Anti-Corruption Helpdesk Answer

Strengthening the independence of environmental protection agencies and participation in environmental impact assessments

Author: Patty Zakaria, tihelpdesk@transparency.org
Reviewer: Caitlin Maslen, María Castro and Gvantsa Gverdtsiteli
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Environmental Impact Assessments (EIAs) are intended to identify any potentially harmful environmental effects of proposed development or infrastructure projects before their initiation. When conducted effectively, EIAs can serve as a tool of precautionary environmental protection by ensuring that the anticipated economic or social benefits of a given project are balanced against any negative environmental impact before approval is granted.

EIAs face numerous challenges including corruption, political interference, and insufficient resourcing, which can undermine their impartiality and accuracy. These issues can lead to the approval of projects without thorough environmental scrutiny, causing potentially irreversible damage. Evidence reviewed for this Helpdesk Answer indicates that for EIAs to be effective, they require robust legal frameworks, transparent processes, and active public participation.

Successful models from various countries demonstrate various approaches to strengthening EIAs. The European Union mandates public access to EIA documents and consultations, while Peru emphasises transparency and public engagement, and the Netherlands takes steps to ensure the independence of EIA reviewers. Such measures help strengthen the credibility and effectiveness of EIAs by involving local communities and safeguarding these assessments from undue influence.

Query

Please provide case studies or examples of best practices from other countries where political influence in environmental governance has been effectively mitigated, particularly regarding legal frameworks or policies ensuring the independence of environmental agencies? What are some successful models or tools used in other countries to enhance public participation in the environmental impact assessment (EIA) process? Are there any success stories from other countries where environmental governance and EIA processes have been significantly improved?

Main points

- EIAs are common instruments to identify and mitigate the environmental impacts of proposed projects and supporting sustainable development.
- Corruption in the EIA process often manifests through practices such as bribery, where project proponents may offer financial incentives to those conducting the assessment in exchange for favourable assessment outcomes or the omission of necessary environmental checks.
- Infrastructure projects in particular can be lucrative opportunities for clientelist practices, and unscrupulous officials may be unwilling to allow environmental concerns prevent them from awarding contracts to their cronies.
- Similarly, political influence presents a significant risk, as governmental officials may exert pressure during the EIA process to secure political expedient outcomes, which may involve prioritising short-term economic gains over environmental sustainability (Nkoh 2023). Such influence is particularly problematic in jurisdictions where political agendas heavily favour rapid economic growth, which can lead to EIAs becoming mere formalities with predetermined outcomes that consistently favour economic outcomes, regardless of potential adverse environmental impacts (Caro-Gonzalez et al. 2023).
- Robust legal frameworks, public participation and transparent assessment processes are needed for EIAs to be impartial, credible, and objective.
- The European Union mandates public access to EIA documents and consultations; Peru focuses on transparency and public engagement; the Netherlands ensures independent EIA reviewers.
- Early and sustained involvement of local communities should not be viewed as a formality but rather a crucial element that enhances the credibility and effectiveness of EIAs.

Caveat

There are any many potential measures to improve the governance of environmental protection agencies (EPAs) and the process of conducting environmental impact assessments (EIAs). This Helpdesk Answer focuses on two in particular: strengthening the independence of EPAs and enhancing public participation in EIAs.

Contents

Introduction

Sustainable development aims to achieve economic growth while ensuring that natural resources are used responsibly, maintaining the ecological balance to support the needs of future generations (United Nations 1987). In this sense, Environmental Impact Assessments (hereafter EIAs) can act as a useful instrument to ascertain the 'sustainability' of a given development or infrastructure project.

EIAs are a well-established and widespread tool whose origins can be traced back to the late 1960s in the United States (International Institute for Sustainable Development 2024). Today, EIAs are now implemented in most countries around the world and international standards have been promulgated to ensure consistency and quality in EIA practices by organisations such as the International Association for Impact Assessment (IAIA) and the United Nations Environment Programme (International Institute for Environment and Development 2009; International Institute for Sustainable Development 2016; UN Environment 2018; Cave et al. 2021).

The stated purpose of EIAs is to generate objective scientific evidence on the potential environmental impacts of proposed projects. Laurence (2022) emphasises that EIAs should employ scientific rigor, using up-to-date methodologies and data, as well as incorporate adaptive management strategies to address changing project lifecycle conditions. A thorough EIA typically includes a comprehensive assessment of the potential impacts on various environmental components, such as air, water, flora, and fauna. While social, economic, and cultural factors are frequently addressed in separate Social Impact Assessments (SIAs), some EIAs may include these factors to provide a more holistic understanding of a project's impact (European Union 2021).

This ex-ante assessment process is intended to ensure that potential environmental costs are recognised and described during the early stages of project planning. EIA documents may also explore alternatives to the proposed project or stipulate certain measures that developers will need to proactively address to mitigate any environmental harm associated with the project.

Ideally, this data is used to inform decision-making processes on whether to approve a given project, by prompting officials, regulators and project developers to weigh the likely environmental impact of a project against the anticipated socio-economic benefits (Caro-Gonzalez et al. 2023; Hegmann 2019).

The ultimate decision to approve, modify, or reject a project based on the EIA's findings generally rests with local political authorities (European Union 2021). Nonetheless, EIAs can potentially increase the accountability of such decision-makers when they objectively present the available evidence on the costs and benefits of a proposed project.

In addition, EIA processes, when conducted in an inclusive manner, can encourage greater public participation in the decision-making process. Broad participation can allow stakeholders, including local communities and environmental experts, to

contribute their knowledge and perspectives and improve alignment between national development objectives and local priorities (UN Environment 2018).

Despite their widely recognised potential to identify and prevent harmful environmental effects (Nita et al 2022), some critics contend that EIAs too often serve as a fig leaf for an unsustainable and rapacious model of development. In this view, EIAs allow decision-makers to assert that the environmental consequences of a given project have been determined and accounted for and then press ahead with the project, regardless of the actual findings of the assessment. Bond et al (2020a), for instance, argue that, ironically, EIAs can legitimise and perpetuate a system in which political actors approve projects that have severe environmental impacts.

There are also criticisms of the operational practices of conducting EIAs that focus on how technical weaknesses in the process compromise the ability of EIAs to produce objective, scientific evidence. A stocktaking exercise by the UK Local Government Association (2022) found that the value of EIAs was undermined by multiple barriers including a lack of in-house expertise, inadequate access to robust data and an absence of monitoring of forecast impact and proposed mitigation measures. Another particularly acute problem is the fact that EIAs are often produced in a short timeframe and contracted out to the lowest bidder without consideration of a bidder's technical expertise (Wright et al 2013). Williams and Dupuy (2017) show how this can lead to recent scientific literature being ignored and even widespread copy-pasting from previous EIAs related to other projects.

This Helpdesk Answer acknowledges those broader discussions on the relative merits of EIAs, but it focuses specifically on how corruption and undue influence can undermine the impartiality and accuracy of these assessments. These governance challenges are considered at two levels: firstly, those relating to the organisation conducting the EIA, and, secondly, those relating to the process itself.

