NGOs and Environmental Governance in China

An Interview with Ma Jun

Ma Jun began his career as an investigative journalist for the South China Morning Post in the 1990s. His reporting on Chinese environmental issues culminated in his book China’s Water Crisis, which has been compared with Rachael Carson’s Silent Spring as one of the first broadly received works on China’s environmental situation.

He currently directs the Institute of Public and Environmental Affairs (IPE), which created the China Water Pollution Map, the first public database of water pollution information in China. YJIA Editor Chansonetta Cummings interviewed Ma Jun about the state of environmental governance in China.

What is the mood in Beijing now that the Olympics are over?

Everything is back to normal. The challenge is how to keep up the momentum of improvements to our environment. I think the Olympics showed people that environmental restoration and improvements in air quality are not a mission-impossible. It gave people confidence and hope that something can be done, but we also need to realize the extent of the challenges. In an emergency situation it is easier for the public to accept drastic measures. If you try to make these changes permanent, there will be resistance. Not just that - even technically, you cannot easily implement some of these measures. This can be seen in the case of the even-odd license plate system intended to cut down on traffic in Beijing. People started buying two cars and the result was more pollution and more congestion. We need to think about something more strategic for the long-term. We need to keep an eye on the factories and make sure that those which have suspended or stopped production that were previously violating the standards resume operation only after they change their behavior.
How does IPE engage in dialogue with the government on environmental policy?

IPE is an officially registered, non-profit institute based in Beijing. It was set up in 2006 with a mission to promote stakeholder involvement in environmental protection work. We believe that the precondition for any meaningful public engagement is to have access to environmental information so we chose the water pollution database as our first project. We launched the China Water Pollution Map website in September 2006. The map has a user-friendly interface and provides people with thousands of sets of data on environmental quality. It also lists violators of water standards. During the past two years we have found that when people have access to this government data, it helps focus public attention on specific environmental challenges in different regions. And increasingly, people are paying more attention to the list of violators because that is tied into the solution side: these companies are legally responsible for our serious pollution problem. This helps create public pressure on companies which so far do not quite feel the pressure. About eighty companies have come to us to explain what went wrong and how they have fixed the problem. Some of them are quite keen to get their names off the list, so we have devised an auditing process to independently verify whether they have truly fixed the problem and are in compliance.

So this is all within your organization and does not involve the government? You deal directly with the companies?

We deal directly with the companies. But all the original data comes from the government. So in that sense, this is a way to create a more positive interaction between the major stakeholders: the government, the corporations, and the public. Basically, we take government-sourced data, make it user-friendly and accessible to the public, the media, and to others in order to create public awareness and put pressure on companies.

Then those companies who value their brand will have to make changes. Are the companies that contact you mostly Chinese or multinationals?
Among the eighty companies, I think seventy are multinationals. “Name and shame” only works when you have a brand name that you care about. That is actually our problem. So far we have done sixteen audits - including four voluntary audits - and of the twelve others, ten names were removed from the list after they demonstrated that they had fixed the problem. Each one is helpful to our environment. But in comparison with the tens of thousands of polluters on our site, it is only a tiny percentage, so we need to reach those who do not care. How do we do that? I think the best way is to transfer pressure from those who care to those who do not. Increasingly what we have found is that the major brands are not doing the dirty work themselves. They outsourced it to local companies, and to Taiwanese, Hong Kong, and Korean companies. Current sourcing practices actually encourage them to cut corners to win contracts, so we need to change this incentives scheme. We want the major brands to take care of the entire supply chain.

In the last year and a half, our focus has been on using our database to create a methodology on supply chain management called “The Green Choice Alliance Program,” which we launched in August 2008 in Beijing. This program invites companies to compare their list of suppliers with our list of violators. Before, the excuse was “I don’t know what is going on in China; I have thousands of suppliers and it is very difficult to find this information; I don’t know who is polluting and who is not.” We now have 34,000 records of air and water violations. These are known polluters; they have been caught by the government. Now we need to make them explain what happened and hopefully change their behavior so that they are no longer breaking laws.

Is the government willing to have information made public in this way?

China is in the process of expanding environmental transparency. I think this is part of the transformation of our society. China joined the World Trade Organization (WTO) in 2003, which initiated a series of changes to laws and regulations to bring them more in line with international practice. That year we had the first-ever environmental law that required public participation in environmental decision-making. Since then, more laws, bylaws, and regulations have been created to promote public participation, especially.
concerning access to information. In fact, we have just had one key piece of legislation - Environmental Information Disclosure Measures – that came into effect in May this year. I think our Premier Wen Jiabao is quite keen to promote transparency as a way to transform public administration in China. Following the issuance from the State Council, the Ministry of Environmental Protection became the first agency to create its own bylaw, the Environmental Information Disclosure Measures. It requires environmental agencies to disclose seventeen categories of information to the public, including the list of polluters. It also makes specific requirements on the polluters to disclose their discharge data. Enforcement is still a challenge, but our experience is that we have found more data available then before. When we launched our water pollution site in September 2006, we had about 2,500 records available. Now there are over 24,000 available on water alone. On the air side there are another 10,000. So we have started seeing some regions in China that are serious about environmental information disclosure. That is very different from before.

