

**Environmental NGOs in China:  
Encouraging Action and Addressing Public Grievances**

**Monday, February 7, 2005 at 2:00 PM**

**Rayburn House Office Building Room 2255**

**Statement of**

**Patricia Adams**

Thank you very much for the opportunity to participate in this Congressional-Executive Commission on China Roundtable. I am the Executive Director of Probe International, a Canadian-based environmental NGO. For 25 years, we have worked with citizens in Third World countries to help them fight development projects that undermine the environments they depend on.

Since the early 1980s, Probe International has monitored the world's largest and most controversial dam project, the Three Gorges dam on China's Yangtze river. We have done so by working with academics, researchers, and press in China, including Dai Qing, the celebrated Chinese journalist who spent 10 months in jail for publishing *Yangtze! Yangtze!*, a book authored by China's most eminent scientists and scholars. Probe International translated and published *Yangtze! Yangtze!* and a subsequent book edited by Dai Qing, called *The River Dragon Has Come!*. Both books are banned in China. We also published our own damning critique of the dam's official feasibility study, which was financed by the Canadian government, conducted by Canadian engineers, and used to justify building the Three Gorges dam.

I am also the publisher of Three Gorges Probe, an Internet news service that Probe International began in 1998 to report on Three Gorges and other dams in China. Our goal has been to circumvent the ban on criticism of the Three Gorges dam. We believe that projects like Three Gorges can be built only in the absence of good information about their real costs and benefits, and in the absence of an informed public debate. Our goal is to let the facts, for and against dams, speak for themselves, and to help inform the public by providing the Chinese press, scholars, and activists with a safe forum in which to publish their views. But perhaps our news service's most important goal is to record and publish details of the harm done by Three Gorges and other dams, in the hope that future generations will be protected from more of the same.

Three Gorges Probe is published in both English and Chinese. The two sites together have close to a quarter of a million page views per month and their readership grew at a rate of almost 150% last year.

Despite the fact that we often publish censored information, our site has generally not been blocked in China and our readers from the mainland have described Three Gorges Probe as the "best," "most accurate," and the only "truthful" source of information about the dam. Three Gorges Probe is relied upon by the press, scholars, environmentalists, and grassroots activists. Dam officials also read it: Sometimes, within days of our stories exposing a scandal or a threat to the dam, dam authorities would announce either that the problem doesn't exist or is being solved. Our stories have ended up on the front pages of the international media, including the New York Times and the UK's Guardian, on Chinese Internet sites around the world, in the chatrooms of China Youth Daily, Sina.com and even the Changjiang Water

## Resources Commission.

Here's a sample of the stories we've covered:

1. an exclusive report revealing endemic corruption, debauchery and an underworld that now robs and terrorizes dam evacuees who are being resettled by the Three Gorges dam;
2. the arrest, detention, trial and conviction of four representatives of dam evacuees from Yunyang county who attempted to recover their community's compensation funds from corrupt local officials by appealing to the Communist Party in Beijing. They were sentenced to two and three year jail terms for "maintaining an illicit relationship with a foreign country" and for "disturbing the public order;"
3. an energy analysis showing that Three Gorges power is more expensive than power from high efficiency gas turbines and cogeneration, and ineffective at displacing coal-fired power;
4. leaked correspondence between China's top leadership admitting that Qinghua University research shows that the dam's flood control benefits are inadequate and "smaller than declared by us." But, warn the correspondents, "never, ever let the public know this;"
5. warnings by two senior members of the Chinese Academy of Engineering that incidents of earthquakes and landslides indicate that the Three Gorges region is geologically unstable, that lives are at risk, and that geological-safety inspections of resettlement zones must be carried out immediately and checked and double-checked;
6. a report on cracks in the dam which are more than a meter deep and run all the way up the huge concrete structure, leading to emergency repair work and promises by dam authorities to take greater care in future;
7. a surprise announcement by dam operators that it would raise the reservoir level from 135 to 139 meters three years ahead of schedule, forcing the emergency evacuation of 1,300 residents from their homes. Independent experts think the reason was to protect electricity output which is threatened by an unexpected rise in the accumulation of silt behind the dam;
8. during the news blackout of the surging anti-dam protests at the Pubugou dam site in Sichuan province last October and November, we reported on the violent clashes with police resulting in several deaths, hundreds of villagers detained, several dozen farmers hospitalized and the emergence of the "dare-to-die brigade" – elderly men and women who taunted the police with shouts of, "Kill us, kill us! We will no longer have to move if you kill us!" (This period was one of the few in which our Web site was blocked.)
9. a report on farmers in Hebei province who risked life and liberty in 2004 to dodge police and gather more than 11,000 signatures on a petition calling for the removal of Zhang He, the former mayor of Tangshan and the city's Communist Party boss. The petition accused Zhang He of stealing compensation funds intended for people who were forced to move in the 1990s to make way for the Taolinkou reservoir on the Qinglong River. Seven of the farmers were arrested by local police as they attempted to deliver their petition to the National People's Congress. Their lawyer escaped, however, and was chased by Tangshan police around Beijing, from one hiding spot to another, and one computer to another, from which he gave online updates of the unfolding drama and with which he did Google searches to get more information on the "assembly and demonstration law," "the Constitution of the PRC" and "the representative law of the National People's Congress and people's congresses at local levels" to assist his clients.
10. we have posted the Chinese, and now the English version, of a remarkable book by a Chinese social scientist, Ying Xing, about the ruinous impacts of the Dahe dam built on a Yangtze tributary 30 years ago and the determination of ordinary citizens who fought for their rights in a 20-year struggle. Many of the 20,000 people affected by that dam are now being forced to move for Three Gorges. The book, *The Story of the Dahe Dam*, was published in China to great acclaim in 2001, and was banned six months later. It remains banned today.

