Promoting Active Citizenry — Advocacy and Participation in Decision Making*

Introduction

This Guidance Note analyzes tools policymakers and leaders of government can use to engage citizens and promote public action through increased advocacy and participation related to pollution management.

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Meaningful public participation enables citizens to provide informed and timely input and ultimately influence decisions that affect their environment. Decisions can range from individual projects (such as the location of a chemical factory) to broader strategic plans, laws and policies (such as permitting regulations). For citizens, participation can include commenting on draft policies, raising concerns at a public hearing, or serving on advisory committees.

For governments, engaging the public in decisions can enhance the quality and legitimacy of decisions. It can ensure fairness in decisions, and give voice to underrepresented groups. For the private sector, public participation can generate demand for higher industry standards and support for better practice. Public participation builds trust between parties and strengthens the capacity of all stakeholders to engage in environmental decisions and policies. When done well, public participation can offer clear benefits for government, the private sector and society. On the contrary, done poorly or failure to provide for public participation can result in conflict and public resistance to new policies.

The ability of the public to participate in decisions that affect the environment can be determined by the willingness of government officials to engage citizens as well as the efforts by citizens to participate. It is important to note that policy decisions are not made in a linear and organized manner. They are complex processes with changing circumstances. For the public to feel that their input is valuable, public participation must be incorporated into the larger culture of decision making. Public participation cannot exist
merely as a series of singular events where only the loudest voice is heard. There must be an inclusive community of participation where stakeholders have equal voice and play a continuous role in the policy making process.

Description and Application of Promoting Active Citizenry: Advocacy and Participation in Decision Making

There is no universal definition for effective public participation. The Aarhus Convention sets minimum standards for public participation including timely and effective notification between parties, reasonable timeframes for participation and at an early stage of the decision making process, availability of relevant documentation free of charge, due account of the outcome of public participation, and prompt notification and publication of the decision (UNECE Web site). A more detailed summary of the Aarhus Convention is available in box 1.

The effectiveness of public participation in practice can be influenced by the quality of the process itself. Government investments in public consultation early in the decision making process and sufficient advance notification and documentation can enhance the quality of the input into the decision. Often the public is consulted too late in the process to make any difference in the decision. This can erode trust and negatively affect the willingness of the public to participate in future consultations. Participation should also include a variety of stakeholders including civil society organizations, local experts and underrepresented groups such as the poor.

When systems are accessible, the public has knowledge about where to go to participate, and how to participate. They also know the process for making the decision, and the impact of their participation on the decision. Governments should make every effort to provide advance notice of consultations, in multiple locations, targeting a variety of affected stakeholders. In-person consultations should be held in known, easy-to-reach locations. Electronic consultation should utilize widely used information and communication technology such as telephones (cell or landline) or the Internet. The public should have advance access to documents that summarize the project or policy under consideration. Documents should include full environmental impact assessments (EIAs) or management plans and any related documents. Governments should ensure that documents are in the appropriate language, and adapted for public consumption. This does not imply that information is not disclosed, but that the information is shared in a format that is useful to citizens. Following consultations, there should be a feedback mechanism that notifies stakeholders the outcome of the process.
Box 1. The Aarhus Convention

Hailed as a benchmark in environmental democracy, the Aarhus Convention is a unique global instrument that establishes minimum standards for promoting access to information, public participation in decision making and access to justice in environmental matters. It was negotiated by governments of Europe and entered into force in 2001. Today there are 42 parties to the Convention (2009).

Highlights:

- Convention is open to all members of the United Nations.
- It enables every person (regardless of citizenship or nationality) to have a say in decisions that affect the environment.
- The Convention empowers members of the public to hold governments accountable and become more active in promoting sustainable development.
- It recognizes every person’s right to a healthy environment today and in future generations.
- It creates a unified legal framework that guarantees citizen access rights across Europe and Central Asia.
- The rights protected by the Convention are respected by all “public authorities” including government bodies from all sectors, at national and local levels (except judicial and legislative bodies), public and private bodies performing public administrative functions or services (such as providers of electricity or natural gas) and institutions of regional economic integration organizations that become Parties.