Evidence suggests that failing to address governance challenges at both these levels can exacerbate the risk that EIAs fail to identify or prevent environmental harms. In the Maldives, for instance, Human Rights Watch has documented how political interference and inadequate regard for environmental impact assessments produced by the environmental protection agency have led to significant socio-environmental harm. For example, a land reclamation project, approved without due regard for environmental safeguards, reportedly led to the destruction of 70% of the mangroves on Kulhudhuffushi Island, which was later associated with increased flooding and loss of livelihoods for local communities (Human Rights Watch 2023).

Not only do corrupt practices and undue influence reduce the quality and reliability of environmental assessments, but they can also erode public trust in the environmental governance process. When stakeholders perceive that EIA outcomes are influenced by corruption or undue political interference, it can lead to public disillusionment and a lack of cooperation in future environmental conservation efforts.

Environmental protection agencies and their EIA mandate

The EIA process involves several key components, phases and actors. The main phases include screening to determine if a project requires an EIA, scoping to identify which potential impacts need to be assessed, conducting the impact assessment to evaluate the significance of these impacts, taking mitigation measures to reduce adverse effects, and monitoring and evaluation to ensure adherence with the proposed mitigation measures (Mugabo et al. 2017).

While anchored in national legislation, EIAs are typically implemented at the local level and can involve national regulatory agencies, local government bodies, civil society, and private enterprises (Cave et al. 2021). The precise allocation of roles for different actors throughout the EIA process depends on the jurisdiction.

Nonetheless, in many countries, Environmental Protection Agencies (hereafter EPAs)[1] play a key role across the various phases of the EIA. EPAs are government agencies tasked with protecting the environment and human health by enforcing regulations and legal standards. The institutional structure and levels of autonomy of EPAs vary across countries with some operating more independently and others being housed in larger ministries or departments (Barannik et al. 2002). EPAs may have national jurisdiction, but in other cases operate at regional or even local level. For example, in Australia, there is not one national EPA but rather there are state-level ones (Environmental Defenders Office 2022).

In some countries, EPAs conduct the EIAs themselves, while in others, they review assessments conducted by developers or independent consultants (Lauesen 2013).[2] In some countries, including Georgia and Moldova, external consultants commissioned to conduct EIAs have to be licensed by the Ministry of the Environment (Barannik et al. 2002). In other cases, EPAs may conduct independent studies or audits to complement the information provided by developers and consultants. Barannik et al. (2002) noted that in some countries, EIAs for complex projects are evaluated by ad hoc commissions of experts drawn from multiple state bodies and research institutes.

For example, in Kenya's EPA, the National Environment Management Authority (NEMA) is mandated to administer EIA, which is conducted either by NEMA staff or by one of the individual experts or firms registered with it. In the United Kingdom, the EPA primarily

[1] In many jurisdictions, the term "environmental protection agency" is not used and others are applied, for example "Environmental Management Agency". For the purposes of this paper, environmental protection agency is used as a catch-all term for equivalent bodies existing across jurisdictions.
[2] Sometimes it is the obligation of the private sector entity promoting or tendering for the project to produce or commission the EIA. These private enterprises often hire private consultants to conduct detailed studies and compile the necessary documentation. Consultants can play a crucial role in gathering data, assessing environmental impacts and proposing mitigation measures, essentially performing the technical work required for the EIA (International Institute for Sustainable Development 2016).

reviews EIAs produced by developers while in Australia, the EPA conducts complementary independent studies to verify the findings of the EIAs (International Institute for Environment and Development 2009).

Despite the different models, EPAs are generally key actors in the EIA process, with mandates that typically include conducting, reviewing, or delegating responsibilities for conducting these assessments to specific entities or individuals (Lauesen 2013). Broadly speaking, the EPA is tasked with ensuring that EIAs are conducted according to the legal and regulatory framework, verifying the adequacy of the assessment's outputs, as well as maintaining the integrity of the process.

In some cases, particularly with large-scale industrial projects or projects with significant potential environmental impacts, EPAs may have the authority to approve, modify, or reject projects based on the EIA findings (Cave et al. 2021). This gatekeeping role is crucial in preventing environmentally detrimental projects from proceeding and ensuring that approved projects comply with environmental protection standards (Cave et al. 2021).

The role of EPAs can extend beyond mere regulatory oversight. They may contribute to capacity building and education, providing guidance and resources to developers, consultants, and the public to improve the quality of EIAs. Thus, EPAs often engage in research and development activities to advance the science and practice of EIAs. They may also facilitate cross-border cooperation on transboundary environmental issues, ensuring that international projects adhere to global environmental standards (European Union 2021).

EPAs may also be assigned a convening role during EIA processes, tasked with gathering input from different stakeholders and promoting transparency and inclusivity in the decision-making process (European Union 2021). The consultation phase typically occurs during the scoping and review stages, where affected citizens, including local communities, NGOs, and other interested parties, are invited to participate and provide their perspectives on the potential impacts and proposed mitigation measures (International Institute for Sustainable Development 2016).

Challenges to the EIA mandate of Environmental Protection Agencies

EPAs face numerous challenges in fulfilling their mandate to conduct, review, or delegate responsibility for conducting these assessments to specific entities or individuals. These challenges can be categorised into those encountered at the organisational level and those emerging during the EIA process itself. This section will explore both categories, highlighting specific obstacles and presenting case studies to illustrate these issues.

Organisational level challenges

Environmental Protection Agencies often struggle to fulfil their mandate due to the lack of sufficient funding and human resources. In both the EU and the US, for instance, expenditure on environmental protection is generally believed to be insufficient (European Environment Agency 2023; Ebi et al. 2009).[3] The funding gap for environmental protection measures is thought to be even more dramatic in low- and middle-income countries (Alberts et al. 2020: 263; McCullough 2017).

Attracting and retaining skilled environmental scientists and legal experts is resource-intensive (Bond et al. 2020b; McCullough 2017). As such, Bond et al. (2020b) note that inadequate funding can result in insufficiently rigorous EIA documents, which fail to consider recent scientific advancements and rely heavily on previous assessments, in some instances even copy and pasting information verbatim from older EIA reports (Wessels 2013). Furthermore, insufficient funding means there may not be enough qualified personnel to cover all necessary aspects of an assessment or that certain investigative procedures, like detailed field surveys or advanced environmental modelling, are curtailed or skipped (McCullough 2017: 448). As Williams and Dupuy (2017: 23) observe, limited human and financial resources within EPAs can render them "overly reliant on data provided by private EIA experts" who are paid by project proponents.

While it is not the case everywhere, in some countries, the decision to restrict funding to EPAs may be a conscious strategy by political actors seeking to prevent the agency from becoming powerful enough to oppose commercially lucrative or politically significant development projects that could cause considerable environmental damage. Wright et al. (2013: 73) note that EIAs can be seen by policymakers as "obstructive to industrial development and thus also financial growth." The authors link this to underfunding of EPAs, which restricts these agencies' ability to produce high quality EIAs that might

[3] A 2008 survey of EPA scientists in the US revealed that 62% of respondents did not think their unit had sufficient resources to fulfil its mandate of protecting the environment (Union of Concerned Scientists 2008: 6).

raise questions about the environmental sustainability of proposed projects (Wright et al 2013).