Where do we get our information?

Until recently, details of citizen protests or criticism of dams in China have not come from formally recognized, government approved NGOs that are able to hang up a shingle advertising their existence. And, until recently, lawyers have not come forward to help aggrieved citizens. With the exception of a few aggressive newspapers, very little information beyond propaganda has come from the mainland media.

Instead, over the past 20 years, critical information about Chinese dams has come in an ad hoc way from journalists, activists, site research, the Internet, and dam authorities. Much of the expert opinion we rely on has come from Chinese scholars, many of whom are elderly and, having survived years of abuse for voicing their opinions, have become even firmer in their resolve to speak out for the sake of future generations. Over the years, academics who dared to criticize dam plans such as Huang Wanli, China's most eminent hydrologist, were made to do hard labour building the dams. They were deprived of their teaching posts and shunned in their professional lives. This has been a tragic reality for dam critics. Some have been deprived of research funds, others have lost their right to work and to publish. Others have been demoted. Still others have been visited in the middle of the night by the police and warned not to talk to foreign journalists.

Academics aside, average citizens such as He Kechang and his compatriots in Yunyang county have been jailed on trumped up charges because they sought justice for the losses they suffered because of the Three Gorges dam. The few mainland newspapers that have dared to disclose damming details about Three Gorges or other planned dams have had their top editors fired and their management charged with corruption. In our own work to publish critical information about the environmental, economic and technical problems with Chinese dams, we have had to take precautions. Most of our Chinese contributors use pseudonyms. We are always circumspect in our communication.

I believe this oppressive atmosphere is going to change.

The recent protests against the proposed construction of dams in Western China along the Nu and Jinsha (upper Yangtze) rivers in Yunnan and the Min River and Pubugou dam in Sichuan are a sign of the changing times: Chinese citizens affected by dams are becoming acutely aware of their rights and are prepared to fight for them; academics and environmentalists are able to help them, the press is very interested in covering their stories, and the Internet facilitates all parties' communication. These protests have been so effective that, by the end of 2004, work on over a dozen dams had been suspended.

While environmentalists, NGOs, and the affected communities in China have made great gains in their struggles against these big dams, people such as Dai Qing report that everybody knows these victories are temporary. And, she adds, it is likely that the vested interest groups – powerful forces including officials of the dam enterprises and the ministries that sponsor them – will do everything possible to stage a comeback, cracking down on the environmental organizations and attacking the leaders.

But there is at least one reason to hope that the “benefit groups,” as Dai Qing calls the beneficiaries of the

current system, won't resort to their old methods of repression to build their dams. It is this.

On January 18 of this year, the State Environmental Protection Administration (SEPA), China's top environment watchdog, accused 30 infrastructure projects (26 of which are energy schemes) in 13 provinces and municipalities, involving billions of dollars, of starting construction before their environmental impact assessment reports were approved. It then ordered them to suspend construction. This is an extraordinary and unprecedented move by the central government. The Chinese environmental enforcement authorities sent state enterprises and the private sector a message they have never heard before: We have a law that requires you to submit an environmental assessment for your project in order to get approval to proceed and if you don't abide by the law, we'll suspend your construction until you do so.

