this level of participation, in case of some differences, power holders had to start the bargaining process rather than pressure from the other end.

At the level of citizen’s control, the control over an activity is passed to the community and that authorities enter into initiatives as required by the community. The citizens had the full managerial power to control affairs on the decisions that are made.

The above mentioned “ladder of the citizen participation “stands for identifying the critical differences the rituals of participation and the real power effecting the levels of participation in the decision making process. A French student explained that “*participation without redistribution of power is an empty and frustrating process for the powerless.*”

**I participate, you participate,
He participates, we participate,
You participate...they profit."**

(Referred in Mitchell et al 1997)

The ladder of citizen participation has been recognised as a significant in empowering people to take charge of their lives and their surrounding because it helps to explain the points which the many peoples have missed. For instance, the people tend to understand that "public or citizens" are same entity ignoring the gradation differences that exist. Knowing these gradations differences is a possible way to understand why the increasing strident demands for participation from the have –nots as well as the whole range of confusing response from power holders.(Arnstein 1969)

However the "direct democracy" is not the only way to "real participation" because the planning and policy problems of each project differ in the character and the participation type. Participation can take different forms and level of participation. For instance, for some projects, intensive involvement e.g. partnership is required while for the others minimum involvement like information dissemination is preferable. The answering of the following question can guide the right judgement of the right level of participation." what kind of participation is required for the decision to have the legitimacy? How much participation is required for a decision to actually count?"(Creighton 2005)

When appropriate it is preferable to look for a high level of participation and chose the supporting participation methods.

3.4 Why public participation?

Since the formal beginning of environmental assessment (EA) in early 1970's, the public participation and counselling has been a feature of many national EA systems. (Roberts 1995). In the recent years there has been an undoubted increase in the activity of public counselling and participation following the provisions of national environmental legislation containing specific and detailed procedures for the participation in the development projects. (UNEP1996)

A detailed study of EA procedures of international agencies like WB, USAID, Canadian international development agency reveal that they show a parallel interest that public is involved in EA activities. (WB 1993, Mutmba 1996).

There are several view points of involving public into decision making process.

- One reason of involving the public in decision making process is related to the existence of the different and diverse interests and thereby the potential conflict situation. As some of the researchers regard public participation as a tool to avoid the conflicts and prevent opposition towards a decision following implementation. By involving people, we get an opportunity to identify the concerns and resolve them before they get escalate into conflicts and real problems. (Roberts 1995, Darke 2000)
- Another argument of public participation is that it can improve planning. Incorporation of citizen's concern and preferences will nuance the planning process and potentially gives more balanced results which consider more interests that if only a slender majority should decide it. In addition, the public participation is regarded as an opportunity to obtain local knowledge that may qualify decision making. (Creighton 2005, Darke 2000,)

- The public participation and counselling in the decision making process promotes the democratization in terms of the transfer of the power from the government to the citizens so that the public can influence the outcome, then participation is meaningful and supports democracy.(pateman 1970,Arnestein 1969)
- The practise of public participation can be used to empower the have-nots citizens and their interests, which under normal would be inhibited from taking part in the decision-making process or may have the difficulties in voicing their concerns and apprehensions.
- Public participation is valuable contribution towards creating responsible democratic citizens and thus confirming the democracy and promoting the good governance at the gross root levels. (DETR 2000, Creighton 2005)
- People's participation can increase the efficiency of development activities by involving local resources and skills; by making better use of local knowledge and understanding of problems and will therefore be more relevant to local needs. Participation can often help to improve the status of women by providing the opportunity for them to play a part in development work.(UNDP 1999)
- The public counselling and participation grants legitimacy and transparency of a development project, even in the inexistence of the national laws. (Aarhus convention 1998)
- Public participation and counselling promotes capacity development in host countries to ensure the poverty alleviation and gender. The projects are likely to achieve their objectives and public favours. (OECD, 1994)
- The proper participation guarantees the donor agencies obligations
Enhance the role and influence of NGOs (UNEP, 1996)

3.5 Who should participate?

Generally, it is advocated that participants should come in as representatives belonging to variety of peoples and organizations for the effected peoples. In reality, the execution of public participation in the development process is not an easy road to drive. First and foremost, the public is not a homogenous body with a set of agreed common interests and aims; rather the public covers a mixture of different opinions and interests which are often conflicting. This realization has lead to the concept of stakeholders, who are beneficially or adversely being affected by a purposed project. The term stakeholders are being replaced in EIA by public, in the general practice. (Bisset, 2000)

Stakeholders could be individual groups, and organisation covering the following;

- Project beneficiaries (who may be local or not)
- Local communities affected (may be single village/county, a group of villages)
- Selected social categories (Women, children's, elderly people, poor)
- Indigenous people
- Non-resident groups (tourists/pastoralists)
- Non-government organisations (local and national)
- Private sector bodies like chamber of commerce, trade associations,
- Other interest groups (research organisations, universities)
- Politicians and local representatives (Pak-EPA)
- Landlords ,religious leaders(Pak-EPA)

The different stakeholders may be positively or negatively affected by the purposed activity. The different stake holders participate with different perspectives and priorities .However, a balanced representation must be ensured in the participation exercise. A stockholder's analysis is required to identify the stakeholders to be involved in the participation and counselling process .because to identify the stakeholders would not be easy without stockholder's analysis in terms of their power, urgency and legitimacy claimed to the purposed activities to establish the spatial boundaries of the EIA. (Lone kernov 2005)

3.6 Mitchell et al Stakeholders Analysis

The purpose of the stakeholders' analysis is to identify the stakeholders to be involved in a proposed activity or development project to develop an appropriate strategy to consult and ensure their participation in the development process.

The immediate relation between using stakeholders analysis and research focus of the study is to provide a criteria and tool for the identification of the stakeholders" actually involved and ought to be involved" in the KBD project case study, later in the analysis chapter 6.

The stakeholder analysis is a tool, an inherent part of any participatory approach intends to clarify how an activity will affect people's lives as well as identifies people, groups and organisations that have significant and legitimate interests in development project which may have been overlooked otherwise but who will be affected by the development activity. The stakeholder analysis refers to the identification and description of stakeholders on the basis of their attributes, interrelationships, and interests related to a given issue or activity. The stakeholders participate differently in the process on the basis of these three attributes.(Mitchell et al 1997)

- The power to influence other stakeholders to get targeted results
- The legitimacy of the stake holder's relationship to the project
- The capacity of urgency of stakeholders claims

These attributes gives the following seven groups of the stakeholders.

- 1. Dormant stakeholder** (Possess power no legitimate relationship/urgent claim)
- 2. Discretionary stakeholders** (Possess legitimacy no power to influence/no urgent claim)
- 3. Demanding stakeholders** (Posses urgency but no power/no legitimacy)
- 4. Dominant stakeholders** (Powerful and legitimate but no urgency)

and the potential coalition of support. This analysis should inform negotiations and criteria for the future participation.(ODA 1995)

The identification of the stake holders can be used further in mapping of their mutual relationships and conflict analysis to identify the possible conflicts between the stake holders and the nature of conflicts. This will depicts a clear picture of the conflicts and their severity, where the emphasis is required to solve these differences and get the desired results of the development project.

The purpose can be achieved through a strategy and special arrangements to resolve them, before reaching the ‘point of no return” (Kørnøv 2005)

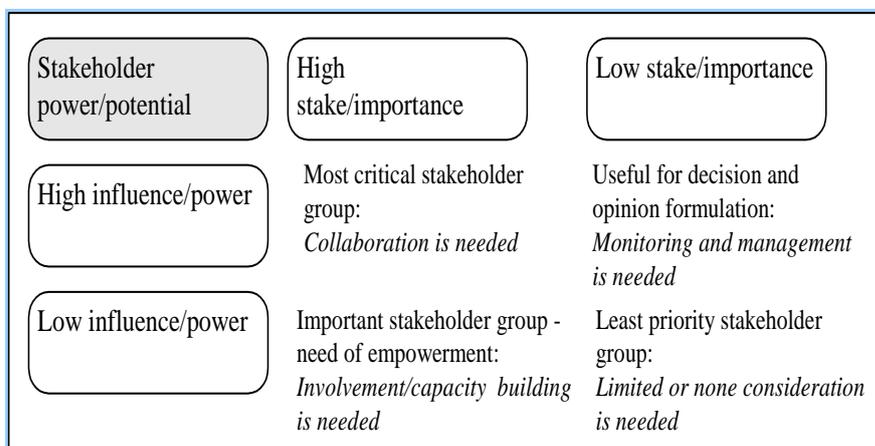


Figure 4; classification of stakeholders relative to importance and influence
Sources; Chevalier 2001; ODA 1995

3.7 Constraints to the public participation in EIA

Whilst it has been recognized that public participation has several advantages in the decision-making process, it is also apparent that there are many factors associated with its implementation and impact on the scope and quality of the public participation. Some of the constraints are system specific (institutional structure) and some are case specific to a particular activity or project, while the other constraints are personal. These factors should be considered in terms of their influence to effect participation before devising an appropriate strategy with

a consideration of how to tackle these constraints while devising an appropriate strategy for the public participation. (Kørnøv 2005 Sep, 2005)

| System | Case specific | Personel |
|---|----------------------------------|--------------------------------|
| | Project size | Planners attitude and style |
| Education and literacy | | |
| Language | Material and presentation | |
| Cultural beliefs and practices | | |
| Political/institutional structures of decision making | Timing | Citizen interest and resources |
| Gender | | |
| Legislation and guidelines | Physical remoteness | |
| | Community interest and resources | |

Figure5; Factors effecting participation

Source ;(Kørnøv 2005 Sep, 2005)

There are number of constraints identified in public participation by the UNEP (2002), Hugus (1998), Carp 2004, Cooper &Vargas 2004 and World Bank” good practices hand book”.

Education and literacy

The low level of literacy and education will affect both the ability and willingness to participate. In case of vast literacy, the involvement of public should be executed by an appropriate technique.”*If I was to be consulted what would I say? You see I’m Just an ordinary man. I don’t know anything. All I know is that one has to have meals every day’.* (Adnan et al, 1992).

Project size

The stake holder’s participation potentially is problematic for the large projects. These difficulties are scaled to nature of development, the number of affected peoples, and the geographical area affected. However, the scale of project size

should not always prevent fair, open and accessible approaches to the public involvement.

Material and presentation

The presentation of the results and analysis has great influence to the participation of the public in terms of the language and presentation style. How the analysis and results are presented to the public will influence the real opportunity of the public to participate. A large, complex and technical result can make participation difficult to stakeholders including decision makers

Political and institutional structure of decision making

Different cultures and traditions for public participation can be found in different countries. Like in some countries, there is little or no tradition of public participation. In some cases public participation might be seen as a threat to authorities and their control. In other cases the institutional mechanisms to involve a variety of stakeholders are not yet developed

Timing

Involving the public in the planning process before the commencement of EIA(during screening and scoping) is important if the ultimate goal is optimisation of effective public participation .A late involvement of public in the process might influence the willingness and interest in participating, because the influential decision are likely to be already made.

Community/citizen's interests and resources

The general interest and resources of citizens has also relation with a general wish to participate. It cannot be assumed that people are interested and willing to be involved and spend their resources to contribute. Attention is a limited resource and people may only participate if they think their interests are

threatened. Lack of interest can also be a consequence of earlier experience of a system/authority giving little in return.

Gender

'The gender is one of important social variable explaining social impacts of the development projects because women are the most affected part of the society in case of changes caused by the development projects.'

As, the people experience social impacts depending upon their social situation and life experiences. Unfortunately, the gender blindness has afflicted many development projects and impact assessment .As the diversity in opinion and experiences exist among the different types of men and women. (Gujjt &Shah, 1998)

Physical remoteness

The physical remoteness of either project area or participants is potentially problematic for the participants in terms of the travelling time and costs in reaching remote areas. It conversely makes difficult for citizens in such areas to access information and actively participations.

Legislation and guidelines

The lack of unclear legislation and guidelines for involving the public can influence the participatory process. Like in Pakistan, the EPA act remained unclear about the specific techniques and guidelines of public participation until Sep 2000.

Available resources

Time and financial resources influence the choice of techniques and level of participation. In addition, a situation with citizens with low wage employment and long working hours also constrains the capability of participating.