For example, whistleblowers from England's Environment Agency alleged that cuts to its budget for environmental protection work had resulted in poorer quality monitoring data and limited the ability of staff to penalise polluters (Salvidge 2022). The whistleblowers associated this to a political agenda that "give[s] business the benefit of the doubt, rather than the environment" (Salvidge 2022).

In the United States, the budget of the EPA has been subject to extensive political wrangling, with the Trump administration repeatedly attempting to slash EPA financing by around 30% and eliminate funding for some of the agency's research programmes (Sabin Center for Climate Change Law 2019 2020). Webb and Kurtz (2022) claim this was the result of a political agenda that "routinely prioritised economic interests, and worked tirelessly to remove what it viewed as unnecessary regulatory burdens on economic activity."

In total, the EPA lost nearly 700 scientists during the President Trump's tenure in office, the large majority of whom were environmental protection specialists (Sabin Center for Climate Change Law 2021). According to the Union of Concerned Scientists, this brain drain was largely a result of budget cuts and a political climate in which environmental researchers felt their work was under attack (MacKinney 2021).

At the same time, the Trump administration reportedly took measures to restrict the EPA's access to outside experts, such as axing around one-third of scientific advisory committees and replacing independent scientific advisors with industry representatives (Webb and Kurtz 2022). Webb and Kurtz (2022) contend this was the result of an intentional strategy to "avoid the possibility of anyone questioning [the administration's] approach" and limiting "external review of the scientific bases for the Trump administration's deregulatory actions."

As such, it becomes clear how under-resourcing of EPAs can increase an agency's vulnerability to interference in their work by outside actors, such as politicians or business interests.

Enríquez-de-Salamanca (2018: 13) has stressed that given that EPAs are public institutions, they are vulnerable to manipulation by political leaders. He notes that the independence of these bodies depends not only on their "professionalism and ethics" but also on the degree of political influence over terms of reference set for EIAs and the appointment of EPA staff. Given the central role EPAs often play in EIA processes, the desire on the part of politicians or business groups to ensure that projects in which they have a vested interest are not impeded by a critical EIA report may lead them to try to exert undue influence over or even capture EPAs.

For example, government figures may try to exert pressure over appointment and recruitment processes to senior positions in an EPA, in order to ensure the agency tows the government line. A prominent example of this again comes from the United States, where President Trump appointed Andrew Wheeler, a former lobbyist for the energy sector, to head the EPA (Lamberts 2019). In total, analysis by watchdog groups showed that almost half of all political appointees to the EPA during the Trump administration had close ties to industries regulated by the EPA (Environmental Integrity Project 2021). According to a recent report by the EPA's Office of Inspector General (2023), the result

was that there was extensive political interference in the scientific work of the EPA by Trump appointees.

This is not new; political interference in the work of the EPA was well documented during President George Bush's time in office (The Center for Public Integrity 2015, Union of Concerned Scientists 2008: 28). A study from 2008 found that 60 percent of EPA scientists had personally experienced at least one incident of political interference – including the suppression or distortion of scientific findings and EIA reports – by EPA political appointees or the White House during the previous five years, often at the behest of industry lobbyists (Union of Concerned Scientists 2008). Revealingly, the EPA's National Center for Environmental Assessment had the highest percentage of scientists reporting interference of all EPA divisions (84 percent).

Process level challenges

The process of conducting an EIA itself – from initial the screening to conducting the assessment and monitoring the implementation of recommended mitigation measures – can also be affected by multiple integrity and governance challenges.

Enríquez-de-Salamanca (2018: 12) focuses on vulnerabilities for administration manipulation of the EIA process. During the screening and scoping stage, EPAs or the authority charged with managing the EIA can attempt to manipulate the outcome by including or excluding certain stakeholders from the consultation process. The timing and medium through which public consultations are announced and the type of information shared can be organised in such a way as to reduce participation. In addition, a project may be divided up into smaller sub-projects to avoid reaching a threshold value where an EIA would become compulsory (Enríquez-de-Salamanca 2018: 12).

During the phase of conducting the EIA itself, there are also numerous ways in which an EIA can be manipulated, including (Enríquez-de-Salamanca 2018: 11-12):

- the premeditated use of false information such as fraudulent data, unrealistic prices, incorrect references to the legal framework, or false viability judgments
- the use of "false alternatives" to the proposed project, which make the recommended option seem preferable even where less environmentally harmful viable alternatives exist
- withholding or exaggerating information such as undervaluing or overvaluing the anticipated environmental impact
- bribes and kickbacks to skew the findings or recommendations of the EIA.

McCullough (2017) has described how undue influence can skew the objectivity of EIAs, especially where decisions are driven more by political agendas or commercial interests than environmental considerations. For example, economically lucrative but environmentally detrimental projects may be pushed forward to satisfy corporate or political agendas despite the stark warnings that would emerge from robust environmental assessments (Alberts et al 2022; Cilliers et al. 2020; Roos et al. 2020). The most extreme example of political interference is where politicians exempt proposed projects from the need to conduct an EIA, arguing, for instance, that the project is vital to the national interest (Lawrence 2013).

In Queensland, Australia, a right to information request revealed that the authority tasked with granting mining licences had ignored advice from the Department of Environment and Science that an EIA report was insufficiently detailed to proceed with a proposed coal mine (Environmental Defenders Office 2022). This fits into a longer pattern of political manipulation of EIAs in Queensland, where Moon (1998) noted in the 1990s that the political priorities of the government meant that the terms of reference for EIAs were engineered in such a way as to prevent the clear documentation of concerns around environmental impacts. Such interference can lead to the approval of projects that would need to be modified or cancelled to prevent long-term environmental damage (Enríquez-de-Salamanca 2018; McCullough 2017).

McCullough (2017) argues that in many low-income countries, political settlements often dictate the extent and manner of EIA implementation**.** Political settlements refer to the balance of power among different groups in society and the informal agreements between them on allocating resources and authority.

McCullough argues that in dominant-developmental political settlements like Rwanda, the government has significant control over the bureaucracy and is oriented towards development outcomes. In these settings, where the government endorses the needs for an EIA, public authorities will likely display commitment to its implementation and have the capability to deliver it. However, there may be instances in which environmental protection clashes with the government's preferred developmental model, in which case EIAs may face substantial opposition from officials. Moreover, meaningful public participation might be lacking, especially in authoritarian states (McCullough 2017: 3).

In contrast, in dominant-predatory political settlements, such as Angola, leaders use their discretionary power to extract resources rather than promote sustainable development, leading to weak enforcement of EIA regulations (McCullough 2017). In elitist competitive clientelist settlements like Nigeria, power is contested among elite groups, often resulting in short-term political goals that undermine long-term environmental planning. In both these contexts, McCullough (2017: 3) contends that EIA processes are more likely to driven, funded and led by international actors, and as such remain sporadic with little national ownership.

