A One Stop Participation Guide

A Handbook for Public Participation in Environmental Assessment In Southern Africa

SCOPE

Title:	CALABASH – A One Stop Participation Guide A HANDBOOK FOR PUBLIC PARTICIPATION IN ENVIRONMENTAL ASSESSMENT IN SOUTHERN AFRICA
Date:	February 2005
Prepared by:	**common**ground
Address:	PO Box 30828, Tokai, 7966 Green Building, Bell Crescent Close, Westlake Business Park, Westlake, 7945 Tel: +27 21 701 3360, Fax: +27 21 701 1755 e-mail: info@commonground.co.za
Scope:	Development of a Capacity Building Handbook on Stakeholder Engagement/Public Participation Techniques in the Environmental Assessment Process. ▪ ***Develop and produce*** EIA/PP methodology handbook complete with supporting key stakeholder engagement tools (with focus on local communities) and methodologies which will provide local communities, practitioners, private sector, governments and NGOs/CBOs in the SADC region with the skills, knowledge and capacity to successfully engage, in a constructive way, each other in the public participation aspect of a respective environmental assessment process. ▪ ***Identify and document*** Innovative approaches to secure local community participation in processes aimed at environmentally sustainable development ▪ ***Workshop, Evaluate and Redraft*** the EIA/PP handbook at a SAIEA sponsored workshop in late November or early December 2004
Acknowledgments:	The workshop participants of November 31st /December 1st 2004 who helped develop the handbook are gratefully acknowledged for assisting with this research, as well as all the valued stakeholders directly involved in the preparation. SAIEA thanks you for your time, interest and knowledge contributed to this work. © SAIEA

TABLE OF CONTENTS

FIGURES

ANNEXURES

Annexure A: Communication techniques
Annexure B: Engagement techniques
Annexure C: Public participation review template
Annexure D: Resources: websites, handbooks and associations
Annexure E: International Association for Public Participation Toolbox
Annexure F: Templates and Samples

Glossary of Terms

Accountability   Be responsible for one's actions

Adjudication   Making a judgement on rights and liabilities

Appeal   A request to change a previous decision

Arbitration   When an outside person chosen by both sides decides on a disagreement between them

Baseline Information   Information usually consisting of facts and figures collected at the initial stages of a project. It provides a basis for measuring how far the achieves its objectives

Benchmark   When you measure the quality of something by comparing it with something else of an accepted standard

Caucus   A meeting of a small group of people in an organisation to discuss their position on something

Civil society   The many organisations and individuals throughout society but excluding government

Coalition   When different groups coordinate their efforts for a particular purpose, usually for a limited time

Conflict/dispute resolution   This term (along with dispute resolution) usually refers to the process of resolving a dispute or a conflict permanently, by adequately addressing their interests so that they are satisfied with the outcome

Constituency   A sector within society such as community organisations or sport bodies

Continuum   Something that changes in character gradually or in very slight stages without any clear dividing points

Cumulative impacts   An action that in itself is not significant, but is significant when added to the impact of other similar actions

Dialogue   Dialogue is a process for sharing and learning about another group's beliefs, feelings, interests, and/or needs in a non-adversarial, open way, usually with the help of a third party facilitator

Dispute   An active disagreement between people with opposing opinions or principles

Dissension   Difference of opinion; disagreement

Equality   When everyone is treated equally

Facilitator   An independent or neutral person who guides a discussion, activity, or course

Governance   The traditions, institutions and processes that determine how power is exercised, how citizens are given a voice, and how decisions are made on issues of public concern

Hierarchies   When groups of people are ranked in relation to each other according to ability or status

Impacts   The positive or negative effects of a specific project or projects

Integrity	Adherence to a moral or ethical code
Jurisdiction	The authority of an official organisation to make and deal with especially legal decisions
Libel	Falsely accusing a person
Litigation	The process of taking a case to a law court so that an official decision can be made
Lobby	When a group of people try to persuade the government, a company or a group to do something
Mandate	The authority given to a group or individual to represent and act for others
Marginalised	Individuals or groups of people who have been socially and economically excluded
Mediation	When there is an attempt to bring about a peaceful settlement or compromise between people in a dispute with the help of a neutral facilitator
NGO	A non-governmental organisation or non-profit, voluntary group, which is organised on a local, national or international level. NGOs perform a variety of services and humanitarian functions, bring citizens' concerns to governments, monitor policies and encourage political participation at the community level,
Open house	A forum where practitioners take a study, in the form of graphic displays, to a public venue for community review and input
Participation	To take part in or becomes involved in a particular activity; a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them.
Practitioner	People who are appointed by developers or government to undertake the assessment or public participation of a project and report the findings of the process.
Specialist	An expert who is devoted to one occupation or branch of learning
Stakeholder	Person or a group of people who have a stake in a project or projects. Stakeholders include, businesses, government and civil society
Stakeholder engagement	Actively involving individuals or groups of people that are affected by a particular activity
Sustainable Development	Development that meets the needs of the people today without compromising the ability of future generations to meet their own needs

1INTRODUCTION

INTRODUCTION

1.1 How to Use this Guide

This handbook is a practical, one-stop guide to assist you with public participation in environmental assessment processes in the SADC region. It

The handbook is to help four key sectors in the Southern African region:

- Practitioners – those who are appointed to design and implement public participation processes
- Civil Society – those who will become involved in public participation processes as a development may affect them or it may be of interest to them
- Government – those who must make a decision about whether a development should proceed on the basis of information arising from the environmental assessment process; and,
- Developers – those who wish to undertake a particular development.

The handbook is unique in that it provides a perspective of public participation from the point of view of each of the four groups. This enables each group to appreciate the other groups' actions and views in a public participation process.

 The handbook includes an overview of environmental assessment and public participation. There are tips, guidelines and advice for each sector. The handbook also gives advice on the key issue of managing conflict in environmental assessment processes.

The handbook contains annexures that provide brief descriptions of communication and engagement techniques for stakeholders and summary information of the legal rights to participation.

There is also a glossary of terms as well as references relevant to different sectors.

This handbook is not a recipe book for public participation. Use what is useful for you. Mix and match from different parts of the guide. No two public participation processes can be the same.

1.2 Background to this Guide

Achieving sustainable development in the Southern Africa Development Community (SADC) region is a major challenge as it is elsewhere in the world. Environmental assessments are one way of working towards sustainable development.

However, stakeholders often do not have the resources or knowledge to become effectively involved in these processes.

The Southern African Institute for Environmental Assessment initiated the Calabash Project in 2003 to enhance public participation in environmental assessment within the region. This handbook is part of the Calabash Project. It follows the drafting of a set of six case studies on best practice in public participation in environmental assessment in the region. Many lessons were drawn from these case studies which provide valuable experience and knowledge.

These lessons have been used in preparing this handbook. Brief illustrations drawn from the case studies have been inserted into this handbook (see Section 1.6).

A two day workshop was also held in Windhoek in December 2004 with participants from throughout the region, some of whom were involved in the case studies. Workshop participants assisted in the drafting of this handbook.

1.3 The Southern African Context

We see increasingly positive processes of public participation in environmental assessments in Southern Africa. This is associated with the growth of democracy and development. Political, economic, social and cultural conditions in the region are highly varied, but also distinct.

While conditions vary from country to country in the region, there are common features that affect environmental assessment and public participation. Below are some key problems and challenges posed by conditions in the region. Don't read this as a full overview of the region. It only sets out some major challenges.

1.3.1 Governance Issues

Due to the challenges of underdevelopment in the region, governments find themselves in a difficult position.

Limited Capacity: Constrained in capacity, they often have a limited ability to guide and decide on environmental assessment processes. This limited capacity is because in several of the countries in the region, there are new and emerging government institutions. There are also often too few suitably qualified officials to implement government policies.

Political Interference: There has been a problem with the involvement of high level politicians in environmental assessment processes before they are completed. This challenges both the independence and integrity of the environmental assessments as well as the public participation processes. Political representatives have been known to fear the outcome of these independent processes when they may threaten their political interests.

Participation Rights: People in the region are largely unaware of the rights that they have to participate in environmental assessment processes. There are diverse understandings of democracy and participation throughout the region. Governments

do not all give the same importance to the involvement of people in key decision making processes.

Lack of Experience and Confidence: Participation processes are new in many places in the region, and people lack experience and confidence in them. There is a further challenge in the hierarchical traditional and formal political structures. Traditional leaders and political representatives are often very powerful. Their opinions are viewed as most important, often leading to silence from their immediate communities.

1.3.2 Development Issues

Underdevelopment is a major challenge in the region. Below are some of the key challenges this presents for public participation in environmental assessments:

Poverty: The lack of access to basic needs and resources is a fundamental challenge. The priority for most people in the region is to meet the daily test of survival. There isn't much time or priority for most public participation processes. Poverty, though, is a major issue that can be addressed through many of the developments which are the focus of environmental assessments in the region. Employment, shelter, food security, access to resources and opportunities can flow from these developments. We need to hear the voice of the poor in them.

Financial Resources: Financial resources are very unequally spread in the region. This is both between, and within, countries. Often investment capital is thinly spread, with minimal finances devoted to good planning, assessment and participation processes. Investors argue that spending too much on these aspects will reduce their profits. Governments also lack financial resources. They often are unable to support participation processes, even if they want to.

Typical Industries: Tourism and extractive industries, like mining, are dominant within the region. These industries have a significant impact on the people. New investments in these industries present both opportunities and threats. People have the opportunity to participate in the process and can benefit from long term development. But they can also lose their land and existing livelihoods if the process is poorly implemented.

Health Issues: The prevalence of HIV and AIDS, as well as other major health problems are ravaging the region. The social impact has seen families and communities destroyed. Children often head families. This is very significant for participation in environmental assessment processes. People are too sick, have other priorities or lack the maturity and confidence to get involved.

Infrastructure: Southern Africa is a big region with its population spread between large urban areas, and often very remote rural areas. There is a challenge in all of the geographic contexts to reach out to people. Often it is physically difficult to reach people. Roads are poor, and there are limited telecommunication networks in many parts of the region.

1.3.3 Cultural Issues

There are many cultures in the region. This presents its own challenges.

Traditional Values: Many people identify with old traditions and tribal customs. They find this important as it supports their identity and they draw strength from it. This is positive. It also poses the challenge, however, of many people falling within hierarchical structures where traditional leaders are very powerful and can limit people's participation.

Marginalised Groups: Women, youth and disabled people face many challenges in the region. They are often marginalised within their societies and their voices are not heard loudly enough in participation processes. This is a very difficult issue as most governments in the region support the rights of marginalised people. But many in their societies do not give the same support.

1.3.4 Communication Issues

There are many communication challenges in the region.

Languages: There are numerous languages spoken throughout the region. Within a single environmental assessment process there may be stakeholders who come from several different language groups. This poses a significant challenge to ensure that all stakeholders can both be informed and be part of the dialogue.

Communication Technology: There is a wide disparity in the availability of information and communication technology in the region. While many in the more developed urban areas have access to telephones, the internet and electronic media, the same is not the case in many rural areas. It is appropriate to assume that communication over wide distances is not easy in the region.

Literacy: There is a very high level of illiteracy in the region. Many people who choose to participate in environmental assessment processes do not have the skills to read the most basic documents produced. The more technical reports, which are typical of these processes, are well beyond their capacities. This is a major challenge.

1.4 Overview of Environmental Assessment and Public Participation

Environmental assessments are undertaken throughout the SADC region although there are differences in approach.

They do, however have common overarching goals and, in general, public participation forms part of the process.

1.4.1 What is an Environmental Assessment?

An environmental assessment is a process to identify, evaluate and assess the potential effects on the environment of a proposed development before a major decision or commitment is made. The main aims of the assessment are to:

- Understand the consequences or impacts of the proposed development on the environment;
- Identify ways in which the development can be improved. These could include ways to minimise negative impacts and ways to enhance its benefits; and,
- Provide this information to decision makers.

Ultimately, the aim of an environmental assessment is to ensure that developments are sustainable and do not detrimentally affect people's lives or the natural environment.

In an assessment the "environment" is seen in a broad way. It includes:

- The biophysical environment – this includes plants, trees, animals, the soil and water; and,
- The socio-economic and cultural environment – this includes societies, cultures and economic systems.

1.4.2 What is Public Participation?

Public participation is the involvement of all parties who may potentially have an interest in a development or project, or be affected by it. It entails a wide range of activities that can range from providing information, through consultation to direct involvement of the public in aspects of the decision-making process.

1.4.3 Stages of Environmental Assessment

An environmental assessment normally consists of a number of steps. The precise steps may vary from country to country.

You can break the process into a number of typical steps. These are illustrated in Figure 1. Below you will find a brief explanation of each of these steps.

1. **Screening** is the process of determining whether or not a proposed development requires a full scale environmental assessment and what the level of assessment should be.

2. **Scoping** is a process to determine the nature and extent of the environmental assessment. You identify key issues that require further investigation. You screen out issues that are not likely to be significant. Normally, stakeholders interact and assist you to identify key issues and alternatives.

3. **Impact Assessment** is the phase in which you identify and assess in detail the potential impact of the proposed development on the environment. You identify and analyse impacts and predict their significance. You also identify measures to reduce negative impacts and increase benefits.

4. **Decision-making** is when government decision-makers decide whether to either approve the proposed development, approve it with conditions, or reject it. After approval, stakeholders may appeal against the decision if they disagree with the decision reached by the authorities.

5.   **Implementation** follows if the development is approved. The developer may have to implement an environmental management plan for construction, operation and in some cases, decommissioning of the project. An environmental management
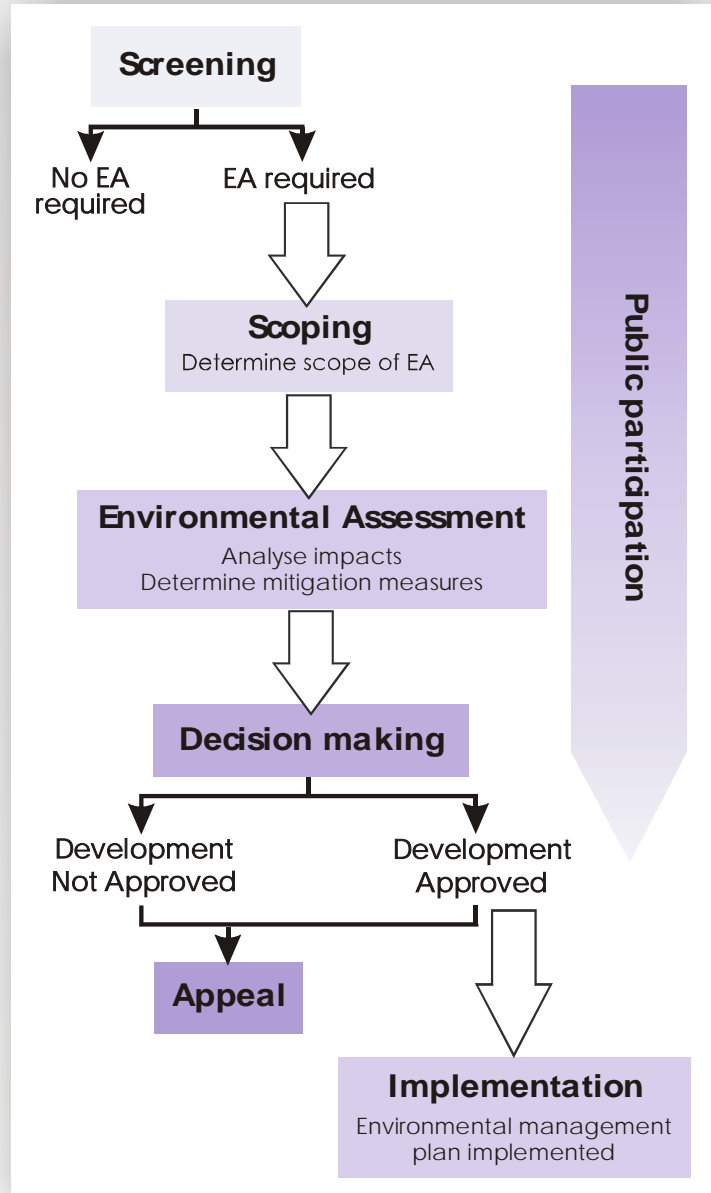
plan ensures delivery on promises and that mitigation measures and monitoring requirements are implemented throughout the project.

Figure 1: Steps in the environmental assessment process

1.5 The Benefits of Public Participation in Environmental Assessment for You

You can stand to benefit from public participation in environmental assessment processes.

CIVIL SOCIETY

Your participation will result in a number of benefits including:

- You will build your capacity through playing an active role during the process. The skills you learn can be used in other community projects;
- You can exercise and protect your rights by participating;
- Your inputs will influence the form and nature of the development and lead to better development that takes your needs into account; and,
- You may identify and gain new insight into your own knowledge.

DECISION MAKERS

You will benefit from public participation in the process because:

- It will improve your decision as you will have access to a broader range of perspectives and opinions on the proposed development;
- The development you need to approve is likely to be more sustainable as it takes peoples needs and views into account; and,
- Governance and the legitimacy of government will be improved as people will have contributed to your decision.

DEVELOPERS

You will benefit from public participation as:

- Your development may improve as you could access knowledge of local conditions you were not aware of;
- You may save costs, as key issues are identified through participating early in the development process. Studies are focussed on these key issues as opposed to a broad range of issues;
- Measures to reduce impacts and enhance benefits will be identified with stakeholders;
- Relations with communities in the vicinity of your development will be improved;
- Potential delays in decision making may be reduced because of good participation early in the process; and,
- Your image and reputation will be enhanced.

PRACTITIONERS

You will benefit from public participation because:

- It provides a good basis for accountability;
- Stakeholders can help you by providing information and identifying alternatives, problems and solutions; and,
- The quality of the environmental assessment will be improved as it will be grounded in public concerns.

1.6 Other Tools and Documents

Other documents and tools that have been produced as part of the Calabash Project are listed below. You may wish to consult these in learning more about public participation. The documents can be obtained from SAIEA directly or at www.saiea.com. Contact details for SAIEA can be found in Annexure D.

Case Studies: Integrated Report on Public Participation in the SADC Region
The Case Studies document experiences of public participation in six different environmental assessments in the SADC Region. Lessons arising from the case studies are documented in the report.

Legal Rights Provisions for Public Participation in the SADC Region
This report documents the legal provisions for public participation in the different countries in the SADC region.

Public Participation Template for Terms of Reference Related to Environmental Assessment and Public Participation (EA/PP) in the SADC Region
This report provides templates for Terms of Reference for Public Participation.

2PRACTITIONERS

PRACTITIONERS

A Snapshot View of this Chapter

ROLES AND RESPONSIBILITIES

Role: Your overall role is to facilitate the process. You must make it easy for stakeholders to engage with the environmental assessment process. Remember you are independent. Your role is not to promote the interests of the developer. See **2.1.1** for more information.

Teamwork: You should work as a team with the other professionals undertaking the environmental assessment. See **2.1.2** for more

Best Practice: Follow the best practice checklist:

Value Adding	Approach public participation so that it adds value to the environmental assessment
Inclusivity	Include all relevant stakeholders in your process
Accessibility	Give stakeholders easy access to your process
Early Engagement	Give stakeholders the opportunity to participate form the earliest stage possible
Transparency	Make sure your process is transparent and gives access to information
Fairness	Treat all stakeholders in a fair and unbiased way
Accountability	Be accountable and seek accountability from all stakeholders
Cooperative	Seek to manage conflict
Equity and Justice	Seek to redress inequity and injustice through your process
Capacity Development	Seek to develop the capacity of all stakeholders in your process
Flexibility	Design and implement your process so that can adapt to changing needs and conditions
Excellence	Strive to constantly reflect on and improve your public participation processes

See **2.1.3** for more information.

Relationship to stakeholders: Relate equally to all stakeholders. Give each stakeholder group equal access to participate in the process. Don't give special privileges to those

PLANNING AND APPROACH

When you plan your public participation process, make sure you understand the project, stakeholder and resource contexts.

Project Context: Make sure you understand the location. It can tell you about the stakeholders, the resources they have, their networks, and their level of development. Make sure you understand the scale of the project and the possible impacts it might have. A project with extensive impacts will mean involving a wider group of stakeholders. Understand what the law and funders require in your participation process. See **2.2.2** for more information.

Stakeholder Context: Include all relevant stakeholders by identifying:
- Who will benefit from the development being assessed?
- Who might be negatively affected by the development?
- Who might stand in the way or obstruct the development?
- Who may have resources, such as skills and finances, to contribute to development?
- Who are the relevant decision makers in the process?

Make sure that marginalised groups, like women, young people and the poor are included. Take practical steps to ensure that these groups are involved.

Prepare a social profile to develop a good understanding of all stakeholders. The social profile must consider issues like power and authority, culture and communication, special interest groups, capacity, and previous participation experience.

See **2.2.3** for more on the stakeholder context.

Resource Context: Make sure that you have an adequate budget and the appropriate skills to conduct a good public participation process. See **2.2.4** for more information.

Participation Approach and Techniques: There are many ways to do participation. The continuum of participation shows the spectrum:

Persuade	**Inform**	**Consult**	**Collaborate**	**Empower**
No participation	Become informed about decisions	Influence the decision	Shared decision making responsibility	Assume decision-making responsibility
Seek to manipulate attitudes	Improve awareness and support	Input before decision, two-way dialogue, exclusive decision	Joint decision, commitment to implement	Delegated responsibility
Paid advertorials, editorials, feature stories, conferences	Brochures, newsletters, inserts, displays, exhibitions, briefings	Formal hearings, public meetings, focus groups, conferences, workshops, advisory groups	Problem-solving workshops, mediation, negotiation, joint management committees	Public private partnerships

Select your approach independently and confidently so that all stakeholders can benefit from it. See **2.2.5** for more information.

Communication: Build communication activities into your participation plan. Understand what message you want to get out, why, to who, and how. But make sure that you are not running a public relations exercise for the development being assessed. See **2.2.6** for more information.

Learn Lessons: Keep track of the lessons you learn in participation processes. Build these into future plans. See **2.2.7** for more information.

INFORMATION AND INFORMING

Communicate: Use one of the many ways to communicate. This can involve personal, written or electronic communication. See the annexures which provide detail. See **2.3.1** for more information.

Be available: Be available to stakeholders throughout the course of the environmental assessment process. See **2.3.2** for more information.

ENGAGING

Use all available techniques: There are many different techniques that you can use when you engage stakeholders in an environmental assessment process. See the annexures which provide detail. Be flexible in how you implement your engagement activities. Be prepared to change your approach if your planned approach isn't working. See **2.4.1** for more information.

Specialist studies: Specialist studies give you a good opportunity to involve stakeholders in participatory research activities. Make sure that the specialists you work with use their studies creatively. Make sure they have a good knowledge of your participation process. See **2.4.2** for more information.

Local knowledge: Stakeholders have a wealth of local or indigenous knowledge to contribute to environmental assessment processes. Be respectful of it and don't take it for granted. See **2.4.3** for more information.

Follow through: Make sure that you accurately record all stakeholder inputs. Also ensure that stakeholders can check that you have recorded their inputs accurately. See **2.4.4** for more information.

Issues outside the assessment: Often stakeholders raise issues which are outside the scope of the assessment process. Do not shut stakeholders up. Listen to their concerns and gently shift their focus back to the assessment process. See **2.4.5** for more information.

DECISION MAKING

Inform stakeholders: When the decision-making authorities reach a decision on the environmental assessment, inform stakeholders of it as soon as possible. Give them guidance on steps they can take if they wish to appeal against the decision. See **2.5** for more information.

2   PRACTITIONERS

2.1 Roles and Responsibilities

2.1.1   Roles

You as the practitioner are at the core of public participation in the environmental assessment process. You are the critical pivot around which the process will turn. Your role is therefore one of extreme responsibility. More specifically your role is to:

- Design the public participation process;
- Organise all of the public participation activities;
- Communicate with stakeholders in order to provide them with sufficient essential information to enable their participation;
- Facilitate interactions with and between stakeholders;
- Record the inputs of stakeholders; and,
- Ensure that stakeholder input is integrated into the environmental assessment report and is communicated to the decision makers.

Remember your overall role is to facilitate the process – to make it easy for stakeholders

> **Remember, you are independent:** You have a responsibility to ensure that all stakeholders participate fairly in the environmental assessment process. They must all make a fair contribution to the outcome. The only way you can ensure this is to remain independent of any of the interests. You have a duty to serve the common interest. Your role is **NOT** to promote the interests of developer even though they pay for your services.

to engage with the environmental assessment process.

2.1.2 Your role within the professional team

In more complex and larger environmental assessment processes, it is appropriate to have a practitioner or team who is dedicated to dealing only with the public participation process. The public participation and the environmental assessment practitioners must work together as a team. They are joint facilitators of the process, with the public participation practitioners having the primary responsibility for the stakeholder engagement process. Respect the independence and integrity of the public participation practitioner within

> **Case Study:**
> In the environmental assessment of container handling in the Port of Durban, South Africa, the technical and process professionals worked as a closely integrated team. They approached the process as a joint activity, and saw their roles collectively as being the process facilitators. This created a seamless and productive working relationship. This also created a single point of reference for stakeholders.

the team at all times. See Section 2.2.4 below for the skills that a public participation practitioner and other needs.

2.1.3 Principles of behaviour

Bad behaviour practices can affect public participation in environmental assessments. Review the list of inappropriate roles. Then follow the checklist of best practice that follows.

Caution: Some Inappropriate Roles to Watch Out For

You need to be alert to your power as a practitioner. Also take note of the power of other stakeholders. Power can be destructive when used in the wrong way. Take note of the following types and ways to deal with the misuse of power:

Heavy Handed Authorities: Government authorities can be heavy handed in how they exercise power. This can undermine environmental assessment processes. Take active steps to encourage an attitude of empathy and respect by decision-makers. Encourage them to buy into the groundrules of the participation process and accept that it is independent for good reason.

Dominating Clients: Clients can become too involved in attempting to direct the environmental assessment and public participation processes. This can undermine the independence of the professional team. You need to give guidance to clients on why it is important to them that your independence is not undermined.

Biased Practitioners: As an environment assessment practitioner, you must encourage and create opportunities for debate. You must actively work against any one party being unfairly biased. Use independent facilitators to ensure an absence of bias.

Intellectual dominators: When you, environmental assessment practitioners, specialists or developers use inaccessible jargon, unfamiliar languages or behave in a way that is superior, you will encourage a bad participation process. Elsewhere in this handbook there are tips on how to overcome this.

Gatekeepers: Be wary of self-appointed leaders of civil society groups. They often insist on being the only point of contact between practitioners and the community. See the section on social profiles for guidance on how to avoid this.

Best Practice Checklist

Value Adding	Approach public participation so that it adds value to the environmental assessment
Inclusivity	Include all relevant stakeholders in your process
Accessibility	Give stakeholders easy access to your process
Early Engagement	Give stakeholders the opportunity to participate from the earliest stage possible
Transparency	Make sure your process is transparent and gives access to information

Best Practice Checklist	
Fairness	Treat all stakeholders in a fair and unbiased way
Accountability	Be accountable and seek accountability from all stakeholders
Cooperative	Seek to manage conflict
Equity and Justice	Seek to redress inequity and injustice through your process
Capacity Development	Seek to develop the capacity of all stakeholders in your process
Flexibility	Design and implement your process so that you can adapt to changing needs and conditions
Excellence	Strive to constantly reflect on and improve your public participation processes

2.1.4 Appropriate relationships between various roleplayers

As the facilitator of the public participation process within an environmental assessment exercise you fill a role of great responsibility, requiring the highest standards of professional integrity. The principles set out above need to be your guide. They give direction to how you should relate to the different stakeholder groups in your process.

The core principle guiding your relationship to developers, government authorities and civil society stakeholders is equality. Each stakeholder group should have equal access to participate in the process. This means that you cannot prejudice any one stakeholder. Equally, you cannot allow any stakeholder with greater access to resources like money or information to undermine the participation of others. It may mean that you need to give special attention to marginalised groups, like poor communities or women, as they may be disadvantaged in the process. By giving them extra resources and capacity you will equalise their participation.

Caution:
Be watchful in your relationship with the developer. Inevitably developers are your client and may feel that they deserve special treatment. Do not fall into this trap. By giving them special treatment you will undermine the integrity of your process, prejudice the participation of other stakeholders and damage the professionalism of the outcome of the environmental assessment process.

Tip:
Remember you are in all likelihood an outsider in the stakeholder community. Respect the community and its culture. You may be seen as an alien and need to take steps to build the confidence and trust of stakeholders. Spend time with people. Take time for informal conversations. If you can, stay in the community. Recruit a local person or organisation to assist you in entering and engaging with a community. Above all, make sure you follow the appropriate local traditions, conventions and protocols.

Case Study
In the assessment process on container handling in South Africa's Port of Durban, the project team was explicit in publicly treating all stakeholders equally. This included criticising the client's behaviour at one point in the process. This helped to build trust and confidence among stakeholders. It also created an atmosphere which encouraged deep and constructive dialogue.

2.2 Planning Your Approach

2.2.1 Introduction

When you design the public participation aspect of your environmental assessment process, make sure you have all the necessary information you need in place. This will provide a framework for you to decide what kind of process you should adopt, who should be involved, how they should be involved, what methods to use, and how the participation process will link to the assessment process. Understand the following three elements well when you set about planning your process:

- **The Project Context:** What kind of development is being assessed? What is its scale and scope? Where is it located? What does the law in that area tell you about participation?
- **The Stakeholder Context:** What do you know about the society around the proposed development? Who are the stakeholders? What do you know about them?
- **The Resources Context:** What budget do you have for public participation? What is your timeframe? What skills do you have?

When you have answers to these questions, you can move on to designing the process that best suits you.