Cultural beliefs and practices

Difficulties may arise because of different beliefs system and ways of perceiving issues. These can be particularly acute where the indigenous groups are stakeholders in EIA process. The communication problems are not linked to language and literacy only but also differences in the indigenous beliefs systems and ways of perceiving issues including the religious differences and social structure of a local community. The cultural traditions also do had an affect on the poor public participation in certain communities like the people outside the project area are least interested, as they are not going to affect directly by the purposed project. This realization has generally prevailed in the social and political culture of some developing countries like Pakistan, embarked by provincialism and regionalism

Pressure imposed by project cycle

Additional time and money is required during planning to achieve the higher level of the stakeholders' involvement. As the both of these commodities are in short supplies for the environmental assessment. A survey of EIA worldwide found that 81% respondent believed time deadlines to be limiting and 61% believed that budget constraints were generally very limiting.(Sadler 1996).

Competitive tendering processes and commercial confidentiality considerations encourage proponents to adopt quick, cheap and minimal approaches to keep the bids as low as possible. All too often, there are delays in the release of information perceived as being commercially confidential

Inertia

The institutional unwillingness in some countries is regarded as key constraint to encourage high level stakeholders' involvement in WB sponsored projects in Africa. The institutional organizations and bureaucratic behavior constraint the adoption of the participatory approaches advocated in the guideline documents. (Hugues 1998, ERM 1996)

Lack of communication networks

In most of the developing countries, the people in the rural areas are not part of any formal communication networks that keep them up to date about the development plans and projects, which are likely to affect their lives, in the near future. Generally, in poor communities, newspapers, radios, computers, television, video and television are scarce and out of reach to the majority of people living in the remote countryside. Consequently, the public attitude and analysis is based on wide spread propaganda and rumours arising at the local level by the feudal lords and religious big guns. This causes the difficulty of familiarity of the effected peoples with the purposed project and public participation exercises, (Krishna, Jan 2005)

Land Acquisition

The land acquisition for the development projects is problematic in most of the developing countries and potentially constraints the vast public participation. The land is traditionally owned by an individual or group of individuals causes inevitable conflicts between the local people and developers for not having proper financial compensations for loosing their lands, to which the indigenous people are emotionally and traditionally attached due to the land based economies, providing basic necessities of the life. (Vancely F 1999)

4. THE KALABAGH DAM PROJECT

This chapter will introduce the case study of Kalabagh Dam project. We will get a brief introduction to the Kala Bagh Dam history, site construction, geographical location and brief review of project design. The chapter will also describe the environmental impacts of implementing the project along with an appraisal of impacts of large dams elsewhere.

4.1 History of Kalabagh Dam

Pakistan became an independent state in 1947, following the division of British India by the British Empire after the termination of World War two. Soon after the independence it was realized to utilize the water resource of Indus river system for the future economic progress of Pakistan. By early fifties (1952) GOP identified three dam sites suitable for large storage reservoirs. These were **Mangla, Tarbela** and **Kalabagh**. The dams of Mangla and Tarbela were identified for Indus Basin Project and Kalabagh was postponed for the next generation five year development programme. Another storage dam except the Mangla dam on the Jhelum River was not practical following the poor availability of water for another dam. Where the River Chenab was no feasible dam site where a storage dam can be built. Thus, the River Indus was the only river which had substantial water available on which several storage dams could be made after Tarbela dam. The site of Kalabagh was identified in the beginning for constructing a storage dam along with Mangla and Tarbela.

Location

The Kalabagh dam (KBD) is proposed to be located on the River Indus at about 120 miles southwest of Islamabad, the capital of the country, at the Kala Bagh in the province of the Punjab, see figure 6. The location is at 92 miles downstream the confluence of Kabul and Indus Rivers and 16 miles upstream of the existing

Jinnah Barrage. The site is a narrow and deep channel extending over 5-mile distance where the river is about 1,300 feet wide.

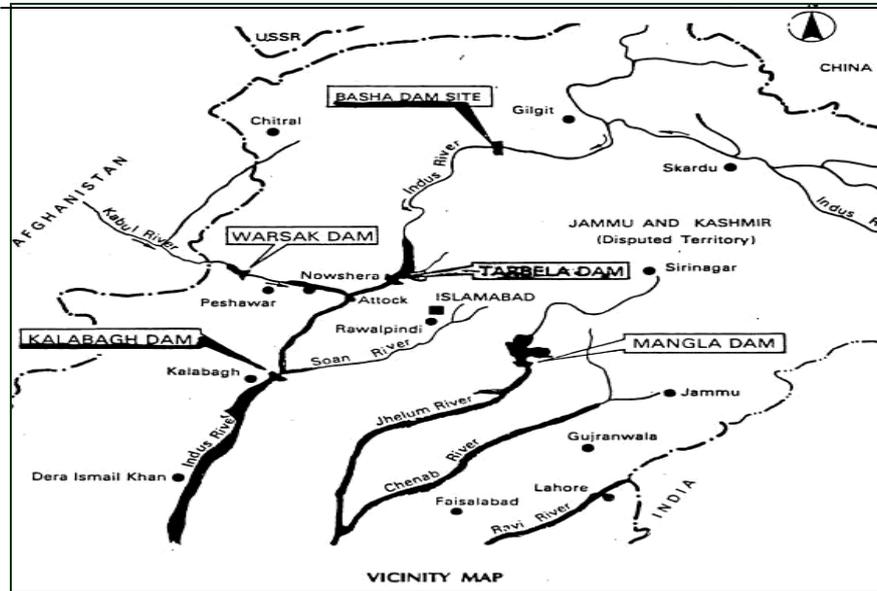


Figure 6; Kalabagh Dam project location

Source; IEPSAC. Pakistan

Dam capacity

The KBD was expected to have 8 units of 300 MW capacity initially, which will be ultimately increased to 12 units of 300 MW capacity. The power expected to be generated out of the KBD is as under:

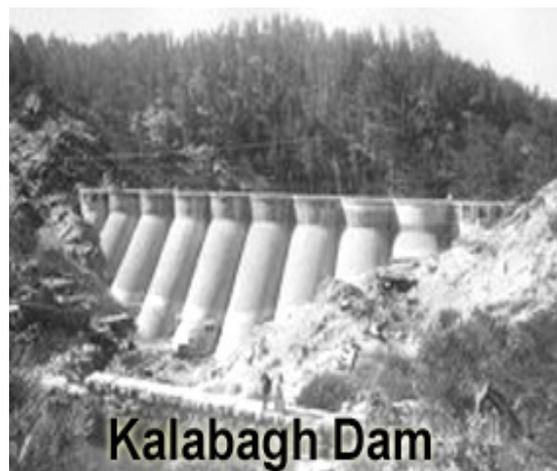
| Capacity (MW) | Generation (GHH) |
|---------------|------------------|
| 2400 | 11413 |
| 2800 | 13216 |
| 3200 | 15103 |
| 3600 | 16990 |

The main reservoir of the dam

Total storage 7.9 MAF (9,750 million cu m)

Usable storage 6.1 MAF (7.550 million cu m)

Dead storage 1.8 MAF (2,200 million cu m)



Kalabagh Dam

Retention level 1.915-ft above MSL (278.9 m)

Min reservoir level 825-ft about MSL (251.5m)

Area at Retention Level 105,000 acres; (164 sq.m=425 sq. km)

The installed capacity of Kalabagh dam 3600 MW is greater than other dams' hydro generation capacity in Pakistan, like Mangla dam has 1000MW and Tar Bella dam has 3478 MW. The project cost is estimated 8 billion\$ in 1991.(WAPDA)

Dam studies history.

- The project was proposed in 1952, to construct dam. The Central Engineering Authority, with the help of Dams Investigation Circle of Punjab Irrigation Department started their efforts. A preliminary feasibility report (Technical report) was produced by Tipton & Hill in 1953.
- The work of preparing a proper feasibility report was assigned to Associated Consulting Engineers-ACE (Pvt) Ltd. of Pakistan, in 1972. A multinational board of expertise was appointed to review the progress at each stage. The feasibility report was submitted in 8 volumes in 1975.
- In 1979, Pakistan approached the UNDP for sanction of a grant to finance the cost of detailed engineering study of this project, which the UNDP approved, while nominating the World Bank as the implementing agency.
- In June 1980, World Bank experts gave their approval, after a thorough scrutiny of the feasibility report and other documents and inspection of the site. They found the project "technically sound and economically viable".

By the end of 1987 all the reviews, refinements and clarifications were incorporated in the project scheme and properly documented. With this the project was ready to be launched in the construction stage; (IEPSACS Pakistan)

Dam's Studies/Reports

The table below represents the different project studies and organisations responsible with the corresponding year, to have a structural understanding of the gradual evolution of the dam feasibility studies.

| Study/Report | Agency | Year |
|---|------------------------|-----------|
| Preliminary Feasibility Report | Tipton & Hill | 1953 |
| Preliminary Feasibility Report | Chas. T. Main | 1966 |
| Study of water resources of West Pakistan | World Bank study Group | 1967 |
| Feasibility Investigations | WAPDA/HARZA | 1972 |
| Feasibility Report | ACE | 1975 |
| Review of Feasibility Reports | Board of consultants | 1975 |
| Appraisal Report | World Bank | 1980 |
| Project planning Report | KalaBagh consultants | 1984 |
| Panel of experts | World Bank | 1983/1987 |
| Pak. Panel of experts | GOP | 1984 |
| Detailed Design | KalaBagh Consultants | 1985 |
| Design Refinement & Tender documents | KalaBagh consultants | 1988 |
| Individual specialists | World Bank | 1982/1988 |

Table 1. Studies and reports undertaken for the Kalabagh Dam project.

Source; IEPSAC. Pakistan

The table represents the gradual progression of the studies and their correspondence year and responsible agency. The period from 1952-1967 represents the preliminary reports mainly the technical reports by the engineers and technical experts. The period from 1972-1975 represents the proper feasibility reports by the American and Pakistani experts, mainly focused on the technical aspects of the project.

4.2 Environmental assessment of dams in developing countries

The use of environmental assessments of large dams was started in the early 70's in developing countries with strong opposition from local and foreign environmentalists groups and financial institutions like World Bank. In fact, these post-development assessments were limited only to mitigate the most evident impacts on the direct consequences of dam building and operations, with a list of recommendations for further studies on negative impacts. (Iara verocai 2000)

As a result of the evolution of the EIA process and legal requirements for assessment of dams has been extended to include environmental issues, like social impacts, directly affected communities and biological environment. While the public involvement in EIA of dams started with external pressure of international finance agencies being promoted on an ad -dhoc basis.

Where the prediction of direct and indirect negative socioeconomic impacts, and the interactions between these effects like *“conflicting demands for water usage, salinization of flood plains downstream of the dam, loss of land and water productivity remained less prioritized in EIA reports of dams”*.. (Iara verocai 2000)

By summing up, we can conclude the use of environmental assessment and public participation for the large dams was initiated by the pressure exerted by the World Bank. These initial assessments were only aimed at the direct consequences of dam construction, which remained short of the actual EIA procedures and methodology, based upon the “top-down” techniques of impacts assessments and mitigation measures. The impact assessment in kalabagh project is described in the following part.

4.3 Impacts of Kalabagh Dam

The environmental impact assessment was conducted by the WAPDA consultants in 1984. The content of these reports has not been published. Rather WAPDA has published only few parts of the reports on different occasions.

The environmental impacts assessed in the report were mainly based on the existing conditions of the project area with regard to demography, water resources, land use and vegetation, wildlife and fisheries, human population, archaeological resources, transportation network and governmental administrative structure. (Dr. Izhar 1990)

The impacts assessed remained unclear to the following concerns.

- Resettlement due to submergence of population by dam.
- Dislocation of infra structure facilities, spoil area issues, and land use changes.
- Interruption of the existing river navigation..
- Submergence of archaeological and historical resources, like the historic town of Makhad.
- Effect on river ecosystem.
- Effects on the Indus delta.
- Effect on wildlife in the probable reservoir area.
- Recommendation on management aspects regarding further environmental
- Assessment process and mitigation planning

The detailed analysis and description of environmental impacts will be presented in chapter 6 along with the causes.

5. PUBLIC PARTICIPATION IN EIA – AN ANALYTICAL FRAMEWORK

This chapter will firstly describe the legal requirements for EIA for the development projects and review the current practices of public participation in Pakistan. Secondly, we will get brief introduction to the World Bank EIA standards and procedure and few methods for the public participation for the development projects. Thirdly this chapter will give a detailed introduction to the Århus Convention and its capacity to incorporate the public participation and counselling during the project cycle of the development projects. The objective of this chapter is creating a framework for analysing public participation in our case study.

