

## Topic 3—Public involvement

### Objectives

To understand the role, scope and contribution of public involvement in the EIA and decision-making processes.

To recognise the options by which the public can be involved at different stages of the EIA process.

To identify the principles and requirements for meaningful consultation with stakeholders and the tools and techniques that can be used for this purpose.

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### Relevance

Public involvement is a fundamental principle of EIA. The inclusion of the views of the affected and interested public helps to ensure the decision making process is equitable and fair and leads to more informed choice and better environmental outcomes.

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### Timing

Three to four hours (not including training activity).

#### **Important note to trainers**

*You should design your presentation with the needs and background of participants in mind, and concentrate on those sections most relevant to your audience. The session presentation timings are indicative only.*

*Time taken for the training activities can vary enormously depending on the depth of treatment, the existing skills and knowledge of participants and the size of the group.*



## Information checklist

Obtain or develop the following, as appropriate:

- sections of EIA legislation and procedure that make provision for public involvement;
- any guidance relevant to the application of public involvement locally;
- examples of involvement techniques that have been used or are relevant locally;
- case examples of public involvement programmes which demonstrate good and bad practice;
- estimates of the resources necessary to support a public involvement programme, in terms of time, people and money;
- examples of comments and submissions by the public on EIA studies and reports;
- other supporting documentation or research on public involvement;
- contact names and telephone numbers of people, agencies, organisations and environmental information/data centres able to provide assistance in relation to public involvement; and
- other resources that may be available such as videos, journal articles, computer programmes, lists of speakers, and case studies.

## Session outline

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**Briefly introduce the role and contribution of public involvement in the EIA and decision-making processes and note the different levels and types of approach. Ask the participants to consider why public involvement is important locally.**

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Public involvement is a fundamental principle of the EIA process. Timely, well planned and appropriately implemented public involvement programmes will contribute to EIA studies and to the successful design, implementation, operation and management of proposals. Specifically public involvement is a valuable source of information on key impacts, potential mitigation measures and the identification and selection of alternatives. It also ensures the EIA process is open, transparent and robust, characterised by defensible analysis.

Nearly all EIA systems make provision for some type of public involvement. This term includes public consultation (or dialogue) and public participation, which is a more interactive and intensive process of stakeholder engagement. Most EIA processes are undertaken through consultation rather than participation. At a minimum, public involvement must provide an opportunity for those directly affected by a proposal to express their views regarding the proposal and its environmental and social impacts.

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**Discuss the objectives and benefits of public involvement and consider how they apply to local situations.**

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The purpose of public involvement is to:

- inform the stakeholders about the proposal and its likely effects;
- canvass their inputs, views and concerns; and
- take account of the information and views of the public in the EIA and decision making.

The key objectives of public involvement are to:

- obtain local and traditional knowledge that may be useful for decision-making;
- facilitate consideration of alternatives, mitigation measures and trade-offs;
- ensure that important impacts are not overlooked and benefits are maximised;



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- reduce conflict through the early identification of contentious issues;
- provide an opportunity for the public to influence project design in a positive manner (thereby creating a sense of ownership of the proposal);
- improve transparency and accountability of decision-making; and
- increase public confidence in the EIA process.

Experience indicates that public involvement in the EIA process can and does meet these aims and objectives. Many benefits are concrete such as improvements to project design (see Box 1). Other benefits are intangible and incidental and flow from taking part in the process. For example, as participants see their ideas are helping to improve proposals, they gain confidence and self-esteem by exchanging ideas and information with others who have different values and views.

**Box 1: Examples of the contribution of public involvement to project design**

**Ghana Environmental Resource Management Project**

This project seeks to improve natural resource management. Public consultations drove the entire project design process from the very beginning. Investments under the village-level land and water resource management component were entirely designed by the local communities, which diagnosed problems, developed action plans and are now responsible for implementation. A coastal wetlands component was also largely designed through local consultation. Affected communities and user groups participated in the demarcation of ecologically sensitive areas and in determining the levels of resource use and conservation in coastal wetlands.

**Brasil Espirito Santo Water Project**

The original design would have had a negative impact on two communities. By including these communities in the EIA process through information disclosure and consultation, satisfactory mitigation measures were achieved that counterbalanced the impacts and improved local living conditions.

*Adapted from The World Bank (1995)*

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**Discuss briefly the different terms and definitions that are used when referring to public involvement. Consider the relative advantages and disadvantages of different types and levels of public involvement.**

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Key terms and definitions of public involvement are described in Box 2. The basic types of public involvement are organised as a 'ladder' of steps of increasing intensity and interaction. When reviewing them, note their



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different requirements with regard to planning and designing a public involvement programme.