> **Use the Template:**
> Go to Annexure C. It contains a template that can be used in both the design and assessment of participation processes. It is a useful checklist for when you design your process.

2.2.2 The Project Context

a) Project Location

The physical location of an environmental assessment gives us clues about the stakeholders associated with it. Consider these questions:

- Is the assessment in an isolated place where the community lacks resources and is underdeveloped? What is the level of development within the community? What economic activities does it engage in and how is land currently used?
- Does the community have networks and linkages to a broader geographic region and beyond?
- Is the assessment in a highly developed area with a complex social make up? What are the relationships between the stakeholders?

b) Scale and possible impacts

Consider the scale and magnitude of the potential impact of the development that you are assessing. Is the development:

- Small and highly local in its impacts?
- Small but with a broader impact?
- Large with an impact that affects a broader region?
- Strategic and relevant to the broader region, and possibly the country or beyond?
- Linear and crosses regions, jurisdictions and countries?

A difference of scale means different stakeholders to involve. Developments with potentially significant impacts may require more intensive involvement of stakeholders than developments with minor impacts.

Tip
The broader the scale and impact of the development, the broader the scale of stakeholder groups to involve. This means that in the case of strategic or regional scale processes, the focus should fall mainly on regional or very large-scale stakeholder organisations. In local level processes, focus on organisations within the local area of focus, while not forgetting broader scale organisations where these have a direct interest in, or are affected by, the area of the assessment. Scale up or down from this principal.

Case Study
In the Sasol Natural Gas Project environmental assessment it was agreed with the Mozambican government that the main process of involving stakeholders would extend down only as far as district level stakeholders. This was mainly because of fears of creating unrealistic expectations with lower level stakeholders. But the latter group was engaged during a specialist study on socio-economic issues.

c) Legal and Contractual Requirements

You need to adhere to all of the relevant laws in the area as well as contractual conditions. Some times the law provides a minimum standard for public participation. Can you go beyond the basic minimum on your process? Be guided by these questions:

- What laws and regulations about public participation are there in the area?
- If there aren't laws, what international or industry guidelines on public participation can you follow?
- Are there any specific contractual requirements such as those imposed by financial institutions financing the project?

2.2.3 The Stakeholder Context

Think about the stakeholders that are relevant to your environmental assessment process. Who are they? What do you know about them? Take the following steps to get the answers.

a)   Relevant Stakeholders

Work through the questions below to ensure that you cover all relevant stakeholders. Think about the scale of your process. Think about local, regional, national, continental and global scales.

- Who will benefit from the development being assessed?
- Who might be negatively affected by the development?
- Who might stand in the way or obstruct the development?
- Who may have resources, such as skills and finances, to contribute to development?
- Who are the relevant decision makers in the process?

Tip: Stakeholder Information
For efficient and effective stakeholder participation you will need to compile and maintain a database of key stakeholder information. Give it regular and ongoing attention. Use an effective computer database programme and give a member of the environmental assessment team the dedicated responsibility for doing so.

Make sure that the database includes the following:

- Basic information for each contact: name, title, organisation, capacity, postal and physical addresses, telephone contact numbers, email address.
- A category to which each stakeholder is allocated, such as national, provincial and local government, community organisations, business, trade unions, NGOs, and so on.
- A record of every contact made with each stakeholder. Provide information on meetings attended, correspondence, and other less formal contact.

When you start a new process assess the validity of information in your existing database. Update information by making contact with stakeholders, advertising in the media for stakeholders to become involved in the process or through referring to databases developed for other projects.

Case Study
In the environmental assessment on the Sasol Natural Gas project, there was a very varied set of stakeholders. They covered two countries and came from many different social, political and economic groups. The process needed to involve all relevant stakeholders. At the same time it needed to be efficient. The project team conducted a diversified and textured process. This allowed all groups to be involved in different ways.

b)   Marginalised Groups

Be alert to the fact that many of those who remain silent in environmental assessment processes do not do so by choice. Groups and individuals are often marginalised socially. They are in many cases unable to participate, or find it difficult to do so.

This may be because cultural beliefs and practices, or because of gender discrimination. Age, occupation and physical disability can also lead to marginalisation. Hierarchies within stakeholder groups are also significant, as well as important times, days of the week and commemorative periods.

Women are a particularly marginalised group within the community. They have a vital role to play as stakeholders in the process of sustainable development in our region. A concern is that women often have difficulty in finding the time to be involved with such activities due to family and work commitments. Also, women are often discriminated against by men in their communities or organisations. As a result, they are often reluctant to participate. Make an effort to ensure the active involvement of women from the range of civil society groups, not least women's organisations.

> **Case Study**
> A concern expressed by observers of the environmental assessment for the Sun International hotel development at the Victoria Falls in Zambia was that very few, if any, poor people participated in the process. They said that poor people had other priorities like the desperate need to earn a living. They also said that people were called to meetings and events using advertising in local newspapers, which was not the way people in local communities were used to being mobilised.

> **Case Study**
> In reflecting on the assessment process on the Popa Falls Hydropower scheme in Namibia, participants said that the local chief dominated the views of local people. This may have intimidated them, causing them not to raise concerns that could be seen as opposing the project.

Take the following practical steps to deal with marginalisation in your environmental assessment processes:

- **Do a social profile:** The profile will help you to identify the groups which are particularly marginalised and why.
- **Design for the marginalised:** The social profile will identify issues that need to be addressed in the design of the participation process. Identify practical ways to deal with the marginalisation factors when you design your process. Take guidance from members of the marginalised groups, or well informed advisors. Conduct separate activities for marginalised groups. Focus groups which bring a small number of representatives together for a dialogue can be useful
- **Be sensitive:** Be sensitive when you implement your process. Ensure that marginalised groups are constantly considered. Address their needs adequately.
- **Get support:** Identify a local specialist or lay person who can

> **When groups don't participate:**
> You may be forced to accept that in certain instances there will be important stakeholders who do not participate in your process. This would be in cases beyond your control. Social and cultural pressures would be such that they do not participate. This is unfortunate and to the detriment of both your process and the environmental assessment exercise. At the very least give an account of this situation in your report of the process. Explain why key groups have not participated.

help you. Draw on people who have skills and experience in working with the marginalised groups you want to engage with.

- **Protect the vulnerable:** Protect vulnerable marginalised groups who are threatened or intimidated by other stakeholders. Create separate opportunities to engage with them. Negotiate with other stakeholders to secure the right of marginalised groups to participate. Seek legal protection for them when their rights are threatened.

Lawbreakers?:
Do you engage with stakeholders who are very relevant to your project, but are breaking the law? These could be illegal miners, or poachers who need access to a natural resource for their survival. Illegal stakeholders may be opposed to your client's development as it may threaten their livelihoods. The client in turn may pressurize you not to engage with them.

Remember you are an independent facilitator. The legal status of stakeholders does not necessarily make them less relevant to your environmental assessment. Engage with all stakeholders equally. Allow all voices to be heard to ensure a thorough and useful process of stakeholder engagement.

c) Prepare a Social Profile

A social profile is a useful tool for gathering and analysing information on stakeholders. It is a document that pulls together key information on stakeholders.

Tip: Ways to prepare a Social Profile
We can obtain the information we need to prepare a social profile in these ways:

- Find out if social profiles have already been prepared in the area. Obtain permission to use them if they have.
- Review existing information in public documents available from government or other agencies. Also make use of any research undertaken by academic institutions.
- Consult with experts on the stakeholders you are focusing on to gather information.
- Engage with stakeholders in individual or group discussions.

Be careful not to create undue expectations when undertaking the social profile activity. Be direct and accurate in the information about the activity that you are undertaking.

Case Study
A key activity in Transvaal and Delagoa Colliery environmental assessment process in South Africa was the preparation of a social profile. Through it, the project team developed a refined understanding of the relevant stakeholders and the relationships between them. This gave them vital information to design an improved participation process.

A social profile should cover the following issues:

Power and Authority:
Understand and be sensitive to the power relationships within the stakeholder groups. The following are key issues to investigate:

- What role does government play amongst the stakeholders? What is the power of government structures, representatives and officials in relation to other stakeholders?
- What traditional systems of power, government and authority are there? What is the relationship between these and the formal structures of government? Does the local community attach importance to the traditional systems?
- What is the role and authority of traditional leaders within the community? Do they have significant power?
- Who are the dominant individuals and groups amongst stakeholders or a community? Do they have the support of the rest of the community? Are there groups contesting for control and power within the community? Are particular groups excluded from access to power within the community?
- Which groups or individuals are influential amongst the stakeholders or community? Which groups, by contrast, are important to your process? Do the two groups coincide? How can you conduct your process so as to ensure that both those that are influential within the community, and those who are important to your process, are adequately and fully involved?
- What are the correct channels to use when you engage with stakeholders?

Culture and Communication:
The following questions are important to explore:

- Do religious or spiritual practices play an important role? In what way?
- What languages are spoken? What would be the appropriate language for communication in the environmental assessment process?
- Are there specific cultures, traditions or rituals that are important? How might these have an effect on the process?
- What mechanisms of communication are there in the community? What kind of electronic media, if any, can be used to communicate with the community? What are the levels of literacy and can written materials be usefully used?

Tip:
Take care not to judge the cultures of the stakeholders you engage with. Often you may find a clash between your values and those of stakeholders involved in the process. You may have to accommodate customary practices, which, for example, discriminate against women. Your role is not to change these cultures. It is to ensure good stakeholder engagement in your environmental assessment process. But remember; ensure that you hear the voices of marginalised groups.

Special Interest Groups:
You can develop an understanding of marginalised special interest groups by addressing the following questions:

- Are there special interest groups that need to be noted and incorporated into your process?
- What is the status and role of women within the targeted stakeholder groups? How can they be incorporated into the process?
- What is the status and role of young people within the targeted stakeholder groups? What role can they play?
- Are there any particular groups who are specifically marginalised or given a lower status within the targeted stakeholder groups? How should they be dealt with?
- What organisations are there that can help you to gain access to marginalised groups? Often religious organisations are a good way to access women who might otherwise not participate.

See Section b) above for more.

Capacity to Participate:
Stakeholders need the capacity to be involved in environmental assessment processes:

- What capacity to participate do community and civil society groups have? Do they have access to time, finances, knowledge, and skills to enable them to get involved? Do they lack access to these resources and so have limited capacity to get involved? What can be done to overcome this problem?

Caution:
When you implement capacity building activities be careful that they do not promote one point of view. This can be seen as a form of "brainwashing". Be fair to all points of view when conducting capacity building activities around the environmental assessment issues.

Case Study
In the Sasol Natural Gas project, funds were set aside to cover the travel, accommodation and subsistence costs of participants in Mozambique. Without this support, many government officials would either have had to cover these costs personally, as there were no government funds available, or not participate at all.

History of Prior Activity:
Understand the prior experience of stakeholders:

- Do the stakeholders have experience of involvement in environmental assessment or related participatory processes?
- What lessons can be learned from this previous experience?

2.2.4 The Resources Context

Public participation requires finances, time and skills. Develop a good understanding of these elements before you design your process:

- What budget do you have for public participation?
- What is your timeframe?
- What skills do you have?

Skills for Facilitators

Independent facilitators of public participation in environmental assessment processes need many skills and attributes. These include:

- **High ethical and professional standards**: The facilitator or mediator must act with confidence in their independent role in a process.
- **Research and analysis capability:** Facilitators need to develop a good understanding of the political and socio-economic dynamics within the context of the assessment process.
- **Design skill:** Facilitators need the ability to design participation processes for diverse circumstances.
- **Project management and administration:** Facilitators must deliver the diverse range of participation activities on time, within budget and to the requisite quality.
- **Liaison ability:** The facilitator must comfortably and freely liaise with a wide range of stakeholder groups.
- **Facilitation:** The facilitator needs working skills in the range of facilitation approaches and tools.
- **Mediation:** The ability to mediate in situations of dispute is an additional capability that would be welcomed of facilitators. Many facilitators, however, are not skilled to engage in mediation activity. An external mediator may need to be used.
- **Documentation:** The independent facilitator needs the ability to produce a wide range of useful and accessible documents.
- **Public Speaking:** The facilitator must be able to present complex ideas to groups of stakeholders in an immediate and accessible way.

2.2.5 Participation Approaches and Techniques

There are many ways to do participation. Choose an approach and techniques that suit your needs.

The International Association for Public Participation has developed a continuum of public participation approaches. You can see from Figure 2 that there are diverse approaches to participation ranging from influencing at one end of the spectrum in which there is an attempt to manipulate the views and behaviour of stakeholders, to empowering at the other when decision making power and authority is transferred to one set of stakeholders.

Case Study
The project team in the Transvaal and Delagoa Colliery environmental assessment process held regular meetings with a core group of stakeholders. This gave them valuable direction on appropriate communication and participation activities.

Influencing or empowering – the two ends of the continuum – are not appropriate approaches for environmental assessment processes. Stakeholders must be entitled to participate in

environmental assessment processes. Influencing is not genuine participation. In most countries in the SADC, decision making responsibility lies with government officials and empowering is thus not an appropriate approach.
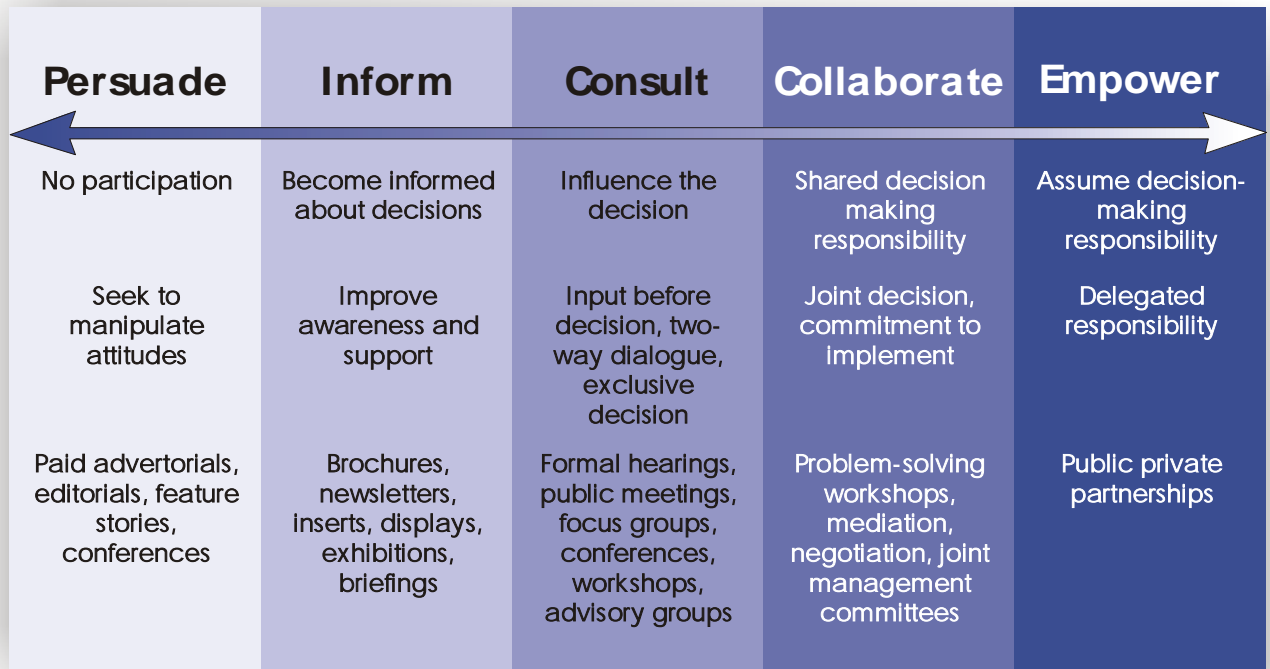
Persuade	Inform	Consult	Collaborate	Empower
No participation	Become informed about decisions	Influence the decision	Shared decision making responsibility	Assume decision-making responsibility
Seek to manipulate attitudes	Improve awareness and support	Input before decision, two-way dialogue, exclusive decision	Joint decision, commitment to implement	Delegated responsibility
Paid advertorials, editorials, feature stories, conferences	Brochures, newsletters, inserts, displays, exhibitions, briefings	Formal hearings, public meetings, focus groups, conferences, workshops, advisory groups	Problem-solving workshops, mediation, negotiation, joint management committees	Public private partnerships

Figure 2: Continuum of public participation approaches

Think about how you can use the other three approaches. They are not exclusive of one another, so that within one environmental assessment process, it is possible to conduct informing, consulting and collaborating activities. The focus of the participation activities in most environmental assessment processes falls on informing and consulting. But you could design your process to seek as much agreement as possible among stakeholders before submitting your environmental assessment report to government decision-makers. In this case you would add the collaboration approach to your participation mix.

Input from Stakeholders
Involve stakeholders in the design of your process. They may have good ideas as to what process approach will work best in their circumstances. They are also likely to support the process more than if they aren't involved in the planning. Involve stakeholder leaders when you are designing the process.

 Figure 2 gives you a feel for the kind of activities that are typical for each of the approaches. These are discussed in much greater detail in Annexure B, which provides tips and guidelines on a range of techniques. Look also at Annexure E, which includes another extensive guide to techniques.   Called the Participation Toolbox, it was created by the International Association for Public Participation.

Do it right!:
Select your approach confidently. Do not be pressurised by the developer to choose an inappropriate method, or to take short cuts. Developers more often than not see environmental assessment processes as a "necessary evil" – something they have to do, but would prefer not to. You may need to motivate strongly for a meaningful stakeholder engagement approach. Remind the developer that a bad participation process can have serious consequences, including:

- The authorities could reject their application because there has been inadequate stakeholder engagement in the process;
- The authorities may approve their proposal but they may lack the endorsement of stakeholders and so not have a "social license to operate";
- Critical issues may not be raised by stakeholders because they are not adequately involved. This could lead to flaws in the subsequent development;
- The development could lack many value-adding improvements which would have been identified through a good stakeholder engagement process; and,
- The developer may not be able to build long-term and mutually beneficial relationships with stakeholders.

Case Study
In the assessment process for the Popa Falls Hydropower project in Namibia, the developer came into the process with a history of difficult experiences of engaging with stakeholders. This time around it aimed to learn from these experiences. It consciously aimed to support a constructive process of stakeholder engagement. This had a positive effect on the environment within which the assessment process was conducted.

2.2.6 Communication Plans

Don't forget about a communication strategy. You need to design a communication strategy as part of your participation approach. When you do this think through the following questions:

- What messages or information do you need to get out?
- Do you need to get different information out at different stages of the assessment process?
- Who needs to receive information?
- What is their level of understanding and literacy?
- What access to media and technology do they have?
- When does the information need to be disseminated?
- What kind of language style would be appropriate?
- What media would be best to use?
- Should the communication call on stakeholders to take any particular action?

Case Study
In the environmental assessment process for the Skorpion Zinc mine in Namibia, there was an increase in the frequency and diversity of communications as the project proceeded. Newspapers, radio, leaflets, local newsletters, word of mouth and direct contact with organisations and individuals were used.

> **Caution:**
> Communication must support and reinforce participation in the environmental assessment process. It must not be confused with public relations activity. This tries to convince stakeholders of a particular point of view. The role of the environmental assessment team is to be independent and not promote one point of view. The information you distribute must be objective and informative. It must help participants to understand the issues, to clarify their role in the process, and help them to reach their own conclusions.

2.2.7 Previous Experience

An essential guide to planning your process should be the lessons you and others have learned in previous processes. Put in place a system that will help you to reflect on your processes and identify successes and failures. Record these lessons in a way that will make it easy to review them from time to time as you start up or engage in new processes.

2.3 Information and Informing

2.3.1 Communication Techniques

There are many ways to get the message out. This can range from speaking personally to individuals through to hi-tech electronic communication. Regardless of the type of technology you use, it is vital that you communicate simply and accessibly. Have a look at Annexure A. It gives tips and guidelines on ways to get your message out.

There are sections on:

- How to communicate
- Accessible communication
- Brochures
- Newsletters
- Information distribution points
- Media coverage and advertising and newspaper inserts
- Mailed flyers
- Videos
- Websites and email
- SMS (Short Message System)
- Radio and community theatre

2.3.2 Contact Person

As a practitioner, you need to be available to stakeholders throughout the environmental assessment processes.

Make sure that you or your contact person are easy to get hold of. Make your contact details well known to stakeholders whenever you have the opportunity.

> **TIP:**
> The contact person needs to be:
> - Someone with good liaison skills.
> - Well briefed on the process and issues.
> - Committed and enthusiastic about the process and public involvement.
> - Well informed on the process.

2.4 Engaging

2.4.1 Engagement Techniques

Go to Annexure B and Annexure E for a guide on the wide range of approaches and techniques at your disposal.

Be Flexible. Circumstances can change during your process. Your well-intentioned plans may need to be changed because of new conditions or stakeholder demands. You need to embark on your process with a degree of flexibility. This will allow you to adopt different approaches and techniques from those that you initially planned.

Case Study
In a process focused on rehabilitating a coal mine in South Africa, the project team realised that they were not reaching out appropriately to stakeholders. They recognised that a broad process of awareness raising was necessary in the local community. With the enthusiastic support of the clients they changed the direction of the process. They adopted creative and innovative approach, using township theatre and school drama workshops.

2.4.2 Specialist studies

Certain specialist studies that are part of the environmental assessment process provide good opportunities to deepen public participation. This is the case in particular for studies that focus on local communities and other stakeholders. For example, these could be studies on social impacts, health impacts, and economic development.

Encourage the specialists doing the studies to include participatory research methods. These could include surveys, interviews, focus groups, and field visits involving stakeholders. The specialists can also help your process by providing information about the environmental assessment process to the stakeholders they engage with. They could distribute documents and leaflets, or give briefings to stakeholder groups.

Caution
Make sure that the specialists are fully aware of the broader public participation process. They must ensure that their activities do not work against your work in the stakeholder engagement process. Give them a good briefing on the process.

Tip
Specialists involved in environmental assessment processes often have to be part of your public events. Make sure that any presentations or inputs they give are appropriate to the audience, accessible and understandable. Do a run through with them before the event to check that it will be appropriate. Give them feedback and advice on how to tailor their presentations for the audience.

Case Study
In the process on the Sasol Natural Gas project in Mozambique the team used extensive participatory research techniques in a specialist socio-economic study. This allowed grassroots stakeholders to get involved.

2.4.3 Local Knowledge

Stakeholders have a wealth of local or indigenous knowledge to contribute to environmental assessment processes. Don't take this knowledge for granted. It will emerge slowly, and only if you are sensitive to the needs, traditions and culture of the stakeholders you are working with. Ask for permission to use the knowledge. You may need to pay for it, just as you would have to pay specialist consultants for their knowledge.

Tip:
In rural areas, older women carry much knowledge about the area and its history. Involve them in the process so that you can draw on their valuable input.

2.4.4 Follow Through

Good participation means ensuring stakeholder involvement at all stages of the assessment process. As a practitioner you need to ensure that there is ongoing contact and follow through with stakeholders. This builds trust and confidence in the process, and sends out the message that you respect and value stakeholder input in your environmental assessment. Follow these guidelines:

- Ensure that you accurately record and file all stakeholder comments. This includes comments made in public meetings, workshops, individual consultations, focus group discussions, telephone or other verbal inputs, as well as written submissions received by mail, email or other means.
- Verify your record of stakeholder comments. You can do this by giving the public an opportunity to review the documentation of comments received to ensure their accuracy. Alternatively, verify your record of comments at events with stakeholders.
- Acknowledge in writing all written comments that have been received.
- Where necessary clarify comments made by stakeholders to ensure their accuracy and meaning.
- When stakeholders request specific information, or answers to specific questions, make every effort to respond to their requests. If possible, make the information available to other stakeholders so that all involved in a process have equal access to information.
- If necessary, conduct additional public engagements if these will result in good follow through. If you or the assessment practitioner produce considerable volumes of information in your assessment report that needs to be explained, consider setting up additional meetings or workshops to communicate with stakeholders.

Tip:
Accept that certain people will hold with their views, despite evidence or facts to the contrary. Acknowledge their views and record them.

2.4.5 Issues outside the Scope of the Assessment

Stakeholders often raise issues that are outside of the scope of the environmental assessment process. This could be because they are making use of the opportunity to promote a particular issue, or because there may not be sufficient other opportunities for them to do so. Be sensitive. Identify these issues. Acknowledge them when they are raised and undertake to channel them to the relevant parties, usually government. Actively show that that you have heard and understood the issues raised, but be firm about the scope of your process.

Do not shut stakeholders up when they raise outside issues. Rather give them a sympathetic hearing and then move the discussion back to your focus.

2.5 Decision Making

As the practitioner you have an important role in assisting the flow of information once a decision has been taken. Once the authorities communicate their decision to you, make sure of the following:

- Inform all stakeholders immediately about the decision;
- Provide stakeholders with information about their rights and how they can go about making an appeal against the decision if they do not agree;
- Assist stakeholders with access to information they may require in preparing appeals; and,
- Provide all of the information in an accessible format.

3CIVIL SOCIETY
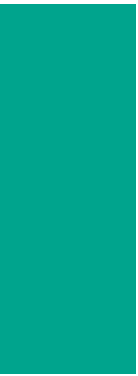
CIVIL SOCIETY

A Snapshot View of this Chapter

ROLES AND RESPONSIBILITIES

Roles: Your role may vary depending on your position on the proposed process and the plans of the process facilitator. It could include commenting, providing information, representing broader groups, proposing alternatives, or providing input to decision making. See **3.1.1** for more information.

Right to Participate: Most countries in the SADC region provide civil society with the opportunity to get involved in environmental assessment processes. See **3.1.2** for more information.

Relationship to other Stakeholders: Be aware of the different stakeholders and the roles they play in the process. These include civil society, the practitioner, the developer and the decision makers. See **3.1.3 and 3.2.3** for more information.

Good Behaviour: Follow rules of good behaviour, such as:
- Commit to the process;
- Listen actively;
- Respect other opinions and perspectives;
- Be open;
- Be assertive, not aggressive; and,
- Be informed.

See **3.1.4** for more information.

ACTION PLANNING

Understand the Project Context and Nature: Make sure you understand what the project is about. Establish if it will affect you, and how. See **3.2.1** for more information.

Clarify Participation Opportunities: Check what public participation is planned. Does it meet the requirements of the law? Does it meet your needs? Are the practical arrangements appropriate? If you need to, seek better participation opportunities. See **3.2.2** for more information.

Resources: Do you have the necessary skills, time, finances and knowledge to participate? Find ways to build your capacity such as obtaining assistance, doing training,

Choose your Participation Approach: You have the right to choose whether and how you might participate in an environmental assessment process. The figure below sets out the broad options. See **3.2.5** for more information.

Not Involved	Antagonism	Conditional Participation	Active Participation	Collaboration
No participation	Actively opposing the process	Participation with conditions	Full participation in process	Shared decision making responsibility
Disinterested and not involved	Undertake activities outside the process to stop development and/or the process	Require acceptable process before participating	Attend participation events and engage with process	Joint decision making, commitment to implement

INFORMATION AND INFORMING

Find Information: Information is a good resource that you can draw on to assist you in your participation. You can obtain information from a variety of sources, including the assessment process practitioners, the media such as radio and newspapers, the internet if you have access, and from government sources. You can also gather information directly about your environment if this will be useful to your involvement. See **3.3.1** for more information.

Communicate Clearly: You will need to get your message out as part of your involvement. When you communicate be clear about the following:
- What you want to communicate;
- Why you want to communicate;
- Who you want to communicate with; and,
- How you want to communicate.

See **3.3.2** for more information.

Use the Best Way to Communicate: There are many communication methods to choose from. See Annexure B for details. See Annexure D for sample letters. See **3.3.3** for more information.

INTERACTING

Formal Opportunities: The formal public participation process will create opportunities for your involvement. There are many different ways that practitioners can go about this. See Annexure C for a description of the ways. Look at the review template in Annexure D to help you decide if the process and the opportunities for your participation are adequate. See **3.4.1** for more information.

Practicalities: Make sure that the practical arrangements for public activities suit you. Also make sure you prepare for these events. This means that you must read and understand the information on the project; and, you should think through questions and views you might have. See **3.4.2** for more information.

Work with Your and Other Organisations: When you participate make sure that you have clear communication with your organisation. Ensure that you elect your representatives well and that they have a clear mandate. Work to create networks, alliances or coalitions with other organisations that share your approach o the process and the issues. Make sure you prepare for your involvement by caucusing your views. Make sure you give good reports on your participation. See **3.4.3** for more information.

Stages of the Environmental Assessment: Environmental assessment processes go through distinct stages. Understand these and how you fit into them. See **3.4.4** for more information.

The Issues: Make sure that you raise your issues and concerns. Check that they have been properly recorded and dealt with. Get help in understanding the complicated technical issues. Ask the practitioner for assistance. Get the help of a specialist, but remember that you need to manage their role. See **3.4.5** for more information.

MANAGE CONFLICT

Conflict is normal in environmental assessment processes. Be creative and positive. Follow the approach of managing conflict. See **3.5** and **Chapter 6** for more information.

DECISION MAKING

Government officials are responsible for taking decisions on the environmental assessment. Make sure that you obtain the decision as soon as possible. If you disagree with the decision, consider making an appeal. Your appeal may be because you agree with the overall decision, or because there is a specific detail that you disagree with. See **3.6** for more information.
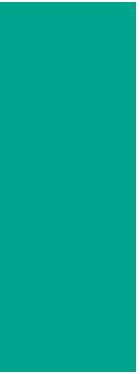
3   CIVIL SOCIETY

This chapter provides guidelines and tips for members of civil society who wish to participate in environmental assessments. Civil society is made up of a very broad group of people and organisations. These include all groups outside of government, such as:

- Faith based organisations;
- Community based organisations (CBOs);
- Non governmental organisations (NGOs);
- Trade Unions;
- The private sector e.g. businesses;
- Individuals including professionals; and,
- Tertiary Institutions.

