

POLICIES FOR OVERCOMING BARRIERS IN GOVERNANCE AND CITIZEN INVOLVEMENT

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OVERVIEW:

This is an overview on the policies for overcoming barriers in governance and citizen involvement related to water pollution in enclosed sea areas.

1. Causes of sea water pollution can be cited as follows: release of oil, oil spills from accidents, port developments and shipping, reclamation, agricultural pesticides, toxic pollution, grazing, mining, the forestry practice in coastal wetlands, agriculture development and fertilizer, residential developments, mangrove harvesting for woodchips, fuel wood, and building materials.
2. Policies overcoming barriers in governance should incorporate the various elements just as in an integrated organic substance. These elements include not only preventive regulations, but also legal, political, economical and educational barriers.
3. Governance of water protection runs from regulations on the upper stream to the sea and through the lower stream. Thus, policies for water protection should cover all of related policies set out by state and local governments. An integration of regulations is necessary. Barriers in governance of water protection policies usually stems from the diversity of interests which can be motivated by various elements.
4. Policies relating to the water quality in enclosed sea areas involves input from political organizations of all levels ranging from small local governments to government decisions on an international level. These policies can also involve various related organizations or groups such as fishery and/or labor unions. Citizen groups also play an important role among them.

5. Cooperation among state and local governments should be considered as an important tool. It is achieved through organizing an association whose members should be public officials in the specialized areas concerned. Such cooperative organizations play an important role for making uniform policies which cover the particular areas. A Governor and Mayors' Conference concerning the Seto Inland Sea of Japan is an example which takes a certain burden for protecting the quality of water in the sea.
6. Cooperative organizations among business, civic, conservation groups, universities and government organizations are also cited as playing quite an important role. The Maryland Coastal and Watershed Resources Advisory Committee or Pennsylvania and the Chesapeake Bay Commission is another example for this purpose.
7. Non-governmental organizations are considered as a major sector of the environmental protection movement.
8. Citizen participation should be reviewed depending on various processes of the planning. This may include establishing laws or ordinances involving concerned plans or projects. It may also include drafting plans or projects as well as developing decision making procedures for settling disputes which may arise after the implementation of a given project.
9. The degree and ways of citizen participation should be reviewed. In addition, the extent that the citizens should be involved in the process should also be addressed. Hearings provide the opportunity to submit related proofs. This is a common component in the overall process. The definitions of citizen or citizens' groups are also required to be stated when citizens' participation is discussed. Citizen participation may require involvement in the hearing process. The extent of this area may be defined as the broadest possible such as on a global level.
10. Various ways of overcoming barriers can be illustrated depending on the proceeding plans or projects:
 - (A) Before establishing plans or projects, citizens should be provided with relevant information as a means of education. This should include broad information on water protection.
 - (B) In the process of making plans or projects, providing information has another purpose.
 - (C) In the process of adjusting legally or substantially conflicts between citizen groups and the authority concerned, opportunity for stating opinions of citizen groups should be fully protected.

(D) In the process of deciding cases in courts, legal procedures in due course can be followed as defined in pertinent laws and ordinances.
(E) Opportunities for stating opinions and for participating in the decision making processes are the most important elements for overcoming barriers.

11. The characteristics of the citizens; interests should be reviewed in the process of finding the reasons for such barriers. A citizens' group may insist on protecting the seashore while another citizens' group may have a plan for reclaiming the seashore in order to build houses on the land. Conflicts between these two groups should be reviewed from analyzing the nature of the interests involved. An example of this scenario can be seen in a recent reclamation through drainage of the Isahaya Bay in Nagasaki Prefecture, Japan. One citizens' group in the area strongly insisted on reclaiming the bay through drainage to prevent a large scale flood and also to enlarge the land for farming. Another group opposed this idea by starting a anti-reclamation movement. The former group supported the reclamation plan, which was also promoted by the prefectural government.
12. Standards for judging the intent of special interest groups are required. They must be examined in both the long and short term. The programs or projects may be reassessed again after a certain period of time in order to determine whether modifications are necessary.
13. The evaluation of the program can be initiated by the decision making process of the authority concerned. It may also involve the citizens' groups in a legally authorized decision making process, as well as the political decision mechanisms such as direct voting by the citizens in the concerned area.
14. The concept of a time lapse assessment should be introduced as a form of reevaluation for a development project. This concept can be adopted as a special provision within a specific law or in the form of special legislation such as an assessment act. Motivation for adopting such a provision within a statute has been seen in citizens' movements which strongly insisted on reevaluation of an original project due to a serious threat to the environment. Another type of reevaluation can be conducted in the form of a meeting or conference review of the main policies. This may occur at the local government level. This type of review may also serve to review a project adopted in the past. Citizens' groups are expected to play an important role in this type of activity. In order to effectively resolve the issues, the opportunity for a formal hearing should be provided as a procedural rule or as a matter of due process. Central or local governments are required to

adopt such policies for protecting our environment. To ensure this, it is suggested to pass a law for reconsidering public works which should provide a legal settlement for deciding disputes. This can also serve to enjoin a contesting project. This function does not require an administrative court or agency to settle the dispute relating to compensation. Instead, it serves to issue an injunction for alteration or modification of current policies.