



# The evolvement of China's public participation system on site selection of chemical projects: taking PX projects as an example

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# The general situation of China's PX site selection and NIMBY movement



The protests of PX projects in China P-Xylene (Paraxylene), an aromatic hydrocarbon is based on benzene with two methyl substituents, of which PX is the industrial symbol. PX plants produce paraxylene, a chemical used to make a range of products, including plastic bottles and polyester clothing. A PX project became the ideal choice for local governments in China to raise the local economy and welfare.





**NIMBY** movements, frequently happening in China, which included not only PX projects, but also nuclear power projects, waste incineration plants, etc. However, the process or phenomena of these NIMBY movements are roughly all same as PX site selection protests. The PX protests still take the top position among all environmental protests.





## 1.2 Four dimensions to observe and interpret the NIMBY movements in China

**Political interpretation; Economic interpretation; Technologic interpretation; Ethical interpretation.**

1. Political interpretation includes general discussions on the democracy and fairness of government's decision-making. Every time before the China's PX protest, the model of "Decision--Announcement--Defense" by local governments has become an important factor that aroused public suspicion and opposition.

2. From the economic interpretation, the essence of NIMBY is generated from the results of unbalanced distribution among risks, costs and benefits. Therefore financial compensation is the main feasible solution to NIMBY movements.



## 1.2 Four dimensions to observe and interpret the NIMBY movements in China

**Political interpretation; Economic interpretation; Technologic interpretation; Ethical interpretation.**

3. From the technologic interpretation, local governments in China usually regarded NIMBY movements as a technical problem. But in risk society as well as in information society, sometime scientific uncertainty places the experts and public at the same starting line.

4. The NIMBY's ethic interpretation is usually used by observers of the NIMBY events to judge that the affected private interest should concede to larger public interest.



## 2. The particular Chinese characteristics in PX protests

### 2.1 The chart including main factors and episodes of China's PX projects

Time	Beginning of the event	Investment scale	EIA or not?	Open public information in EIA?	Public participation in the EIA	Result			
						early phase	Demonstrations	violence	Final Gov. decision
2007 Xiamen	Chinese PPCC's proposal against it	10.8 Billion RMB	Y	N No specific rules	N No specific rules	Y Chinese PPCC's proposal against this project.	Y	N	Canceled (select another site)
2011 Dalian	Typhoon caused accidents	26 Billion RMB	Y	N	N	N	Y	N	Canceled
2012 Ningbo	Start building and demolition	56 Billion RMB	N EIA didn't begin	N	N	Y Petition	Y	Y 13 Persons Criminal detained	Canceled
2013 Kun-ming	Media report the NDRC approved the project	20 Billion RMB	N EIA didn't begin	N	N	Y Netizen protest online	Y	N	Canceled
2014 Mao-ming	Government propaganda PX is nontoxic	3.5 billion RMB	N EIA didn't begin	N	N	Y Netizen protest online	Y	Y 24 Persons criminal detained	Canceled

## 2.2 Chinese characteristics about PX protests

1. PX projects are projects all with huge amounts of investment without exception. Their launch will unquestionably stimulate local economic development.
2. the local governments followed the model: “Decision -- Announcement -- Defense”. At the same time, the public perspective followed the action model: knowing—questioning—protesting.
3. The bigger the cities or provincial capital cities, the more they had a tendency to adopt legal and diverse means of protest. The smaller the cities or suburban areas, the more they might be prone to violence.



## 2.2 Chinese characteristics about PX protests

4. An Environmental Impact Assessment (EIA) system has two main attributes, the technological report and the tool of public management.
5. The main causes of these intense NIMBY events lie in their public participation enforcement, which did not accord with any of the requirements of Environmental Impact Assessment (EIA) law and rules, or only formally followed the requirements.
6. The time for public protests against large Environmental projects has been getting earlier and earlier, Even before the Environmental Impact Assessment (EIA) and the public participation system could be started.