5.1 Legal requirements for EIA and public participation in Pakistan

The government of Pakistan introduced environmental legislation back in 1977 with historical traditions of British India 1860 act of punishment for voluntary corrupting and fouling public waters. The act of 1977 was first ever drafted law to address the environmental problems, mainly the pollution problem. (Pervaz 1984) The efforts were produced into the 1983 ordinance of environmental protection, by the president of Pakistan. The Pakistan environmental protection agency was established in 1993 under the section 6(d) of the 1983 ordinance. The Pakistan environmental protection act 1997 was passed and promulgated on Dec 3, 1997.

The act of 1997 is the main legislative tool to address the problems of pollution and sustainable development in the country including environmental impact assessment of the development projects. The section 12(1) act specifies that “*No proponent of a project shall commence constructional operation unless he has filed with the Federal Agency an initial environmental examination or, where the project is likely to cause an adverse environmental effect, an environmental impact assessment, and has obtained from the Federal Agency approval in respect thereof.*” But in practice the only few projects had gone through the

environmental impact assessment. While the major projects having adverse environmental and social impacts, had been implemented without environmental impact assessment. (Haggler Bailly April, 2000)

The public participation and counseling as part of the sustainable development planning remains underestimated in the Pak-EPA act 1997, which recognizes public participation in the following words” Every review of an environmental impact assessment shall be carried out with public participation...”

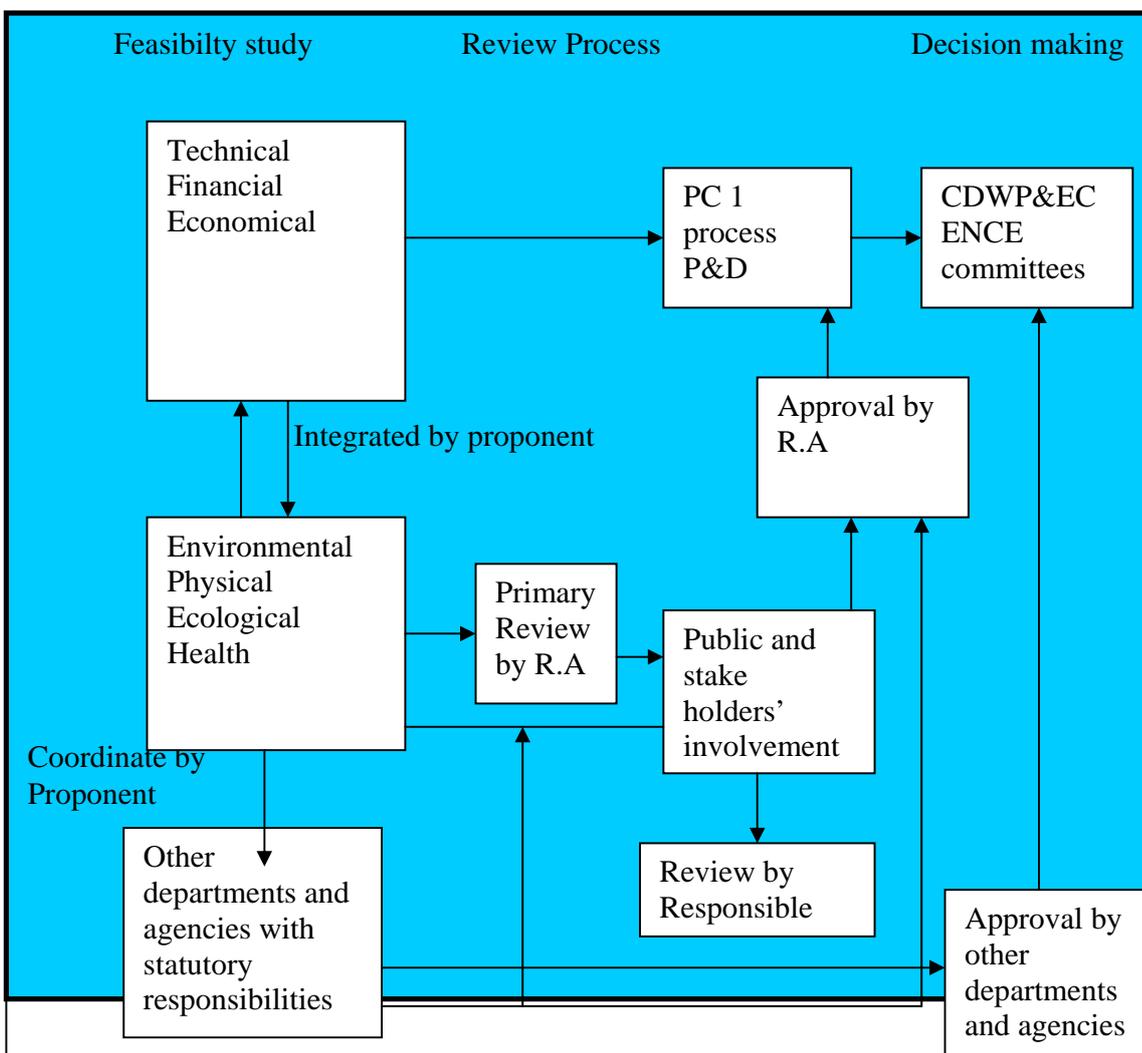
The Environmental protection agency which is responsible for reviewing the environmental assessments and their appraisal to satisfy itself that all the relevant provisions of 1997 act of EIA reports had been incorporated has devised criteria and standard for the public participation and counseling in the project development ,which is going to effect the local peoples.(EPA guidelines 2000)

The section12(4) of the act says,” The Federal Agency shall communicate its approval within a period of four months(100 days) from the date the initial environmental examination or environmental impact assessment is filed complete in all respects in accordance with the prescribed procedure, failing which the initial environmental examination or, review the environmental impact assessment and accord its approval subject to such conditions as it may deem fit to impose, or require that the environmental impact assessment be re-submitted after such modifications as may be stipulated, or reject the project as being contrary to environmental objectives.”

In fact, the draft of the procedures and methods had not been published until August 2000, where’s the act was implemented in Oct 1997.The provisions of the various sections of the environmental protection act remained either completely or partially unimplemented.

The principles defined in the guidelines for public participation are given.

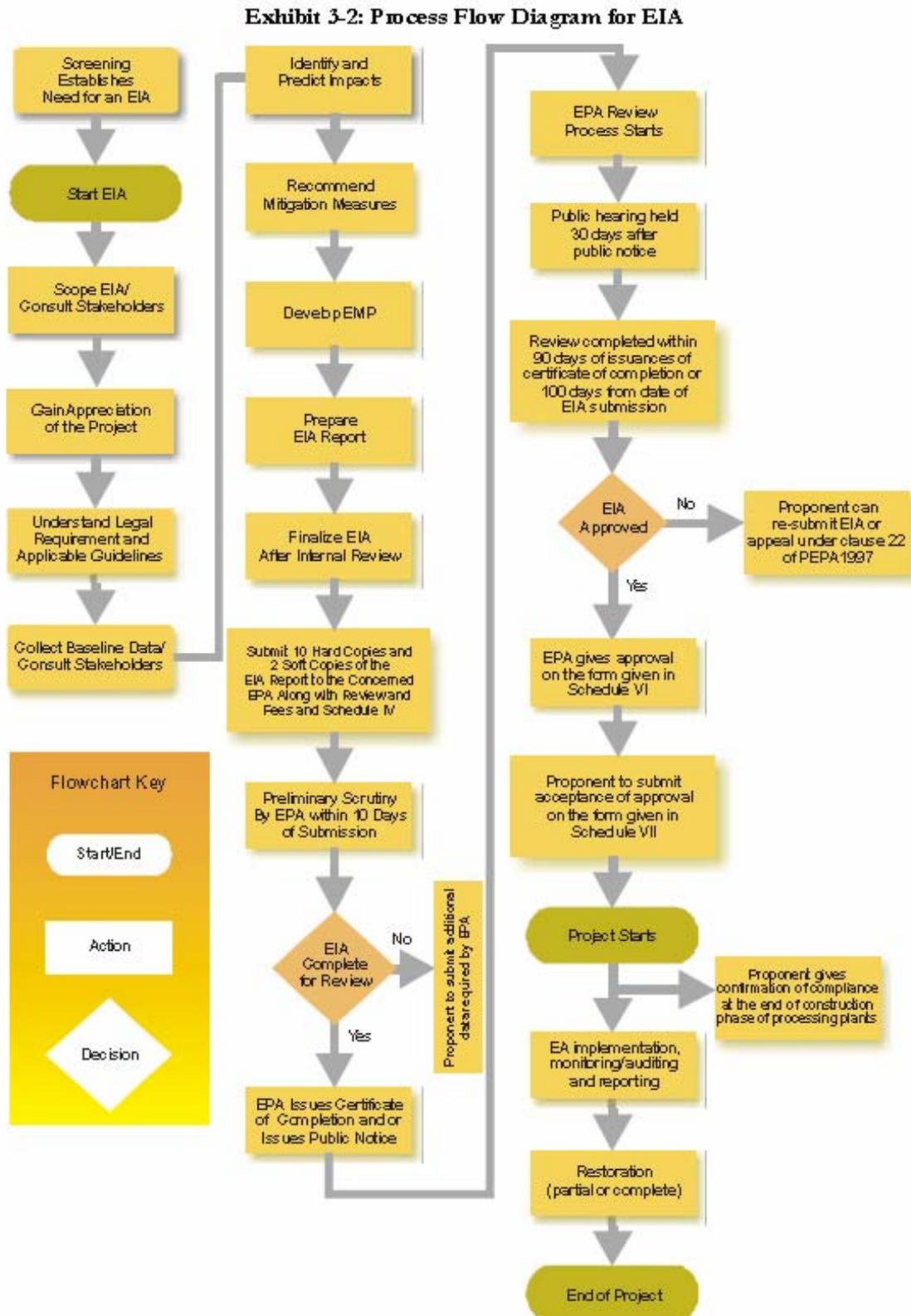
- The information provided should be sufficient in terms of the simplicity and in a non-technical language.
- The time allocated for the counseling should be appropriate in terms of the nature of the project.
- The feed backs and responses should be considered to create the confidence building in the stakeholders.
- The choice of public meetings and places should motivate the maximum number of the stakeholder participation.



Figure; 7 Process of project approval

Source; Ministry of Environment Pakistan

Figure; 8 Process flow diagram for EIA
 Source; Ministry of Environment Pakistan



The public participation in Pakistan in the development projects during the project cycle can be identified in the figure above. The public consultation are required at the two stages of EA process(1)at the scoping phase shortly after the environmental screening, and before the terms of reference (TOR)(2)once the EIA draft is submitted with EPA.

Scoping - EIA

The objective of consultation at the scoping stage is to identify and understand key issues and concerns, as they are perceived by the stakeholders, initiate a communication link with key stakeholders and gain their confidence and trust. The level of consultation required in the scoping phase of an EIA will vary with the type of project, the proponent, the sensitivity of the area, and public concerns associated with the project.

At the scoping phase of an EIA, proponents will be required to submit the ToR for the EIA to the concerned EPA, concerned conservation authority, and prominent NGO's for comments and information. 10 days after submission of the ToR a meeting should be held at the office of the concerned EPA attended by the proponent (and its consultant), EPA, conservation authority, and prominent NGO's to discuss and finalize the ToR.

Influential people

During field visits consultation is held with influential people, local communities, and government agencies including local representatives of EPA's and concerned conservation authority. The EPA recognizes influential people as the integral and binding part of the EIA process, as their displeasure can cause the project implementation problems.

The Influential people include tribal leaders, spiritual leaders or other prominent people who have influence on the local governance, local resources and lives of local communities. EPA regards It is important to identify and meet influential people in the early stages of a project to identify their concerns and

requirements; to discuss and finalize the modus of operandi for consultation with local communities; and to finalize procedures for local procurement, employment and use of natural resources.

Public hearings

The public hearings provide a forum for the post submission consultation on the EIA. The EPA within 10 days of the submission of the EIA publishes a public notice in any English or Urdu national newspaper and in a local newspaper of general circulation in the area affected by the project. The concerned EPA fix a date (not be earlier than 30 days from the date of publication of the public notice) and venue for the public hearing. The circulation of the EIA reports, gathering of comments on EIA, and ensuring public participation during public hearings is the responsibility of the concerned EPA. If the venue or date is changed a new venue and date is published in a new public notice but keeping into consideration the proponent's commitments to project deadlines.

