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**Public Participation's efficacy in China's hydropower projects:  
The ability of the participatory channels to inform government's  
decision making**

**Supervisor**

Ch. Prof. Daniele Brombal

**Assistant supervisor**

Ch. Prof. Laura De Giorgi

**Graduand**

Beatrice Castagna

Matriculation Number 846469

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## ABSTRACT

To many observers the Chinese economic development of 80s and 90s constituted the preconditions for the establishment of the liberal democracy also in the Asian country. Citizens begun to strongly ask for a more participatory and transparent governance in order to have a more meaningful role in the decision-making processes impacting on their lives. They requested the establishment of more public participation mechanisms by which, they could be involved in the decision-making process.

These expectations were not met and China have not become a democracy. As a matter of fact, the authoritarian nature of its regime has shown remarkable resilience.

However, during the last decade of the 20<sup>th</sup> century, authorities made mandatory different channels for the implementation of the social necessities: elections, meetings and workshops were spread in the national territory with guidelines for their regularization.

To date, considerable skepticism remains as to the effectiveness of these channels. Indeed, despite all the attempts and the measures issued to make them popular and standardized, informal methods of public participation such as the use of social media and public manifestations are often preferred to institutionalized channels by those who wanted to make their voices heard.

This paper intends to shed light on the capacity of institutionalized and non-institutionalized public participation methods to inform authorities and on the public and societal relevance in the decision-making process. To achieve such aim, we analyze four different case studies belonging to the hydropower sector, which has been traditionally a core locus of experimentation of participatory practices in China. The four cases considered by our work are hydropower stations located all four along the Yangtze River (长江 *Chángjiāng*). They were selected in order to represent the different stages of public participation procedures. The Three Gorges Dam (三峡大坝

*sānxiá dà bà*), the first project analyzed, was officially approved in 1992 when no kind of public participation was already planned. The other cases all refer to the Xiluodu Hydro Power Project (溪洛渡计划 *xīluòdù jìhuà*), it includes the Xiluodu Dam (溪洛渡大坝 *xīluòdù dà bà*), the Xiangjiaba Dam (向家大坝 *xiàngjiā dà bà*) and the Wudongde Dam (乌东德大坝 *wūdōngde dà bà*). The entire project was proposed by the China Three Gorges Corporation in 2005 and was approved by the Government the same year. Nowadays it is still under construction.

Evaluating the progresses of the public participation's implementation, conclusions indicate that despite progresses made, considerable room for improvement remains in China to pursue forms of participation that allows for a meaningful contribution by affected people.

## 中文导论

介绍中国政府跟中国社会的关系如何很困难。八十年代和九十年代在欧洲、拉丁美洲、亚洲和非洲进行的民主转型的经验让中国学者和平头希望经济发展可能让民主转型还在中国推广。对 Samuel Phillips Huntington 来说，经济发展把国家推进过渡时期，这个时期的终极目标就是民主政治。

这些期望没成为现实，中国独裁统治表示了它的弹性。然而，Huntington 所确认的先决条件与公民的更透明治理的要求，使政府当局暴露他们的权利责任“在阳光下”并在国家政策上进行更大的开放。即中国政府当局反对民主政治，他们开始使治理更具参与性，并让公民在政府决策过程中有更积极的作用。在这些制度化的公众参与机中有：选举、论证会和座谈会、听证会。

尽管中国共产党颁布的措施并固定机制化公众参与的努力，但长期以来，社会动乱和表现形式继续代表自由表达意见和思想的主要工具。

这本论文的目标就是介绍中国制度化的公众参与机和非制度化的公众参与与机构的效率，它们的实施例并他们告诉政府当局社会反馈的能力。以便达到这个目标并了解公众参与机构的发展，我们会分析四个中国环境评价案例更具体地说是四个水电项目。

定义公众参与是这本论文的基础。“公众参与”的意思包括各种各样的公众参与机制旨在影响政府的决策过程。在这些机构中有又制度化的公众参与机比如选举、论证会和座谈会、听证会又非制度化的公众参与比如网络活动主义、社会动乱和针对国家的诉讼。

通过这些制度化的公众参与机构的发表，中国政府想对公民促进他们变化的动机，他们让公民更多地参与立法和行政过程的意图。

当然这些是比较最近的措施所以在公民中还不现实信心。人们觉得以表现反对、形式和请愿关于具体的问题，非制度化的公众参与比最近制度化的公众参与机构效率高。

当然，法律公众参与机制与非法公众参与机制之间的界线并不明显，还有一个*灰色地带*。这个*灰色地带*包括所有那些与信息通信技术(ITC)的发展的新方法。

在法律机制中有选举、论证会和座谈会、听证会、社会调查和评论。

中国选举确保村长合法性而当地社区响应性的机构。事实上，合法性和响应性是基本的道理，它们确保政府当局作出的决定基于社会表达的需要也加强党的合法性。

在 1980 年代地方政府的直接选举成为强制性的 (O'Brien, 2009)。这个决定的目标是确保稳定同时修复社会和党的合法性。到现在选举成为强制性的只在地方政府，它仍然犹豫推广同样的做法还在最高的政治级。

Jamie P. Horsley 在《中华人民共和国公众参与：建立更具参与性的治理模式》中描述了其他参与渠道。论证会、座谈会和听证会的实践。

原来只有地方政府组织了听证会、论证会和座谈会。那个时候，它们强烈批评由于缺乏透明度和不同观点的代表。在二零零零年在全国，听证会的做法成为强制性但国务院还没举行第一次听证会。

研究者们为了包括民人在他们的分析理最有用的工具是评论和社会调查，尤其是在政策规划。这些方法的结果可能是真的或者虚假，要看研究者的意向。如果他们要了解公民的观点他们跟人们要建设一个诚实的关系，这样他们可以很老实回答分析的问题。

社会网络、发帖的通知、报纸的新闻、在企业或者地方政府网站上的新闻都是参与形式属于上述的灰色地带。它们都与技术连通性的发展息息相关。

对政府当局来说 ITC 作为一种优势，但也作为一种劣势。优势因为北京在中央和地方都建立了唯一的公众共享信息的方式，劣势因为 I T C 的发展让人民有很多机会为了收集而扩散信息。

社交媒体和博客大多采用的原因是这个，它们是讨论敏感社会问题的重要渠道不仅因为它们能够更容易地联系人们的思想，而且因为它们向公民提供传统媒体中没有报道的信息 (Gbel 和 Ong, 2012)。

中国信息和通信技术的发展和普及参加于国家的发展于社会动荡和所有这些非制度化的公众参与渠道的发展。信息的可得性提高、法律机制缺乏透明度、与国贸中心的高级能力和 ITC 让社会动乱增加了。

本文共分为三章，法律公众参与机制、*灰色地带* 和非法公众参与机制具体的区别是第一章的主题。

第二章介绍一些环境评价的案例以便政府如何考虑公众舆论。

这些案例是在水电站的行业里选择的。最近政府推动了很多水电站的计划让它作为中国参与式实践实验的核心领域。

为了选择哪些案例在这个论文描述，我们用了时间的条件。这个分析的目标是展示怎么公众参与的机构的效率提高了感谢政府提供的规则和措施。

我们选择的所有四个水电站都位于长江沿岸，第一个是三峡大坝计划，其他案例都属于溪洛渡水电计划：溪洛渡坝、向家坝和乌东德大坝。

第一个案例是三峡大坝，它是第一个水电站于长江。政府同意建设这个坝的时候，还没有公众参与机构。即公民认识他们的人权，中国政府还没建立一个公众过程。

政府当局同意第二和第三个水电站的时候，公众参与于环境评价的行业的法律还没强制性的。乌东德大坝被政府当局赞成，应该符合二零零六年颁布的公众参与的措施。

最后描述的三个水电站还属于经济发展的计划，命名为*西电东送*。它是一个中国非常重要发展的投入因为西边水电站产生的电力通过走廊传输到东边省。这个计划的目标都是环境和经济的。

第三章是第二章描述案例的归纳分析，鉴于时间作为连接。这个分析包括第二章案例的定性观察，为了概述共同的和不同的特点。他们共同的特点是两的：

- 他们都是水电部门
- 他们都是于长江建造的

他们不同的特点是期间。政府同意这些水电站的期间不同。在这个分析中，就时间是关键，所以定义一条时间线有助于理解哪些事实符合政府的规章制度，以及所提供的措施是否可以真正实施或仅仅是公众参与的理论概念。

即使环境影响评价法律遵循了公众参与于环境评价的行业的原则，也参与的机构不能为理所当然。为了建立更好和更有效的制度，应该提高参与机制，并且作为政府的反馈强制性的。（Li, Li 和 Li, 2012）

公众参与机构缺乏多年的原因，可能是由不同的动机。

政府认为公民的意见对他们的计划没帮助因为他们关于具体问题没有教育。他们不信任公共权力来实现中央政府的目标。反而公民认为这个原因不是他们的错误但是政府的。如果负责的项目需要更准确的反馈应该向他们提供合适质量的信息 (Li, Ng 和 Skitmore, 2012)。对 Li, Ng 和 Skitmore 来说政府当局为包括人们的多数意见要提供不太具体的信息而公众参与的机构不仅在项目的开始阶段提出而且要在整个周期内实施的。这样公民可能理解计划的特点而避免社会动乱。

当然公众社会的机构不让人们决定，它们让公民表示对权威他们的意见。反映他们的观点以后，政府的反馈不是启动的。

公民有知情权，必须行使权利。以便建立一个好和有效国家与中国人民之间的对话，应该增加而完善政府决策过程中的公众参与机制，特别是建立反馈机制。

政府当局应该了解社会的需要，经济发展不是唯一的必要。考虑到受工程影响的人们不同观点是使计划更好的工具。通过别的意见可以找到正确的平衡为减少中国土地和资源的剥削。

## INTRODUCTION

Since the authoritarian nature of the regime, understand how the relationship between the Chinese government and the nowadays Chinese society works is really difficult.

The experiences of democratic transition carried on during the 80s and 90s in Europe, Latin America, Asia and Africa, let part of the scholars think that China would undergo the same process.

... as countries develop economically and move into the transition zone, they become good prospects for democratization ...<sup>1</sup>

These expectations didn't become reality, the dictatorial governance has given evidence of its resilience. However, the precondition affirmed by Huntington combined with the real citizens' requests to deal with a more transparent governance, made authorities expose its power responsibility "in the sunshine" and carry on a greater openness in national policy. While not pursuing democratization (and violently repressing also who did pursue it), Chinese leaders began to make governance more participatory and allow citizens to have a greater role in the government decision-making process.

Unfortunately, despite the measures issued by the Party during the years and efforts to regularize the institutionalized public participation methods, for long time, social unrests and manifestations have remained the main tools used to express freely opinions and ideas.

Evaluating the efficacy of the measures issued by the Party, the implementation of both institutionalized and non-institutionalized public participation mechanisms and

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<sup>1</sup> The Third Wave: Democratization in the Late Twentieth Century, Samuel Phillips Huntington, 1991

their ability to inform government decision making of the citizens' point of views is the aim of this thesis.

In order to achieve such purpose and understand practically the progresses made in the participatory channels' use, we analyzed four Chinese environmental assessment cases, more specifically four hydropower projects.

Before doing so, is important to define the term *public participation*.

The term *public participation* refers to a variety of public participatory mechanisms, from elections and public hearings to lawsuits against the state, online activism and social unrest, aimed to influence the decision-making process of the government. So, it includes not only mechanisms of public interactions with the Party allowed by the State but also ones that are not allowed or regulated.

By establishing these institutionalized channels of general public participation, the Chinese government aims to demonstrate the Party's intention to promote a greater involvement of the citizens' ideas in legislative and administrative process.

Due to the fact that, this shift of direction is quite recent, non-institutionalized channels of public participation are still seen as the most efficient for specific problems. Forms of popular resistance, manifestations and petitioning are often considered as the stronger methods for citizens to participate in decisions that affect their lives.

Clearly, the boundary between legal and illegal public participation mechanisms is not so easy to draw; there is also a *grey-zone*, that includes all those methods particularly linked with the development and use of Information and Communication Technology (ITC).

Legal	Grey zone	Illegal
<b>Citizen participation</b> <ul style="list-style-type: none"> <li>• Elections at the village and neighbourhood level</li> </ul>	<b>Social networking</b> (Establish and employ close personal and social relationships) <ul style="list-style-type: none"> <li>• Clan networks</li> <li>• Nepotism</li> <li>• Patronage</li> <li>• Other kinds of informal relations</li> </ul>	<b>Popular resistance</b> <ul style="list-style-type: none"> <li>• Illegal demonstrations</li> <li>• Strikes</li> <li>• Refusal to pay taxes</li> <li>• Foot-dragging</li> <li>• Forming clandestine organisations</li> </ul>
<b>Institution-orientated participation</b> <ul style="list-style-type: none"> <li>• Membership in CCP or other parties</li> <li>• Delegate in national or local legislatures or consultative conferences</li> <li>• Membership in mass organisations</li> <li>• Engaging in registered social organisations</li> </ul>	n.a.	<b>Political violence</b> <ul style="list-style-type: none"> <li>• Violence against property or persons</li> </ul>
<b>Problem-specific participation</b> <ul style="list-style-type: none"> <li>• Letters to the editor</li> <li>• Visits and complaints</li> <li>• Contacting functionaries</li> <li>• Legal demonstrations</li> <li>•</li> </ul>	n.a.	n.a.

Figure 1. Classification of public participation tools (Göbel and Ong, 2012)

Among legal mechanisms there are elections, workshops, meetings but also social surveys and written comments.

Elections in China were born as a mechanism to ensure the legitimacy of village leaders and their responsiveness to local communities. In fact, legitimacy and responsiveness are fundamental both to ensure that the decisions taken by the authorities are based on the needs expressed by the society and also to strengthen the party's legitimacy.

Direct local government elections became mandatory in 1980s in order to ensure stability while restoring both the mass line and the party's legitimacy (O'Brien, 2009). Even if the party allowed the election system at the village level, it was hesitant to extend the same practice also in the higher political levels.

Jamie P. Horsley in her "Public Participation in the People's Republic: Developing a More Participatory Governance Model in China" described the introduction of other

forms of participatory channels. The legislative hearings and workshops' practice. They at first, were possible only in local governments and strongly criticized for their lack of transparency and representation of different point of views. Only in 2000 the practice of legislative hearings was endorsed all over the nation, but State Council still hasn't hold any public hearings yet.

Sample surveys and written comments are another common tools to involve the citizens in particular during policy planning.

Form's of participation falling under the above mentioned grey-zone, includes among others social networks and the different medias: notices posted in residential quarters, news published in local newspaper, news released on the websites of enterprises or local governments etc. The majority of these ones are really linked with the development of technological connectivity.

Government can see ITC as an advantage but also as a disadvantage. On one hand, Beijing has established number of ways to share information with the public at both central and local level. On the other hand, ITC also means greater access and opportunity for people to spread freely information. Social media and blogs in fact are used mostly for this reason. They are important channels for the discussion of controversial social issues not only because they are able to link more easily people's mind but also because they provide to the citizens information not reported in the traditional media (Göbel and Ong, 2012).

There is no doubt that the growth and the spread of information and communication technology in China contributed also to the facilitation of the social unrest and all those non-institutionalized public participation channels. The improved availability of information, the lack of transparency of the formal channels and the advanced ability in communication contributed with ITC to the increase of social unrest.

This thesis is structured in three chapters, the description of the specific distinction between legal, *grey-zone* and illegal methods of public participation is the subject of the first chapter of the paper.

The second instead introduced specific cases studies centered on the environmental assessment shedding light on how the government took into consideration the public opinion. These cases have been selected into the hydropower sector which has been traditionally a core locus of experimentation of participatory practices in China. The choice of the cases have been made based on the time. The aim is in fact to show how the public participation process have evolved during the recent years comparing the real facts with the rules and the measures provided by the government.

All four the hydropower stations are located along the Yangtze River (长江 *Chángjiāng*) the first is the Three Gorges Dam Project (三峡大坝 *sānxiá dà bà*), and all the other cases belong to the Xiluodu Hydropower Project (溪洛渡计划 *xīluòdù jìhuà*): the Xiluodu Dam (溪洛渡大坝 *xīluòdù dà bà*), the Xiangjiaba Dam (向家大坝 *xiàngjiā dà bà*) and the Wudongde Dam (乌东德大坝 *wūdōngde dà bà*).

The last three plants described, are also part of the economic strategy named as the West-to-East Power Transmission Project. The power generated by the hydropower stations is then transmitted by corridors to the other side of the country trying to achieve both the economic and the environmental targets.

The third one is an inductive analysis of the four examples chosen in the previous chapter built principally on the evolution of the time. The definition of a precise temporal line helps to understand which facts followed the rules and the regulations of the government and if the measures provided could be really implemented or were only a theoretical conception of public participation.