This chapter provides:

- An overview of your roles and responsibilities in the public participation process;
- A detailed guideline on the planning you need to undertake if you wish to be involved in an environmental assessment;
- Guidelines and tips on finding information as well as communicating with others;
- A discussion on how to engage in the public participation process as well as how you can engage other members of your community or NGOs; and,
- Assistance on how to deal with decisions made by government at the conclusion of an environmental assessment.

3.1 ROLES AND RESPONSIBILITIES

3.1.1 Roles

You have an important role to play as a participant in an environmental assessment. You should see yourself as a valued contributor to the process. Your role may vary depending on the level of engagement planned by the public participation practitioner. You could:

> **TIP**
> Clearly understand the process and your role within it. You may need to lobby for more participation.

- Comment on, as well as raise issues and concerns about project proposals;
- Provide information and share your experiences and knowledge;
- Represent the interests of broader social groups;
- Participate in suggesting and developing alternatives to initial proposals and identify ways to improve developments;
- Provide input into the decision making process; or,
- Actively participate in decision making in a collaborative process.

Most SADC countries provide members of civil society with the opportunity to become involved in an environmental assessment.

> **Note:**
> You do not have to confine your role to the formal public participation process. If you are involved in the process, you can still use other measures to raise your issues e.g. you can still decide to argue against a development if you wish to.

Remember that with the right to participate in a public participation process come responsibilities to fulfill your role within the process. You are accountable for your actions and behaviour.

3.1.2 Relationships between Various Roleplayers

There are different groups that participate in an environmental process.

You could:

- Be involved in the process as an independent participant raising your own issues and concerns;
- Link up with other individuals with whom you have common interests and participate as a group;
- Be a representative of an organisation or community and represent the organisations interests; or
- Be a member of an NGO interested in assisting local communities to participate in the process.

Public participation practitioners need to be independent and act as facilitators. Their role is to enable the participation of all other parties. They are there to record your issues and concerns and ensure that you can participate in the process.

Environmental Impact Assessment practitioners are responsible for assessing the consequences of the proposed development and determining, in conjunction with stakeholders, ways in which the development could be approved.

Developers are stakeholders as well, entitled to participate in the process and raise issues and concerns. While they will be promoting their development their issues and concerns should not have precedence over those raised by other stakeholders.

> **TIP:**
> Developers are entitled to promote their proposed development ideas, but not without listening to stakeholders! Similarly, you are entitled to a different opinion but not without listening and constructively engaging in debate

The government is the decision maker and has the responsibility of deciding whether or not and under what conditions a developer may proceed. It has the responsibility to consider all the information on a project and to consider the opinions, thoughts and feelings of those who will be affected by its decision.

Another group who may be directly or indirectly involved in the environmental assessment process, are the institutions that may provide funding for the proposed development. This could include organisations such as the World Bank or the International Finance Corporation (IFC). Many financial institutions have their own standards and requirements for environmental assessments of the projects they will be funding.

3.1.3 Principles of Behaviour

As with your normal social interactions your conduct and behaviour will influence the perceptions of other roleplayers and the way they will interact with you.

To get the most from the process:

- Commit to the process – become familiar with the facts and get involved in events;
- Listen actively – hear what people are actually saying not what you think they are saying;
- Respect other peoples opinions and perspectives – this does not mean you have to agree with them;
- Be open – commit yourself to seeking solutions;
- Be assertive and not aggressive – address the issues and avoid personal attacks; and
- Be informed – know what is proposed and what the issues are. Speak up when things are unclear and ask for help if you need it. Make sure of your facts.

Annexure A provides more information on listening and communicating.

> **TIP:**
> Be open and seek solutions rather than obstruct a process. This may help you to gain more and realise your goals.
>
> Conversely – you have a right to stand up for your issues. Insist that your issues are addressed. Be assertive, not aggressive.

3.2 ACTION PLANNING

Just as public participation practitioners plan for their processes and developers plan their projects, you should also plan how and when you will participate in the environmental assessment process.

Being prepared is the best way to ensure that your participation has the maximum impact.

In preparing a plan, you need to gather information and consider:

- The project context and nature;
- Participation opportunities;
- Other roleplayers; and,
- Resources.

You need to consider this information and decide on a plan of action. You must choose how you want to participate in the environmental assessment process.

Tips on gathering information are also provided in Section 3.3.1.

3.2.1 The project context and nature

Find out what is planned – the box provides a list of the kinds of questions you should consider.

- Determine whether you or your group will be impacted or wish to be involved in the environmental assessment.

Be aware that in some cases, developers may decide to start with environmental assessments very early in the process of planning their developments. In such cases, the details of a project may not have been finalised and there may not be much information available.

Processes which are started early in the planning of a development give you good opportunities to ensure that your

Questions about the Project
- What is the project about?
- How big is the project?
- Why is the project planned for here? Was anywhere else considered?
- What benefits and costs will the project have?
- Does the project impact on your interests?
- How will this project impact the environment?
- How long will the project last?
- What obvious changes will happen to your community and livelihood?
- Are there other projects linked to this project that may also have impacts?
- Will this project result in cumulative impacts?

Tip:
Very complex and large processes may require considerable time and resources on your part. Be very clear how the project relates to your life, the goals and objectives of your organization, and why you wish to be involved.

Case Study
An environmental assessment was undertaken during pre-feasibility phase for a proposed hydropower project at Popa Falls on the Okavango River in Namibia. The process started before the power plant was designed or sites for the plant were selected. As a result, local stakeholders influenced the choice of site away from Popa Falls. It also enabled significant issues raised by stakeholders to be addressed in the design.

issues can be incorporated into the project design. Early consultation means that issues are raised before the design is finalised. This enables your concerns to be incorporated into the design.

3.2.2 Participation opportunities

Environmental assessment and public participation processes will differ from project to project and from country to country. Practitioners may plan for different levels of public participation (see Section 2.2.5).

Check what public participation is planned. Check what the legal requirements are in your country. Does the process meet the legal requirements? Also check whether the process meets the requirements of the project funder if there is one.

CAUTION:
Check that the proposed process is a participatory process and not just an 'information' process. Being informed – while important - is not sufficient. You have a right to be involved and provide input.

However, do not just focus on the legal requirements. Also consider what would be best for your interests. The practitioner may have planned a process that is inadequate in your view. It may be necessary to lobby for assistance and greater participation. When considering the proposed public participation process, also consider the practical matters that could introduce barriers and hinder your participation. Is enough time provided for you to comment? Are meetings proposed for suitable venues and at times when you can attend? Check whether the arrangements are reasonable. If they are unreasonable, be very clear about your requirements and insist on more reasonable arrangements. You need to

TIP:
If you are experiencing difficulties and are unhappy with the proposed process or the nature of the public participation process, you may need to motivate to the practitioner, developer or government why it is important that you and your community are actively involved in the environmental assessment.

First consider how the project may affect you. Write down the key points. Use these points in explaining that you have a right to participate (Section **Error! Reference source not found.** explains these rights). In addition, consider who your audience is and talk to them about the benefits of public participation as outlined in Section 1.5.

make your needs known to the practitioner.

Be aware that in many cases, the public participation practitioners will be outsider appointed by the developers. They may not have specific local knowledge of your culture and traditions. This could result in them proposing interactions that you do not regard as appropriate. You need to raise these issues with the practitioner. Take responsibility for communicating your cultural needs and issues to practitioners.

3.2.3 Other Roleplayers

Its important to know who you will be interacting with during the process.

- Find out what the **developer's** track record is. Some developers may have a track record of poor processes and ignoring outside stakeholders – or the opposite.
- You need to be satisfied and comfortable with the **practitioner** running the process. The practitioner plays an extremely important role in facilitating the process. Ask for the practitioners' credentials and check whether they have a good track record for dealing with all stakeholders fairly.

- Find out who the **decision makers** are. Find out names and telephone numbers. You may need to approach them and lobby for additional participation or assistance.
- Identify allies in other **civil society groups** – other groups could boost and assist you in getting your message across and resources can be pooled and shared. But other groups may act against your interests. Section 3.4.3 provides tips on coalitions and alliances.

Sources of Information
- Ask the developers what other developments they have done. Ask the participation practitioners what other Environmental Assessments or public processes they have completed.
- Consult regional or local NGOs in the area.
- Get in touch with communities in the vicinity of other developments that the developer or practitioner has been involved in.
- Check newspapers and phone radio stations
- Search the Internet if you have access.

Involvement of women and other marginalised groups
Often women or other marginalised or special interest groups are excluded from processes. These people can be valuable allies and rich sources of information in a process. In addition, women are often impacted in ways that men are not. Women and marginalised groups may also have knowledge that may not be shared with other groups.

Be conscious that women and marginalised groups must be involved in public participation processes.

3.2.4 Resources

The resources you have will to some extent determine your level of involvement and your strategy. Consider the skills, time, finances and knowledge in your community or organisation. Be clear about what you require and why you require assistance. If you need assistance you could:

- Lobby practitioners, developers or government for help such as financial assistance or transport to meetings;
- Identify training courses or workshops to attend;
- Approach other organisations for assistance, such as local or larger scale NGOs; or
- Undertake fundraising and awareness raising campaigns to generate support.

Case Study
During a process to raise community awareness of the dangers of an old abandoned coal mine in South Africa, local community groups asked for and obtained assistance. The local community groups were participating in the process of identifying and managing interactions with the broader community. To enable their participation in planning meetings, they asked for assistance with transportation to the meetings.

In highly technical projects you may need assistance in interpreting and understanding information produced by specialists. The practitioner should provide and make assistance available. This may not occur or you may wish to appoint someone else to

assist you in interpreting information. You may need to secure funding if you wish to appoint a specialist, although there are some organisations that may undertake the work for free such as universities and large NGOs. More information on understanding and interpreting information is provided in Section 3.4.5.

3.2.5 Participation Approaches

Once you've gathered the information above, you need to decide:

- What the objectives of your involvement are;
- When you want to be involved;
- How you wish to be involved, e.g., being actively involved or mobilising opposition outside the environmental assessment process; and,
- Who should be involved from your community or organisation.

There are numerous ways of being involved in, and influencing, a process. Information and engagement techniques are discussed in the following sections. Consider on the basis of the information you have gathered so far what you wish your strategy to be:

- Active involvement in the public participation process associated with the environmental assessment. Your involvement in a properly run process can produce many benefits.
- If you are concerned about the nature of the proposed public participation process, you may wish to not be actively involved in the process until your concerns are addressed, or be conditionally involved.
- If you are concerned about the attitude of the practitioner or the developer, you may wish to use other techniques to lobby for support and oppose or raise concerns about the development in addition to being actively involved in the process or, you may choose not be involved in the process at all, and only use these other techniques.

Your involvement in the public participation process, can also be seen as being on a continuum as illustrated in the figure below. At the far end of the spectrum, collaboration means that you work with the developer to mutually agree on a solution that meets your needs and the needs of the developer.

TIP:
You can change the way you participate in a process during the process. You do not have to continue participating actively if you do not wish to. In addition, you could choose to actively participate as well as be active outside of the process.
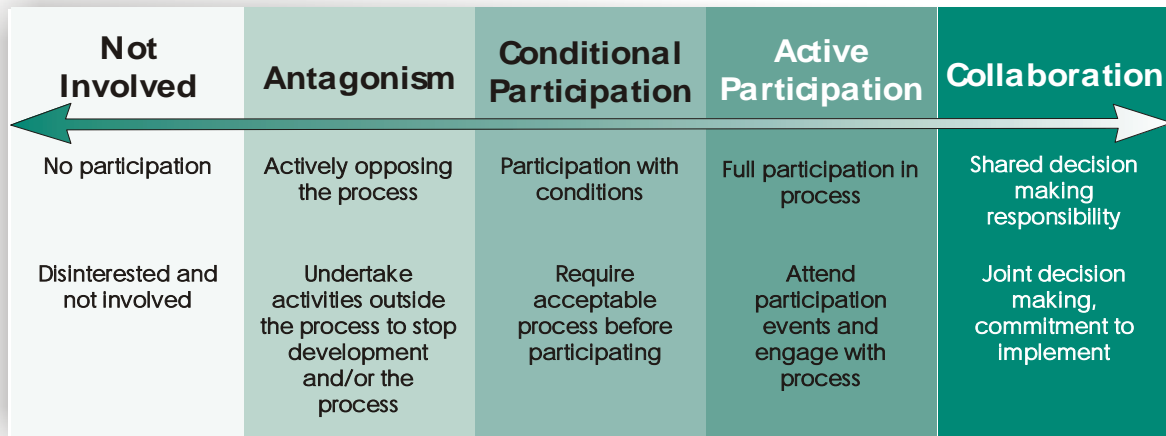
Not Involved	Antagonism	Conditional Participation	Active Participation	Collaboration
No participation	Actively opposing the process	Participation with conditions	Full participation in process	Shared decision making responsibility
Disinterested and not involved	Undertake activities outside the process to stop development and/or the process	Require acceptable process before participating	Attend participation events and engage with process	Joint decision making, commitment to implement

Figure 3: Continuum of possible civil society involvement in a public participation process
Note: You can oppose a development while being actively involved in the process.

In planning your involvement, bear in mind that you will not only need to attend events organised by the public participation practitioner, but also plan and strategise with your community or organisation before and after events to plan your input.

If you believe that the practitioners are either not independent or are not undertaking their job properly, you should raise these concerns. Raise your concerns with the relevant government officials or with the developer.

3.3 INFORMATION AND INFORMING

Information plays a key role in a public participation process. You need to:

- Find information about the project, its potential effects and other roleplayers;
- Communicate your information to other roleplayers.

Detail of different communication methods is provided in Annexure A.

3.3.1 Information Sources

Information is an important resource. Sound, accurate information enables you to best understand how proposals will affect you and to plan your strategy.

You should have information about a proposed development and how it will affect your community and livelihood.

Sources of information can vary widely. The public participation practitioners should be able to provide you with basic information on the proposed development. If they do

not have the information you need, you may be able to approach the developer directly for information.

However, you should not rely on the developer or participation process only in your information quest. Scan local newspapers and listen to the radio. You could also approach your local radio stations or newspaper and ask whether they have any information about proposals.

Government officials may also have information that they would be willing to share. Approach your local council representative or chief. They could also assist you in approaching other individuals or groups to get information.

Another important source of information is other civil society groups in your area or the local non-governmental organisations. Possibly approach more large scale NGOs which work nationally or internationally. Universities are also important sources of information.

If you have access to the internet, this can be a useful source of information. Use search engines when looking for relevant websites. A list of websites with information on public participation, and environmental assessment is provided in Annexure D. There are also chat groups and email networks which you can tap into for information.

You can also gather your own information about your surrounding environment. As a community, you can decide on what resources and areas are important to you and why. Classify and define areas according to a system that is accepted by the community. This can provide you with a base on which to compare classifications and evaluations that may arise from the environmental assessment process. Alternatively you could provide this information to specialists and the practitioners to use in undertaking their assessments. Do this if you feel secure enough about sharing your knowledge.

3.3.2 Communication

Effective communication with other roleplayers in the process is vital. It will ensure that your issues are understood and addressed.

When you inform and communicate consider:

- What? – you want to communicate
- Why? – you want to communicate it
- Who? – you want to inform
- How? – you communicate

Clear, simple and directed communication is more effective than overloading people with large volumes of information and issues.
Annexure B provides different communication methods.

Getting the Facts Right
Exaggeration of facts or misrepresentation of situations will often be exposed. It can create enemies of other roleplayers and reflects on your integrity. If other parties do not trust you, you will struggle to communicate your issues. You are also less likely to be taken seriously.

What

Be very clear about what you want to tell people. You may have important information about your area or wish to raise concerns about what is proposed.   Prioritise your messages.   Don't try to tell people everything at once.   Carefully select what information you wish to convey at different times.

If you are raising concerns about proposals, consider whether there are any potential solutions?

Don't exaggerate facts and make sure you have your facts correct the first time. Confused messages cloud communication and undermine your integrity.

> **Caution**
> You could be sued for libel if you deliberately misrepresent facts or set out to undermine other roleplayers by spreading false information.

Most information exchanged in a public participation process is public. Your messages thus reflect your knowledge, credibility and contribute to your 'public' image.

Why and Who

Before communicating with people be very clear about what you wish to achieve with your communication. Are you seeking to gain support or do you want assistance?

You also need to consider the audience you will be communicating with. You need to use a style appropriate to the audience.   For example, if you are trying to lobby government you may use a different style than if you are trying to mobilise your community to participate.

How

There are many different means ways to communicate your message as outlined below.

Just as technical people or scientists sometimes communicate in what seems a completely incomprehensible fashion to anyone outside their specialty, your message may not be comprehensible to others, unless you make an effort to keep it accessible.

> Some Issues you may wish to communicate about include:
> * Your rights to participate in the environmental assessment process
> * How you wish to be consulted
> * Issues that are of significance to you
> * Information about the project and the assessment process
> * Assistance from NGOs, the media or other roleplayers

The most important point is to keep it simple. Avoid jargon or expressions that outsiders may not understand. Express one idea per point and don't try to fit too many ideas into one message.

3.3.3 Using the right information tool

Once you have decided on what, why and who there are many different methods you can use.

Annexure A contains details on some of the methods. Each has pro's and cons Your audience will to some extent play a large role in determining the best tool to use. The

nature of the message you are trying to convey will also. Are you challenging the status quo? Do you want to indicate that you are willing to work with others? You may use a petition in the first instance whereas a letter or a meeting may work better in the second instance. Some ways of conveying information are more confrontational than others.

Annexure F contains samples of letters you may wish to use in communicating with proponents, the practitioner, other NGOs or the government.

Media

The media can be powerful allies in a public participation process. This includes newspapers, television and radio. Radio stations, in particular local community radio, may be particularly useful.

In dealing with the media, keep your message simple and be message driven. Establish four or five key points you wish to get across and write these down. Stick to these points when being interviewed and do not get defensive when challenged.

Journalists often have many competing demands. Issues that are important to you may or may not be worthwhile news to a journalist. The media can assist in garnering you support but make sure you have your facts straight. You can lose support as fast as you can gain it.

You can also approach the media. For example, you could issue a press release or invite them to a press conference.

If you wish to actively approach the media, consider very carefully what you wish to achieve. The media can be used to:

- Convey your issues to a broader audience;
- Gain support for your issues; or
- Put pressure on a developer.

Using the media may, however, influence your relationship with other stakeholders in the process. It could, in certain circumstances create additional tensions.

Make sure that you are completely sure of your facts. Be prepared to work hard. Many developers have more resources than civil society and can buy advertisement space in newspapers to run 'smear' campaigns.

The media may not be the best channel through which to engage in a constructive debate with other parties. It can, however be used to bring parties around the table to engage in debate.

See Annexure A for more tips on dealing with the media.

3.4 Interacting

3.4.1 Participation opportunities and techniques

Public participation practitioners normally plan a series of formal and less formal interactions with the various stakeholders in a process. The range of techniques they can use is illustrated in Annexure B. These   include formal public meetings, site visits or more informal workshops.

> **CAUTION:**
> Beware of mass public meetings where you are asked to vote for or endorse a particular outcome. These should not be decision making forums as they are often not fully representative of the spectrum of opinion on a particular development.

You should have the opportunity to be involved in the environmental assessment. Generally, the larger the development, the bigger its potential impacts or the more sensitive the environment (whether biophysical, social or cultural), the more opportunities you should have for involvement. As an absolute minimum you may only be asked to submit comments on a proposal and may not have the opportunity to meet in a forum with other stakeholders. Ensure that you have the opportunity to make your views and opinions known and that these will be considered in decision making. Use the review template in Annexure C, to check the adequacy of the public participation process.

When engaging in formal public participation events and with others, follow the guidelines on engagement. Above all, listen to what others have to say. Effective listening is a powerful tool for understanding other peoples' positions and interests. Understanding these will assist you in getting your messages across.

> **Guidelines on interacting**
> - Agree on a set of ground rules and abide by these. Ensure you know what the boundaries of the debate are. If you are unhappy, negotiate around them.
> - Be honest and polite.
> - Listen to what others have to say. Do not assume you know what they will be saying.
> - Be flexible and responsive – be open to solutions.
> - Communicate your views directly and clearly

> **Listening**
> Listening is critical for effective communication. Most of us don't actually listen to other people – we spend the time thinking about what we would like to say!
>
> To listen effectively:
>
> - Listen actively – focus on what the other person is saying and not on what you would like to say in response
> - Listen to *everything* they say – not just the first words
> - Ask questions of clarification and check back with them that you heard them correctly
> - If you disagree with what has been said, do not argue directly – ask an 'open' question to gain more information or better understanding before opening a discussion.
>
> Annexure A has more tips on listening.

3.4.2 Practical Arrangements

Engaging in a public participation process requires resources and time. Ensure that the public events suit your needs as well as those of other stakeholders. Let the public participation practitioner know when people in your community are available and where the best place for an event may be.

Do your 'homework' thoroughly before an event – it will maximise your participation on the day and get you the best results:

- Make sure you have read and understood all the information provided by the practitioners prior to the event;
- Draw up a list of questions before the event on those aspects you need clarification on;
- Ensure you know the aim of the event and prepare a view before attending the event. Assess the extent to which you can be flexible in your view; and,
- Be prepared to work when you attend events.

Checklist for a Good Event
When you attend an event, there are certain basic things that should be in place and questions you should ask. These include:

- Is there an agenda or plan for the event?
- Will the event and outputs and issues raised at the event be recorded? The record doesn't have to be in the form of minutes. It could be a workshop report or maps prepared by participants for example.
- How will your issues and any information you provide at the event be dealt with?
- Have local customs and traditions been respected?

3.4.3 Interactions outside of the formal public participation process

You may participate in a public participation process as a representative of an organisation or a community. You may be part of a group represented by someone else. You may be seeking to raise support for your position or develop formal alliances.

You may need to meet to elect representatives, debate positions and give feedback to community members who are not as involved. Alternatively, you may wish to organise a meeting with your community and invite the developer to attend and listen to your concerns or proposals.

Representatives and Mandates
- You may want a single individual or small group of individuals to

---

Caution:
Beware of self appointed representatives or 'gatekeepers'. Some people may approach practitioners and developers and claim to be talking on your behalf, even if you have not elected them. They may withhold information or interfere in the process. Make sure you are represented by someone you trust

represent your community or organisation's view at public events.

- Choose your representatives carefully and consider their skills. Think of the planned events and the style of engagement that may happen. People have different strengths in different circumstances. You may want someone who is very diplomatic in certain circumstances, while in others, someone who fully understands and can grapple with highly technical information may be more effective.
- Ensure that most people in the group are happy with the chosen representative.
- As a representative, be aware that you are representing interests of other people and not only your own. You have a responsibility to ensure that their views and opinions are communicated effectively.

Make sure your representatives have a clear mandate. This mandate could vary from moving the responsibility to discuss your issues, through to the power to negotiate on your behalf.

Case Study
In a process for new Sun International Hotel at Victoria Falls, the chief, a popular local figure, spoke on behalf of his subjects.

Traditional Structures
Traditional structures can be a powerful means of discussing and negotiating around your issues in the environmental assessment. For example, if a chief is well liked and respected and regarded as legitimate the issues he raises on a community's behalf will carry weight.
But beware of the possibility of certain issues and interests being excluded.
In many societies women may be excluded from discussions and meetings of traditional structures and their issues may not get a fair hearing. Women have important issues that can differ significantly from the issues men raise. A space should be created for women to be consulted separately if they cannot be accommodated within traditional structures.

Networks, Alliances and Coalitions

A network, alliance or coalition with other organisations may assist you in the public process.

Look widely, you may find unlikely allies. Traditional 'opponents' may turn out to be allies in certain situations. Agree on your common interests. Be aware that while you have certain positions in common your potential partners may have different interests from you.

Networks are useful
- There is support and they help to spread the load
- There is power in numbers – greater representivity may give you a greater voice and more resources
- There is less duplication of effort
- There is a broader information and skills base which you can draw on to assist your involvement
- New and exciting ideas can often be generated by interacting with others

Be creative with differences in opinion.
They can help to strengthen your position as you discuss and work through them with your partners.

Know your partners' strengths and weaknesses and divide the work between you, as required.

Informal networking can also be a powerful way of sharing information. You may not have a formal coalition or alliance with another group, but may just agree to share information.

Tip:
In certain cases, government departments or bodies which will not be taking a decision on an environmental assessment can be powerful allies in ensuring your issues are taken up, if they are similar to their own interests. For example, if you are concerned about the potential pollution of your drinking water, approach the government agency responsible for managing water resources in your country. They may be equally concerned and willing to take up the issue in the environmental assessment process.

Non Governmental Organisations

NGOs can play a very important role in supporting community involvement in environmental assessment processes. NGOs often have access to resources, which may not be available to communities.

As an NGO you may be able to assist communities to attend events, notify them of the process and often supply assistance in interpreting information and gaining access to specialists. To a community, an NGO may be a powerful ally in a process, adding weight to its issues and concerns. An NGO can assist in communication and networking as well as providing assistance in understanding the broader political factors that may be at play in an environmental assessment.

As a community and NGO working together, consider whether your goals and objectives are the same. Be aware of where they differ. If they do, this can affect your working relationship. As an NGO, make sure you understand the needs of the community you are assisting. Be open and transparent with the community about your own goals and objectives. These may not be the same as those of the community.

Case Study
During a process to raise local community awareness and identify issues around an abandoned unsafe coal mine in Witbank, South Africa, a local NGO played a valuable role. The organisation assisted local communities in accessing information about the project. The NGO acted as a 'bridge' between the practitioners and grassroots communities of the area.

Caucusing and Reporting

- Caucus before public events. Obtain opinions in your community and determine your strategies.
- Be clear about what you are wanting to achieve as a group:
  - Are you seeking to stop a development?
  - Do you want to have meaningful involvement or benefits from a development?
  - Do you want to propose measures that will reduce impacts?
- Keep notes on all decisions you make as a group.
- Ensure that, as a representative, you report back to your constituency.

Tip:
Make sure you hear the opinions of everyone in your community. Sometimes women or young people may be excluded from providing input. Avoid excluding such groups. They may have valuable knowledge or advice that would assist you.

Techniques for Your Own Activities

When you select a technique, consider their pros and cons in relation to:

- The purpose of your activity. What you want to achieve may be easier to achieve using a particular technique rather than another. For example, a field visit may be a more effective means of providing information to others about your local environment than a public meeting.
- The nature of your audience. Certain people may be more comfortable speaking up in an informal workshop situation than a public meeting;
- The time available.
- The knowledge and capacity of the participants.

There are also techniques that you can use to raise awareness or oppose a proposal outside of the formal process such as petitions and protests.

More information on techniques is provided in Annexure B.

3.4.4 Stages of Environmental Assessment

As outlined in Chapter 1 an environmental assessment has different stages with quite distinct objectives. These have implications for your engagement and for the outcomes.

Scoping
- Scoping is generally aimed at identifying issues, concerns and potential alternatives.
- The scope of the assessment of issues and impacts that will follow is determined.

Ensure that you have raised all of your issues at this stage and that you have received a commitment to address them. The practitioners may not be able to answer all of your questions at this stage. The aim is to determine what questions need to be answered in the following stages of the Environmental Assessment process.

Assessment
- Assessment is concerned with gathering information and assessing the impacts and implications, of the development. This assessment is based on the terms of reference generated during the scoping stage.
- Often much technical information is generated. You need to be able to engage with this information. Check it. Ensure that the issues you raised and questions you asked during the scoping stage have been satisfactorily addressed.

3.4.5 The issues

Verifying your issues

An important goal of the environmental assessment process is to identify potential issues, benefits, impacts and opportunities of a development. It is also to ensure that these are either enhanced or that measures are put in place to limit negative effects.

Ensure that you raise your issues and that these have been recorded and that they are addressed. Read reports and the minutes of meetings. Notify the public participation practitioner when you are unhappy with the way in which your issues have been represented or if they have not been captured. Try as far as possible to record your issues and concerns in writing.

If you don't agree with the way one of your issues has been addressed, notify the practitioner. Build a clear argument and address all the points with which you are unsatisfied. Make suggestions on how your issue could be addressed.

> **TIP:**
> When you raise an issue, be very clear what your issue is about. For example, it is not sufficient to say that you are concerned about 'water'. Ask yourself what are you actually concerned about. Pollution of your drinking water? Loss of irrigation water?
> Be precise and specific about your concerns. Phrase your issues as specific questions e.g. What will the impact be on the quality of my drinking water?

If the practitioner does not respond to your concerns appropriately by either correcting mistakes or addressing your issues, consider notifying the developer or government officials about problems you are experiencing.

> **TIP:**
> Your issues should be addressed. It is not sufficient for the practitioners to state that your issue is 'noted' in their reports. Your issue may not addressed when you first raise it, as further information may be required. This should be stated. However, all your issues should be addressed in the final reports.

Clarifying technical information

The technical information in an environmental assessment can seem quite inaccessible. However, most information can be made accessible and be explained in terms that a layperson can understand. You don't have to be an expert to have sufficient understanding to be able to comment on the aspects that will affect your life.

The practitioner should provide you with accessible information and also provide assistance in interpreting information. It is extremely important that you ask questions and insist that specialist reports are explained to you.

Remember that you have your own knowledge to contribute to the environmental assessment process and often may know of local environmental conditions that outside specialists are not aware of. Speak up if you disagree with specialists. Specialists are not always right, but if you disagree you must be able to back up your points. Specialists should also respect your points and respond to them proactively.

> **TIP:**
> Check the credentials of the specialists. Make sure that they are well respected and have a reputation for professional independence.