The public hearing is held at the town/city nearest to the project area with representatives from government agencies, academia, and prominent NGO's. In case of poor attendance at the public hearing, the EPA follows up on the comments of the stakeholders after the public hearings.

Not all comments from the public may be relevant to the occasion and the EPA will have to facilitate discussions and arbitrate any disputes. Minutes of the proceedings of the public hearing are prepared by the EPA and circulated to all participants within 7 days of the public hearing. The proponent may send written comments and answers to some of the comments raised during the hearing for additional clarification.

The proponent will prepare and submit monthly or quarterly environmental reports as applicable to the EPA advisory committee who shall circulate the reports to concerned stakeholders. The comments (concerns, suggestions etc) from stakeholders consulted and the proponent's response (which can either be

an action, clarification or disagreement) to the comments are reported in the EIA, monitoring reports and other relevant documents. This can be in textual or tabulated form but the latter is preferred. The reporting of each comment includes the name of the organization or person from whom the comment was received; when and how was the consultation done; and proponent's response.

By summing up, The public consultation is a systematic process and not an activity; like EIA process a public consultation programme has an appropriate life cycle comprising design and planning of a consultation programme, implementation of the programme, receiving feedbacks from the programme and incorporating it into the project and the EIA, with a fair and transparent reporting of the consultation outcomes.

From the above discussion, it is concluded that the current practices of EIA are more oriented towards the powerful stakeholders instead of popular public participation. The formal representation of public at two stages suggest that general public and have-nots are represented by the landlords, religious leaders and big NGO's, by acknowledging in these words "*It is expected that government and non government departments present during the meeting will fully protect the rights and concerns of local communities*" (EPA guidelines 1997)

In addition, the use of news papers for public hearings notices seems unrealistic in a country having least literacy rate in the south-Asia. The process and criteria for judging the public comments is not clear, with the sole discretion of EPA to decide the validity of public suggestions/comments. The only opportunity is public hearings, which is again shadowed by the attendance, venue, timing and resources in the context of mega development projects.

5.2 World Bank EIA Standards for public participation

The bank adopted operation Directive OD 4.00 in 1989, for environmental assessment procedure, as a standard for the bank financed projects. The bank revised this directive in 1991, and converted into operational policy OP4.01 back in 1999.

The OP4.01 provides the complete operational procedure and guidelines to implement the environmental assessments process, by ensuring that the proposed project options are environmentally sound and technically had enough space to address the environmental issues in a cost effective and timely fashion. This operational procedure provides assistance to avoid any operational delays due to anticipated environmental problems during the project implementation and construction. It provides guidance to consultation and disclosure of information to the affected peoples, local NGOs and other stake holders. (WB 1999)

The OP 4.01 starts from the beginning at the time of identifying the project. In the screening process the bank staffs determines the type, location, sensitivity and scale and magnitude of the anticipated environmental and social impacts of the project to assign one of the categories listed below.

Category A; it includes the projects which are expected to have significant environmental affects and normally require full EIA and necessary field visits by the environmental specialist.

Category B, it includes the projects which had side specific environmental effects with few irreversible effects, while the other effects are covered through the mitigation .These projects are mainly required limited EIA, which is determined on the basis of case to case basis.

Category C; the projects are with minimum or no adverse environmental effects. These projects are mainly of family planning, education, health and human resource development

Category F, A project is categorised as F, if an investment of Bank's funds is made through a financial intermediary.

WB public participation procedure

The WB OP manual 4.10 specifically addresses the inculcation of the indigenous people and constellation which was replaced by OP/BP 8.6 which was effective from August 2004. The World Bank recognizes the importance and utility of consultation with the affected people for identifying the environmental impacts and for mitigation of these efforts for all his A & B type projects with reference to OP 4.10, which applies to all projects from July 2005.

Screening

The bank early at the stage of screening of the purposed projects ensures that the indigenous people are identified by the borrower. The attachment quantum of indigenous peoples with the project and assessments of the social scientist to counsel with indigenous people and local NGOs in the project area are given due consideration with accordance to bank's policy.

Social Assessment

Based on the findings of the screening stage for the attachment of the indigenous people, the borrowers is obliged to go through a detailed social assessment to identify any potential adverse or positive impacts over the indigenous people. it will provide the justification for any alternatives of the proposed project alternatives ,if the negative impacts are adverse.

Consultation and participation

To ensure the participation and consultation the bank ensure the borrower to do the following

- To establish a framework for public consultation and participation for every stage of the project perpetration and implementation. The frame work should include at least the indigenous people, local NGOs and other civil society organizations.
- The consultation methods employed should be appropriate to the social and cultural values of the local Peoples'. The methods should have conformity with local conditions and traditions and geography. The methods, should give special attention to the considerations of Indigenous women, youth, and children.
- The local people should have a fair, free and full access to all the relevant project information including the environmental assessment and any other potential social impacts in a traditionally and culturally appropriate manner at each stage of project preparation and implementation.

By summing up, we may suggest that WB recognises the importance and utility of engaging the public participation and consultation for the development projects. But the bank has not defined any universal methods and models to incorporate the public participation possible. Other than the guiding principles of binding public counselling and participation as an integral part of banks project financing. The decision and choice of country specific methods and project specific technique are at the discretion of the host country. The responsibility of conducting EIA and incorporating public participation is the sole responsibility of the borrower country .The bank's role is somehow instrumental promoting project based EIA's and public participation exercises, without the proper capacity building of the institutions and public at large to promote the

environmental consciousness and awareness in the developing countries. The public participation exercises are evaluated in terms of resources, money and time. Because, the budget of conducting these public participation exercises is the part of the overall financing of the project.

The obvious reason could be a particular method employed in one project may not work effectively relevant to the other project's nature and magnitude of the anticipated environmental effects in the borrower's country infra-structure of institutions and demography.

The primary responsibility of conducting Environmental assessments and social assessments comprising the anticipated cost of the project is, with the host country with an appropriate framework of public participation agreed in the terms of reference(TOR) of the project, shortly after the screening stage.¹ In fact, WB decides to use the term stakeholder participation instead of the vast popular participation including all the stakeholders. As the strong stakeholders had great influence in project implementation and in case of ignoring and bypassing them cause's strong opposition making the project implementation a failure. (World Bank 1999)

5.3 The Århus Convention

The Århus Convention was introduced in the 4th meeting of the European ministers meeting of "Environment for Europe" programme.

The European ministers gathered on 25th June, 1998 at Århus, Denmark and signed a convention, which is known as the Århus Convention, by giving the public right to participate; obtain information and right to the justice.

The Convention came into force on 30 Oct, 2001 with 36 parties and 40 signatories at the time of Convention. (Århus Convention Hand book)

The Convention is a hallmark in granting the people **the right to obtain information, the right to justice and the right to participate** in matters and

¹ The WB uses the term "Stake holder" instead of popular public participation.

decisions that effect the environmental by recognising that public has the significant and central role in the sustainable devolvement process.

Kofi A. Annan, Secretary-General of the United Nations recognizes the utility and importance of the Århus Convention” *Although regional in scope, the significance of the Aarhus Convention is global. It is by far the most impressive elaboration of principle 10 of the Rio Declaration, which stresses the need for citizen's participation in environmental issues and for access to information on the environment held by public authorities. As such it is the most ambitious venture in the area of environmental democracy so far undertaken under the auspices of the United Nations.*”

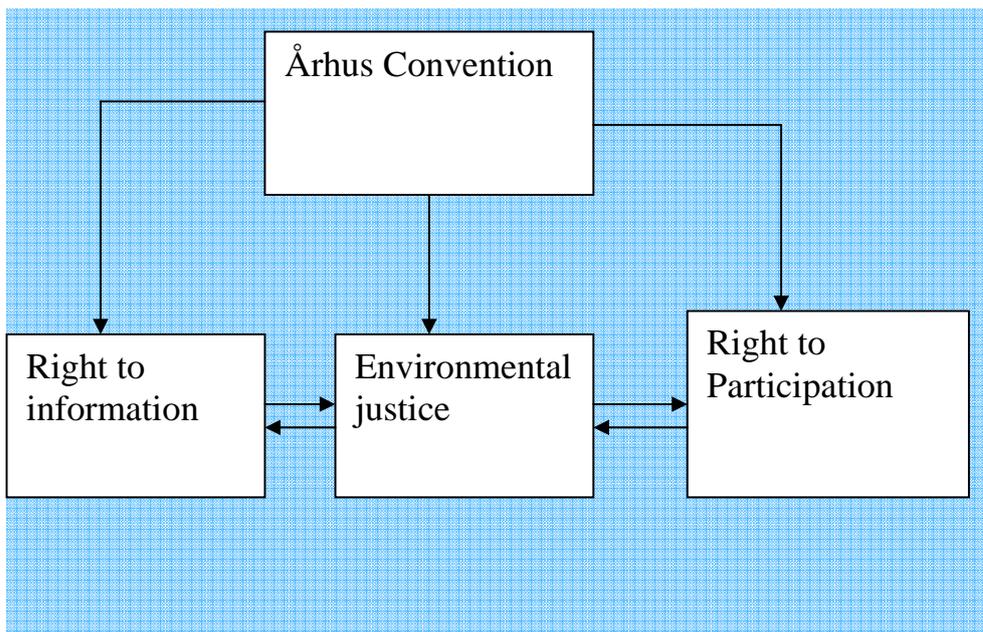


Figure 9: Aarhus convention guiding principles

Source: Adopted Aarhus convention 1998

The figure represents the three guiding principles of Århus Convention and their interdependency in terms of public participation and decentralisation of the

decision making process by promoting democracy at the grass-root levels of the society. The guiding principles are:

Right to Information;

The Convention recognises the access to the information as the basic democratic right to know the state of conditions of the environment and the ecological systems and the anticipated effects in the development projects. The Convention specifically rejects any discrimination to the access to information on the basis of race, nationality and location. The information should be clear, comprehensive and collective and available to everyone on request.

Right to Justice;

The Convention highlights the right of justice by granting the public a right to seek justice if their environmental rights are being denied and rejected deliberately or accidentally by some development policy or project. The Convention gives public right to react and appeal against denial to information, by the state or the developers about the project. The Convention grants the right to appeal or go into court against any development policy which is not accordance with the environmental laws.

Right to participate;

The public participation is highlighted in the Århus Convention by giving people the right to practice their preferences or choices of deciding about a project to have or have not by taking part in decisions making process to judge the projects, Policies and laws pertaining to the environment and eco-systems. The optimum target of this co-ordination between public and development agents is to maximise the utility of public -good, best suit to their demands and needs.

Strategy for public participation

The public participation cannot be executed and successful in the absence of a proper strategy or planning to incorporate it in the project development and implementation. The public participation cannot be executed randomly without a clear and well-defined planning after the project has been initiated.

The Århus Convention recognises the following measures should be adopted while devising a strategy or planning for public participation.

1. The decision making authorities should have a proper training of handling the public comments/feed backs and their analysis to make them compatible to incorporate in the actual planning process by categorising which comments should be considered and which should be ignored.
2. The project officials should have training in skills to motivate and encourage the passive public groups and handling angry sections and pressure groups of the society.
3. The strategy should be devised having the local circumstances, traditions and culture. Any informality would be problematic for the whole exercise.
4. The strategy should be flexible and adoptive to the changes during the whole exercise by regular and sensible changes to get the desired results.
5. The appointment of a manager to organize and establish the focus should be appointed .The Manager will take care that the process is results oriented, the process is properly revived to monitor regular progress and the timescale set for the feed back and suggestions is regularised.

