



# THE SWEDISH EIA PROCESS - THE SITING OF THE SPENT NUCLEAR FUEL

Stockholm  
17 february

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# The Swedish EIA system

- The Environmental Code (1999)
  - The operator has to apply for starting their operation or build their facility
  - The decision about the operation is made by the government, Environmental Court, the county administration board or the municipality
  - The operator has to carry a public consultation process as a part of the EIA process
  - The documentation of the public consultation process is a part of the operator's application



# Regulation of the public consultation process

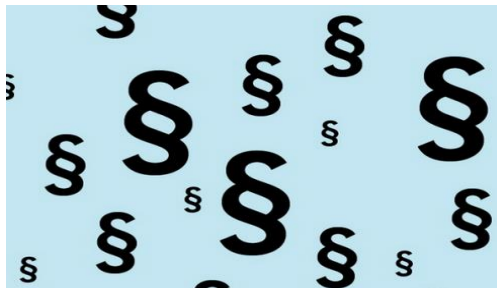
- The operator has to consult with
  - the county administration board
  - the authority in charge of the area affected, in this case the Swedish Radiation Safety Authority
  - the municipality where the operation/facility is planned to be located
  - parts of the public that is particularly concerned by the operation/facility
  - organisations that are particularly concerned by the operation/facility, i.e. environmental organisations
- The public consultation should be carried out at an early stage in the EIA process
- No regulation of *how* the public consultation should be carried out

But...

*How early is early?*

*How should a public consultation process be arranged in order to be democratic?*

*What is typical for a democratic decision making process?*



*What is a democratic dialogue?*

# What is democratic decision-making?

- The EIA, and especially the public consultations are meant to guarantee a democratic process and public influence
- **Representative democracy**
  - Political decisions are made by elected representatives (politicians)
  - The public elects the representatives – the right to vote
  - Public participation in public policies and public discussions
- **Discursive democracy**
  - Public participation in public dialogues
  - Rational arguments are favoured in the dialogues = favourism of academics and experts
  - Arenas where the participants can meet and discuss
- **Technocracy**
  - Decisions are made by experts and scientists
  - Politicians should make decisions based on expert argument
  - Minimal participation by the public



# Democratic implications of public consultation meetings

## Representative democracy

- Few, if any, elected representatives participated. Few local pol. No national politicians.  
→ weak connection between the meetings and elected representatives

## Discursive democracy

- The public, ppl. living nearby the proposed site for the storage, was invited – mainly laymen
- Environmental organisations were invited – but many of their members are experts and academics  
→ risk: experts and academics from the organisations and SKB are discussing using rational arguments difficult to understand for the public
- SKB decide the arena and time for the public consultation  
→ how to find a suitable place and time for the public consultation?



## Technocracy

- Tendency towards that the discussions were based on scientific arguments regarding different methods how to handle the spent nuclear fuel rather than questions raised by the public  
→ risk: public consultations can be turned into arenas for expert discourse rather than a democratic, participatory dialogue

# Democratic implications of written public consultation

## Representative democracy

No politicians participate in the written communication between the environmental organisations and SKB

→ no connection between the written public consultations and the elected representatives

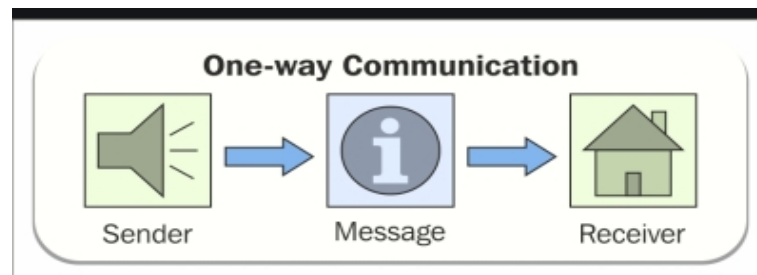
## Discursive democracy

How can a dialogue between all stakeholders, i.e. the public, the organisations, politicians, authorities and SKB occur when it is a one-way communication? The organisations are mailing their opinion to SKB and SKB reply.

## Technocracy

Tendency towards that mainly experts from the environmental organisations are mailing in their opinions – few laymen participate in the written public consultation

→ risk: one-way-elitist communication



# Democratic implications of study trips as public consultation

## Representative democracy

No politicians participated on the vast majority of the study trips arranged by SKB  
→ no, or a weak, connection between the study trips and the elected representatives

## Discursive democracy

Only a limited number of stakeholders participated, i.e. people living nearby already existing nuclear waste facilities and SKB  
→ discussions between a few stakeholders on closed arenas

## Technocracy

SKB presented technical data regarding technologically advanced facilities – expert language

## General

- How can SKB document all questions and answers fairly raised by the public during a two day study trip in their documentation of the public consultations?

# Features of democratic, participatory public consultation meetings

## **Representative democracy**

- Local and national representatives have to participate – answering questions raised towards politicians

## **Discursive democracy**

- SKB sends out the agenda in good time – so that the participants can prepare comments and questions

## *Inspiration from the Religious Society of Friends and the Plowshare Movement*

- SKB/a neutral facilitator makes sure that no one is talking "too much"
- makes sure that everyone who wants to say something feels safe to do so – a friendly atmosphere
- makes sure that all comments and questions are treated equally, no preferences for expert comments
- makes sure that the meeting ends in time so that no one has to leave before the discussion is over

## **Technocracy**

- Different kinds of expertise is acknowledge
- Local expertise
- Academic expertise – experts with a relevant academic degree
- Core expertise
- Laymen expertise

## **Conclusion**

*It is not enough to create arenas and invite the public and environmental organisations to participate in the public consultation process. The process/meetings also have to be organised in democratic ways*







**THANKS FOR  
LISTENING!**

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*Title of the book:*

*Delegated Democracy –*

*The Siting of the Swedish Nuclear Waste*

[https://gupea.ub.gu.se/bitstream/2077/18689/1/gupea\\_2077\\_18689\\_1.pdf](https://gupea.ub.gu.se/bitstream/2077/18689/1/gupea_2077_18689_1.pdf)

(English summary)