*Information* and notification, strictly speaking, are preconditions of meaningful public involvement. On its own, information disclosure is not a sufficient provision in public involvement for an EIA of a major proposal. *Consultation* denotes an exchange of information designed to canvass the views of stakeholders on a proposal and its impacts. *Participation* is a more interactive process of engaging the public in addressing the issues, establishing areas of agreement and disagreement and trying to reach common positions. *Negotiation* among stakeholders is an *alternative dispute resolution* (ADR) mechanism, which is based on joint fact-finding, consensus building and mutual accommodation of different interests.

In practice, public involvement in EIA largely corresponds to consultation. However, participation will be appropriate in many circumstances, for example, where a local population is displaced or relocated as a result of a project. A few countries also make provision for mediation or negotiation facilitated by a neutral third party. In principle, these approaches to public involvement in EIA are distinctive and relatively separate. However, they may be used in combination; for example, consultation and participation can be appropriate at different stages of the same EIA process.

#### Box 2: Levels and forms of public involvement

- **informing** – one way flow of information from the proponent to the public;
- **consulting** – two way flow of information between the proponent and the public with opportunities for the public to express views on the proposal;
- **participating** – interactive exchange between the proponent and the public encompassing shared analysis and agenda setting and the development of understood and agreed positions on the proposal and its impacts; and
- **negotiating** – face to face discussion between the proponent and key stakeholders to build consensus and reach a mutually acceptable resolution of issues, for example on a package of impact mitigation and compensation measures.

*Adapted from Bass et al (1995)*

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**Consider who should be involved in the EIA process. Ask the participants to identify which parties might have a stakeholder interest in being involved in an EIA and why they might wish to be involved.**

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The range of stakeholders involved in an EIA typically includes:

- the people – individuals, groups and communities – who are affected by the proposal;

- the proponent and other project beneficiaries;
- government agencies;
- NGOs and interest groups; and
- others, such as donors, the private sector, academics etc.

### **Local people**

Individuals or groups in the affected community will want to know what is proposed; what the likely impacts are; and how their concerns will be understood and taken into account. They will want assurances that their views will be carefully listened to and considered on their merits. They will want proponents to address their concerns. They will also have knowledge of the local environment and community that can be tapped and incorporated into baseline data.

### **Proponents**

Understandably, proponents will wish to shape the proposal to give it the best chance of success. Often, this involves trying to create public understanding and acceptance of the proposal through the provision of basic information. More creatively, project design can be improved through using public inputs on alternatives and mitigation and understanding local knowledge and values.

### **Government agencies**

The government agencies involved in the EIA process will want to have their policy and regulatory responsibilities addressed in impact analysis and mitigation consideration. For the competent authority, an effective public involvement programme can mean the proposal may be less likely to become controversial in the later stages of the process. For the responsible EIA agency, the concern will be whether or not the public involvement process conforms to requirements and procedures.

### **NGOs/Interest groups**

Comments from NGOs can provide a useful policy perspective on a proposal; for example, the relationship of the proposal to sustainability objectives and strategy. Their views may also be helpful when there are difficulties with involving local people. However, this surrogate approach should be considered as exceptional; it cannot substitute for or replace views which should be solicited directly.

### **Other interested groups**

Other interested groups include those who are experts in particular fields and can make a significant contribution to the EIA study. The advice and knowledge of government agencies and the industry sector most directly

concerned with the proposal should always be sought. However, in many cases, substantive information about the environmental setting and effects will come from outside sources.

The different benefits provided for key groups by effective public participation are described in Table 1. However, these benefits may not be always realised or acknowledged by participants. Each of the above groups may perceive the benefits gained from public involvement in the EIA process through the lens of their own experience and interests.

<b>Table 1: The benefits of effective participation for different groups</b>		
The proponent	The decision-maker	Affected communities
Raises the proponent's awareness of the potential impacts of a proposal on the environment and the affected community	Achieves more informed and accountable decision-making	Provides an opportunity to raise concerns and influence the decision-making process
Legitimises proposals and ensures greater acceptance and support	Provides increased assurance that all issues of legitimate concern have been addressed	Provides an opportunity to gain a better understanding and knowledge about the environmental impacts and risks that may arise
Improves public trust and confidence	Demonstrates fairness and transparency, avoiding accusations of decisions being made 'behind closed doors'	Increases awareness of how decision-making processes work, who makes decisions and on what basis
Assists by obtaining local information/data	Promotes good relations with the proponent and third parties	Empowers people, providing the knowledge that they can influence decision making and creating a greater sense of social responsibility
Avoids potentially costly delays later in the process by resolving conflict early	Avoids potentially costly delays later in the process by resolving conflict early	Ensures all relevant issues and concerns are dealt with prior to the decision
<i>Source: Institute of Environmental Management &amp; Assessment (1999).</i>		

