

(6) China comparison with international EIA procedures

Table: Chinese EIA system vs. international EIA procedures

IFC Performance Standards	China's EIA system
<p>1. Assessment and Management of Environmental and Social Risks and Impacts</p>	<p>Technical Guidelines for Environmental Risk Assessment on Projects (HJT/169–2004 in place of HJ 169–2018)</p> <p>China has formulated technical guidelines for risk assessment under its EIA system. Chinese environmental impact statements have a separate section called Environmental Risk Analysis and Mitigation Strategy for assessing the latent risks exposed by construction projects and proposing relevant mitigation measures.</p>
<p><u>2. Labor and Working Conditions</u></p> <ul style="list-style-type: none"> • Establish, maintain, and improve the worker-management relationship • Promote non-discrimination and equal opportunity for workers while complying with national employment and labor laws • Address child-labor and forced-labor issues • Promote safe and healthy working conditions 	<p>China legally protects the rights and interests of all of its workers under the Labor Law of the People's Republic of China. China's EIA system, however, does not include specific regulations or content addressing the protection of labor rights.</p>
<p><u>3. Resource Efficiency and Pollution Prevention</u></p> <ul style="list-style-type: none"> • Avoid or minimize pollution • Reduce emissions that contribute to climate change 	<p>China has put the Three Synchronization system in place order to put a stop to new pollution and ecological destruction. The system requires that the environmental conservation facilities required in the course of construction projects are designed, built, and utilized alongside the main construction. These environmental conservation facilities primarily refer to those presented in the EIA statements.</p> <p>China also announced its National Strategy on Adaptation to Climate Change at the end of 2013</p>

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	<p>with the aim of increasing its capacity to respond to climate change. The strategy emphasizes the need to incorporate climate change adaptation requirements in all of the nation's economic and social development processes. However, climate change adaptation requirements are not built into the EIA system for construction projects at present. Most of the requirements and countermeasures for climate change adaptation are limited to a few key infrastructure projects being put forward by the government or to the policy or planning level.</p>
<p><u>4. Community Health, Safety, and Security</u></p> <ul style="list-style-type: none"> • Avoid or minimize risks to and impacts on health and safety of the local community during both routine and non-routine circumstances • Ensure that the safeguarding of personnel and property is carried out in a legitimate manner that avoids or minimizes risks to the community's safety and security 	<p>Content related to the health, safety, and security of the local community can be found in three sections of the EIA statement: social and environmental impacts, environmental risk assessment, and public participation.</p> <p>In addition, when compiling EIA statements, China requires that construction units take into account overall community development plans and other development plans in order to minimize adverse impacts on the environment and the community.</p>
<p><u>5. Land Acquisition and Involuntary Resettlement</u></p> <ul style="list-style-type: none"> • Avoid or minimize displacement by exploring alternative project designs • Minimize adverse social and environmental impacts from land acquisition and similar activities by providing compensation for loss of assets at replacement cost and ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and informed participation of those affected 	<p>All mentions of studies, assessments, and other inquiries into social conditions were eliminated from the 2016 revision of the Technical Guidelines for Environmental Impact Assessment of Construction Projects (General Program). All mentions of land acquisition and involuntary resettlement were also deleted. In principle, studies, assessments, and other inquiries into social conditions (land acquisition, involuntary resettlement, and the like) are no longer required as of January 1, 2017; in practice, however, many</p>

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<ul style="list-style-type: none"> • Improve, or at least restore, the livelihoods and standards of living of the displaced persons • Improve living conditions among displaced persons through the provision of appropriate housing 	<p>EIA statements do still include studies/assessments of social impacts.</p> <p>Details on payment for things like land acquisition, involuntary resettlement, resettlement activities, compensation for land acquisition, and resettlement expenses are stipulated in the Ministry of Land Resources' Guidelines on Improving Compensation and Resettlement Systems for Land Acquisition.</p> <p>These details are also included in the public participation section of EIA statements.</p>
<p><u>6. Biodiversity Conservation and Sustainable Management of Living Natural Resources</u></p> <ul style="list-style-type: none"> • Protect and conserve biodiversity • Promote sustainable management and use of living natural resources through the adoption of practices that integrate conservation needs and development priorities 	<p>EIA statements do include biodiversity assessments and conservation plans. China's EIA system has formulated technical guidelines for ecological and environmental impact assessments under the Technical Guidelines for Environmental Impact Assessments Ecological Impact (HJ19-2011) as a way to protect biodiversity and ensure sustainable management of natural resources. The Ministry of Ecology and Environment, the Ministry of Agriculture and Rural Affairs, and the Ministry of Water Resources also issued the Plan for Protecting Aquatic Biodiversity in Critical Watershed Areas on April 3, 2018 with the purpose of conserving aquatic biodiversity as well.</p>
<p><u>7. Indigenous peoples</u></p> <ul style="list-style-type: none"> • Ensure that the development process fosters full respect for the human rights, dignity, aspirations, culture, and natural-resource-based livelihoods of indigenous peoples 	<p>All mentions of studies, assessments, and other inquiries into social conditions were eliminated from the 2016 revision of the Technical Guidelines for Environmental Impact Assessment of Construction Projects (General Program). All mentions of indigenous peoples (cultural landscape) were also</p>

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<ul style="list-style-type: none"> • Avoid adverse impacts of projects on communities of indigenous peoples, or when avoidance is not possible, minimize, mitigate, or compensate for such impacts and provide opportunities for development benefits in a culturally appropriate manner • Establish and maintain an ongoing relationship with the indigenous peoples affected by the project • Foster good-faith negotiation with and informed participation of indigenous peoples when projects are to be located on traditional or customary lands under use by the indigenous peoples • Respect and preserve the culture, knowledge, and practices of indigenous peoples 	<p>deleted. However, the social impact assessment section of the EIA statement does include content related to impacts on the cultures and practices of minority groups. Generally speaking, China's EIA system does not sufficiently consider minority groups, nor have technical guidelines for identifying them yet been issued.</p>
<p><u>8. Cultural heritage</u></p> <ul style="list-style-type: none"> • Protect cultural heritage and support its preservation • Promote equitable sharing of benefits from the use of cultural heritage in business activities 	<p>All mentions of studies, assessments, and other inquiries into social conditions were eliminated from the 2016 revision of the Technical Guidelines for Environmental Impact Assessment of Construction Projects (General Program). All mentions of cultural heritage were also deleted.</p> <p>Cultural heritage is, however, provided for in Article 3-1 of the Category-based Management Directory of Environmental Impact Assessments for Construction Projects (2020 revision, draft), as the list of environmentally sensitive areas given includes international cultural and natural heritage sites. EIA statements on projects that involve cultural heritage areas include impact assessments on those areas.</p>