If you are not satisfied with a specialist in an environmental assessment process, consult outside experts that you trust or appoint your own specialist. You could approach NGOs or universities for assistance, they may be willing to do work for free or at a reduced fee.

Managing your own specialist

If wish to appoint your own specialists, make sure that you draw up a Terms Of Reference for them:

- Clearly set out what you wish them to do. Do you want them to review another specialists work? Do you want them to undertake a second study for you?
- Stipulate the terms and conditions of their payment and the timeframes in which you wish the work to be completed.

Ensure that the specialist is accountable to your organisation as you are engaging them to assist you.

3.5 Managing Conflict

Conflict is a normal part of society.   Conflict can often arise in environmental assessments between stakeholders with different interests and opinions.

Conflict is not a bad thing unless it develops into hostility. It is important to acknowledge and address conflict before it develops into hostility. If you actively manage conflict, it leads to creative solutions to problems. You should regard conflict as an opportunity to find common ground with other stakeholders.

See Chapter 6 for tips on managing conflict.

Caution:

Certain developers may use legal avenues to threaten you and prevent your participation. This could be in the form of letters from lawyers or in the form of court interdicts or actions. These actions are sometimes known as "SLAPP" suits or 'strategic legal action against public participation. If this occurs remember:

- You do have a right to participate in an environmental assessment;
- Keep copies of all your correspondence;
- Approach local legal aid clinics or assistance centres; and,
- Notify relevant government officials.

3.6 Decision Making

An environmental assessment process concludes with a decision that is made by a government official who either approves or turns down a proposed development. Certain conditions may be attached to the decision.

It is important that you know who will be making the decision. Ask the practitioners undertaking the environmental assessment when the decision will be expected. Inform them that you wish to know when the decision will be taken and that you want to know what the decision is.

As a participant in the environmental assessment, you have a right to know what the final outcome of the process has been.

Once a decision has been made, check that the points you have raised and the outcome as you understood it from the environmental assessment has been respected in the decision. The decision maker should provide reasons for their decisions.

Discuss the decision with your community. In many countries there is provision for an appeal process if you are unhappy with the decision. If you are going to appeal a decision or notify the authorities that you are unhappy with the decision consider the following:

- Are you unhappy with the overall intent of the decision, i.e., that the development has been approved or turned down?
- Are there specific aspects of the decision that concern you, e.g., specific conditions that you wanted the developer to adhere to that have not been included in the decision.
- Was insufficient opportunity provided for you to be involved in the process? Was you right to participate compromised?

When you appeal against the decision you need to be very clear about what you are not satisfied with and why you are not satisfied with the decision. Once you have discussed these aspects with your community, prepare a letter clearly setting out:

- What you are appealing – the whole decision or aspects of the decision;
- What about the decision you are unhappy with and the details of your problem;
- Why you are dissatisfied with the decision or aspects of the decision and the consequences of the decision for you; and,
- Your proposals for a better decision.

This appeal letter should be addressed to the government officials who made the decision. You should also send copies of your letter to the practitioners, the developer and, if you wish, any media who may have had an interest in the process. Annexure F has a template of possible appeal letter as well as other useful templates and letters you may wish to use during a public participation process.

If your appeal is unsuccessful, you may wish to consider the option of other legal remedies. You will need to consult with a lawyer to determine whether or not there are other legal remedies and to determine your rights.

> **Note:**
> The decision makers will take a number of factors into account when they make their decision. They will consider:
>
> - The issues raised by participants and how these are addressed;
> - The short and long term impacts of the proposed development; and,
> - The national as well as local impacts.
>
> The final decision will have to balance a wide range of interests and issues. It is not always possible for decision makers to make a decision that will please everyone. However, the reasons for a decision should always be clearly stated by the decision makers.
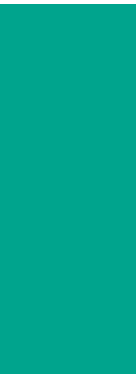
4GOVERNMENT

GOVERNMENT

A Snapshot View of this Chapter

ROLES AND RESPONSIBILITIES

Roles: Government departments and officials can have a range of roles within an environmental assessment process. You could be the primary decision maker on the assessment. You could have an interest in the development as a department that needs to give an approval on an issue related to the development, such as a water permit. You could be in a department that is the developer. Be clear about your role, and the consequent responsibilities.

The focus of this chapter falls on government decision makers. If this is your role you must:
- Ensure that the public participation process is satisfactory;
- Keep yourself informed about what happens in the process;
- Consider the views and input of all stakeholders without giving preference to any one;
- Co-ordinate with other government departments; and,
- Show respect for the outcome of the process when you need to take a decision.
See **4.1.1** for more information.

Relationships: As the decision maker you cannot favour any of the parties involved in the environmental assessment. See **4.1.2** for more information.

Principles of Behaviour: Behave wells and follow good behaviour principles:
- Commit to the process and respect its outputs;
- Actively listen to all stakeholders in the process;
- Treat all stakeholders and their inputs equally;
- Be transparent in your decision-making; and,
- Keep your word and deliver what you promise.
See **4.1.3** for more information.

DECISION MAKING FRAMEWORKS

Policy: Develop a policy on public participation in environmental assessments that will guide you in taking decisions. The policy should give you a baseline to work from, and assist you to evaluate the process. See **4.2.1** for more information.

Set Rules for the Process: As a decision-maker you need to provide clear guidance on the process in terms of your legislation and policies. You need to be flexible and respond to requests from stakeholders when they think the process is inadequate. See **4.2.2** for more

Assessing the Process: Before the process starts you have a responsibility to verify the what is proposed is adequate. Does it meet legal requirements? Is it socially and culturally appropriate? Does it allow for good participation? See the annexures on communication and involvement techniques, as well the review template for guidance on appropriate approaches. See **4.2.3** for more information.

Communicating with other Government Agencies: Communicate well with other agencies so that you are clear about your respective roles in the process. See **4.2.4** for more information.

Transboundary Projects: Check whether there are appropriate inter-governmental bodies that you can work through. Liaise directly with your counterpart in the other governments who have an interest in a project. See **4.2.5** for more information.

INFORMING

As a decision maker you will need to communicate with a wide range of stakeholders in the process. Follow the rules of good communication. Annexure B contains tips and guidelines on communication. See **4.3** for more information.

ENGAGING

Meeting with Stakeholders: Ensure that when you meet with stakeholders in the course of an environmental assessment process, you follow good meeting procedure groundrules. See **4.4.1** for more information.

Manage Conflict: Be aware of the positive potential in managing conflict within environmental assessment process. See **Chapter 6** for more information.

DECISION MAKING

Adequacy of Public Participation Process: In evaluating the environmental assessment process draw a conclusion on whether the public participation process was adequate. The Review Template in Annexure C provides guidance. See **4.5.1** for more information.

Communicating your Decision: Make sure that all stakeholders learn about your decision in good time. Follow the rules of good communication in getting out information on the decision. See **4.5.2** for more information.

4   GOVERNMENT

Legislation on environmental assessment in the Southern African Development Community differs significantly between the different countries of the region. As a government official, you need to check what your powers are with respect to environmental assessment. You may be empowered in terms of specific environmental legislation, the constitution or laws regulating administrative decision making in your country. You may not act beyond the mandate conferred by enabling legislation in your country.

The government may also be involved in an environmental assessment as a developer, for example in the development of new water supply infrastructure. In this case, you should also look at the chapter for developers.

This chapter is intended mainly for government officials who have to take on the basis of an environmental assessment.   It provides:

♦ An overview of your roles and responsibilities in the public participation process, as a decision maker in the environmental assessment process;
♦ A detailed guideline on setting a framework in which public participation should occur;
♦ Guidelines and tips on communication and engagement activities; and,
♦ Factors to consider during decision making.

4.1 Roles And Responsibilities

4.1.1 Roles

As a government official, you could have one of several roles in an environmental assessment process. These can be broadly divided into three roles:

• You could be the **primary decision maker** in terms of legislation that specifies an environmental assessment must be undertaken. In other words, you will be required to approve or turn down the proposed development on the basis of the environmental assessment process;
• You could be an official of a government agency with an **interest** in the proposed development as it either requires approval in terms of other legislation or is relevant to your function. You will not be taking a decision on the basis of the environmental assessment; or
• You could be an official of a department undertaking a development. In this case, government is acting as a **developer/s**.

Examples of Government Roles

A new dam may require:
- Approval in terms of environmental assessment legislation;
- A dam safety permit;
- Approval in terms of water legislation.

In this case, the government agency responsible for implementing the environmental assessment legislation would be the primary decision maker. It would be taking a decision on the outcome of the environmental assessment. The agencies responsible for issuing the safety permit and the approval in terms of the water legislation, would be interested parties in the environmental assessment but would not be making a decision on the basis of the environmental assessment, unless specifically required to in terms of their enabling legislation. Other government agencies that do not have to issue permission may however, also have an interest in the environmental assessment. For example, the social, housing or welfare department may wish to provide input into the process if people need to be relocated. The government department or agency responsible for building the dam will be the developer.

As a **decision maker** your responsibility in terms of the public participation process and environmental assessment is to:

- Ensure that the public participation process is adequate, undertaken correctly and meets policy and legal requirements;
- Keep yourself informed as to what occurs in the public participation process;
- Consider the views, inputs and opinions of all stakeholders in the process, including other government agencies;
- Co-ordinate with other government agencies who may have decision making authority or an interest in the development; and,
- Respect the outcome of the environmental assessment and public participation process in making your decision.

Decision Makers Involvement - Interested Observer

As a primary decision maker, you may not 'pre-judge' your decision until you have all the information from the environmental assessment and public participation processes in front of you.

One of the practical implications is that you may as a result not participate in the public participation process as an interested party and raise issues and concerns. You may attend events and inform yourself as to what is occurring, but may not contribute to the debate and discussion. You can provide information to participants but be careful about the information you provide. Stick to providing information on the legislative requirements of your enabling legislation. Other information could be misinterpreted as an instruction or decision in respect of the process, which would be premature if the process is not complete.

If you are a **government agency** with an **interest** in the development, it is your responsibility to ensure that you provide input to the process as required. Your department may have concerns, requirements or issues that should be addressed by the environmental assessment process. Raise these in the formal public participation process. Ensure that any decisions you may need to take are co-ordinated with that of the decision maker for the environmental assessment.

As a government agency who is the **developer**, it is your responsibility to ensure that the environmental assessment and public participation processes are undertaken. You may need to appoint consultants to undertake these processes and will need to provide resources to enable the development to occur. Chapter 5 provides further advice on these aspects.

> **Caution:**
> Be aware of the potential for a conflict of interest. If the same government agency is the developer and the primary decision maker this would constitute a conflict of interest. In cases where a conflict of interest is possible, consider using an external reviewer to provide an impartial opinion and assist in decision making.

4.1.2 Relationships with Various Roleplayers

As a decision maker, you must carefully manage your relationship with the other stakeholders. Ensure that you show no bias towards any party during the environmental assessment process and remain objective. Do not place the interests and issues ahead of civil society's interests.

The environmental assessment practitioner and public participation practitioners are facilitators of the process. One of their key responsibilities is to provide you, the decision maker, with information on which you can make a decision.

> **Caution:**
> Do not take information provided to you by practitioners, developers or civil society groups for granted. Verify information you receive by checking with other participants in the process, local communities or through ground truthing – visiting the site.

> **TIP:**
> If you are a government official, it is not appropriate to accept gifts and donations from developers. They could be constituted as bribery and compromise your independence.
> In certain cases, a proposed development may represent a new technology or industry. The developer may offer a fact finding trip to decision makers. In such cases, you could insist that representatives from credible and relevant civil society organisations also be afforded the opportunity to attend.

4.1.3 Principles of Behaviour

Let the following key principles govern your conduct as a decision maker or interested government agency in relation to the public participation process:

- Commit to the process and respect the outputs and results of the process;
- Actively listen to all the stakeholders in the process;
- Treat all stakeholders and their inputs equally;
- Be transparent in your decision making; and,
- Keep you word and deliver what you promise.

> **Politicians**
> Guard against interference from politicians who are not mandated decision makers in terms of the environmental assessment. Public participation is guaranteed in most SADC countries. Good governance can enhance the effectiveness of a process. Interference can, on the other hand, invalidate a process in extreme cases. Politicians are important stakeholders and should be treated equally alongside other important stakeholders in the assessment process.

Case Study
There was no political interference in the process for the proposed Popa Falls hydropower project in Namibia. This was in contrast to a previous process undertaken by NamPower, where there was extensive political interference. The Popa Falls process was thus more legitimate and the outcome and recommendations of the environmental assessment reflected the results of the public consultation.

4.2 Public Participation Approaches

As the government agency responsible for decision making you need to set the direction and framework in which the environmental assessment and public participation process will be occur. You need to:

- Inform developers, practitioners and civil society of your requirements for public participation;
- Inform all stakeholders where and when decisions will be made, and the anticipated timeframes for these decisions;
- Evaluate the proposed public participation process; and,
- Ensure that communication channels with other government departments are set up.

Develop a policy on public participation in environmental assessment that clearly sets out your governments requirements and interprets the legislative requirements. This will provide you with a sound basis on which to provide direction to practitioners and proponents as well as evaluate public participation processes.

4.2.1 Developing Policy

A well developed policy on public participation processes in environmental assessment will:

- Provide a benchmark or baseline as well as guidance for developers and practitioners;
- Assist you in evaluating processes proposed by developers and practitioners.

The policy should be a clear statement of the principles which you would like public participation processes to adhere to.

In developing your policy consult with a broad range of stakeholders. These could include other government officials and departments, practitioners in your country, prominent NGOs and civil society groups.

Warning:
Your policy should not provide a checklist or 'recipe' for a public participation process. Each process will be unique and is dependent on the particular project context and nature of the particular affected stakeholders.

4.2.2 Process Requirements

You need to provide clear guidance to all the stakeholders involved in a public participation process of your requirements as determined by your policies and legislation.

These will provide stakeholders with a framework or set of non-negotiable 'minimums'. The developer or practitioner may wish to have a public participation process that goes beyond these requirements, which should be encouraged. Civil society may also request a public participation process that goes beyond your requirements.

Sometimes representatives of civil society will request you to instruct developers or practitioners to extend a public participation process. When you consider these requests you need to:

- Consider the request against the principles set out in your policy;
- Consider the circumstances and reasons for the request;
- Be flexible – public participation processes are not static and may change or need to be adapted as circumstances in a project change; and,
- Consider all interests in the process and balance these in an appropriate manner.

CAUTION:
Be consistent in your requirements. You should not change your requirements too frequently as this can lead to poor process and frustration on the part of stakeholders. Communicate your requirements and decisions clearly. Respect the independence of the practitioners and do not interfere unless it is clearly warranted.

Discuss the request with the developer and practitioner – you may find that they were unaware of problems but are willing to extend the process.

4.2.3 Determining the adequacy of a proposed public participation process

As a decision maker, you need to verify that the public participation process proposed by a developer or practitioner:

- Meets legal and policy requirements;
- Is appropriate to the circumstances of the project and affected environment; and,
- Makes adequate and appropriate provision for the involvement of stakeholders.

TIP:
Legal sufficiency should not be your only test of a public participation process. Processes that attempt to incorporate elements of best practice and go beyond legal compliance can deliver more effective and sustainable results than the legally required minimum.

This verification should occur *prior* to the initiation of the process, and not at the end of the environmental impact assessment when it is too late to rectify problems.

Annexure C provides a template that can

be used as a checklist to review the public participation process. Outlined below are some key issues.

In verifying the proposed public participation process you need to meet with the practitioner and/or developer and discuss:

- The nature of the project in the context of the area;
- The nature of the stakeholders; and,
- What the practitioner or developer plans to do.

A good way of ascertaining whether the practitioner or developer has planned an adequate process is to discuss their planning process with them. The planning process for practitioners is outlined in Chapter 2 of this handbook.

In evaluating a public participation process, remember that in certain cases time and financial resources may be limited, and it may not always be possible to have the 'ideal' public participation process. The process should, however, meet the principles as outlined in this handbook and meet your policy requirements.

Outlined below are a series of prompts for questioning the practitioner and/or developer to gain information on whether the process is sufficient.

What is the project context? Consider:
- Whether the project will result in widespread or localised impacts;
- The nature of the potential impacts and benefits. For example, could they result in significant impacts on stakeholders livelihoods?
- The context of the area. Is it sensitive from a cultural perspective? Are their social problems? Is it biologically significant with many rare ecosystems or species?

In general, the more significant and widespread the potential impacts, the broader and more intensive the public participation process should be.

Who are the identified stakeholders? Consider:
- Has the practitioner undertaken some form of social profile?
- Are the right stakeholders involved?

Caution:
Poor public participation processes compromise decision making. You could have inadequate information on which to base a decision if the public has not been consulted correctly. In addition, if the process upon which you base your decision is flawed, this could invalidate the decision.
Poor public participation process compromises good governance, as the true opinions of the public have not been exposed and addressed.

Tip:
The context of a project is an important to determine the nature of the public participation process. For example, a small project may have highly significant localised impacts on a small group of stakeholders. These stakeholders should be intensively involved in the public participation process.

Case Study
In the Sasol Natural Gas Project in Mozambique it was agreed with government officials that only stakeholders down to the district level would be involved in the public participation process. This was due to concerns that unreasonable expectations might be created with stakeholders at a lower level.

- Does the process make provision for the involvement of marginalised groups?

Communication and Techniques. Consider
- Has sufficient time been provided for stakeholders to comment?
- Are sufficient opportunities provided for stakeholders to actively participate?
- Are the proposed communication techniques appropriate to the nature of the stakeholders?
- Do the proposed engagement techniques take into account the nature of the identified stakeholders?

Annexure A and Annexure B provide information on engagement and communication techniques.

Verifying stakeholder information
You need to verify information provided by the practitioner or developer. You can:
- Contact local government agencies or tribal authorities to verify stakeholder information;
- Request contact details for stakeholders in local communities and speak to them directly;
- Visit the area yourself or discuss the process with a colleague who may have experience of the area.

4.2.4 Communication channels with other government agencies

Decision makers and other government agencies involved in the environmental assessment need to consult with one another and co-ordinate their decision making processes.

Ensure that you clarify your respective roles and set up good communication channels. Although the public participation practitioner should consult with all government agencies, you may need more intensive interaction with other government agencies who are also responsible for taking decisions on the proposed development.

Set up meetings with other government agencies. Also agree on the time frame to receive comment from other agencies if this occurs outside the formal public participation process.

4.2.5 Transboundary Projects

In certain cases, a development may have transboundary implications. The public participation process for such a development will need to engage stakeholders from more than one country.

As a government official, check whether there are existing institutions which can be consulted about transboundary impacts. In the SADC region, there are many institutions which have been set up between different countries to address specific issues. For example, issues related to the Okavango river are discussed between Namibia, Botswana and Angola at the Okavango River Basin Water Commission (OKACOM).

In certain cases there may be no institution. In such cases, it may be valuable to form a transboundary committee with government officials from the other relevant countries to

discuss the issues. Even though there may be no transboundary implications, coordinate your approaches as far as possible with neighbouring government officials.

4.3 Informing

Other stakeholders in the process need to be informed of:

- The legal and policy requirements as well as any decisions that are made;
- The concerns, issues and requirements of government agencies other than the decision maker.

Keep your communications accessible. Avoid technical jargon and provide an explanation of concepts that may not be understood.
Follow the tips and guidelines on accessible communication provided in Annexure A. Section 4.5 below provides tips on the communicating of decisions.

4.4 Engaging

4.4.1 Your Engagement Activities

As outlined above, as a decision maker, you cannot engage directly in the public participation process without compromising you ability to make a decision.

You will, however, need to engage directly with the practitioners and developers at the outset of the process or with civil society stakeholders who may request advice and assistance.

When you hold meetings with stakeholders, keep the following in mind:

- Agree to an agenda before commencing the meeting;
- Agree to ground rules;
- Agree on the way forward and respective responsibilities for actions you agree on;
- Record the meeting and ensure that all participants receive a record of the meeting.

Ground rules for meetings
- Be honest and polite
- Listen to what others have to say. Do not assume you know what they will be saying
- Be flexible and responsive – be open to solutions

If possible, you should attend public participation events to keep yourself informed of the issues raised and the progress of the public participation process.

4.4.2 Conflict Management

Conflict can arise during a public participation process. In such cases, you may be called upon, as the decision maker, to intervene. Follow the advice on conflict management in Chapter 6.

4.5 Decision Making

When you make a decision on whether to approve or turn down a development application, there is a wide range of factors to consider. Advice on how to make decisions as a whole is beyond the scope of this handbook. Guidelines are, however, provided on:

- Public participation process issues to consider in decision making;
- Communicating your decisions

4.5.1 Review on the Public Participation Processes

In making your decision you need to consider the adequacy of the public participation process.

Overall

Consider whether the public participation process was undertaken according to the plan you reviewed and approved initially. The public participation review template provided in Annexure C can assist you in reviewing the adequacy of the public participation process.

If you did not have an opportunity to review the proposed public participation process prior to the commencement of the process, read through Sections 4.2.3 and 4.4.2 of this handbook. They set out prompts and guidelines, which will assist you in determining the adequacy of the process.

Also consider the adequacy of the process in relation to your policies.

TIPS:
- Have a look at the list of stakeholders provided by the practitioner – are there any gaps?
- Read through the records of meetings and comments submitted by stakeholders. Are there any complaints about the public participation process?
- Consider whether these complaints are justified in relation to the process as recorded by the practitioner.
- Were complaints about the process addressed?
- Were issues and concerns raised by stakeholder adequately addressed in the environmental assessment report?

Engagement Techniques

Public participation practitioners will use a variety of engagement techniques to interact with stakeholders, identify their issues and concerns and solicit their inputs during the public participation process. Annexure B provides further information on the engagement techniques used by practitioners.

As a decision maker, you need to be aware of the strengths and weaknesses of these various participation techniques. Issues you should consider include:

Caution:
Certain techniques may result in a distorted view of public opinion, unless there is an extremely skilled facilitator. For example, open public meetings may result in a few individuals dominating a discussion. Alternatively, in certain cultures, people may be reluctant to speak up in a public forum. In these circumstances other techniques such as focus groups or individual meetings may be may yield more complete information for decision making.

- How broad will the range of views be that are elicited by the technique? Will the opinions of more empowered groups tend to dominate?
- If required, have techniques been used which help the participation of more marginalised groups such as women?
- Do the techniques used help stakeholders to gain an adequate understanding of highly complex technical issues? Has an effort been made to build the capacity of stakeholders to understand the issues?
- Are the techniques used appropriate to the cultural and social nature of the stakeholders?

Warning on Open House Events
Public participation processes should not be reduced to open house events only. These are information events and do not provide opportunities for debate. They do not enable stakeholders to raise issues and concerns in a public dialogue.

4.5.2 Communicating Decisions

Decisions will be read by many different people – they are often the culmination of a long process and formalise the results of a process that involved many different stakeholders.

In communicating your decisions:

- Keep them simple and clear.
- Communicate the decision broadly to all stakeholders;
- Provide reasons for your decisions.

In many cases a decision maker will only inform the practitioner or developer of their decision. Other stakeholders may not be directly informed. There are a variety of communication methods (see Annexure A) which you can use to inform stakeholders of your decision. Press conferences may be useful if there has been intense media interest in the proposal. You can contact local leaders or use radio. Alternatively, you could make it a condition of the decision that the developer informs all stakeholders of the decision.

5 DEVELOPERS

DEVELOPERS

A Snapshot View of this Chapter

ENVIRONMENTAL ASSESSMENT AND PUBLIC PARTICIPATION IN BUSINESS

Involving stakeholders in environmental assessment processes and other aspects of business operations is beneficial. It can contribute to enhancing the operations, products, reputation, as well as the relationships that help your business. See **5.1** for more information.

ROLES AND RESPONSIBILITIES

Roles: You have a dual role in participation within the environmental assessment process. You have to ensure that there is a good process of participation; and, you need to participate as a stakeholder. But, remember that you are not more important in the process than any other stakeholder. See **5.2.1** for more information.

Other Actors: Be aware of the roles and responsibilities of the other stakeholders in the process. These include practitioners, civil society, decision-makers and funders. See **5.2.2** for more information.

Good Behaviour: Your behaviour in the process will have an important influence. Remember to follow the rules of good behaviour:
- Respect and commit to the process;
- Recognise that the practitioners are independent;
- Respect the views of all stakeholders;
- Be transparent; and,
- Be open.

See **5.2.3** for more information.

PLANNING

Timing: The timing of when you initiate the environmental assessment and the participation process is important. The earlier you get going, the better. See **5.3.1** for more information.

Legal and Planning Requirements: National laws and the policies of funding institutions are important to know and follow. Also, remember to clarify any planning approvals. Determine whether they are adequate, or whether they may lead to conflict in the environmental assessment process. See **5.3.2** for more information.

Project Context: Make sure you understand the social, economic, biophysical and cultural context of the project. This will help you to select the most appropriate practitioner and

Practitioners: Select your practitioners carefully. If they do not have the appropriate skills it could result in a bad process and jeopardise your development. The practitioner needs to be independent and have no interest in the development. Be aware that the larger the development and more sensitive the environment, the more extensive will be the need for public participation. Your practitioners will advise you on what resources will be required for an effective process. Note that the process may need to change during the course of the process due to unforeseen or new factors. Take the practitioners guidance on these. See **5.3.4** for more information.

INFORMATION AND INFORMING

Disclosure: As the developer you need to inform stakeholders about your proposed development. You need to be honest and transparent about what you plan. But if you have classified, commercially sensitive or proprietary information, you are not obliged to disclose it. See **5.4.1** for more information.

Communication: You will assist in encouraging open and constructive dialogue by effectively communicating information about your development. There are many ways to get your message out. Look at Annexure B which has detail on various methods and approaches to communication. See **5.4.2** for more information.

ENGAGING

There will be a need for you to get involved in the various engagement activities during the public participation process. See Annexure C for information on the range of engagement activities that are possible. You, or a representative who can speak on your behalf, should make every effort to attend events and to participate in an open and non-defensive way. Try to see these as opportunities for dialogue. Make every effort to actively listen to the views of all stakeholders. If possible, encourage the practitioner to conduct the process as an exercise of seeking collaborative solutions with all stakeholders. See **5.5** for more information.

DECISION MAKING

The decision makers will take a decision on the basis of the information provided to them by the practitioners. Often developers have privileged access to decision makers. Don't exploit this contact and respect a process of good, open governance. See **5.6** for more information.

5 DEVELOPERS

This chapter provides advice to developers of projects. Projects can comprise a range of activities from new mines and golf course estates through to public works programmes such as the building of a new sewage treatment works. Developers may be private corporations, parastatals or government departments.

This chapter provides:

♦ A discussion of the benefits of public participation and of integrating participation into your project;
♦ An overview of your roles and responsibilities in the public participation process;
♦ Detailed guidelines on planning for public participation; and,
♦ Guidelines and tips on communication, engagement activities and decision making.

The chapter addresses 'developers' as a unit. It should be read by all members of a project team involved in a development who will interface in some manner with the environmental assessment and public participation process.

5.1 Environmental Assessment and Public Participation in Business

Public participation in environmental assessment is one area where a developer may interact with civil society. Stakeholder engagement does not have to be limited to the environmental assessment, however, and can continue throughout the lifespan of a development, from initial conception through to decommissioning.

Recognition of the value of stakeholder engagement is growing in the corporate sector. The value of an organisation and its ability to generate value and deliver services are not just dependent on financial and physical resources. Human and social resources and wealth are also important for managing risks and liability. This is where Public Participation comes into the picture.

Public participation adds value to developments and business as it can enhance:

• Your 'social' license or freedom to operate;
• Your relationships with your external stakeholders, such as customers;
• Your human resources and employee relations;
• Innovation within your organisation;
• Your reputation; and,
• Financial performance;

Stakeholder engagement early in the development cycle, through environmental assessment, can assist in laying the foundations for long term relationships. It can add

value to developments and minimise delays due to misunderstandings or opposition from communities or civil society croups.

It is important to appoint competent professionals. A poorly implemented public participation process can have negative consequences for your development. For example:

- Inadequate public participation may result in opposition to a development due to poor information exchange and a lack of dialogue and trust between parties. This can cause a process to take much longer than if the process had been correctly undertaken from the start;
- Your application could be rejected by government decision makers due to inadequate stakeholder engagement;
- You may not be able to build long term meaningful relationships with stakeholders and you may lose your 'social license' to operate; and,
- Critical issues which could impact on the viability of your development may not be identified, as local stakeholder knowledge is not effectively accessed. You may only become aware of flaws late in the development process where they are extremely expensive to rectify.

Set performance goals for your project team that are related to the environmental assessment and public participation process and not just to achieving a successful development.

Case Study
In an Environmental Assessment process around a new container terminal for the Port of Durban, a constructive working relationship was built between the port authorities and the city government through the process. This lasted beyond the process.

5.2 Roles and Responsibilities

5.2.1 Roles

Your proposed development is the primary reason why the environmental assessment and public participation process are being undertaken. You have a dual role in the process:

- You have a responsibility to ensure that an adequate public participation process is undertaken;
- You need to participate in the process as a stakeholder with an interest in the outcome.

It is your responsibility to ensure that other parties can participate in the public process through ensuring that you allocate sufficient resources to the project.

TIP:
Remember that your interests, although extremely important to you, should not dominate the process. Regard the public participation process as an opportunity to interact with and understand the concerns of others. Your development may affect their lives. Listening and being open to solutions may improve the overall sustainability of your development. It can assist you to build relations with your potential neighbours.

As the developer, you are also a participant in the process and are entitled to raise your own issues and concerns. It is important to realise, however, that your interests and issues should not be regarded as any more important than other stakeholders in the process.