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**Discuss how the people and groups who should be involved in a particular EIA can be identified. Ask participants to consider their application to the local situation.**

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People who may be directly or indirectly affected by a proposal will be a focus for public involvement. First and foremost are the individuals and groups who are likely to be directly and adversely affected. Usually, their identification is relatively straightforward. The intended beneficiaries of the proposal are often more difficult to identify because the benefits of the proposal may be generalised across a large population (which may be regional or national). In some cases, the interest of beneficiaries may be represented by government agencies, private sector groups and NGOs, which support the proposal on economic and social grounds.

A variety of other individuals and groups may be indirectly affected by a proposal or have some interest in its outcome. Often, the representation of the interests of indirectly affected parties will coincide with those of other stakeholders, such as local community, private sector and environmental organisations. However, this relationship cannot be assumed automatically. For example, certain major projects may affect such an extensive area that identifying a representative and manageable range of participants is difficult. In such cases, it may be helpful to systematically 'map' the stakeholders and differentiate among their interests.

Every effort should be made to seek a fair and balanced representation of views. Often, an inclusive approach to public involvement is taken. A common rule of thumb is to include any person or group who expresses an interest in the proposal. However, particular attention should be given to those 'at risk' from the impact of a proposal. World Bank guidance indicates this group should have the most active involvement.

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**Briefly review the provisions made for public involvement in the EIA system of a given country or an international development agency. Ask the group to consider any requirements of applicable international legal and policy instruments and the precedents set by the Aarhus Convention.**

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Most EIA systems make some type of provision for public involvement. The legal and procedural requirements for this purpose vary. In developing countries, the EIA procedure established by the development banks will take precedence for projects carried out with their assistance. All of the major development banks consult the public during the EIA process carried out on their operations.

Their specific requirements differ regarding timing and scope of consultation and the type and amount of information disclosed. For example, World Bank

Operational Policy (4.01) specifies that consultation with affected communities is a key to the identification of impacts and the design of mitigation measures. It strongly recommends consultation with affected groups and NGOs during at least the scoping and EIA review stage (see below). In projects with major social components, such as those requiring voluntary resettlement or affecting indigenous peoples, the process should involve active public participation in the EIA and project development process.

The provision made for public involvement should be consistent with principles established by international law and policy (see Box 3). The most comprehensive treaty in this regard is the Aarhus Convention, although this applies only to UNECE countries and only entered into force in 2001 (by ratification by a sufficient number of signatory countries). However, it is likely to set important new precedents for standards of public involvement. Key principles for public involvement, which are widely agreed, are outlined in Box 4.

### **Box 3: Reference to public participation in international law and the Aarhus Convention**

Reference to public participation is made in a number of international legal instruments including:

- *UNECE Convention on Environmental Impact Assessment in a Transboundary Context* (Espoo, 1991) which provides for the participation of the public in the areas likely to be affected by a proposal (article 2, paras 2 and 6, and article 4, para 2);
- the *Framework Convention on Climate Change* (1992), which requires Parties to promote and facilitate public participation in addressing climate change and its effects and developing adequate responses (article 6 (a) (iii));
- *Principle 10 of the Rio Declaration on Environment and Development* (1992) which states that each individual shall have the opportunity to participate in decision-making processes, facilitated by the widespread availability of information; and
- *UNECE Convention on Access to Information, Public Participation in Decision Making and Access to Justice in International Environmental Matters (Aarhus)* (1998) is the most comprehensive legal instrument relating to public involvement. It describes how public participation should work in cases of decision-making. The main text indicates that public participation should be effective, adequate, formal, and provide for information, notification, dialogue, consideration and response.

*Source: adapted from Stec and Casey-Lefkowitz (2000)*



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#### **Box 4: Principles of public involvement**

The process should be:

- inclusive – covers all stakeholders
- open and transparent – steps and activities are understood
- relevant – focused on the issues that matter
- fair – conducted impartially and without bias toward any stakeholder
- responsive – to stakeholder requirements and inputs
- credible – builds confidence and trust

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**Relate public involvement to the stages of the EIA process. Ask the group to consider whether and how these apply in a given EIA system. Develop their responses to show how public involvement can be used throughout the EIA process.**

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The scope of public involvement and its relationship to the EIA process should be commensurate with the significance of the environmental and social impacts for local people. Ideally, public involvement should commence during the preparatory stage of project development and continue throughout the EIA process. This is particularly important for major projects that affect people's livelihood and culture. Five main steps at which public involvement can occur in the EIA process are discussed below.