### **3. The deep reasons of China's PX protests and NIMBY movements: Based on the tripartite relationships among the local government, enterprises and the public.**

#### **3.1 The role of local government in the NIMBY and the confidence crisis from the public towards them**

Back to China, local governments' role in PX projects is unusually active.

Several reasons can explain the local governments' strong faith in PX projects. In China, according to the mainstream ideas of authorities' decentralization in China, the political system is unitary; however, the economic structure is federalism. Political unitary means central government controls local governments by the performance-based promotion scheme. Economic federalism with Chinese characteristics means the decentralization of economic authorities and responsibilities between central and local governments.

So the scenario becomes the following: the local government proposes building a PX project to boost the local economy. The public sees the government as a stakeholder in the project and surely will not believe in its arguments about the PX projects' safety.

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**3. The deep reasons of China's PX protests and NIMBY movements: Based on the tripartite relationships among the local government, enterprises and the public.**

### **3.2 The confidence crisis towards enterprises from the public on their environmental self-regulation**

the day of the incident at Maoming PX, someone quietly revised in the Baidu Encyclopedia entries on PX toxicity from low toxicity to high. This student of Tsinghua changed it back. The PX entry has been repeatedly modified 36 times in 6 days.

Some related netizens said after that online conflict I believe you have the ability to achieve safe production, but I do not believe you have motivation to do so.”

The PX entry revision online reflects again that some local citizens were short of channels to express or vent their anxiety to that PX project, and wanted to find more social support by any means. Another explanation could be the local public really didn't trust the PX project was safe in their neighborhood.



**3. The deep reasons of China's PX protests and NIMBY movements: Based on the tripartite relationships among the local government, enterprises and the public.**

### **3.3 The intensification of China's public participation in NIMBY movements and local government's compromise –exceptional concessions from GDP to maintaining stability in official's accountability mechanism**

Under the political unitary system, China's central government manages local governments and cadres on some significant issues by executing "veto power" on cadres. One such item of utmost importance is social stability maintenance.

Local governmental leaders weigh in on “development” and “stability”. But when the protests really happened, the items about veto power relating to stability maintenance became “tough quota”. the priority for local government to shift from the PX big project to stability maintenance.

## 4. The evolvement of the laws on China's public participation

### 4.1 Public participation system in China's legislation

The first time the public participation system appeared in China's environmental law is in The PRC of Environmental Impact Assessment

In Article 21 the law said "Except where secrets need to be guarded, as required by State regulations, the unit of the construction project which may cause considerable effects on the environment and for which a written report on environmental effects is required to be prepared shall, before submitting for examination and approval, the report on the environmental effects of the construction project, **hold demonstration meetings or hearings, or solicit in other forms the comments and suggestions** from relevant units, specialists and the public on the written report. **The construction unit shall attach its explanations on why it adopts or rejects the comments and suggestions put forward by the relevant units,** specialists and the public to the written report submitted for approval."