5.2.2 Relationships between Various Roleplayers

There are a number of other stakeholders and parties in the environmental assessment process.

The environmental assessment practitioner and public participation practitioner undertake the environmental assessment process. They should be independent and should not favour one party over another. The public participation practitioners main role is to facilitate the participation of a diverse range of stakeholders in the process.

Civil society is the broader group of people who your may be affected by or interested in your development. Their role is to raise issues and concerns and participate in finding solutions.

Government, as a decision maker has the responsibility of deciding whether or not and under what conditions you may proceed with your development. It is its responsibility to consider all the information associated with the project and to integrate the concerns of civil society in it's decision.

Another group who may be directly or indirectly involved in the environmental assessment process, are the institutions that may be providing funding for the proposed development. This could include organisations such as the World Bank or the International Finance Corporation. Many financial institutions have their own standards and requirements for environmental assessments of the projects they will be funding. Their responsibility is to ensure that the environmental assessment and public participation process you propose, meet their internal requirements.

5.2.3 Principles of Behaviour

Participants can strongly influence the nature and tone of public participation process. Your behaviour in particular, as a major roleplayer, can significantly affect the process and contribute to its success. Remember:

- Respect and commit to the process
- Recognise the independence of the practitioners – avoid interfering in the process
- Respect the opinions and perspectives of other parties in the process
- Be transparent – do not hide unpleasant information away
- Be open - commit to sustainable development and finding solutions

5.3 Planning

The environmental assessment for your planned development should be undertaken by an independent practitioner. You should:

- Clarify the legal requirements pertaining to your development in respect of the environmental assessment;
- Gain an understanding of the context in which your project will be taking place; and,
- Appoint practitioners and, working with them, determine the required process and consequent resource requirements.

5.3.1 The timing of environmental assessment and the public participation process

A typical project life cycle is illustrated below. In very large projects, a preliminary environmental assessment including a public participation process can be undertaken very early in the pre-feasibility stage to identify any potential fatal flaws. A second fuller environmental assessment, also incorporating a public participation process may then be required during the feasibility stage. You need to balance the disadvantages of limited information against the advantages of identifying potential opportunities and problems early in the development process. In general, the earlier in the project life-cycle that environmental assessment process and public participation are initiated, the better.

There is, however, no need to confine public participation to an environmental assessment process. It is valuable to implement an ongoing community engagement strategy with the aim of building relationships with local communities.
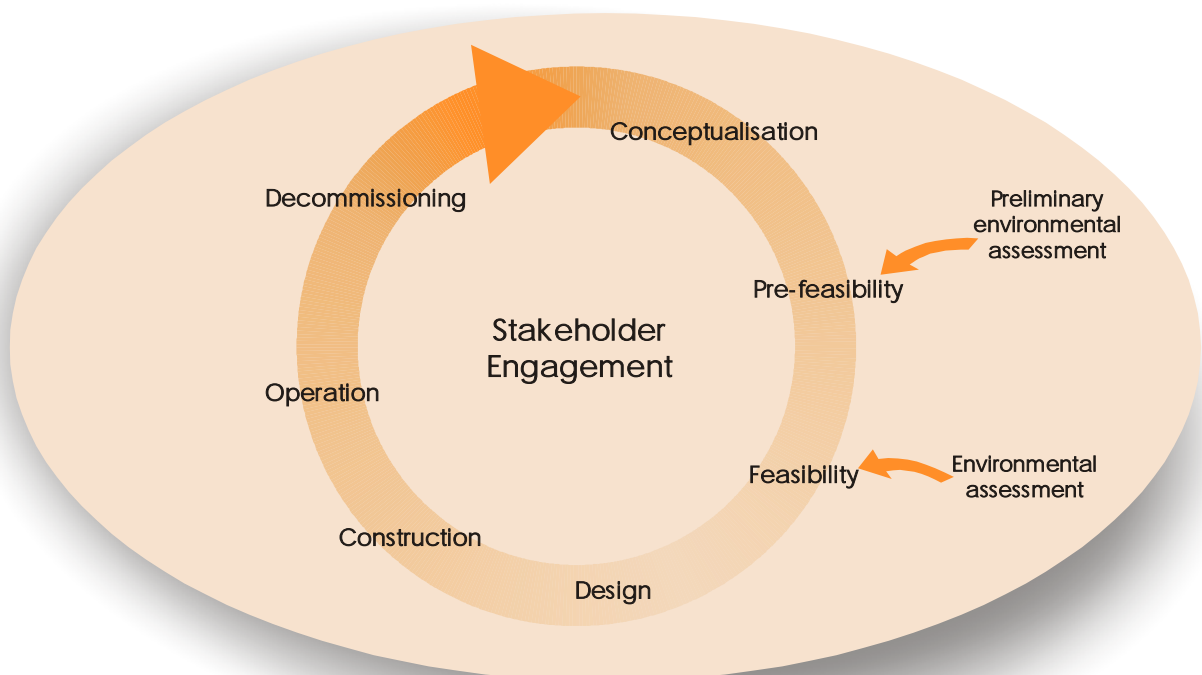
Figure 4: Project Lifecycle

> **Case Study**
> In the Sasol Natural Gas Project in Mozambique, Sasol implemented a stakeholder engagement process with all stakeholders. This commenced before the environmental assessment and continued. Subsequent to it, the process has built long term relationships and value for the company.

5.3.2 Legal and Planning requirements

Prior to appointing an environmental and public participation practitioner, gain an understanding of statutory and financial institution requirements. This could influence your choice of practitioner.

In some cases, you may be embarking on a development, which is dependent on previous planning approvals. Check the validity of such approvals and whether they were controversial. You may need to address issues arising from these previous approvals in the environmental assessment. In such cases, it would be wise to appoint a practitioner skilled in conflict management.

5.3.3 Project Context

The social, economic, biophysical and cultural context in which your development will be occurring will influence the nature and course of the public participation process.

Some of the factors to consider include:

- Whether the area is rural or urban;
- The nature of civil society and other stakeholders. Chapter 2 highlights factors to consider;
- Whether societies are highly dependent on resources that may be impacted by your development;
- The nature of social and economic systems in the area;
- The sensitivity of the local ecological systems to disturbance.

Gaining an understanding of the local area and context will enable you to select the appropriate practitioner as well as better understand the response your development may receive from stakeholders.

5.3.4 Practitioners and resources

You will need to appoint a practitioner to do the public participation process. In general, if it is a large development or a development likely to have significant impacts, it may be useful to have separate public participation and environmental assessment practitioners.

Select your practitioner carefully. They will be responsible for designing the public participation process and implementing it. If they do not have the requisite skills, a poorly run public participation process could jeopardise your development or cause time overruns.

The practitioner should be independent of your organisation if possible and have no other interest in the development other than the undertaking of the public participation process. This will assist in meeting legal and financial institution requirements. In addition, an independent practitioner is more likely to be accepted by stakeholders and to have credibility.

> **Remember:**
> The proposed development or project is your project and not the practitioners. You need to take ownership of your project. The practitioner is a facilitator. It is not their responsibility to promote your interests. You need to become involved in the process to promote your interests.

In selecting a practitioner consider:

- Your project context – for example, your project may be situated in a rural setting in which case it would be better to select a practitioner with experience of running public participation processes in rural areas as opposed to urban areas. Ask whether the practitioner has experience in the particular type of development you are proposing or in the particular setting.
- The practitioners skills - public participation practitioners need a variety of skills to undertake their work. The practitioner should have the skills to design and manage the process as well as facilitate interactions between different interest groups. More detail on skills is provided in Section 2.2.4 of the practitioners section.
- Location of the practitioner – public participation practitioners should preferably be accessible to the groups they are working with and have a local representative, although this may not be possible in all projects.

> **TIP:**
> Check the reputation of the practitioner. A practitioner with a reputation for bias will not be well received by civil society and your process will become more difficult. You may not achieve the result you were hoping for. You could contact local civil society organisations or NGOs and ask their opinion of the practitioner you are proposing to appoint.

Once you have appointed practitioners, they will design a public participation process. They will be able to advise you on the required timeframes and financial resources. As a guide, the larger the development and the more sensitive the environment, the more stakeholders will be involved. This will increase the required resources.

Caution:
It is possible for a relatively small development with low capital investment to have a large impact on the lives of a relatively small number of people. The cost of public participation is not always related directly to the capital invested in a project or to how well informed or mobilised local civil society groups are.

The time required for an environmental assessment and public participation process can vary dramatically. It is important, however, that sufficient time is provided for adequate public input. In many large projects, timing is of critical importance in accessing finance and realising market value. Anticipate the need to undertake an environmental assessment at the conceptualisation stage and structure this into your project plan.

Be aware that there may be a need to change the initially planned public participation process in response to changing circumstances. Although this may result in additional costs or lengthen the process, it can have significant benefits to the overall process.

Case Study
In a process regarding the rehabilitation of an abandoned coal mine in Witbank, South Africa, it was recognised that a broader public process was required. The client accepted the need and an extremely successful awareness raising programme was introduced mid-way through the project.

5.4 Information and Informing

5.4.1 Information availability – disclosure

As a developer, you need to inform other stakeholders in the process honestly and transparently about what you plan. In order for you to gain the most benefit from the process, you need to build the trust of the other participants. Being open and transparent about what you plan will assist in building trust.

Caution
Do not make promises that you will be unable to keep. Be explicit about what can and cannot be implemented and the possibility that certain aspects may not be implemented. This will assist in managing the expectations of stakeholders.

There may be classified or proprietary information associated with a particular aspect of your proposed development. Be honest about what is proprietary and cannot be revealed and provide acceptable reasons for this. Obscuring problems or results that may reflect negatively on your project is counterproductive. In most cases, such information will come to light at some stage in a process. If you have covered it up or not acknowledged problems, this will undermine your credibility and create problems in the process.

> **Case Study**
> In a process for the development of a hotel at Victoria Falls in Zambia, numerous opportunities were provided for substantial debate on key issues. This reinforced the legitimacy of the outcome of the process.

5.4.2 Communication

Effectively communicating information about your development to everyone in an accessible manner will assist in encouraging open and constructive debate.

In informing others of your development proposals and the need for the development, you need to consider:

- What? – the aspects you are wanting to communicate;
- Who? – the nature of the people you are wanting to inform;
- How? – do you communicate

What
Be very clear about what you want to tell people. As noted above, be transparent in what you are communicating. Choose your words carefully so as not to mislead people.

Who
Consider your audience before communicating. What do they want to know? Different groups may be interested in different aspects of your proposal. In addition the nature of your audience will inform the communication methods you use as well as how you phrase your message and the type of language you use.

How
There are many different means you can use to communicate as outlined in Annexure A. Whatever method you choose to use, however, it is critical that you keep it accessible and simple. Avoid technical jargon where possible and explain processes simply.

If possible use pictures to illustrate your points. Express one idea per point and don't try to fit too many ideas into one message.

Further tips on listening and communicating are also provided in Annexure A.

> **Tip:**
> Information can be made more accessible by relating it to concepts that are familiar to people. For example, instead of referring to 2 hectares of land that will be required, translate this into a locally appropriate measure, for example 2 soccer fields.

> **Caution:**
> Don't rely to heavily on high technology such as data projectors and computers in presentations. In many areas with rural participants simpler communication methods are more effective. Sometimes the method itself can intimidate people. In addition, in many rural areas and villages, electricity supplies can be unreliable or non-existent. Powerpoint presentations and overhead projectors can be rendered useless.

5.5 Engaging

During the public participation process you will need to engage directly with other stakeholders. Generally, the public participation practitioner will plan a series of formal and less formal engagements. They may use a range of techniques as illustrated in Annexure B. Make sure that you attend events that are organised or are represented at events by someone who has a mandate to speak on your behalf confidently.

Tip:
If possible, particularly in larger and more complex projects, it is useful if a range of your project team members attend the event to answer any questions that may arise.

Tip:
When engaging with local communities, particularly in rural areas, respect the constraints imposed on their participation by their livelihoods. There may certain times of the year for example, when they may not be readily available for meetings such as during planting or harvest seasons.

At these events, be open and honest in your interactions with others. As discussed above, hiding information or being dishonest in your interactions will engender distrust amongst other roleplayers. This can result stakeholders opposing your development on the grounds of mistrust. You are more likely to have opposition to your development if stakeholders do not trust you. An open climate of trust in a process is more conducive to the generation of effective solutions. Remember, within the Environmental Assessment process, the events are not yours. They are the public participation practitioner's, who has to treat everyone equally. Do not undermine their role by seeking to dominate. Be sensitive.

See interactions with other stakeholders as a process of dialogue. You wish them to gain an understanding of your project and its potential benefits and opportunities. Equally, you need to gain an understanding of their positions and interests.

Caution
Do not dismiss points raised by stakeholders without consideration. Sometimes stakeholders may raise issues that seem irrelevant, wrong or frivolous. They do not, in many cases, have the same knowledge of your development that you do. They may also have knowledge of their local environment, which you do not. Have respect and acknowledge their inputs first. Then discuss the issues they have raised.

Do not be afraid of conflict or dissension from stakeholders. Listen carefully to what they are saying. For example, they may have important information on local conditions that could save you money. Alternatively you may find that they have similar concerns on certain issues and that together you can develop a solution. Conflict, if properly managed, can lead to new and innovative solutions to problems. Chapter 6 has tips on conflict.

Effective listening is an essential skill if you wish to understand others positions. Annexure A has tips on listening. Do not be afraid of conflict.

You may wish to work with stakeholders in a collaborative manner. Collaboration with stakeholders can result in the identification of solutions to problems that meet your needs as well as the needs of stakeholders. As indicated above, do not promise things that cannot be implemented or delivered.

TIP:
Set up a policy for your organisation on public participation processes that will guide the conduct and interactions of your employees and sub-contractors. This policy can be extended to policies governing their interactions with communities both during and after the environmental assessment process well. This could, for example, address issues as simple as requesting permission to cross peoples land when doing surveys.

5.6 Decision Making

The decision makers will make a decision on the basis of the information provided to them by the practitioners. They could approve or reject your development application. Certain conditions may be attached to an approval.

In taking the decision, they should consider your inputs and views as well as those of civil society.

Often, as a developer, you may have more direct access to a decision maker than most in civil society. This is particularly so after the completion of the public participation process. This is a position of privilege and responsibility. Respect the outcome of the public participation process and do not undermine it. If you are requested to provide the decision maker with additional information, let the other stakeholders receive the information as well.

Warning:
Respect decision making timelines. Do not start your development prior to receiving approval. Determine expected timelines in discussion with government officials at the outset of the process and respect these.

89

6MANAGING CONFLICT

MANAGING CONFLICT

A Snapshot View of the Chapter

BE PREPARED FOR CONFLICT

Conflict is normal in society and in sustainable development processes. There is often conflict in environmental assessment processes. It is not in itself a bad thing. It is only when it develops to the point of open dispute and hostility that it can prove to be a danger. Remember, you can view an environmental assessment process as an opportunity to manage conflict. See **6.1** for more information.

UNDERSTAND CONFLICT IN YOUR PROCESS

Analyse the underlying conflicts within the context of your environmental assessment process. Do this at the start of the process. By doing this, you will understand where conflicts exist between the relevant stakeholders. It will help you to plan for running the process, participating in it, or taking a decision about it. See **6.2** for more information.

DESIGN THE PROCESS TO MANAGE CONFLICT

Don't wait for a dispute. Rather see the environmental assessment process as an opportunity to create a solution acceptable to most stakeholders. Find ways to turn the process into an exercise of collaborative problem solving. When you do this, ensure that the process is carefully structured to maximise the opportunities for reaching agreement at each stage of the assessment. See **6.3** for more information.

DISPUTE RESOLUTION APPROACHES

When your process does erupt into an open dispute, use one of the many approaches to resolving dispute. Draw in a skilled professional to assist in finding a solution. The table highlights some of the most common approaches to resolving disputes. See **6.4** for more information.

Traditional negotiation	This is when opposing parties confer or bargain to achieve a mutual agreement. It is a voluntary process, not required by law. It is at the core of conciliation and mediation approaches.
Mediation	This is a private, confidential, non-legal process that draws on the services of an independent third party mediator agreed to by both

Indigenous or traditional methods	Indigenous or traditional approaches draw on traditional community-based judicial and legal mechanisms to manage and resolve conflict. It is widely used in diverse settings to address local disputes. Typically, these approaches are based on attempting to build consensus with traditional leaders or elders often acting as mediators. This approach, while often time-consuming, can lead to long-term benefit and the avoidance of many of the negative pitfalls of a dispute.
Arbitration	This is a voluntary process in which the parties to the dispute select an independent and neutral arbitrator to adjudicate, or make a ruling, on the issue in dispute. Ideally, the arbitrator would be accredited with a recognised body. It is a more formal process than mediation, as the arbitrator's decision is final and legally binding, but arbitration does not automatically involve the courts. While it is voluntary, it can be highly adversarial, much like the approach in a normal civil court.
Adjudication or litigation	This is when a process of dispute resolution involves a lawsuit in court with legally binding results. It is both confrontational and expensive with the result not necessarily being in the interests of all parties.

6   MANAGING CONFLICT

This chapter is a general guide to dealing with conflict in environmental assessment processes. Whether you are a practitioner, a member of civil society, a developer or a government official, conflict is important to you. In this chapter we encourage you to be creative with conflict. We urge you to see it as an opportunity and not a threat.

The chapter gives you broad overview of how to understand conflict. It suggests ways in which you can implement an environmental assessment process so that you manage conflict. It also gives you ideas about how to deal with disputes when they blow up in a process you are involved in. The chapter is meant as a general guide to start you on your way to dealing with conflict.

6.1 Conflict

Conflict is normal in every society.   It is a normal part of the process of sustainable development. Environmental assessment processes are often the context for significant conflict between stakeholders with contending interests and positions.

Typical Conflicts: There is often conflict and disputes within environmental assessment processes. The conflict can relate to the process, relationships or to substantive issues. Do you recognise these examples?

Conflicts around the Process:

- Disagreement on the design of the process;
- Stakeholders believing they have inadequate opportunities to get involved;
- Disputes over access to all relevant information;
- Demands for the right to be part of decision-making; or,
- Objections to the professionals involved in the environmental assessment process.

Conflicts around Relationships:

- Conflicts over power or other issues within stakeholder groups;
- Conflicts between stakeholders and the professional team over professional ethics and practices; or,
- Conflicts between stakeholders and government.

Conflicts over Issues:

- Major disagreements on the key issues investigated in the environmental assessment; or,
- Disputes on issues outside the scope of the environmental assessment that spill over into the process.

Many environmental assessment processes experience these conflicts. Are they well dealt with?

Conflict is not in itself a bad thing. It is only when conflict develops to the point of open dispute and hostility that it can prove to be a danger. Once this occurs, there are a range of methods and approaches available to address and resolve it. But, there are also approaches that can manage conflict before it develops into open disputes.

You can treat an environmental assessment process as an opportunity to manage conflict. You can see it as an opportunity to find common ground between groups with very different views on the matter being assessed. This will only happen, however, if you deliberately take it on. If you do not, the environmental assessment process will be nothing more than an independent process of intellectual investigation that draws conclusions and makes recommendations. Wouldn't it be so much better if the process led to an agreement between all of the stakeholders involved?

6.2 Understand the conflicts in your process

When you start an environmental assessment process, analyse the underlying conflicts within the context of your environmental assessment process. Conflict analysis will allow you to understand where conflicts exist between and within the parties involved. It will contribute to a better understanding of the issues involved in the assessment process, as well as provide guidance on how to best conduct the process, whether you are a practitioner, government official, civil society stakeholder or the developer.

If you can, involve other stakeholders in doing the conflict analysis. This will help you to conduct a thorough analysis. It may also encourage all stakeholders to adopt a conflict management approach.

Guidelines and Questions for a Conflict Analysis

- Develop an understanding of the relationship between, and within, all stakeholder groups. Where does power lie? Do particular groups control access to resources and interaction? Who has influence? Which groups are marginalised? Why is the situation like this?
- What have been the major issues and situations of conflict and dispute in the past? Why was this so?
- Review the proposed development. Where might conflict develop in relation to it?
- What are the perceptions of practitioners and stakeholders about other assessment and sustainable development processes in the area? What does past experience tell you?

6.3 Process Design

Don't wait for a dispute to develop within your environmental assessment process. See the environmental assessment process as an opportunity to create a solution acceptable to most stakeholders, if not all. Look at the continuum of public participation.
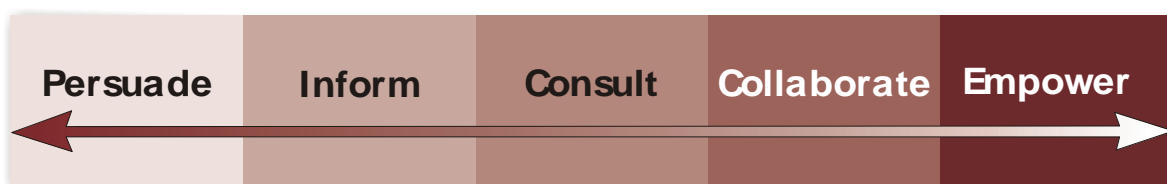
Persuade	Inform	Consult	Collaborate	Empower

Figure 5: Simplified continuum of public participation approaches

In most environmental assessment processes, the emphasis of public participation is on informing and consulting. Think about your process. Can you build the public participation process, and the environmental assessment itself, around the collaboration approach? Is there scope to conduct the process as an opportunity to find solutions with the support of all stakeholders, rather than simply consulting them for their views?

If you choose the collaborative approach, think about each stage of the environmental assessment process. Design each stage as an opportunity to build agreement among the stakeholders. In this way there will be a gradual – or incremental – building of agreement.

The stages might include the following:

- Understand the problem;
- Develop a long-term vision for the future;
- Generate alternative solutions;
- Evaluate and debate the alternatives;
- Select and agree on a preferred alternative; and,
- Agree on mitigation measures.

In each of the stages use methods and techniques that encourage dialogue and agreement building. See Annexure B for ideas on the best techniques. You may think about establishing a joint committee or forum of stakeholders. It should be representative of all of the stakeholders involved in the process and can be a forum where issues are debated and agreed. Use all of the public participation activities and events as opportunities to build agreements. See the ideal outcome of the process as

> **Case Study**
> In the environmental assessment on container handling in South Africa's Port of Durban, all stakeholders participated in a visioning activity early in the process. This contributed by building commitment, trust, as well as an early agreement on a key issue regarding the long term.
>
> The entire process was designed and implemented as a collective problem solving exercise. This meant that the project team had to ensure that all stakeholders endorsed each step of the process. This included the appointment of consultants and commissioning of professional work. A forum was established to negotiate the outcome of the process.

being an agreement between all of the stakeholders.

6.4 Dispute Resolution Approaches

Often in environmental assessment processes, conflict builds to the point where it is necessary to engage in processes of resolving disputes. Below you will find a table of the major dispute resolution approaches. These approaches range from traditional negotiation through mediation, to adjudication.

Approach	Description
Traditional negotiation	This is when opposing parties confer or bargain to achieve a mutual agreement. It is a voluntary process, not required by law. It is at the core of conciliation and mediation approaches.
Mediation	This is a private, confidential, non-legal process that draws on the services of an independent third party mediator agreed to by both parties to facilitate a resolution in a dispute
Indigenous or traditional methods	Indigenous or traditional approaches draw on traditional community-based judicial and legal mechanisms to manage and resolve conflict. It is widely used in diverse settings to address local disputes. Typically, these approaches are based on attempting to build consensus with traditional leaders or elders often acting as mediators. This approach, while often time-consuming, can lead to long-term benefit and the avoidance of many of the negative pitfalls of a dispute.
Arbitration	This is a voluntary process in which the parties to the dispute select an independent and neutral arbitrator to adjudicate, or make a ruling, on the issue in dispute. Ideally, the arbitrator would be accredited with a recognised body. It is a more formal process than mediation, as the arbitrator's decision is final and legally binding, but arbitration does not automatically involve the courts. While it is voluntary, it can be highly adversarial, much like the approach in a normal civil court.
Adjudication or litigation	This is when a process of dispute resolution involves a lawsuit in court with legally binding results. It is both confrontational and expensive with the result not necessarily being in the interests of all parties.

Assess your process. Has conflict deepened to the point of open dispute? Do you wish to see the dispute resolved? Do the other stakeholders also want to see this outcome? Reflect on the possible resolution approaches. Identify the best way in your circumstances to resolve the dispute. You may not be able to do this on your own. Think about drawing in a specialist practitioner with skills in dispute resolution.

6.5 Dispute Management

Most of us feel fear as our immediate reaction to conflict. Draw strength from the fact that you are like virtually all other people in this. Our fear of conflict and attempting to take it on turns most of us away from it.

But before you turn away, remember:

- Conflict is real and can undermine good sustainable development processes if not managed;
- Conflict will always be present;
- Conflict needs to be managed; and,
- Conflict can be a creative force in your process.

Caution:
A dispute resolution process can only work if all of the parties agree to it. Make sure that everyone buys-in to the process before you embark on it.

Adopt a creative approach to conflict. See yourself harnessing it for the benefit of your process. Attempt to design your process so that you manage conflict from the start. If disputes arise in the course of your process, take immediate steps to intervene creatively and decisively.

Take the conflict on. It gets easier every new time you do so!

Annexure A

Communication techniques

ANNEXURE A

Communication Techniques

How to Communicate

Be a Good Listener

Good environmental assessment processes require the views and inputs of stakeholders to be clearly understood. You need well developed skills in listening to achieve this. Follow the guidelines below[1]:

- **Engage in active listening:**
  - While someone else is speaking, focus on trying to clearly understand what is being said, not on formulating your responses. If you find yourself formulating a response, you are not actively listening and likely to miss important information.
  - Do not assume after the first words spoken by someone else that you know what they are going to say.
  - Follow up with questions of clarification – not debate, i.e., probe for information – withhold response or debate until you have a clear understanding of what the other person intended to communicate.

- **If you hear something you disagree with, do not respond by arguing:**
  - Before you engage in a debate/discussion, start by asking an "open" question to provide you with more information or better understanding of what was being communicated.
  - Then, if necessary, pursue discussion/debate on the issue.

- **Engage in effective questioning:**
  - Ask open questions, not closed questions.
  - Open questions seek information.
  - Closed questions limit information, but there is the exception where closed questions can be helpful for clarifying in certain circumstances.
  - Effective types of questions are those that:
    - Probe for information.
    - Seek clarification.
    - Seek explanation.
    - Seek to understand the impact of a proposed course of actions.

- **Periodically summarise what you have heard:**
  - Use this to ensure that what you understand someone else to be saying is the same as they are intending to communicate.

---

[1] These listening tips are drawn from the work of Johnston and McLeod. See Johnston and MacLeod

 Reframe where appropriate:
- Restate something in a manner that everyone understands or agrees with.
- It is often useful to reframe from the negative to the positive.

 Acknowledge what you have heard:
- If someone makes a suggestion, and after asking any questions you have regarding this suggestion, be sure to let the other person know:
  – what you understand them to have suggested; and,
  – what you think about their suggestion, i.e., what your reaction is.

 Tell them what you have heard

Accessible Communication

Don't underestimate the value of accessible communication in environmental assessment processes. Ensure that all stakeholders are informed and feel included in the process. Accessible written and spoken communication is an essential aspect of the process. Follow the guidelines below[2]:

Checklist: Am I Communicating Simply?

The following are a set of guidelines for writing in plain language. Remind yourself of the following:

 One idea only per sentence.
- Organise information so that sentences are logically ordered and paragraphs deal with a single topic of information. Where technical words are necessary, include them in a well-organised sentence structure.

 Use active, positive language:
- Maintain one tense within a single sentence.
- Use active voice, not passive voice language, e.g., write "the assessment team is drafting a report", rather than "a report is being drafted by the assessment team".
- Use first and second person rather than third person, e.g., write "you can send your comments to …", rather than "one can send one's comments to …" ;
- Use positive not negative sentences, e.g. write "The administration may only endorse the report after consulting the community", rather than "The administration cannot endorse the report unless it consults the community";

 Avoid jargon and difficult or offensive words:
- Avoid unnecessarily difficult words.
- Avoid unnecessarily technical words.
- Explain difficult or technical words where these are necessary to use.
- Avoid sexist and offensive language.

---

[2] These Guidelines on accessible communication are drawn from the work of Derrick Fine. See Fine, D., How to use Plain Language, Legal Education Action Project, Cape Town, 1995

- Avoid foreign words and phrases.

☐ **Keep your language plain and simple:**
  - Delete words that are wasted or padding.
  - Use simple verbs instead of long phrases to describe actions, e.g., use "consider" instead of "take into consideration" or "apply" instead of "make an application".
  - Use simple adverbs rather than longer phrases, e.g., use "near" instead of "in close proximity" or "monthly" instead of "on a monthly basis".
  - Avoid overused expressions, e.g., "the bottom line", "at the end of the day" or "explore every avenue".
  - Avoid outdated words, e.g., write "in this document" rather than "herein", "a person who" instead of "whosoever", or "so" instead of "hence".
  - Exclude repetitive or overlapping words, e.g., use "owing" instead of "due and payable", "now/today" instead of "in this day and age", or "able/suitable" instead of "fit and proper".
  - Be sensitive not to overuse popular words or abbreviations.
  - Use simple connecting words, rather than complex ones.
  - Be careful with referral words, e.g., write "these people" instead of "such people", or "in point 4" instead of "above mentioned".

Translation Tip: When you write something that needs to be translated, anticipate the difficulties faced by the translator. Write in plain language before the document is translated.

Document Design Tip: Anticipate the needs of a range of readers when you lay out a document. Think about those that are literate, as well as those with low literacy levels or learning difficulties. Also, anticipate those who are partially sighted or have impaired sight.