Even if the EIA law has followed the principle of public participation in environmental assessment, the procedural right of the public cannot be taken for granted. To establish a better and a more functional system, participatory mechanisms need to be improved and a government feedback is necessary even if not compulsory (Li, Liu and Li, 2012).

# 1. The practice of public participation in China

## 1.1. Public participation (公众参与 *gōngzhòng cānyù*): institutionalized forms

The concept of public participation is the central theme of this paper, Sherry Arnstein defined it as the channel for

the redistribution of power that enables the have not citizens to be deliberately included in the future<sup>2</sup>

She recognized different levels of public participation based on the degree of influence they admit. Summarizing the eight different ranks into three major rationales there are the “non-participation”, “tokenism” and “citizen power”. In China, the concept of public participation is relatively new, in fact generally is considered as the process by which authorities inform people of their rights, options and responsibilities rather than invite them to express their opinions. This kind of approach embodies the “tokenism” category recognized by Arnstein which doesn’t ensure any kind of consideration of public views by the government (Li, Ng and Skitmore, 2012).

So, we can distinguish two different concepts of public participation, the international one and the one established by the Chinese government and Chinese Communist Party. The first emphasizes the people’s rights to be informed, consulted and considered during the decision-making process ensuring the public access to the information, the second instead

imposes an obligation on the people to cooperate with and support the government in the implementation of policies, plans and projects.<sup>3</sup>

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<sup>2</sup> Sherry Arnstein, “A Ladder of Citizen Participation”, *Journal of the American Institute of Planners*, 35, 1969

<sup>3</sup> Terry H.Y. Li, S. Thomas Ng, Martin Skitmore, “Public participation in infrastructure and construction projects in China: From an EIA-based to a whole-cycle process”, *Habitat International*, 36, 47-56, 2012

The gap between the two different notions is not insurmountable, in fact, Chinese political regime is purportedly for the people and authorities should represent their citizens wishes and necessities (Li, Ng and Skitmore, 2012).

In the general idea of public participation, the variety of participatory mechanisms that could be used by citizens to take part in the government decision-making process includes elections and public hearings, lawsuits against the state, online activism and social unrests.

So, it embraces not only mechanisms for state-society interactions sanctioned by the State but also not allowed ones, all those practices used by the citizens to express their opinions and influence authorities.

In recent years, by establishing these institutionalized channels of general public participation, the Chinese government has aimed at demonstrating its intention to promote a greater involvement of the citizens' ideas in legislative and administrative process and to endorse the concept of a government for the people, improving the level of transparency and dialogue in the country.

A milestone in establishing public participation was the establishment of the notion *rule by law* (依法治国 *fǎzhì guójiā*), sanctioned in the 1999 when the Constitution of 1982 was modified for the fourth time.

The people manage state affairs, economic and cultural affairs and social affairs through various means in accordance with law.<sup>4</sup>

Finally, law was not seen as a limit for the politics but as a tool to run the country according to the rules decided and that all the different organs of the country must apply. The legislation from that moment would have become the standard to follow in order to create a clear governance.

In 2000 during the 3rd session of the Ninth National People's Congress (NPC) (全国人大 *quánguó réndà*), a new Legislation Law was adopted. The Law in particular, states

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<sup>4</sup> Chinese Constitution of 1982, Art. 5, c.1

the right of the people to take part in the government decision-making process and affirms that the legislation should reflect the will of the people and citizens should participate in legislation.

Lawmaking shall reflect the will of the people, promote socialist democracy, and ensure that people are able to participate in the lawmaking process through various channels.<sup>5</sup>

The various channels mentioned in the law include elections, hearings, workshops, expert meetings and social surveys, all procedures that seek for comments and opinions from the public and allow society to submit their input to the government. Among the experts in this field, we analyzed particularly the papers of Jamie P. Horsley, a Visiting Lecturer in Law and Senior Fellow of the Paul Tsai China Center at Yale Law School. During her works and researches about issues of administrative law, governance and regulatory reform, including promoting government transparency, public participation and government accountability, she described the development of other institutionalized participatory mechanisms.

### 1.1.1. Elections (选举 *xuǎnzé*)

Local elections were formally established during the Deng Xiaoping era, in order to ensure stability in the countryside, in the hope to handle better the situation of unstableness and vacuum of village leadership and to ensure that the villages' leaders were not only popular but also respected and chosen by their own citizens.

For more than 11 years village elections were experimental and only in 1990s they became institutionalized. The general guidelines charged by the Ministry of Civil Affairs during its activities of promoting the implementation and the setting of the election policy:

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<sup>5</sup> Legislation Law of the People's Republic of China Article 5, 2000

- Villagers could directly elect the chairman, vice chairman and village committee members
- The number of candidates must exceed the number of positions
- The voting must be conducting by secret ballot
- The votes of the winner must exceed of the 50%
- Elections take place every 3 years

More concrete guidelines were issued at local level, changing from one county of township level to another one. The responsibility for the drafting of such regulations was unsettled, letting Party offices from different levels usurp the government leadership.

The efficiency of the Chinese election's system depended on whether it was carried out according to the conditions outlined by the Ministry of Civil Affairs and on the extent to which people understood the value of having the chance to select their leaders for the first time in the history of the Communist China, enlarging in this way their sense of empowerment (Thurston, 2000).

In a country without any democratic experience, this process of awareness was not so obvious, in particular the organization and the administration aspect. Anne F. Thurston sustains that for the success of the local elections, particularly in those villages where elections weren't initiated by the villagers themselves, a proper training coming from the higher level of the governance was essential. Theoretical explanations weren't enough, people who for the first time faced the real opportunity to elect their local leaders needed to be instructed in how to follow the Ministry's measures.

Once the elections became mandatory, the indications given by the Party were published also in the official website of the National People's Congress (NPC)<sup>6</sup>. They define that all citizens of the People's Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of ethnic background, race,

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<sup>6</sup> [http://www.npc.gov.cn/englishnpc/about/2007-11/20/content\\_1373251.htm](http://www.npc.gov.cn/englishnpc/about/2007-11/20/content_1373251.htm)

sex, occupation, family background, religious belief, education level, property status or length of residence with the exception of those persons who are deprived of their political rights.

Besides direct elections at local level, there are also indirect election for higher levels of government.

In an indirect election, the candidates receive the votes from the deputies and the one who receive the majority of the votes is elected.

Deputies of cities divided into districts, counties, and townships are elected by the people’s congresses at the next lower level.

Deputies to the people’s congresses of cities not divided are elected directly by their constituencies.

Deputies to NPC and the people’s congresses of the provinces, autonomous regions, municipalities are elected directly under the Central Government.

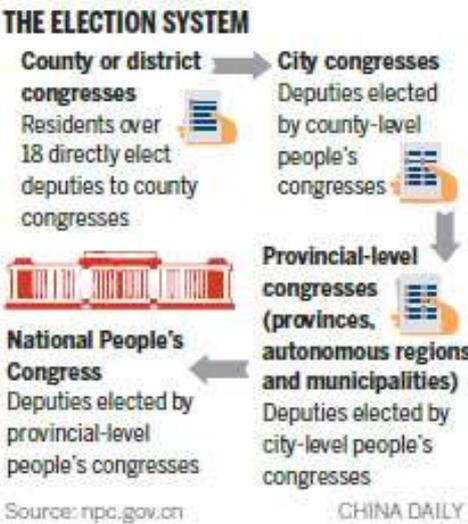


Figure 2. Levels of the Chinese Election System (China Daily, 2017)<sup>7</sup>

<sup>7</sup> “What happens during the 'two sessions'?”, China Daily, [http://usa.chinadaily.com.cn/epaper/2017-02/23/content\\_28320475.htm](http://usa.chinadaily.com.cn/epaper/2017-02/23/content_28320475.htm)

At local level, the four essential principles of democratic elections remained the same as for the experimental phase:

- Chairman, vice-chairman and village committee members are directly elected by the villagers themselves.
- The number of candidates have to exceed the number of positions
- Voting have to be conducted by secret ballot
- The votes of the winner must exceed 50 %

Elections were instituted as a system to ensure the legitimacy of villagers leaders and their responsiveness to local communities. In fact, even if there is a substantial minority of non-members, the majority of elected leaders are members of the Party and they ensure what the party requests and the official political ideology.

Besides elections, other instruments have been recently established to ensure that different interests get represented in the governance of local communities.

In 2017, the Xinhua (新华 *xīnhuá*)<sup>8</sup> published the news that China, according to a guidelines released by the CPC Central Committee and the State Council, will set up a community governance system led by grassroots Communist Party of China organizations by 2020.

This decision is expected to enhance the capacity of local government to play a central role in the community governance system, which also through novel means of public participation. Issues relating to the community public interests will be taken more into consideration as the ideas and the opinions of the citizens. The guideline also requires infrastructure improvements and better environmental management in communities, pledging more financial investments in this regard and encouraging the public to contribute through donations.

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<sup>8</sup> Xinhua News Agency (新华 *xīnhuá*) is the official press agency of the People's Republic of China. Xinhua is a ministry-level institution subordinate to the Chinese central government, and is the highest ranking state media organ in the country alongside the People's Daily.

### 1.1.2. Legislative hearings (听证会 *tīngzhèng huì*)

The development of hearings in China is one of the most promising tool for citizens to take part in the process of public policy making as well as demanding government accountability.

The reason to make the legislative process more transparent and participatory lies in those participatory practices which can provide a forum for divergent views on public policy issues.

At first, legislative hearings were considered only as an experiment, then in 2000 were implemented nationwide. In fact, the majority of provincial and lower level governments embraced the legislative hearings system revising their rules in order to incorporate the practice of hearings. By the middle of 2008, nineteen provincial level governments and many other big cities including Shenzhen, Harbin, Jinan and Dalian, promulgated new administrative rulemaking hearing procedures (Horsley, 2009).

In 2003 the National Democratic Institute (NDI)<sup>9</sup> sponsored a national seminar on the development of legislative hearings at the municipal level in five different cities: Guiyang, Shenzhen, Wuhan, Chongqing and Guangzhou.

This seminar was an opportunity for Chinese officials and academics to be informed from international experts about how other systems utilize legislative hearings, the challenges faced and solutions for implementing hearings and making them one of the principal methods of public participation (National Democratic Institute, 2003).

During the event, different case studies were presented and after each of them, the participants were able to critique, offer recommendations and discuss rationally the information given to them. NDI hoped that, after an active comparison with international procedure, officials would form networks in order to support and share information on the development of hearings.

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<sup>9</sup> The National Democratic Institute (NDI), is a non-partisan, non-profit organization that works with partners in developing countries to increase the effectiveness of democratic institutions.

The attendees of the seminar recognized the positive role of the legislative hearings as a method to intensify a greater public input on issues of legislation and governance. The main doubt they expressed was about how to guarantee the effectiveness and the quality of the experts called during the hearing. In fact, they could be corrupted and could expose their support to certain topics only to have benefits (National Democratic Institute, 2003).

Indeed, if laypeople take part to the legislative hearing, they have to apply with a published hearing notice and hope to be selected from the list of all the applicant as a final participant, experts and representatives take part to the hearing without any kind of selection. Experts instead, are directly called by the authorities in order to give a professional point of view. Of course, the formal justification of their presence is their ability and their knowledge on the issue, but the doubt on their impartiality is fair and understandable.

Another problem found, facing legislative hearings, is the insufficient transparency. Materials and general information about the background of the matter are not always provided to let participants understand better the issue.

For these reasons, legislative hearings are now being used sporadically. While a regional variation is not essential, what could give benefit to them is a further development and an implement of the procedure rules that reflect the basic guidelines, in this way, their contribution to the public participation mechanisms could be really valuable (Horsley, 2009).

### **1.1.3. Meetings and Workshops (论证会和座谈会 *lùnzhèng huì zuòtán huì*)**

Before taking an important decision, the Chinese decision-maker prefers to be assisted by academic and technical experts who could provide a solid and motivated feedback. These meetings at first were not public and the conclusions were not shared with the population (Horsley, 2009).

Then, in 1998 the solicitation of work units' and residents' view about construction projects, became an official component of the "Regulation on Environmental Management of Construction Projects". The owners of any environmental projects in fact, need to involve also affected citizens' ideas in the environmental impact report. The involvement of them was necessary to make the project been approved by the authorities.

The regulation mentioned above is recognized as the first example of formalization of meetings and workshops' implementation as public participation's channel (Li, Ng and Skitmore, 2012).

During the following years, new EIA measures about the participation of relevant units and experts became effective. The conclusions reached during the meetings were still not made public, only in 2006, Guangzhou municipality adopted new procedures, which let the experts share with the society their results defining more clearly how the activities should have been organized. Once there were no problems of secrecy, the best solution was setting up a workshop joining together affected government organs, social organizations, enterprises, experts and common citizens to discuss the issue.

After the rule drafting departments have issued the notice, they should solicit the public's opinions by means of workshops and may also, in accordance with the scope of impact of the proposed rule, distinguishing among different impacts, the degree of impact, etc., use such forms as open meetings to listen to opinions, hearings and expert "demonstration" meetings to broadly solicit the public's opinions. If the rule affects an area in which there are business associations, intermediary entities or other social organizations, the rule drafting department may entrust them to organize meetings to listen to opinions.<sup>10</sup>

There is not a specific phase when these workshops have to be done, they could be organized after a meeting or no, but in any case, except for those municipality with a

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<sup>10</sup> Guangzhou Municipal Measures on Public Participation in Formulating Rules Article 18, 2006

specific regulation, they are kept confidential to let the participants speak freely and resolve difficult questions (Horsley, 2009).

#### 1.1.4. Written Comments (评论 *pínglùn*)

If thanks to legislative hearings and meetings or workshops, the government allowed public participation mostly for experts and scholars, the publication of draft legislations allow to a greater number of people to submit their written or oral opinions and ideas.

From 1949 to 2007, only 15 draft laws were released but nowadays thanks to the development of Internet and E-government, authorities have created a bigger platform for the general public participation: a more widespread procedure that permit to PCC at all levels to hear directly the voice of the people (Horsley, 2009).

During the early 1990s, Beijing municipality was among the first local governments to publish draft regulation for being commented. Then national departments, as the China Securities Regulatory Commission and the Ministries of Information Technology, Public Health and Land and Resources began to release some specific drafts intended for a public involvement.

In 2002 the State Council Office of Legislative Affairs (OLA)<sup>11</sup>, started an experimental phase deciding to release national regulations on property management for the public comments. Since the involvement was high, in 2007 officials decided that at the beginning of every year there would have been a selection of the laws and regulations drafts that could have been released and submitted to the public comments (Horsley, 2009).

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<sup>11</sup> State Council Office of Legislative Affairs OLA is an administrative office within the State Council of the People's Republic of China which assists the Premier in providing legal advice and administrative laws to govern the behaviour of government departments.

At local level, the Guangzhou Public Participation Measures of 2006 established the submission of the written comments of the citizens, transforming it in a major public participation channel open to everybody. Of course, the submission of popular feedbacks must be combined with other measures of group consultation in order to analyze the issue under any point of view.

For rules that have been entered into the annual rulemaking work agenda, the rule drafting departments should, prior to submitting a Draft Rule for Examination to the municipal government legislative affairs office for examination, issue a notice to society and solicit the public's opinions [on the draft rule].<sup>12</sup>

In 2008 the Standing Committee of National People's Congress of China announced that it would have published all the laws and regulations submitted for an evaluation of review or adoption. Ensure the people's right to know, to inform and to participate in the government decision-making process was the best way to give proof of the transition to a more transparent governance of the PCC. Of course, the release of the draft on the NPC website or on the media, was accompanied also by an explanatory background too.

Thanks to the great participation of the society and the growth of the comments received, OLA decided to improve the software program for the collection and the evaluation of comments. This should have been able to classify and digest the larger number of public comments submitted not only in the highest government's portals but also in the ones of the local and provincial level (Horsley, 2009).

#### **1.1.5. Social surveys and questionnaires (社会调查 *shèhuì diàochá*)**

Social surveys and questionnaires can be used by the government to require the social feedbacks on certain development or legislative projects, but also by private

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<sup>12</sup> Guangzhou Municipal Measures on Public Participation in Formulating Rules Article 15, 2006

researchers to involve citizens in their analysis. Of course, there is a clear difference in the way the two subjects can involve people, but the principles are the same.

The first step to proceed with the submission of the survey is the selection of a sample and the variables to analyze. The more the subjects are representatives and heterogeneous, the more the survey can be generalized into the whole society. Generally, authorities submit to the selected sample a questionnaire with closed answer questions, without giving the possibility to express a more global point of view. The evaluation of the results and their consideration is then left to the authorities. Surveys are commonly employed in environmental planning, such as in the case of environmental impact assessment.

#### **1.1.6. Feedback (反馈 *fǎnkui*)**

All these channels of public participation are allowed by the government but are not a vote, the ultimate decision is always left to the authorities. This is why giving a feedback on which comments are considered and why, is an important component of the process.

Citizens have not only the right to know and participate in the decision making-process but also to have an explanation and a response on their comments (Horsley, 2009).

