

Ethics Debate Urban Development- June 2006

The role of the independent EAP in conflict resolution

Karen Shippey

Ninham Shand Consulting Services

P.O.Box 1384

Cape Town 8000

Tel: 021- 481 2400

Email karen.shippey@shands.co.za

The role of the “independent” practitioner in the actual process of undertaking an impact assessment has been extensively debated. However, the role of the practitioner outside of the regulated process has received less attention. My input will be to suggest a role and reasonable boundaries of the Environmental Assessment Practitioner (EAP) beyond the regulated EIA process and to prompt discussion on the ethical challenges of this role.

The requirements of the environmental regulations as they relate to the role of the independent EAP during the EIA process are clear. Once all registered I&APs are notified of a Record of Decision, however, the definition of acceptable professional behavior and the role of the EAP in assisting sustainable and equitable decision-making becomes murky. Other than providing reasonable access to existing information, how far are you expected to go in assisting an I&AP in preparing their appeal or in assisting the proponent in responding to appeals. Is there a role to play in facilitating meetings between the proponent and possible appellants to resolve their differences before an appeal is lodged. After any appeals have been lodged, as the one most familiar with the process and documentation, what is the professional’s role?

I contemplate the NEMA conciliation provisions and codes of ethics and conduct adopted by IAIA locally and internationally, as well as bodies such as SACNASP and the EAPSA for guidance in regards to professional behavior. A proposal for the acceptable role of the EAP post-EIA is outlined to stimulate debate and discussion.