Tips for Speakers

Follow these tips for speakers:

- Speak from brief point form notes so that you maintain constant contact with the audience.
- Explain the structure of your presentation.
- Address the group in an appropriately respectful way.
- Don't talk too fast.
- Avoid vague phrases.
- Ensure sentences and points are completed.
- Look out for signs that your audience follows you.
- Provide summaries of your presentation at key intervals.
- Allow time for questions.
- Explain things patiently.
- When you speak using a translator, agree with the translator before your start on the approach to translation. Work with the translator as a team.

Ways to Communicate

Look at the guidelines and tips in this annexure for ideas on how best to communicate within an environmental assessment process. Choose the approaches that are most suitable to your conditions and needs.

Brochures	
Brochures are an effective way to communicate with stakeholders about the environmental assessment process and the issues being assessed. You can prepare them at the start of the process, or they can be issued later in the process when you need to disseminate information on the results of the assessment. They must be written in an accessible style and laid out for easy reading and good communication.	
Tips and Guidelines	• Write brochures in plain and accessible language. • Do not put too much information into a brochure. Rather produce a series of brochures if there is a lot you want to communicate. • When you need to communicate with a diverse range of interest groups, rather tailor the material by producing a range of brochures that cover the same content, but which will appeal to different language, culture or social groups. • Give your brochures within a single assessment process a consistent style and, if possible, a single logo, brand or slogan associated with the project. • You can reuse the contents of a brochure in other media such as news releases or poster displays. • Don't forget to provide contact information to stakeholders in the brochure. • It is useful to include photographs, maps and illustrations in brochures. Take care, however, as semi-literate and illiterate people often have difficulty in understanding maps, let alone the written word. • Include a tear-off response strip in your brochure. Stakeholders can use this to provide feedback to the project team.

Newsletters	
When you are involved with a very long and complex environmental assessment process, consider issuing a regular project newsletter. They are different from brochures as they follow a common format, are issued on a regular basis, and are a way to provide news and ongoing information. You can produce them as folded A3 or A4 publications, and you should lay them out in an attractive way, which will help the reader, and also convey the message that the publication is newsworthy.	

Tips and Guidelines	• Keep the articles in the newsletter brief (no more than 250 to 400 words). This will encourage participants to read them and also convey the sense of a newsletter. • Write and lay out the newsletter in an accessible way. • Present the information objectively. Also create opportunities for stakeholders to give their opinions through articles that they contribute. • Newsletters should have a consistent style when associated with a single project so that they are easily recognisable and associated with the project.

Mailed Flyers

You may have the opportunity to distribute flyers in a regular monthly posting, such as municipal service accounts. This can be a very useful way to get the message out.

Tips and Guidelines	• Write the insert in plain language and ensure that it is appealingly laid out. • The printing and packaging cost will be high. • You will be able to distribute a limited amount of information in this way. • Co-ordinate with the mailing system of the organisation that you are using. You need to avoid overlaps with similar mailings, which may cause confusion.

Posters, Signs and Banners

Posters, signs and banners can be a simple effective means of advertising an upcoming event or raising awareness of an issue. They can be a useful means of getting a message out.

Tips and Guidelines	• Consider where the poster or sign will be placed and how much time people will have to read it. In general, the less time for reading the simpler (and larger) the required text. • Use a simple eye catching headline in large font • Your sign should be readable from at least 2 – 3m away • Keep the text simple – don't try to put too much information on a sign. • Check your spelling and grammar – a badly spelled heading or slogan in large letters looks extremely unprofessional • If you are using colour, use a few colours and avoid the 'rainbow' effect. Check your colours for readability – for example yellow text on a red background is not that readable.

Videos

A short video can be a useful way of communicating, but it is expensive and requires the equipment for making and showing the video. But it can be broadcast, if it is of a good enough quality. This will allow you to get your message to a very wide group.

Tips and Guidelines	- It must be very carefully planned and budgeted. - Videos can become out of date. - Think about alternative technologies such as CD-ROM. - Professional quality videos take time to produce, and your project planning must factor this in. - Videos are a one-way means of communication. They cannot replace the vital need for interaction.

Websites and Email

Where stakeholders have access, the internet is a cheap and very efficient means to distribute information on environmental assessment processes. While you can get out a large volume of information in this way, unfortunately not many within the region yet have access.

Tips and Guidelines	- You must be sensitive to the fact that only a small proportion of the public has access to this means of communication. - Ensure that your project websites are easy to use. - Organise the information on your website logically and in an appealing way. - Update the information on a regular basis.

Short Message Service (SMS)

Use cellphone text messages to remind stakeholders about events and dates.

Tips and Guidelines	- Remember, not all stakeholders have access to cell phones. - Get cellphone contact details from stakeholders. - Use a service provider who can support the bulk distribution of text messages. - You will only be able to send out a limited amount of information in this way. - Don't use it as the only means of communicating with stakeholders. Use it to supplement other ways of communicating.

Briefing Sessions

Address regular meetings of stakeholder organisations to get your message out. Most civil society organisations conduct regular meetings, which can be used for this purpose. You can also organise special briefing sessions that are not part of a regular meeting programme. You can organise a "road show" which repeats a similar format of briefing sessions in different places with different groups of stakeholders.

Tips and Guidelines	- Make arrangements in advance with the leadership of the target organisation to provide input in this way. - Respect the agenda of the organisation in making a presentation. Often your item will only be one of a number of items on the agenda. - Keep briefings short and simple.

	• Ensure that the message and pitch of the presentation is appropriate for the audience.

Community Theatre and Art Activities	
Community theatre productions and art activities can be used to convey complicated information in an entertaining and accessible manner.	
Tips and Guidelines	• In preparing a production, involve local community members who display an interest. • Collectively developed productions can convey powerful messages; • Consider getting professional help in theatre to assist with the structuring and production of a play. • School projects such as painting competitions, essays and mural painting can be used to raise community awareness of important issues. • Discuss proposed projects with teachers before introducing them; and, • Plan events carefully and ensure that they are fun!

Media Coverage and Advertising

Use newspapers, radio and television as a practical and cost effective way of getting information out. But remember, most of the time you have no control as to how your information will be presented, unless you pay for an advert. It can be effective, but risky.

Community radio is a powerful means of reaching local communities in rural areas. It is particularly useful in communicating with communities who cannot read or write. Determine the community radio stations in the area of the proposed development and use the techniques below to get your message across.

Media Releases, Conferences and other opportunities	
Use media releases to get a precise message out to the media. Use media conferences if you want to interact with a range of media representatives in one place.	
Tips and Guidelines	• If possible, use a skilled person to prepare them. • A well-prepared media release will make a journalist's life easy. They should need to make the minimum of changes to the release for it to become a good news story. • Supplement your media releases by organising other activities that might get you coverage. Try to organise feature stories, photo opportunities and interviews with key individuals involved in the process. • Media conferences allow journalists to ask questions. You can give coherent and consistent responses. But remember, you cannot control

	what comes out of the conference. That is in the hands of the journalists and the media.
	• Invite the media to your other events.

Advertisements

Adverts are often a legal requirement in assessment processes. They are a good way to get your message across in exactly the way you want it to appear.

Tips and Guidelines	• Too often adverts on environmental assessment processes are dull and bureaucratic. Try to avoid this.
	• Your advert should:
	  – Give clearly information on the environmental assessment process, its objectives and focus.
	  – Be easy to understand. Write it in plain language.
	  – Avoid bureaucratic or legalistic style. This is a sure way to encourage fewer readers.
	  – Give a clear indication as to how, where, and when the public can be involved.

Newspaper Inserts

When you are involved in an assessment process where you need to get your message to many members of the public, you could organise a special insert in the local newspaper. This could either be prepared and paid for by the publication if it considers it worthy enough; or, you would need to find the funds to do it yourself if you feel it is a very valuable initiative to take.

Tips and Guidelines	• They are costly. • They must be accessibly written in a professional journalistic style and also well laid out. • Distribute them on the day of the week or month that the newspaper usually has its highest distribution. • Ensure that you meet publication deadlines. • Include a public response sheet or tear off section in the insert.

Radio	
Radio is an ideal way to get your message out to many people.	

Tips and Guidelines	• Identify the community, public and commercial radio stations in your area. Find out which ones will cover your topic, or are doing so already.
	• If you simply want to advertise your process or event, try to organise a free announcement on the radio to be repeated at key times. Many stations, particularly those focussing on a smaller community are happy to carry these announcements.
	
	News
	• Get your story onto the local news by:
	  – Sending a media release to the radio station's news editor or department. Follow up with a phone call;
	  – Try to organise a brief interview to be carried on the news. Find a short and punchy way to get your message across. You are unlikely to be given more than a 15 second "soundbite" to be heard on the news.
	
	Interviews
	• Attempt to get someone from your group or team interviewed more fully on the station. This will allow you to say more and give more background information and motivation. Some tips to remember for interviews:
	  – Make sure you know your subject before you go into the interview;
	  – Stay calm and try to get your message across in a short and to the point way;
	  – Don't be intimidated or distracted by the interviewer's questions. Remember what you want to say and get the message out regardless of the questions; and,
	  – Make sure you project your voice clearly and try not to be too serious all the time.
	
	Talk Shows
	• Try to get your subject onto a radio talk or phone-in show. This will give you a longer time to air your subject. Some tips to remember:
	  – Contact the producer of the programme and motivate for your project to be the focus of a programme;
	  – Offer someone who can be a studio guest. Advise them to follow the guidelines for interviews when they are on the air;
	  – Monitor local stations for programmes which cover your project or any subjects related to it. Phone in and participate; and,
	  – Set up a network within your organisation so that as many people as possible can know about a programme when it happens and so participate in it. Move fast and activate your network by phone as soon as a relevant programme is on the air.

13

Annexure B

Engagement techniques

ANNEXURE B

Engagement Techniques   *3*

A Guide to Frequently Used Participation Activities

In this annexure you will find tips and guidelines on a range of frequently used participation activities. Assess your process. Identify the most appropriate activity for it from those below. Also, look for more ideas in Annexure F where you will find a copy of the IAP2 Toolbox.

The activities are divided into:

- Events and Forums
- Interactive techniques which can be used in events or as an event in their own right
- Community activist techniques

Events and Forums

Public Meetings	
Public meetings are important in public participation processes. They are open to all members of the public. They are good for delivering information, asking and answering questions, and drawing tentative conclusions.	
Purpose	• Use public meetings to communicate information and hear general observations from stakeholders. • Do not see public meetings as the best forums to take decisions. They may be useful as a forum to exchange information and views, but not necessarily to reach conclusions.
Practical Arrangements	• Hold public meetings in easily accessible venues, and at times convenient to the stakeholders invited. • Make sure all of the practical arrangements are well planned and carried out. This is essential for successful public meetings. • Try to ensure that the venues are an appropriate size. Wherever possible ensure that they are comfortable, have the necessary seating, ventilation, lighting, acoustics and facilities. • Advertise widely and well in advance of the meeting. • Make plans to ensure that all who attend fill their details in an attendance register. This is important for the preparation of the record of the meeting and distribution of a meeting record. • Make plans to accredit, accommodate and give support to the media at public meetings.
Running the event - Facilitation	• Check all presenters' presentations before the event for accessibility. • Undertake a dry run of the public meeting prior to the event to iron out any problems. • Be aware that there are often heightened disputes and expressions of deep anger at public meetings. Think through the possible conflicts and points of dispute that may come up in a public meeting. Think about how best to handle these for all involved. • Careful facilitation of public meetings is vital to their success. Use a skilled facilitator to run public meetings. This is important as small groups of articulate and vociferous stakeholders can dominate public meetings, often leading to the exclusion of other important, but less articulate participants. • The facilitator must establish ground rules at the start of the meeting. The facilitator should also use techniques to manage unruly groups and individuals. Fair, but, firm facilitation is the key.
The Record	• Draft and distribute a record of the meeting. This is a vital document as it may contain key information relevant to your assessment. It should be a fair record acceptable to all.

Workshops

You can use workshops to provide information, discuss and debate issues, and reach conclusions. You can include as few as five or six participants and as many as a few hundred. They can last for a few hours through to a full week. Workshops provide an opportunity for intensive working sessions with a view to producing useful outcomes.

Purpose	• Use workshops during the stages of generating and debating ideas, issues and alternatives in assessment processes. They can provide you with forums to reach conclusions. This will, however, only be the case if you bring together a representative sample of relevant stakeholders and legitimate representatives. • Clearly define the objectives of a workshop when you plan it. Once you have set out your objectives, it will be easier to structure the workshop, the issues to be considered, the inputs to be given, and the methods you will use for discussion. • Involve participants in planning your workshops, if possible. This will contribute to their success.
Practical Arrangements	• A pleasant working environment and plentiful workshop materials will contribute to the success of the workshop event; • To ensure the best results, give special attention to practical preparations and administration. • Carefully choose where you will run your workshop. The physical space and design of the room is important. Productive discussions tend to happen when participants are seated in round or semi-circular formats. When you seat participants behind tables, there is often a less creative interaction between participants. They also tend to be less flexible in the views they adopt.
Running the event - Facilitation	• Use skilled facilitators to run your workshops. This will add value to the outcome. • Minimise large amounts of input and one-way communication. Give the maximum amount of time to group discussion. • It is not necessary that facilitators of plenary and small group discussions need to be familiar with the subject matter of the discussion. They are needed for their skills in managing group discussions. • Give clear guidance for the workshop activities. Participants must have a good understanding of what is expected of them at all stages of the workshop process. • Make use of communication technologies to help dialogue. Use flip-charts, transparency slides and computer projection images to record and communicate the results of discussion. • Longer workshops can be enhanced by involving participants in a steering group for the event.
Record	• Produce a workshop report as soon after the event as possible. • Attempt to do an assessment of the workshop. Draw on the input of participants as well as the professional team.

Open House Events

Open house events are a combination of an exhibition of information about the process made up of posters, maps, photographs and documents, as well a place where stakeholders can enter a dialogue with members of the assessment team, or stakeholder leadership. At the open house event stakeholders must also be given an opportunity to record their comments on the project and their issues of concern. This can be done through recording comments on flipcharts, surveys/response sheets, on audio or videotape, or by computer.

Purpose	• Use an open house event best for distributing information and entering informal discussions between stakeholders and the assessment team. They are not decision making or debating forums. Do not see them as an alternative to these.
Practical Arrangements	• Use an easily accessible venue for the event. Community centres, libraries, community halls, and shopping centres are useful locations for open house events. • Conduct the events at times that are convenient to stakeholders. Bear in mind work, family, social and cultural factors. • You can run your open house event over an extended period, such as a week or longer. • Set up the venue to allow a flow of movement that allows stakeholders to follow a logical path through the exhibition. • Provide refreshments. • Make plans to ensure that all who attend fill their details in an attendance register.
Running the event - Information and Dialogue	• Present your information in an attractive, professional and accessible way. You may need the help of communication professionals in the preparation of material. • Design the display material so that it is easy to move and transport to new locations. • If your event is organised by the environmental assessment team, make sure that representatives of the team and any relevant specialist attend so that they can learn from and enter a dialogue with stakeholders. • If your event is organised by a stakeholder group, ensure that leadership is present to listen and converse with members of the public. • Warmly welcome and host members of the public who attend your open house event.
Record	• Keep a record of the names and contact details of all participants in the open house event. • Provide stakeholders with a means to record any comments they have. For example, you can provide stakeholders with comment sheets they can drop into a 'comment box'.
Warning:	• Don't reduce your public participation process to an open house event. Many stakeholder groups see open house events as an "easy option" for environmental assessment practitioners as they don't provide an opportunity for collective debate. They argue that they tend to stifle the views of stakeholders.

Focus Groups

Focus groups are small meetings of stakeholders in which you can explore issues, understand different perspectives, as well as gather information from the participants. They can help you explore issues, develop alternatives or reflect on conclusions within your environmental assessment process. But, they are not intended for reaching conclusions or consensus. A carefully facilitated focus group can make a creative and value-adding contribution to the process.

Purpose	• Hold focus groups when you have a need to explore issues in detail with stakeholders. • Focus groups are a useful way for different sectors or constituencies to express their views. • Add focus groups to a broader process of participation. Public participation should not be reduced to focus group activities.
Running the event – Participants and Facilitation	• Make sure that you bring together a representative sample of the group or groups whose views you want. • Focus group work best when they are carefully facilitated and managed by a skilled facilitator. • Make sure that the focus group session does not last too long.
Record	• Keep a record of the participants. • Circulate a record of the meeting to participants and provide a period in which comments on it can be submitted.

Individual Meetings

Individual meetings are meetings with individual stakeholders or organisations. You can explore issues and understand different perspectives as well as provide and gather information. They are not intended for reaching conclusions or consensus. Individual meetings can be valuable in bringing stakeholders on board into a process.

Purpose	• Individual meetings are particularly useful at the outset of a process to convey information to stakeholders and enable in depth discussion of issues. • Use them to 'test the water' of public opinion prior to large public events. • You can discuss issues in depth with those who can't attend or do not wish to engage at public events. • You can use them to gain agreement on certain ground rules or issues before bringing parties together to discuss contentious issues.
Running the event	• Make sure that the person or people you meet with are truly representative if you want to know the view of a group. • Ensure that there is sufficient time for the meeting. • It is often useful to take material such as pamphlets or maps to meetings, which you can leave behind, for participants to consider.
Record	• Keep a record of the individual meetings you have held and the dates. • Check with participants whether they are happy for you to record the content of the meeting. • Provide a draft of your meeting notes to participants prior to including them in any public reports.

Field Trips

Use field trips as a useful way for stakeholders to deepen their understanding of physical locations, processes and issues. They also give you an opportunity for extended informal discussion between stakeholders, or between stakeholders and the environmental assessment team.	
Purpose	• Field trips are ideal when you need to inspect a site or when practical examples can be shown to participants to help their understanding of the issues being examined in the environmental assessment process. • They are information sharing activities and must not be seen as decision making forums. Make sure that you do not treat informal discussion undertaken during field trips as constituting formal agreements or conclusions in the assessment process.
Running the event – Planning and guidance	• You need to plan and administer field trips very carefully to ensure that activities run smoothly. • By involving stakeholders in planning the field trip, you may contribute to its success. • Prepare written support material and distribute it before or during the trip. This will deepen the experience and understanding of participants. • Plan the time, so that there is a good balance between time spent observing in the field, and time for informal and social interaction. • Make sure that leaders, officials or consultants are present, as they can be vital to the success of a field trip. They need to act as guides and interpreters. Often participants can contribute significantly to the information shared during the field trip. You should encourage this.

Stakeholder Steering Committees and Forums

You may consider establishing a multi-stakeholder forum or steering committee In an extended and complex environmental assessment processes. It would provide the basis for a collaborative problem solving approach to the assessment. It will provide a mechanism for debating the process and issues. It may also serve as vehicle through which you can reach a broad agreement or consensus on the final conclusions of the assessment.

Purpose	• Steering and advisory committees do not replace the decision making power and authority of the government bodies in an assessment process. Rather, they are vehicles for the structured involvement of diverse stakeholder groups in directing the assessment process and for attempting to reach agreement and consensus on its outcome.

Setting and Running Forums	• Establish these bodies only with the full endorsement of the stakeholder groups involved.
	• Conduct initial consultations with the participating stakeholder groups to ascertain their views on the structure and how best it might operate.
	• Draw up and agree on a set of ground rules and terms of reference for the committee.
	• Stakeholder committees work best when they are based on the participation of the various stakeholder sectors involved in a process on a representative basis. This means, for example, that a committee might have mutually agreed numbers of representatives from community organisations, local business organisations, trade unions, and other NGOs.
	• Set up the committee at a joint meeting of all of the stakeholder groups.
	• Each stakeholder sector should elect its own representatives. This will give them confidence in their representation.
	• Make sure that the representatives selected are indeed representative of their sectors.
	• Use the meeting at which the committee is established to also agree on the ground rules, or terms of reference for the committee. These ground rules should have three components, namely;
	  – Substantive ground rules: these are ground rules which specify the substantive issues that are going to be the subject of the committee's work;
	  – Procedural ground rules: these are ground rules which establish how the committee will be structured, its operating procedures, decision making procedures, frequency of meetings, chairing, etc; and,
	  – Behavioural ground rules: these ground rules set out rules of behaviour for the participants in the committee.
	• An independent chairperson acceptable to all stakeholder groups should chair stakeholder committees.
	• Ensure that the committee has the necessary administrative and financial support to complete its work.
	• Take care that the committee keeps to its ground rules and terms of reference. It must not extend these without the mandate from the broader group of stakeholders.

Interactive Techniques

There is a wide range of techniques for you to draw on in your participatory activities. Some of the most effective ones are described here.

Brainstorming

Brainstorming is particularly useful when you are generating alternatives and options, as well as possible impacts and issues.   It is a valuable technique because it opens participation to all participants and encourages creativity.

Purpose	• You can use brainstorming best within a workshop context to generate ideas
Running the event	• In a brainstorming exercise each idea raised should be treated as having equal value and importance. It should not be commented on or judged. Evaluating the ideas raised will follow after the brainstorm process. • Try to generate a wide range of ideas, especially contrasting and opposing ideas. • Encourage participants to build on ideas raised earlier in the brainstorm. • Visibly record all ideas raised. They should be recorded on a flipchart or white board. By doing this you will not only check if you have heard the ideas correctly, but will also stimulate the thinking of the group. • Do not allow points of debate during the brainstorming period. This will break the flow of creativity. Continue the brainstorming for as long as new ideas are raised. • You may allow questions of clarification to be asked. Allow the individual whose idea needs clarifying to answer the question. Only this person will know the answer since the idea was his or hers in the first place. • The group facilitator should encourage participation, and, where necessary organise and prioritise the ideas generated with the help of the group.

Nominal Group Technique

The nominal group technique, also known as the visual group gathering technique, is a useful way to generate, organise and prioritise ideas.

Purpose	• It is best to use the nominal group technique within a workshop to generate and organise ideas quickly and efficiently.
Running the event - Procedure	• Divide the group into smaller groups of five to eight people. • Clearly articulate the question that they need to consider. This could be to raise issues of concern about a specific matter, or to suggest solutions to a particular problem. • Allow the groups to discuss the question for an appropriate period of time. Ten to fifteen minutes is often a useful period for such activities. • Each group should appoint a facilitator, and an individual who will record the group's ideas on cards. • Distribute five to eight cards to each group together with a felt-tipped pen and request the groups to note their ideas on the cards. Only one idea must be noted on each card; and, each idea must be simply phrased using as few words as possible. • Once the discussion time has come to an end the facilitator should gather all the cards, shuffle them, and then proceed to read them out to the group. On reading each card, it should be stuck to a large sheet of paper on a wall, which has either been coated with a movable adhesive spray, or through using adhesive putty. • If the facilitator or any participant requires clarification on the wording of a card this should be asked for. The group that wrote the card should be requested to clarify it. • The cards should be grouped into logical categories as they are being read out. They can be further organised once they have all been read out. • Working with the group, the facilitator should agree on the categories into which to organise the cards. • If you want to prioritise the ideas, distribute a fixed number of small adhesive paper dots, which can be used for voting purposes. Give each participant three to five dots. They should then apply their vote to what they consider to be the priority items. They should be free to distribute their votes as they wish: they may choose to apply all of their votes to one item, or distribute them on a basis that they believe to be appropriate. On conclusion of the voting, the facilitator should add up the number of votes attached to each of the items identified, and announce the results to the group. • The group should be asked whether there are any significant differences that they have with respect to the conclusion of the prioritisation exercise. If this is the case, the matter should be debated and concluded.

Group Mapping 13

Group mapping is a useful tool in assessment processes. It gives participants an opportunity to map their perception of the assessment area at present or as a vision of the future. It allows a wide range of issues to be identified and physically plotted. It also allows those who have difficulty with the abstract nature of assessment processes to obtain a tangible feel for the exercise. Practically it entails drawing or constructing an image on paper, the floor or a wall. It is done collectively and stresses visual images and objects.

Purpose	
Running the event	• For best results, do your group mapping activities when you know you will be able to establish a creative environment, there is enough physical space in which to work, you have useful materials to work with on, and there is skilled facilitation.
	• Give the participants access to a wide range of materials: large sheets of paper, fibre tipped pens, cardboard that can be shaped into appropriate forms, modelling putty, bottles, cans and containers, or any other useful found objects;
	• Let the participants conceptualise the map they wish to create. Allow them to clarify the boundaries of the map, the type of information they want to convey, and the materials to be used.
	• A skilled facilitator will greatly help the mapping process. The support of an environmental assessment professional, sensitive to the dynamics of group work, will benefit the process.
	• See the mapping process as an open ended exercise. Do not plan the outcome you seek too much beforehand. The process of constructing the map by a group is a significant learning exercise. The group may identify various needs during the course of the mapping exercise. Sensitive facilitation should respond to these needs on a spontaneous basis;
	• Use simple technologies. This does not mean that sophisticated computer based mapping technology should not be brought into the process at a later point. The product produced in the group mapping exercise might be usefully converted to a computer-based map. This product will be better appreciated by the participants, as it would be based on their own endeavours.
	• Conduct the process of creating the map in a creative, fun-filled, and relaxed environment. Provide refreshments, a good working space, and sufficient time for the group to explore the issues.
	• The mapping exercise can be conducted on its own or as part of a broader workshop.

Participatory Rural Appraisal and Associated Techniques

Participatory rural appraisal (PRA) is a label given to a participatory approaches that emphases local knowledge and enable local people to make their own appraisals, analysis and plans. The terms is somewhat misleading and the techniques can apply equally in urban situations.

Purpose	• PRA is an approach for shared learning between local people and outsiders.
	• Some key aspects of the approach: – Participation: The input of local people is essential; – Teamwork: For the data generated to be valid it is necessary for there to be interaction and brainstorming amongst those involved. Include local people in the team as they have perspective and knowledge of the area's conditions, traditions and social structure; – Flexibility: Use a combination of techniques appropriate to the particular development context; – Localisation: Use local materials, drawings and pictures to encourage people to share their pictures of their situation. Avoid imposing external images; and, – Inclusivity: Include marginal and vulnerable groups, such as women, children, aged and the poor. • There are many different techniques that can be used including: – Semi-structured interviews with groups or individuals; – Focus group discussions; – Mapping, diagramming and modelling; – Seasonal and historical diagramming; and, – Direct observation, walking transects, participation in activities.
For more information see the World Bank Participation Sourcebook. Appendix 1: Methods and Tools. www.worldbank.org/wbi/sourcebook/sba104.htm	

Activist Techniques for Communities

Awareness Raising	
It is important to gain support amongst your community and other people for your views. One of the best ways to do this is to raise the awareness of others. Let them know what is planned. They may not be involved as they may not aware of what is planned.	
Purpose	• Use awareness raising to gain support from others • Inform and educate others about issues they may not be aware of and which impact on their lives
Guidelines	• First decide what you want to raise peoples awareness of. Be very clear about what you want to tell people. • Think about who you will be telling and tailor your message to your audience. • Select your communication method – there are many to choose from in Annexure A. Prepare simple pamphlets and brochures that you can leave with people. They can peruse these in their own time and make up their minds. • Get your facts right and be polite.

Petitions and Letter Campaigns	
Petitions and letter campaigns are a way to demonstrate that significant numbers of stakeholders hold your views.	
Purpose	• Use petitions or letter writing campaigns when you believe that your issues are not receiving sufficient attention within a public participation process • Petitions can be used to demonstrate support of your views from people who may not have the time to attend public events
Guidelines	• In letter campaigns, people should, as far as possible, use their own words and paper. • Chain emails and form letters can lack impact, as it can appear as if respondents only took the trouble to be involved because others did the work. • Petitions normally comprise a statement with signatures of people signalling their support for the statement • On petitions, make sure that the statement that everyone is supporting appears on every page of signatures. • If possible, people signing a petition should provide their name and address

Demonstrations

Demonstrations can provide increased visibility and awareness of a particular issue. They can draw broader public attention to an issue of concern.

Purpose	• Use demonstrations when you wish to raise broader public awareness of your views. • Demonstrations can take the form of pickets, marches or rallies.
Guidelines	• Marches can be an effective means of drawing attention to issues. People marching can use signs, songs, chants and speeches to convey their message. • Pickets are more static than marches and usually take place at significant places such as the headquarters of a developer or on the site of a proposed development. Picketers will use signs and normally have brochures or pamphlets, which they can hand out to people to explain their position. • Plan your event carefully. As discussed, be clear on the messages you wish to convey. • If possible, obtain approval for your event from the relevant authorities. Illegal events can raise media coverage may lead to repression. • Use signs and banners. • Make sure your signs have simple, easy to read slogans. • Check your grammar and spelling! • If picketing, be aware that it can make individuals defensive, as they have to 'cross' a picket line. Avoid aggressive behaviour as this could lead to the opposite of the intended effect and could cause resentment.

Boycotts

A boycott is a refusal by a large number of people to buy, sell or use a product or to deal with certain companies, people or governments.

Purpose	• Boycotts can be used to persuade decision makers or developers take a certain course of action • They can also influence decisions indirectly. Boycotts can generate a great deal of media attention and negative publicity. They may therefore be ended by decision makers or developers who wish to avoid long term harm to their reputation or credibility.
Guidelines	• Check whether boycotts are a legal means of protest in your country. If not you may place yourself at risk of retaliation. • Organise and plan your boycott carefully. • Consider the potential benefits against the costs carefully before embarking on a boycott. For example, if a company is the sole provider in an area, a boycott may not be well supported by a local community if it will have a severely negative impact on them. • Make sure that your boycott gains media attention. As your boycott gains attention, you may be able to attract further support. Beware of the pitfalls

	of engaging the media however (see above).

International Solidarity Campaigns

International solidarity campaigns involve raising the international profile of your concerns about a development in order to gain support.