#### **Screening**

For certain categories of proposal, the responsible authority may consult with people likely to be affected in order to gain a better understanding of the nature and significance of the likely impacts. This information can assist in determining if an EIA is required and at what level (see Topic 4 – *Screening*). In addition, the early identification of affected parties and their concerns provides information that can be incorporated into the scoping stage of EIA and assists future planning for public involvement.

#### **Scoping**

Public involvement is commonly undertaken at the scoping stage. This is critical to ensure that all the significant issues are identified, local information about the project area is gathered, and alternative ways of achieving the project objectives are considered. Terms of Reference for an EIA provide a means of responding to and checking against these inputs (see Topic 5 – *Scoping*). They should also outline any specific requirements for public involvement in EIA preparation, review, and follow up.

### **Impact analysis and mitigation**

The further involvement of the public in these phases of EIA preparation (see Topics 6 – *Impact analysis* and 7 – *Mitigation and impact management*) can help to:

- avoid biases and inaccuracies in analysis;
- identify local values and preferences;
- assist in the consideration of mitigation measures; and
- select a best practicable alternative.

### **Review of EIA quality**

A major opportunity for public involvement occurs when EIA reports are exhibited for comment (see Topics 8 – *Reporting* and 9 – *Review of EIA quality*). However, making written comments is daunting to all but the educated and literate. Other means of achieving responses should be provided where proposals are controversial. Public hearings or meetings may be held as part of EIA review. They can be formal or informal but should be structured in a way which best allows those affected to have their say. Many people are not comfortable in speaking in public and other or additional mechanisms may be needed.

### **Implementation and follow up**

The environmental impacts of major projects will be monitored during construction and operational start up, with corrective action taken where necessary (see Topic 11 – *Implementation and follow up*). Local representatives should scrutinise and participate in the follow up process. This arrangement can assist proponents and approval agencies to respond to problems as they arise. It can also help to promote good relations with local communities that are affected by a development.

### **Public involvement in practice**

In many EIA systems, public involvement centres on the scoping and review stages. This can be a response to procedural requirements or reflect accepted practice. More extended forms of public involvement occur when:

- proposals are formally referred to public review, hearings or inquiries;
- proposals seek to apply a 'best practice' process to their proposal;
- proposals depend upon gaining the consent or support of local stakeholders; and
- proposals have major social impacts and consequences, such as the relocation of displaced people.

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**Emphasise the importance of systematic, timely planning for a public involvement programme. Discuss different ways in which the programme, including the engagement of participants, could be funded.**

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Planning by the proponent for a public involvement programme needs to begin early before other EIA work. Following scoping, the terms of reference for an EIA study should include specifications for the proposed programme, including its scope, timing, techniques and resources. If there are none, a separate document should be prepared by the EIA project team with advice and input from a social scientist who is knowledgeable about the local community and participation techniques.

The plan should describe the means of notifying and informing the public about the proposals and the EIA process, beginning at an early stage and continuing with updates on the progress of the EIA study and feedback on community concerns. Specific reference should be made to the ways in which the public will be engaged, how their inputs (knowledge, values and concerns) will be taken into account and what resources (people and money) are available to assist their involvement. Wherever possible, meetings and inquiries should be held within the local community, especially if there are basic constraints on its involvement (see next section).

A systematic approach to planning a public involvement programme typically involves addressing the following key issues:

- *Who should be involved?* – identify the interested and affected public (stakeholders), noting any major constraints on their involvement.
- *What type and scope of public involvement is appropriate?* – ensure this is commensurate with the issues and objectives of EIA.
- *How should the public be involved?* – identify the techniques which are appropriate for this purpose.
- *When and where should opportunities for public involvement be provided* – establish a plan and schedule in relation to the EIA process and the number, type and distribution of stakeholders.
- *How will the results of public involvement be used in the EIA and decision-making processes?* – describe the mechanisms for analysing and taking account of public inputs and providing feeding back to stakeholders.
- *What resources are necessary or available to implement the public involvement programme?* – relate the above considerations to budgetary, time and staff requirements.

