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PROCEEDINGS OF THE CALABASH WORKSHOP TO DEVELOP THE PUBLIC PARTICIPATION HANDBOOK

30 NOVEMBER AND 1 DECEMBER 2004

SAFARI HOTEL, WINDHOEK, NAMIBIA

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Southern African Institute for Environmental Assessment (SAIEA)
Facilitated by: Tom Kroll
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INTRODUCTION

The Calabash Project was initiated in June 2003, and is supported by the World Bank and the Canadian International Development Agency. The key objective of Calabash is to ensure that the capacity of civil society in the SADC region to participate in the environmental impact assessment process is enhanced. The development of a SADC region handbook on public participation and environmental impact assessment is part of the capacity building process. The purpose of this 2 day workshop was to develop the framework for an “easy to apply” and practical handbook that could be used by a variety of stakeholders (proponent, regulators, practitioners and civil society) in the SADC region."

SUMMARY

Participants came from a diverse range of stakeholders and countries involved in the case studies chosen by Common Ground as a basis for the development of the draft handbook. Suggestions regarding every aspect of the handbook were made; content, layout, language, and length. The discussions were lively and the many suggestions made valuable, and once again the organisers would like to thank them all for their active engagement in the workshop.

ACRONYMS

CBNRM	Community Based Natural Resource Management
CBO	Community Based Organisation
CMP	Comprehensive Mitigation Plan
CPRM	Common Property Resource Management
CS	Civil Society
CSIR	Council for Science and Industrial Research
CSMI	Centre for Sustainability in Mining and Industry
EA	Environmental Assessment
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
GOV	Government
HIV/AIDS	Human Immuno Virus / Acute Immune Deficiency Syndrome
KZN	KwaZulu-Natal
NEPAD	New Partnership for African Development
NGI	Non Governmental Individual
NGO	Non Governmental Organisation
OKACOM	Okavango Committee
PM	Public Meeting
PRA	Participatory Rural Appraisal
SA	South Africa
SAIEA	Southern African Institute for Environmental Assessment
SAPP	Southern African Power Pool
SEA	Strategic Environmental Assessment
TOR	Terms of Reference
UNCED	United Nations Conference on Environment and Development
WHO	World Health Organisation

INTRODUCTION AND WELCOME

08h30

Mr. Peter Croal welcomed the participants and remarked that there seems to be a lot of energy and interest regarding this topic. He asked what made people want to come to this workshop. He stated that public participation (PP) is the most contested area in environmental assessment (EA). He also pointed out that the SADC region is special and this workshop is unique having present people who have worked on actual assessments to look back at what was done right (and wrong) and what could be done better, to take a close look at the process. He said that Zambia, South Africa, Kenya, Namibia, and Mozambique were represented here. The idea of the workshop is to assist the Calabash team in moving forward on one aspect of the project goal which is to build the capacity of civil society in Southern Africa to effectively contribute to decision-making. He stated that we need to get civil society more involved in public participation, and it is a legislated requirement.

He asked “how do we do it in a meaningful way?” Within the EA window, there is legislation, for example, the Biodiversity Convention and the Deforestation Convention.

This workshop is to achieve this goal but also for the participants to move the community of practise outward through their networks and to take the lessons learned from 6 case studies and participants’ knowledge to put into a handbook so that it becomes a unique document for the SADC.

He raised the question: what makes one turn to a specific document? He stated that we don’t have that yet for SADC, there are many different issues and unique characteristics to be considered. He asked participants to roll up their sleeves, debate, argue, and discuss these matters to assist the project to put together a handbook geared to the day-to-day realities of this region and its environment.

The workshop goal is to:

“Analyze, discuss and edit a draft PP/EIA Handbook, which supports project goal as well as capture discussions, analysis and recommendations in a workshop proceedings report.”

Specific workshop objectives:

1. Review objective of Calabash Project
2. Review status of Calabash Project
3. Review, discuss, edit, draft handbook
4. Identify handbook success indicators

By the end of the day tomorrow we want a conceptual framework with concrete ideas. Participants should see their ideas, their realities, contained in that handbook. He thanked everyone once again for coming and handed over the floor to Tom Kroll, the facilitator.

Mr. Kroll introduced himself and said as a facilitator he was given the task of designing the workshop. His goal was to harvest the maximum amount of information from the participants. He said there is room to express oneself but also manage time efficiently to get the maximum output. He said the program was open to changes in order to achieve workshop goal.

He introduced the programme for today explaining that the programme for tomorrow depends somewhat on what we achieve today which is mainly preparation: to get on the same level, establish common ground, determine what we feel should be included and then make comparisons with the draft with the end result that we all see ourselves in the handbook.

He briefly explained the methodology: visualise essential issues of the discussion, to capture information and move the process forward. He explained the rules of the cards: 1. one idea per card; 2. no more than three lines on a card; and, 3. writing must be legible.

The results of discussions will stay up so participants can refer to them to see what was said and avoid re-discussing issues.

He went through the day's programme saying today is to prepare, tomorrow to give inputs.

He stated that the first group work session would be to get familiar with working together but also to understand a little more the Calabash project and its goal.

Then there will be a presentation by Peter Croal on the History and Status of Calabash.

After that there will be presentations on the case studies on which the draft handbook is based. From there we will draw critical elements from PP, collect information related to PP which we will later analyse and synthesize.

He explained that then we will move onto developing a simple framework what our thinking is on objectives, obstacles and requirements of participation taking into consideration the SADC context and asking ourselves why it is different and how we must act differently.

He pointed out that the timing and programme given now is somewhat different than the draft agenda but he asked participants not to look at the overall time as he will consider that but to please remind him about tea times.

He gave participants 5 minutes to write their names/surnames, company/country, Knowledge outside profession, and Questions/Targets on cards.
Targets – what people expect to get from this workshop: questions may refer to anything, i.e. who is dealing with air travel reconfirmations.

For the full list of participants, please see Annex 1.

Mr. Croal then made his presentation. See ANNEX 2 for full presentation.

HISTORY AND STATUS OF CALABASH PROJECT – BY PETER CROAL

He explained that Calabash is a project of World Bank who wants to build more capacity in the region in civil society. He personally is here from Canada, CIDA, to manage the programme for 2 years (until June 2005).

How does all these fit together: the needs of industry, government, NGOS and the public. He pointed out the number of quotes around the room as references for consideration:

“In a recent EIA survey, 91% said it is very important to get information. How come over 63% said they get no or inadequate info?”
“Who is listening to the voices of the poor?”
“Once people articulate their needs and rights, no government can resist. Is that so?”
“Are governments now more guided by local and vocal interests?”
“Governments can not do the job alone and civil society groups have a critical role to play.” – Kofi Annan
“Does participation offer real opportunities for positive change?”

With regard to the status of government (GOV), within SADC the GOV tends to have fewer resources, etc.

In terms of NGOS, they can operate at a global level and watch GOV and so can be a useful partner, once on your side.

Relating to the public (in particular this region), how many people really know their rights? He then referred to an article in “The Namibian”, which reported that an Induna leader had given the go ahead for mining without the consultation of his community and when they found out they said no and claimed their right to be consulted.

Mr. Croal asked the questions: why does PP not happen? Why is there reluctance? What are those fears that inhibit participation?

With regard to EIA compliance requirements, there are stacks of paper saying the public has right to participate but how does the public, especially marginalized communities, even know these documents exist?

“Whom should we engage with? Who has power? Who is never heard or sought out? How come we don’t involve/consult women and children more?”

With regard to factors that have an effect on PP, it is necessary to have good terms of reference, to ask ourselves have we planned the meeting at the wrong time? Is compensation for time spent built into programme?

He said PP might be the one chance a marginalized community has to be involved and engaged in a positive way. He gave an example where the men in trucks doing surveys were not informed about PP and therefore didn't generate trust with the local community through displaying a lack of respect (e.g. the men didn't ask permission or inform the community but simply cut the locks on the communal gates to do the survey.)

He highlighted the importance of making this process unique to the SADC region. Some people are members of project team and are therefore very familiar with project.

He explained that the Terms of Reference (TOR) are not in the handbook today as they are still being developed by another team. When people have to do PP it's usually done through a consultant with a contract containing TOR. Sometimes TOR are good and sometimes not so Calabash is developing template TOR for people to adapt for their own use. Furthermore, the handbook will also have a breakdown on rights, based on the constitutions of the various countries, etc. to act as a quick reference.

He informed the group that there is a training programme envisaged to take place by February / March which will be a pilot course.

He continued by saying there is a lot of work to be done and a lot of experience in this room. When you ask local communities how it's going with PP, there will be some negativity but there are some examples of good practise and the idea is to spread out through the region this knowledge through the participants' networks, media, etc.

He closed by thanking the participants their willingness to be involved and asking them to keep on the practical level. He expressed appreciation for the NEPAD representative as good governance in the region is critical, and it happens best by talking to people and allowing their involvement.

Plenary

Lote Simione referred to the slide about factors regarding public participation and remarked that the level of information was an issue and that dissemination is a big problem. He also highlighted the literacy level as having an impact.

Mr. Croal agreed that it is difficult, even for people in this room, to read through thick documents. It is a challenge to try and condense key issues into their own language so they can understand and there is a lot of room for improvement. He asked the group whether they thought that anything missing from the list of factors.

Litha Musyimi-Ogana said it was important to touch on indigenous knowledge, and consider the issue of beneficiaries, not just poverty but livelihoods should be incorporated.

Byrony Walmsley raised the issue of overt intimidation, i.e. bullying tactics, like letters from lawyers. There are also more subtle forms of intimidation, for example, the knowledge of consultants. Fat reports are intimidating not only to rural

communities but also to the white community she has been working with. People in the community being employed by the project is another form of intimidation.

Mr. Croal gave the example of a big nickel mine in Canada for which a big PP was done with traditional people in the area. The issues the community felt were important were not expected: how do I open a bank account; who will look after my kids, who will teach them to hunt; how do I write out a cheque? Instead of being environmentally oriented, the concerns expressed were more social.

Ms. Hoadley pointed out that corruption and bribery are both factors that impact on the effectiveness of PP in EIA.

Norman Green said these issues can be summed up under lack of law and order.

Kinny Ntambale asked if the handbook zeros in on harmonising legislation, particularly for trans-boundary projects.

Mr. Croal said there is a debate on the process currently going on. Rights to participation will be part of that. This topic is larger than just this but it will touch on it. Differences in levels of participation between different communities is an issue.

Debra Roberts said law and order can be a double-edged sword. New EIA regulations in South Africa seem to limit it, seeming to come from a government frustration with the process. Law in itself can be a problematic tool.

Herbert Modupi said we cannot ignore the capability of the agency that does conducts the PP as one of the factors; if company is not competent then you have a flawed product.

David Shandler said one of the most serious problems in SA emerged which is a growth of very poor quality EIA and teams which is undermining the process of PP, which has been reduced to cursory consultation at best. At the root, every PP should be about managing conflict which is characterized by a fundamental lack of skills in this area.

Marie Hoadley said there is an NGO in SA that dedicates itself to watching consultants and they have managed to get rid of a few.

Peter Ashton said he's met consultants who avoid PP, which is a pity as it's needed; the heat of conversation can bring out important issues.

Mr. Croal said it's become the default in there region that where you do PP it means a public meeting (PM) and people stuffed in a room which turns into nothing but conflict. He said that a public meeting is probably the least favourable form of PP. There are 30 different techniques other than the difficult to control contentious PM, for example public radio should be looked at more.

Ms. Walmsley commented on the role of media effects on PP saying it can make or break it. If the media wants to make sensational story of it, working against out of control media is difficult and facts should be presented not just story.

Kinny Ntambale said in his experience, journalists are mostly not equipped so they wait for an expert on the project to raise some sort of conflict. In general journalists are not educated on EIA and PP, but they realise you need knowledge on the subject to adequately write about it. Journalism is dynamic, there is a pool that understands, but they face editors who want a **STORY** (human bites dog) so even if the piece is factual, it's flat. He advised participants to focus on educating editors.

It was agreed something in the handbook about engaging media should be there.

Danie Louw gave an example from Nampower where they had to construct different size lines and the different sizes had different EIA requirements. He wanted to know where one should start with EIA. He doesn't think there's legislation in Namibia for distribution lines but they can cause more damage. The level of education of the community and ways and means to reach them can be major constraints. In some cases, people don't even know that we're busy building a line.

How will we reach those people in the remote areas? That's really a big concern. **Mr. Croal** said that would definitely be part of the kit.

Dr. Ashton said talk to media about the sensitivity of language, i.e. clear 10 hectare site should not be described as total devastation, choice and play of words around significance are important

Herbert Modupi raised the issue of individual hindrance. People hire you but tell you what to do.

Mr. Shandler remarked regarding the media, that the responsibility can't rest with them, we need to develop skills amongst other stakeholders. Well written press releases are loved by the press.

How to develop good media releases should be included in the handbook.