Thanks to the publication of some feedbacks, people but also officials, can understand if their inputs are useful, substantial or normative (Glucker et al., 2013). Useful when the authorities allow public inputs but without credit, substantial if the opinions collected are considered to improve the general decision and normative when authorities give to the people affected directly by any possible decisions the veto right.

Recently, the State Council called for the establishment of a regular feedback system. Government decided to publish the comments received and their evaluation on the

official website, then, from the 2004 press releases were organized in order to provide statistics and analysis on the main public opinions.

Even if the practice of releasing a public explanation of what kind of comments were considered and why is not yet legally enforceable, the whole process points to spread the practice of be informed of the government's intentions and to express a relevant feedback about them (Horsley, 2009). According to the above mentioned Guangzhou Municipal Measures on Public Participation in Formulating Rules

The municipal government legislative affairs office should publish the annual rulemaking work agenda within 20 days of its formal discussion and adoption by the municipal government standing committee or the plenary session on the municipal government 4 website and the municipal government legislative affairs office website, and make a unified response to the public opinions, providing at the same time an explanation of the reasons why certain opinions were not accepted. If in the course of implementing the annual rulemaking,<sup>13</sup>

## **1.2. Information and communication technology ICT**

The nowadays society can be called *the information society*, a society where the whole reality is affected by internet, where the relationship between people, the news we can reach, the language... everything changed because of it.

Information and communication technology (ITC), gather together all the instruments able to overcome constraints of time and space and reduce the costs of transactions. ITC is seen both as an advantage and as a disadvantage by the Chinese government.

As an advantage, because it increased the economic growth of China and let it become a knowledge based economy.

As a disadvantage because the ability for the society to reach more easily sensitive data could undermine the legitimacy of an authoritarian government. In fact, it enables the

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<sup>13</sup> Guangzhou Municipal Measures on Public Participation in Formulating Rules Article 14, 2006

people to obtain and divulgate information and even organize resistance against the authorities.

The difference so stands in how people use technology and for which purpose.

If in 1997 China's Research and Development (R&D) expenditure in high-technology industries was only of the 38%, now accounts for more than the 60%. The expenditure in ITC rose from 1.2 RMB increased to 48.7 RMB (Göbel and Ong, 2012).

In particular, most important program launched by the authorities was the *E-government* program, a government intranet built to share a unique database of information that, after getting involved central and local government agencies, became the most useful method to disclose government functions and activities to the public.

Due to this greater technological improvement and the huge population of China, in the Asian country there is the largest number of internet users of the world.

There is no doubt that the growth of the attention in this sector, the spread of information and communication technologies in China contributed also to the facilitation of all those non-institutionalized public participations channels and the social unrests. In fact, the improved availability of information about people's concern issues, the lack of transparency and strict regulations of the formal channels and the improved ability in communication contributed with ITC to the increase of the will of people to manifest their opposition to the government ideas. Formal channels were still considered too difficult to be used by the people, they need something easy and ready without wasting too much time in learning how to handle it (Göbel and Ong, 2012).

So, if the instruments to spread information and its own opinions through ITC are becoming more and more common and used, how the government is able to control them? Authorities in fact promoted the innovation of technologies for the economic development but never forgetting to protect the sensitive issues of China.

There are different methods to prohibit netizens from visiting a blog or websites where there are sensitive issues for the state.

The primary form of control acted by the authorities is the limit access to internet information by monitoring, licensing and regulating.

Monitoring the websites and the forums most popular to be able to identify inconvenient sharing of information and discussion. Licensing the new websites before being published and establishing regulations to which the netizens need to be conformed.

In particular, internet interconnecting network and licenses to Internet service providers are possible only for government-sanctioned agencies and businesses, in this way no others netizens could control and get access to information and contents undesirable for the government (Göbel and Ong, 2012).

There are also other tools used to censure *dangerous* website:

- Bounce from a website to another one
- Black out them
- Encrypt the language of the website or the blog

Clearly obstructing the content of same websites before the publication of them is very difficult, generally the state acts right after their publication. Despite all these different ways to block anti-government websites, hackers able to bypass the obstruction still exist and their instruments are getting more and more innovative (Göbel and Ong, 2012).

### 1.2.1. Social media (社会媒体 *shèhuì méiti*)

The environment of apparent equality and freedom created into the web allow the establishment of “small societies”, where people feel free to speak and to interact between them, to raise certain sensitive topics and discuss them. This is the reason why, forum and microblog are the main tools for the public participation procedure.

These websites or social networks where people can express their ideas, are the most common way for discussing controversial social issues, injustices and obtaining information on current events, protests or disasters that aren't reported in the traditional media.

Right for their functions, the number of people who have been registered to use a microblog recently increased dramatically, so as the social networking platforms are becoming more and more innovative (Göbel and Ong, 2012).

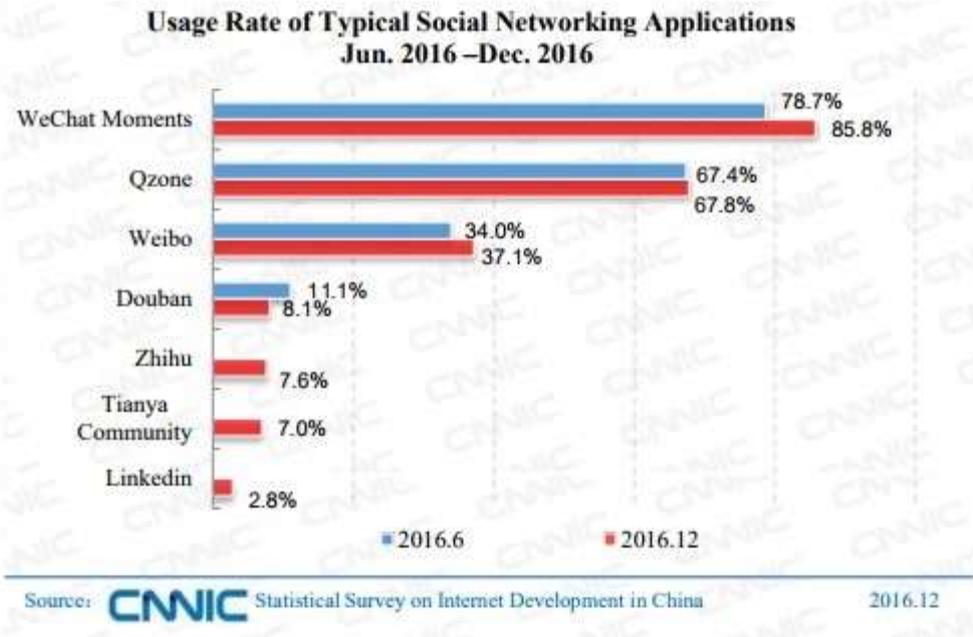


Figure 3. Usage Rate of Typical Social Networking Applications 2016 (CNNIC, 2016)

As we can observe from the Figure 3, the top three typical social applications belong to comprehensive social networking ones: *WeChat Moments*, *Qzone* and *Weibo*.

*WeChat Moments* and *Qzone* are social networking services based on instant messaging. As of June 2016, their utilization ratio had reached 85.8% and 67.8% respectively.

Also *Weibo* continued growing and reached 37.1%, serving as social media used in particular by Internet celebrities for posting short videos and mobile live streaming.

Even if *WeChat Moments*, *Qzone* and *Weibo* belong all to comprehensive social networking applications, they differ to each other in social relationship closeness, user properties and geographical features:

- *WeChat Moments* format is more used into a relatively closed individual community for sharing information and the interaction between friends. The range of users is huge, because almost all social groups have the same utilization ratio except for the youngest ones;
- *Weibo* instead is a public platform for information spreading based on social relations, whose users increasingly focus on interest-based vertical and segmented fields. The first users are the female ones, netizens aged 20-29, netizens with a bachelor degree or above and urban netizens are much higher than those of other user groups;
- *Qzone* falls in between them. Its users are the ones closest to the age of 10-19 because for educated to this kind of form;

Beyond the personal chats and blogs, there are organizations, companies and individuals who really take advantage from *web 2.0*<sup>14</sup>, first of all ONGs and journalists (Göbel, Ong, 2012).

They use different internet platforms to contact people, publicize their campaigns and nurture them. For them internet is a strong advantage because of different factors:

- Influence the public perception;
- Spread information;
- Encourage the public participation;

Clearly, ONGs' websites or forums have to be set up in order to show and stand out the values, the contents and the public events of the organization. They have to be considered as the showcase of the ONGs' key characteristics in which the message of

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<sup>14</sup> A Web 2.0 website may allow users to interact and collaborate with each other in a social media dialogue as creators of user-generated content in a virtual community, in contrast to the first generation of Web 1.0-era websites where people were limited to the passive viewing of content.

the organization must be clear and direct in order to let the society understand and express a specific opinion about it.

In fact, through forums, there is a double exchange of awareness: the society is able to understand the message of the organization about a certain topic and the organization understand the opinions of the society on the same specific matter. Of course, bigger is the organization, bigger would be the audience interested in its activities and willing to provide its feedback.

Having a large number of followers on one hand means lot of people supporting their issues, on the other hand means big responsibilities. For this reason in same situations, finding the right comprise with the government is the best strategy to adopt. Maintain a good relationship with the authorities allows the ONGs to defend their members, avoid censorship and achieve real goals (Göbel, Ong, 2012).

### **1.3. Social unrest (社会动乱 *shèhuì dòngluàn*)**

The improved availability of information about people's concerns, the lack of transparency of the formal channels and the better ability in communication contributed with ITC not only to the increase of the non-institutionalized channels of public participation, but also to plain social unrests.

Thanks to a publication of the Ministry of Public Security of 2005, the escalation of the protests is clear: from the 1993 when there was an average of 8,700 manifestations, in 2005 grown to 87,000. After this year, authorities stopped publishing data, but from informal estimations of newspaper articles in 2009 there were 230,000 incidents (Göbel, Ong, 2012).

There could be different motivations for a protest to explode, the ones recognized by Göbel and Ong are anger-venting feelings, anti-system opinions and grievances.

Among them the most significant and frequent are the ones caused by anger-venting incidents. Incidents that blow up for the anger that has been repressed for long time

and that could cause really violent manifestations usually directed against local officials.

In particular nowadays, when thanks to the modern communication tools such as social media, blogs and websites, the mobilisation of protesters is very easy and immediate. In fact, on an average of 10,000 participants there is no link with the victims of the incidents, but they are mobilized by messages and Internet. An example of anger-venting incident was the Weng'an protest happened in 2008. In this case, the anger caused by the relocation due to an hydropower project blew up when a teen girl was sexually abused and killed by perpetrators linked with the local officials and her uncle was beaten up after launching an investigation (Göbel, Ong, 2012).

If anger-venting incidents are the most frequent, anti-system protests are the most rarely but also the most exposed to violent repression. A clear example is the social unrest started by the students in Tian'anmen Square (天安门广场 *Tiān'ānmén chǎng*) in 1989.

Collective protests motivated by the will of modernization and freedom, produced a strong and violent reaction by the government who, in order to stop this objection against the Chinese governance, called in the army to repress the whole protest even with the use of violence. The unrest started by students ended up joining all kind of social groups fighting for the common desire of change.

The popular grievances instead is the reason that most benefited from the spread of ITC. Thanks to the new methods of communications, the expression of the smallest doubt or complaint could have become the input of a new social manifestation. Land disputes, environmental protection or labour conflicts are generally the main motivations for the blow up of social incidents caused by grievances.

Social protests arise when economic, social and political development produces new demands, but socialist democratic and legal institutions fail to keep up with this change. Frustration spills over into the streets when citizens either have not yet learned how to voice

their demands (e.g. they do not yet fully understand their legal rights) or the institutional avenues for voicing demands are “underdeveloped” or “clogged”.<sup>15</sup>

From this point of view of Murray Scot Taner, a long time scholar of Chinese social unrest, we can understand that the lack of formal channels by which people can express their grievances make them talk of them by other tools such as social medias and blogs.

The escalation of citizens’ manifestations, is not a sign of immediate collapse of the communist regime but a demonstration of the traditional participation channels’ failure in meeting the society’s will to take part in allocation of political and material values (Göbel and Ong, 2012).

During the 80s and 90s, social unrests were classified under the name of *mass incidents* and defined in reference to the number of participants:

- Protests with a number of participants higher than 5,000 people is defined as *extraordinary mass incidents*
- Protests with a number of participants between 1,000 and 5,000 people is defined as *important mass incidents*
- Protests with a number of participants lower than 1,000 people is defined only as *mass incidents*

Their aim was to change radically the political ideology in order to create a completely new country governance. When later, there was the spread of the economic development and of the human rights, the intentions changed.

From 2000s, the classification became *public order disturbances* (扰乱公共秩序 *rǎoluàn gōnggòng zhìxù*). The distinction between them is done classifying the nature of the

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<sup>15</sup> Murray Scot Taner, “Rethinking Law Enforcement and Society”, in Neil J. Diamant, Stanley B. Lubman and Kevin J. O’Brien (eds), *Engaging the Law: State, Society, and Possibilities for Justice*, p. 230

event rather than the number of the participants and the issues selected are more specific and focused on a single topic.

This diversification of the protests activities recently become more difficult because of the modernisation of the Chinese society, in fact nowadays generally are used 5 different variables: geography, strategies, degree of organization, the homogeneity or heterogeneity of the crowds and the ethnicity (Göbel and Ong, 2012).

### **1.3.1. Geography**

Geographically we can distinguish two kind of protests: rural and urban.

In 1990s the most spread social unrests were the ones of the peasants against the excessive and the illegal taxation made by the rural government. Once illegal rural taxes were abolished, the majority of the protests were recorded in the urban areas.

Here the manifestations are motivated by issues such as: expropriation of land and residential property for development, losses of jobs because of the factories closures and the escalation of the fuel prices.

The matters about the environmental disputes, appalling working conditions and urban housing issue made the social resistance become the tool of not only workers and peasants but also of the whole middle class.

Right for the involvement of a huge number of protesters and for the difficulty in managing the unrest, the urban protests are considered by authorities as more dangerous than the rural ones (Göbel and Ong, 2012).

### **1.3.2. Strategy**

Considering the strategy variable, three kind of protests can be distinguished: peaceful, disruptive and violence demonstration.

Peaceful demonstration have the lowest degree of success, but are the less risky for protestors. Risk exposure is not the only variable considered when deciding to develop this kind of manifestation, there is also the intention to seek the support of the higher level of administration and media and the will to see themselves as partners of the central government to correct local abuses of power and corruption.

Disruptive actions usually follow unsuccessful petitioning or repression of peaceful demonstration about problems of the daily life. Sometimes they can also be considered as a strategy used by social groups who are facilitated in doing this kind of protests, for example bus or taxi drivers.

Violent demonstrations are frequently associated with anger-venting protests, usually happen in minority and poor provinces and the results are very low because when government see violence tends to answer in the same manner (Göbel and Ong, 2012).

### **1.3.3. Degree of organisation**

Another variable considered is the degree of organisation. The arrangement of a manifestation must always be approved by the relevant authorities of the government otherwise the responsible of it can easily lead to no significant results and even to a long prison sentence.

Having external and governmental allies is an important factor that influences the success of the protest. In this case in fact, is more likely that authorities, being aware of the social intentions, intervene supporting the issue also in front of the press and the media.

Gain internal authorities support is fundamental while acquiring foreign support is not very welcomed. The government in fact could interpret the external help as an attempt to undermine domestic order and obtain the opposite of the expected results (Göbel and Ong, 2012).

Information technology and communication played another key role, because, thanks to the spread of ITC, protest organisers started learning from the previous activities and understand what they have to do to improve the positive impact of the manifestation or to avoid in order to not repeat same mistakes. Technology and communication is not only a useful educational tool but also a tactical employment to coordinate protesters and avoid governmental censorship. People can organize protests and being in contact more easily, for government instead is more difficult to control and prevent them (Göbel and Ong, 2012).

#### **1.3.4. Homogeneity or Heterogeneity**

An homogeneous protest is the one with a very specific issue shared by a limited social group. Generally manifestations of such groups are unlikely to reach a larger population because of the demands of the protests are too precise and linked to a small group of persons in order to involve others.

On the contrary, an heterogeneous manifestation is the one with a very shared topic which can lead to a broader demands. The heterogenisation of protest crowds can mobilise more followers and, reaching certain levels they could really pose a serious threat to the regime (Göbel and Ong, 2012).

#### **1.3.5. Ethnicity**

Ethnicity is a very strong link inside a protest crowd, it is able to create a deep connection between different social groups whose aim is to raise issues against the system.

Ethnic grievances has both an economic and cultural component that is the Han ethnicity. People consider being Han as a privileged status, particularly in the

minority regions where they look to the others Chinese culture as inferior to them (Göbel and Ong, 2012).