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**Briefly, review the underlying factors that may constrain public involvement. Ask the group whether or not they apply locally and, if so, how they could overcome them.**

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In certain cases, some basic constraints on public involvement may need to be overcome. Particular attention should be given to disadvantaged groups, ethnic minorities and others who may be inhibited from taking part or may have difficulty in voicing their concerns. Often, special provision may need to be made to inform and involve these groups. Except in unusual or extenuating circumstances, others should not speak for them, although knowledgeable NGOs may help in ensuring they represent their views directly and in a way that is meaningful to them.

Some of the underlying factors that may constrain meaningful public involvement include:

**Poverty** – involvement means time spent away from income-producing tasks, and favours the wealthy.

**Remote and rural settings** – increased or dispersed settlement distances make communication more difficult and expensive.

**Illiteracy** – involvement will not occur if print media is used.

**Local values/culture** – behavioural norms or cultural traditions can act as a barrier to public involvement or exclude those who do not want to disagree publicly with dominant groups.

**Languages** – in some countries a number of different languages or dialects may be spoken, making communication difficult.

**Legal systems** – may be in conflict with traditional systems and cause confusion about rights and responsibilities over resource use and access.

**Interest groups** – bring conflicting and divergent views and vested interests.

**Confidentiality** – may be important for the proponent, and may weigh against early involvement and consideration of alternatives.

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**Ask the group to identify some techniques and methods of public involvement and suggest where each of these could be most suitably used. List these techniques and provide participants with Handout 3-1. Work through the different techniques and their relative advantages.**

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Table 2 outlines some of the techniques that are commonly used for communicating and involving the public and illustrates their strengths and weaknesses in relation to key requirements and objectives (see Handout 3-1 for further information).



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For example, various methods of public involvement can be rated in terms of the level of interaction promoted. However, it should not be inferred that methods with a high level of involvement are the preferred approach – a mix of methods is usually necessary as part of a systematic process of public involvement.

The methods of public involvement should be tailored to suit the social environment and, wherever possible, targeted specifically at particular groups. Limitations and constraints (identified previously) should be taken into account. For instance, although people want to be consulted, they may not have the time, resources or ability to locate EIA information and report their views to the relevant authorities. Traditional local decision-making institutions and the use of the mass media (such as television, radio and papers) may be far more appropriate than placing reports in local libraries (which is the normal approach in a number of EIA systems).

When selecting public involvement techniques, the following points should be considered:

- the degree of interaction required between participants;
- the extent to which participants are able to influence decisions;
- the stage(s) of the EIA at which public involvement will occur;
- the time available for involvement;
- the likely number of participants and their interests;
- the complexity and controversy of the issues under consideration; and
- the consideration of cultural norms which may influence the content of discussions, for example relating to gender, religion, etc.

When using public involvement techniques, the following principles can help to achieve a successful outcome:

- provide sufficient, relevant information in a form that is easily understood by non-experts (without being simplistic or insulting);
- allow enough time for stakeholders to review, consider and respond to the information and its implications;
- provide appropriate means and opportunities for them to express their views;
- select venues and time events to encourage maximum attendance and a free exchange of views by all stakeholders (including those that may feel less confident about expressing their views); and
- respond to all questions, issues raised or comments made by stakeholders. This fosters public confidence and trust in the EIA process.



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**Table 2: Techniques for communicating with the public**

Communication Characteristics			Public Participation / Communication Technique	Public Information and Participation Objectives					
Level of Public Contact Achieved	Ability to Handle Specific Interest	Degree of 2-way Communication		Inform/Educate	Identify Problems/Values	Get Ideas/Solve Problems	Feedback	Evaluate	Resolve Conflict/Consensus
2	1	1	Public Hearings		X		X		
2	1	2	Public Meetings	X	X		X		
1	2	3	Informal Small Group Meetings	X	X	X	X	X	X
2	1	2	General Public Information Meetings	X					
1	2	2	Presentations to Community Organization	X	X		X		
1	3	3	Information Coordination Seminars	X			X		
1	2	1	Operating Field Offices		X	X	X	X	
1	3	3	Local Planning Visits		X		X	X	
2	2	1	Information Brochures and Pamphlets	X					
1	3	3	Field Trips and Site Visits	X	X				
3	1	2	Public Displays	X		X	X		
2	1	2	Model Demonstration Projects	X			X	X	X
3	1	1	Material for Mass Media	X					
1	3	2	Response to Public Inquiries	X					
3	1	1	Press Releases Inviting Comments	X			X		
1	3	1	Letter Requests for Comments			X	X		
1	3	3	Workshops		X	X	X	X	X
1	3	3	Advisory Committees		X	X	X	X	
1	3	3	Task Forces		X	X		X	
1	3	3	Employment of Community Residents		X	X			X
1	3	3	Community Interest Advocates			X		X	X
1	3	3	Ombudsman or Representative		X	X	X	X	X
2	3	1	Public Review of Initial Assessment Decision Document	X	X	X	X	X	X

Level of participation: 1 = low, 2 = medium, 3 = high.

