

# 1 INTRODUCTION

## 1.1 Background and Purpose

It has become a norm internationally for public participation to be part of environmental assessment processes. The nature of such participation, however, varies greatly in form and effect. Within Southern Africa this has been the case as well, with there being both good and bad experiences. This report focuses on some of these experiences in the Southern African region. It explores and analyses six environmental assessment case studies identifying trends within them. It does this within the context of international best practice. The report also seeks to draw lessons from the case studies that may be applied at a regional level in environmental assessment practice.

The preparation of this case study report forms part of the Southern African Institute for Environmental Assessment's (SAIEA) two year Calabash Project to enhance civil society participation in decision making in Southern Africa. The main focus of the project is public participation in environmental assessment, which is seen as offering a 'window' through which stakeholders can engage government and the private sector in decision-making. It is based on the premise that participation of stakeholders in environmental assessment improves development outcomes because of local inputs and ownership as well as providing more information for improved decision making.

The objectives of this report are to:

- Document the knowledge and experience of public participation and environmental assessment practitioners in the Southern African Development Community (SADC) region;
- Demonstrate the use of public participation as an effective means of identifying issues and impacts;
- Illustrate the use of effective public participation in different socio-economic, political and environmental contexts;
- Highlight lessons and insights on effective public participation in the SADC region as a basis for best practice guides in the region; and,
- Provide input to capacity building initiatives in the region.

The Southern African Institute for Environmental Assessment appointed sustainable development consultants Common Ground to undertake the research and compile the case studies.

## **1.2 Terms of Reference**

The terms of reference for the research were to:

- Research, collect, organise, compile and analyse information and documents related to six participatory environmental assessment case studies in the SADC region;
- Prepare six case studies and provide a 'model' of best practice for public participation in environmental assessment, as a reference for analysis of the case studies;
- Prepare a concise analysis of lessons learnt and, based on this, recommendations for what constitutes best practice in the region from a variety of perspectives;
- Prepare a list of key informants involved in the case study research; and,
- Prepare an SADC-wide distribution list of organisations that should receive information about the case studies.

## **1.3 Methodology**

A multi-faceted approach to the work was undertaken. It included:

- Identification of case study selection criteria and selection of case studies;
- Development of a 'model' for best practice in public participation in environmental assessment, drawing on international and regional experience;
- Case study research through literature review as well as interviews with key stakeholders and consultants;
- Compilation of case study reports and lessons learnt; and,
- Preparation of an SADC wide database.

### **1.3.1 Selection of Case Studies**

A number of criteria were established for the selection of the case studies. It was anticipated that no single case study would be able to meet all of the criteria. The intention was to identify studies which represent the current 'best practice' standard for public participation in environmental assessment in SADC countries, even if they did not meet all the criteria.

Below we set out the criteria identified. The case studies needed to demonstrate the following characteristics:

- Civil society was able to make an effective contribution;
- Appropriate opportunities were provided for participation, with respect to both the quality and quantity of opportunities;
- Conflicts were addressed or acknowledged, and an attempt was made to resolve them;
- Good and appropriate communication occurred with stakeholders;
- Capacity building occurred;

- Holistic environmental assessment process design was undertaken, i.e., the public process was closely aligned to the technical process;
- Stakeholders influenced or improved the project;
- The outcome reflected the needs and interests of stakeholders;
- All stakeholders participated fully;
- Special interests were addressed, e.g., gender interests;
- Differences of norms and values between practitioners and stakeholders were recognised and addressed;
- The process advanced good governance and decision making; and,
- Decisions taken were consistent with the outcome of the environmental impact assessment.

In addition, in selecting case studies, an attempt was made to identify a spread of studies throughout the SADC region and a variety of different types of project. Consideration was only given to those studies that were environmental assessments (as opposed to broad scale planning projects or stakeholder capacity building programmes). Informants had to be willing to engage in the Calabash project as well as share lessons, and the studies had to preferably have been completed within the last five years.

A number of key informants were requested to nominate potential case studies via email. Those approached included:

- The board of SAIEA;
- The advisory group for the Calabash project;
- Key selected government officials in a range of SADC countries; and,
- Key knowledge holders and consultants involved in environmental assessment in southern Africa.

Responses were received from approximately 25 informants.

Identifying a good spread of case studies across the SADC region proved unexpectedly difficult, with many respondents noting that there were very few 'flagship' projects. Notwithstanding this, six case studies were identified, which met (to differing degrees), the criteria outlined above. The studies provided a good range in 'size' of projects across a variety of sectors. They also varied in the 'type' of environmental assessment that was undertaken. The identified case studies are outlined in Section 2.1 below.

### **1.3.2 Development of a Model for Best Practice**

The project team developed a model for 'best' practice of public participation in environmental assessment.

The results of a team workshop were written up into a best practice framework document, which could be used as a basis for conducting the research. In writing up the document, extensive reference was made to work that Common Ground had undertaken

in preparing various guideline documents on public participation. These other references include:

- Guidelines for Stakeholder Engagement in the Southern African mining industry prepared for the World Bank and the International Council for Mining and Metals;
- Policy and a set of Guidelines for Public Participation in Land Use Planning for prepared for the City of Cape Town, South Africa;
- The stakeholder engagement strategy prepared for the Alfred Nzo District Council in the Eastern Cape of South Africa; and,
- The stakeholder engagement policy prepared for the Cape Action for People and the Environment plan which targets the Cape Floristic Region.

The above products were developed over the past two years and were based on research on current international best practice.

### **1.3.3 Case Study Research and Report Preparation**

The following was undertaken in researching the respective case studies and preparing this report:

- Relevant documentation on each environmental assessment and public participation process was reviewed;
- Key informants were identified and interviewed. Site visits were conducted and interviews held with a broad range of stakeholders involved in the environmental assessment processes including the consultants, government officials, non-governmental organisations and community members. Telephonic interviews were held with key stakeholders with whom it was not possible to meet;
- Research on relevant national policies, laws and institutional arrangements was undertaken to provide a context for the case study analysis;
- Individual case study reports were drawn up on the basis of the desktop research and interviews; and,
- The best practice model was refined on the basis of the case study analysis and the key lessons learnt were distilled from the six case studies into a comprehensive body of findings.

### **1.3.4 SADC Wide Database**

An SADC wide database to which the case studies could be sent was developed. A master contact list provided by SAIEA was used as a basis in drawing up the list.