Purpose	• Raise the international profile of your concerns about a particular development and broaden your support base. • They can be used to put pressure on developers and decision makers to address your concerns.
Guidelines	• Research other case studies on international solidarity campaigns and learn their lessons. Undertake your research through networks and the internet. • Identify international partners and NGOs which could assist you. Greenpeace is an example of an international NGO. • Make contact with potential partners and request support. • Define your goals in collaboration with your partners. Identify objectives, timeframes and activities prior to initiating your campaign. • The internet is a powerful tool in developing an international solidarity campaign.

Annexure C

Public Participation Review Template

2

PUBLIC PARTICIPATION PROCESS REVIEW TEMPLATE

Instructions to Reviewers

The practice of public participation is constantly evolving and open for improvement to ensure that all stakeholders involved in the EIA process, with particular emphasis on civil society, benefit as fully as possible. Use of this Review Template should assist companies and institutions in improving their respective public participation process in order to realize better project and development outcomes.

The review template comprises a 'form' which serves as a guide for the reviewer in analysing how well civil society participated in an environmental assessment. The template should be used as a guide in undertaking the review. The template can also be used as a reference to assist the planning and implementation of a public participation process.

The template has been structured such that once it has been completed, it will form a stand alone report. These instructions should be removed so that the completed template can be read by those interested in the results, without reference to these instructions.

Structure of the Template

The review template is divided into two main sections:

- **Section 1**: An **executive summary** of the appraisal. This section will include a reviewers overall impression of the public process, omissions and pointers for improvement.

- **Section 2**: A **detailed appraisal** section comprising a table with a series of questions on the following topics:
  - **Approach to the public process**: questions related to the methodology and approach to the public process
  - **Practical implementation**: questions related to the practical implementation of the project, techniques used and how issues arising in the public process were dealt with; and,
  - **Practitioner and stakeholder attitudes**: questions related to the behaviour of various stakeholders and the EIA practitioner in the public process.

Undertaking the Review

The following is a suggested review methodology:

- Read through the questions in the template prior to embarking on the review of the public process. They provide a framework in which the review can be undertaken as well as providing a useful indication of the nature of information that has to be acquired;
- Review all relevant documentation on the environmental assessment process and public participation process. This may include the Scoping Reports, Environmental Assessment Reports, minutes of meetings, information documentation sent to stakeholders, comments submitted by stakeholders, advertisements, media reports etc;
- Review the legal requirements for public consultation;
- If possible, interview key participants from a variety of stakeholders groups. This may include the project proponent, the environmental

consultant, government officials, local community groups, NGO's etc. Interviews can take the form of on site interviews, email or telephonic interviews. Interviewing participants in the process will provide a more balanced and textured view of the public process than a review of documentation alone; and,

- Complete the template as outlined below.

Using the Template

As indicated above, the review template is divided into two sections. Section 2 should be completed prior to Section 1.

a) Section 1: Executive Summary

Section 1 should be completed after Section 2 has been completed. It should comprise a general summary of the findings of the review and the overall impression of the reviewer. The summary should comprise a discursive overview of not longer than a page. Issues that need to be addressed in this discussion include:

- An overall assessment as to whether the process was well done, adequate or incomplete;
- Significant omissions from the process and the reason for these;
- Pointers for improving the public participation process.

b) Section 2

As indicated, the table in section 2 contains a series of questions on aspects of the public process and its interface with the technical aspects of the environmental assessment process. For each question in the table, consider the question as a prompt to determine whether:

- **The aspect was complete and / or well done (Score C):** Answering thus, implies that this aspect of the process represents

best practice; legal requirements have been met or exceeded; or civil society participation in the process was optimal.

- **The aspect was adequate (Score A):** Answering thus, implies that although this aspect of the process may not meet best practice requirements, and there is room for improvement, civil society participation in the process was not unduly compromised, and decision making would not be compromised. It also implies that this aspect meets legal requirements.
- **The aspect was poor and / or incomplete (Score I):** Answering thus, implies that this aspect has compromised civil society's ability to meaningfully participate in the environmental assessment; that legal requirements have not been fulfilled and/or that additional work is required to ensure decision making is not compromised.
- **Unknown (Score U):** Answering thus implies that insufficient information is available on this aspect to enable the reviewer to make a judgement.

The answers should be based on the review that was undertaken. Comments should be provided to justify the scoring on the adequacy of the process. In considering and reviewing the process and answering the questions, keep the following in mind:

- The public process should be appropriate to the context of the project. Considerations include the nature and scale of the project and its anticipated impacts, the point in the planning process, e.g., is the project in pre-feasibility or full feasibility phase, the nature of the stakeholders in an area and the resources available;
- Public participation process should not be formulaic but responsive to the outcomes arising from the process itself and those arising from the environmental assessment; and,
- Other parallel process within the environmental assessment can complement and extend the public process e.g. consultation with

grassroots stakeholders may occur within a specialist social impact assessment study.

PUBLIC PARTICIPATION PROCESS REVIEW

Name of the project:	

Proponent:	
Country where the environmental assessment was undertaken:	
Name of the company / institution which was responsible for the environmental assessment process:	
Name of the company / institution which was responsible for the public participation process:	
Date of the environmental assessment and public participation processes:	
Name of reviewer:	
Contact details of the reviewer:	
Date of review:	

Note to Reviewers: Please read the instructions for reviewers for guidance on the structure of this template, and how to undertake the public participation process review and complete this template.

# 1	Executive Summary of the Appraisal

Consider:

- *An overall assessment as to whether the process was well done, adequate or incomplete;*
- *Significant omissions from the process and the reason for these;*
- *Pointers for improving the public participation process*

2   Detailed Appraisal

For each question in the table below, the reviewer has considered the question as a prompt to determine whether:

- **The aspect was complete and / or well done (Score C):** Answering thus, implies that this aspect of the process represents best practice; legal requirements have been met or exceeded; or civil society participation in the process was optimal.
- **The aspect was adequate (Score A):** Answering thus, implies that although this aspect of the process may not meet best practice requirements, and there is room for improvement, civil society participation in the process was not unduly compromised, and decision making would not be compromised. It also implies that this aspect meets legal requirements.
- **The aspect was poor and / or incomplete (Score I):** Answering thus, implies that this aspect has compromised civil society's ability to meaningfully participate in the environmental assessment; that legal requirements have not

been fulfilled and/or that additional work is required to ensure decision making is not compromised.
- **Unknown (Score U):** Answering thus implies that insufficient information is available on this aspect to enable the reviewer to make a judgement.

Comments have been provided to justify the decision on the adequacy of the process. In considering and reviewing the process, the following has been borne in mind:

- The public participation process should be appropriate to the context of the project. Considerations include the nature and scale of the project and its anticipated impacts, the point in the planning process, e.g., is the project in pre-feasibility or full feasibility phase, the nature of the stakeholders in an area and the resources available;
- The design and implementation of the public participation process should reflect creativity, innovation and an attempt to manage conflict; and,
- Other parallel processes within the environmental assessment can complement and extend the public process e.g. consultation with grassroots stakeholders may occur within a specialist social impact assessment study

Question Prompts	Score	Comments
1. Approach to the Public Participation Process		
a) Was the **design** of the public process **appropriate** to the context, scale and nature of the project?		
b) Did the process go **beyond** legal **compliance** requirements and did this add value to the outcome?		
c) Did the **design** of the public participation process sufficiently take into account the **nature of stakeholders** relevant to the environmental assessment? *Consider whether social, political and economic factors in the study have been taken into account. This includes the nature of traditional authorities and government agencies, cultural and gender factors, literacy levels and language.*		
d) Was **sufficient budget** provided for the public participation process within the **context** of the project?		
e) Was **sufficient time** provided for the public participation process within the **context** of the project? *Consider whether there was sufficient time provided in order to meaningfully engage with stakeholder to identify and address their issues and concerns.*		
f) Did the public process **design** provide for a process of **conflict management** in the event that disputes might arise?		

Question Prompts	Score	Comments
2. Practical Implementation of the Public Participation Process		
a) Was the process **undertaken by independent practitioners** who had no vested interests in the outcome?		
b) Did the **practitioners** have the **requisite experience** and **skills** to undertake the process?		
c) Did the public participation process include **an appropriate communication** strategy? *Consider* whether: • *Information was actively provided to the media;* • *Was there sufficient advertising of the process using techniques relevant to the stakeholders;* • *Communication was maintained with stakeholders throughout the process; and,* • *Was feedback provided to stakeholders about the outcome of the assessment.*		
d) Were **stakeholders informed** of the **scope and objectives** of the environmental assessment process?		
e) Were **stakeholders consulted** about the **design** of the public participation process? Was the **approach** to the public participation process **changed** in response to issues raised by stakeholders, changing circumstances in the project or to improve its effectiveness? *Consider whether there was flexibility in the public participation process in response to the needs of stakeholders or the environmental assessment process that enhanced the effectiveness of the process.*		

Question Prompts	Score	Comments
f) Was an appropriate **spectrum** of **stakeholders** targeted and **involved** in the process? *Consider whether:* • *Appropriate methods were used to identify stakeholders;* • *The right level of stakeholder was involved given the project context; and,* • *Special provisions were made to include any affected marginalised groups e.g. women, the youth, the poor and the illiterate.*		
g) Were **stakeholders** informed of the process and their **rights**, **roles and responsibilities** within it?		
h) Were appropriate involvement and communication **techniques** planned for and **utilised** in the process to provide stakeholders with information and solicit their involvement? *Consider whether:* • *Techniques were appropriate to the nature of the stakeholders and the context of the project; and,* • *Creative techniques were used that added value to the process.*		
i) Was **information** provided in an **accessible** format, free of technical jargon? *Consider whether:* • *An appropriate language was used to communicate information to stakeholders;* • *Translators were used in meetings, if required; and,* • *Information that was provided was tailored to the types of stakeholders involved in the process.*		

Question Prompts	Score	Comments
j) Was it **easy** for stakeholders to **practically participate** in the process? *Factors to consider include:* • *Provision of transport and other material support, if required by stakeholder circumstances and the project context;* • *Appropriateness of meeting times and accessibility of event locations; and,* • *Adequacy of notification and public comment periods, and ready availability of information.*		
k) Do the **findings** of the environmental assessment **reflect** the **views** of stakeholders and **address issues** and concerns that were raised? *Consider whether:* • *Stakeholders issues and concerns were recorded and addressed;* • *Issues raised by stakeholders were actively investigated and followed up;* • *Issues were repeatedly raised by stakeholders throughout the process. This may reflect a failure to effectively discuss and address these issues; and,* • *If there was disagreement on the scope of the environmental assessment, an attempt was made to reach agreement with stakeholders on the scope of the process.*		
l) Was the public participation process **adequately documented**? *Consider whether:* • *There is complete record of all activities;* • *A list of stakeholders is provided; and,* • *Stakeholder issues have been documented and comments included.*		

Question Prompts	Score	Comments
m) Do the **products and activities** arising from the environmental assessment such as environmental management plans for construction and operation, monitoring activities **reflect and address** the **views** of stakeholders **and issues and concerns** that were raised?		
n) If **conflict** arose during the process, was it **acknowledged** and **actively managed**? Were attempts made to **resolve** any conflict present in the public participation process?		
o) Were there **effective communication channels** put in place between government, the proponent and the public to ensure that **unforeseen issues** arising during implementation could be **adequately addressed**?		

Question Prompts	Score	Comments
3. Practitioner and Stakeholder Attitudes		
a) Have the **needs, interests and issues** of all stakeholders, including the proponent been handled and represented in a **fair** and **equitable manner** by the participation and environmental assessment practitioner/s? *Consider whether issues of bias have been raised by particular stakeholder groups.*		
b) Did the participation and environmental assessment **practitioners display integrity** and **commitment** to good participatory practice? *Consider whether:* • *The practitioners actively demonstrated their independence through their actions and communications;* • *Undertakings were followed through;* • *Information was provided openly and freely; and,* • *Stakeholders raised issues about the conduct of the practitioners.*		
c) Did the **proponent** display an **open attitude** and **commitment** to the public participation process? *Consider whether there is evidence that the proponent attempted to stifle debate or control the direction and tenor of debate within the process.*		
d) Was the process **free of political interference**? Did politicians unduly influence the tenor of debate and direction of the process?		

Annexure D

Resources: websites, handbooks and associations

2

ANNEXURE D

Resources

3

Institutions and Professional Associations

The International Association for Impact Assessment
www.iaia.org   **www.iaia.co.za**
International Headquarters
info@iaia.org
1330 23rd Street South, Suite C; Fargo, ND 58103 USA
Phone +1.701.297.7908 • Fax +1.701.297.7917

The International Association of Impact Assessment is a forum for advancing innovation, development and communication of best practice in impact assessment. Its international membership promotes development of local and global capacity for the application of environmental assessment in which sound science and full public participation provide a foundation for equitable and sustainable development

The International Association for Public Participation
www.iap2.org/
International Headquarters
11166 Huron St. Suite 27; Denver, CO; 80234; USA
Toll free +1.800.644.4273 • Fax +1.303.458.0002
Outside North America: +1.303.451.5945

The International Association for Public Participation (iap2) promotes and improves public participation in relation to individual governments and institutions. It provides technical assistance, advocacy for public participation and provides tools for public participation in Environmental Assessment.

The Centre for Public Participation
www.cpp.org.za/
info@cpp.org.za
Phone +27 31 261 9001 • Fax +27 31 261 9059
The Centre for Public Participation (CPP) promotes advocacy for participation in governance. It aids in empowering civil society to engage actively with accessible and accountable institutions and various processes of governance. The centre is actively involved in strengthening public participation in governance and poverty alleviation.

Southern African Institute for Environmental Assessment
www.saiea.com
SAIEA Head Office
Executive Director: Dr Peter Tarr
✉Peter.Tarr@saiea.com
P.O. Box 6322; Ausspannplatz; Windhoek; NAMIBIA

Phone +264 61 220579 • Fax +264 61 259183

SAIEA South Africa
✉bw@saiea.co.za
PO Box 1572, Rivonia, 2128; Gauteng, South Africa
Phone +27-11 706 5510 • Fax +27-11 463 1996
The Southern African Institute for Environmental Assessment (SAIEA) supports sustainable development in SADC and promotes effective and efficient use of environmental assessment's as a planning tool. It also provides information on best practice in public participation.
The **Calabash Project** of SAIEA aims to enhance public participation in environmental assessment in the SADC region. Their website, www.saiea.com/calabash/index.html has links to resources on public participation and enviornmental assessment as well as tools and publications arising from the project.

Environmental Justice Networking Forum
www.ejnf.org.za/index.html   www.ejnf.org.za
PO Box 32184; 184 Smit Street; Braamfontein; 2017 Phone +27 11 403 8978 • Fax +27 11 339 3859

The Environmental Justice Networking Forum promotes environmental justice and sustainable development through networking in the civil society sector.

CIVICUS
www.civicus.org/new/default.asp www.civicus.org
CIVICUS House
24 Gwigwi Mrwebi Street; (former Pim) corner Quinn St.; Newtown; 2001; Johannesburg; South Africa
Phone +27 11 833 5959 • Fax +27 11 833 7997

The organisation's main focus is to initiate and inform legitimacy, transparency and accountability and to improve the capacity of civil society to influence and improve engagement of civil society in governance at national and international levels and provide tools and resources to improve the quality and functioning of civil society organisations.

The New Partnership for Africa's Development
www.nepad.org
The Development Bank Of SA
1258 Lever Road; Midrand (Johannesburg); 1685; South Africa
Phone +27 11 313 3716

NEPAD Secretariat
P.O. Box 1234; Halfway House; Midrand; 1685

NEPAD addresses challenges facing Africa and promotes governance, sustainable political and socio-economic development and promotes the empowerment of women. It also aims to improve the environmental and tourism industry in Africa.

African Commission on Human and Peoples' Rights
www.achpr.org

achpr@achpr.org
Kariba Avenue; P.O.Box 673; Banjul; The Gambia
Phone + 220 392 962 • Fax +220 390 764

The African Commission on Human Rights promotes human and people's rights in terms of the African Charter and promotes good governance and provides legal help to people living in African countries.

South African Non- Governmental Coalition Organisation
www.sangoco.org.za/
P.O. Box 31471; Braamfontein; Gauteng Province; 2017; South Africa
Phone +27 11 403 7746 • Fax +27 11 403 8703

The South African Non-Governmental Organisation Coalition (SANGOCO) is a South African organisation whose mandate is to co-ordinate NGO input and strengthening civil society democracy. The organisation is active in providing guidance in restructuring the economy, public participation and social investment.

Contact Trust
www.contacttrust.org.za/
contact@contacttrust.org.za
10th Floor; Dumbarton House; 1 Church Street; Cape Town; 8000
Phone +27 21 426 1413 • Fax +27 21 426 1467

This organisation provides policy information to the non-profit sector. It provides guidance on improving the ability of civil society to implement effective lobbying. It supports civil society through facilitating access to information that informs active participation in policy and legislative processes.

Institute of Environmental Studies
www.ies.ac.zw/
Director: feresu@ies.uz.ac.zw
University of Zimbabwe
P.O Box MP 167; Mount Pleasant; Harare; Zimbabwe
Phone +263 4 302603 or 303211 ext 1937 • Fax +263 4 332853

The Institute of Environmental Studies (Zimbabwe) provides environmental advisory services and environmental research and education.

International Monetary Fund
www.imf.org
publicaffairs@imf.org
General inquiries:
Phone +202 623-7300 • Fax +202 623-6278

The International Monetary Fund (IMF) is an international organisation that provides financial and technical assistance to member countries. It promotes international monetary co-operation, facilitate expansion and growth of international trade and provide guidance/safeguards to build capacity and implement effective macro-economic and structural policies.

NetAction
www.netaction.org/training/reader.pdf   **www.netaction.org**
NetAction is an American non-profit organization dedicated to teaching activists how to use the Internet for organizing, outreach, and advocacy, and to educating the public and policy makers about technology policy.

Internet resources

ELDIS

www.eldis.org
eldis@ids.ac.uk
Eldis Programme
Institute of Development Studies; University of Sussex; Brighton BN1 9RE; UK
Peter Ferguson
Phone +44 01 273 877330 • Fax +44 01 273 621202

This site provides development information and resources on a variety of topics such as public participation techniques, corporate social responsibility, biodiversity, participation, Aids and many more.

Canadian International Development Agency
www.acdi-cida.gc.ca/cida_ind.nsf/0/01c0f09af007fc0785256b92005be4e6?OpenDocument
http://www.acdi-cida.gc.ca/index-e.htm
200 Promenade du Portage; Gatineau, Quebec; K1A 0G4
Phone +819 997-5006 • Fax +819 953-6088 • Toll free +1.800.230.6349
This site lists resources on public participation in environmental assessment in developing countries.

www.acdi-cida.gc.ca/ea
This site provides technical and procedural guidelines on the conduct of environmental assessment. It supports corporate structures and capacity building programs.

United Nations Economic Commission for Europe
http://aarhusclearinghouse.unece.org/resources.cfm?c=1000006   **www.unece.org**
info.ece@unece.org
Information Service
Palais des Nations; CH – 1211; Geneva 10; Switzerland
Phone +41 0 22 917 1234 • **Fax** +41 0 22 917 0505

This site provides various documents on public participation, environmental democracy, and civil society participation in informing policymaking and techniques of public participation.

International Finance Co-operation
www.ifc.org/enviro/Publications/Practice/practice.htm   **www.ifc.org**

2121 Pennsylvania Avenue, NW; Washington, DC 20433; USA
Phone +202 473 1000

The International Finance Corporation is the private investor section of the World Bank and provides expertise on environmental, social development and insurance expertise.

Midwest Environmental Advocates
www.midwestadvocates.org/PDF/Citizen's%20Guide%20to%20Community%20Organizin g.pdf   **www.midwest.org**
advocate@midwestadvocates.org
702 E. Johnson Street; Madison, Wisconsin; 53703
Phone + 608-251-5047 • Fax + 608-268-0205

This site provides a guide to community organising. It provides legal and technical support to grassroots groups and tools to use when mobilising or taking action.

United Nations Habitat
www.unhabitat.org/cdrom/governance/html/cover.htm   **www.unhabitat.org**
infohabitat@unhabitat.org
Information Services Section
Office of the Executive Director
 P.O. Box 30030; Nairobi, Kenya
Phone + 254 20 623120 • Fax +254 20 623477

This handbook is a toolkit for participatory support in urban decision making. It attempts to improve the capacity of local government and other stakeholders by practising good governance.

Natural Resources and Sustainable Development
www.natural-resources.org/minerals/CD/docs/ea/booklets/community/comm.pdf
www.natural-resources.org
natural.resources@unctad.org

A practical guide to the community consultation process discussing the community's needs, expectations and fulfillment thereof.

United Nations Environment Programme
www.unep.ch/etu/publications/EIAMan_2edition_toc.htm   **www.unep.org**
UNEP Webmaster
United Nations Avenue, Gigiri; PO Box 30552; 00100; Nairobi, Kenya
Phone + 254 20 621234 • Fax + 254 20 624489/90

This is an environmental impact assessment resource training manual. It provides support in capacity development in EIA. It contains a set of tools for trainers who have experience in environmental assessment's and understanding of environmental assessments.

www.unep.ch/etu/publications/Compendium_toc.htm
This compendim contains a series of case studies of EIA (and elements of SEA) practice in developing and transitional countries. The case studies have been prepared by EIA specialists from developing countries to exemplify how the EIA process is implemented in

different parts of the developing world and to identify difficulties that are commonly encountered in EIA practice in this context.

www.iaia.org/Members/Publications/Guidelines_Principles/Principles%20of%20IA.PDF
This document provides guidelines for environmental assessment practitioners and IAIA members. It looks at the principles that govern EIA as well as principles of best practice in environmental assessment.

Department of Water Affairs and Forestry
www.dwaf.gov.za/Documents/Other/GPPG/guide.pdf
Private Bag X313; Pretoria; 0001; South Africa
Phone +27 12 336 7500 • Fax +27 12 336 8947

These guidelines are meant for government officials to help improve decision making and gives officials a better understanding of the value of public participation during environmental assessment's. It also provides methods of incorporating public participation in various activities.

United Nations Economic Commission for Europe
www.unece.org/env/pp/welcome.html
www.unece.org/env/pp/ecases/handbook.pdf   **www.unece.org**
info.ece@unece.org
Information Service
Palais des Nations, CH – 1211; Geneva 10; Switzerland
Phone +41 0 22 917 1234 • **Fax** +41 0 22 917 0505

This document looks at the importance of public participation in local decision making. It provides users with information on their rights to information, consultation and participation techniques.

Regional Environmental Centre for Central and Eastern Europe
www.rec.org/REC/Publications/PPTraining/cover.html   **www.rec.org**
REC Head Office
2000 Szentendre; Ady Endre út 9-11; Hungary
Phone +36 26 504 000 • Fax +36 26 311 294

This is a manual for guidelines on public participation in environmental decision making and provides policymakers and the public with knowledge of the possibilities, difficulties, and restrictions of public involvement in the development and implementation of environmental and nature protection policies, and to identify legislative and other tools for advancing this public involvement.

www.mos.gov.pl/aarhus/dokumenty/PUBLIC_PARTICIP_in_EIA_Procedures_in_Poland_handbook.pdf **www.mos.gov.pl**
This handbook looks specifically at Polish legislation relating to environmental assessment's and the role of public participation in the process. It provides a step by step guide to setting up a public participation process.

Lawyers' Environmental Action Team
www.leat.or.tz/publications/env.handbook/2.6.public.part.php
leat@mediapost.co.tz

Mazingira House, Mazingira Street; Tanzania
Mikocheni Area; P. O. Box 12605; Dar es Salaam

This Environmental Law handbook aims at assisting businesses in Tanzania by identifying environmental problems that may arise due to the business they conduct. It explains the various laws and regulations governing the various sectors of the economy and the civil society's right to be part of a process.

Organisation for Economic Co-operation and Development
www1.oecd.org/publications/e-book/4201141E.PDF   **www.oecd.org/home/**
2, rue André Pascal; F-75775 Paris Cedex 16; France
Phone +33 1.45.24.82.00 • Fax +33 1.45.24.85.00

This handbook provides guidelines on information, consultation and public participation in policy making.

www.acdi-cida.gc.ca/cida_ind.nsf/vPrintNewsReleaseEn/942B45639E455C0785256B910062C7D8
This sets out the policy for the Canadian International Development Agency (CIDA) on human rights, democratization and good governance. It aims to enhance the capacity of developing countries with respect to human rights, and provides information to governments on governing effectively and in a democratic manner.

Books and articles

Alexander, E.R. 1992. *Approaches to Planning*, Second Edition, Philadelphia: Gordon and Breach Science Publishers.

Arnstein, S.R. 1969. A ladder of citizen participation, *Journal of American Institute of Planners*, Vol 35.

Canadian Round Tables 1994. *Building Consensus for a Sustainable Future: Guiding Principles*, Canadian Round Tables.

Carl Bruch. 2002. The New "Public": The Globalization of Public Participation.
Available online at: www.eli.org – Publications.

Carpenter, S.L. & W.J.D. Kennedy 1988. *Managing Public Disputes*, San Francisco: Jossey Bass.

Connor, D.M. 1972. From Partisans to Partners, *Community Planning Review*, 22(1).

Creighton 1993. *Involving Citizens in Community Decision Making: A Guidebook*, Washington D.C.:Programme for Community Problem-Solving.

Dukes, E.F. 1996. *Resolving Public Conflict: Transforming community and governance*, Manchester: Manchester University Press.

Glavovic, B.C. 1998. *Public Participation and the Environment*, Enviro Fact Sheet, Share-Net, South Africa.

Healey, P. 1995. Discourses of Integration: Making Frameworks for Democratic Urban Planning, in Healey, P., Cameron, S., Davoudi, S. Graham, S. & A. Madani-Pour (eds.) *Managing Cities: The New Urban Context*, John Wiley & Sons Ltd, pp251-272.

London, S. 1995. Building Collaborative Communities, Paper prepared for the Pew Partnership for Civic Change, see london@rain.org

Plummer, J. 2000. *Municipalities and Community Participation*, Earthscan Publications.