Ms. Musyimi-Ogana said women must be free to be involved in PP and with regard to the time frame, some PP are too rushed. It takes time for people to understand. She felt that people doing EIA should come from other sectors (i.e. if the project proponent is a public company, a private company should do the EIA, and vice versa). Peer review can help us create ownership and better understanding amongst stakeholders (use local expertise, it can do it better, faster.)

Michele Kilbourne-Louw said there are cost and time factors that need to be considered. What is the boundary of PP in terms of time, cost and people consulted? Could some kind of checklist be developed?

Norman Green seconded that press must be managed properly and if done properly they can be quite useful. They should report back to you.

Vassie Maharaj said with regard to time frames: projects usually have a schedule, proponents need to be informed upfront so they are aware of the time needed. In SA,

there is a law that a document must go out for public comment. She said project proponents need to be sensitised to the whole process.

Marja Prinsloo said with reference to the corporate world: yes there are vultures. The availability and level of information is mismatched with EIA. Some corporates really want a decent EIA but it is really a challenge. Once information is available, then the time frame between its availability and construction is too short. She also pointed out that there needs to be a clear distinction between PP as part of EIA and social responsibility projects.

It was pointed out that there is an unhealthy relationship between benefits and negative effects. For example when a project means jobs for the community, they are less likely to be concerned with possible negative effects.

Social impact assessment does not equal environment assessment. Development proponents often have a lot of fear in engaging the public which is irrational. A well-managed PP can assist rather than hinder a project. Most people do shy away from it or do it poorly.

Ms. Hoadley pointed out that people who are doing Social Impact Assessment (SIA) are not working with Environmental Impact Assessment (EIA) and this is causing problems. The process should be more inclusive, PP should ideally be involved in both. It's very problematic when the processes are separated, and there is no crossover between the two areas of expertise.

Mr. Shandler raised a note of caution that PP in EA is a very short episode in the life of a business, sustainable business should be encouraged to have deep diverse relationships with communities and one doesn't want to disavow a company developing good long-term relationships through social projects.

Ms. Prinsloo said that social development projects (not social impact assessment) relating to public relations can interfere with EIA.

Michael Nangalelwa said there was too much political interference from GOV. Decisions are actually made before PP which gradually reduces confidence in the whole process, as people think nothing will come of it. Secondly, the process of consultation is very short-term, maybe a once-off and with regard to the whole process in law, i.e. advertising results, people's accessibility is very low (small advert in paper not seen, etc) and this restricts PP.

Colin Christian asked at what stage do you introduce PP. If you have too little information, then what can you tell them and on the other side if there's a firm project proposal then you haven't told them earlier enough. **Mr. Croal** remarked that every manual says involve public as early as possible but what does that mean practically?

Mr. Christian continued by asking how much should an audience be primed, especially if people are not well educated. What if the developer says there will be jobs, which may not be true? A lot of developments can actually make people poorer, if you inform the public honestly then the client accuses you of trying to sink the

project. **Dr. Ashton** agreed that projects are often oversold as the developer presents the macro rather than the micro view.

Mr. Croal said he's happy that there's interest and engagement already from the workshop participants' side.

The facilitator said he was becoming concerned as it appears that there are many issues. He released the participants for coffee break at 10h30.

11h00

The facilitator welcomed back the participants and asked those who recently joined us to introduce themselves with the card system used earlier.

Cheryl Jenks introduced herself saying she was from the company Common Ground in South Africa, she was knowledgeable about rock climbing and her targets were to share ideas and expand the handbook. **Peter Ashton** said he was from CIS in South Africa, he was knowledgeable about African orchids and his target was to exchange ideas and experiences.

The facilitator stated that we are still in the warming up stage although many comments had been made about various issues. He explained that the next session was to ascertain whether we understood the Calabash project goal and to familiarise us with group work.

The Calabash Project Goal: "The capacity of civil society in SSA to effectively contribute to decision-making related to sustainable development in SADC through meaningful public participation in environmental assessment is recognised, respected and enhanced."

Mr. Kroll asked participants to focus their ideas on the following three elements of the goal: recognised, respected and enhanced. He requested participants to form three groups and look at the assigned word so that our work on the handbook is seen in the direction of meeting the project goal.

Task: find 6 elements related to each word that helps us to understand project goal.

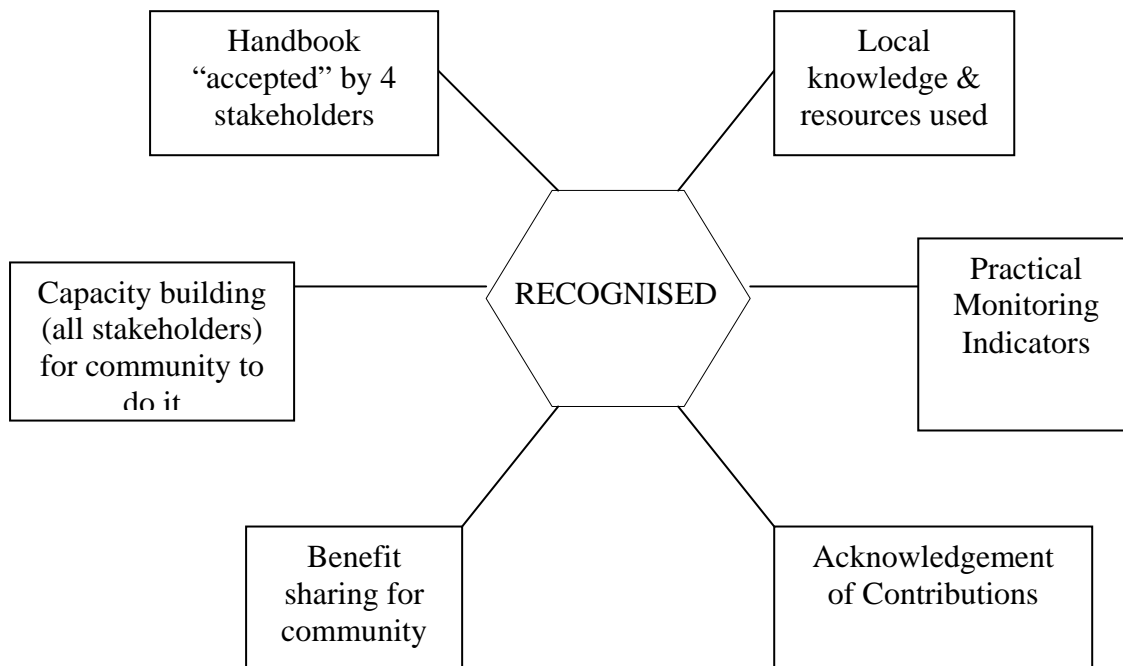
Brainstorm – what you understand – then a moderator to visualise it, then prioritise and choose 6 elements, using a hexagon with the word in the middle. This work is in preparation for a later session.

The groups were given 20-30 minutes for discussion and then 5 minutes for a presentation.

Groups were welcomed back for their presentations at 12h20 and informed that a group photo would be taken just before lunch.

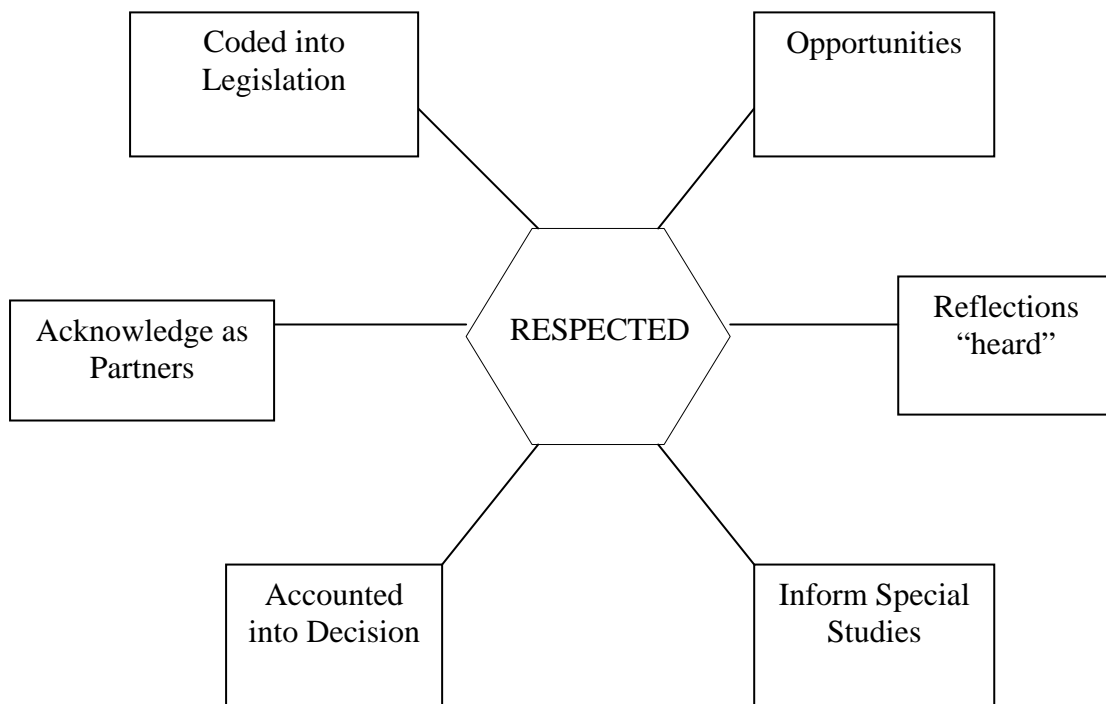
PRESENTATION OF GROUP WORK SESSION 1 RESULTS

GROUP 1 – RECOGNISED – PRESENTED BY PETER CROAL



- Local knowledge and resources need to be used (people come in and leave behind nothing for the community) better
- practical (4 stakeholder groups wanting to be seen in the handbook) for all, and built into that is monitoring indicators (how can we be sure)
- acknowledgement of contribution – something for community (transport, food, etc) so that their time and information is recognised
- if a company is really serious (a proponent) there should be some benefits, develop mechanisms that community gets some long term benefit
- capacity building for communities, they should actually do the participation to assist the process but is this capacity existing? This also applies to other stakeholders and long-term partnerships. We need to be careful what we mean by that, what can community contribute?
- Handbook is accepted by all 4 stakeholders (and used).

GROUP 2 – RESPECTED – PRESENTED BY MARJA PRINSLOO

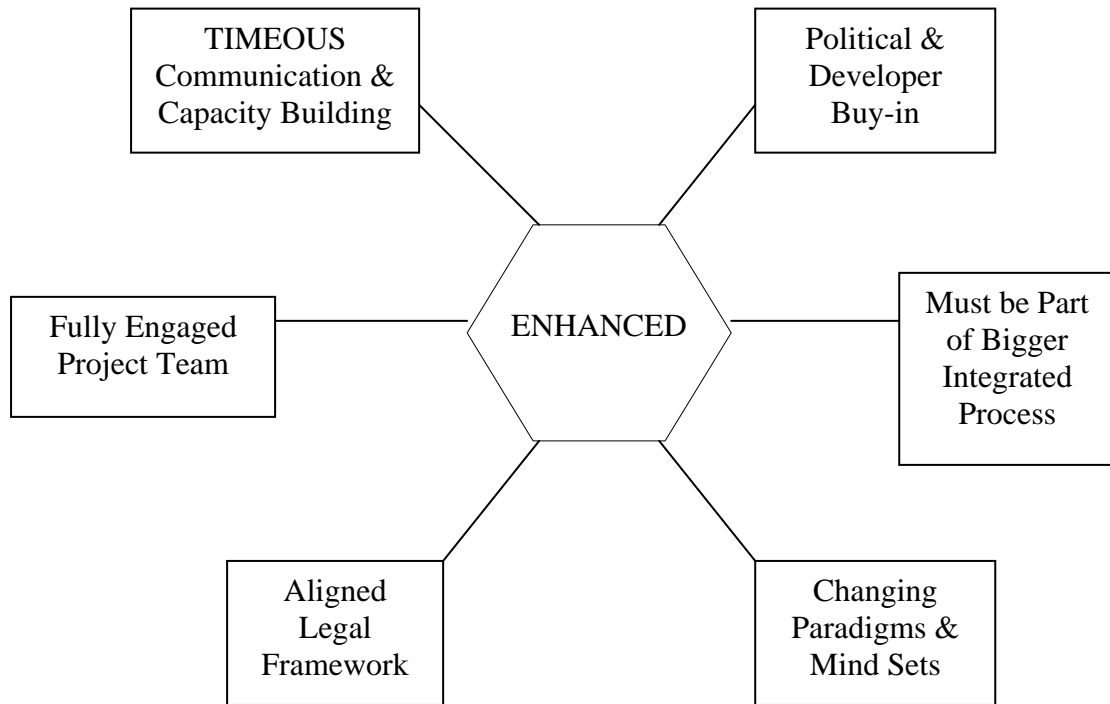


Ms. Prinsloo began by saying it was hard to decide on only 6 indicators for respect:

- Crucial that opportunities are provided in different ways in an ongoing manner.
- Make sure that information is really heard and reflected.
- Informed specialist studies are used
- Effort – can change decision
- Acknowledge partners and that developers and consultants form equal partners
- Being coded into legislation is an acknowledgement of respect.