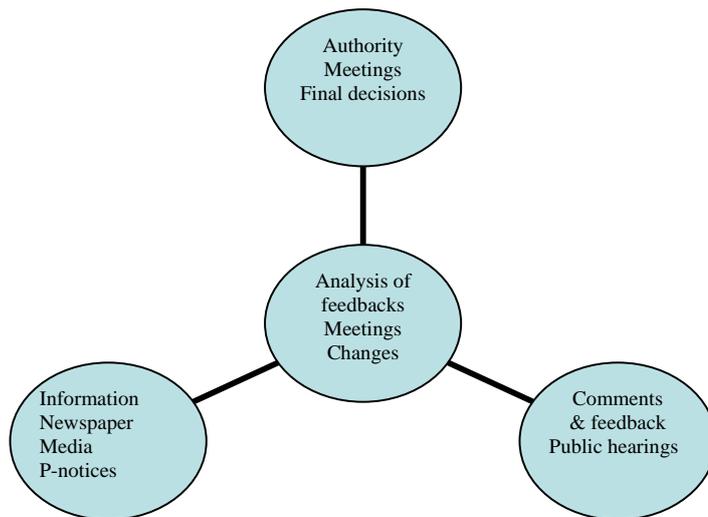


Figure 10 ;operational zing of public participation

Source; adopted Arhus convention 1998 Hand book

The figure above represents the operational zing a public participation strategy and getting feedbacks from the public to be incorporated into the actual decision making process. The two ways process of information is analysed to be adopted into the final decision. The formal information about the strategy is projected through the formal media resources of local news-papers, radio and public notices. The purposed methods of public feed back and suggestions are purposed and identified. The project initial proposal documents are made publicly available to every one without discrimination. Then the public meetings are arranged to get the feed back from the public in one-to-one meetings and written contributions /feedbacks are gathered trough the defined channels and analysed to be incorporate into the final decision making process fair, clean and credible.

| |
|---|
| What is the public being asked to do? |
| Who needs to participate in the decisions? |
| How will we make sure all public represented? |
| How we will persuade the public to participate? |
| What information will the public need? |
| What help the public need? |
| What resources are available? |
| When will the public participate? |
| Time scale required for Feed back? |
| How the comments will be handled? |
| What need after the decisions? |

Figure 11: common questionnaire for public participation strategy

Source: **Århus Convention** 1998

The figure represents the common questionnaire before devising an appropriate public participation strategy to optimise the public participation to get the peoples confidence and consent about the project proposal and possible changes in the final decision of the project planning.

Who should participate?

The article 6 articulates the public concerned should participate.

“The public concerned means the public affected by, or having an interest in, the environmental decision making; NGOs and meeting any requirement under national law shall be deemed to have an interest”

The process of decision making should be open to everyone who is likely to affect by the decision of the project including women, children and elder people. The involvement of maximum people can lead to a better and quality decisions.

When should they participate?

The people should be included at an early stage of the decision making process, when all the options are open. A late participation can cause problems in terms of money and time, if the changes are inevitable. An early participation makes the final decisions more clear and unanimous with minimum disagreements, saving time and money.

The article 6 requires that authority should inform the public...."*early in an environmental decision-making procedure...*"

"when all options are open and effective public participation can take place....."

The public sometimes is reluctant and unwilling to participate having the apprehensions that their opinion does not make any differences; this impression should be avoided by building trust measures.

The following measures should be adopted to encourage the public participation

- The decisions should be presented to the public in a non-technical language and easy to understand style in the local language.
- The project objectives and participation objectives should be clear and definite to confirm their identity with the local demands and priorities.
- The method of inviting the public to participation should be coloured with some cultural attractions of interest like music, dance or games.
- This method should be employed with cultural relevancy and traditions.
- The innovative style of presentations like power point, slide shows and animations in the meetings can make the whole exercise interesting to attract the large portion of the society.
- The use of colourful and attractive documentation can maintain the level of interest of the public into the proceedings of the exercise.

What information is needed to participate?

The information required by the public is divided into two categories(1) Information required about the public participation exercise(2) the information required about the project proposals and nature of the associated effects and mitigation measures to address them,

Publicity

The article 6 states that “.....*informed either by public notice or individually as appropriate....in an adequate, timely and effective manner.....*”

Article 6 specifies that publicity or notification should contain these following.

- The purposed activity or the project outline
- The nature of purposed decisions
- The public authority responsible for the decisions
- The authority where the information is available
- The opportunities for public to participate
- The time and place of any public hearing
- The identification of the authority where the suggestions/ feedback submitted
- The available environmental information for the project/activity

Infect, some of the public don't have an access to the newspapers, computers and notice boards, and thus miss the opportunity of participating in it. The method employed in publicity should be carefully considered and reviewed to understand the local facilities.

Feedback Handling

The article 6 categorise the handling of feedback and suggestion from the public.”*Shall allow the public to submit, in writing or, as appropriate at a public hearing or inquiry with the applicant, any comments, information, analyses or opinion that it considers relevant to the proposed activity.....*”

The public should be realised that comments gathered in public meetings are incorporated with appropriation giving the impression that authority is working fairly and their opinion has value.

Time scale

The time scale required by the public participation exercise should be appropriate with reference to the project nature and available resources.

“.....shall include reasonable time frames for the different phase, allowing sufficient time for informing the public.....”(6.3)

Too short time can prevent the people to form an opinion and too much time can lead to the boredom, delay and project implementation.

What needs to be done after decisions?

The article 6 of the Århus Convention emphasis the authorities

“..When the decisions had been taken by the public authority, the public is promptly informed.....” (6.9)

The decisions should be promptly made public ally available to the concerned public without any delay and prejudice. Any delay can raise the suspicions and doubts of the decisions and should be subject to the public questioning and queries at the latest, explaining the reasons and factors of the final decisions.

“.....Make accessible to the public the text of the decisions along with the reasons and considerations on which the decision is made....” (6.9)

The accessibility of text can grant the liberty of mutual understanding of the concerns and considerations aroused during the decision making process, making them fair and clear for both the parties.

By summing up, we may suggest that Århus Convention is a comprehensive document describing not only the guidelines and principles of public participation but also the methods and possible techniques used in making the people a part of decision –making process.

The overall objective of the public participation is to bridge the communication gap and trust building of community and state to better understand each other

priorities and preferences and concerns for the development strategies and policies. The successful implementation of the public participation exercise in decisions making process can strengthen the democratic traditions by making public more responsible and conscious of the environmental concerns and international obligations.(Århus Convention)

But the utopian idea of getting 100 % consensus is impractical and impossible as the society consist of heterogeneous groups of people having different view points and priorities. But at least, the people's involvement can facilitate to reach the optimum level of consensus making them the part of decision making process to expose the project weakness at an early stage to be addressed in cost effective way before reaching the point of no return. The peoples at least identify the different factors and externalities to conclude a rationale decision for a project or policy even they don't agree with it, but at least they can have an idea on which basis and priorities the decision has been concluded.

5.4 Analytical framework to public participation

This part of the report will develop a framework for the analysis of the public participation in KBD project based on the procedure and provisions of WB guidelines and Aarhus convention.

The placement objective is to develop an analytical framework for the analysis of public participation in development projects in Pakistan. For the purpose, an integration matrix is constructed along the different stages of the project planning and implementation for the public counseling and participation based on the WB OP 4.10 and Aarhus convention 1998.

The integrated procedure will provide more sound and recognized approaches for the generalization of public participation in the development projects. As in developing countries, the most of the development projects are financed by the WB and European development bank. These banks ensure the compliance of their respective standards and procedures for public participation for the formal approval of the financing of the development projects.

The objective of developing the integrated framework for public participation is to get an analytical basis for analysing and evaluating the current practices of public participation practices in the developing countries and identify the areas of prospective integration along with the major differences, for the generalization of the environmental consciousness and environmental justice in the global context.

| STAGE | WORLD BANK | ARHUS CONVENTION |
|------------------|---|---|
| Project proposal | | <p>Arhus convention recognizes the public participation and counselling at an early stage of project proposal inviting the suggestions when all the options are open.</p> |
| Screening | <p>WB identifies the indigenous people affected at the time of screening through social scientists/may directly consult public and may rely on borrower’s assessment framework.</p> <p>Identifies the categories</p> <p>All proposals that are submitted to the World Bank must undergo environmental screening.</p> <p>A project being classified into one of three EIA categories:</p> <ul style="list-style-type: none"> • Category A proposals require full EIA; • Category B proposals require partial EIA; and • Category C proposals do not require EIA.) | <p>The term “screening” is not used in the convention, but is described de facto in Article 6.1</p> <p>Article 6.1 requires each party to carry out rigorous public participation on proposed Activities listed in Annex I to the convention.</p> <p>Arhus convention Article 6.2 requires that the public “needs to inform early in the EIA procedure and, at the latest, as soon as information can be reasonably provided.” It also outlines the content of information to be provided</p> <p>In an adequate, timely and effective manner.”</p> <p>Article 6.5 states that detailed arrangements for informing the public shall be determined by member states and provides illustrative examples of various notification means like bill Posting or publication in a local newspaper.</p> |

| | | |
|--|---|---|
| <p>Scooping</p> | <p>Public notification and disclosure of information is an integral part of initial consultation (scoping), which is required for all Category A project</p> <p>Article 15 requires borrowers to consult the affected public “shortly after environmental Screening and before the terms of reference for the environmental assessment are finalized.”</p> <p>For this initial consultation, the borrower must provide a summary of the proposed project's Objectives, a detailed description, and any potential impacts.</p> <p>For this purpose, The environmental and social impacts are disseminated to the public and NGO’s and arrange public meetings with local representative groups. The social assessment is done by social scientists approved by WB.</p> | <p>The Convention makes no explicit reference to public scoping. However, Article 6.4 requires each party to “provide for early public participation when all Options are open and effective public participation can take place.” This can regarded as an Equivalent to the scoping procedure.</p> <p>Article 6.7, in addition, encourages prospective developers to enter into discussions with the Public regarding objectives of the application.</p> |
| <p>Public disclosure and review of EIA Reports</p> | <p>OD 4.01 requires borrowers to inform and consult the public about all Category -A projects.</p> <p>Article 16 requires the borrower to provide for these consultations a summary of EIA Conclusions, and to make the draft EIA report available at a public place that is accessible to Project-affected groups and local NGOs.</p> | <p>Article 6 of the convention requires each party to establish rigorous provisions for public Review of EIA Reports</p> <p>Article 6.3 stipulates that public participation procedures “shall include reasonable time frames for the different phases, allowing sufficient time for the public to be notified and to Prepare and participate effectively during the environmental decision making.”</p> <p>Article 6.6 requires competent</p> |

| | | |
|---|---|---|
| <p>public comments in EIA and decision making</p> | <p>Article 20 of OP 4.01 provides general requirements to take due account of the results of Public consultation in decision-making and in project implementation.</p> | <p>public authorities to give the concerned public free access to All information relevant to decision-making as soon as it becomes available. Article 6.7 provides an opportunity for the public to submit in writing or, as appropriate, at a public hearing or inquiry with the Applicant any comments, information, analyses or opinions that it considers relevant to the proposed activity.</p> <p>Article 6.8 stipulates that “each Party shall ensure due account of the outcome of public Participation in the decision.” Article 6.9 requests each party to ensure that public authorities promptly inform the public When a decision has been taken. Each party shall make the text of the decision publicly Accessible, along with the reasons and considerations upon which it is based.</p> |
| <p>Monitoring and EIA follow-up</p> | <p>Article 20 of OP 4.01 outlines the general monitoring requirements. It requires borrowers to report during project implementation on:</p> <ol style="list-style-type: none"> 1. The compliance with measures agreed upon with the Bank on the basis of EIA 2. The status of mitigating measures; and 3. The findings of monitoring programmes. <p>The bank reviews the project appraisal including all technical, financial and institutional aspect.</p> | <p>The convention provides no monitoring and follow-up requirements. However, if data of EIA follow-up obtained by public authorities during monitoring or EIA follow-up, it must be made publicly accessible, (articles 4 and 5)</p> |

The above mentioned provisions of both the standards reveal that public participation and counselling is main rationale of the environmental assessment, making the people the part of decision making process through the well established procedures and sharing information in a fair, efficient and democratic fashion.

The importance of public participation has major role for an effective EIA process. Despite the fact, the provisions for participation and timing are different, but it is mutually accepted that

- The public participation and counselling should be at an early stage of project cycle inviting the suggestions when all the options are open.
- Scoping should be an open, transparent and public oriented to meet the requirements of donor agencies and to have an effective EIA.
- The public participation should be conducted through proper “participation strategy” to involve the public and seek their feedbacks.(Arhus convention)

The Article 6.2 of the Arhus Convention requires developers to notify the public

(a) The proposed activity (project) and the application on which a decision will be taken;

(b) The nature of possible decisions or the draft decision.

(c) The public authority responsible for making the decision.

(d) The envisaged procedure, including how and when this information can be provided:

- The commencement of the procedure.
- The opportunities for public participation.
- The time and venue of any envisaged public hearing.