Challenges:

- Change can be slow for long-established democracies. Newer democracies however have adapted systems more quickly.
- More capacity is needed to establish effective legislative frameworks, set-up institutional structures, train officials in how to apply the Convention and teach citizens how to exercise their rights.
- Slow implementation can paralyze the work of an administration. Governments must introduce detailed national implementing legislation and procedures.
- Governments need to better harmonize Convention requirements across all departments, not just those pertaining to environment.
- Wide perception that Aarhus Convention is a regional instrument, not a global one.

Participation can take a variety of forms depending on the decision to be made, time and resources available, or political circumstances. Together they form a continuum based on the extent of the involvement and role in decision making. Common forms are illustrated in Figure 1.
**Figure 1. Common Forms for Advocacy and Participation**

### Advocacy & Participation: Common Forms

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**Legal frameworks.** Many countries have laws and policies that require public participation. This can include constitutional guarantees; conditions for notice and comment in sector policy-making; and provisions in environmental impact assessments (EIAs). National constitutional reform provides an ideal entry point for establishing public participation systems. Many countries such as Bolivia, Nepal, Thailand and Uganda have used constitutional reform as a way of strengthening the public’s right to participate in environmental decision making. Public participation in sectoral policies helps integrate citizen concerns into decisions related to energy, water, and other sectors that are prone to pollution. Provisions for participation in EIA should explicitly require public comment and notice at various stages of the decision making process. Participation should be required before final approval of the EIA and be included in monitoring compliance of EIA mitigation measures. Laws should apply to both public and private sector development activities.

**Diagnostic tools.** Diagnostic tools such as stakeholder analysis, institutional analysis, and social impact analysis are used to identify key stakeholders and target groups early in the policy process. These can help reveal the broad range of social impacts and potential responses in relation to the policy. This in turn can save critical time and resources early in the process.

**Passive forms of participation.** Some forms of participation are passive with information exchanged from one party to the other. This can include document distribution, press conferences, radio and television programs, and some websites. New technologies enable decision makers to reach a large numbers of citizens quickly. These forms of
participation provide transparency, increase accountability of decision makers, enhance the legitimacy of decisions and build the capacity of the public. They do not however solicit input from targeted stakeholders or seek to incorporate public input into a decision.

**Consultative forms of participation.** More consultative forms of participation include the establishment of focus groups, town hall meetings, public hearings and workshops. Here citizens participate in dialogues where the intent is to gather feedback for a particular decision. These meetings provide a forum where stakeholders inform each other of their views and opinions, local concerns are identified, public support is generated and collaborative partnerships between groups are fostered. Citizen report cards and community scorecards are also monitoring tools that enable the public to provide feedback on public services. (See chapter on citizen access to information for more information).

The National Pollution Prevention Roundtable (NPPR) is the largest membership organization in the United States devoted exclusively to pollution prevention. It provides a national forum to promote decisions that avoid, eliminate, or reduce pollution at the source. Members participate in work groups and act as advisors on documents, reports and legislation. Members include pollution prevention experts from state and local government programs, small business networks, citizen organizations, industry associations and federal agencies among others (NPPR Web site).

**Participation where power is shared with citizens.** In some participation models, decision making powers are shared with the citizens. This is useful when external knowledge and capacity is critical for reaching the policy objective. This enables stakeholders to directly influence the outcome of the decision. Examples include: advisory councils, task forces, and referenda. In Brazil, the municipality of Porto Alegre invited citizens to participate in decision making for municipal budgets. The program was so successful that it is now being replicated in other municipalities around the world. (See box 2).