GROUP 3 – ENHANCED – PRESENTED BY CHERYL JENKS

Ms. Jenks started with the necessity that political organisations and public buy in to process (it does have value and we will engage honestly.)



- Must be part of much broader ongoing process of engagement
- Changing paradigms and mindset – there is a present mindset interference, etc., this needs to be changed so that people see that it actually can add value
- We need an aligned legal framework so we can have a holistic approach
- Project team should be fully engaged in PP process, consultants part of project team, need to be part of design process and meetings
- Get in early, inputs coming from public can have value

Dr. Tarr remarked “We’re essentially selling broccoli, it’s good for you but people don’t really like it.” These case studies are important, but up until now, there’s been no real evidence to convince people that it’s good for them. “We need to think about life after Calabash, looks at indicators that PP actually promotes.” He said this is a good opportunity to take up the issue, develop a long term monitoring programme (maybe with NEPAD), keep an eye on it, and determine what is good practise and can be taken forward to best practise.

The facilitator explained that he saw the latest group work like a learning wheel that we have some information to help us to take the handbook further for better utilisation.

The Parking Lot for Issues grew to include the following:

1. Does the handbook zero in on harmonizing legislation leading to observance of EIAs, if not how will it assist in this direction?
2. SIA must be part of EIA.
3. Indicators of how PP is good for NEPAD, MDGs, companies etc. – long-term monitoring of PP benefits

The group was released for lunch at 12h30.

14h00

The facilitator welcomed back the participants after lunch and assigned them the following tasks:

1. During the presentation by Common Ground, identify and note down on cards important elements / activities / actions to make PP happen.
2. At the end of each presentation the plenary has the opportunity to clarify.

He explained that what is said in the plenary will be captured by the rapporteur and will be given to the participants tomorrow for reference. He then handed the floor over to David Shandler for his presentation. See Annex 3 for full presentation.

OVERVIEW OF CASE STUDIES AND HANDBOOK – BY DAVID SHANDLER

Mr. Shandler began by saying the handbook draws very strongly on findings from case studies. The first challenge was to identify case studies from the nine countries. They chose fairly strenuous criteria for this process. They also wanted a good spread from across the region and to avoid an overemphasis on South Africa (SA). Only 10-12 studies were received.

He gave a brief overview of the model of best practise they came up with.

- Real dialog was defined as two-way and listening.
- He highlighted that the handbook is a draft and needs testing and refining.
- Practitioners, CS, GOV, and Developers are the four groups around whom the handbook is grouped.
- He emphasised that it is a point of departure for testing.

Plenary

Byrony Walmsley said she was really happy about the development of the handbook but wanted to know about what institutional credibility it would have, so you could throw it at someone and say “you didn’t follow it”. Efforts should be made to get endorsement from various agencies.

Mr. Croal agreed that was a relevant point. He said the African Union has been extremely supportive from the first day and he is very pleased to receive such unsolicited support. The Southern African Power Pool (SAPP) is looking for training and they will be able to use it.

It was pointed out that while African Union support is great, a developer will ask if it's legally enforceable. The point "handbook endorsement – how? Who? Testing? Turn into text book?" was added to the Parking Lot for Issues.

Mr. Louw said even if you use it as a guideline that will help and you don't need to endorse it to use it as a guideline.

Frauke Münster said principles remain the same regardless of size but small scale developers case studies should be considered so the handbook can be still applicable.

Dr. Ashton said several endorsements were needed, the AU is good, but how about departments of environmental affairs, it makes them look good and helps them do their jobs. Hard line academics should check for theoretical criteria, as there should be no combination of processes that confound each other. It would be good for them to say "yes it is accurate, useful, mandated." It might be worthwhile developing a strategy for that, perhaps getting someone from a University to take a look at it and make it a text book.

Litha Musyimi-Ogana said that gender sensitivity in EIA is very important to NEPAD.

Mr. Green recommended that developers should take a look at it.

Debate about testing and institutionalising the handbook was added to the parking lot.

Mr. Shandler then handed the floor over to Cheryl Jenks for the 1st 3 case studies (see Annex 4 for full presentation of all case studies):

PRESENTATION OF 1ST THREE CASE STUDIES – BY CHERYL JENKS

T&DB Dept of Minerals and Energy initiated process to rehabilitate this rather unhealthy area and make communities aware of health risks. Halfway through the process, it was realised the process needed to be expanded.

- Commitment of developers is key. A stakeholders' steering group was set up and monthly meetings held. A good working relationship between NGO NGEF and developer existed.
- It is a complicated process to change peoples' habits.
- There was close work between the technical team and pp team. People did withdraw from the process when they realised they wouldn't get anything out of it which is a tricky issue.

Plenary

Mr. Modupi asked to go back to slide regarding communication and referred to the development of a document, the intention was to basically broadcast it on national TV and tell about the money required to rehabilitate the site, etc.

Ms. Maharaj said they also did wall painting to spread the message in the townships.

Dr. Ashton asked if the team had dealt with the previous attempts to rehabilitate the mine by the local municipality. **Mr. Modupi** explained that some attempts were made pre 1994.

Skorpion Zinc Mine

- In this case early on it was realised EIA was needed. There was a very diverse range of stakeholders.
- There were labour issues and the PP raised concerns of overriding town infrastructure.
- The Ministry of Environment and Tourism relationship was very strong. Farmers were also successfully involved through one on one meetings. There was a special forum to address not only issues regarding construction but others.
- Interviews with older people revealed that they didn't participate. The community is very insular. Public meeting techniques were perhaps not the best, i.e. women saying their husbands were going so I don't need to go. There was an environmental management plan EMP.

Plenary

Ms. Kilbourne-Louw said Rosh Pinah Environmental Forum (RPEF) was monitoring other issues. **Mr. Louw** clarified that it was a multi-stakeholder forum.

Ms. Walmsley wanted to know how do you deal with a 90 year old woman who wanted to beat up the developer (conflict management). **Mr. Green** said she had a legal battle and wanted use this forum for her own means.

Mr. Louw pointed out that EIA didn't stop with construction of roads, power, etc.

Dr. Ashton asked if project monitoring information was given to stakeholders. **Ms. Kilbourne-Louw** said it was planned to be included in the newsletter.

Ms. Musyimi-Ogana raised the issue of women and sentimental issues about land, saying we should perhaps send another mission to think more deeply about these matters.

Mr. Croal asked whether we as GOV, come into the process knowing what we want to do. The community doesn't know what's going on and how they fit into the process. This takes time; how do you build in the time for community to understand?

Mr. Modupi asked about the database of contacts – how many people had been included? **Ms. Kilbourne-Louw** said 200 initially but as process developed more people came in looking for jobs. There were a lot of scientists vociferously involved, but apart from two farmers there was no immediately surrounding parties.

Popa Falls Hydropower

This project was relevant to the people of Botswana as well. They started with a pre feasibility EIA – hence there was a lack of detailed info. The PP scope was somewhat limited. They didn't visit everyone in every hut but meetings with groups in the area (both Namibia and Botswana) (Divundu, Rundu, Windhoek, Maun, Scientists in swamp).

- The commitment of Nampower was interesting. There was a lack of GOV interference.
- The change in Nampower's approach allayed some mistrust. Participants were not happy with project itself but expressed happiness with the process. However, Botswana felt left out and that caused tension.
- The issue of early consultation vs detailed information came to light as if you consult too early, people don't feel informed, too late and they don't feel consulted
- Although it had a transboundary nature there was no engagement OKACOM in intergovernmental co-ordination. This committee should have been more involved.

Plenary

Dorian Bilse explained that the value of going in early was the real scope of alternatives discovered. There were three proper alternative sites and there were quite a lot of technical alternatives that were scoped at that level. The other side was they didn't know which site was going to be decided upon.

The Okavango swamp has international recognition so Botswana has more active NGOs and they are real activists. Also a lot of tourism operators also got involved.

With regard to OKACOM, they only meet every once in a blue moon. **Dr. Ashton** explained that they were an advisory committee with no mandate to direct activities, only mandate to advise GOVs. They had no control over level of detail of studies, nor could they control who was engaged in the process. It is a place where those three countries get together. OKAKOM people are fully employed elsewhere.

Mr. Modupi pointed out that the lesson is that they are key people and they should have chosen themselves not to be part of the process.

After a 10 minute break a new participant was introduced; Tony Barbour, who used to work at UCT, and is now on his own.

PRESENTATION OF 2ND THREE CASE STUDIES – BY DAVID SHANDLER

Mr. Schandler continued with the next 3 studies.

Sasol Natural Gas Pipeline

- This was a very large scale project and because of its scale, there were seven parallel EA processes. PP process was complex (linear). Very few people needed to be moved due to close communication. Another valuable aspect was that it deepened civil society participation.
- Mozambique couldn't pay for transport and accommodation for GOV officials to come, it was discovered that they were paying from their own pockets. It was agreed for the project to pay for that.
- Reports were largely written in English (technical reports all in English), and needed to be translated. Regional meetings held in Portuguese but local people couldn't participate effectively.
- Sasol started process of stakeholder engagement before project after considering what happened to Shell in Nigeria. They blew up their relationships there so lesson was to build deep relationships with stakeholders.
- It enhanced the environment by setting context.
- Landowners who had private title were negotiated with individually. A separate team was set up to negotiate the rights, not part of team doing assessment. They were given documents from EIA team to be delivered. Landowners didn't engage much in the PP of EIA.
- The pipeline route was decided through EIA. It was decided to target community leaders who could understand the process and not all the way down to the grassroots.
- Specialist Socio economic studies were done. This deepened the base of the EA process. Even if people didn't come to meetings they were involved and provided information to the process.
- There was complex, long and intensive PP which produced very little conflict. Most significant point was one landowner who dug his heels it but that was resolved.

Plenary

Ms. Walmsley asked how PP affected the whole resettlement and compensation issues.

Ms. Prinsloo said that started on the SA side before the EA so they were the first point of contact. Then the same channels of communication were used. At a later stage, feedback on the EIA was given back to the landowner. In Mozambique there was long term high level contact. First people went to chief level in the communities to get their buy in, the compensation was done way before construction started. People went in two weeks ahead and explained compensation. She applauded the chief for identifying opportunists, and saying don't pay this guy he wasn't here. Pictures were taken and blue passports given, simultaneously in Mozambique, PP took place in forums using various task groups whose chairs reported to the Liaison Committee on Ministerial level.

Mr. Shandler pointed out that the compensation process followed the EA process.

Mr. Barbour asked if there was involuntary resettlement and was given answer that only 15 homesteads in 865km, at the gas plant location, were involuntarily resettled.

Mr. Green said pipe line construction is the issue but after the construction, the EA was not so relevant.

Dr. Ashton asked about how land mines were removed. **Ms. Prinsloo** said this had been an issue. Land mine removal requires four people with a truck and dogs and the cost is great. They had to talk to people. **Dr. Ashton** continued by saying some communities are using landmines to protect their resources from external exploiters. They know where they are and have access routes.

Mr. Kodiaga asked about steps to ensure PP continues to mitigate impacts while project is ongoing; were there any plans to build capacity to observe leakages, etc.?

Matheus Zimba said an EMP exists and includes education. There are impact and safety issues which require education of truck drivers, etc. Ongoing evaluation must include communities. Resettlement and compensation is really a small thing in terms of this project. The pipeline goes into the remote areas. The population is quite dispersed. It was designed to affect the minimum number of people possible. From the EI, you have negotiate with communities 20 or 30km in. With directly affected people you have one on one meetings. You have to go there and spend time discussing issues. **Mr. Shandler** clarified that public meetings were largely GOV and NGO attended.

Dr. Ashton asked if there are problems with people using the cleared land. **Ms. Prinsloo** said no because GOV is co partner and they receive some percentage of income. By negotiation Sasol has regular overflights and give information to the Mozambique GOV and they handle it.

Lote Simione said the PP took place at the different levels: central, provincial, and local.

Sun International Victoria Falls Hotel in Zambia

- It's a significant investment, great environmental and cultural significance. Local people from time immemorial have used it for ritual practises. Standard processes were done in accordance with Zambian law and international convention. Participation took place in critical stages, scoping, reporting back, etc. A new experience in the Zambian context was the high level of debate; largely leadership level.
- Day to day life priorities, and heritage cultural issues were at the fore with a lot of input from interviews with grassroots (no public meetings).
- The Developer promoted development through various media, visits, etc.
- Project steering committee didn't meet that regularly but did assist in the design.
- Political involvement was very high (Presidential level) though not in the EIA per say. Pressure was placed on officials to get process finished. Negative comments were received about the PP.