This feeling of repression, the majority of the times, is the one that makes the social unrests blow up. An anger-venting incident in fact, can ignite a larger protest of the ethnic minority against the Han. Understand if the protest is an anger-venting or an anti-system one is difficult for the authorities, especially because it is very easy that the former changes into the second ones.

Those areas considered as the most difficult to control are the Tibetan, Uighur and Mongolian. In such places, when a social unrest started, the unity between the protesters doesn't matter because government usually doesn't intervene in favour of them, on the contrary activists are punished severely and the police presence increases visibly (Göbel and Ong, 2012).

### **1.3.6. The government response to social unrests**

To any kind of these social unrests, government can have different reactions, to analyze and understand the state's response, we must distinguish three different actors: the central government, the local government and the security apparatus. These three actors have respectively three different aims so three different ways to face the social manifestations (Göbel and Ong, 2012).

After the Tian'anmen protest, the mass incidents grew over the time and the central authorities started to adopt a *permissive strategy of containment and management*. This means that protests non-violent and at a moderated stage can be maintained till they will turn out of control, officers have to act with intelligence without making mass arrests but detaining only the leader of the protests once the other activists are dispersed. Professional policing of protests are maintained in order to ensure that they will not turn out to be violent and get out of control. These are the new measures issued by the Ministry of Public Security in 2008 (Göbel and Ong, 2012).

To support this approach and, at the same time, implement the directives of the central government, the provisions of local security have been decentralised and focused in the quantity and quality of the grassroots security organs. Even if their aim is to maintain stability and employ police units against protesters, petitioners and other groups that could prevent local administrations from meeting the rather strict stability targets, achieve it is very difficult (Göbel and Ong, 2012).

Local governments and securities being in direct contact with the citizens, must pay attention to the fine line between being too harsh and too soft on protestors, in fact they could be punished if the actions are too swift because in this way they wouldn't make people understand they are getting against the authorities' policy but even if they are too hard because the *permissive strategy of cointainment and management* wouldn't be followed (Göbel and Ong, 2012).

So, central and local government when evaluating how they could face a social unrest, must take into consideration all the different costs and benefits of the possible reactions:

- Concessions generate both costs and benefits. Usually costs are more incurred by local governments rather than the central one. Benefits instead have more value for the central government because it will gain more political legitimacy and stop the resistance peacefully.
- Repression on the contrary could benefit both equally, but put it into practice is very difficult due to the high risk of losing legitimacy and to ignite more resistance (Göbel and Ong, 2012).

	Benefits	Costs
Concessions	<ul style="list-style-type: none"> <li>• Stopping resistance</li> <li>• Gaining legitimacy</li> </ul>	<ul style="list-style-type: none"> <li>• Economic and/or political costs</li> <li>• Signs of weakness</li> </ul>
Repression	<ul style="list-style-type: none"> <li>• Deterring resistance</li> </ul>	<ul style="list-style-type: none"> <li>• Loss of legitimacy</li> <li>• Risks in repressive measures</li> </ul>

Figure 4. Costs and Benefits of Concessions and Repression reaction (Göbel and Ong, 2012)

#### **1.4. Summary of the chapter**

Recently, government committed to make public participation procedures more uniform and standard, both in the cities and in the villages. Even if the election system is still limited to the lower protagonists of the Chinese governance, in 2000s legislative hearings, workshops, meetings and written comments from an experimental phase, were all adopted nationwide (Horsley, 2009). In this transition phase Internet was the key instrument to generate the multiplicity of tools given to the society to pursue more freedom of expression and to influence decision-making process (Göbel and Ong, 2012).

The improved availability of information and the slow gradual evolution to the transparency of the formal channels contributed to the increase of social unrests. This was not a sign of immediate regime collapse but a demonstration of the failure of the government sanctioned public participation procedures in meeting the will of the society and their need of democratization (Göbel and Ong, 2012).

## **2. Cases Studies. Public participation in the planning of hydropower projects**

### **2.1. Environmental Impact Assessment EIA**

Environmental impact assessments (EIAs) are processes by which the environmental impact of project, plan or policy are evaluated and successively planned for the actualization or the suspension. In fact, the EIAs generally include not only the environmental impacts due to the proposed project, plan, or policy but also all the possible alternatives and their sources.

"Environmental Impact Assessment" (hereafter termed EIA) as used in this Law refers to the methodology and system of performing analysis, projection and evaluation on potential environmental impacts resulted from implementation of a plan or a construction project, proposing countermeasures and measures to prevent or alleviate adverse impacts, and carrying out tracing monitoring.<sup>16</sup>

In 1973 the concept of EIA was introduced in China for the first time. During the First Conference for National Environmental Protection, people talked about the environmental impact assessments and one year later the first Environmental Protection Office (EPO) was established. Local offices were then built with the important task to draft an Environmental Protection Law (EPL), which would include provisions for EIA. The draft of the EPL set out the primary conditions for the assessments but did not prescribe concretely how it should be conducted. In the following years, new commissions and environmental policies were issued. Also the EPOs went through different transformations for at the end acquiring the new title of National Environmental Protection Agency (NEPA).

During 90s, China's economy grew rapidly so as the national concern for the concrete implementation of impact assessment procedure. Since 1996, EIA has been further

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<sup>16</sup> Environmental Impact Assessment Law of the People's Republic of China, Art. 3, 2002

enhanced as the main regulatory instrument for environmental protection, culminating in the new EIA Law approved in October 2002. NEPA became officially part of the ministry level and renamed as State Environmental Protection Agency (SEPA) (Wang, Morgan, Cashmore, 2003).

This Law is formulated for the purpose of realizing sustainable development strategy, preventing adverse impacts on the environment from implementation of plans and construction projects, and promoting coordinative development of the economy, society and environment.<sup>17</sup>

The formal implementation of the EIA Law not only strengthened the theoretical concept of environmental impact assessment but also provide to project or plans owners concrete guidelines to follow, thereby improve the effectiveness of the authorities' decision-making processes (Wang, Morgan, Cashmore, 2003).

The Chinese EIA Law of 2002, such as the international ones, requires that potential environmental impacts must be valued before the project construction. However, if the plan proceed without submitting an Environmental Impact Statement, the developer can do a make-up environmental assessment to compensate for the previous lack and if this make-up isn't completed within the designated time, the Environmental Protection Bureau could fine the developer for a maximum of 25,000\$.

Even if the role played by the EIA public participation in safeguarding and enhancing the effectiveness of decision-making, is becoming more and more important, is very difficult to understand how to implement it and how to design it. SEPA cannot be the only organ to verify the full enforcement of the procedure, there must be a stronger consolidation of the environmental laws and regulations.

Even if the role of SEPA was at the same level of the Chinese ministries, only in 2008 from State Environmental Protection Agency it became officially the Ministry of

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<sup>17</sup> Environmental Impact Assessment Law of the People's Republic of China, Art. 1, 2002

Ecology and Environment<sup>18</sup> directly under the State Council (Wang, Morgan, Cashmore, 2003).

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<sup>18</sup> The Ministry of Ecology and Environment, formerly the Ministry of Environmental Protection of the People's Republic of China (MEP), and prior to 2008 known as the State Environmental Protection Administration (SEPA), is a department of the State Council of the People's Republic of China.

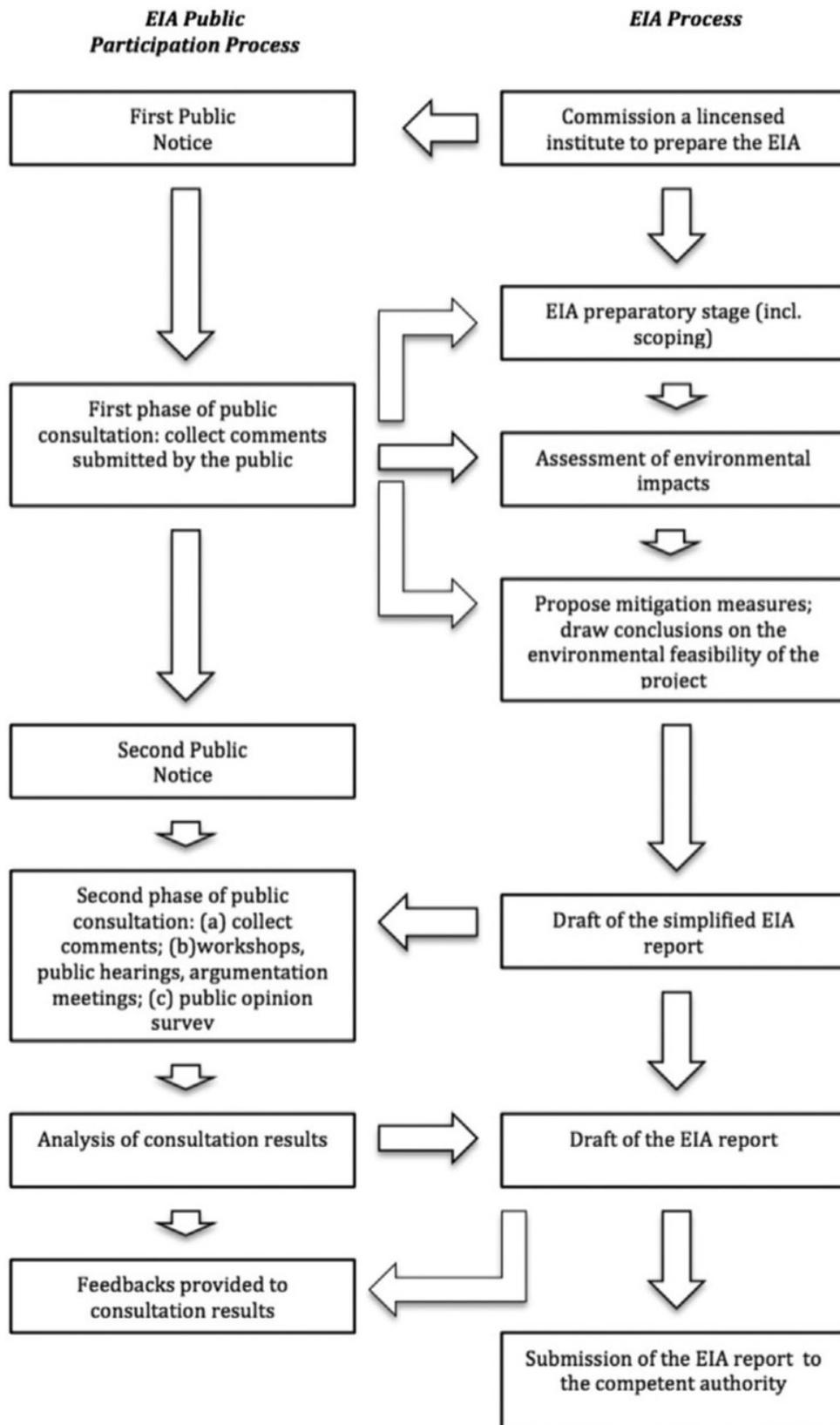


Figure 5. Public Participation process in the Chinese EIA context  
(Brombal, Marcomini and Moriggi, 2017)

### 2.1.1. Public participation in the EIA

Public participation can be defined as the process by which the public can take part in decision-making process that will affect their lives. The degree of influence allowed to the society is associated to the role given by the decision-maker to the public and to its ideas.

Glucker et al (2013), after analyzing the literature background, listed nine overarching objectives guiding public participation in the environmental impact assessment. These nine objectives can be grouped into three major rationales recognized as: normative, substantive and instrumental participation.

- **Normative** participation is the one which gives to the public more power. It's based on the democratic instances such as influencing decisions, social learning, empowering and emancipating marginalized individuals and groups. People may be given a veto power over projects, plans, or policies.
- **Substantive** participation is a tool to improve the quality of the project collecting local information and knowledge, testing the source and including the valuable information obtained by the people into it. The subjects interviewed are people directly linked to the project.
- **Instrumental** participation is used to smoother implementation of the project and solve problems arising among the stakeholders of the plan. It may enhance the legitimacy of the project. However, participants' ideas do not influence the decision making process. Participation is used instrumentally to avoid critiques and prevent social movements from taking position against a project or plan.

Public participation has long been a key component of EIA processes. The first time that the concept was introduced in China was in 1991 thanks to a training program of the Asian Development Bank. Its significance developed during the time becoming one of the Chinese most embracing form of sanctioned public participation (Brombal, Moriggi and Marcomini, 2017).

The concept was then emphasized in the Circular on Strengthening the Management of EIA for Construction Projects funded by International Financial Organizations of 1993 but only in the 1998 public participation became a formal component of EIA. The Regulation on Environmental Management of Construction Projects required to the developers of projects to include in their reports also the feedbacks of work units and residents of the area (Li, Ng and Skitmore, 2012).

Legal requirements for public participation were included in the Environmental Impact Assessment Law of 2002. The document established the involvement of public consultation in the EIA report as mandatory. Competent authorities need to be aware of the social evaluation of the project, plan or policy.

The institutions responsible for preparing the specific plan shall hold expert meetings and public hearings or in other forms to solicit comments and suggestions on the draft EIS of relevant units, experts and the public, except for those that are confidential as the state stipulates. The plan preparing institutions shall seriously consider the comments and suggestions on the draft EIS of relevant units, experts and the public, and specify a description on having adopted or not adopted the comments and suggestions in the EIS that is submitted for review.<sup>19</sup>

This Law wasn't a radical change in the already EIA existing system but rather confirmed the willingness of the government of establishing a certain degree of participation, it demonstrates the positive future prospects of the government (Brombal, Marcomini and Moriggi, 2017).

The following years the environmental planning system was optimized and enforced. In 2006 detailed Measures for public participation were enacted by the State Environmental Protection Administration. The Provisional Measures for Public Participation in Environmental Impact Assessment were aimed at consolidating the public participation procedure and providing a larger disclosure of information

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<sup>19</sup> Environmental Impact Assessment Law of the People's Republic of China, Art. 11, 2002

related to the project or plan targeted by the relevant EIA. Based on these measures all the projects with a relevant impact on the environment must provide an EIA analysis to be published and available for public consultation. The EIA report must be produced by a licensed EIA entity, while the power to examine and approve the EIA documents is in the hands of local governments.

From the above mentioned Measures we can understand which are the four principles of public participation procedure: openness, equality, inclusiveness and convenience (Brombal, Marcomini and Moriggi, 2017).

In 2011 the Technical Guidelines for Environmental Impact Assessment Public Participation were made public. Even if they are considered as more detailed than the 2006 Measures, they are still a draft and have not been officially enacted yet. The Guidelines were defined to provide more specifics to public participation and further specify procedure and objectives to put forward in the Measures (Brombal, Marcomini and Moriggi, 2017):

- Protect the society's environmental rights: the right to know and be informed, the right to express their own opinions and to be listened by the authorities and projects proponents.
- Offer to the people a proper training on the environmental background of the project in order to let them fully understand the project and the possible consequences.
- Improve the environmental protection measures and their effectiveness.
- Consider the opinions and ideas of the public about the project to improve it.

If the 2006 Measures define the four principles of public participation, the Guidelines established the fifth one, the knowledge. The consultation activities should collect valuable ideas to improve the project (Brombal, Marcomini and Moriggi, 2017).

All these developments were made to line more detailed limits and rules, to let us understand that environment impact is one of the central topic of the government

agenda and one of the leading causes of recent social unrest. In order to avoid the raise of uncontrolled public manifestation authorities made great efforts to show their strong intentions to establish a greater transparency and public involvement in the decision-making process (Brombal, Moriggi and Marcomini, 2017).

The reason why the lack of public participation measures lasted many years, can be caused by different motivations. Authorities and corporations' experts consider the suggestions of the general public questionable and not helpful for the improvement of the projects. They don't trust the public competence to achieve the targets imposed by the Central Government.

From the citizens point of view instead, there is no reason why they should care about the consulting specialists opinions, if the projects responsible need a more accurate feedbacks is not a citizens fault but of the poor quality of the information provide to them (Li, Ng and Skitmore, 2012).

To improve the system, the suggestions given by Li, Ng and Skitmore are to implement the public participation not only in the beginning phase of the project but in the whole-cycle. Ensuring the participatory process is relevant for the situation because in this way no contestations should be risen. NGOs should have a more active role in guaranteeing the rights of the citizens to participate in the decision-making process, providing a legal support and supervising the entire process. Mass media should cooperate more closely with the citizens despite the traditional link with the CCP. They could be the leading actor in the transition to a more open and transparent political system.

The essence of public participation is a process of building consensus among diversified parties including government/project initiators, affected groups, general public/users and pressure group/watchdogs. Should there be a gap between the policy makers and wider society, one must try to minimize such differences in order to reach a consensus. As noted, however, even in the West, public participation in decision making rarely occurs naturally at

the behest of decision-makers and some form of legislation as invariably needed to procure its existence.<sup>20</sup>

To understand if these government's efforts in implementing the measures issued are concrete or just a way to jeopardize the expression of social movements, in this chapter we will analyze four practical cases of environmental projects, more precisely hydropower development projects.