According to China's Law on Environmental Impact Assessment, which took effect on September 1, 2003, construction projects should not be started before their environmental impact assessment documents are approved by environment authorities. Furthermore, the law is supposed to oblige project developers to consult with local communities before decisions are made. Indeed, Pan Yue, the vice-director of SEPA, announced that in future public hearings will be held on environmentally sensitive projects to allow residents and other parties into the decision-making process.

By January 24, construction on 22 out of the 30 projects had stopped.

Construction on the remaining eight of those projects continued, including three hydropower plants of the China Three Gorges Project Corporation. Two of the plants are part of the Three Gorges Dam complex (the Three Gorges Underground Power Plant and the Three Gorges Project Electrical Power Supply Plant) and the third is the Xiluodu Hydropower Plant along the Jinsha River, a section of the upper reaches of the Yangtze River, a \$5.3 billion project and is the biggest among the 30.

SEPA threatened the China Three Gorges Project Corporation with legal action and the drama of the stand-off between SEPA, heretofore considered a toothless environmental regulator, and the China Three Gorges Project Corporation, one of the nations' most powerful and China's largest hydro-electric power company, mounted. The domestic media dubbed the actions as an "environmental impact assessment storm."

Then, on February 2, the developer of the Three Gorges Project Corporation backed down, agreeing to file environmental impact statements for two power plants and to hold up construction on a third.

The compliance of the Three Gorges company, which had refused to obey the order for a fortnight, was believed to come about as a result of direct pressure from the central government. Not only has China's Premier, Wen Jiabao, backed SEPA but, according to news reports, SEPA enlisted the support of the powerful National Development and Reform Commission (NDRC), the country's top planning authority, to enforce its order.

Furthermore, during the stand-off, SEPA and the National Development and Reform Commission issued a notice about the need for environmental protection during the building of hydropower plants. According

to the notice, some projects start construction without environmental protection facilities, causing soil erosion, while others cause negative impact on the ecology of the lower reaches due to defects in design and operation. Great importance should be attached to the environmental impact assessment of hydropower development plans, the notice said. Hydropower projects should also take concrete environmental protection measures.

Li Dun, of Tsinghua University's Centre for the Study of Contemporary China, said the co-operation between SEPA and NDRC was encouraging, but he remained cautious. SEPA has not dealt with fundamental environmental issues such as whether those projects should be built in the first place. "It remains to be seen whether the Environmental Impact Assessment Law is just a process," he said.

Professor Li is absolutely correct.

SEPA's environmental assessment law is not going to save China's environment. My organization has a 20-year history of reviewing feasibility studies for large development projects, starting with the massive feasibility study for the Three Gorges dam, which included an environmental assessment. It was so rife with errors, omissions, and bias that we filed formal complaints of professional negligence against the engineering firms that conducted it.

Environmental assessments are usually conducted by the proponents, paid for by the proponents, or controlled by the proponents. Because the proponents are not held legally accountable to those they harm or put at risk, proponents can discount the costs they inflict on others. Their environmental cost assessments need not accurately or comprehensively match reality. Their assessments routinely overestimate benefits without substantiation, but with hyperbole. In the end, environmental assessments become nothing more than public relations exercises to whitewash bad projects.

I doubt that the environmental NGOs, legal commentators, and scholars who have followed SEPA's unprecedented actions over the past few weeks expect the agency's move to permanently stop any of these 30 projects. But SEPA's enforcement of China's new Environmental Impact Assessment Law could have a profound effect in a different way. By upholding the law, SEPA would force proponents to carry out environmental assessments and to consult with local communities before giving approval for infrastructure projects. In so doing, the central authorities would uphold and enforce the rights of Chinese citizens and NGOs to know, to debate, and to participate in the decisions that effect their environment. In a country where citizens have been jailed, fired, demoted, threatened and even physically attacked for attempting to exercise these basic rights, this is a fundamental step toward enshrining the right of citizens to protect their environment.

Many commentators look at China's 1.3 billion citizens and see them as the world's largest threat to the global environment. I don't see them that way. Instead, I see the Chinese government as the largest threat and the citizenry as the world's largest group of front-line defenders of the environment. Give Chinese citizens the right to know, the legal and political tools, and the security to exercise their rights and to hold accountable those who would destroy their environment, and the world will see a dramatic turnaround in the dismal state of China's environment.

Thank you.