In inclusive, competitive clientelist settlements, such as Kenya or Ghana, the state may be a strong commitment to EIA, but interest group politics and patronage pressures often undermine implementation (McCullough 2017: 3). Some parts of the state may be able to contribute effectively to EIAs, but the overall process may be quite chaotic. Nonetheless, given the political pluralism, stakeholder consultations and public participation may be more meaningful than in dominant-development settings. Yet while a wide range of actors might be able to provide input to the EIA process, this may not translate into influence over ultimate outcomes.

In addition to unethical behaviour by public officials, the activity of private sector actors can pose additional risks to the integrity of the EIA process. Williams and Dupuy (2017) describe how the involvement of commercial actors in the EIA process can lead to conflicts of interest, particularly when consultants are hired directly by the project proponents. This arrangement can bias the findings of EIAs, as consultants may prioritise the financial interests of their clients over environmental considerations.

Outside interference by local or international business interests may also take the form of pressure exerted through political actors. The latter can occur where public officials

are influenced by lobbying, illicit inducements, or other pressures from corporations, leading them to prioritise economic gains for particular interest groups over public goods such as environmental protection (Enríquez-de-Salamanca 2018).

Wright et al (2013), for example, point to efforts by industry lobbyists to carve out exemptions so that certain projects are not subject to EIA requirements. An investigation by the Organised Crime and Corruption Reporting Project (2023) in India found that lobbying by a mining and gas company had led to the environment ministry amending the EIA law that exempted oil and gas exploration projects from the obligation to hold public consultations during the EIA process. Other studies from the US and China have shown how politically-connected firms generally receive smaller fines for violations of environmental protection regulations than those companies without political connections (Florackis et al 2023; Heitz et al 2021).

Alongside subtler forms of undue influence, outright corruption can reduce the effectiveness of EIAs. Muslihudin et al. (2018) demonstrate how, in Indonesia, bribery and other corrupt practices during the EIA process were used to secure approval of projects by officials without proper assessment of the likely environmental impact, which has resulted in significant damage to local ecosystems.

Similarly, bribe-paying to local officials and regulators in Albania, Mongolia, and Guatemala have been documented as a means of securing positive EIA findings, bypassing EPA checks and escaping penalties for violating environmental regulations (IRIM et al. 2016; Dougherty 2015; Enríquez-de-Salamanca 2018). As in Indonesia, these practices have led to significant environmental degradation (Enríquez-de-Salamanca 2018). Likewise, Williams and Dupey (2017) discuss how in multiple countries there is evidence that bribes have been offered to consultants and government officials to downplay or overlook negative environmental impact assessments.

Transparency International (2017) discusses how corruption in the process of applying for mining permits can undermine the objectivity and accuracy of EIAs. In many resource-rich countries, mining projects are approved despite significant environmental and social risks due to corruption and the undue influence of mining companies. For example, corrupt practices such as bribery – where significant sums are used to buy off government officials – and manipulative, non-transparent approval processes that benefit officials personally have led to the approval of projects that exacerbate environmental degradation and social inequities. These practices severely undermine the credibility and effectiveness of EIAs. Moreover, corrupt practices in the approval process and granting of mining licences can lead to further malpractice down the line, impairing how operations are monitored and regulated and undermining the collection of taxes and royalties (Transparency International 2017).

In jurisdictions where EPAs have a mandate to ensure that EIAs are conducted impartially, these forms of corruption in the EIA process undermine this mandate and the role of EIA findings in the protection of the environment. As stated by the Environmental Defenders Office (2022: 38), this underscores the “importance of establishing an environmental regulator that is able to conduct independent environmental impact assessment of major projects free from the unfettered involvement and decisions of other agencies.”

To be fully effective, EIA processes require active engagement from all stakeholders, including the public, to ensure that diverse perspectives and concerns are considered. In an academic review of the literature on public participation in EIAs, Glucker et al

(2013) conclude that while there is no precise consensus on the exact shape public engagement should take, there is widespread agreement that it enhances the democratic legitimacy of decision-making and the quality of the final outcome. There are an existing range of materials and checklists on how to ensure high quality public participation in EIAs, including the chapter on public involvement in UN Environmental Programme's *Environmental Impact Assessment Training Resource Manual* and the UN Economic Commission for Europe's *Good Practice Recommendations on Public Participation in Strategic Environmental Assessments*.

However, in many places, public participation in EIA processes is minimal or non-existent. For example, the construction of the Bakun Hydro-electric Project in Malaysia led to the clearing of 700 square kilometres of rainforest and displacement of about 10,000 Indigenous people, primarily the Orang Ulu (Ho et al. 2020: 4). The lack of meaningful participation in the decision-making process reportedly led to widespread resentment and distrust among the affected communities, who felt their inputs were ignored.

McCullough (2017: 450) contends that this can even be the case in countries such as Kenya, where there is a strong ostensible commitment to EIAs. In this account, the clientelist nature of Kenyan politics means that EIA consultations tend to be dominated by powerful interest groups and political leaders prioritising short-term gains over long-term environmental protection. Without meaningful public participation, EIAs risk being perceived by the public as procedural formalities rather than genuine efforts to balance economic development and environmental impacts (McCullough 2017: 450).

Measures to strengthen environmental protection agencies

Measures to reduce political interference

Political interference remains a significant challenge for many EPAs, potentially undermining the integrity and objectivity of the EIA process. Several measures can be taken to limit undue influence in the management and operations of EPAs.

First, to isolate EPAs from undue political pressure, it is crucial to anchor operational autonomy clearly in legal frameworks, which depending on the jurisdiction, could include constitutional provisions. A robust legal framework is essential for effective environmental governance, providing the necessary structure and authority for EPAs to operate effectively (Parikh 2019).

Enríquez-de-Salamanca (2018: 14) has pointed to the potential for politicised conflict between different public bodies with regard to EIAs for proposed projects; he notes that disagreements between the environment agency and the agriculture agency in Spain opened the door to interference by political interests. As such, establishing Memoranda of Understanding between EPAs and other important public institutions, such as the energy ministries and supreme audit institutions, can help delineate EPAs' mandate and position them within the governmental structure in a way that safeguards their independence.

The Environmental Defenders Office (2022: 37) recommends that EPAs should be "established with sufficient independence from other entities and branches of government, to ensure that there is integrity in and respect for its functions, powers and duties, including but not limited to the need for a rigorous and independent environmental impact assessment process." Specifically, the Environmental Defenders Office (2022: 8) states that EPAs should be established as an independent statutory authority that has:

- "a clear independent governance structure, supported by a Board to provide strategic advice and direction;
- freedom from ministerial influence or being overridden by other agencies; and
- policies and procedures to manage conflicts of interest."

In addition, it should be equipped with powers to monitoring projects with an environmental impact, set standards in line with the scientific evidence base, stipulate clear assessment criteria and enforce compliance Environmental Defenders Office (2022: 9).

Second, meaningful independence from political interference can also be strengthened by equipping EPAs with a sufficient and reliable budgetary allocation that meets

operational needs, allows forward planning and is ring-fenced from arbitrary political interference.