## **2.2. Hydropower development**

The current Chinese 13<sup>th</sup> Five-year Energy Development Plan (2015 – 2020), puts forward the already noted strategy to minimize the reliance on coal and increase the one on renewable energy. In this way, the government hopes to free China from its dependency on coal and bring the percentage of country's energy consumption coming from renewable energy to 15% by 2020 (Yardley, 2007).

Among all the different kinds of renewable energies, the hydropower one is the most widely used, not only in China but also in the rest of Asian countries. As we can see from the graphic below, the Asian contribution to the hydroelectricity continues to increase while the rest of the countries decided to decrease their commitment to the hydro development.

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<sup>20</sup> Terry H.Y. Li, Thomas Ng, Martin Skitmore "Public participation in infrastructure and construction projects in China: from an EIA-based to a whole-cycle process", Habitat International, 36, 47-56, 2012

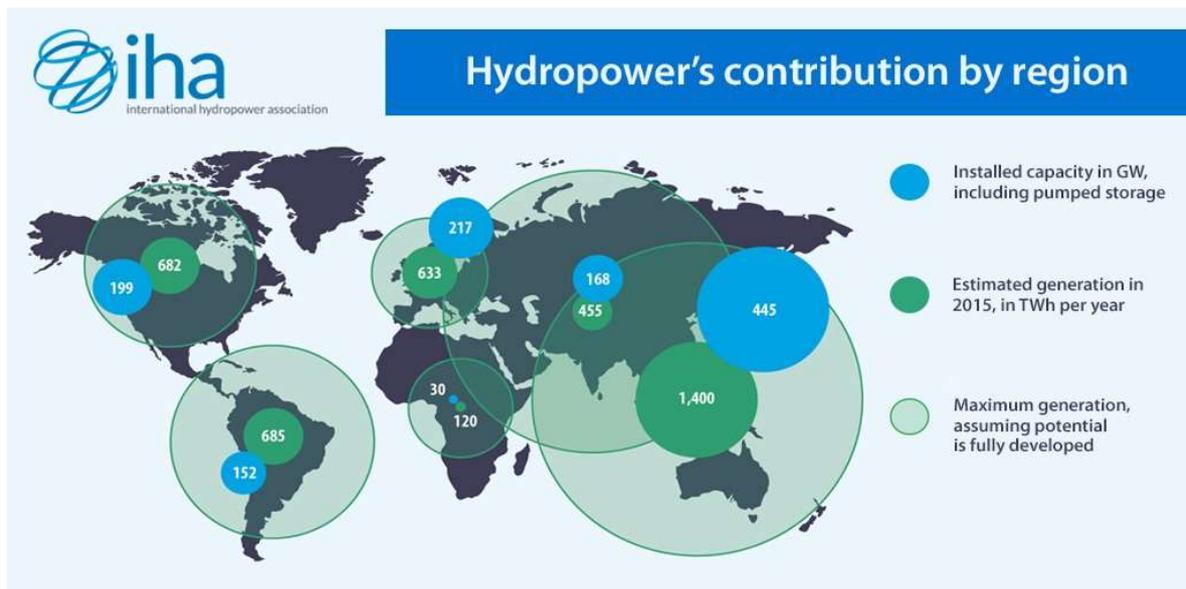


Figure 6. Hydropower's contribution by region (International Hydropower Association, 2016)<sup>21</sup>

The reason why the electricity coming from water is considered by China as the first choice of renewable energies, is that it is the most cost-effectiveness and stable. Build a hydropower station clearly is expensive but the return is faster besides, it's more durable than other type of energy infrastructure. A hydropower plant moreover, is strictly linked to the surrounding flora system, which is able to adjust its outputs to the environmental changes.

Furthermore, big dams means also big business for those in the construction sector. The huge profits that came from the continuous building of dams have no equals in the energy sector. Government funds, private Chinese organizations, Chinese and foreign banks invest in projects because of the big return of money they would have obtained (Yardley, 2007).

In order to facilitate the realization of the program, government of China in 2016 issued the Guidelines on Promoting the Development of Small Hydropower Plants. This

<sup>21</sup> International Hydropower Associations, "33 GW new hydropower capacity commissioned worldwide in 2015", 2016, <https://www.hydropower.org/blog/33-gw-new-hydropower-capacity-commissioned-worldwide-in-2015>

publication had the purpose to establish the best practices for the building and the management of renewable energetic plants protecting society and environment, focusing on technology improvements and on the implementation of the best management practices (International Hydropower Association, 2018).

Technology in recent years made big steps forward and had a central role in creating a more safe and efficient way to build hydropower stations and take advantage from them. The latest dams and of course the Three Gorges Dam are considered as real engineering masterpieces not only because of the role in the exploitation of the water but also in controlling the seismic activity of the area.

So, if the Chinese government opinion was to focus on hydropower plants because considered the most efficient and safe way to produce renewable energy, many environmentalists have the opposite idea. They aren't able to consider the energy obtained by the large dams as sustainable due to the social and environmental damages they caused. The most debated issues on which environmentalists, like the International Rivers organization, focus their attention is social resettlement and environmental security issues. Activists in fact, condemn the lack of interest in managing the huge resettlement generated by many years of dam building. From 1997 onwards, 23 million people were displaced and forced to migrate in a new city or stay in farms (Yardley, 2007). Moreover, the increase risk of earthquakes, climate changes and flora and fauna system's damages are the main consequences to take into consideration about dam projects.

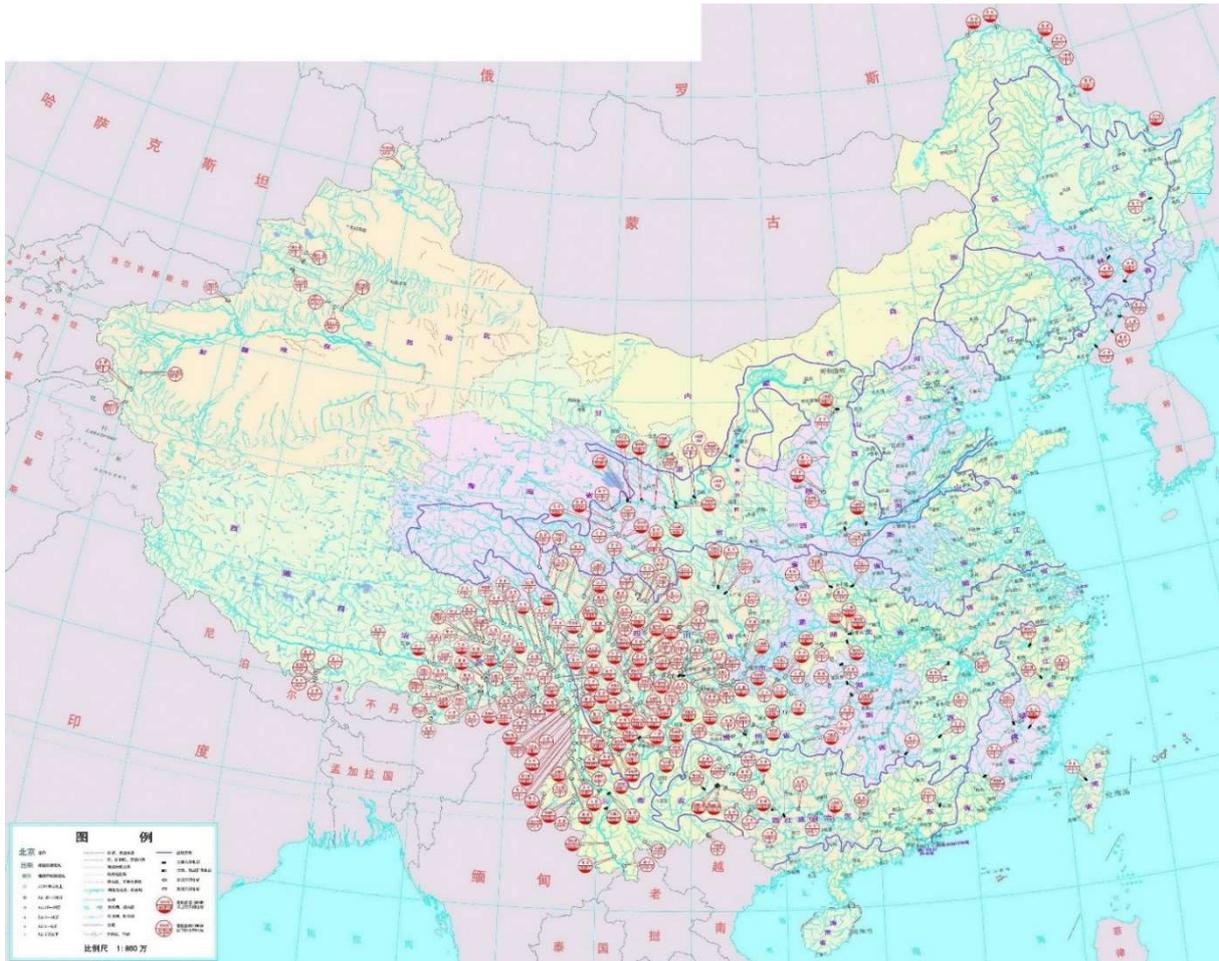


Figure 7. Map of the dams projects all over the Chinese territory  
(Research Program on Water land and Ecosystem)

Moreover, Xinhua confirmed that by the 2020 a new resettlement have been approved: 4 million of people living in Chongqing Municipality (重庆市 *Chóngqìng shì*) including 2 million living in the reservoir region. Even if authorities confirmed that it was part of an experiment to turn Chongqing into a *pilot reform city* to try to eliminate the urban-rural income gap, citizens understood it was only a strategy to avoid public outcry over a future dam project in the area (Yardley, 2007).

Residents are supposed to be moved into new villages and rebuild their houses with a compensation given by the government. In the majority of the cases, this compensation isn't enough to let families rebuild their life in a different place, the difficulties are too many and the money not enough, particularly for the numerous families.

Given its importance and potentially contentious nature, the hydropower sector have been subject to considerable attention by the government, with reference to processes of approval and public participation.

To shed light into this process, in this chapter we will analyze two hydropower projects namely the Three Gorges Dam (三峡大坝 *sānxiá dà bà*) and the Xiluodu Hydropower Project(溪洛渡计划 *xīluòdù jìhuà*). The last one can be divided into two different phases: the first one includes the building of the Xiluodu Dam (溪洛渡大坝 *xīluòdù dà bà*) and the Xiangjiaba Dam (向家大坝 *xiàng jiā dà bà*) while the second one the construction of the Wudongde Dam (乌东大坝 *wū dōng dà bà*).

All four the stations are located along the Yangtze River (长江 *Chángjiāng*), also known the Long River. It measures 6300 kilometers starting from the Tibetan Plateau and flowing into the East China Sea near Shanghai. It is the third longest river in the world but the longest to flow entirely in one country. It is considered as a sort of divisor to identify the northern and the southern regions of China. Among its 700 tributaries the Jinsha River with its 25 dams is one of the most popular. The Xiluodu Hydropower Project includes three of them all located around the Chongqing Municipality (International Rivers, 2012) while the Three Gorges Dam is situated nearer the basin of the river.

The realization of both the Three Gorges dam and the Xiluodu Hydropower Project was possible thanks to the support of not only by the Chinese government and China Three Gorges Project Corporation (CTGPC)<sup>22</sup> but also by other important Chinese and international civil society organizations. Being involved in these projects let them focus on their researches about the climate change and the environmental pollution and at

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<sup>22</sup> CTGPC: China Three Gorges Project Corporation, founded in 2009, follows the construction, international investment and contracting, development of wind power and solar energy among other renewable energies, comprehensive development and utilization of water resources, as well as providing relevant professional technical services.

the same time contribute to the realization of economic development projects (Yardley, 2007).

Relevant processes of planning took place in different historical periods. As such, by looking into these cases we are offered the possibility to trace a sort of timeline to examine the evolution of relevant public participation.

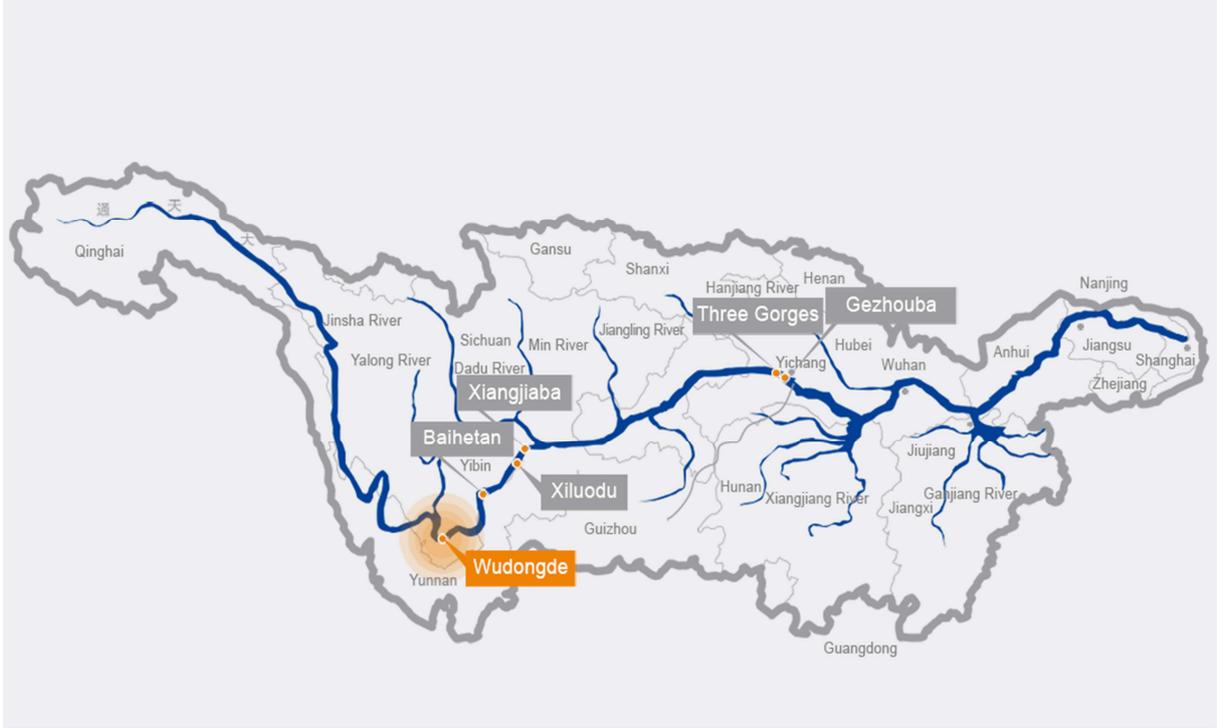


Figure 8. Yangtze River and the main dams along its course (China Yangtze Power Co., Ltd)<sup>23</sup>

<sup>23</sup> <http://en.cypc.com.cn/cypcweb/cypcen/20170109000060.html>

## 2.3. First Case: Three Gorges Dam Project (三峡大坝 *sānxiá dà bà*)

### 2.3.1. Project description

The Three Gorges Dam is the biggest and probably the most contentious water project in the history. It is located in a strategic point of the Yangtze River (长江 *Chángjiāng*) between Chongqing and Yichang City (宜昌市 *Yíchāng shì*) in the Hubei province. Precisely in this spot limestone cliffs form three canyons renamed the *Three Gorges*, one of the most amazing place in the earth.

The first who had the idea to set up a gigantic dam right in this location was Sun Yat-Sen (孙中山 *Sūnzhōngshān*) in 1919, he manifested the idea in his Plan to Develop Industry but nothing concrete was done. During the 1930s massive floods occurred killing almost 300,000 people. After the one happened in 1953 causing 30,000 victims and flooding the city of Wuhan (武汉市 *Wǔhàn shì*), Mao recognized that the best solution to protect people living along the river would have been the construction of a dam in the Three Gorges spot (Gleick, 2008).

In the following years, planning and designs were submitted to the government. A decisive moment finally came in the mid-1980s. In 1986, the Chinese Ministry of Water Resources and Electric Power carried out a complete feasibility study with the financial help of the Canadian government. The report suggested the earliest implementation of the project. By the foreign consultation, the TGD was evaluated as the best solution to all the risks of the area.

Based on the positive results of this study and the intention to avoid any other possible floods, in 1992 China National's People Congress formally approved the construction of Three Gorges Dam. During the voting something new happen, 177 delegates opposed to the project, never before there was a so high number of *no* (Gleick, 2008).

The artificial lake is about 200m high and 600km long with an approximated capacity of 40 billion cubic meters. There are 14 generators in the north side of the dam, 12 in

the south side, and 6 underground power generation plants in the mountain downstream. In 2014, it was registered the highest hydroelectric capacity generating 98,8Twh.

The realization of this project needed many financing sources both internal and external to the State.

- Internal: State Three Gorges Constructions Fund, revenues from the already existing hydropower facilities, loans and credits from the Chinese State Development Bank.
- External: many international financiers and companies participated to the project through Three Gorges Project Development Corporation, commercial banks and investment firms, joint venture between international bank and Chinese Capital Corporation.