- The PP was effective but there were challenges, it introduced a mode of operation where it didn't exist before.

Plenary

Dr. Ashton said it was the first big EIA done in Zambia and agreed that pressure played a role; deadline was met. They used a new technique for uncovering basically details of holy/ritual sites, stakeholders didn't want to share specific details. They had to work with traditional chiefs, which was insightful and strengthened confidence in PP.

Mr. Ntambale wanted to explain the political involvement: from junior school level, civics is taught, rights (from childhood). Zambia has experienced situations where projects didn't get built. In this case 4000 jobs were promised and any president would want to be able to say he raised the level of employment. However on closer examination only 400 are employed. He said there is resistance now for the next project Sioma park because promises were not kept.

Ms. Musyimi-Ogana asked if people doing EIA know when pressure comes from GOV legitimately or because they have shares sharing an example in Kenya, there was such a case where a Minister was involved. **Dr. Ashton** said there had been a war of faxes but he had got on paper that the developer knew of no political shareholding.

Mr. Zimba said the political involvement can be positive if used positively. In his case, the President explained to the communities that it was not about job creation but it was good for the country. This helped a lot otherwise if expectations and reality are far apart there can be problems.

Mr. Green asked why an EIA was needed if hotels had been on the site previous. **Dr. Ashton** answered that a new EIA was required because of new legislation

Mr. Nangalelwa noted the significance of it being a National Monument and also a World Heritage site now. The general opinion of people at that time was what level of development is desirable at such a site. Kasungula to Vic Falls has a lot of pressure as an elephant corridor for instance. After EMP it was required that a person be employed to physically oversee construction process. There was a body representing various stakeholders, the Environment Liaison Committee, since then issues have arisen not adequately covered in EIA. A fence has been built to keep elephants out. He said they really showed a lot of spirit to do their best for the environment – a lot of dynamics on the ground.

Durban Container Handling

Mr. Shandler noted that Common Ground did this study and he was reluctant to use it but couldn't contact stakeholders for the other case study in Mozambique and so had to use this particular case study.

- The site had both highly developed and underdeveloped areas.

- Involved parties included sophisticated labour organisations, lots of various interests, recreational interests, aesthetic concerns.
- IEMP – integrated environmental management process – was used which led to collaborative problem solving.
- With a 3 million population you can't invite every one to a meeting.
- There were ecological aspects, economic, Recreational issues and city management issues.
- Stakeholders were concerned about ecological dominance of the agenda. Business said they had to build capacity to get involved as they didn't understand all the issues.
- Every report produced was condensed and posters and pamphlets produced.
- Initially media stories were wrong, so a special meeting was convened with media to talk them through the process. Still a very good debate ensued.
- The trade unions approved the consultants so a relationship was created.
- It was a vision driven process – future of bay of Durban – which became the framework for developing the bay.
- Late in the process when the number of solution options was being reduced as some were economically unviable, another set of options was investigated, and a Local Advisory Committee of various stakeholders negotiated the final solution which was endorsed by the developer. The use of planning and EA in a problem solving kind of way was unique.

Plenary

Ms. Roberts said although it had facilitated people's involvement in the process, institutional memory to impact on long term planning was important and has not happened. The master plan happened behind closed doors. It was an excellent process but there was no institutional memory to carry it forward.

Mr. Croal referred to the handbook and institutional capacity, is the discovery phase part of the process?

Dorian Bilse said having been involved and moving on, from his perspective the project was very pushed, as they totally underestimated the amount of time we needed to share and learn a lot ourselves to be able to understand each other. He said they did not have control of the end product. At the end because of debate, there were so few solutions left (acceptable) that these were the ones that had to be implemented. Time frames and perhaps the way we participated (large groups) impinged on the process, it might have been wise to focus in on key stakeholders and get more out of them. People sent their EIA instead of Chief Executive Officer.

Mr. Shandler remarked that a process like this is very intimidating.

Ms. Münster commented on the visioning technique wanting to know if you could ever get a common vision with a Brown Fields development.

Mr. Shandler remarked that this was a 10 to 15 year vision about the qualities the Bay of Durban should have, and it reflected the mixed, possibly because the mix existed. The vision reflected the set of interests – Brown vs Green . A good vision should be able to reconcile interests. In the case of developing a pristine field, we need to test whether vision can work.

The facilitator thanked Mr. Shandler and Ms. Jenks for their presentations. He asked participants to check their yellow cards. He said he would collect the cards and cluster them on the board. Emphasis should perhaps be on issues not mentioned but he doesn't want to exclude anything. He gave participants a 15-minute break.

Mr. Kroll asked for volunteers to collect cards and putting them on boards in clusters of similar ideas and give them headings. He said he thought SADC should be looked as a special area and issues that are more relevant here should be identified – developing countries have similar issues and we shouldn't waste time digging out specific SADC issues, so people should please keep that in mind.

Learning points are where processes were okay but they unravelled and we have to know why. What implications would there be from investigating failures?
Accountability of information disseminated? Who is held accountable for that?

The facilitator assigned Ms. Jenks, Ms. Roberts and Mr. Barbour the task of reducing/combining cards and giving each a theme.

Themes	Issues
Building Trust & Relationships	<ul style="list-style-type: none"> * Build trust * How to establish “credibility” of consultants * Effective teamwork: EA + PP practitioners * Focus on building long-term relationships * How do you know if you have right consultants?
Capacity Building	<ul style="list-style-type: none"> * Creative awareness raising & capacity building * Capacity mismatch addressed * Capacity issues * Understand “own fit” into PP & EA
Client Buy-in Commitment	<ul style="list-style-type: none"> * Genuine buy-in by client / developer * Client & authority commitment * Convincing government / industry of PP value * Proponent / developer involvement * Loss of control by developer * Issues raised in PPP addressed by proponent * Why do some elements of a community not participate?
Communication	<ul style="list-style-type: none"> * Transforming “jargon” to “information” * Type of communication tools * Creative communication tools * Extensive communication * Communication strategies

Communication cont.	<ul style="list-style-type: none"> * The media should play a bigger role in facilitating informed PP in EAs * Managing expectations – How many jobs & for who e.g. honesty * Information should be disseminated about any development * Accessible communication * Clear problem statement & goals * Media Liaison * Feedback / Return of information * Feedback after PP process? * Feedback on progress
Cultural Diversity & PPP	<ul style="list-style-type: none"> * Flexibility i.t.o. cultural differences, language * Respect for cultural practises and areas * Acknowledge cultural diversity * Acknowledge language differences * Understand diversity of stakeholders
Early Engagement	<ul style="list-style-type: none"> * Early engagement with stakeholders * How early is “early”? * Pro-active approach * Start early in project development process
EIA – An end? A tool? Is PP an end in itself?	
Engagement Techniques	<ul style="list-style-type: none"> * Structured & regular stakeholder engagement * Ensure public stays INVOLVED * How do you keep important IAPs involved * How do you get women/youth involved? * Diverse & appropriate PP techniques * Use of local NGOs/groups to access stakeholders * Engagement of local NGO to foster links with communities
Flexible Process & Alternatives	<ul style="list-style-type: none"> * Process flexibility * Alternatives evaluated thoroughly * PP process must be flexible to adapt to local circumstances * Flexibility * Creative solutions
Focus on enhancement of positive impacts towards SD	
Information Accountability	<ul style="list-style-type: none"> * Lies, More Lies & *?@^ statistics * Benefit sharing during PP must be articulated * What % can the affected community gain from the project?

Information Accountability cont.	* Affected individuals – direct dialogue & communication
Institutional Learning	* Key learning points from “failures” in PP * What is the institutional memory of PP processes? * As practitioners we need to advocate & celebrate & learn from good & past PP best practises * Long term institutional commitment * Lessons from poor PP in projects
Issues	* How do you keep issues relevant to project? * Attend to issues outside EA scope
Level of Engagement	* How to get below leadership levels involved * Role of traditional structures * Reliance on community leaders for info dissemination to community? * Some stakeholders are constituency based, different from lobby groups thereby impacting on project schedule
Managing Conflict	* EA as a problem solver * Reconcile interests * Why NO conflict with SASOL * Creative management of conflicts
Monitoring	* Measure success: during & after EA * Community must be part of M & E * Post-project implementation: construction, operations
Most people have agendas	* PPP used as a battleground * Hidden agendas
Parallel Activities	* How to keep parallel EA processes in sync * Co-ordination of proponent activities (PPP, resettlement, compensation) Project Liaison Committee
Physical Resources (time, location, cash)	* Time taken for EIA & PP * Ensure & support stakeholders’ ability to attend meetings / input to process * Material help when affects PP outcome * Easy access for communities to public meetings * Resource availability
Political Intervention / Interference	* When development is “needed” by government & influences process (SZ, Hotel, Sasol) (No No-go option) * How to let people say “no” when headman says “yes” * Political independence * Political intervention

Political Intervention / Interference cont.	<ul style="list-style-type: none"> * Political influence – a significant push/pull factor * “Political accountability” of statutory organisation(s) – OKACOM * Political “interference” can be very positive * Political involvement can help in managing expectations
Principles	<ul style="list-style-type: none"> * Open & transparent * PP should be guided by principles such as: accessible & flexible & inclusive & legitimacy * Public rights * Are all people treated as “equal” in PPPs * Some developers initial commitments in EA process not met, what can public do?
Project segmentation can lead to problems with “integration” of findings	
Realistic Expectations	<ul style="list-style-type: none"> * Type of project & nature of IAPS impacts on “success” of PP
SIA & PP	<ul style="list-style-type: none"> * SIA role in PP in EA * Integration between PP & socio-economic study
Stakeholder Forums	<ul style="list-style-type: none"> * Community Environmental Forum * “Stakeholder” Groups, e.g. RPEF, Environmental Liaison Committee * Stakeholders’ Forum / Committees should be formed * Steering committee to guide stakeholder engagement
Stakeholder Involvement	<ul style="list-style-type: none"> * How far do you go to get IEAPs involved? * How do you get community up to speed? * Effort to identify interested parties, e.g. academics * Lack of knowledge about the stakeholders * Broad range of stakeholders: interested vs affected * How far do you spread the net? * Stakeholder analysis matrix * Identification of range of stakeholders (local communities, scientists, etc.) * Identification of key stakeholders * Full participation * Active involvement * As a developer where does the community fit in your project planning?
Transboundary Issues & PP	<ul style="list-style-type: none"> * How can PP be more effective in transboundary sites? * PP in transboundary projects
Who queries validity of development (economic, strategic, political, technical)?	

The facilitator said SADC relevance would be dealt with tomorrow.

Announcements regarding dinner arrangements were made and participants were released at 17h15.

08h30 Day 2

Mr. Kroll began by taking the participants through the day’s programme as follows:

1. SADC Context
2. Presentation of the Handbook
3. All things considered – 4 major stakeholders
4. Success indicators and handbook testing opportunities
5. Next Steps
6. Closing Ceremony

Participants were asked to consider their first impressions during the presentation of the handbook and note down issues on cards using the following colour code: green – what I like; orange – what I don’t like; white – what I miss; pink – critical questions.

The facilitator then moved on to the SADC context and proposed that participants break into two groups and discuss and compare with other regions to see if there are any specific issues which participants want to make the consultants aware of. **Mr. Croal** clarified by saying he wanted to get what is really key about PP for SADC, i.e. HIV/AIDS, gender. The facilitator asked for 5-7 prioritised issues put on cards from the groups.