- The identification of the public authority from which relevant information can be obtained, and where the relevant information has been deposited for examination by the public.
- The indication of the relevant public authority or any other official body to which comments or questions can be submitted, as well as the time schedule for their feedbacks and suggestions.
- The indication of what environmental information relevant to the proposed Activity will be made available; and
- The Public participation takes place when all options are open and when effective public participation can make any difference to the project (Arhus Convention)
- The Public participation occurs immediately after screening and before terms of reference for EIA is finalized. (World Bank)
- The specific provisions may vary, but there is a uniform requirement to make the EIA Report Publicly available for review and the submission of comments.
- The feed backs/ comments obtained during scoping should be made publicly available to inform public about their choices and suggestions. (World Bank)
- The public should be informed promptly, when a decision has been taken (Arhus).
- The efficient checking that mitigation measures are working as intended and being effectively employed (World Bank)

6. ANALYSIS AND EVALUATION OF PUBLIC PARTICIPATION IN KALABAGH DAM PROJECT

This chapter will be based on the analysis of the public participation adopted in the kalabagh case study and evaluating the major problems against the criteria developed in the pervious chapter and suggesting measures to improve the public participation. Firstly will the stakeholders involved be presented.....

6. 1 Stakeholders in the project

The stakeholders can be defined as the people who are affected positively or negatively in a direct or in an indirect way, in case of a proposed project. According to the dictionary the word “stakeholder” means “One who has a share or an interest, as in an enterprise”. It can also be defined as “A broad grouping being an individual, group or organisation with an interest in, or influence over, the programme or project” According to Freeman(1984) the stakeholders can be defined as the” any group or individual who can affect or is affected by the achievement of the organisations objectives”

The stockholder’s identification is the criteria which determine their specific roles in the project by defining their influence, legitimacy and urgency. As the different stake holders affected positively or negatively have different attributes and consideration during the participation. The stake holders can be identified by using Mitchell et al stake holders’ typology, where the different stake holders are identified correspondence to their capacity of following attributes

- The power to influence other stakeholders to get targeted results
- The legitimacy of the stockholder’s relationship to the project
- The capacity of urgency of stakeholders claims

Based on these attributes Mitchell classification is used to identify these stakeholders in our case study.

| classification | Attributes | Identification |
|----------------------------|--|-----------------------------------|
| Dormant stakeholders | Possess power no legitimate relationship/urgent claim | Non-effected people |
| Discretionary stakeholders | Possess legitimacy no power to influence/no urgent claim | Farmers |
| Demanding stakeholders | Posses urgency but no power/no legitimacy | Wildlife, Fisheries |
| Dominant stakeholders | Powerful and legitimate but no urgency | Political parties |
| Dangerous stakeholders | Urgency and power but no legitimacy | Land lords, religious leaders |
| Dependent stakeholders | Lack power but legitimate claims | Gender, local people ,poor, Media |
| Definitive stakeholders | Possessing both power and legitimacy | WAPDA,GOP,WB |

Figure 12; identification of stakeholders based on Mitchell's stakeholder topology.

Source: Adopted from Mitchell at al stakeholders Analysis 1997.

The figure depicts the direct and indirect stake holders involved in KBD project. These stake holder's relations and power to influence each other can change the urgency of project implementation, without mapping the terms of reference to develop an atmosphere of mutual co-ordination and trust.

This topology provides information about stakeholders' information, expertise and resources applicable to the project. However, stakeholder classification by itself

only identifies potentially relevant stakeholders - it does not ensure that they will become active and meaningful participants; other measures to generate interest and sustain commitment will be necessary as well.

The figure represents the stake holder's typology and their mutual interaction based on the attributes of power, legitimacy and urgency. The stake holder's identification provides knowledge of their contributions and their specific roles to influence the process positively or negatively to ensure proper representation in relation to gender, ethnicity, poverty, or other locally relevant criterion.

The figure above presents the stakeholders identified in the project. From the literature reviewed it is concluded that only definite, dangerous and dominant stakeholders (marked) are seems to be involved and active in the present situation. The dangerous stakeholders are seems to supporting the dominant stakeholders in the dam opposition to dam implementation. Where the dependant, demanding and dormant stakeholders are seems to be at disadvantage in the whole scenario of dam history

6.2 The historically evolution of the EIA conflict in the dam project

The EIA conflict over the dam construction dates back at the time of the project feasibility report in early 80's .The KBD was initiated by GOP in 1953, and until 1973, the project was basically considered as a storage project for meeting the irrigation needs, and consequently, rapid increases in the cost of energy greatly enhanced the priority of KBD as a power project. (Engineer iftikhar 2004)

The later development at the economic growth and rapid increase in the energy demands changed the very purpose of the project and Wapda shifted from a water reservoir project to the multipurpose project. The water and development authority acknowledged in January 1986, described as “Kalabagh Dam is a multipurpose project to be built across the River Indus. Basically, it is a power project which aims at accelerating the tempo of economic development in Pakistan”(WAPDA projects 1986)

The initial feasibility report was published in 1975 by Associated Consulting Engineers-ACE (Pvt) Ltd. of Pakistan. The feasibility report was submitted in 8 volumes in 1975 and received a good public response. Its copies were supplied to provincial governments and all other related agencies, in both government and non-government sectors. The overall reaction immediately after submission of the Feasibility Report remained favourable.(IESPAC)

In fact, this feasibility report was confined to the detailed engineering, design and feasibility of the water availability for the reservoir .There is no mention of conducting the proper EIA for the purposed project. As the Paracha indicated that... “EIA has not been carried out for large projects of national importance. For example, it was not done for the Kalabagh Dam project along with the feasibility studies, and Wapda, on its own, proceeded to the final design stage”

The later development of the events after the project planning report, circulated in March '84, tried to establish the technical and economic feasibility of the project.

The detailed designs tender documents, commenced in March '84, and were completed by December 1985.

This was a blunder on the part of the government, being initiating the development project without counselling of the stake holders and developing a consensus among the provinces, about the utility of the project.

“The major reason behind the creating controversy and difference of opinion on the project is attributed to WAPDA’s failure to adequately consult the provinces at the project planning and design stage, since the provinces were kept in complete darkness about the design parameters of the dam, till the completion of its detailed design in 1984-85. “(Iftkhar ahmed KBD development or disaster)

This created a huge debate on the reservations of the different provinces about the availability of their share of water and benefits out of the dam construction. In my views the feasibility report of Wapda of 1984, of the project undermined the basic principles of conducting EIA for the development projects, without proper counselling and participation of the stakeholders and local peoples. The immediate reason could be the unavailability of the EIA procedure and principles until the 1997, Pak-EPA act. We are not sure about the inclusion of the Public participation provisions and following standard, because at that the concept of the EA, was at earlier stage and completely unfamiliar to this part of the world .So, the compliance of the public participation at that stage seems unrealistic in the absence of any Environmental legislation until 1983.

The EIA procedure ask for an earlier and informed public participation for launching a development project, when all the options are open regarding choice of location and designs. But, the WAPDA had already pre-determined the design and dam engineering before stake holders counselling and participation. As Mr.. Paracha indicated: “Wapda not only did not do this, but always cornered the government with only one project on the pretext that study of another site would take at least 5-7 years. “The cost of feasibility reports of one billion rupees was

also major catalyst for WAPDA reluctance to conduct feasibility studies for an alternative dam site,

The EIA conflict of Kalabagh project finds its root in inter- provincial water availability and environmental concerns of the dam, which had not been addressed properly with mitigations measures and proper studies. The major cause on inter provinces is the availability of the water resources for irrigation as settled in 1991 water accord. The sindh province is concerned about its share of water 2.1 maf(Million acre feet) annually. According to engineer iftikhar *“the whole controversy is based on the figures of availability of water in the Indus River upstream. Sindh maintains that there is no sufficient water for a dam’s store of 6.1 MAF water”*.

N.W.F.P apprehensions

The N.W.FP apprehends that in the case of dam construction the water level will increase in the Peshawar valley, badly effect the agro based economy of the province .Where in case of flood, caused due to reservoir of dam, the Peshawar valley will be drowned. The main reason is salinity and water logging problem in this province, which can destroy agriculture cash crops.

The large number of displaced people is also cause of concern which is estimated 100,000 by the independent sources. Whereas the government claims of 83000 peoples would be displaced directly are also sending confusing signals to the local peoples .According to engineer iftikhar, *“there will be people indirectly dependent on the water of River, like boatmen, herdsman etc, who will loose their livelihood because of the dam”*

According to the WP OP 4.10 the EIA should be accompanied by the proper settlement plan and compensation to the local people, in case of some development project for an effective implementation of the project. Consequently, the inability of a proper compensation to the displaced population also played a vital role in dam opposition, as according to Wapda, *“there has been resistance to the project by the local population - right from the start, causing disruption in investigation works by Wapda”*

Sindh concerns

The province of Sindh is more vocalists in anti-dam campaign the main apprehension is about the water availability of 2.1 MAF for its irrigation system.

The other concerns include the lower water availability can cause damage to the slit in the downstream area of "Katcho" with 6000 acres of cultivation lands depending upon the inundation of river water. Where cultivation is mainly depends upon the slit of the river water.

The mangrove forest In the Indus delta, about 650,000 acres, the sixth largest in the world, mainly dependent on the nutrients from the silt carried by the waters of River Indus. According to an IUCN paper of 1991 "The mangroves are the principle components of the delta ecosystem. Without them and the nutrients they recycle, and the protection they provide, the other components of ecosystem will not survive. Mangrove estuaries provide ideal nursery grounds for many commercial fish species, especially prawns".

Another IUCN report on the Korangi Ecosystem, 1991, state; "The other wildlife species supported by mangroves is porpoises, jackals, wild bears, reptiles, migratory fowl bids and three species of dolphins. If the mangrove habitat is destroyed, the continued existence in the Indus delta of all those will be threatened".

Bu summing up the above discussion, that KBD project is initiated without proper stakeholders counselling and participation at the beginning of the project. The inability of complete social impacts and environmental impact assessment had not been addressed properly following the concerns and apprehensions of the different stakeholders, to create consensus among them. The initiating of the feasibility studies by WAPDA also seems problematic, as the anti project experts don't recognise the figures regarding the availability of the water resources for the dam construction. The independent reports of IUCN also shadowed the environmental concerns in the project regarding wildlife and fisheries.

6.3 Analysis of public participation in Kalabagh Project

The public participation and counselling are the points of departure and reference for any proposed development project, as defined by the Aarhus convention and WB guidelines for public participation.

The public participation and counselling in the KBD project based on the 1984 feasibility report cannot be predicted in terms of the public counselling methods and techniques ,as the report was mainly addressed to design engineering and technical aspects of the project. The official EIA report of the dam is not on the surface up to the date. In my view, the feasibility report of Wapda of 1984, of the project undermined the basic principles of conducting EIA for the development projects, without proper counselling and participation of the stakeholders and local peoples. The immediate reason could be the unavailability of the EIA procedure and principles until the 1997, Pak-EPA act

We can evaluate the (So called) public participation and counselling in terms of the framework developed in the previous chapter, by integrating the Aarhus convention and WB guidelines and procedures for public participation.

This will pinpoint the drawbacks in government strategy of getting public approval based on the top-down technique of public participation, designing a project and then building a public participation into the project,

Why public participation?

There are several obvious reasons identified in the WB guidelines and Aarhus convention on the mandatory obligation of involving public into the decision making process of the development projects.

1. The national and international environmental obligations
2. The requirement by international financiers and donor agencies
3. The projects are likely to achieve their targets and avoid delays.
4. The projects get the popularity and public support.

5. The public identifies the practicalities in the decisions even they don't agree
6. The public counselling and participation grants legitimacy and transparency of a development project, even in the inexistence of the national laws

When we analysis KBD project against these reasons they are applicable and true simultaneously following the vast unpopularity of the project. The obvious reason of non-participation of public could be un-existence of national environmental legislation until 1997. In addition, the invisibility of WB guidelines requirement for public participation until 1991, could be instrumental for no public participation .But this seems not supportive argument as the EIA of large dams (WB financed) started in early 70's in the post development era. Even in non-existence of any requirement and guidelines national/international the public participation grants legitimacy, transparency, and cost effectiveness in terms of cost and time, acknowledged in the Aarhus convention.

When public participation?

According to the framework developed the public should be invited at an earlier stage of project proposal or at the stage of the screening, when all the options are open. At the latest, when information is available.