Identify a definitive quantitative estimate is impossible. The most recent estimate have been made in 2008 when expenditure reached 148.365 billion yuan. This was an estimation made considering only the building of the infrastructure, for the social, ecological, and geological costs there have been not quantified (Gleick, 2008).



Figure 9. Panoramic view of the dam and of the basin after the termination of the building (Xinhua)

### **2.3.2. Advantages and disadvantages**

During the evaluation phase of the project, so from the 1986 to 1992 when the National People's Congress approved it, there had been different issues which had been raised: financial, environmental, human and political ones.

Clearly, the government and supporters of the plan tended to highlight the positive impacts of the new dam, first of all the function of protection of the villages along the river from the future floods.

During 30s and 50s there had been too many victims and villages destroyed because of massive floods and lack of cautions. According to the dam's feasibility study financed by the Canadian government in 1986 and to the opinion of the general manager of the TGD Development Office Li Yongan, it would have prevent all possible future inundations and improve the environmental situation in the river proximity (Gleick, 2008).

The second benefit was related to the capacity of generating renewable energy. The dam in fact, generating almost 100 TWh is the most important replacement to the high consumption of coal in the Chinese country, one of the most important factors that could allow the reaching of international environmental goals. The same energy produced by the Three Gorges Dam is equal to 50 million more tons of coal per year (Gleick, 2008).

Talking about the ecological objectives the authorities pointed out, there is also the removal of polluting enterprises near the edge of the river and the basin and the abolition of sewage treatment facilities. In this way, government would have reduced the inflow of pollutants improving the quality of the water.

While funding for the dam building was not a problem, funding for the pollution control was more difficult to collect (Gleick, 2008).

As we have understood, Yangtze River played a fundamental role in the economy of the northern part of China. With the dam the navigation along the river, in terms of freight costs and long distance would have been the most effective transportation way from Shanghai to Chongqing.

The reason is that the level of the depth of water would have increased facilitating the navigation also for the deeper commercial cargo ships.

Today freight capacity increased 6 times while costs of shipping reduced by 25%. We can say there have been a strong improvement compared to the years before the dam. Besides, thanks to the system of ship locks completed in the 2015, which created a bidirectional system, even large quantities of cargo now are allowed to ship from the Chinese Sea to Chongqing without problems (Gleick, 2008).

On the other hand, opponents have made of the impact on fisheries, river sediment flow, seismicity, geological instability, relocation and the resettlement together with the relocation and the resettlement, core issues of their critique.

Indeed, the dam would have created completely different dynamics in the river's ecosystem. The chemical and temperature composition of the water, the natural habitat and food resources available for fish species would have totally changed. The dam would have blocked the migration of the fish causing high declines in fisheries and possible complete extinction for different species of the Yangtze River (Gleick, 2008).

Regarding the river sediment flow, this waterway always carried a lot of sediment to the East China Sea contributing to the ecological process in the delta zone and the productivity of fisheries in the sea. Clearly, the dam would have strongly decreased the sediment volumes also because its impact would be combined with that of the many small dams downstream along the River, which created a repeated barrier for the flow of materials (Gleick, 2008).

With reference to seismicity, its level increased. The area was always considered at risk, but the reservoir created an escalation in the seismic activity and also an increased risk of landslides in the region. The proof was given right after the conclusion of the dam and the filling of the basin, when a major landslide occurred near the town of Qianjiang (黔江市 *Qiánjiāng shì*).

Thanks to this episode, officials and experts understood that the risks appeared to be more concrete than what was expected and that a more cautious approach should have been taken (Gleick, 2008).

As we have already said, the river basin was densely populated. The project would have included the resettlement of villages and towns that would be flooded, as well as those at risks due to seismicity and landslides.

During the construction of the dam already more than 1 million of people were resettled, official estimations report 1,2 million while others almost 2 million. Estimations have shown that, more than 100 towns, including Chongqing, 14,000 hectares of agricultural lands and 100 archeological sites were ultimately to be submerged for a sum of 6 million of people to be resettled (Gleick, 2008).

Officials declared that this operation of dislocation was not only related to the Three Gorges Dam project, but also to national economic reform as solution to the regional overpopulation and development imbalances.

In any case, the massive resettlement led to a significant worsening of the conditions of population. Members of relocated communities became more socially vulnerable. After resettlement, they would have faced a much higher risk of becoming poorer, jobless and socially marginalized. As it is very often the case in such instances, social and cultural conditions made the women most vulnerable to these risks (Gleick, 2008).

These are only the issues emerged during the evaluation phase of the project, there have been others that have been raised in recent years during the building phase, for example the impact on the climatic change as well as issues linked to the military.

The big reservoir is expected to affect the local (temperatures and precipitation patterns), impacting on the ecosystem of the region.

Another issue is the military goal that the dam could represent. As the US Department of Defense wrote:

Since Taipei cannot match Beijing's ability to field offensive systems, proponents of strikes against mainland apparently hope that merely presenting credible threats to China's urban population of high-value targets, such as the Three Gorges Dam, will deter Chinese military coercion.

In 2004 the Pentagon, in its report about the Chinese military issues, stated that the Taiwanese leaders were considering the Three Gorges Dam as the target in case of any Chinese military action against Taiwan. Lacking of strong militaries capabilities in fact, Taiwanese government would have focused its energies only one objective: the dam (Gleick, 2008).

When the project was proposed by the state in 1994, the Communist Party leaders proposed the world's biggest dam managing the world's biggest social resettlement and protecting the environment. Any kind of critic was pushed aside considering it

superficial because the only goal was the building of the hydropower central and ease the state consumption of coal.

If internally the alternative energy justifications could be considered enough to evaluate the project as renewable, internationally the reduction of environmental pollution wasn't enough to define it so. The social and environmental damage that the dam would have caused were not comparable to the energy generated (Gleick, 2008).



Figure 10. Morphological view of the area before and after the dam (Nasa)

### 2.3.3. Public participation in the project

When at the beginning of 1990s the project took momentum and the construction begun, environmental activists' campaign against the project acquired international exposure.

During the evaluation phase in fact, nobody asked for public opinions and participation. In those years, even if the popular intention was to be part of the project and to be listened by the officials, the concept of including the society in the decision-making phase was not shared - let alone sanctioned - by the government.

## **Anti-dam construction campaigns and State response**

The anti-dam construction campaign is one of the first example of an environmental public movement against a government project. The main protagonists were scientists, intellectuals, journalists and deputies of NPC and CPPCC from Beijing with no other networks with the international world. The insulation of the campaign, the lack of experience in organizing this kind of activities combined with the strong repression of the authorities didn't let to campaign have long life.

The only help received from the international world was the one by the Probe International, a Canadian organization that showed its opposition to the project already during the feasibility study's evaluation in 1985. Working with local NGO's and scholars, it published the book "Damming the Three Gorges: What Dam Builders Don't Want You to Know" disapproving the feasibility study's approval by the Canadian government.

This said, international connections between Chinese environmental activists and international organizations remained rather scarce (Xie, 2009).

In this kind of situation where people weren't considered, the media's support was negligible, the first NGOs were just born and public opposition was condemned, alternative methods such as public manifestations, books and speeches were used to express different ideas (Xie, 2009).

The leader of the activists Dai Qing (戴晴 *Dài Qíng*) in 1989 published the book "Yangtze Yangtze!" exploring the environmental and social costs of the proposed dam. This book is a collection of researches, interviews and studies of journalists and scientists against the project. Their aim was to postpone the construction of the dam and make the society aware of all the possible issues related to *"the most environmentally and socially destructive project in the world"*.

The decision to publish such a critical investigation was motivated by the will to contrast the control of the Chinese government on the media. Dai felt as her

responsibility the duty to make the people aware of the disastrous effects the project would have involved.

Among all the negative impacts of the TGD, she stressed particularly the increase of internal and external migration the dam would have caused among communities impacted by the project.

Due to her book, Dai Qing was condemned to spent an entire year in prison on the grounds that her work intended to discredit State authorities and jeopardize their legitimacy (Qing, 1989).

Besides the late 1980s battles by national-level activists such as Dai Qing, local activists tried to make their voices heard as well. In 1997 petition movement was launched among the residents of the Gaoyang Township (高阳市 *Gāoyángshì*). They accused the local officials of manipulating the land reclamation project for the resettlement of the local residents (Perry and Selden, 2010).

In Gaoyang, the quantity of arable lands aimed to the dislocated residents was not enough compared to the amount of dislocated residents. Besides, the majority of them were not level, had topsoil and were too scattered to farm efficiently. Local authorities though, in their report to the central government, affirmed not only that these were usable land but also included already cultivated land, as well as land which simply was not there. Charging a bigger amount of lands, officials would have received more funds from the central government which would not have been distributed to the dislocated (Perry and Selden, 2010).

When citizens discovered the manipulation, some petitioners wrote their first letter to the central government to denounce the situation and advise that the next step would have been marching in the capital's streets asking for food and justice. Chongqing's authorities at that point started an investigation which caused the layoff of some top officials and the arrest of the Party secretary. The petition caused the rise of more and more questions about the Three Gorges Dam project. In response to this, local officials launched a public security and propaganda campaign (the Laws and Village Security

Campaign) to discourage participation in the protest. Before being definitely arrested, the two leaders of the movement were able to file their third petition.

Another notorious case of activism is the one of Fu Xiancai, who distinguished himself for his battle against the Three Gorges Dam.

Xiancai is a farmer coming from a village whose inhabitants were forced to resettle because of the construction of the dam. In 1994, he began to be politically active but till 2006 nothing really serious happened. That year, after he released an interview to a German television about the dam, he was assaulted on his way home. As consequence of his injuries he remained paralyzed (Spencer, 2006).

The official investigation conducted by the police showed that the attack had been fabricated. Their report declares that near Fu's home, where he was hit, were found only his footprints so the police's conclusion was that he made up this attack only to be able to accuse state police (probably, the truth on the event will never be known). And yet, it's hard to believe that a man would inflict to himself such serious injuries as to paralyzed himself only to be able to accuse police in an environmental campaign (Spencer, 2006).

Other activists tried to influence with their voices the political officials and decision-makers. However, their efforts did not achieve positive results. In order to avoid any kind of anti-system manifestation, State authorities widely repress all of the opposing voices. Overall, the PCC handled every project's discussion approving only the positive ones and manipulating meetings so as to restrict the possibilities of deputies against the project to articulate their opinions. In short, the entire anti-dam movement was strongly repressed.

From the above activists manifestation is clear not only the position of the activists but also the one of the government. People against the project manifested both their awareness about the issue and their consciousness of political and civil rights.

Authorities instead showed an intention to hide any kind of possible threat to the development of the project transmitting the traditional ethnocentrism and nationalism.

In 2011, the China's State Council eventually admitted the difficulty to face the environmental and social issues brought about by the TGD project:

...while the Three Gorges Dam has brought great benefits, there are still urgent issues with relocations, environmental protection and the prevention of geological disaster...<sup>24</sup>

This recognition was informed by a growing awareness of problems cause by the Dam, in particular the increase erosion of the lands, risks of landslides and earthquakes, the influence of the lake on the local climate and relocation of residents.

Despite the (very) late response by State authorities, the TGD project and the issues it encountered fostered the adoption of an apparatus of environmental planning and public participation, aimed at mitigating risks and uncertainties in similar scenarios (Bazlova, 2006).

The legal requirements for public participation included in the Environmental Impact Assessment Law of 2002 ensure not only the statement of an EIA report for the project but also the public consultation (Brombal, Moriggi and Marcomini, 2017). Even if they are considered easy to manipulate, these laws are the first important step to create a better and improved way to consider social opinion and preserve nature. Their adoption is also testimony of the gradual recognition by Chinese authorities that a better protection of the environment is precondition to a durable development of the country.

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<sup>24</sup> Environmental Justice Atlas, "Three Gorges Dam on Yangtze River, China", 2015, <https://ejatlas.org/conflict/three-gorges-dam-on-the-yangtze-river-in-hubei-china>

## **2.4. Second case: Xiluodu Hydropower Project (溪洛渡计划 *xīluòdù jìhuà*)**

The Xiluodu Hydropower Project (溪洛渡计划 *xīluòdù jìhuà*) is one of the most important examples of China's hydropower going global. It was recognized as the “Outstanding Project of the Year Award” by the International Federation of Consulting Engineers (FIDIC), a prize considered the Nobel Prize in the field of engineering services.

The project was developed by the China Three Gorges Project Corporation (CTGPC) and is divided into two different phase, the first includes the building of two different hydropower stations: the Xiluodu Dam (溪洛渡大坝 *xīluòdù dà bà*) and the Xiangjiaba Dam (向家大坝 *xiàngjiā dà bà*). The second phase instead comprehends the construction of the Wudongde Dam (乌东德大坝 *wūdōngde dà bà*). All three the plants are located in the Yunnan Province and the will be able to generate totally 13,860 MW. The project was proposed to the government by the CTGPC in January 2005 but was suspended for about a year because of lacks in the feasibility study (Xin, 2017).

### **2.4.1. First Phase: Xiluodu Dam (溪洛渡大坝 *xīluòdù dà bà*) and Xiangjiaba Dam (向家大坝 *xiàngjiā dà bà*)**

#### **2.4.1.a. Project description**

Xiluodu Dam and Xiangjiaba Dam are considered respectively the second and the third chinese largest dam after the Three Gorges one. They were built by CTGPC in one of the upper ranches of the Yangtze River between Yunnan and Sichuan provinces near the city of Xiluodu. This was an area not conformed to build a dam, in fact is a rare fish reservoir and an earthquake high-risk zone. The building of plants begun in

two different moments, for the Xiluodu Dam in December 2005 and for the Xiangjiaba Dam in November 2006. The date of completion was different too, for the first one was the 2013 and for the second 2014.

Xiluodu Dam is 300m high and 700m long, particular because its double curvature design, delimites a basin of 12,67 billion cubic metre and develops 64TWh of power every year. On the right and on the left bank of the reservoir there are two overflow tunnels each side and an underground power station with nine turbines for a complex amount of energy equal to 12,6GW.<sup>25</sup>

Xiangjiaba Dam is 380m high and 896,26m long, it has a total storage capacity of 5,185 billion cubic metre and an active storage capacity of 905 million cubic metre. Thanks to its eight electricity units, considered the most powerful in the world it can generate 30,747 billion KWh.<sup>26</sup>

The energy generated in these two stations is then sold to two different corporations and transferred via Xiluodu-Zhejiang and Xiluodu-Guangdong overhead transmission lines to the two eastern provinces of China.<sup>27</sup>

The dams' purpose was not only the generation of renewable energy but also floods control, sediment control and navigation improvements. Create new connections for commercial exchanges is a fundamental element in the China West Development Strategy. CTGPC's goal is to encourage the economy of Western China also by developing new central energy stations and new commercial waterways.

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<sup>25</sup> Power Technology, "Xiluodu Hydroelectric Power Plant", <https://www.power-technology.com/projects/xiluodu-hydroelectric-power-plant/>

<sup>26</sup> Environmental Justice Atlas, "Xiangjiaba Hydropower Plant in Yunnan and Sichuan, southwest China", 2018, <https://www.ejatl.org/print/xiangjiaba-dam-in-yunnan-and-sichuan-southwest-china>

<sup>27</sup> Xiluodu Project is part of the West-to-East Power Transmission Project



Figure 11. Xiluodu Dam (China Daily)



Figure 12. Xiangjiaba Dam (My Hydropower)

#### **2.4.1.b. Advantages and disadvantages**

As in the case of the TGD, the Xiluodu Dam and Xiangjiaba Dam were built to produce energy, prevent possible floods and improve the navigation along the Yangtze River.

The dams were constructed in the area between the province of Yunnan and Sichuan near the town of Xiluodu. In this zone the Jinsha River flows between the Daliang Mountains in Sichuan on the left (northwest) bank, and the Wulian Feng in Yunnan on the right (southeast) bank, a dam for the protection of the zone for possible floods was deemed as fundamental by project proponents.

Besides, locating the power stations in that area seemed the right place to create a division for the distribution of the energy. Electricity produced by both the dams is transferred to the central and eastern regions of China. In particular the energy generated by the right bank of the Xiluodu basin is distributed by the China Southern Power Grid into the Guangdong, Guanxi, Yunnan, Guizhou and Hainan provinces while the energy generated by the left bank of the basin is distributed by the State Grid Corporation of China to the central and northern provinces according to the West-to-East Power Transmission Project (Gibson, 2013).

The main organization which sustained and promoted the construction of the entire project was the CTGPC who funded the 80% of it while smaller companies and banks provided the remaining 20%. The aim of CTGPC was not only the building of the dam, but taking advantage of the situation to develop new technologies. This intention makes Xiluodu Hydropower Project occupy a leading position in the advanced construction of infrastructure (Xin, 2017).

Increasing the level of technologies was a good strategy to keep under control the high risk of earthquakes caused by the exposition to continuous solicitations of the ground.