After 20 minutes groups returned and presented their issues as follows:

GROUP 1 RESULTS – PRESENTED BY TONY BARBOUR

<p>Prevailing & Increasing Poverty Limits PP Participation</p> <ul style="list-style-type: none"> • Poverty • Unequal access to water, land, technology, health • Absolute / extreme poverty • Poverty & unemployment 	<p>Extractive Industries</p>
<p>Typically a lack of awareness re: the importance of PP (all parties)</p>	<p>Culture of Silence</p> <ul style="list-style-type: none"> • Diverse understanding of the concept of democracy • Unfamiliarity with participatory decision-making • Culture of silence if “Chief” or “President” says yes
<p>Fear of letting go of power</p>	<p>Poor Education Levels</p> <ul style="list-style-type: none"> • Education • Level of education is down • Low education levels
<p>Poor Governance</p>	<p>Landmines</p>
<p>Regional Integration Strategies</p>	<p>Rural communities difficult to engage</p> <ul style="list-style-type: none"> • Too many remote rural areas
<p>Political Interference</p> <ul style="list-style-type: none"> • Endemic conflict (e.g. DRC) – political instability 	

<p>Political Interference cont.</p> <ul style="list-style-type: none"> • Sensitive to political landscape which could negatively impact on outcome 	<p>Rural communities cont.</p> <ul style="list-style-type: none"> • Many people in the rural zone • Dispersed populations
<p>Typically a severe lack of financial resources (all parties)</p>	<p>Energy / water demands will be high</p>
<p>Women / Youth do not participate</p> <ul style="list-style-type: none"> • Women do not have voice • Women's rights vs oppression • Women & youth involvement • Gender representivity 	<p>Disparity</p> <ul style="list-style-type: none"> • Includes highly developed & highly undeveloped regions • Range of cultures, languages, income & education levels
<p>Multiplicity of Language (Protocol)</p> <ul style="list-style-type: none"> • Communication problems – infrastructures very poor • Communication challenges • Numerous languages 	<p>Limited Capacity</p> <ul style="list-style-type: none"> • Lack of capacity esp. skills to conduct PP & EA process • Capacity building • Serious lack of people with skills
<ul style="list-style-type: none"> • > 150 languages in SADC • Poor ITC levels • Appropriate info presentation & dissemination • Unequal communications infrastructure 	<p>Culture of Entitlement & Dependency</p> <ul style="list-style-type: none"> • They “owe” us attitude from communities • Reliance on government to provide basic needs • Inclusion of previously disadvantaged individuals
<p>Tribalism & Diverse Cultures</p> <ul style="list-style-type: none"> • Hierarchical traditional structures 	<p>Big brother attitude of business</p>
<ul style="list-style-type: none"> • Deep cultural practices should be flexibly dealt with (thorny) • Traditions • Community structures • Tribalism • Cultural issues 	<p>Rights diffusion</p>
	<p>HIV / AIDS Limits Involvement</p> <ul style="list-style-type: none"> • HIV / AIDS destabilising • High levels of HIV/AIDS – makes attendance / involvement in PP difficult • HIV / AIDS: orphans & single parents

GROUP 2 RESULTS – PRESENTED BY SYDNEY RAMOVHA

<p>No Tradition of PP or EIA</p> <ul style="list-style-type: none"> • Historical • Environmental assessment is a new phenomenon • Getting people to accept responsibility for their role • Getting proponent buy-in / ownership • Anti disestablishmentarianism supernova 	<p>Politicised Societies with Bias</p> <ul style="list-style-type: none"> • Political issues • Ethnic differences linked to political agendas • Newly elected officials shun broad-based civil involvement • Dominant ruling parties • Land tenure systems • Cross-boundary issues e.g. shared rivers
<p>Need for Development</p>	<p>Time not a big issue</p>

<p>Health Impacts on Ability to Participate (+ Poverty)</p> <ul style="list-style-type: none"> • Poverty • Limited / poor access to resources • Poor infrastructure • Population demographics
<p>What is benefit to community?</p>
<p>Capacity Disparity</p> <ul style="list-style-type: none"> • Level of education • Low literacy levels • 1st / 3rd world dichotomy
<p>Communication Techniques that Address Language & Cultural Barriers</p> <ul style="list-style-type: none"> • Technology free communication strategies • Communication techniques for different language / education groups • Cultural / language differences • Strong oral tradition • Level of education • Language barriers • Diversity of language • Communication – is it sufficient • Languages: <ul style="list-style-type: none"> English Swaici Portuguese

<p>Government Capacity</p> <ul style="list-style-type: none"> • Newly emerging institutional structures • Immature governments
<p>Cultural & Traditional Systems (Strong)</p> <ul style="list-style-type: none"> • Political vs traditional structures - conflicts • Traditional structures • Culture & traditions • Gender discrimination / imbalances
<p>Communication Techniques in Areas of Poor Infrastructure</p>
<p>Strong Subsistence Agricultural Population (scheduling)</p>

Mr. Croal commented that when he sees these characteristics he asks himself if you're the developer what does it mean to engage the community who has a low literacy level, if you're the government what does it mean.

The floor was then handed over to Mr. Shandler for the presentation of the draft handbook. For this presentation please see Annex 5.

**PRESENTATION OF THE HANDBOOK –
BY DAVID SHANDLER AND CHERYL JENKS**

Mr. Shandler explained that he and Ms. Jenks would take participants briefly through the handbook. The document is divided into different sections. He pointed out that as a point of departure, there is no recipe for effective PP, there is more than one way of successfully doing it. This handbook is meant to be a set of guidelines, structured around the four sectors involved (practitioners, civil society, developers and government). In addition though, there are generic tools that are applicable, which

are put in annexures. There is also a chapter on conflict management as well as a section on benefits for different sectors, made up of guidelines and tips and then comprehensive annexures.

The sections deal with roles and responsibilities of the four sectors, planning (how you approach it, how you plan for each sector). He pointed out that there are many different ways of engaging which are contained in the annexure.

Practitioner Chapter

He highlighted that planning is a major part of this chapter. A properly planned process can avoid problems. He referred to the IAPP continuum on page 19 which is fairly universally accepted and stressed working towards collaboration.

The plan is to insert an annexure wholly from IAPP which is a toolbox for cooperation, a table of techniques containing descriptions and contexts in which they can be used.

He emphasised the importance of follow through on page 22 with regard to maintaining relationships.

Ms. Jenks then started with the Civil Society section stating that it will have a summary of legislation regarding EIA in the SADC region.

She referred to the section on planning for civil society contains a set of questions they should ask themselves to assist in the planning process and highlighted the continuum of involvement for civil society.

She elaborated that the Government section had been tricky to write. They had differentiated between government as a decision maker vs government as an interested party.

The section set out a framework for decision making asking what do want, how do you check the PP process, and giving guidance on setting up a policy to assist with the process.

She pointed out that one can't engage directly in the process with becoming biased, and that one should consider the techniques used in a process and their impact on the information you receive at the end of the process.

She stated that developers are often the source of problems and need guidance on planning and selecting practitioners.

Conflict Resolution is a separate chapter as the issue is cross cutting. It contains general advice only as it's a pretty specialised area. Conflict isn't necessarily a bad thing. It's generally not addressed but it's relevant. There is a section on conflict analysis. The design of a process of conflict management is significant. If you design the process with the idea of collaboration, pre-emption of conflict is the aim.

There are many different ways in which disputes can be resolved. The handbook advises assessing the process and getting skilled specialists to assist.

10h00

The facilitator then asked Ms. Jenks and Mr. Shandler to come up front for participants to verify/clarify their issues directly with them.

Plenary

Mr. Croal asked with regard to the identified SADC characteristics whether the consultants saw anything missing. **Mr. Shandler** said they would go through the document and underscore what relates to these issues to be sure everything is covered.

Mr. Green said that the role of government as developer appeared to be missing and some of the worst practices come out of that scenario. **Mr. Shandler** said that within the developer chapter there was a section on government as developer.

Mr. Green remarked that it would be useful to have a small section explaining when you would typically use this book. **Ms. Jenks** agreed that would be useful for developers.

Ms. Kilbourne-Louw expressed the opinion that the language level is too high and contains phrases like iron out, demystify, etc. that would not be commonly understood. **Ms. Jenks** stated that a glossary is planned.

Ms. Roberts pointed out that the current trend is towards checklists, formats and recipes and that links to the limited capacity within practitioners and government. **Mr. Shandler** stated that **Mr. Croal** had also raised the issue about “cheat sheets” for each chapter containing a checklist of the issues but this would still not be a recipe or formula. **Ms. Roberts** elaborated that in reality people are overwhelmed with documents and this should be reflected in the book. She agreed that a cheat sheet would be helpful.

Discussion followed regarding the appropriate length of the handbook.

Mr. Barbour said he didn't see the SADC context in the book but saw the handbook as rather a literature review saying it's a great resource but still a very western document. Tips should perhaps include small case studies. **Mr. Shandler** said this was planned.

Dr. Ashton said he was missing pictures and cartoons, pictograms, etc. Hiring an illustrator was suggested.

Mr. Barbour said perhaps different styles of writing should be used for civil society remarking that different levels of capacity were an issue when you're trying to have a uniform style. He pointed out that some aspects don't photocopy well and advised considering a style that facilitated easy reproduction.

Ms. Hoadley highlighted the difference between dealing urban and rural PP.

Ms. Walmsley raised logistical issues that need to be overcome in rural areas, i.e. timing of meeting, getting there, no power, etc. **Dr. Tarr** remarked that often assumptions are made regarding rural people’s availability.

Dr. Ashton raised the issue of language, asking if the handbook was currently only available in English which led to a discussion regarding the quality and price of the handbook.

Mr. Croal said they are considering issues like field hardiness and reproduction and have budgeted for them.

Ms. Hoadley stated that gender issues are quite significant and particularly applicable in the rural areas.

Ms. Walmsley advised including tips on how to run a meeting (do’s and don’ts) with reference to body language, meeting setting, cultural sensitivity, etc. She also recommended including in the developer section a timeline for where process needs to fit in within the overall project.

Mr. Kodiagao asked whether including a bit about the enhancement of PP after EIA had been considered. **Mr. Shandler** said yes somewhat. With regard to the inclusion of PP during environmental auditing, he said it wasn’t included.

Dr. Ashton pointed out that it’s different from country to country with regard to the EMP and PP.

The facilitator said that we should appreciate that it’s rare that consultants open up their work for feedback.

“MY FIRST IMPRESSIONS”

What I like	What I don’t like
<ul style="list-style-type: none"> • The handbook is informative & potentially useful. • Process for 4 groups • Much depth • Clear, accessible & practical • Tip boxes & annexures • Social profile being NB & giving guidance • Pretty comprehensive • Great that recipe format is avoided! • Guidelines for authorities to evaluate proposals • Handbook is very detailed • Handbook is inclusive in terms of EIA topics • Useful to clarify & differentiate 	<ul style="list-style-type: none"> • English used too high a level for majority intended recipients (English not 1st language) • Aimed at “advanced” audience • Demystifying, dry run, iron out, erupt, litigation (huh?) • I feel simplicity is lacking in words used, people want a text they can easily absorb • Too “western”, first world, not set in SADC context • Possibly too “advanced” for broader user group – spec. civil • Still not unique to SADC? • Rather call the “Planning” subsection “Approach”

roles & responsibilities • Layout & structure “clean” & useful
• Document is not too long • Boxes with tips & central themes • Level of detail • General comment – outstanding resource

• Maybe too much text heavy? • Certain parts don’t reproduce (photocopy) well
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Plenary

It was pointed out that some financial institutions (i.e. World Bank, banks, etc.) have different requirements of PP in EIA.

Mr. Shandler said one line tips like “speakers on cars” could be sent by email and would be appreciated as they would enrich the handbook.

Ms. Jenks elaborated on the issues of language and level saying that civil society is incredibly diverse containing a range from the well educated to the illiterate and asked if there should be two different bits pitched at different levels.

Ms. Kilbourne-Louw reminded the group that for most handbook users English would be their second language. **Mr. Green** said he didn’t think that was a major problem as that was mostly applicable for civil society. **Ms. Münster** questioned whether a summary could be taken out and translated into different languages for civil society.

Mr. Zimba asked what is the situation today for EIAs. “Is there a handbook? What is the point of departure? If there isn’t a handbook, what is known today? What is the standard?”

Ms. Jenks said there is a lot on available on PP but not necessarily in EIA, but not organised by stakeholder group.

Dr. Tarr also doesn’t think the language is a major problem. “We can’t write for everyone. We must take out jargon but the rest is fine, it won’t be perfect for everyone in any case.” **Ms. Hoadley** agreed, remarking that the sentence structures are good and pointing out that if you simplify it much more you will come across as patronising. **Ms. Walmsley** suggested a pull out flier that can be handed out to civil society. She also couldn’t see dummifying it down.

Dr. Ashton said it also has to be important/valuable for practitioners. Oversimplification becomes trivial for developers and government but every effort should be made to sort out the needs of civil society.

Ms. Prinsloo expressed the opinion that the value of the handbook is in having the four parts contained in one book and advised against splitting it up.

Mr. Louw asked about peoples experience with unions in EIA. In Nampower’s case they have to deal with a farmworkers’ union and there are some important specific

characteristics. **Mr. Shandler** agreed unions do have a specific set of characteristics that should be considered.

Mr. Kroll asked participants not to discuss language issues or splitting the book but rather focus on other issues.

Dr. Ashton advised being careful about the choice of colours used and said don't use red to express bad.

Ms. Kilbourne-Louwe asked if we could step back and relook at the workshop objectives and Calabash goals to get out of the clutter and refocus.

Concern was raised that the size of the handbook would become too large if the consultants attempted to incorporate everything.

Mr. Croal pointed out that there is a great dichotomy in SADC and a wide range of issues but they can be captured in a summary.