## **4. The evolvement of the laws on China's public participation**

### **4.1 Public participation system in China's legislation**

the MEP's Interim measures of public participation in EIA (2006) ,

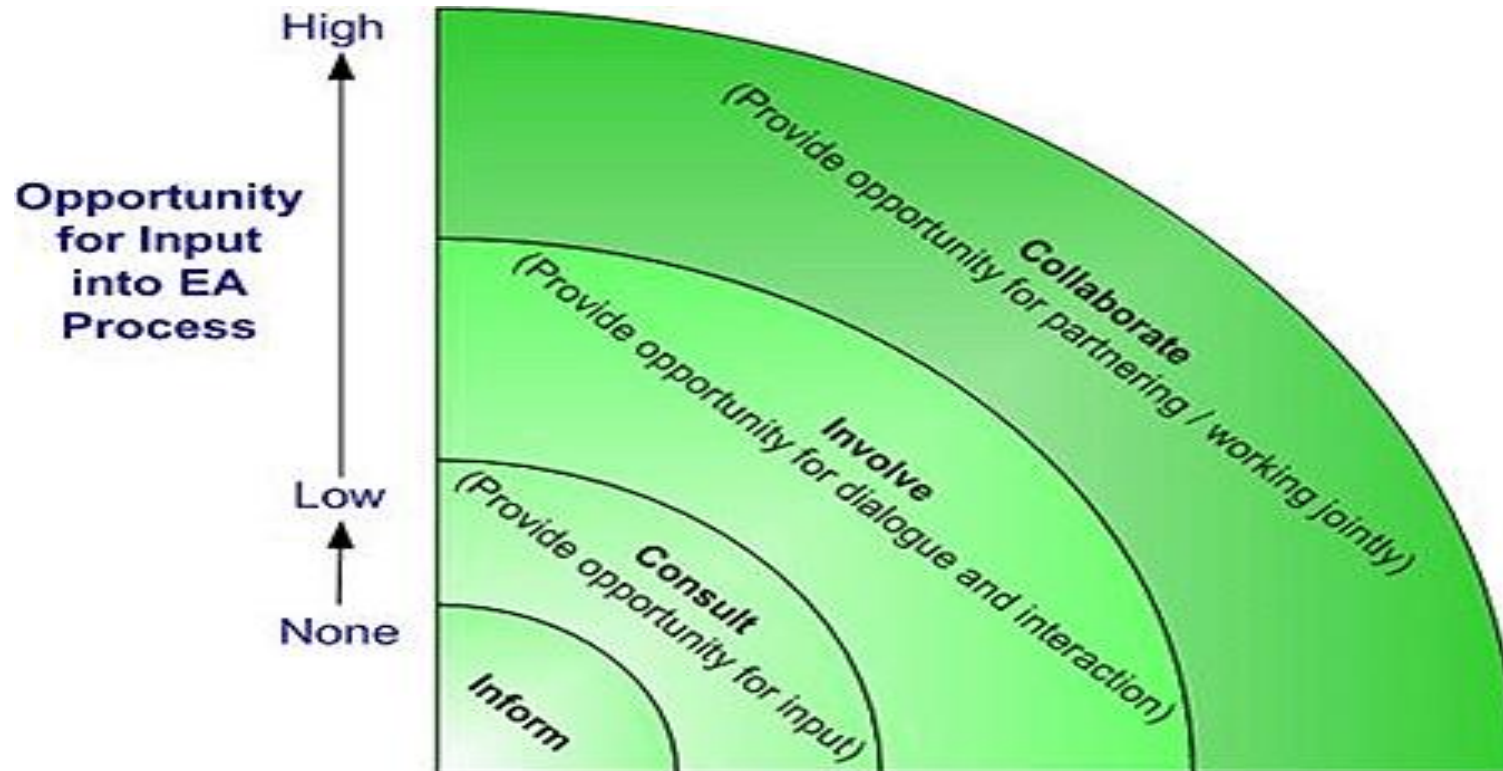
In the MEP's Measure for Opening the Environmental Information (Trial) in 2007, one important landmark was from that measure, the simplified EIA report must be released to the public.

At the end of 2013, another guideline by China's MEP titled "To Promote the Reform of EIA Approval and the Functional Transformation" for the first time, the full text of China's EIA reports should be released to the public.

## 4. The evolvement of the laws on China's public participation

### 4.1 Public participation system in China's legislation

From these articles in this China's EIA and rules, we can clearly see the international 3 principles of public participation have been implemented.



## **4. The evolvement of the laws on China's public participation**

### **4.2 The role of China's system of public participation during the series of NIMBY protests**

At least, the space for the local governments, who wanted to neglect the public participation system, became more and more complicated and secret.

The public participation system itself still cannot solve the conflicts of PX protests.

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## 5. Conclusion: the ultimate reason of China's failure of the public participation system is local protectionism

The enhanced stringency of a public participation system can balance the interests between powerful local government and the local public, and can weaken the intensity after the project decision-making.

At the same time, we have to admit that local protectionism became the main obstacle of the effectiveness of public participation.



***THANK YOU !***