The Environmental Defenders Office (2022: 48-49) argues that sufficient budgetary autonomy can be provided through a combination of the "polluter pays" model and general budget allocations. In their view, EPA oversight of proposed projects' environmental impact may be partly funded through application fees levied on commercial entities proposing projects, but direct government allocations should be the primary source of funding to prevent conflicts of interest arising.[4]

Third, in addition to robust legal frameworks and budget autonomy, judicial oversight can also help to minimise political interference and ensure that environmental laws are implemented and enforced effectively. Judicial oversight of the EPA in the United States is intended to ensure the agency's actions adhere to legal and regulatory standards. The Office of Administrative Law Judges (OALJ) plays a central role in this oversight by conducting hearings and issuing decisions on environmental law disputes. These judges operate independently from the EPA's regulatory functions, providing an impartial forum for resolving conflicts related to permits, enforcement actions, and other administrative decisions (EPA, nd). The US EPA is also subject to ex-ante judicial controls known as the *plausibility standard* that require the agency to demonstrate a plausible basis for its jurisdiction before enforcing subpoenas or making other investigative demands (Snyder 2020).

Ex-post accountability by independent oversight bodies can also help to identify and potential curb political influence, as demonstrated by the recent report published by the EPA Office of the Inspector General (2023) into interference by political appointees during the Trump Administration. Crucially, the Office of the Inspector General is an independent entity within the US EPA, and its operations are funded directly by Congress separately to the budget for rest of the EPA. Its team is comprised of a mix of auditors, programme analysts and investigators, to enable it to identify fraud, abuse and misconduct (EPA Office of the Inspector General 2024).

Case study: Netherlands
The Netherlands Commission for Environmental Assessment has implemented robust measures to ensure the independence of EIA reviewers and practitioners. This includes institutional and legal arrangements that provide formal independence, financial autonomy, and organisational autonomy. EIA reviewers must adhere to a code of ethics, sign declarations of the absence of conflict of interest, and maintain financial independence from project proponents. These measures, combined with transparent processes and regular audits, enhance the credibility of EIAs (Verheem 2021).

Fourth, establishing advisory committees composed of scientific and environmental experts can play an important role in ensuring that EPAs are equipped to fulfil their mandate, including in relation to conducting or overseeing EIAs. Hughes et al (2024) observe that in most countries, independent scientific peer review is not required of EIAs, and this creates opportunities for "routine manipulation [...] to generate expedient project outcomes with substantially negative ecological, political, and long-term

[4] The Environmental Defenders Office (2022: 49) observes that where an EPA becomes financially reliant on "revenues from fines and penalties for environmental offences [this] may discourage an EPA from actively preventing environmental pollution from occurring, and instead encourage it to pursue environmental offences at the expense of fulfilling its core functions"

economic consequences." They provide several case studies demonstrating that reviews of EIAs conducted by independent scientists contributed to better project outcomes. They therefore recommend that governments mandate EPAs to convene formal independent scientific peer reviews of EIAs to improve the forecast accuracy of potential environmental and socio-economic impact (Hughes et al 2024).

Such committees – ideally composed of a mix of experts and representatives from civil society – can help ensure that EIAs are conducted using the best available scientific knowledge, facilitate the integration of diverse perspectives and foster trust among stakeholders (Chaytor et al. 2003). They can also contribute to formulating guidelines and policies that ensure EIA processes align with sustainable development objectives, as evidenced by the work of environmental protection committees globally (McIvor 2020; McKellar et al. 2007). Ultimately, by drawing on a broad range of expertise and establishing a rigorous base of empirical evidence, the work of such committees can make it more difficult for political or business interests to unduly influence, ignore or interfere in the work of EPAs.

Case study: Chile
Chile has a unique mining licensing system, where judges award licenses on the advice of a technical body (SERNAGEOMIN), offering stability and transparency to the approvals process (Transparency International 2017). This system reduces political pressure by ensuring that decisions are made independently of government influence. The process is transparent, with all information regarding the status of applications and judicial decisions available online to both applicants and the public.

Fifth, robust human resource management practices can help to ensure that the hiring of EPA staff, particularly in leadership roles, is free from political influence. Three core principles include merit-based recruitment and promotion, tenure of employment to protect the independence of EPA staff from undue political influence, and a standardised framework of pay and conditions (Transparency International 2015).

Establishing qualification requirements for applicants to staff positions in the EPA can reduce the risk of partisanship in the hiring process. There is consensus in the literature that public bodies that practice merit-based recruitment are characterised by significantly lower corruption than those that do not (Egeberg et al 2017). The Council of Europe (2019: 5) recommends the use of standardised examination systems for appointing and recruiting officials, providing clear explanation of the selection process, obliging members of the hiring panel to declare any past or present relationships with the candidates, prohibiting officials from having influence over staff members to whom they are related and protecting whistleblowers who report instances of nepotism.

Such measures also help ensure that only individuals with the requisite expertise are involved in critical environmental decisions (Transparency International 2017). Independent recruitment oversight committees or vetting bodies can play a role in monitoring recruitment and employment practices within EPAs, such as reviewing hiring decisions, conducting audits, ensuring that all recruitment processes are transparent and free from political bias.

Another concern regarding hiring is the movement of personnel between regulatory agencies and the private sector entities they regulate. A recent investigation in the United Kingdom, for instance, found that multiple senior staff had moved between jobs in the Environment Agency and private water companies subject to regulation by the Environment Agency (Singh 2023). This phenomenon, known as the revolving door, can

result in regulatory capture, where regulatory agencies come to be dominated by the industries they are supposed to regulate. Some countries have implemented specific prohibitions to address this issue, particularly related to EIAs or EPAs. In Peru, for example, employees at regulatory agencies are often on insecure, short-term contracts. This precarious employment situation may encourage them to handle licence applications in a way that favours potential future employers in the mining industry. Recognising this issue, the licensing authority has proposed providing longer-term contracts, enhancing transparency in decision-making processes, and establishing stricter conflict-of-interest policies (Transparency International 2017). Overall, establishing clear, transparent and merit-based criteria for hiring and managing staff can potentially reduce political meddling.

In addition, integrity management and capacity building for existing staff is equally important. Verheem (2021) and UNEP (2019) both emphasise that establishing comprehensive codes of conduct and providing regular ethics training for EPA staff can help mitigate political interference by emphasising the professional standards expected of employees. In Cambodia, the government has established technical training and tightened supervision of staff to reduce the risk of external interference in the process of granting mining licences (Transparency International 2017: 49).

Sixth, providing secure and anonymous channels for whistleblowing can help expose undue political influence and reduce corrupt practices within EPAs. For example, implementing third-party managed hotlines or secure digital platforms can allow employees to submit concerns anonymously without fear of retaliation (Environmental Whistleblowing Toolkit 2023). Ensuring that every report is followed up with appropriate action is essential for maintaining the trust of staff in the system and the efficacy of the whistleblowing mechanism in contributing to environmental protection (Mareddy 2017). For whistleblowing channels to be effective, it is important that EPAs run regular training sessions for all employees to understand their rights as whistleblowers and the reporting mechanisms available.