WHAT I MISS

- PP in the review of EA study reports?
- Glossary
- Public participation in the implementation of the EMP (fig. 1)
- Dealing with donor (external) requirements
- Reference to role and requirements of financial institutions in PP/EA
- Specifics for local governments
- NGOs not well addressed
- Complete listing of environmental legislation in SADC countries
- Involvement of unions and politicians
- Checklist of issues to consider
- Summary sheet? With key tips consolidated?
- Reference to cost...\$\$\$
- Clarification that civil society includes a range of stakeholders (local, regional, national)
- Separate easy to use guide (pics, etc.) for civil sector
- Set out time line for developers and public
- Sectoral/institutional undercurrents often key driving force – not discussed
- What category / type of projects will require use of “book”
- Introduction that sets out SADC context, characteristics and relevance to handbook
- Include section highlighting characteristics of SADC & opportunities & constraints for PP

CRITICAL QUESTIONS

- How does one take potential issues / concerns of future generations into account? (may be an EA question)
- Should HTS address the role of local / traditional leaders / chiefs?

- How will competence of practitioners using handbook be checked?
- Should the level of PPP be related to the degree of impact?
- Should the manual contain advice for PPPs to become qualified and/or certified?
- 1 book or 4 books?
- Can stakeholders contribute to your process design?
- Write for 1st language & translate?
- What 'level' should handbook be 'pitched' at?
- Don't dumb it down too much! May lose credibility
- Civil society diverse – What level? Cartoons? More capacitated?
- How to make book user friendly?
- How can SAIEA get SADC to endorse handbook?
- How can the handbook be harmonised with existing legal instruments in SADC countries?
- How to test & market handbook?
- How can the book be gotten to developers?
- How will handbook deal with fact that many practitioners/government officials want recipes?
- What sort of pictures? Illustrate concepts? or just making attractive?

ADDITIONAL COMMENTS:

- Separate sections – “urban” PPP capacitated; Informal settlements rural PPP
- Tools to measure successful PP process
- Govt: use word 'adequate' – need some discussion to help reader (pg 44)
- References to non web-based resources / information sources
- Enact info insert in accessible language (rights / legal info)
- External review as a mechanism for achieving impartiality – improves credibility to the process
- Glossary
- Glossary e.g. definition of stakeholders
- Terminology – dictionary – glossary
- Must make plain English
- Check the sub-section/section headers – be clear & grab reader
- Insufficient advice on the critical importance of “choosing & using the right word(s)”
- Some kind of definition of when PP would be necessary?
- What projects require what level of PP?
- Practitioners section should discuss need to understand hidden tensions & relationships
- A section on extending PP into long-term stakeholder programmes
- Involvement of communities in planning phase
- Key qualities of public participation practitioners PA, PM + SA

- Stakeholder Mapping Matrix
- Advise developers on managing expectations
- Focus on women / youth
- Reference in tips to local SADC examples / conditions
- Too little information on conflict & dispute management
- Chapter on Conflict Management – expand to include mediation
- Box on types of conflicts
- Conflict management as separate chapter – maybe not have it at back?
- Dealing with issues outside project scope
- What about internal parties within developer
- Advise developers on internalising PP principles e.g. performance management systems
- More emphasis in developer section on value of PP and risks if not done
- “Case studies” or examples to illustrate techniques etc.
- Case studies & description of subject area...

The facilitator introduced the next session “All Things Considered”. After general consultation on the method of breaking out into groups, it was agreed to break into four groups: developers (to be led by Ms. Prinsloo), practitioners (to be led by Mr. Modupi), civil society (to be led by Mr. Barbour) and government (to be led by Mr. Nangalelwa). Each group would then look at issues specific to them, discuss them and see that they’re relevant and make recommendations for improvement. **Mr. Kroll** asked that the groups give options and recommendations. It was further agreed that rather than have a separate group for conflict management, each group would deal with the topic from their perspective.

Participants were asked to please use cards and colour schemes for a good visual presentation, containing specific issues and proposals/options for improvement.

It was decided to break for lunch at 12h45 and return at 13h45.

14h20

PRESENTATION OF RESULTS OF GROUP WORK SESSION 5 – ALL THINGS CONSIDERED - ISSUES AND PROPOSALS FOR IMPROVEMENT

The facilitator asked participants to take responsibility for making sure ideas given by the plenary were captured on cards and included. He tasked the consultants with leading the plenary discussions.

DEVELOPERS – PRESENTED BY MICHELE KILBOURNE LOUW AND NORMAN GREEN:

Full resource planning: Time – when do you start EA/PP (simplified flow diagram): Allocation of resources to process (money & people): Region’s legal requirements: Time allowed for entire PP process (critical path): Be prepared for the unknown & be flexible in response

The business case for PP being done well for a development: TIP It’s the right thing to do – refer to case studies, “avoid being tied up with restrictions”: Long term relationships: war stories: Ties in with corporate social responsibilities: Risks if you don’t get it right

Independence of consultants (5.2.2): Preferably independent env. practitioner – for credibility & to meet legal & financier requirements: Legal & financial requirements: Risk – stakeholder acceptance: Company’s internal PP/EA capacity: Credibility/competence/impartiality of consultant

Understand context/environment in which development takes place: Capacity & sensitivity of community: “Emotional response” to your type of development

Information sharing: Obligations to provide information that is up to date and accurate (5.3.1): Don’t make promises that can’t be kept

Engaging (5.4): Never answer a question if you don’t have a mandate for it – don’t mislead or lie intentionally: It’s not just the PPP, the development team must be there: Advice on dealing with issues outside project scope (tip box? include issues response box? take issue to correct source?): If one does not know, say so. Try and tie up loose ends at meeting or ASAP afterwards: Avoid patronism, good manners needed.

Decision making: Development must take true cognisance of (seriously consider) PP outcomes

Clarify developer’s role: e.g. resettlement of “illegal” informal settlement (GOV vs developer)

Cards added from plenary:

- TIP: Read the other stakeholder sections
- Don’t forget the way forward after the EIA/PP process – downstream engagement.
- Public perceptions should be respected and not dismissed out of hand.
- Census of existing and legitimate community at start of PP (manage influx of opportunists)
- Developer needs to take ownership & responsibility for project & process
- Developers should respect the decision-making (authorities) time frames (don’t start without permission/ROD)
- Project performance indicators support sound EA/PP
- It is the developer’s project – not the consultant’s.

Elaborative Comments and Plenary

Mr. Croal asked whether these things weren't included in the handbook. **Mr. Green** said yes some are but some need more elaboration.

They emphasised the business case for doing pp well and advised referring to some case studies, building of long term relationships with communities, corporate social responsibilities, talking about potential risks (financial, etc.).

- Independence of consultant: important, risk in stakeholder acceptance by community, capacity within company, credibility of consultants
- Understand context /environment in which develop takes place, community (their capacities and sensitivities) emotional response to type of development (incenerator in rural vs urban location)

Ms. Prinsloo pointed out that EI and SI can be minimal but sensitivity can be high and hence PP is important.

- Obligation to provide info that it is up to date and accurate
- Please don't make promises in public meetings that you can't keep
- Never answer a question you don't have the mandate to answer, don't mislead or lie intentionally

The question was raised if you don't have a mandate to answer the question, why are you there? It was explained that sometimes it happens that unexpected questions come up.

- Entire development team should be in meeting to be able to answer all questions.

Sometime issues outside the specific development arise, maybe it's the only forum people have to raise this concern. It was suggested to either deal with the concern or take it to relevant institution but not to ignore it.

The importance of clarifying the developer's role was highlighted with the example of Nampower / Skorpion. Houses were not the responsibility of the developer. Nampower not responsible for providing new houses for those in informal settlements under reenergized lines

Ms. Walmsley added: make it quite clear that it's the developer's project, not the consultants' project (hate mail to consultants) and said the developer should not be sitting at the back of the meeting. The consultant is only facilitating, the developer must take ownership.

Developers tend to know all about their subject and the public may have different perceptions (very real to them), one can't dismiss these perceptions, we must recognise and then address them.

Mr. Croal asked whether the group had discussed the road ahead so budgets can be made and resources allocated, etc.

Ms. Kilbourne-Louw spoke about legal requirements and time.

Mr. Green said “we’re talking about a study, we haven’t started pouring concrete.” These studies are kind of like a treasure hunt, you don’t know what you’ll find. These items are specifically for developers. PP p is only one of a number.

Dr. Ashton said a developer must respect the time line of PP. At the 2nd last meeting, people asked why bother as the developer had already thrown the first slab (begun building). Developers should avoid jumping the gun.

CIVIL SOCIETY: PRESENTED BY TITO KODIAGA

Definition of civil society: Introduction to chapter “Who am I?” “Invite people in”

Representation: Where to get help – data base: TIP box “Beware”

Role & Agenda of NGOs: Explain roles & responsibilities & goals of NGOs & communities: Awareness TIP Boxes for each civil society group

Is this a good PP meeting?: TIP Box components of a good meeting

- **Identification of key people in process:** Contact details & names of key government departments/officials: TIP Box of how to deal with government (process can be messed up by getting off on the wrong foot)

How to deal with media: Expand TIPS (Risks): Template Press Release

Accountability: Emphasize Rights & Roles

Latecomers: Advice on binging up to speed & allowance

Interest based negotiation: Can use process to negotiate as well, not just going to meetings and raising issues but also use opportunity to negotiate

Card added in from plenary:

Focus on other tools – not just meetings

Elaborative Comments and Plenary

- Definition of civil society is necessary and should include NGOs, local and international organisations, individuals, unions, etc. – invite people to accept the document
- Representation: hinges on communities, is CS adequately representing communities, have they been given mandate?

TIP box on what communities should be aware of, be aware of self-appointed gatekeepers within the community. NGOs also sometimes hijack community issues for their own and aren't actually representing them.

- Checklist of what should be there, quorum, minutes, registration, tips for a meeting to verify if meeting was well organised

Who should be accountable? All stakeholders in PP, this needs to be expanded in the handbook.

Mr. Zimba got the feeling that PP equals meetings and believes that most efficient way is everything else but meetings. There's too much emphasis on public meetings. **Mr. Green** agreed.

If this is a handbook, we're trying to stimulate CS PP, and they most need the handbook, if the message is it's meetings, and meetings, this won't work.

Lynette Kruger said CS can ask for other forms of PP.

Mr. Modupi asked about the blue card re accountability – are we saying CS should be accountable and to whom? It's important to identify stakeholders and whether they are constituency based organisations. NGOs only have a limited mandate, this needs to be clarified.

The question was raised on how to deal with constituency based orgs. If constituency is empowered, NGO will be accountable to them.

Dr. Tarr said some NGOs are membership based and hence accountable to members. They publish newsletters, etc. Others are not membership based which is a whole different ball game. "You could say you have no mandate, but I represent the environment." Local standing is becoming a norm within legislation, perhaps a paragraph or 2 could be included that this is an important consideration. It's a sophistication of society that has come about and it's not illegitimate.

Mr. Ntambale said roles of NGOs should include NGIs.

Some type of manifest that could be used to disseminate information down to illiterate level would be useful containing flyers, TV, radio, does the handbook indicate these options? Room for consultants to get info from community should be given, rather than coming with a method that has never been used before. **Mr. Shandler** said it's dealt with in various ways. There is a range of options that can be taken and the handbook embraces that.

Public meetings lay ground by creating types of awareness you can contact.

Mr. Zimba was concerned about the use of cartoons in the handbook, reminding the group it's a SADC thing, not just SA, and cartoons imply some humour and humour is really cultural. He said it needs investigation before you can include it.

Mr. Shandler reiterated that a stakeholder was not illegitimate to not have a membership, although it raises questions in collaborative problem solving: developer, trade union, city council, 2 person office with a fax, what weight should be given to each party? Enquiry based exercise is fine but for resolution, it becomes a challenge.

Mr. Kodiaga said CS are agents that will distribute the handbook to a wider mass, what type of CS are we really targeting; community members or CBOs?

GOVERNMENT: PRESENTED BY MICHAEL NANGALELWA

Legitimacy: Need for SADC level meeting (starting @ ministerial level) to build acceptance

Disparities in legal frameworks: Need for table summarising legal PP requirements in each SADC country – link these to text in handbook

Political Interference / power as final decision maker: need section in handbook that outlines roles of politicians in PP, guidelines for reviewing acceptability of PP in cases of appeal / review

PP is an unfounded mandate for many government departments (who are proponents of development, e.g. roads, power stations): Handbook must address financial implications of thorough, inclusive (and often lengthy) PP process

Governments have to deal with large-scale trans-frontier projects: Handbook should address PP processes that are required to address these large-scale: complex projects involving numerous different stakeholder groups (e.g. need for trans-frontier committees)

Issue of conflict management: Conflict is part of most PP processes – but this has to be managed on a site specific / project specific basis – just need to provide general guidelines

Cards added in from plenary:

- Refer to “good governance” rather than “political interference”
- Box highlighting value of external review
- Should government sit in on PP? Differs between countries & spheres of government

Elaborative Comments and Plenary

- Disparities in legal frameworks of case studies – different in processes were not due to PP but disparities in legal frameworks at national level
- Need for handbook to have a summarised legal PP requirements for each country – link into handbook
- Political interference (who is the final decision maker) – need for section that outlines responsibilities, for GOV, reviewing acceptability of PP in cases of

review (can still influence final decision), perhaps a board could be set up so that instead of the developer using a Minister as a last point of appeal he has to go to the board

- Why are we doing PP? GOV has legislated it. There should be guidelines for interacting during and at the end of process. We need to capacitate final decision maker by giving them frameworks within in which GOVs work and what an adequate PP is.