Annexure E

International Association for Public Participation Toolbox

2

THE IAP2 PUBLIC PARTICIPATION TOOLBOX

Techniques to share information

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
PRINTED PUBLIC INFORMATION MATERIALS			
●Fact Sheets ●Newsletters ●Brochures ●Issue Papers	●KISS!-Keep It Short and Simple ●Make it visually interesting but avoid a slick sales look ●Include a postage-paid comment form to encourage two-way communication and to expand mailing list ●Be sure to explain public role and how public comments have affected project decisions. Q&A format works well	●Can reach large target audience ●Allows for technical and legal reviews ●Encourages written responses if comment form enclosed ●Facilitates documentation of public involvement process	●Only as good as the mailing list/distribution network ●Limited capability to communicate complicated concepts ●No guarantee materials will be read
INFORMATION REPOSITORIES			
Libraries, city halls, distribution centers, schools, and other public facilities make good locations for housing project-related information	●Make sure personnel at location know where materials are kept ●Keep list of repository items ●Track usage through a sign-in sheet	●Relevant information is accessible to the public without incurring the costs or complications of tracking multiple copies sent to different people ●Can set up visible distribution centers for project information	●Information repositories are often not well used by the public
TECHNICAL REPORTS			
Technical documents reporting research or policy findings	●Reports are often more credible if prepared by independent groupss	●Provides for thorough explanation of project decisions	●Can be more detailed than desired by many participants ●May not be written in clear, accessible language
ADVERTISEMENTS			
Paid advertisements in newspapers and magazines	●Figure out the best days and best sections of the paper to reach intended audience ●Avoid rarely read notice sections	●Potentially reaches broad public	●Expensive, especially in urban areas ●Allows for relatively limited amount of information
NEWSPAPER INSERTS			
A "fact sheet " within the local newspaper	●Design needs to get noticed in the pile of inserts ●Try on a day that has few other inserts	●Provides community-wide distribution of information ●Presented in the context of local paper, insert is more likely to be read and taken seriously ●Provides opportunity to include public comment form	●Expensive, especially in urban areas

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
FEATURE STORIES			
Focused stories on general project-related issues	●Anticipate visuals or schedule interesting events to help sell the story ●Recognize that reporters are always looking for an angle	●Can heighten the perceived importance of the project ●More likely to be read and taken seriously by the public	●No control over what information is presented or how
BILL STUFFER			
Information flyer included with monthly utility bill	●Design bill stuffers to be eye-catching to encourage readership	●Widespread distribution within service area ●Economical use of existing mailings	●Limited information can be conveyed ●Message may get confused as from the mailing entity
PRESS RELEASES			
	●Fax or e-mail press releases or media kits ●Foster a relationship of editorial board and reporters	●Informs the media of project milestones ●Press release language is often used directly in articles ●Opportunity for technical and legal reviews	●Low media response rate ●Frequent poor placement of press release within newspapers
NEWS CONFERENCES			
	●Make sure all speakers are trained in media relations	●Opportunity to reach all media in one setting	●Limited to news-worthy events
TELEVISION			
Television programming to present information and elicit audience response	●Cable options are expanding and can be inexpensive ●Check out expanding video options on the internet	●Can be used in multiple geographic areas ●Many people will take the time to watch rather than rea	●High expense ●Difficult to gauge impact on audience
INFORMATION CENTERS AND FIELD OFFICES			
Offices established with prescribed hours to distribute information and respond to inquiries	●Provide adequate staff to accommodate group tours ●Use brochures and videotapes to advertise and reach broader audience ●Consider providing internet access station ●Select an accessible and frequented location	●Provides opportunity for positive media coverage at groundbreaking and other significant events ●Excellent opportunity to educate school children ●Places information dissemination in a positive educational setting ●Information is easily accessible to the public ●Provides an opportunity for more responsive ongoing communications focused on specific public involvement activities	●Relatively expensive, especially for project-specific use ●Access is limited to those in vicinity of the center unless facility is mobile

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
EXPERT PANELS			
Public meeting designed in "Meet the Press" format. Media panel interviews experts from different perspectives.	●Provide opportunity for participation by general public following panel ●Have a neutral moderator ●Agree on ground rules in advance ●Possibly encourage local organizations to sponsor rather than challenge	●Encourages education of the media ●Presents opportunity for balanced discussion of key issues ●Provides opportunity to dispel scientific misinformation	●Requires substantial preparation and organization ●May enhance public concerns by increasing visibility of issues
BRIEFINGS			
Use regular meetings of social and civic clubs and organizations to provide an opportunity to inform and educate. Normally these groups need speakers. Examples of target audiences: Rotary Club, Lions Clubs, Elks Clubs, Kiwanis, League of Women Voters. Also a good technique for elected officials.	●KISS -Keep it Short and Simple ●Use "show and tell" techniques ●Bring visuals	●Control of information/presentation ●Opportunity to reach a wide variety of individuals who may not have been attracted to another format ●Opportunity to expand mailing list ●Similar presentations can be used for different groups ●Builds community good will	●Project stakeholders may not be in target audiences ●Topic may be too technical to capture interest of audience
CENTRAL INFORMATION CONTACT			
Identify designated contacts for the public and media	●If possible, list a person not a position ●Best if contact person is local ●Anticipate how phones will be answered ●Make sure message is kept up to date	●People don't get "the run around" when they call ●Controls information flow ●Conveys image of "accessibility"	●Designated contact must be committed to and prepared for prompt and accurate responses ●May filter public message from technical staff and decision makers ●May not serve to answer many of the toughest questions
WEB SITES			
A Web site provides information and links to other sites through the World Wide Web. Electronic mailing lists are included.	●A good home page is critical ●Each Web page must be independent ●Put critical information at the top of page ●Use headings, bulleted and numbered lists to steer user	●Reaches across distances ●Makes information accessible anywhere at any time ●Saves printing and mailing costs	●User may not have easy access to the Internet or knowledge of how to use computers ●Large files or graphics can take a long time to download
TECHNICAL INFORMATION CONTACT			
Providing access to technical expertise to individuals and organizations	●The technical resource must be perceived as credible by the audience	●Builds credibility and helps address public concerns about equity ●Can be effective conflict resolution technique where facts are debated	●Limited opportunities exist for providing technical assistance ●Technical experts may counter project information

Techniques to compile input and provide feedback

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
INFORMATION HOT LINE			
Identify a separate line for public access to prerecorded project information or to reach project team members who can answer questions/obtain input	•Make sure contact has sufficient knowledge to answer most project-related questions •If possible, list a person not a position •Best if contact person is local	•People don′t get "the run around″ when they call •Controls information flow •Conveys image of "accessibility″ •Easy to provide updates on project activities	•Designated contact must be committed to and prepared for prompt and accurate responses
INTERVIEWS			
One-to-one meetings with stakeholders to gain information for developing or refining public involvement and consensus building programs	•Where feasible, interviews should be conducted in-person, particularly when considering candidates for citizens committees	•Provides opportunity for in-depth information exchange in non-threatening forum •Provides opportunity to obtain feedback from all stakeholders •Can be used to evaluate potential citizen committee members	•Scheduling multiple interviews can be time consuming
IN-PERSON SURVEYS			
One-on-one "focus groups″ with standardized questionnaire or methodology such as "stated preference″	•Make sure use of result is clear before technique is designed •	•Provides traceable data •Reaches broad, representative public	•Expensive
RESPONSE SHEETS			
Mail-In-forms often included in fact sheets and other project mailings to gain information on public concerns and preferences	•Use prepaid postage •Include a section to add name to the mailing list •Document results as part of public involvement record	•Provides input from those who would be unlikely to attend meetings •Provides a mechanism for expanding mailing list	•Does not generate statistically valid results •Only as good as the mailing list •Results can be easily skewed
MAILED SURVEYS & QUESTIONNAIRES			
Inquiries mailed randomly to sample population to gain specific information for statistical validation	•Make sure you need statistically valid results before making investment •Survey/questionnaire should be professionally developed and administered to avoid bias •Most suitable for general attitudinal surveys	•Provides input from individuals who would be unlikely to attend meetings •Provides input from cross-section of public not just activists •Statistically tested results are more persuasive with political bodies and the general public	•Response rate is generally low •For statistically valid results, can be labor intensive and expensive •Level of detail may be limited

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
TELEPHONE SURVEYS/POLLS			
Random sampling of population by telephone to gain specific information for statistical validation	• Make sure you need statistically valid results before making investment • Survey/Questionnaire should be professionally developed and administered to avoid bias • Most suitable for general attitudinal surveys	• Provides input from individuals who would be unlikely to attend meetings • Provides input from cross-section of public, not just those on mailing list • Higher response rate than with mail-in surveys	• More expensive and labor intensive than mailed surveys
INTERNET SURVEYS/POLLS			
Web-based response polls	• Be precise in how you set up site, chat rooms or discussion places can generate more input than you can look at	• Provides input from individuals who would be unlikely to attend meetings • Provides input from cross-section of public, not just those on mailing list • Higher response rate than other communication forms	• Generally not statistically valid results • Can be very labor intensive to look at all of the responses • Cannot control geographic reach of poll • Results can be easily skewed
COMPUTER-BASED POLLING			
Surveys conducted via computer network	• Appropriate for attitudinal research	• Provides instant analyses of results • Can be used in multiple areas • Novelty of technique improves rate of response	• High expense • Detail of inquiry is limited
COMMUNITY FACILITATORS			
Use qualified individuals in local community organizations to conduct project outreach	• Define roles, responsibilities and limitations up front • Select and train facilitators carefully	• Promotes community-based involvement • Capitalizes on existing networks • Enhances project credibility	• Can be difficult to control information flow • Can build false expectations
FOCUS GROUPS			
Message testing forum with randomly selected members of target audience. Can also be used to obtain input on planning decisions	• Conduct at least two sessions for a given target • Use a skilled focus group facilitator to conduct the session	• Provides opportunity to test key messages prior to implementing program • Works best for select target audience	• Relatively expensive if conducted in focus group testing facility
DELIBERATIVE POLLING			
Measures informed opinion on an issue	• Do not expect or encourage participants to develop a shared view • Hire a facilitator experienced in this technique	• Can tell decision-makers what the public would think if they had more time and information • Exposure to different backgrounds, arguments, and views	• Resource intensive • Often held in conjunction with television companies • 2 – 3 day meeting

Techniques to bring people together

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
SIMULATION GAMES			
Exercises that simulate project decisions	●Test "game" before using ●Be clear about how results will be used	●Can be designed to be an effective educational/training technique, especially for local officials	●Requires substantial preparation and time for implementation ●Can be expensive
TOURS			
Provide tours for key stakeholders, elected officials, advisory group members and the media	●Know how many participants can be accommodated and make plans for overflow ●Plan question/answer session ●Consider providing refreshments ●Demonstrations work better than presentations	●Opportunity to develop rapport with key stakeholders ●Reduces outrage by making choices more familiar	●Number of participants is limited by logistics ●Potentially attractive to protestors
OPEN HOUSES			
An open house to allow the public to tour at their own pace. The facility should be set up with several stations each addressing a separate issue. Resource people guide participants through the exhibits.	●Someone should explain format at the door ●Have each participant fill out a comment sheet to document their participation ●Be prepared for a crowd all at once - develop a meeting contingency plan ●Encourage people to draw on maps to actively participate ●Set up stations so that several people (6-10) can view at once	●Foster small group or one-on-one communications ●Ability to draw on other team members to answer difficult questions ●Less likely to receive media coverage ●Builds credibility	●Difficult to document public input ●Agitators may stage themselves at each display ●Usually more staff intensive than a meeting
COMMUNITY FAIRS			
Central event with multiple activities to provide project information and raise awareness	●All issues, large and small must be considered ●Make sure adequate resources and staff are available	●Focuses public attention on one element ●Conducive to media coverage ●Allows for different levels of information sharing	●Public must be motivated to attend ●Usually expensive to do it well ●Can damage image if not done well
COFFEE KLATCHES			
Small meetings within neighborhood usually at a person's home	●Make sure staff is very polite and appreciative	●Relaxed setting is conducive to effective dialogue ●Maximizes two-way communication	●Can be costly and labor intensive

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
MEETINGS WITH EXISTING GROUPS			
Small meetings with existing groups or in conjunction with another event	●Understand who the likely audience is to be ●Make opportunities for one-on-one meetings	●Opportunity to get on the agenda ●Provides opportunity for in-depth information exchange in non-threatening forum	●May be too selective and can leave out important groups
WEB-BASED MEETINGS			
Meetings that occur via the Internet	●Tailor agenda to your participants ●Combine telephone and face-to-face meetings with Web-based meetings. ●Plan for graphics and other supporting materials	●Cost and time efficient ●Can include a broader audience ●People can participate at different times or at the same time ●	●Consider timing if international time zones are represented ●Difficult to manage or resolve conflict
COMPUTER-FACILITATED WORKSHOP			
Any sized meeting when participants use interactive computer technology to register opinions	●Understand your audience, particularly the demographic categories ●Design the inquiries to provide useful results ●Use facilitator trained in the technique	●Immediate graphic results prompt focused discussion ●Areas of agreement/disagreement easily portrayed ●Minority views are honored ●Responses are private ●Levels the playing field	●Software limits design ●Potential for placing too much emphasis on numbers ●Technology failure
PUBLIC HEARINGS			
Formal meetings with scheduled presentations	●Avoid if possible	●Provides opportunity for public to speak without rebuttal	●Does not foster constructive dialogue ●Can perpetuate an us vs.them feeling
DESIGN CHARRETTES			
Intensive session where participants re-design project features	●Best used to foster creative ideas ●Be clear about how results will be used	●Promotes joint problem solving and creative thinking	●Participants may not be seen as representative by larger public
CONSENSUS BUILDING TECHNIQUES			
Techniques for building consensus on project decisions such as criteria and alternative selection. Often used with advisory committees. Techniques include Delphi, nominal group technique ,public value assessment and many others.	●Use simplified methodology ●Allow adequate time to reach consensus ●Consider one of the computerized systems that are available ●Define levels of consensus, i.e. a group does not have to agree entirely upon a decision but rather agree enough so the discussion can move forward	●Encourages compromise among different interests ●Provides structured and trackable decision making	●Not appropriate for groups with no interest in compromise ●Clever parties can skew results ●Does not produce a statistically valid solution ●Consensus may not be reached

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
ADVISORY COMMITTEES			
A group of representative stakeholders assembled to provide public input to the planning process	• Define roles and responsibilities up front • Be forthcoming with information • Use a consistently credible process • Interview potential committee members in person before selection • Use third party facilitation	• Provides for detailed analyses for project issues • Participants gain understanding of other perspectives, leading toward compromise	• General public may not embrace committee's recommendations • Members may not achieve consensus • Sponsor must accept need for give-and-take • Time and labor intensive
TASK FORCES			
A group of experts or representative stakeholders formed to develop a specific product or policy recommendation	• Obtain strong leadership in advance • Make sure membership has credibility with the public	• Findings of a task force of independent or diverse interests will have greater credibility • Provides constructive opportunity for compromise	• Task force may not come to consensus or results may be too general to be meaningful • Time and labor intensive
PANELS			
A group assembled to debate or provide input on specific issues	• Most appropriate to show different news to public • Panelists must be credible with public	• Provides opportunity to dispel misinformation • Can build credibility if all sides are represented • May create wanted media attention	• May create unwanted media attention
CITIZEN JURIES			
Small group of ordinary citizens empanelled to learn about an issue, cross examine witnesses, make a recommendation. Always non-binding with no legal standing	• Requires skilled moderator • Commissioning body must follow recommendations or explain why • Be clear about how results will be used	• Great opportunity to develop deep understanding of an issue • Public can identify with the "ordinary" citizens • Pinpoint fatal flaws or gauge public reaction	• Resource intensive
ROLE-PLAYING			
Participants act out characters in pre-defined situation followed by evaluation of the interaction	• Choose roles carefully. Ensure that all interests are represented. • People may need encouragement to play a role fully	• Allow people to take risk-free positions and view situation from other perspectives • Participants gain clearer understanding of issues	• People may not be able to actually achieve goal of seeing another's perspective
SAMOAN CIRCLE			
Leaderless meeting that stimulates active participation	• Set room up with center table surrounded by concentric circles • Need microphones • Requires several people to record discussion	• Can be used with 10 to 500 people • Works best with controversial issues	• Dialogue can stall or become monopolized

TECHNIQUE	ALWAYS THINK IT THROUGH	WHAT CAN GO RIGHT	WHAT CAN GO WRONG
OPEN SPACE TECHNOLOGY			
Participants offer topics and others participate according to interest	●Important to have a powerful theme or vision statement to generate topics ●Need flexible facilities to accommodate numerous groups of different sizes ●Groundrules and procedures must be carefully explained for success	●Provides structure for giving people opportunity and responsibility to create valuable product or experience ●Includes immediate summary of discussion	●Most important issues could get lost in the shuffle ●Can be difficult to get accurate reporting of results
WORKSHOPS			
An informal public meeting that may include a presentations and exhibits but ends with interactive working groups	●Know how you plan to use public input before the workshop ●Conduct training in advance with small group facilitators. Each should receive a list of instructions, especially where procedures involve weighting/ranking of factors or criteria	●Excellent for discussions on criteria or analysis of alternatives ●Fosters small group or one-to-one communication ●Ability to draw on other team members to answer difficult questions ●Builds credibility ●Maximizes feedback obtained from participants ●Fosters public ownership in solving the problem	●Hostile participants may resist what they perceive to be the "divide and conquer" strategy of breaking into small groups ●Several small-group facilitators are necessary
FUTURE SEARCH CONFERENCE			
Focuses on the future of an organization, a network of people, or community	●Hire a facilitator experienced in this technique	●Can involve hundreds of people simultaneously in major organizational change decisions ●Individuals are experts ●Can lead to substantial changes across entire organization	●Logistically challenging ●May be difficult to gain complete commitment from all stakeholders ●2 — 3 day meeting

Annexure F

Templates and Samples

2

1   TEMPLATE FOR AN INFORMATION PAMPHLET

The template provides suggestions for the topics that need to be covered in an information pamphlet. Consult Annexure A for tips on accessible writing. Include pictures where possible.

NAME OF THE PROJECT / DEVELOPMENT
ENVIRONMENTAL ASSESSMENT PROCESS
Date

Purpose of this Document
Provide a short one sentence paragraph on what development is proposed.

Indicate what the purpose of the document is and what is contains.

Example:

This document provides you with:

- *An overview of the background and reason for the development;*
- *Information about the site and what is proposed;*
- *An explanation of the environmental assessment process; and,*
- *Suggestion on how you can become involved in the process.*

Background and Context
Provide an explanation of any pertinent background information or context the stakeholders need to know. This may include an explanation of what the problem is that necessitates the development or the history of the development.

Project Proposal
Explain what is proposed for the development. Provide specific details of proposals. You may also wish to include a description of the site or area of the proposed development. Include maps, pictures and illustrations.

The EIA and Public Participation Process
Describe the legal requirements for the environmental assessment process. Describe the proposed environmental assessment process.

Clearly indicate what opportunities are provided for stakeholders to become involved. If appropriate, provide the details of any events you are proposing.

Do not forget to provide the name and contact details of a person stakeholders can contact to get more information.

---

2   TEMPLATE FOR A RECORD OF AN EVENT

Use this template when you are drawing up minutes or a record of a discussion at a meeting or workshop.

HEADING (NAME OF PROJECT)
Date of Event
Location

Attendees and Apologies
Provide a list of attendees and apologies. This list could be appended to the end of the record.
You can provide an attendance register for people to fill in or collect the names of attendees at the event. In cases of very large meetings it may not be possible to collect that names of each attendee. In such cases, make sure that you collect the names of representatives or organisations that represent large groups of the attendees.

Introduction
Provide a brief overview of the purpose of the event. If it was a public meeting this is a good place to record what the agenda of the meeting was.

Presentations
If information was presented, summarise it here for the benefit of people who may not have attended the meeting. It will also serve to remind attendees of the content of any presentations.

Output / Issues / Discussion
Record all issues that were discussed, decisions that were taken or information that was generated during the event. Record how issues were addressed. If undertakings were made by any attendees these should be noted as requiring follow up.

The record of the discussion can be presented in a number of ways. You could:

- Do a word for word record or summarise the issues raised by participants;
- Organise the record in chronological order or group the issues raised into issue categories
- Note who raised the issues unless the participant want to remain anonymous
- Either set out the record of the discussion in a table or keep it in paragraphs.

Keep your audience in mind when selecting how you want to present the record of discussions.

Summary and Way Forward
Summarise the outcome of the event. Make sure that you record what the 'next steps' are in the process.
Also provide a date by which participants must submit comments on the record.

---

3   TEMPLATE ATTENDENCE REGISTER

Use this template to keep a record of the details of participants attending events

(PROJECT NAME)

ATTENDANCE REGISTER

(Event Location)

(DATE AND TIME)

Participant's Name	Capacity	Organisation Name	Postal Address	Phone Number	Fax Number	Email

4   SAMPLE LETTERS

Letters can be a powerful means of communicating your issues in writing.   Outlined below are:

• General tips for letter writing;
• Examples of the types of letter you may wish to write;
• Tips on the content of possible letters.

GENERAL TIPS

• Keep your letter short and to the point. Limit the number of issues you discuss in your letter. Do not try to address too many issues in a single letter.
• Follow the layout provided below.
• Provide a clear and concise heading that alerts the reader to the content of the letter.
• Follow the tips for accessible communication in Annexure A.

• **First paragraph:**
  State who you are and what issue you are writing about upfront. Keep the first paragraph short and to the point.

• **Body of the letter**
  This may consist of one or more paragraphs. Develop your argument clearly and logically. Keep it factual. Discuss one aspect per paragraph. The first sentence of each paragraph is the most important.   Set out the main idea that the paragraph discusses in the first sentence.

• **The final paragraph**
  Conclude your letter with a summary of what you would like to see happen. Be positive and unambiguous.

Provide your contact details

Bara Community Action Association
PO Box 2345
Bara
Namibia
Tel: +44 63 271 454
Fax: +44 63 271 453
email: bara@aol.com

20 December 2004

Provide a date

The Director
Dam Builders Incorporated
PO Box 8746
Windhoek
Namibia
3054

Attention: Mr Lewsky

Address your letter to a specific person if you know the their name

Dear Mr Lewsky

HEADING

Give a clear concise heading which indicates the content of the letter

First Paragraph: State who you are and what issue you are writing about upfront. Keep the first paragraph short and to the point.

Body of the letter: This may consist of one or more paragraphs. Develop your argument clearly and logically. Keep it factual. Discuss one aspect per paragraph. The first sentence of each paragraph is the most important. Set out the main idea that the paragraph discusses in the first sentence.

The final paragraph: Conclude your letter with a summary of what you would like to see happen. Be positive and unambiguous.

Yours sincerely

Peter Noma
Community Leader

EXAMPLES OF LETTERS FOR CIVIL SOCIETY GROUPS

You may wish to write a letter to:

- Inform government or proponent of right to participate and be engaged
- Inform government or proponent of how a community wishes to be consulted
- Clarify for government or proponent the issues that are of significance
- Request information pertinent to the EA and the potential environmental effects
- Request advocacy assistance from NGO's and the media

INFORM THE DEVELOPER OF THE RIGHT TO PARTICIPATE

<div>

Your organisation or community name
Address
Town
Postal Code
Contact numbers
Email

Date

Designation of the Recipient
Recipient's Organisation
Address
Town
Postal Code

Attention: *(insert recipients name)*

Dear *(insert name)*

(insert project name): **THE RIGHT TO PARTICIPATE IN THE ENVIRONMENTAL ASSESSMENT PROCESS**

Our community has the right to participate in the environmental assessment process for the *(insert project name)*. The right to participate is clearly established in *(insert your country's name)*'s legislation and common law. Furthermore, our participation could have significant benefits for your proposed development.

The right to participate is established clearly in:

(Insert A bulleted list of where the right to participate is provided for in your country's legislation. SAIEA has a document that sets out these rights to participate)

Our participation in the environmental process could have significant benefits for your project as:

- You will be able to access our knowledge of local conditions that you may not be aware of;
- The participation process will assist you in identifying key issues. Any required studies will be focussed on these key issues as opposed to a broad range of issues;
- We can assist in identifying measures to reduce impacts on our community and enhance the benefits flowing from your development;
- Your image and reputation will be enhanced.

In conclusion, we trust that we will be invited to participate in the environmental assessment. We look forward to hearing from you and hope that we can develop a good working relationship on the *(insert project name)* project.

Yours sincerely

(insert your name and signature)

</div>

INFORM THE DEVELOPER OR PUBLIC PARTICIPATION PRACTITIONER OF HOW A COMMUNITY WISHES TO BE CONSULTED

Your organisation or community name
Address
Town
Postal Code
Contact numbers
Email

Date

Designation of the Recipient
Recipient's Organisation
Address
Town
Postal Code

Attention: *(insert recipients name)*

Dear *(insert name)*

(insert project name): **SUGGESTED FORMAT OF PARTICIPATION OPPORTUNITIES**

Thank you for the opportunity to be involved in the public participation process for the (insert project name) development. We have a number of suggestions for the manner in which we would like to be consulted during the public participation process. These suggestions are based on our local culture and traditions and would aid our involvement in the process.

We would suggest the following for communications. Please:

- Communicate with us in *(insert language)*;
- Provide information in *(insert the format in which you would like information e.g. written or oral, level of accessibility etc)*; and,
- Place notices or information at *(insert the location / s which are most suitable)*.

We would like to interact with you at (Insert type/s of participation event/s). These sorts of events are more suitable because *(insert reasons why you would prefer the type/s of events/s)*.

Practically, please consider the following:

- The most suitable times for events are *(insert the day of the week and time of the day)*.
- *(Insert the day of the week and time of the day)* are completely unsuitable *as (insert reasons why the day or time is unsuitable e.g. moslems may attend Mosque on Fridays)*
- *(Insert location of a suitable venue)* is a good location for events as it is accessible to everyone in our community;
- We require assistance with *(insert nature of assistance you require e.g. transport)* in order to be able to effectively participate.

We hope that the suggestions outlined above will be of assistance to you and look forward to being involved in the public participation process for the (insert project name) development.

Yours sincerely

(insert your name and signature)

CLARIFY FOR THE DEVELOPER OR ENVIRONMENTAL ASSESSMENT PRACTITIONER THE ISSUES THAT ARE OF SIGNIFICANCE

<div style="border:1px solid black; padding:1em;">

<div align="right">
Your organisation or community name
Address
Town
Postal Code
Contact numbers
Email
</div>

Date

Designation of the Recipient
Recipient's Organisation
Address
Town
Postal Code

Attention: *(insert recipients name)*

Dear *(insert name)*

(insert project name): **POSSIBLE ISSUES AND IMPACTS**

Outlined below are a number of issues associated with the *(insert project name)* development, that we believe are of significance. The issues are based on information we received *(state the source of your information, e.g., at the public meeting at XXX on XX)*.

Each following paragraphs should deal with a single issue at a time. State:
- *What the issue is;*
- *Why it is a concern or possible benefit;*
- *The consequences if it is not adequately addressed;*
- *Alternative proposals or suggestions.*

Example 1:
*The proposed dam at Bara will flood our communal fields **(the issue)**. These fields are the only fields that we have in which to grow the food upon which we are dependent **(why it is a concern)**. If the fields are flooded we will no longer be able to grow crops and will no longer have a secure source of food. We cannot afford to buy food from other farmers **(the consequences)**. If the dam wall is moved 1km up the river, our fields would not be flooded **(the alternative suggestion)**.*

Example 2:
*It is inappropriate to have an upmarket hotel built on the foredune at Breakers Beach **(the issue)**. The area is currently a wilderness area and is used our community and by other surrounding impoverished communities **(why it is a concern)**. The development would change the sense of place of the area. It would exclude our community from the area and there is no alternative recreation area **(the consequences)**. We believe that hotel should be moved further away from the coast. In addition, access for our community and other surrounding communities should be provided **(the alternative suggestion)**.*

We look forward to hearing from you about how these issues will be addressed.

Yours sincerely
(insert your name and signature)

</div>

REQUEST INFORMATION PERTINENT TO THE ENVIRONMENTAL ASSESSMENT AND THE POTENTIAL ENVIRONMENTAL EFFECTS

<div style="text-align: right">

Your organisation or community name
Address
Town
Postal Code
Contact numbers
Email

</div>

Date

Designation of the Recipient
Recipient's Organisation
Address
Town
Postal Code

Attention: *(insert recipients name)*

Dear *(insert name)*

(insert project name): **REQUEST FOR INFORMATION**

Please could you send us information on the *(insert project name)* development. We would like clarity on the points outlined below.

Each following paragraphs should deal with a single issue at a time. State:
- *What the aspect is;*
- *The nature of the uncertainty;*
- *Precisely what information you require;*

Example 1
*Where will the dam be located at Bara? **(the issue)**. We are unclear about the extent of the area which will be flooded **(your uncertainty)**. Please could you let us know:*

- *The precise location of the dam wall*
- *How high the dam wall will be*
- *How big an area will be flooded*
- *Where the shoreline of the new dam will be when it is full.*
(the precise information you require)

Example 2
*The hotel will be built on the foredune at Breakers Beach **(the issue)**. How will the presence of this upmarket hotel affect the current wilderness feel of the area?**(your uncertainty)** In particular, we wish to know:*

- *How many visitors will be accommodated?*
- *How will the visitors be managed to reduce the impact on the peace and quiet of the area?*
- *How will the hotel be painted or designed so that it does not stand out or spoil the views in the area?*
(the precise information you require)

We look forward to having these issues clarified and receiving the information.

Yours sincerely
(insert your name and signature)

11

REQUEST ADVOCACY ASSISTANCE FROM NGO'S AND THE MEDIA

> Your organisation or community name
> Address
> Town
> Postal Code
> Contact numbers
> Email
>
> Date
>
> Designation of the Recipient
> Recipient's Organisation
> Address
> Town
> Postal Code
>
> **Attention:** *(insert recipients name)*
>
> Dear *(insert name)*
>
> *(insert project name)*: **REQUEST FOR ASSISTANCE**
>
> We represent the *(insert name)* community and are concerned about the *(insert project name)* development. We would like to request your assistance in the environmental assessment process to (*insert the nature of the assistance you require e.g. placing an article, lobbying the developer).*
>
> - *First provide details of the development proposal and how you believe it will affect your community.*
> - *Provide details on why you need assistance and the nature of the assistance required.*
>
> *Example:*
> *We represent the Zebedea community in Norask and we are concerned about a proposal to erect a casino in our town. We would like to request your assistance in the environmental assessment process in bringing our concerns to the attention of the developer and the authorities.*
>
> *We are a small group of committed Christians living in a closely knit society in Norask. As a community we collectively endeavour to raise our children and run our affairs in accordance with our religious beliefs.*
>
> *We believe that proposed casino will affect the fabric of our community. Alcohol will be on sale, which is against our beliefs. In addition, the casino will introduce visitors who will not respect our beliefs and may negatively influence our children.*
>
> *A public participation process is currently being conducted in our community to assess the impacts of the proposed development. We do not feel that our concerns are receiving sufficient attention and fear that the development will be approved and our concerns not addressed to the detriment of our way of life.*
>
> *We have limited skills and resources to make sure that our voice is heard. We therefore appeal that you assist in bringing our concerns to the attention of the proponent and authorities in a meaningful manner and ensuring that they are responsibly addressed.*
>
> We look forward to your response.
>
> Yours sincerely
> *(insert your name and signature)*

APPEAL AGAINST A FORMAL DECISION FROM A GOVERNMENT DECISION MAKING BODY

<div align="right">

Your organisation or community name
Address
Town
Postal Code
Contact numbers
Email

</div>

Date

Designation of the Recipient
Recipient's Organisation
Address
Town
Postal Code

Attention: *(insert recipient's name)*

Dear *(insert name)*,

(insert project name): **APPEAL AGAINST DECISION**

We are writing to appeal against your decision on the environmental assessment for *(insert project name)*. We represent *(insert details regarding your community or organisation)*.

The reason for our appeal is because *(insert a brief summary of why you are making the appeal. Indicate if you are appealing against the whole decision, or just a part of it)*.

Each following paragraph should provide detail on each issue of concern you have about the decision. State:
- *What the issue of concern is;*
- *Why it is a concern to you. Include detail on the consequences of the decision in relation to the issue; and,*
- *Propose an alternative decision.*

Example 1:
We are concerned that you have given permission for the proposed dam at Bara, which will flood our communal fields *(the issue of concern)*. We are dependent on the fields to grow food. These are the only fields we have to do this. If the fields are flooded we will be denied our ability to have a secure supply of food. We cannot afford to buy food elsewhere *(why it is a concern)*. We would propose that you approve the construction of the dam at a location 1km up the river. If this happens our fields will not be flooded *(alternative decision)*.

Example 2:
We are concerned that you have given permission for the proposed hotel to be built on the foredune at Breakers Beach *(the issue of concern)*. We are concerned that if the hotel is built it will not only change the sense of place in the area, but it will also exclude the poor local community from the area which they now use for recreation *(why it is a concern)*. As there is no alternative location for a hotel in the area, we would request that you review your decision, and not permit the hotel to be developed *(alternative decision)*.

In conclusion we wish to restate our objection to the decision for the reasons stated above, and call for your careful consideration of our appeal.

Yours sincerely,
(insert your name and signature)