On 27<sup>th</sup> July 2013, a landslide ripped through Huangping Village (黄坪镇 *Huáng píng zhèn*) in Yongshan County (永善县 *Yǒng shàn xiàn*) before flowing into the Jinsha River where it caused a 20 meters high wave killing at least 12 people.

According to geologists, the earthquake could have been generated also because of the intensive power station building, as Yang Yong of the Hengduan Mountain Research Institute said

It's like a balloon that remains stable, or slowly deflates, when there are no external pressures.

But when there is external pressure, such as from a needle, it suddenly bursts. Reservoir earthquakes are like that needle. You can't assume all reservoir earthquakes will be small.<sup>28</sup>

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<sup>28</sup> Environmental Justice Atlas, "Xiluodu Dam", 2017 <https://ejatlas.org/conflict/xiluodu-dam>

The case confirmed once again the environmental risks associated with the construction of such infrastructures, as it had already been the case in the Three Gorges area. The Chinese geologist and chief engineer of the Regional Geology Investigation Team of the Sichuan Geology and Mineral Bureau Fan Xiao affirmed:

Lessons need to be drawn from the landslides that have occurred in the Three Gorges reservoir area and landslides in China's other large reservoir regions. As these cases demonstrated, periods in which water levels rise sharply or fall rapidly are usually dangerous because they can trigger geological disasters or exacerbate geological instability.<sup>29</sup>

Spatial and temporal analysis of the landslide episodes happened, would define a more clear picture of the causes of possible future earthquake episodes.

To avoid and try to prevent landslide, a strict feasibility study and a relocation is required, not only to study them before the final approval but also to enlarge the possibility of an active public participation.

Also in the case of social impact, the situation was similar, although more limited in absolute numbers, if compared with the TGD. In this case, the plan would have relocated around 100,000 people. Resettlement of this kind of size are considered as migration with considerable social, economic and environmental side – effect.<sup>30</sup>

#### **2.4.1.c Public participation in the project**

If in the case of the Three Gorges Dam there was no kind of opposition or diverging idea was admitted, the Xiluodu Dam was studied and controlled more “carefully” , due to the implementation of new regulations for Environmental Impact Assessment (EIA) and relevant public participation procedures.

In fact, the Xiluodu Dam project after being submitted for approval by CTGC, was initially suspended for about a year because the first EIA was not deemed satisfactory

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<sup>29</sup> Environmental Justice Atlas, “Xiluodu Dam”, 2017 <https://ejatlas.org/conflict/xiluodu-dam>

<sup>30</sup> Environmental Justice Atlas, “Xiluodu Dam”, 2017 <https://ejatlas.org/conflict/xiluodu-dam>

by the competent authorities (SEPA). Main issues were the fact that the site was a rare fish reserve and an earthquake risk zone. Moreover, the project would have resettled 7,300 people and displaced around 50,000 people in future. In December 2005 though, the proposal passed and in the same month, the construction began.<sup>31</sup>

Even if the EIA Law was already issued in 2002, the more detailed Measures about the involvement of the public's opinion in evaluation of the project were not regularized yet. Also for this reason, when the authorities reevaluated the project risks and negative consequences were completely offset by advantages in terms of energy generation, navigation advantages and sediment and floods control. Most of all though, what make the authorities change their opinions without requiring a new EIA report, was the role that both Xiluodu and Xiangjiaba would take within the Great Western Development Program. Indeed the two hydropower stations were seen as an important factor driving local and regional socioeconomic development.

So, the intention to encourage at the same time the strong and fast rise of the western and eastern regions of China, the crucial role played by the ANSYS<sup>32</sup> in studying the dam's feasibility report, and the Chengdu Hydroelectric Investigation Design & Research Institute of State Power Company in providing the final design of the dam, were the perfect combination to resume the building of the project.<sup>33</sup>

Not everybody however agreed with the results of the cost-benefit analysis put forward by project proponents and endorsed by State authorities. In March 2011 in Suijiang County, a massive case of social unrest erupted against the huge social resettlement that Xiangjiaba Dam would have caused. The combination of confusions,

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<sup>31</sup> Water Technology, "Xiluodu Dam, Jinsha River, China" <https://www.water-technology.net/projects/xiluodu-dam-jinsha-yangtze-china/>

<sup>32</sup> ANSYS: Ansys, Inc. is an American public company based in [Canonsburg, Pennsylvania](#). It develops and markets engineering simulation software. It confirmed the realization of the Xiluodu Dam feasibility study before submitting it to the SEPA.

<sup>33</sup> Water Technology, "Xiluodu Dam, Jinsha River, China" <https://www.water-technology.net/projects/xiluodu-dam-jinsha-yangtze-china/>

disagreement, difficulties in finding a new job and a new house with the rumors that local authorities embezzled part of the people resettlement's compensations motivated citizens to show their dissatisfaction.

On 25<sup>th</sup> March 2011, when was the deadline for signing the relocation and the resettlement agreements, resettlers asking for a long time clear explanation on policies and solutions to their difficulties for which they had received no reply—took the streets and block the main roads conducting to the new site of Suijiang. At first, the authorities in fact, didn't realize the seriousness of the requests of the citizens and most of all of their actions which continued until 29<sup>th</sup> March. On the third day of protest, the local government organized a meeting to discuss with some representatives of local communities. Nothing was new to the officials: protesters were asking to have an equal compensation and house, more transparent resettlement policies and solutions to the situation of unemployment. To their requests, protesters received again no definitive responses because government's only reply was that they must act in accordance to policies issued by the central government.

On March 29<sup>th</sup> riot police intervening to disperse the protesters, the manifestation became in this way more violent and 50 people were injured. Once the protest ended up definitively, a spokesperson of the China Three Gorges Corporation informed press that no changes were made and the project would have continued as before.<sup>34</sup>

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<sup>34</sup> Environmental Justice Atlas, "Xiangjiaba Hydropower Plant in Yunnan and Sichuan, southwest China", 2018, <https://www.ejatlaser.org/print/xiangjiaba-dam-in-yunnan-and-sichuan-southwest-china>

## 2.4.2. Second Phase: Wudongde Dam (乌东德大坝 *wūdōngde dà bà*)

### 2.4.2.a Project description

The Wudongde hydropower station is a project still under construction placed in one of the lower reaches of Jinsha River between Luquan County (禄劝 *Lù quàn*) of Yunnan Province and Huidong County (会东 *Huì dōng*) of Sichuan Province.

It will be a dam of 240m high with a double curvature arch, the normal storage level will be of 970m and the total capacity of the basin will be more than 4 billion cubic meters. There will be 6 turbine generator units in each side which will generate a complex capacity of 10,20 MW.

It constitutes the second phase of the Xiluodu Hydropower Project after the building of the Xiluodu Dam and the Xiangjiaba Dam. Also in this case the China Three Gorges Corporation has the 70% of shares while the remaining is equally divided between Yunnan and Sichuan provincial governments with the 15% both. The aim is to continue the project of pushing the development of the western regions of China, building the fourth biggest hydroelectric power plant of the country.<sup>35</sup>

It will be a major project to stabilize economic growth during the 13th Five-Year Plan (2016-20) and a key power source for the massive west-to-east electricity transmission project<sup>36</sup>

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<sup>35</sup> Power Technology, "Wudongde Hydropower Project, Jinsha River", <https://www.power-technology.com/projects/wudongde-hydropower-project-jinsha-river/>

<sup>36</sup> Cit. Lu Chun, China Three Gorges Corporation's chairman

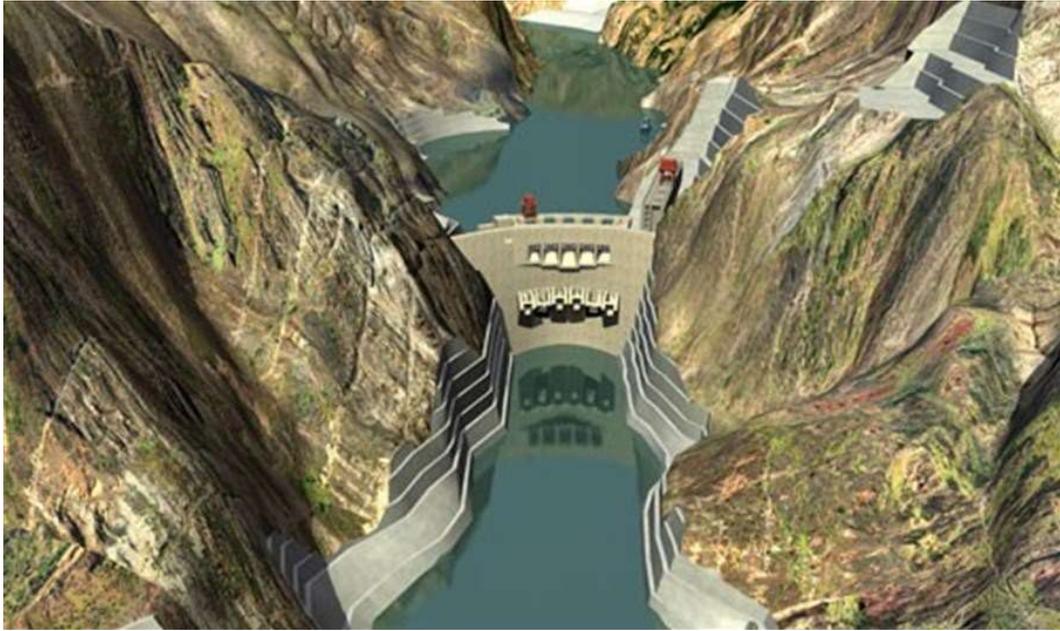


Figure 13. A digital rendition of the Wudongde Dam project (Shanghai Daily)

The first feasibility study of the project was proposed and approved by the National Development and Reform Commission (NDRC) in 2010 and the preliminary works started during the same year. In 2012, the study was published and subject to different phases of public participation. The results obtained by the involvement of citizens and experts opinions were summed up in reports fundamental for the issue of the environmental impact assessment plan. In 2015, a new version of the feasibility study was proposed, which received the confirmation by the Chinese State Council in the December of 2015 letting the construction starting the same month.

The dam is expected to be completed in 2019 but it will start to generate power in 2020<sup>37</sup>.

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<sup>37</sup> Power Technology, “Wudongde Hydropower Project, Jinsha River”, <https://www.power-technology.com/projects/wudongde-hydropower-project-jinsha-river/>

### 2.4.2.b Advantages and Disadvantages

The primary reason why the project was proposed and approved by the government is the big quantity of energy it will generate and that will be transmitted to the Guandong province as the West-to-East Power Transmission Project established. As for the Xiluodu Project, also Wudongde power station is part of the strategy of the government to improve at the same time both eastern and western regions of the country.

The effects of the Wudongde Dam to the ecological system will reach both flora and fauna.

During the building, both the development and the productivity of vegetation will change deeply while the quality of the landscape will decrease. The huge artificial dam will change completely the uniqueness of the spot addressing the area only to an economical exploitation.

Forests and lawns will decrease not only their extension but also their productivity and so their ability in maintaining the balance of the ecosystem.

Wetlands, being reduced in the extension of their area will create less natural resources. Finally, agricultural fields will be replaced by the huge basin, breaking not only the balance of the environment but also the economic and social ones. The majority of plantations will be moved in another area, taking advantage of the newly built reservoir of water (China Three Gorges Project Corporation, 2014).

About the impact on the fauna instead, it will affect both the land and the marine one, causing the reduction of many species and the death of rare ones, principally because of the machineries and the dust that will be created. Of course, we cannot say that these changes will happen immediately after the beginning of the construction but in a more long-term period.

The artificial lake will change the morphological and physical features of the basin in fact: the transparency and depth of the water, the temperature and current. If before the building of the dam the environment was nearly uncontaminated, with the

construction of the project will strongly damaged in its composition and in its purity. The production of waste water, gas and waste will affect the ecosystem.

As usual, they include the building of this hydropower station will bring not only disadvantages but also advantages. The first clearly will be the quantity of electricity generated thanks to the basin's water that will be transmitted to the eastern regions, the mitigation of possible floods, trapping of sediment and help improving the commercial navigation system. Other project activities related to the building of the dam, such as the construction of access road, grid connection works and land levelling, would create more occupation among local communities (China Three Gorges Project Corporation, 2014).

#### **2.4.2.c The public participation in the project**

The aim for this project was to make it open, clear and available to the feedback of everyone. Indeed, the project followed the procedure of the Provisional Measures for Public Participation in Environmental Impact Assessment of 2006 issued by the SEPA. Projects being published and studied by the citizens, experts and also government representatives and authorities. According to the guidelines, everyone should have the right to express its own ideas and opinions on a plan with so many social and environmental implications.

As stated in the Environmental Impact Assessment Report published in December 2014 states, the approval of the first feasibility study was confirmed by the National Development and Reform Commission (NDRC) in 2010 and, for the second time, in April of 2012. In that year, the chief of the research of environmental impact of the project, decided to publish in the newspaper and in the interested provinces government's websites, the last approved feasibility study. After this first phase of notifying the information to the public and collecting opinions and ideas from the

citizens, the first draft of environmental impact assessment report was published (China Three Gorges Project Corporation, 2014).



Figure 14. The publication of the project in the official site of Chinese public participation

(China Three Gorges Project Corporation, 2014)

In the same year, a first workshop to involve local communities was held. The districts which will be affected by the Wudongde Dam were divided in different areas in order to ensure a better access to public participation. During this consultation activities, some project's representatives presented the plan and all the different consequences it would have caused, socially and environmentally speaking.

For this time, only common citizens were invited in order to collect their ideas and issue a report.

In 2014, a second workshop was carried out where a revised plan was presented. The modifications were done considering the first feasibility study and the results published in the EIA draft report of 2012. If the previous phase admitted and

considered only the feedbacks of common citizens, this time though, also authorities, villages' representatives and environmental experts were invited to participate (China Three Gorges Project Corporation, 2014).

Project's central focus remained the hydro-energy production, so experts belonging to different fields as engineering, information technology, marine and land habitat, weather and climate were called to express their professional feedbacks. A new public participation report at the end was issued to sum up all the considerations received and improve the first draft of the environmental impact assessment (China Three Gorges Project Corporation, 2014).



Figure 15. Workshops of 2012 and 2014 (China Three Gorges Project Corporation, 2014)

Workshops were not the only tools to let the people be involved in the Wudongde Dam project. In villages affected by the building of dam in fact, a questionnaire was

administered to the citizens asking their point of view about the project. In total about 2460 questionnaires were distributed, of which 320 to work units, 540 to residents and 1600 to state resettleds. Of these 2460, the ones which returned fulfilled were 2272 of which 317 from the work units, 502 from the residents and 1453 from the state resettleds (China Three Gorges Project Corporation, 2014).

The questions were simple, direct and closed:

- 你是否知道乌东德水电站的建设?

Are you aware of the Wudongde Dam project?

- 你是通过何种途径了解到乌东德水电站的建设?

How do you know about the Wudongde Dam project?

- 你认为乌东德水电站的建设征地区域的社会经济状况如何?

How do you think the Wudongde Dam project would affect the social and economic environment of the area?

No kind of personal opinion was asked, people could only express a preference for one of the different options already given. The analysis of the results showed that natives and immigrants for the majority of the questions gave the same answers: they are aware of the project thanks to the government and they think that it could be an efficient tool to increase the productivity and the economical development of the area. Indeed, the results expressed the public approval and support of the project. They recognized social and environmental problems but generally, they think the hydropower station would take more advantages than disadvantages in the social and economic system (China Three Gorges Project Corporation, 2014).

Even if the impressions were that the new hydropower station would have no negative impacts to the environmental and social dynamics, both common citizens and experts recognized that the main problems to deal with would have be the pollution, the reductions of land fit for cultivations, the increase loss of water and the erosion of the land, the deterioration of the different habitats, the huge human resettlement and the

possible calamities that the works could have generated (China Three Gorges Project Corporation, 2014).

### 2.5. Economic plans related to the Yangtze Rivers' dams

The Yangtze River joins the eastern prospering regions with the western ones and is the busiest inland rivers for freight traffic in the global view. In order to facilitate the development of the river's surrounding regions and provide new inputs for the country's economy, no limits to water and environmental pollution were settled.