**External forms of participation.** There are some forms of participation that occur outside a structured

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**Box 2. Participatory Budgeting in Brazil**

In 1989, the Brazilian municipality of Porto Alegre relinquished decision making over municipal budgets to citizens. This included decisions on overall priorities, choices for investment, and citizen assemblies. Through local meetings, citizens identified spending priorities and elected budget delegates to represent their communities. These delegates then developed specific proposals that were later approved by the citizens. The public was ultimately responsible for determining school budgets, housing project budgets, etc. Studies suggest that participatory budgeting can lead to more equitable public spending, increase public satisfaction over decisions taken, greater transparency and accountability, and improved livelihood. In the case of Porto Alegre, the initiative generated increased citizen participation (especially among marginalized groups). Since 1989, participatory budgeting has expanded to more than 1,000 municipalities across Latin America, Europe, Africa and Asia.
setting. These include external actors that carry out policy mandates without government oversight or involvement. This can include local natural resources management committees or water associations.

The Citizen Watershed Monitoring Network in Monterey Bay California, started by the Ocean Conservancy, the Costal Watershed Council and the Sanctuary’s Water Quality Protection Program, serves as a forum for local citizen monitoring initiatives. The network empowers community citizens to become active stewards of the watershed by providing guidance and training for public data monitoring (for example measuring water quality and sediment load in streams). The network increases communication between citizens and local government authorities. Local authorities use information gathered by citizens in efforts to protect the watershed (Monterey Bay Sanctuary Citizen Watershed Monitoring Network Web site).

There are significantly more opportunities for the public to participate in project level decisions. For decision makers too, it is often easier to cultivate an active citizenry when projects are known to directly affect those in the community. Some common ways to engage citizens at the local level include: EIA, citizen task forces; public meetings; workshops; questionnaires and interviews. Participation is not limited to the decision itself but continues into the implementation and monitoring stages of the project or policy.

Prerequisite Factors for Promoting Active Citizenry: Advocacy and Participation in Decision Making

There are strong links between access to information and public participation. Participating in a meaningful way requires that citizens have adequate access to full documentation for a given project or policy. (See chapter on citizen access to information). Establishing a robust information system will enable (and encourage) citizen involvement in decision making processes. Likewise, as the chapter on citizen complaint highlights, citizens must also know that there is a mechanism set up for grievances.

Local decision makers must be able to clearly identify what citizen input is needed and when in the process it is most useful. They should be specific about defining the “affected” public and not exclude disadvantaged groups. They must carefully assess the power relationships at work. The most dominant voice in the room should not be the most influential. Decision makers should also acknowledge the need for resources. In some cases, a public education program may be needed to provide sufficient background information on the subject being discussed. Citizens should have a thorough understanding on how their input will be used and receive notification of the final decision.
Advantages and Limitations of Promoting Active Citizenry: Advocacy and Participation in Decision Making

It is important to note that even the most effective public participation has limits. It should never be a substitute for equal and fair representation. Participation can reveal choices to be made, but cannot be a substitute for the ballot. Not every person is able to participate in every decision and elected officials must be permitted to represent constituencies. It is therefore important to engage the public when they will be more likely to impact decisions. Extensive reliance on citizen input can also undermine the responsibilities of legislative bodies whose role include checks and balances to other executive bodies. Public participation itself cannot provide accountability it can hold only officials accountable for decisions made.

Public participation can also increase the representation of citizen interests in legislative processes. It can increase public acceptance in new laws or policies. However maintaining consistency in practice across regions and over time can be a challenge. More countries need guidelines at the national level and procedures at the local level.

Finally, simply setting up mechanisms for participation will not necessarily guarantee a public voice in decision making. In the case of Colombia, NGOs are included in the boards of regional agencies (Autonomous Regional Corporations or CARs) and are included (along with members from academia) in formulating policy formulation as a part of the National Technical Advisory Council. Both groups are supposed to represent the public on issues related to environmental policy. In practice however, they have experienced difficulty in attracting participants to the meetings; cultivating technical expertise and securing financial resources. Capacity and coordination are weak. The Technical Advisory Council, in particular, is dominated by the private sector.