This has significance beyond China. It actually makes up a missing piece in global-level environmental monitoring. Now that we have a globalized economy we need to have globalized environmental monitoring, otherwise you are going to have a transfer of pollution into those areas that lack control and public concern. In today’s world there is a redistribution of labor. The high valued-added, cleaner processes, including design and marketing, have been kept in the Western countries but the middle part of the process - which is more risky and more polluting - has been transferred to developing countries, especially China. There are benefits for China because this creates jobs and promotes development. But in the meantime it puts enormous pressure on our environment and we need to manage this process.

**Do you think that there is a role for international organizations and Western countries to play in helping China clean up?**

There is a huge role but fundamentally I believe that this is China’s job. It is our environment and we need to manage it. We need to improve our own environmental governance. We need strict enforcement and we need full disclosure. It would also be very helpful if the consumption end could join in these efforts. If they create a pulling force from the other side, then we are going to double our results. The multi-nationals sourcing in China could give the biggest help to China’s pollution control efforts by greening their supply chains. I am glad to see that since we launched this, some of the major companies have started using our database to manage their suppliers. Among them are big American firms, like Wal-Mart and GE. At its
October Sustainability Summit in Beijing, Wal-Mart CEO Lee Scott made an open commitment not to use polluters as suppliers. They made it very clear that if their suppliers could not meet China’s environmental standards, then they would lose their contracts. That is leadership that has been absent for quite a while.

Do you have any ideas on how to better align the incentives of local officials with the central government’s stated goals of environmental protection?

Transparency is a good first step. When you have transparency, then you start empowering people to get involved. The central government has changed its policy and now is talking about sustainable development and the importance of scientific development. But at the local level, things have not changed very much. Many of the local officials still put economic development ahead of environmental protection. The incentive scheme still rewards bigger GDP growth, which translates into local officials giving protection to polluters in their regions. I think one of the ways to change this is to engage the other stakeholders in the decision-making process and governance structure. Affected communities and concerned people need to have the chance to be informed and voice their concerns. The 2003 environmental legislation I mentioned earlier set the legal basis for this sort of public conservation. Now the problem is how to make enforcement a reality. Transparency is a good first step. When you have transparency, then you start empowering people to get involved. That places checks on the local government officials who are very keen to set up polluting industries. There have been several high-profile cases where multi-billion dollar projects have been suspended or canceled due to local resistance, like the chemical project last year that was originally planned to be built in Xiamen city. When people learned about this, they expressed dissent. In keeping with the legal requirements, another Environmental Impact Assessment (EIA) was done. The developer had another factory in the same city that had not met the standards for years and this disclosure made people lose their trust.

Some of these documents you are talking about call for ‘orderly participation’ of citizens in environmental governance. Would the controversy over the plant in Xiamen be an instance of this?

In Xiamen I was happy to see that eventually people returned to the orderly
way of doing things. During the process though, people marched on the city government. China now has legal channels for people to make their voices heard. If we use these, we may not see those events which cause a disturbance to order. I was glad to see that in the end, the local government and the central government - including the Environmental Ministry - followed the people’s will. The project was big and one that the local government really wanted to do. In China there is increasing public awareness. NGOs are gaining capacity and corporations have started thinking about the environmental responsibility so there is a chance for us to have multi-stakeholder involvement to solve our problems.

The Chinese government has very ambitious goals regarding sustainable and renewable energy. Do you think NGOs and civil society have helped bring that about?

Definitely. We know these goals are ambitious and the government knows they are ambitious. It is hard for the government to single-handedly achieve them so they need support from the stakeholder groups. NGOs have been making efforts to help achieve that. NGOs in China have done work on awareness building, and our work is part of that.

What is the difference between environmental NGOs in China and in the U.S. in terms of their access to the political process?

There is a real difference there. America came into being naturally with some civil society. In China, we have thousands of years of history and the country is ruled in a top-down, centralized way. At the moment, Chinese governance is being transformed and we have started having more civil society and NGO engagement. The macro environments in the U.S. and China are quite different as well. In the U.S., all the stakeholders feel at ease. In China, this is a new development and it will take some time for people to get used to it. Building trust between NGOs and other major stakeholders - especially the government and corporations - is a big challenge. Organizations like IPE build up this trust in several ways. One is by demonstrating that our agenda is clear: it is about the environment and it’s only about the environment. Secondly, we make sure our work is professional and yields real results. In the future we want to see a positive, constructive interaction between the government, the corporations, and the public, including the NGOs.
China’s tradition is not one of public participation. Building the ‘ecological civilization’ you describe in your writings is probably going to involve a certain amount of social change.

First and foremost, IPE wants to demonstrate that our work is about environment. The agenda is not about social change itself; however, if during the process we feel that it’s needed to achieve our environmental goal, then it will be pursued. And it is happening. I think the very fact that we, as an NGO, could compile a national pollution database demonstrates the social progress being made in China. Ten years ago, even five years ago, it would have been difficult for an NGO to do this. There would not have been much data available. In that sense, we have come a rather long way on this. This does not mean that everything is easy and we are not facing pressure. Not at all, but still we remain optimistic and positive because, in general, we see that the country is on track.

-Chansonetta Cummings served as lead editor for this article