**Discuss consensus building and dispute resolution mechanisms and consider whether and how they may be applied locally.**

Conflict management and dispute resolution approaches are beginning to be applied in a number of EIA processes. As recognised by the World Bank and other international agencies, the use of these approaches in developing countries must be consistent with local practices:

The objective is to define traditional mechanisms for making agreements, for negotiations, and for managing conflict in affected communities. Understanding and working within cultural expectations and practices may enhance consultation and participation processes, especially in projects

where there are multiple and competing stakeholders or where disputes or conflict are evident. (*The World Bank, 1995*)

Negotiation, mediation and other alternative means of dispute resolution have different rules compared to more traditional 'open door' forms of public consultation and participation. These processes are carried out by a small number of representatives who are nominated by the major stakeholders (some of them may form coalitions for this purpose). Stakeholder dialogue is a more informal version of this process and focuses on sharing views and information to find win-win solutions to issues. As shown in Table 3, the approach differs in kind rather than degree from more traditional forms of public involvement.

However, there may be opportunities to reduce or resolve conflict in more traditional forms of public participation, providing all stakeholders are involved at the earliest stage of the proposal and sufficient time and appropriate opportunities are provided. A skilled facilitator may be able to assist stakeholders in finding common ground. In most cases, however, the range of interests and the different values of the participants will mean that consensus is unlikely. The focus of attention then should be on minimising the areas of dispute, and narrowing it to those key issues that cannot be resolved and leaving it to the decision-making process to arbitrate among the different positions (i.e. determining the 'winners' and 'losers').

Principles which will help minimise conflict, particularly if applied consistently from the earliest stages of the planning of the proposal, include:

- involving all those likely to be affected, or with a stake in the matter;
- communicating the need for and objectives of the proposal, and how it is planned to achieve them;
- actively listening to the concerns of affected people, and the interests which lie behind them;
- treating people honestly and fairly, establishing trust through a consistency of behaviour;
- being empathetic, putting yourself in the shoes of the other party, and looking at the area of dispute from their perspective;
- being flexible in the way alternatives are considered, and amending the proposal wherever possible to better suit the interests of other parties;
- when others' interests cannot be accommodated, mitigating impacts to the greatest extent possible and looking for ways to compensate for loss and damage;
- establishing and maintaining open two-way channels of communication throughout the planning and implementation phase; and
- acknowledging the concerns and suggestions of others, and providing feed-back on the way these matters have been addressed.



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When conflict arises, try to defuse it at the earliest possible time. The use of an independent, mutually acceptable third party as the convenor of discussions between disputants can improve the chances of a satisfactory outcome. It is desirable for that third party to be trained in the principles of negotiation or mediation, and to be able to assist the parties in dealing with the feelings, facts and process issues associated with the dispute.

**Table 3: Comparing the characteristics of 'traditional consultation' and 'stakeholder dialogue'**

Traditional consultation tends to:	Stakeholder dialogue tends to:
Assume win/lose outcomes	Search actively for win/win results and ways to add value for all parties
Focus on differences and polarise rival positions	Explore shared and different interests, values, needs and fears, and build on common ground while trying to resolve specific disputes
Focus on issues and results	Focus on processes as well as issues and results in order to build long-term ownership of and commitment to mutually agreed solutions
Produce results that are perceived as inequitable, reflecting the traditional distribution of power and resources	Produce results which can be judged on their merits and which seem fair and reasonable to a broad spectrum of stakeholders
Stick to the facts and positions	Take into account, as well, feelings, values, perceptions, vulnerabilities
Ignore the importance of building relationships and bridging differences	Strengthen existing relationships and build new ones where they are most needed
Offer no learning	Invest in mutual learning as a starting point for future processes and projects
<i>Source: Ackland et al. (1999).</i>	

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**Many arguments are put forward to avoid public involvement. Discuss whether these misconceptions are accepted locally and how they may be countered.**

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Public involvement can be a time-consuming and costly exercise. This issue can be best addressed by sound planning. A proposal may be subject to delay and added expense if public consultation is non-existent or inadequate. Various arguments have been and still are advanced to justify avoiding public involvement. Some of the commonly used 'reasons' and answers follow:



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**It's too early; we haven't yet got a firm proposal** The early provision of information to the public will minimise the risk of untrue and damaging rumours about the proposals. Even though the proponent may not have a clear idea of project details, communicating the objectives of the proposals can start to build trust with the community, allow useful public input on site constraints and alternatives and can help the proponent devise a robust scheme.