In the case of KBD the public has not been invited right from the beginning in 1952, when the project was identified until the 1984, when the proponents (WAPDA) changed the very nature of the project from a storage dam to the hydro generation dam .According to Engineer Iftkhar," *the provinces were kept in complete darkness about the design parameters of the dam, till the completion of its detailed design in 1984-85.*

This exercise created biased among the stakeholders about the utility of the project, as recognized by the Aarhus convention—delay in public participation and counseling can create a bias towards the project. The WB OP. 4.10 clearly

indicates that participation at an earlier stage avoids the costly delays in project implementation in terms of money and time. The KBD project is an excellent Simulation of this notion of WD guidelines even after spending lot of resources and money since 1984, the government is still finding it difficult to implement the project.

How public participation?

The Arhus convention asks for a comprehensive and appropriate strategy for the public participation. The public participation cannot be executed randomly without a clear and well-defined planning. The strategy should be adopted taking consideration of the available resources-money, time, culture, literacy and area infrastructure to handle the feed backs/suggestions gathered in the exercise.

When we analyse the KBD project, we realize a major problem here with government planning of getting public support to the project, which mainly is depending upon the seminars, workshops of technical engineers accompanied by media statements of federal ministers on the national electronic media. The media is mainly covering the government viewpoints and supporting forces, by completely ignoring the opposition view points. (Bilour 2004)

The result causes a more flare into the anti dam emotions and causing protests and rallies in the different parts of the country.

The public participation and counseling, which should be conducted at the time project proposal when all the options are still open at the stage of screening, when the project is identified and the expected outcome of the purposed activity. But, we observed that public including the stakeholders were kept ignorant until the project design engineering and studies completed until 1984. This created a bias towards the project, according to the WB OP4.10 of informing and counseling the public at an earlier stage of the project. Any change in the project, should be disseminated promptly to the concerned stake holders and public, but

we observed that the proponent (WAPDA) changed the very nature of the dam from a storage dam to the multipurpose dam of hydro power generation.

The Arhus convention calls for an appropriate strategy for incorporating the public into the decision making and getting feedbacks/suggestions in the public meetings. We observed that government is trying to get the public participation without any proper planning and strategy

Indigenous people plan

The convention ask for an appropriate IPP indigenous peoples plain having proper compensation to the local peoples on the basis of the social assessment and in consultation with the affected Indigenous Peoples' communities. "The Indigenous Peoples Plan (IPP) that sets out the measures through which the borrower will ensure that (a) Indigenous Peoples affected by the project receive culturally appropriate social and economic benefits. When potential adverse effects on Indigenous Peoples are identified, those adverse effects are avoided, minimized, mitigated, or compensated." WB OP 4.01(Indigenous people)

But we observe that in KBD project, the IPP has not been properly adopted and communicated with the effected people, before commencing the dam implementation. Like in our case study kalabagh Dam, the total cultivable land submerged would be 27,500 acres which includes (24,500 acres in Punjab and 3000 acres in NWFP). The submerged irrigated land would be about 3000 acres (2,900 acres in Punjab and 100 acres in NWFP). The estimated population to be affected by the project would be 83,000 with 48,500 in Punjab and 34,500 in NWFP.

The large number of affected people of 83000 by Kalabagh Dam is probably the most vulnerable hazard in the construction in the absence of a clearly defined plan for the resettlement and proper land compensations.

“The WB recognizes In op 4.10 that physical relocation of Indigenous Peoples is particularly complex and may have significant adverse impacts on their identity, culture, and customary livelihoods, the Bank emphasises the borrower for an alternative project designs to avoid I relocation of Indigenous Peoples. In exceptional circumstances, when it is not feasible to avoid relocation, the borrower will not carry out such relocation without obtaining broad support for it from the affected Indigenous Peoples.” (WB OP 4.10)

In our case study, the people’s apprehensions of flooding and resettlement plan had not been targeted properly to initiate the dam construction. As the most of the land owners are growing tobacco and sugarcane crops, which had potential damage threats of increased salinity and water logging, in the case of dam construction of increased water level in the cultivation area.

The government has proposed to offer alternative land with minimum 12.5 acres to the land owning families. The project estimate provides for Rs. 5,731 million as the cost of land acquisition, resettlement and relocation works at June 1991 prices.(WAPDA 1992)

In fact, the human cost of large dams in terms of resettlement has generally been overlooked by the so-called experts while discussing the desirability of large dams. This is mainly because project affecters are from peripheral areas without an effective voice in decision making.

In 1996, the Independent Review commissioned by the World Bank and WAPDA shows that a significant number of Tarbela dam(Pakistan) affectees have not yet been compensated. If provision of alternative livelihoods to fishermen, herdsman and other affectees is also included in kalabagh dam project, the amount required would be much larger than 5,731 million, allocated for the effectes. According independent consultants for the Canadian international Development Agency in 1992-93, a significant number amongst the Tarbela affectees,

resettled in so-called model villages, were found to be worse off in the resettlement colonies than they were before the dam was built-contrary to the settlement guidelines of the World Bank, which stipulates that a project affectee must be better off after resettlement than before the project. (Omar asgher 1998)

By summing up, we may suggest that major difference identified in the case study against the WB guidelines and Aarhus convention was the adoption of the IPP without counselling of the local peoples and without proper compensation for the land acquisitions at the agreed price .secondly, the promised benefits and incentives to the local people are too small and seems unreliable in the light of previous experience of Tar Bella dam construction.

The plan of providing alternative irrigated lands and model villages with modern facilities of water supply, electricity, roads, dispensaries, school and other civic amenities, to the affected families, can provide best solution to this problem. In addition, in Pakistan the compensation money for the land acquisition is normally below than the market value in Government sponsored projects, which generates the opposition on the economic grounds of being under-compensated for the public owned lands.

Social impact assessment

According to the WB guidelines if in “the screening stage the indigenous people are identified as the direct effectees or have collective attachment to, the project area, the borrower undertakes a social assessment to evaluate the project’s potential positive and adverse effects on the Indigenous Peoples, and to examine project alternatives where adverse effects may be significant. The breadth, depth, and type of analysis in the social assessment are proportional to the nature and scale of the proposed project’s potential effects on the Indigenous Peoples, whether such effects are positive or negative”.

But we conclude from the literature available that no social impact assessment has been conducted in this case study to assess the social impacts caused by the project and mitigation measures to address the concerns and apprehensions of the local people by taking the review of baseline information into account for the elaboration of a culturally appropriate process for consulting with them at initial stage of project preparation.

Initial environmental assessment

The assessments of the environmental conditions before the project compensations are required by the WB guidelines, describing the base line environmental effects on the biological environment and mitigation measures to address them.

From the literature review, we learned that an environmental consideration of the Sindh province about the wildlife and Magnore forests has been under estimated without proper mitigations measures. This practise increased the opposition of project on the environmental issues.

The independent reports by IUCN in 1991 about the wildlife concerns in Indus delta also exposed the government inefficiency to address the environmental issues in the project.

Government Secrecy policy

The Arhus convention asks for fair, free and complete information to the public.

But in KBD the information was kept in secret and even the basic information are not available with ministry or any other government agency.

When we analyse the KBD against this notion of Arhus convention and WB guidelines we observe that the official secrecy policy of publishing the dam

studies and feasibility studies also speaks volumes of inefficiency to Government to careless handling of the project. As the EIA reports of the dam has not been published up to the date.

“For the past so many years of its planning and designing, the objectives and goals of Kalabagh Dam (KBD) have been shrouded in secrecy, and the Federal Government’s blind following of the project, against the wishes of the three provinces of the federation, has made it the most controversial issue of national integrity” engineer ifitkhar

The government has not published any feasibility report of the project up to day, denying the public their basic right of access to the information about the project, which is granted in WB guidelines and Aarhus convention.

In an interview on 27th August 2005, the chairman of the Water Reservoirs and Technical Committee Report replied on the question of publishing the feasibility report of kalaBagh project: *‘The report is very confidential which will be on the surface after a period of time.*

The government officials and institutions always tried to avoid to any access to the technical reports or studies about the project. I had personally requested Ministry of environment and IUCN to give the copy of EIA or feasibility studies, but I always got negative reply. An official of Ministry of environment on my request comment “kalabagh is a dull drum”

By summing up, we can conclude that government is violating the WB guidelines of denying the right of free access to the project information, for which they had all the legitimate right. In my views, the government is not confident about project feasibility and studies and afraid to expose these drawbacks in public scrutiny.

KBD media campaign

According to the WB guidelines and Aarhus convention the project details and studies should be communicated through the appropriate media sources best assessable to the local people.

The role of media in promotion and disseminating the basic information about the project cannot be overlooked. The media provides the complete picture of the anticipated project, giving the public chance to develop an opinion and comment and feed back the developers. The resources of the media include newspapers, T.V, radio, public notices and Internet. There are no set rules and guidelines for the promotion of the project information through the media. The developers had to devise an appropriate technique best suit to the local environment and conditions

When we analyze our case study against this criteria, we observed that media has been a sad story of state manipulation and subjugation, having absolute control on the broadcasting and print media.

As a result, the former Railway minister of Pakistan, Hajji Ghulam Ahmad Bilour alleged that *“PTV had been turned into Punjab television to launch a one-sided campaign in favour of the controversial project”*. (Jang News 10, June 2004).

The major newspapers and journals seldom touch upon the environmental issues to enhance public awareness and capacity building. The major news papers always speak the language of central government with some exceptions by completely ignoring the opposite apprehensions and fears.

This created a complete disinterest and trust of the public about the credibility of the media. This is a major set back for the project for not being properly communicated to convince the public about utility of the project.

By summing, we may conclude that the government completely manipulated the project studies on the media and created biased towards the project and the public is of the view that that decisions are already taken, and now any efforts to propagate the project are not beneficiary rather demolishing the repute of the project.

6.4 Recommendations for improved public participation in EIA in Pakistan

Based upon the case study analysis along with the literature reviewed the following will be recommendations and suggestions for the improved public participation in the development projects.

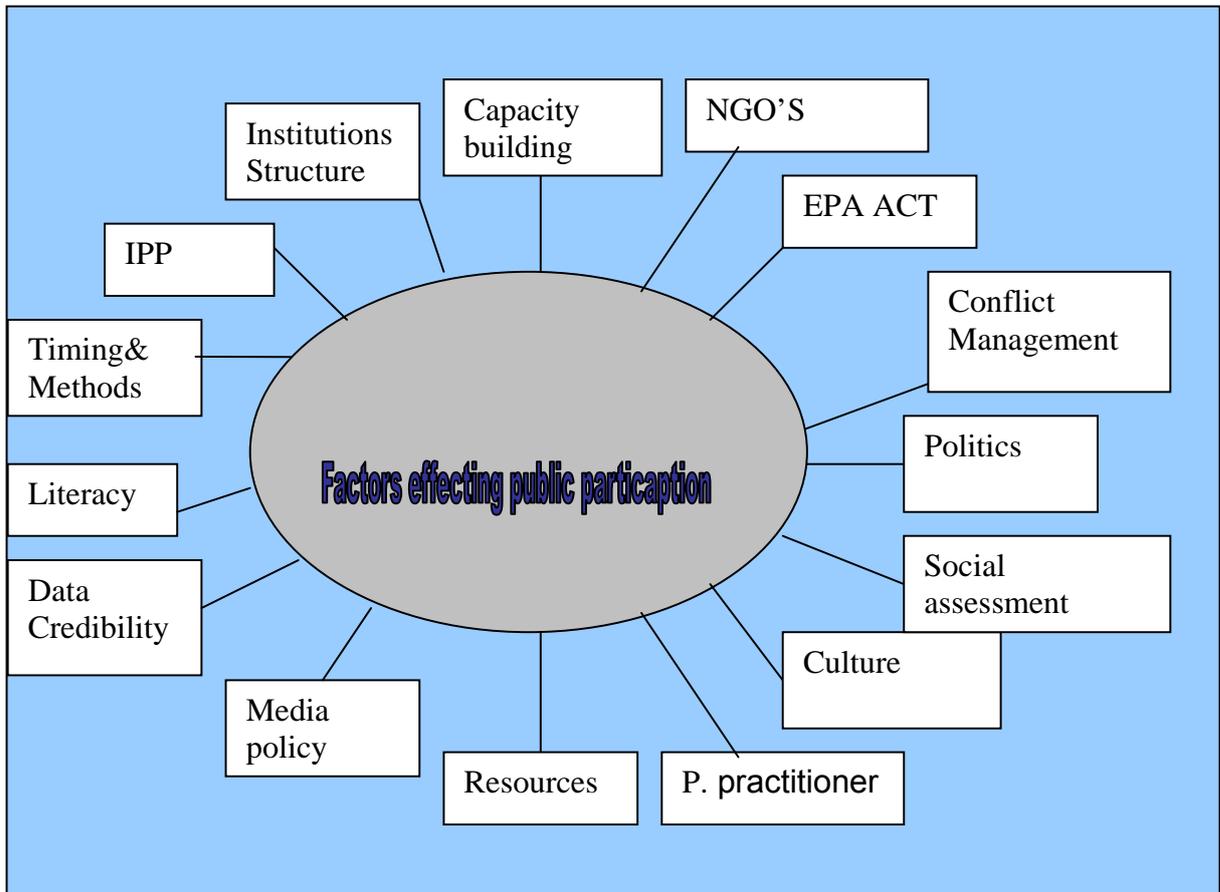


Figure13. Factors effecting public participation in Pakistan

On the basis of literature reviewed during the proceedings of the project the above mentioned factors were identified in public participation in the KBD, to reflect the various scenarios in the current public participation practices in Pakistan. An analysis of these factors against the frame work of WD guidelines and Aarhus convention provided the main differences to be addressed in the capacity building to make them compatible with the international standards to achieve the ultimate goal of environmental justice in the global context. Following the time constraints and available resources for the analysis of case study, it was

not possible to complete analysis of the whole EPA act and guidelines to integrate into WB guidelines and the Aarhus Convention guidelines. The study has been focused on the stakeholders' analysis to pinpoint the immediate causes and reasons of the delay in KBD project implementation.