Mr. Zimba said that trying to influence legislation doesn't meet with his understanding of the purpose of the handbook. He was concerned that it might put off a politician.

Dr. Tarr said it might be worth in the introduction section to have something about what the right frame conditions for PP are, i.e. the importance of good governance.

It's not just a question of the right law in place, or having minister overrule process, it relates to the whole issue of bullying in EIA and that is at the heart of EIA, this is about a level playing field.

Mr. Shandler spoke about a template for assessing PP, a checklist, modelled on SAIEA general checklist and maybe there can be the NEPAD guidelines for good governance (as an annex.)

Mr. Modupi said the point should be changed to good governance rather than political interference.

Sometime GOV is the proponent, but then usually there will not be any budget for PP in the whole process, maybe the handbook could address financial implications of including PP and create a base for encouraging GOV to allocate time and resources for whole thing.

With regard to transboundary development projects – GOVs should seek at ministerial level to link up national parks for example as there is economic gain and therefore stronger linkages. It is important that GOV puts in place mechanisms that can adequately address PP and come up with an agreement that won't disadvantage any stakeholder – the onus is on countries to come up devised mechanisms to allow for interaction at transboundary levels.

With regard to conflict management, the group felt it's really site and project specific, and varies widely with no one standard practise so what's in seems adequate. Perhaps some more general guidelines on conflict resolution could be included.

Ms. Hoadley asked whether the SADC couldn't draw up such a document which would result in the alignment of regionals rather than countries themselves.

Mr. Nangalelwa said with regard to the area in game reserves there was a rather recent document and agreed there should be a SADC protocol on SADC issues.

Ms. Walmsley raised a general question about GOV involvement in public meetings, etc and not just reviewing the process at the end but said in reality that's not possible.

Ms. Roberts said in Durban municipal GOV don't attend meetings as it would be a major capacity drain and they would be expected to give answers they don't have the mandate to.

Ms. Jenks agreed that as a decision maker on EIP, you can't participate, but what about other GOV.

Mr. Zimba explained that in Mozambique, they have one public meeting, organised by GOV representative and one by independent consultant. **Ms. Jenks** clarified that was not the process of decision making, but process of PP. **Mr. Zimba** elaborated that by law the GOV must organise a meeting.

Mr. Simone said that as part of reviewing, GOV will hold meetings (at final draft).

Ms. Münster pointed out that GOV might raise issues that no one else has. **Ms. Walmsley** said they have input for scoping so they do have an opportunity to give input.

Mr. Ramovha said in SA you do attend meetings, to listen, and then give advice to both parties, about what must be complied with. You read the documents sent to you, you know questions raised by the public and issues by the developer so you can say you guys didn't comply. You must be aware of the whole thing in process so when you say this is the decision you can say you saw both sides

Dr. Tarr asked if there was a case in this context to have a box regarding external review of the process. There are times when external review just must be done and it can be controversial, especially when GOV is the developer.

Mr. Ramovha said in SA, the consultant has to organise the meetings. He said they want to improve and referred to ISO14 000 saying the document should be recognised by SADC.

Ms. Roberts said when you say GOV it makes us sound homogenous, but local GOV doesn't attend meetings. "We are not homogenous so directions to GOV should be nuanced to cover the different roles and capacities." **Mr. Barbour** suggested including definitions of government explaining what roles different spheres play.

Dr. Tarr said the SADC does not have a protocol on EIA, there are some on water but that's different. Several calls for them to do so have been made but it has not been taken up yet. There doesn't appear to be political will, this could be seen as an opportunity for us. They are not yet convinced, there is a policy (1996) saying it would be good, but so far it has not yet been implemented.

PRACTITIONERS – PRESENTED BY HERBERT MODUPI

Use existing stakeholder analysis info.

Define "civil society": Do illustration

How to engage with very poor

“Marginalised groups”: Address risks & intimidation: Create separate opportunities

Cultures: Report should account for non-engagement of certain groups: Don't confront & judge people's cultures (don't be an activist)

Consultants as Aliens: Use local independent and credible counterpart agencies: Spend time in communities to build relationships

Faith based organisations: Mechanism for accessing women: Must be sensitive to multiple faiths

Understand and follow correct protocol in entering & engaging with communities

Dealing with stakeholders with “illegal” status: Treat them as legitimate: PP/EA practitioner must not be dictated to by developer (in competition with “illegal” stakeholders)

Use of focus groups: Useful for consulting with different stakeholder groups who are difficult to bring together

Clients: Need to develop motivations for doing PP properly (adequate time & budget): Include section on what can go wrong if shortcuts are taken

Logistics in Rural areas: Create checklist of things to consider

Indigenous knowledge: Recognition that it emerges slowly through ongoing contact: Don't take it for granted – ask for permission to use it: May need to pay for it

Older women in rural areas are an ocean/mine/fountain/mountain/encyclopaedia (i.e. repository) of knowledge

Cards added from plenary:

- Clarify difference in “special” role of PP/EA practitioner vs role of chemical engineer (i.e. independence vs advisor to client)
- PP/EA practitioner serves the common interests (info broker to range of groups). Differs from doctors/lawyers/engineers who serve a client's specific interest
- Role & responsibility of developers vs government for capacity building
- Include section on ethics for EA/PP practitioners

Elaborative Comments and Plenary

- Don't need to start from scratch, there is info, maybe outdated but available
- There is a need to define CS as a practitioner so to understand who you consulted and who not

- In engaging the very poor, you need to have a flexible approach, find mechanisms to approach the very poor who don't have access to web resources etc.
- Marginalised groups – legislation: attempt to involve previously disadvantaged groups – women and youth, can't always approach women directly (questions of culture), customary discriminatory practices, etc. Take cognisance of these factors as you plan the process
- You could be faced with the situation that there could be intimidation from within the group you need to consult. Create separate opportunities (to address marginalised groups)
- You have to be creative and sensitive.
- Culture – it's important for your report to be able to account for the non-engagement of certain groups, i.e. beyond your control, situation doesn't give you entry

Mr. Modupi said there was debate around understanding the role as practitioner – “you're there to engage the people, and although it's tempting because of your involvement with human rights to be judgmental, you are confronting the culture that is there and could jeopardise the process (overstepping your boundaries if you're judging).”

Often consultants are viewed as aliens (in some areas), it would benefit process to look at use of counterpart agencies within areas. Spending time in communities to attempt to build relationships (trust, comfortable). Example: if you have an option not to stay at a hotel in town, perhaps someone can accommodate you, they may treat you with less hostility. **Mr. Zimba** agreed that it's good to use “subconsultants” who become your face in that area.

It was stated that it is very important to also look at an entry into the community. One option is through faith based orgs, church groups, which could be very helpful not only at entry but also for information dissemination. Liaison committees or persons in a particular area, could be useful for engaging with women, however, selection of a particular group could cause conflict.

With regarding to dealing with stakeholders with illegal status – there is a phenomenon about refugees, artisanal miners, farm invaders and for PP purposes, these people are still stakeholders and cannot be excluded. They should be treated as legitimate stakeholders, and a practitioner must not be dictated to by the developer with regard to illegal stakeholders.

- Very effective mechanisms – use of focus groups, consulting with different stakeholder groups that are difficult to bring together, i.e. farmers and very rural people – question of language
- Develop motivation for doing PP properly where we need adequate time and budget. Client doesn't necessarily think PP is important but because it's a legal requirement and just says do it. We need to motivate. We need to include section on what can go wrong when PP is not properly done so developer can see what he's faced with if he doesn't do it.

- The handbook should have tips on logistics in rural areas – checklist of things to consider – Dr. Ashton went with a generator and laptop, which is useful where there is no electricity.

Ms. Kilbourne-Louw remarked that the practitioner is providing a service to developer. The developer is responsible for ensuring for PP and the practitioner is facilitating the gap/relationship, the team member who develops the relationship between the developer and community. **Mr. Shandler** said EA is an independent exercise, initiated and paid for by the developer but as a consultant you are not acting for the developer.

Ms. Walmsley expressed concern about the whole role of capacity building saying in some communities, it's needed before PP. If done by PP team, it can lead to brainwashing. Question: we talk about building CS capacity but who should do it to avoid this issue?

Mr. Modupi asked for group responses. **Ms. Kruger** said she thought we were getting outside the scope of the handbook but perhaps it could emphasise the need for capacity building.

It was said that it is a GOV responsibility as part of good governance.

Ms. Prinsloo said it isn't just GOV's but also the developers as it's in his interest that PP goes well. NGOs also have a role to play, she saw it as a shared responsibility.

Ms. Kruger wanted to know who pays for the need for capacity building for EIA, GOV –to avoid the brainwashing? The developers make sure that CS understands the project specific stuff. **Ms. Prinsloo** said that comes from developers who haven't bought into the process, and hoped we could convince them to go the extra mile, and not see NGOs as out there to interfere. **Mr. Shandler** agreed some tips or guidelines should be included in this regard.

Mr. Kodiaga wanted included some ethics and quality for practitioners – tips for ethics and be aware of influenced bias, the right kind of contract, etc. **Ms. Jenks** recommended “beware who you're actually working for” in a box

Dr. Ashton reminded practitioners that they should be qualified and certified to do EIA. **Mr. Green** asked what made them different from others. **Ms. Kilbourne-Louw** said the PPP actually sets the tone of the relationship between the community and the developer. There is a responsibility there, “if you're poor and you screw up the relationship you're responsible for that.”

Mr. Zimba said it looks like PP is an end in itself. “We're taking risks, if I hire that practitioner, it's my choice. We're not here to run any one else's business, as someone said if I hire a bad engineer, and the building goes wrong, that's my risk.”

Dr. Tarr said EI practitioners have a unique responsibility, like a medical practitioner, it's not the same as taking your car to a mechanic. The EI practitioner has to look at different conflicting interests, and make sure the process does work. The proponent

funds it and doesn't interfere, if the process goes wrong, the practitioner is responsible.

Ms. Jenks said unique to EI practitioners, one of the activities is generating information for a decision, the practitioner acts as an information broker for decision maker (developer) and CS.

Mr. Barbour elaborated that the relationship between lawyer and client is not the same as EIA public concerns because you're not just representing the client. There can be passive or active participation in PP. "If you're ethical, you have to ask questions to discover the issues and you need to go through the capacity process and tell them about things they may not have thought of."

Mr. Zimba said the practitioner is a facilitator of the process.

Mr. Shandler said there was a difference between the professions as well between specific and common interests. There are physical property rights, rights of society, etc. Specific interests are quite distinct, and that's primarily the difference. EIA constructs a process to serve common interests, and makes effort is to see if all interests are reconciled.

Mr. Modupi said practitioners should build relationships between stakeholders and clients, referring to the differences between 2004 vs 1970.

The facilitator concluded the session by releasing participants for their coffee break but asked them to be brief.

HANDBOOK TESTING

The issue of handbook testing was then raised and participants were asked whether were interested to be involved in the testing process and give feedback to the consultants, or whether they knew of people who'd be willing to be involved.

Mr. Croal expressed the opinion that there's some fertile ground in the mining industry. **Mr. Louw** asked whether within SAPP (electricity sector), anyone had a project coming up. **Ms. Jenks** will give out the handbook to NGOs in the region to get their feedback.

PP practitioners were taking a risk to use the handbook in that when testing on a live project is done and it's, then the book is flawed. Results need to be verified and validated.

Mr. Shandler agreed that the handbook should be applied in real projects so we could learn what worked and what could be improved. He wanted to identify two projects who are prepared to use it as a sole guide.

Ms. Prinsloo suggested instead identifying 2 projects, rather identify individuals running different projects. In her case there is a small number of people running 112 projects, from a developer perspective, they can test it and feedback what exactly were the results, where it was tested, etc. (i.e. details)

Mr. Ntambale pointed out that there are a lot of planned developments coming up, i.e. Vic Falls and the EIA and the Heritage commission could be contacted.

Mr. Croal recommended that it goes out to all workshop participants without anything formal.

Mr. Barbour said “but we don’t have final product yet, we need to read through it and determine if it’s useful and then test it.”

It can take between 9-19 months to test, and the project does not have that time scale.

Mr. Shandler agreed it should be finalised first and then people must agree to test it. Not projects but individuals should be targeted within each category and asked if they are prepared to use it as sole guide in work for next 6 months, and then give feedback to refine it.

Practitioners often have more than one project at various stages.

Ms. Hoadley advised a sound motivational letter containing what’s envisaged and who’s endorsed the handbook should accompany it.

Mr. Barbour said we must be careful not to come across as arrogant so therefore not ask people to use the handbook as a sole guide, but rather to please go through it and if it was useful give us feedback. **Mr. Shandler** said he had suggested the idea of sole use for the purposes of a controlled environment and agreed that it was problematic. **Mr. Barbour** stated that the techniques included are generic and used already.