Interaction with other Tools and Possible Substitutes

Opportunities for public participation at the strategic, planning or policy level are not as extensive. They require more time and resources and the consultation is often more comprehensive. However the result can lead to better broad policies that can positively affect the implementation of specific projects. Tools such as Cumulative Impact Assessments (CIAs) and Strategic Environmental Assessments (SEAs) are used to solicit stakeholder input in programs or plans. CIA can provide an entry point to initiate stakeholder discussions, increase awareness and strengthen institutional capacity and complement more conventional analyses. SEA’s approach is more upstream and its reach is broader addressing wider regional or sectoral impacts. All can result in more strategic policies.
Practical Examples of Promoting Active Citizenry: Advocacy and Participation in Decision Making, and Lessons Learned

Estonia. In 2001, Estonia launched the “I Decide Today” campaign to foster citizen participation. The E-government initiative enables Estonian Ministries to upload draft bills and amendments so that citizens can review, comment and make proposals on the legislative process over a 14-day period. They can also respond to comments already submitted and provide suggestions for additional amendments. At the close of the commenting period, all remarks go back to the Ministry for review. Revised legislation is made public and registered users of the system may vote in support. While the system has not been as effective as hoped (not as many users as expected), it nonetheless encourages regular citizen participation and monitoring of national laws.

Indonesia. In the late 1990s, an SEA for a loan adjustment in the water sector undertaken in Indonesia resulted in a shift in the way public participation was used in policy reform. The pilot SEA came at a time when the country’s water sector was plagued with problems: very little interagency coordination, poor accountability and lack of public participation in the face of rising water costs, watershed degradation and increased water pollution. The aim was to address a broad set of policy and institutional reforms in the water sector including the potential consequences of such reform and associated environmental risks. The assessment also prescribed mitigation and monitoring procedures to reduce any adverse impacts. The SEA was prepared by the Indonesian National Development Planning Agency and a task force made up of multiple agency representatives (at various levels) working together. This created an opportunity for greater policy considerations and horizontal accountability. The group held a series of successful public consultations at the national, provincial, district and local levels. Local facilitators and NGO’s with expertise in environmental and social issues were engaged. Representatives from different sectors in the reform process were also included. Benefits and risks were discussed and alternative policy options were identified. Nearly all the environmental risks that were identified were attributed to institutional and governance issues.

At the end of the process, many of the suggestions that were raised were incorporated into the final design of the loan’s reform agenda. The process also led to the introduction of participation in policy reform. The SEA experience led task force and sector agencies to include public consultation in future reforms. This signaled a major shift in the way public participation was viewed in shaping policy.

South Africa. In 2003, with support from the World Bank and Canadian CIDA, the Southern African Institute for Environmental Assessment (SAIEA) initiated a project to enhance democratic reform through increased public participation in decision making processes.

The Calabash Project is a research and civil society capacity building program designed to increase the effectiveness and ability of civil society to participate
in decisions that affect the environment. The program works with communities and regulators to identify opportunities for civil society involvement in the environmental impact assessment (EIA) process. In its initial phase, the project engaged a core group of people identified as key levers of change in the region, developed a 30-person Advisory Team, published an assessment of participation and EIA in the region that identified strengths and weaknesses and opportunities for improvement, and developed a communications strategy to broadcast results of the program.

Calabash has also developed tools for integrating environmental planning, assessment and management into community-driven development. These include: A Guide to Opportunities for Public Participation in Environmental Assessment in the Southern Africa Development Community; Generic Public Participation Terms of Reference; and an electronic library of public participation and civil society engagement (SAIEA Web site).

**United Kingdom.** The United Kingdom Environment Agency publishes environmental data through “What’s in your backyard?” a GIS Internet based portal for public consultation. The easy to use site details open and closed consultation periods, provides a summary of the issue, links to relevant documents, and provides a series of questions intended to guide responses. Questions such as “Is it clear where you can find out about applications we receive for environmental permits?” The site offers clear instructions on how citizens may comment and procedures following the comment period (United Kingdom Environment Agency Web site).

**References and Resources on Promoting Active Citizenry: Advocacy and Participation in Decision Making**


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