**It will take too long and will cost too much** Public involvement can be expensive and time-consuming. If integrated into the project planning process, excessive timelines can be avoided. The costs of not involving the public are likely to be even greater in terms of costs arising from delays.

**It will stir up opposition, and the process will be taken over by activists** Those who are likely to oppose a project will not be dissuaded by the lack of a public involvement programme. Rather such a programme can ensure that all sides of the debate are heard. Importantly, the issues raised by opponents should be thoroughly examined and treated on their merits. If the impacts cannot be avoided, public involvement can help demonstrate that the concerns of all segments of the community have been fairly addressed.

**We will only hear from the articulate** Those who are articulate, knowledgeable and powerful find it easier to use the opportunities provided through public involvement. Those preparing and managing such programmes must be aware of this, and incorporate measures to ensure that the views of 'the silent majority' are expressed and understood.

**We'll raise expectations we can't satisfy** Great care must be taken in the first phases of a public involvement programme to ensure that unreasonable expectations are not raised. The purpose of public involvement in EIA and decision-making should be clearly communicated, together with decisions which have been made already.

**The local community won't understand the** Lack of technical education does not negate intelligence and the understanding people have of their own surroundings. Often people's knowledge of their environment and how it will be changed can be more

issues involved. accurate than that predicted by models.

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**Briefly conclude with a reference to the spirit of openness required by proponents if public involvement is to be beneficial.**

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No public involvement programme will be effective unless the proponent is serious in engaging with the community in a two-way dialogue and is open minded to what it can contribute to the proposal. Key prerequisites are a willingness to listen to the information, values and concerns of the community, to amend the proposal so as to minimise community concerns, and to acknowledge the value of community input.

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**Include a training activity to reinforce the topic (if desired).**

**Summarise the presentation, emphasising those key aspects of the topic that apply locally**

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## Reference list

The following references have been quoted directly, adapted or used as a primary source for parts of this topic.

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*Participatory Learning and Action Notes* are issued by the International Institute for Environment and Development (IIED) to review themes and approaches to involving people in defining their needs and opportunities and taking action to realise them. The series has particular focus on the experience of developing countries. See also the website of the Resource Centre for Participatory Learning at: <http://www.rcpla.org/>

## Training activities

*Training activities will be more instructive if they are framed around a local proposal. Consider inviting prospective course participants to make a presentation if they have expertise in this area of EIA.*

### Discussion themes

- 3-1 A large dam is proposed in a rural setting. What public involvement techniques might be used to support the EIA for the project? How would the approach change if the project concerns a major chemical plant in a large city?
- 3-2 How would you go about identifying the range of people affected directly or indirectly by a proposal? If necessary, how would representatives of the groups identified be selected?
- 3-3 What are the needs and interests of the affected community that make their involvement so important to them? Is their involvement as important for the proponent?
- 3-4 'Public involvement should take place at the scoping stage of a proposal, and when the EIA document is completed.' Does this statement satisfy the requirements for community involvement?
- 3-5 People feel more comfortable in familiar surroundings. Where should the venues and locations for discussions, small group meetings, public meetings and displays be located? How will the setting and other meeting arrangements contribute to the success of public involvement?
- 3-6 What are the objectives of public involvement? What value will it bring to the successful implementation of the proposal?
- 3-7 What criticisms of public involvement can you expect, and how can these criticisms be answered?
- 3-8 How would you attempt to manage conflict when it arises? If you were looking for someone to help, what qualities would you seek in that person?

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### Speaker theme

- 3-1 Invite a speaker who is expert in the field to talk about their personal experience in public involvement on major projects and to focus on certain questions. How much did a typical involvement programme cost, what techniques were used, how effective were they? Did people respond positively, were there changes made to the proposal? Was the proponent supportive of the public involvement programme? What lessons were learnt from the experience?
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## Group Activity 3–1: Public involvement

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**Title:** Preparing a public involvement programme

**Aim:** To reinforce the training material presented through the preparation of a public involvement programme, and consideration of the associated issues.

**Group size:** Four to six people

**Duration:** One day

**Resources required:**

- ❑ Case study description of a proposal, with some details of its likely impacts and setting. Refer to Handout 3-1

**Description of activity:**

Participants will be required to think through the various issues, and relate the tasks involved to the objectives of the public involvement programme.