In addition, strong legal frameworks that protect whistleblowers from any form of retaliation are crucial (Environmental Whistleblowing Toolkit 2023). Several countries have integrated whistleblower protections specifically into their EIA processes to encourage the reporting of environmental violations and ensure that these assessments are conducted transparently and accurately. In the United States, for example, the Clean Water Act of 1977, section 507 provides protections for whistleblowers, prohibiting any employer from being discharged or, in any other way, discriminating against any employee because the employee has reported violations of the Act. Moreover, the EPA in the United States has established a protocol where employees can seek advice or report allegations of misconduct to the Scientific Integrity Official or the Office of Inspector General, thereby promoting a transparent and accountable scientific environment (U.S. Environmental Protection Agency 2023).

Case study: Peru
Peru has implemented several measures to enhance the integrity of its designated environmental authority. These include improving quality control and screening of company Environmental and Social Impact Assessments, enhancing transparency, and introducing a code of conduct and ethics training for staff of the national environmental agency (Transparency International 2017).

Measures to strengthen public participation in environmental impact assessments

There are several measures which can be taken to address the challenges identified in the EIA process. This section focuses specifically on measures to enhance public participation, as one important means of strengthening EIAs.

The World Bank (2022) highlights the importance of effective public participation in EIAs because it can lead to the early identification of environmental issues and facilitate the development of appropriate mitigation measures.

Legal frameworks on public participation

The United Nations Environment Programme [UNEP] underscores the importance of legal frameworks that require public participation in EIAs, as they ensure accurate and effective environmental assessments (United Nations Environment 2018). Similarly, Lai and Hamilton (2021) emphasise the need for legal frameworks that integrate public participation into national Environmental and Social Impact Assessments [ESIAs] systems, facilitating better monitoring and management of environmental impact.

The role of for public participation in EIAs is grounded in international conventions such as the 1998 Aarhus Convention, which mandates public access to information, participation in decision-making, and access to justice in environmental matters (Mareddy 2017).[5] The convention emphasises the importance of public input into environmental decision-making, recognising that such engagement enhances decision quality and legitimacy.

The Environmental Defenders Office (2022: 9) recommends that EPAs should be mandated to actively and publicly disclose environmental information and provide citizens guaranteed rights to make oral or written submissions during EIA processes and meaningfully engage in decision-making processes in relation to the environment.

Case study: Netherlands
In the Netherlands, the Environmental Management Act (2010) establishes procedural requirements for public participation and transparency in the EIA process. Public participation is facilitated through several key stages. First, notification of the proposed

[5] The "Aarhus Convention" is the widely used shorthand for the UNECE Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters. The jurisdiction of the Aarhus Convention primarily encompasses the member states of the United Nations Economic Commission for Europe (ECE), which includes countries in Europe, as well as some countries in North America and Asia.

project is issued early in the process, allowing the community to prepare for and respond to potential developments. This is followed by consultation phases, where public meetings and hearings are organised, giving stakeholders a platform to voice concerns, provide local insights, and suggest alternatives (Q&A on Environmental Law in The Netherlands, n.d.). These procedural steps help integrate community feedback into planning and development processes, promoting transparency and inclusivity in environmental decision-making.

Access to information

EPAs play a crucial role in publishing and reviewing EIAs, which are vital for gauging the potential environmental effects of proposed projects. By making all EIA documents and decisions publicly available, EPAs can ensure that stakeholders, including the public and NGOs, can scrutinise and challenge decisions that appear to be promoting partisan political or narrow corporate interests over environmental protection.

The Aarhus Convention establishes a right of access to information (Article 4) on environmental matters. It provides that citizens should be able to readily access a wide range of environmental information, which public authorities must provide transparently, except under specific circumstances like national security.

The European Union mandates that its member states provide public access to EIA documents and requiring public consultations at various stages of the EIA process (European Commission 2019; European Union 2021). Similarly, Peru has committed to ensuring that all project-related Environmental and Social Impact Assessments [ESIAs] and technical reports are easily accessible online (Transparency International 2017).

Nonetheless Muslihudin et al. (2018) emphasise that in many countries there is a need for greater transparency in the EIA process. They argue that all steps of the EIA– including the methodologies used, the data collected, and the decision-making processes – should be made publicly accessible.

Providing all relevant information in an accessible format helps stakeholders understand the potential impacts of projects and engage meaningfully in the assessment process. Mareddy (2017) emphasises the importance of public meetings, information centres, and mass media in disseminating information widely. This ensures that all stakeholders are well-informed and can participate effectively (Williams & Dupuy 2017; UN Environment 2018).

This level of engagement may help to curb undue interference, as it becomes challenging to sway decisions when they are openly subject to public review and feedback. Moreover, active participation from the public in the EIA process, through consultations and public hearings, ensures that a broad range of perspectives is considered, leading to more effective and inclusive environmental governance. The practice of publishing detailed EIA reports promotes a more transparent, participatory, and environmentally conscientious approach to development projects.

In Albania, corruption significantly challenged the integrity of EIAs. Efforts to counteract this included implementing stricter oversight mechanisms and enhancing public access to EIA reports and decision-making processes (Williams & Dupuy 2017). Similarly in Peru, there are mandatory public consultations and requirements to publish all EIA-

related documents online, ensuring the process is transparent and accessible to all stakeholders (Transparency International 2017).

Inclusive engagement

Meaningful, inclusive engagement is important to ensure that the voices of all those affected by environmental decisions are heard and considered. This may include not only local communities, but traditionally marginalised groups. In Canada, for instance, the Impact Assessment Agency of Canada (2021) reports that in relation to the Bay du Nord Development Project, it conducted comprehensive consultation processes with numerous stakeholders on the basis of a published EIA, including with Indigenous groups.

The literature highlights several recommendations for implementing public participation mechanisms to ensure this can be achieved in practice.

Ho et al. (2020) highlight the important role of meetings, workshops, and public forums where community members can express their concerns, ask questions, and provide input, conducted in an inclusive approach in which marginalised and vulnerable groups have a voice. Several commentators also highlight the importance of early and sustained engagement with the public to ensure trust is maintained and allow for projects to be adapted to changing circumstances and ongoing community input (Ho et al. 2020; Mareddy 2017; Williams & Dupuy 2017).

Case study: Cambodia
Transparency International Cambodia carried out an intervention seeking to empower women and Indigenous communities to participate in EIAs. They conducted workshops on EIA and Free, Prior, and Informed Consent principles,[6] ensuring participants understood their rights and could engage in environmental decision-making processes. By involving local NGOs and community leaders, they fostered a more inclusive approach to environmental governance (Transparency International 2021).

Mareddy (2017) argues that advisory panels that can be used in the EIA process to ensure that the EIA process is inclusive and considers the diverse perspectives of all stakeholders involved. These advisory panels can meet periodically to assess work done and provide advice on future works and may encompass different forms of public participation and engagement.

Case study: South Africa
Corruption Watch South Africa designed surveys and informational materials tailored to women, encouraging their participation in the mining application process. This initiative aimed to gather data and create best practice guides for community engagement, illustrating the importance of targeted, inclusive participation strategies. By using cost-

[6] The principle of Free, Prior, and Informed Consent (FPIC) involves several key elements: Free - Consent must be given freely and without coercion, manipulation, or intimidation. Prior - Consent must be obtained well before any authorisation or commencement of activities. Informed - Communities must be given full and balanced information about the project's nature and consequences, including potential environmental and social impacts. Consent - Indigenous peoples can say yes or no to the project, and their decisions must be respected and adhered to (FAO, United Nations, nd).

free survey links and distributing information in local languages, they increased women's involvement in the EIA process (Transparency International 2021).