Environmental legislation

- The prime concern for the Pakistan is to develop and improve the existing environmental legislation regarding provisions of the public counselling and participation with practical guidelines and methods to ensure their implication at the project levels in accordance with international standards WB, ADB, and Aarhus convention.
- The existing legislation of EPA act 1997, guidelines of public participation should be adoptive for the large dams with assistance from World commission on dams. These guidelines should be consistent and in accordance with the social and cultural traditions of the country.
- The guidelines and methods identified in the PAK-EPA act 1997 guidelines should be translated into the national and regional languages, making them more effective and practical in the regional contexts.
- The guidance must be flexible for the many types of projects, and for the different types of communities which are affected by decisions. Recognition must be given to the fact that many of the environmental legislation are statewide, such as standards and regulations, and consideration must be given to the various legal mandates for each regional participation methods, as all the regions differ in the institutional infrastructure literacy, culture and demography.

- The environmental legislation of public participation should be adopted not only in the private and public sector but also the government initiated projects also, which can promote the idea and utilisation of involving public and providing the practical guidelines for participation.
- **Environmental protection Agency**
- The present procedure of EIA conducting as the sole responsibility of the proponent and EIA reports are submitted with EPA for approval. This is quite subjective; EPA just satisfies herself that public participation has been made. The question of methods adopted and actual public participation puts a big question mark on the current public participation methods and techniques used in the development projects.
- The EPA should establish a minimum level of public participation (a level which is applied when there is little or no public interest); develop assessment tools to determine the level of community interest; and identify tools which can be used as interest increases for the maximization of the public participation.
- My personal observation is that citizens may have difficulty in participating in current technical discussions in workshops and seminars because they believe they will be unable to significantly influence issues, or because they lack time to participate substantively. They may choose not to participate because of a lack of controversy surrounding an issue or because they are simply “turned off” by conflict, of kalabagh project. The EPA should device special conflict management tools to avoid the disputation of the Kalabagh dam project.(Mr.Amin sep 2005)
- The EPA should identify assessment strategies that can determine audience level of interest and elements that could affect communication

with local population with reference to Kalabagh project. These strategies could encourage communication in non-traditional ways when appropriate; for example, use “universal” pictures and village fairs to convey complex ideas of technical written materials and blueprints. ² The building of positive and effective working relationships with community based local groups and non-governmental organizations can provide invaluable communication networks and infra structure to reach the local peoples

Data collection

- The government should have a reliable and up dated data's for the public consultation to develop an educated opinion about a project or activity. As, the credible information sources can serve a very important role in solving conflicts with stakeholders and the public. As we observed in our case study, the major difference about the dam construction is the question of the availability of extra water for dam, the opposition forces mainly challenged the source of data, which cannot be verified by another independent source. Often, data credibility depends upon whether the data can be produced or confirmed by an outside source. Without outside expertise, participatory groups with non-technical backgrounds can be significantly disadvantaged in their ability to participate effectively in decision-making. This led to controversy over the adequacy and reliability of the data and potentially limited progress on project implementation because several stakeholders did not trust the WAPDA's data collection method.

² Personal experience of working in a community support programme in 1993

Media

- The Environmental issues are not isolated by media and must be considered in the overall context of public participation as a stakeholder. The media electronic or print plays a vital role in developing an informed and rational opinion about the anticipated project/activity. The EPA should devised special strategy and guidelines of the media as the part of the public participation exercise in kalabagh project. To fully take advantage of this, the media could have served as an independent forum for coordinating communications among stakeholders regionally and nationally, as best as possible.

Public participation practitioner

- The study realized the need of a public participation practitioner not mentioned in the guidelines of EPA act 1997, which can potentially coordinate and facilitate the communication and relations between stakeholders and proponent for the effective and efficient participation in the Kalabagh project. The practitioner can provide mediation for the conflict resolution among the stakeholder by providing a fair, impartial and credible facilitation of the negotiation process to conclude the consensus or to minimize the conflicts to the agreed terms for the timely and effective implementation of the Kalabagh project.

Capacity building measures

- The capacity building efforts are identified as the prospective improvement in the quality and efficiency of the EIA reports for the generalization of the environmental consciousness and awareness. As due to wide spread literacy and shortage of skilled professionals it is impractical and unrealistic to promote Public participation at the project levels.

- The most of mega projects EIA are conducted and implement by the international consultants and the opportunities of the local institutions to perform such analysis of their own are wasted and due to increase in sophisticated techniques of administrative and reporting requirements of the international donor agencies, the host country institutions often find it difficult to keep up to date with the necessary skills and information. (OECD/DAC 1996, Donnelly et al 1998)
- There is need of increasing the training level and capacity building of the environmental practitioners, decision-makers, managers along with the EPA officials. Numerous training manuals and guidelines had been published by international donor agencies and United Nations but in most of the cases these were not relevant to the developing countries context and hardly contribute towards a long-term capacity building programme. (Hussein Abaza 1996).so these training manuals should be tailored to the country specific needs and culturally sustainable way.
- There is urgent need of conducting a” needs assessment” to determine the capacity building requirements. This will require tailoring the international training courses to the needs and existing capacity of the country. (2) Its social and cultural conditions (3) institutional, financial and human resource capabilities.
- The training matrix should be established and implemented for public participation and environmental justice. The trainings should reflect the policies and guidance to be developed for opportunities to stakeholders, especially local governments officials who had direct interact with the local communities on similar or related issues.
- During the case study of Kalabagh, it was realized that the community groups, local NGO’s, journalists and other staff training members of the

public authority (politicians) should be targeted to help for their capacity building through appropriate workshops, seminars and courses. The goal of these capacity building measures can potentially improve local officials' abilities to integrate environmental management practices into traditional regulatory and planning activities by providing tools and techniques on pollution prevention, environmental management systems, environmental impact assessments and public participation. This will establish a working group of local officials from more than one town in each province allowing them to develop skills and knowledge which could be subsequently be passed on to the other community members. These working groups can develop networking with municipal associations that could help to raise awareness about the environmental legislation and public participation importance in the development projects. Such efforts can result in several important outcomes for the future development projects. (1) Time savings; 2) significant increases in participation of local officials; 3) certain officials being more likely to adopt new practices after learning; (4) A greater understanding that local problems have regional implications. (Hussein Abaza 1996)

- GIS can beneficially be used as a tool in EA's for collecting and systemizing baseline data and identifying, predicting and monitoring impacts. Using GIS to plan and manage large volumes of spatial primary and secondary data collected during baseline studies can not only reduce cost and time but also improve the overall quality of the EA to address the challenges of data credibility by the opponents of kalabagh project (WB January 1995, WB April 1993)..

7. CONCLUSIONS AND PERSPECTIVES

This chapter gives the summary of my findings for this project that provides an answer to the research question along with the prospective approach to address the constraints to current practices of public participation and improvements in development projects.

During the thesis proceedings most of the efforts are put on the greater involvement of the stakeholders for the better decision making at the project levels to bridge the communication gaps between proponents for the successful implementation of the projects in terms of money and time.

Yet the use of language of stockholder's involvement and public participation had been abusive in the context of real empowerment and involvement of public as discussed by Arnstein in 1969. Even the WB has shifted his emphasis from the popular public participation to the stakeholders' involvement like EPA Pakistan, which recognizes landlords and politicians as powerful stakeholders for the successful project implementation. "If these influential people are not briefed at an early stage of the project, they get information second and third hand and get distorted impression of the project causing strong opposition of the project"(EPA Guidelines 997) ,As we observed in Kalabagh case, the dangerous stakeholders (politicians, landlords and religious leaders) are the dominating opponents of the purposed project.. I realized that manipulation and therapy described by Arnstein "non-participation" have been used for the genuine participation in the Kalabagh project.

During the thesis, it was concluded major problem for effective implementation of public participation is still considered as a bureaucratic requirement to be filled for the project approval, completely isolated from the project cycle and planning. During the analysis of KBD project, it was revealed that EIA studies started after the decision on the site of the dam has been made and engineering studies and

projects have been completed. The choice of site of a dam was determined by economic and engineering criteria, with little or no consideration for environmental issues.

It was concluded that poor impact prediction in dam studies created confusion and mistrust among the stakeholders with a list of generalities in the place of appropriate mitigation measures and monitoring plans.

The invalidity of data's of water availability seems to be problematic in our case study, the major difference among the stakeholders is data credibility verified by another independent source. This highlights the pivotal importance of data's in the environmental assessments.

The study analyzed the Kalabagh project was an excellent example of "top-down" technique adopted typical in some developing countries for the public participation; finalizing the dam engineering, site selection, feasibility and environmental assessment before starting the public participation. The decisions are already taken and building the public consensus over it, which was loud violation of WB guidelines and Aarhus convention.

During the study, it was evident that dominant and dangerous stakeholders politicians and landlords political parties are more vocalist and violent in the opposition of the purposed dam. Keeping in view the present political situation in Pakistan, I realized there is some missing link between the politics and development process in the developing countries.

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Table: Useful Websites

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|-------------------------|--|
| The World Bank | www.worldbank.org |
| UNDP | www.undp.org |
| UNEP | www.unep.org |
| UNECE(Arhus convention) | www.unece.org/env/pp |
| EPA(Pakistan) | www.environment.gov.pk/ |
| Asian Development Bank | www.adb.org |
| IUCN (Pakistan) | www.iucn.org/places/pakistan/ |

APPENDIX

Interview with Mr. Zaheer-ud-din (Environmental lawyer)

- Sir, I would like to get your views about the Environmental laws in Pakistan
- What you know about EA of public/private projects?
- Had you ever take a case based on environmental assessment problem?
- What is the future of environmental advocating in Pakistan?
- What you know about the Kalabagh dam and its implementation?
- How you define public participation in kalabagh project?
- What about media role in this project?
- What are the main constraints in the implementation?
- Why some politicians are opposing and some supporting it?
- What the government should do to get implementation?
- What benefits/advantages common men have from the dam?

Interview with Mr. A. Amin (IUCN-field assistant)

- Mr. Amin what are your experiences with IUCN in Pakistan?
- What methods you use in data collection in any project?
- What about EIA reports of IUCN projects in Pakistan?
- What techniques you use for public participation exercises?
- What are your experiences and difficulties in these exercises?
- What about women, children and elders attendance in your projects?
- How you process public views /feedbacks and suggestions?
- What you know about kalabagh dam project and its implementation?
- What are the problems and their causes in your view?

| Interviews | Date of interview | Place of interview | position |
|-------------------|--------------------------|-----------------------------|--|
| Mr.Zaheer Babar | 12-9-2005 | Lahore High Courts Pakistan | Senior Advocate/solicitor |
| Mr.A.Amin | 22-9-2005 | Hafiz Abad Pakistan | IUCN-community Organiser/ co-ordinator |