Using the case study and referring to Handout 3–1:

- ❑ prepare a public involvement programme, showing the objectives of the programme, and the stages of the EIA process at which public involvement will be sought;
- ❑ indicate how the various stakeholders will be identified;
- ❑ advise when the public involvement should commence, and what level of information should be provided;
- ❑ list the methods which might be used to:
  - inform people
  - identify their concerns, attitudes and knowledge
  - enable them to participate in developing the proposal;
- ❑ prepare a timetable for the programme, indicating the resources (people and money) which will be needed;
- ❑ outline ways to ensure that information gained from the involvement of the public is used constructively to improve the proposal;
- ❑ identify problems which are likely to occur, and ways of managing them; and

- ❑ prepare a framework to evaluate the success of the programme.

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## Group Activity 3–2: Public Involvement

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**Title:** Site location decisions — what are the facts?

**Aim:** To show how public involvement can assist in deciding between alternative sites and in achieving public acceptance of a proposal.

**Group size:** Four to six people

**Duration:** Three hours

**Resources required:**

- ❑ Brief description of a facility with two possible alternative locations, a short statement of need for the project, a list of the likely impacts, and a description of the surrounding communities.

**Description of activity:**

The alternative sites for a facility affect different communities, and will involve some land acquisition. Get each group to:

- ❑ discuss how they would structure the public involvement to minimise conflict, while allowing informed debate on the respective merits of the proposals;
  - ❑ propose steps that could be taken to pre-empt rumours and distortions about what may be proposed;
  - ❑ outline ways in which a shared view of the basic facts could be reached, given that opponents often appear to have a biased view of the basic facts relating to the proposal and the need for action;
  - ❑ detail the sort of information that would be required by the decision-maker before a decision could be made; and
  - ❑ discuss the way in which the public involvement would assist the project.
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1

### **Purpose and objectives of public involvement**

- informing stakeholders
  - gaining their views, concerns and values
  - taking account of public inputs in decision making
  - influencing project design
  - obtaining local knowledge
  - increasing public confidence
  - improving transparency and accountability in decision-making
  - reducing conflict
- 



2

### **Levels of public involvement**

- information
    - (one way flow from proponent to public)
  - consultation
    - (two way exchange of information)
  - participation
    - (interaction with the public)
  - negotiation
    - (face to face discussion)
- 



3

### **Key stakeholders**

- local people affected by a proposal
  - proponent and project beneficiaries
  - government agencies
  - NGOs
  - others, e.g. donors, the private sector, academics
- 



4

### **Principles of public involvement**

The process should be:

- inclusive – covers all stakeholders
  - open and transparent – steps and activities are understood
  - relevant – focussed on the issues that matter
  - fair – conducted impartially and without bias toward any stakeholder
  - responsive – to stakeholder requirements and inputs
  - credible – builds confidence and trust
- 





5

### Public involvement in key stages of the EIA process

- screening
  - determining the need for, and level, of the EIA process
- scoping
  - identifying the key issues and alternatives to be considered
- impact analysis
  - identifying the significant impacts and mitigating measures
- review
  - commenting on/responding to the EIA report
- implementation and monitoring
  - checking EIA follow up



6

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### Developing a public involvement program typically involves:

- determining its scope
- identifying interested and affected public
- selecting appropriate techniques
- considering the relationship to decision-making
- providing feedback to stakeholders
- undertaking the analysis of stakeholder inputs
- keeping to budget and timelines
- confidentiality



7

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### Factors affecting the effectiveness of public involvement

- poverty
  - remote and rural settings
  - illiteracy
  - culture/local values
  - language
  - legal systems override traditional ones
  - dominance of interest groups
  - proponent confidentiality
-



8

### **Principles for successful application of public involvement techniques**

- provide the right information
- allow sufficient time to review and respond
- provide appropriate opportunities/ means for stakeholder involvement
- respond to issues and concerns raised
- feed back the results of public input
- choose venues and times of events to suit stakeholders



9

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### **Principles for minimising conflict**

- involve all stakeholders
- establish communication channels
- describe the proposal and its objectives
- listen to the concerns and interests of affected people
- treat people fairly and impartially
- be empathetic and flexible
- mitigate impacts and compensate for loss and damage
- acknowledge concerns and provide feed-back



10

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### **Common reasons given for avoiding public involvement**

- it's too early
  - it will take too long and will cost too much
  - it will stir up opposition
  - we will only hear from the articulate
  - we'll raise expectations
  - people won't understand
-