Simplifying technical information and translating it into local languages can enhance understanding and engagement by affected communities. When Transparency International Kenya collaborated with the Law Society of Kenya to increase public participation in mining licensing processes, translating complex EIA procedures into simple handbooks and distributing them in local languages (Transparency International 2021).

Case study: Zambia
In Zambia, Transparency International supported women's participation in EIAs by partnering with the Zambia Environmental Management Agency to produce and distribute simplified EIA report summaries. This initiative enhanced community understanding and participation, ensuring that all stakeholders could engage in the process meaningfully. The collaboration also involved training and workshops to improve community knowledge of EIA processes (Transparency International 2021).

References

Alberts, R. C., Retief, F. P., Roos, C., Cilliers, D. P., & Arakele, M. (2020). Re-thinking the fundamentals of EIA through the identification of key assumptions for evaluation. Impact Assessment and Project Appraisal, 38(3), 205-213.

Barannik, A. et al. 2002. Environmental impact assessment (EIA) systems in Europe and Central Asia countriesv. Washington, D.C.: World Bank Group.

Bond, A. et al. (2020a). Explaining the political nature of environmental impact assessment (EIA): A neo-Gramscian perspective. Journal of Cleaner Production (244)

Bond, A., Morrison-Saunders, A., & Pope, J. (2020b). Handbook of Environmental Impact Assessment. Edward Elgar Publishing.

Cave, B., Pyper, R., Fischer-Bonde, B., Humboldt-Dachroeden, S., & Martin-Olmedo, P. (2021). Lessons from an international initiative to set and share good practice on human health in environmental impact assessment. International Journal of Environmental Research and Public Health, 18(4), 1392.

Caro-Gonzalez, A. L., Nita, A., Toro, J., & Zamorano, M. (2023). From procedural to transformative: a review of the evolution of effectiveness in EIA. *Environmental Impact Assessment Review*, *103*, 107256.

Chaytor, B., Gray, K. R., & Payet, R. (2003). Effectiveness of the Environmental Impact Assessment Process in Managing Tourism Development in the Seychelles. *International Environmental Law and Policy in Africa*, 327-349.

Cilliers, D.P et al. 2020. The perceived benefits of EIA for government: A regulator perspective. Impact Assessment and Project Appraisal 38 (5): 358–367.

Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998). Aarhus Convention, Aarhus, Denmark, June 25, 1998.

Council of Europe. (2019). Fighting nepotism within local and regional authorities.

Dougherty, M.L., 2015. By the Gun or by the Bribe: Firm Size, Environmental Governance and Corruption Among Mining Companies in Guatemala. U4 Anti-Corruption Resource Centre.

Ebi, K. L., et al. (2009). *U.S. Funding Is Insufficient to Address the Human Health Impacts of and Public Health Responses to Climate Variability and Change*. Environmental Health Perspectives, 117(6), 857-862.

Egeberg, M. et al. (2017). Merit-based recruitment boosts good governance: how do European Union agencies recruit their personnel?, *International Review of Administrative Sciences*, 85(2)

Enríquez-de-Salamanca, Á. (2018). Stakeholders' manipulation of Environmental Impact Assessment. Environmental Impact Assessment Review, 68, 10-18.

Environmental Defenders Office. 2022. Implementing effective independent Environmental Protection Agencies in Australia.

Environmental Integrity Project. 2021. Who's Running Trump's EPA? EPA Conflict of Interest Watch.

Environmental Protection Agency. (n.d.). About the Office of Administrative Law Judges (OALJ).

Environmental Whistleblowing Toolkit. (2023). *Protect*.

EPA Office of Inspector General. (2023). The EPA's January 2021 PFBS Toxicity Assessment Did Not Uphold the Agency's Commitments to Scientific Integrity and Information Quality.

EPA Office of Inspector General. (2024). About EPA Office of Inspector General.

European Commission. (2019). *Environmental Impact Assessment – EIA Directive*.

European Commission. (2024). Report from the Commission to the European Parliament and the Council on the implementation and application of Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law. Brussels, Belgium.

European Environment Agency. (2023). *Environmental protection expenditure*.

European Union. (2021). 35 years of EU Environmental Impact Assessment. Luxembourg: Publications Office of the European Union. ISBN 978-92-76-29523-5.

FAO - United Nations. (n.d.). *Free, Prior and Informed Consent (FPIC)*.

Florackis, C. et al. 2023. Political connections, environmental violations and punishment: Evidence from heavily polluting firms, *International Review of Financial Analysis*, 88.

Glucker, A.N., Driessen, P.P., Kolhoff, A. and Runhaar, H.A. 2013. https://www.researchgate.net/profile/Hens-Runhaar/publication/259120509_Public_participation_in_environmental_impact_assessment_Why_who_and_how/links/5e0f91b64585159aa4b10cf3/Public-participation-in-environmental-impact-assessment-Why-who-and-how.pdf *Environmental impact assessment review*, *43*, pp.104-111.

Glucker, A. 2013. Public participation in environment impact assessment: why, who and how? *Environmental Impact Assessment Review*.

Government of the Netherlands. (2021). Environment and Planning Act of the Netherlands: Consolidated version June 2021.

Gustafsson, S., Hermelin, B., & Smas, L. (2019). Integrating environmental sustainability into strategic spatial planning: the importance of management. *Journal of Environmental Planning and Management, 62(*8), 1321-1338.

Alberts, R.C. et al. 2022. "A practitioner's guide to EIA in developing countries" ,in Hanna, K. S. (eds), *Routledge Handbook of Environmental Impact Assessment*. Routledge.

Hegmann, G. (2019). The insignificance of thresholds in environmental impact assessment: An illustrative case study in Canada. Environmental Management, 64(1), 129-132.

Heitz, A. et al. 2021. Corporate Political Connections and Favorable Environmental Regulatory Enforcement, *Management Science*, 69(12).

Ho, S., Smith, R., & Wang, X. (2020). Public participation and environmental impact assessments: Best practices and lessons learned. Environmental Impact Assessment Review, 81.

Hughes, R.M. et al. (2024). Environmental impact assessments should include rigorous scientific peer review. *Water Biology and Security*, 3(3).

Human Rights Watch. (2023). We still haven't recovered: The impact of environmental damage on vulnerable communities. Human Rights Watch.

Impact Assessment Agency of Canada. (2021). *Environmental assessment report – Bay du Nord development project.* Her Majesty the Queen in Right of Canada.

International Institute for Environment and Development. (2009). Environmental Impact Assessment: A tool for sound project management.

International Institute for Sustainable Development. (2016). *Environmental Impact Assessment Training Manual*.

International Institute for Sustainable Development. (2024). EIA Timeline.

IRIM, IAACM, UNDP, 2016. Corruption risk assessment in mining sector of Mongolia.