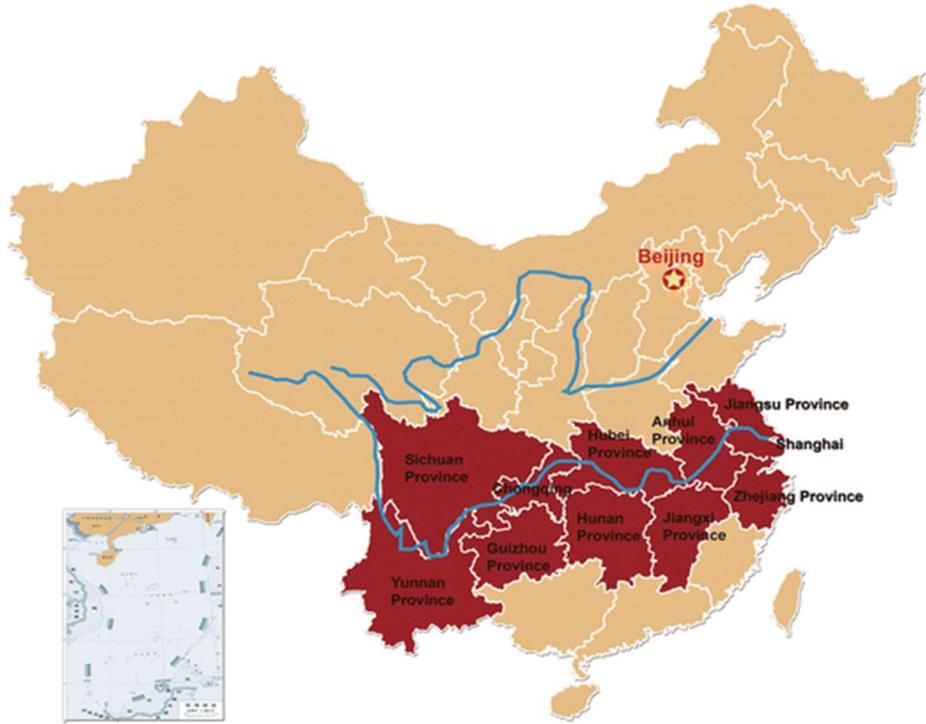


Figure 16. Yangtze River Economic Belt (Xu, 2016)

For many years the exploitation of the river was very intensive and the consequences are clear, it became polluted and definitely unsuitable for the human living. At the end of 2017, the central government defined an official plan to protect from an overexploitation that area designated as Yangtze River Economic Belt. Heavy and

chemical industry projects are now prohibited within one kilometer of the Yangtze and its major tributaries such as the Jinsha River. New projects are not allowed and existing ones are forced to relocate elsewhere (Xinhua, 2016).

Today, it is still crucial, linking the Silk Road Economic Belt and the 21st Century Maritime Silk Road... The status and role of the river and the economic belt mean the development along the river must prioritize ecology and "green development" to respect natural, economic and social rules... The Yangtze River boasts a unique ecological system. To restore its ecological environment will be an overwhelming task and no large-scale development will be allowed along the river at present and for a rather long period to come... Coordinated development must be achieved in various sectors like water, road, port, wetland and environment, as well as in various regions along the river... When we say there should be no large-scale development, it does not mean we cannot develop it at all, but we should stay away from destructive development of the river, and we should follow a green development path which puts ecology first.<sup>38</sup>

On May 30th 2018, the Development and Reform Commission bureaus of ten provinces (Jiangsu, Zhejiang, Anhui, Jiangxi, Hubei, Hunan, Chongqing, Sichuan, Guizhou and Yunnan) announced the prohibition to develop other small hydropower projects in the Yangtze River Economic Belt area. The reason of such a decision was then explained in the National Development and Reform Commission: there is the need to give breath to the environment of the area, a balance occur to be found between the economic development and the environmental protection (Jensen-Cormier, 2018). It can be considered as another challenge to focus more on innovation following a green economic development. Green because at the first place there must be the protections of the river and the surrounding area, economic because there must be also the improvement under the industrial aspect.

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<sup>38</sup> Cit. President Xi Jinping at the symposium on improving the development of the Yangtze River Economic Belt in Southwest China's Chongqing municipality, Jan 5, 2016

Recently another economic strategy was approved by government becoming one of the main source of the Chinese economic development, the West-to-East Power Transmission Strategy. It is a governmental project under the “Go West” strategic initiative aim to transmit the energy obtained from the water, the wind and the thermal power of western regions to the eastern developed ones as for example the Pearl River Delta, Yangtze River Delta, Beijing and Tianjin Municipalities. In this way, with one project authorities combine two different goals: the development of the Chinese inland zones and the need of electricity of the provinces along the coast (Gibson, 2013).

The intensive and unstoppable construction of hydropower dams constituted the first phase of the strategy, the expansion of the source of energy was fundamental to face the energy requirement of the developed regions. The seven main recipients are: Beijing, Tianjin, Hebei, Shanghai, Zhejiang, Jiangsu and Guangdong which consume about the 40% of the total state electricity.

The second component was in instead the building of the corridors for the transmission of the electricity (the arrows in the figure 17). They can be distinguished in three groups: the norther, the central and the southern networks.

The northern corridor connects the hydropower stations along the Yellow River and the coal bases located in Inner Mongolia, Shanxi, Shaanxi, Xinjiang, Qinghai and Gansu with Hebei and Beijing and Tianjin.

The central one creates a connection between the hydropower plants in the upper tributaries of the Yangtze River with the area of the River’s Delta. The Three Gorge Dam is a fundamental part of this corridor since it transmits the 35% of the electricity sent to the YRD.

The southern network instead represents the link between the coal bases in Huizhou, Guangxi and Yunnan with the Guangdong province (Gibson, 2013).

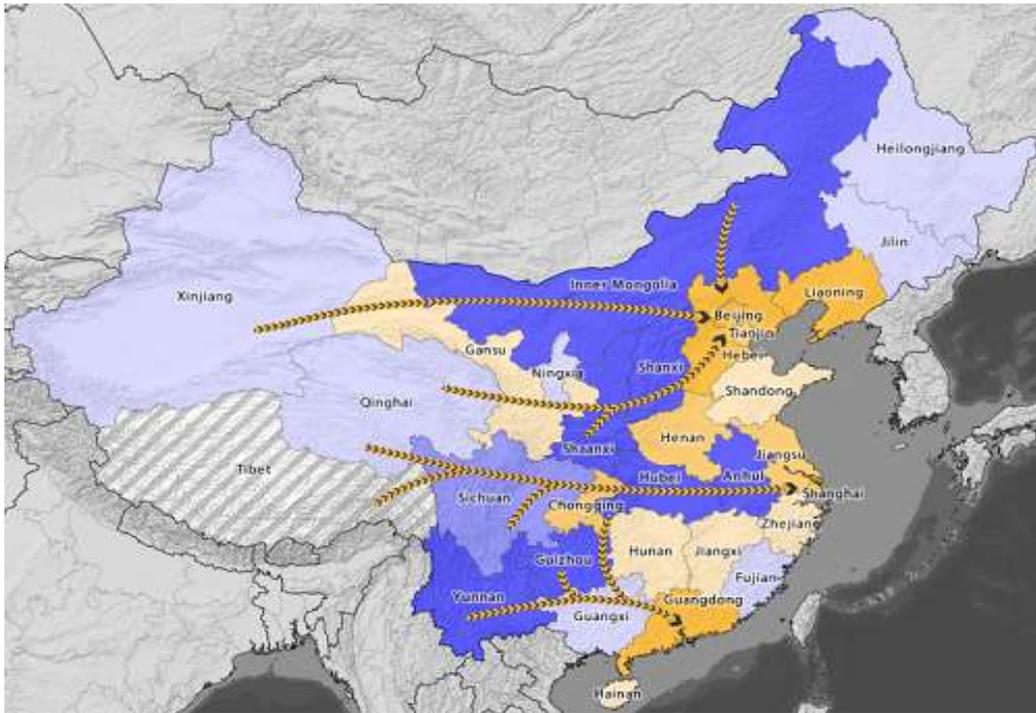


Figure 17. Map of the three different corridors of the West-to-East Power Transmission Strategy (Gibson, 2013)

The priority given to the generation of the energy for the need of the eastern regions and the development of the western ones puts all the local needs of agricultural waters users, residential electricity needs or local economical progress, in second position. The conflict between state and local necessities was a real matter only for the citizens because the authorities' preoccupation was only the economic growth of the state. For this reason the Yangtze River Economic Belt have been such exploited.

## 3. Conclusions

### 3.1. An analysis of impacts of public participation on decision making

The Three Gorges Dam, the Xiluodu Dam, the Xiangjiaba Dam and the Wudongde Dam projects are the four cases chosen in the previous chapter to understand progresses made and challenges ahead in the public participation measures adopted by the government during the years. This chapter focuses on evaluating the impact of the social feedbacks provided by the different public participation methods.

The analysis employs a qualitative observation of the planning process of the different cases considered, to outline both the common and the different characteristics across them with particular reference to the impact of public participation in the decision-making process.

The cases' described in the second chapter share two distinctive elements, is very helpful to understand not only the advantages and the disadvantages but also the familiar and the unfamiliar elements of the samples. The three main features that can be distinguished in the description of the cases are:

- the hydroelectric sector to which they belong
- the geographical area where they are built

They differ however with respect to the period in which they were evaluated and approved by the government. The time variable is the key in this analysis, since we aim at understanding if there has been progress towards a more meaningful participation of the public over time or not.

### 3.2. The time-line of the main events

Defining an accurate time-line of the four study cases described in the previous chapter is the most useful instrument to understand progresses made in the implementation of the participatory channels in the environmental assessment sector.

The first case mentioned, the Three Gorges one, was proposed officially by Mao Zedong in 1953 but only in 1992 the project was officially approved by the National People's Congress. This long delay was caused of course by the last difficult years of Mao's presidency and also by the economic difficulties of the State which couldn't allow the realization of such a huge project in that period. The financial difficulties make the Chinese Ministry of Water Resources and Electric Power ask for the Canadian government's help both in the realization and in the evaluation of the project. What they considered, to understand the possibilities of actualization of the hydropower station, was a feasibility study of the dam with all the details. When they formally recommend the project and the NPC formally approved the construction, the building begun.

Already before that the decisions were made, society began to understand their rights and the importance to fight for them. At that time though, no official laws or NGOs existed so their only possibilities were social protests. Tian'anmen in 1989 is the clear example of this consciousness and this new will to make their voices heard. In the following years, other anti-dam movements erupted. The protagonists were principally scientists, intellectuals and journalists helped by the Canadian organization Probe International. Citizens were aware of their rights and the importance to fight for them.

The most important figure in this scenario was Dai Qing who didn't consider the possible consequences and in 1989 published a book titled "*Yangtze Yangtze!*" manifesting all her doubts and future social and natural consequences of the Three Gorges Dam. This book became the manifesto of the environmental movement against

the overexploitation of the hydropower plants along the Yangtze River and the main tool used by the protesters during the Tian'anmen social unrest.

In 1997 another petition occurred in Gaoyang Township against the local authorities who manipulated the data of land available for the resettled embezzling the funds distributed by the Central Government. Before being arrested, the leaders of the manifestation sent their third petition denouncing the difficulties they have to face in order to create a new house and a new life.

Another figure important for his battle against the construction of the Three Gorges Dam was Fu Xiancai. After an interview with a German television, he was assaulted remaining paralyzed. There are no proofs against the state police or anybody else, the investigations made by the police of course, demonstrated that the attack was made up by the Fu himself.

In 2002 the first step toward a better consideration of the projects was done: the Environmental Impact Assessment Law was established. From this moment, every project to be approved should have undergone the evaluation of its feasibility study by a selected commission. This new rule was not particularly detailed and strict because lots of mechanisms and standards were still to be defined so as the consequences if the EIA report were not presented.

The second case, the Xiluodu Dam project, was proposed by the China Three Gorges Corporation in 2005. After the feasibility study was presented to the authorities, the plan was suspended. The environmental impact assessment in fact, wasn't satisfying so the commission decided to hold it and wait for some adjustments. Despite the Environmental Impact Assessment Law, there is no trace of public participation involved into this case and after a year with no changes or development, the authorities decided to proceed with the plan. The economic implications and the commercial advantages of the dam which would become the second biggest hydropower station in China, were incomparable to social and environmental

consequences that the building would have caused. The plan was part of the West Development Strategy of China and once approved this last plan there were no excuses to keep the building of the dam still hold.

Xiangjiaba Dam was approved in 2005 but the building begun in 2006. During the construction, in 2011 in Suijiang County a protest against the conditions of the resettlement's agreement begun. For five days, no compromises were achieved and the 29<sup>th</sup> March 2011 riot police intervened to disperse the protesters who instead became violent. At the end, no changes on the plan were done and the construction continued as settled.

Both the two stations belonging to the first phase of the Xiluodu Hydropower station were approved right before the new Measures of 2006 were published by the State Environmental Impact Administration. Their aim was to consolidate the procedure to provide an assessment to obtain the approval for the project and allow a larger disclosure of the information for the public. Of course the report need to be stated by a licensed EIA entity because standards must be respected.

The fourth case, the Wudongde Dam was approved in 2010 after a careful evaluation of the feasibility study proposed to the National Development and Reform Commission. In 2012, the project was published in the newspaper and website of the provinces involved in the project to make people aware of the imminent building. This project needed to apply not only the measures of the 2006 but also the more detailed Technical Guidelines for Environmental Impact Assessment Public Participation stated in the 2011. These new "rules" to follow make the project of the Wudongde Dam the perfect example to explain the implementation of the public participation methods planned by the government.

Workshops for common citizens were set up in the same year with the aim to issue a report with the common social feedback collected during the meetings and consider possible modifications before proceeding with the environmental impact assessment.

In 2014 a new series of workshops were organized but this time with the participation of experts, authorities and villages' representatives too. A new report was stated considering the professional point of view of the people invited.

Another tool used to collect people's ideas and comments was the distribution of written questionnaires among residents, resettled and work units. The choice to consider any kind of society groups was made to involve everybody in the possibility to express an opinion even if limited to the closed questions proposed. They couldn't write a free answer to the question because they were already fulfilled, the ideas even if asked were pre-set up by the authorities.

The project after the formal approval in 2010 was modified thanks to the other reports issued during the public participation phase but it is still under construction. The expectations says that it will be completed in 2019 but able to generate energy in 2020.

1953	President Mao Zedong proposed the Three Gorges Dam Project to the State Council
1985	The National People's Congress delayed the decision because of the economic difficulties
1989	Tian'anmen social unrest. "Yangtze Yangtze!" was published
1992	NPC formally approved the building of the hydropower station
1997	Gaoyang Township petitions
2002	The Environmental Impact Assessment Law was issued
January 2005	Xiluodu Hydropower Project was confirmed, in particular the Xiluodu and the Xiangjiaba Dam were approved
December 2005	The construction of Xiluodu Dam begun
2006	The construction of Xiangjiaba Dam begun
2006	Measures for Public Participation in Environmental Impact Assessment
2010	Wudongde Dam was approved
24 March 2011	Suijiang County protest started
29 March 2011	Police intervened to calm down the protesters
2011	Technical Guidelines for the Environmental Impact Assessment Public Participation
2012	Wudongde Dam project was published on local websites and newspapers, meeting were organized
2014	A new series of meetings and workshops were organized

### 3.3. Analysis' conclusions

The Three Gorges Dam is the first huge case of Chinese hydropower station. At that time, even if there wasn't any kind of institutionalized participatory channels, public refused to be excluded from the decision-making process. They were aware of their rights and decided to fight to inform the authorities about their opposition despite the possible consequences that their behavior would have caused.

Regularize the environmental impact assessment sector was necessary, 2002 and 2006 were characterized by the publication of law and measures which became mandatory

just after the final approval of the Xiluodu and Xiangjiaba Dam in 2006. Since the projects were confirmed before the publication of the new guidelines, the project proponents had no obligation in involving the society during the evaluation phase of the project. Not being opened to the direct public opinion and the many disadvantages the stations would have caused, brought many anger-venting incidents, for the majority of the times repressed by riot police. If the first case study signals the beginning of people's rights awareness, Xiluodu and Xiangjiaba plants demonstrates the strong will of the citizens to inform the decision-making process of their point of views about all the social disadvantages the dams would have caused. Without the involvement of NGOs though, the possibilities to influence the project are very low, without their presence there wasn't the necessary intermediary between citizens and project proponents.

Until 2006, not enough opportunities have been instituted for ordinary citizens to express their ideas and participate in the decision-making process. The EIA Law of 2002 was only the first step for letting citizens gain the public access to qualitative information and active mechanisms. Measures and Guidelines of 2006 and 2011 were the regulations that put into practice the communications channels between common people and project's proponents.

The fourth case represents the implementation of all the theoretical improvements of the previous years. It was proposed in 2010, so it had to be conformed to the rules of public participation in environmental assessment sector organizing meetings and workshops and submitting questionnaires and surveys. The results obtained by them were not against the building of the dam, on the contrary citizens recognized the important contribution to the Chinese economic development only highlighting the main environmental problems it would have caused. Wudongde Dam public involvement represents the will of the citizens to participate more than to contrast and abolish the hydropower project.

Let public be involved in the decision-making process doesn't have to be considered as an obstacle to the development of a project, on the contrary it has to be considered as a tool to improve it thanks to the collections of different perspectives. Nowadays, the channels to express and then collect these ideas are innumerable, from the NGOs and workshops to the social media and meetings, the key is to use them with intelligence in order to influence the government decision-making process.

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