Lai, P. C., & Hamilton, P. J. (2021). Environmental and Social Impact Assessment: Best Practices and Strategies. World Bank Publications.

Lambert, L. 2019. Trump nominates acting EPA head, an ex-coal lobbyist, to run agency. Reuters.

Lauesen, L. M. (2013). Environmental Protection Agencies (All Countries). In S. O. Idowu, N.

Capaldi, L. Zu, & A. D. Gupta (Eds.), *Encyclopedia of Corporate Social Responsibility*. Springer, Berlin, Heidelberg.

Lawrence, D. (2013). *Impact Assessment: Practical Solutions to Recurrent Problems and Contemporary Challenges*. Wiley.

Laurence, W. F. (2022). Why environmental impact assessments often fail. THERYA, 13(1), 67-72. doi:10.12933/therya-22-1181

MacKinney, T. 2021. Federal Agencies Have Lost Hundreds of Scientists Since 2017. What Comes Next? Union of Concerned Scientists.

Mareddy, A. (2017). Environmental Impact Assessment: Theory and Practice. Butterworth-Heinemann.

McCullough, A. (2017). Environmental impact assessments in developing countries: We need to talk about politics. *The Extractive Industries and Society*, 4(3), 448 – 452.

McIvor, E. (2020). The Committee for Environmental Protection and the important role of science in international efforts to protect the Antarctic environment. *Antarctic Affairs*, *7*, 13–28.

McKellar, A., Lintott, B., Leisti, H., & Baldwin, R. (2007). The Committee for Environmental Protection: How effective has this body been and what are the key issues moving forward?.

Moon, B., 1998. Environmental impact assessment in Queensland, Australia: a governmental massacre!, Impact Assessment and Project Appraisal, 16 (1), 33–47.

Mugabo, J.P., Bhople, B., Kumar, A., Khan, J., Havugimana, E., Byiringiro, E & Singh, Y. (2017). *Environmental Impact Assessment (EIA): General Process and Procedures*. Punjab Agricultural University.

Muslihudin, M., Hendarto, E., Rostikawati, R., Windiasih, R., & Wulan, T. R. (2018). Relationship between environmental damage and corruption cases in Indonesia. E3S Web of Conferences, 73.

Nadeem, O., & Hameed, R. (2008). Best practices for environmental impact assessment: A study on developing countries. Journal of Environmental Planning and Management, 51(1), 75-93.

National Whistleblower Center. (n.d.). *Environmental whistleblowers FAQ*.

Nita, A. et al. 2022. Researchers' perspective on the main strengths and weaknsses of Environmental Impact Assessment (EIA) procedures *Environmental Impact Assessment Review* 92(1).

Nkoh, S. E. (2023). The Role of Environmental Impact Assessment as a Tool that Aids Decision Making in Achieving Sustainable Development: Perspectives on its Evolution in Cameroon. *Sch Int J Law Crime Justice*, *6*(5), 271-285.

Organised Crime and Corruption Reporting Project. 2023. Inside Indian Energy and Mining Giant Vedanta's Campaign to Weaken Key Environmental Regulations.

Orheim, O., Press, A., & Gilbert, N. (2011). Managing the Antarctic environment: The evolving role of the committee for environmental protection. *Science diplomacy: Antarctica, science, and the governance of international spaces*.

Parikh, S. (2019). Effective legal frameworks for environmental governance. Journal of Environmental Law, 31(2), 245-269.

Q&A on Environmental Law in The Netherlands. (n.d.). *Clifford Chance Amsterdam*.

Roos, C. et al. 2020. Regulators' perceptions of environmental impact assessment (EIA) benefits in a sustainable development context. Environmental Impact Assessment Review, 81.

Sabin Center for Climate Change Law. 2019. EPA Budget Cuts Proposed for FY20.

Sabin Center for Climate Change Law. 2020. EPA Budget Cuts Proposed for FY2021.

Sabin Center for Climate Change Law. 2021. Fewer Scientists Employed by EPA During Trump Presidency.

Salvidge, R. 2022. Staff blow whistle on Environment Agency that 'no longer deters polluters', *The Guardian*.

Sinclair, L., Pope, J., Holcombe, S., Hamblin, L., Pershke, D., Standish, R. J., ... & Young, R. (2022). Towards a framework for regional cumulative impact assessment.

Singh, A. 2023. 'Revolving door' of staff moving between water firms and regulators sparks calls for sewage corruption probe.

Snyder, D. (2020). Discovery as Regulation. *Michigan Law Review, 119(1),* 71–138.

The Center for Public Integrity. 2015. Obama's EPA breaks pledge to divorce politics from science on toxic chemicals.

Transparency International. (2015). Corruption and anti-corruption practices in human resource management in the public sector.

Transparency International. (2017). Combatting Corruption in Mining Approvals: Assessing the Risks in 18 Resource-Rich Countries. Transparency International Australia.

Transparency International. (2021). Advancing Gender Equality to Combat Corruption in Mining. Transparency International.

UK Local Government Association. (2022). Barriers and Challenges for Environmental Assessment.

UN Environment. (2018). Assessing Environmental Impacts: A Global Review of Legislation. Nairobi, Kenya.

Union of Concerned Scientists. 2008. Interference at the EPA: Science and Politics at the U.S. Environmental Protection Agency.

United Nations. (1987). *Our Common Future*.

United Nations Development Program. (nd). *Chapter 5 Managing the environmental protection ecosystem in Egypt: Towards achieving a sustainable environment and addressing climate change risks*.

United States. (1977). *Federal Water Pollution Control Act Amendments of 1977* (Public Law 95-217). Washington, D.C.: U.S. Government Printing Office.

United States Environmental Protection Agency. (2023). *Procedures for reporting and addressing allegations of loss of scientific and scholarly integrity*.

Verheem, R. (2021). How to strengthen the independence of IA reviewers and practitioners. Impact Assessment and Project Appraisal, 39(1), 80-81.

Webb, R. and Kurtz, L. 2022. Politics v. science: How President Trump's war on science impacted public health and environmental regulation. Progress in Molecular Biology and Translational Science. 188(1): 65–80.

Williams, A., & Dupuy, K. (2017). Deciding over nature: Corruption and environmental impact assessments. Environmental Impact Assessment Review, 65, 118-124.

World Bank. (2021). Enhancing Public Participation in Environmental and Social Impact Assessments. World Bank Publications.
Wessels, W. (2013). Environmental impact assessments in theory and practice. Journal of Environmental Protection, 4(8), 72-77.

Wright, A. J., Dolman, S. J., Jasny, M., Parsons, E. C. M., Schiedek, D., & Young, S. B. (2013). Myth and momentum: A critique of environmental impact assessments. Journal of Environmental Protection, 4(8), 72-77.

Transparency International
International Secretariat
Alt-Moabit 96
10559 Berlin
Germany

Phone: +49 - 30 - 34 38 200
Fax: +49 - 30 - 34 70 39 12

tihelpdesk@transparency.org
www.transparency.org

transparency.org/en/blog
facebook.com/transparencyinternational
twitter.com/anticorruption