Mr. Kroll explained that a letter will go out, first to those who participated in this workshop, asking recipients to reply to the consultants, indicating a willingness and interest to test the handbook using various criteria, timing and issues, etc. He asked when it would be ready for dissemination.

Mr. Croal stated that June 30th is the end of the contract, so we have time pressure to get the handbook out and generate interest to keep the process going. The facilitator said that should be included in the letter.

NEXT STEPS AND CLOSING

Issues / Tasks	Who	to whom	When
1. Workshop Report	Lis Jordan-Aiff	SAIEA	3 Dec 04
2. Circulation of 1 st draft	SAIEA	all	10 Dec 04
3. War Stories / Experiences / Tips	all	Common Ground	7 Dec 04
4. Draft II Handbook	Common Ground	SAIEA	22 Dec 04
5. Review of Draft II	all	SAIEA	31 Jan 05
6. Final Draft (III)	Common Ground	SAIEA	10 Feb 05
7. Request for testing	SAIEA	all	1 Mar 05

Mr. Modupi raised the issue of the envisaged training with the handbook.

Mr. Croal said if we're testing in March, the planned training might not happen by June 30th as testing takes time.

The facilitator thanked participants for all their efforts saying he had enjoyed taking them through the process. He then handed the floor over to **Mr. Croal** who thanked everyone so much saying that it had been a stunning workshop and he believed that real progress was made. He expressed the hope that the participants had gained something they could bring back to their organisations. He said this was a key part of the process and something that can spread. He closed his remarks by wishing everyone a safe journey home.

Mr. Shandler, on behalf of himself and Ms. Jenks, also expressed deep appreciation for the exceptional quality of the contributions made and pointed out that the nature of this group was quite extraordinary as it contained various stakeholders and a cross section of four-five countries which would greatly enrich the end product. He hoped they could live up to the wonderful inputs given.

Dr. Tarr thanked everyone for their time. He said such a workshop didn't take place without considerable effort and acknowledged Peter Croal and Gudrun Denke for the organisation. He thanked Tom Kroll for his facilitation and once again Peter Croal for all his work.

Participants were directed to the two-dimensional evaluation on the flipchart at the back of the room, requested to use stickers to indicate their opinions and released. Sixteen participants took part in the evaluation and all gave the highest rating possible for both cooperation and achievement of workshop objectives.

ANNEX 1: LIST OF PARTICIPANTS

Name	Surname	Area Name	Country	Email
Peter	Ashton	CSIR	South Africa	pashton@csir.co.za
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Lote	Simione	MICOA	Mozambique	lote.simione@micoa.gov.mz lotemaueia@yahoo.com.br

Name	Surname	Area Name	Country	Email
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Mateus	Zimba	Saso	Mozambique	mateus.zimba@sasol.com

ANNEX 2: HISTORY AND STATUS OF CALABASH PROJECT

Calabash Project

Increasing Capacity of Civil Society in SADC Region to Participate in EIAs

PP is Not That Scary

Introduction

2 year World Bank and CIDA funded programme based at the Southern African Institute for Environmental Assessment, Windhoek, Namibia

Overview

Status today of stakeholder groups

How does it all fit together? Making sure needs of industry, govt, NGOs and public are met?

Status of Stakeholder Groups

Government

- Fewer resources
- Many competing interests
- Under siege – jobs, debt,
- HIVAIDS, unrest
- Governance challenges
- May have conflict of interest (judge, proponent, policeman)

Status of Stakeholder Groups

NGOs

- Sometimes better organized and funded
- Sophisticated responses possible
- Can operate at global level
- Watch govt and industry closely
- Can be useful partner

Public

- Willing to act???
- Mobilized???
- Expect more from govt
- and industry
- Knows rights under policy
- and law???
- Can make or break a project
- Key point..public is variable!

Industry

- Under pressure to supply resources
- Can no longer ignore public concerns
- Env policy and law more stringent
- Peer pressure growing
- Costs lower for those who engage public in meaningful way early in process

And Consider these Quotes:

“Fundamental to the success of all our efforts at reconstruction and development is community action and participation” **Nelson Mandela** (1998)

“The African Union Southern Africa Regional Office agrees (with Calabash) that the participation or involvement of the public and civil society in government projects and programmes is important as it enhances the commitment and will to see the successful completion of the same” **Susan Sikaneta, African Union**

Compliance Requirements for States

- Agenda 21 – 80 references to PP
- NEPAD Environmental Action Plan
- Biodiversity Convention
- SADC Policies
- ISO standards
- Millennium Development Goals
- EIAs Law, Constitutions
- Africa Charter on Public Participation
- IFI requirements

“Governments cannot do the job alone, and civil society groups have a critical role to play, along with commercial enterprises” **Kofi Annan**

Objectives for PP

- Take account of views and concerns of key stakeholders
- Ensure important impacts are not overlooked
- Reduce conflicts
- Increase transparency, trust and confidence
- Obtain local knowledge
- Establish basis for long-term collaborative relationship (critical!!!)

Who are participants in PP?

IAP which can include: local people, NGOs, government agencies, other industry, academics, specialists, media, women, children.

Factors affecting Effectiveness of PP

- Poverty

- Remoteness
- Literacy level
- Cultural and local values
- Language
- Legal vs trad systems
- Dominance of groups
- Proponent credibility
- Not being done well

PP Benefits

- Builds quicker understanding and acceptance and approval of the project
- Provides company with early warning system for potential problems
- Reduces costs by pinpointing sensitive issues and concerns not in published data
- Fosters positive community relationship which has huge word of mouth leverage

More Specific Issue from Public

- What about the San cultural site?
- Will clearing of veg endanger rare species?
- The view from my home will be lousy!
- Will access roads bring in unwanted campers etc?
- Can I get power from this line?
- Can I get a job on the line?
- Where will I graze my cattle?
- Will there be more bird strikes?
- Will workers upset my village?
- Can I supply raw materials to the project?
- Not in my back yard!! (NIMBY)
- Will my house/land value decrease?
- What about tracks on the veld?
- Will you cut my locks?
- Do you respect us?

PP is really all about this:

At a recent public hearing for a power project, a local farmer said this: “All we want from the company is respect. Just tell us when you are going to be on our land, please don’t cut locks without permission and tell us when you are doing surveys so we can move our livestock”

AND:

A local Induna in South Africa has authorized Africa Minerals to mine in the community without consulting them. The result: “we demand that we be consulted adequately, so that we can make our inputs and suggestions to the entire process!!!”

Conclusion: Much work remains to be done on PP in the SADC region

Calabash has completed:

- Situation Assessment
- Project Team Development
- Planning Workshop and Proceedings
- Communication Plan
- First Newsletter
- Development of Contact Group
- Public relations with Contact Group
- Development of partnerships in the region
- Web Site with Electronic Library and Chat Forum etc
- 2005 PP calendar
- PP/EIA training with Peter Tarr to Southern African Power Pool
- 6 EIA/PP case studies

Calabash Now Underway:

- Development of Public Participation TORS templates (point, linear SEA)
- Development of PP rights to participation
- Next newsletter
- Development of procedural handbook (will incorporate TORS templates and PP rights) as well as key PP/EIA learning points generated over the last year with Calabash
- Planning underway for 2 day workshop late November to firm up procedural handbook.
- Training Programme

Summary

- Public participation is growing
- Many sectors embracing benefits
- Good public participation is a way for companies and governments to secure future business opportunities and establish partnerships

Where to Get More Information??

Go to <http://www.saiea.com> and click on Calabash

Many thanks from SAIEA/Calabash!

Peter.Croal@saiea.com

ANNEX 3: OVERVIEW OF CASE STUDIES AND HANDBOOK

Overview

Case Studies on Public Participation in Environmental Assessment in the SADC Region Handbook on Public Participation in Environmental Assessment in the SADC Region

Case Study Project

- Research and write up 6 case studies
- Develop Model of Best Practice
- Drawn out lessons
- Template for Design and Assessment
- Database of informants and SADC stakeholders

Selection of Case Studies

Criteria for Selection

- Civil society able to make contribution
- Appropriate opportunities for participation
- Conflict addressed
- Good communication
- Capacity building
- Holistic EA process design
- Stakeholder influenced or improved project
- Outcome reflected needs and interests
- Full participation
- Special interests addressed
- Practitioner- stakeholder value differences dealt with
- Good governance and decision making promoted
- Decisions consistent with EA outcomes

Case Studies

- Rehabilitation of the Transvaal and Delagoa Bay Colliery, Witbank, South Africa
- Sasol Natural Gas Project - Temane Mozambique to Secunda, South Africa
- Skorpion Zinc Project, Sperrgebiet, Namibia
- Sun International Hotel Development, Livingstone, Zambia
- Popa Falls Hydro Power Preliminary Environmental Assessment, Namibia

Container Handling, Port of Durban, South Africa

Model of Best Practice and Lessons Learned

- Process Design
- Creativity and flexibility
- Beyond compliance
- Stakeholders and their Interests
- Social, political and economic factors
- Stakeholder needs
- Marginalised Groups
- Inclusivity
- Equality and Respect
- Commitment and Integrity
- Capacity and Resources
- Budgets
- Practical Support
- Practitioner Requirements
- Communication
- Communication Emphasis
- Accessible Information
- Dialogue and Conflict Management
- Real Dialogue
- Conflict Management

Public Participation Review Template

- Guide for process designers and reviewers
- Draws from Model and Lessons
- A work in progress - needs testing

Handbook Project

- Methodology handbook
- With tools
- Targeting key sectors
- Provide skills, knowledge and capacity to successfully engage in public participation in environmental assessments

Target Groups

- Practitioners
- Civil Society
- Government
- Developers

Style

- Accessible
- User friendly
- Useful
- A constant reference

Testing

- A critical need to test the handbook
- Through real projects
- To learn lessons and refine

ANNEX 4: PRESENTATION OF CASE STUDIES

Calabash Project

Case Studies

Overview

- Rehabilitation of the Transvaal and Delagoa Bay Colliery
- Skorpion Zinc Project
- Proposed Popa Falls Hydropower Project

T&DB Colliery Project - overview

- Investigation of rehabilitation measures for an abandoned coal mine near Witbank, South Africa
- Mine problems - collapse and subsidence, spontaneous combustion
- Health and safety risks for neighbouring residents
- Process initiated to identify rehabilitation measures and raise community awareness

Client Commitment - T&DB - Lessons

- Need to extend process identified mid-way
- DME and DWAF open and committed to ensure successful process
- Flexible response to stakeholder needs - change in process
- Commitment of time and money

Social Profile - T&DB - Lessons

- Social profile prepared during process
- Understanding of community dynamics
- Broad spectrum of groups drawn into process
- Regular meetings with core group
- Assistance of local NGO key in mobilising local community groups

Creative Techniques - T&DB - Lessons

- Key challenge – shift habits and raise awareness
- Creative techniques used
- Township Play:
 - locally produced

- accessible
- skills transfer
- Access survey:
 - direct contact with users - education
 - information on usage patterns
 - need for repetition

Communication - T&DB - Lessons

- Diverse methods
- NGOs
- Graphical fact sheets, newsletter
- Smaller meetings and larger public meetings to present key research results
- Close team work – accessible information
- Poverty issues

Skorpion Zinc - Overview

- Greenfields zinc mine in Southern Namibia
- Isolated area – farmers, small existing mining town 25km away
- Arid, extremely arid area on Sperrgebiet – largely pristine
- Full Environmental Assessment undertaken

Stakeholders and Issues - Skorpion Lessons

- Diverse range of stakeholders involved
- Local – national stakeholders
 - Significance to economy
 - Importance of ecosystem
- Active attention to stakeholder issues
 - Active follow up of complaints
 - Early identification of problems
 - Measures introduced e.g. labour issues

Building relationships - Skorpion Lessons

- Very good close working relationships built with stakeholders – government officials in particular
- Farmers successfully involved
 - Individual meetings effective

- Isolation from ‘site’ but along route
- Rosh Pinah Environmental Forum

Techniques - Skorpion Lessons

- Different levels of meeting held – individual to public meetings
- Rosh Pinah stakeholders – many older residents not engaged in process
 - Opportunities provided
 - Cultural factors – insular community
 - Accessibility issues
- Change in technique?

Communication - Skorpion Lessons

- Intensive communication through out project
- Increased during project
 - Radio and newspapers
 - Mailbox drop-offs and fliers
 - Invitations to registered stakeholders and project updates
- “Skorpion’s Tale” – newsletter
- Communication assisted in implementation of EMP

Popa Falls Hydropower - Overview

- Proposed development of 20MW hydro power plant at Popa Falls on the Okavango River
- Upstream of globally significant Okavango Swamps
- Okavango river key resources in lives of local residents
- Preliminary EA initiated at pre-feasibility stage

Scope of Process - Popa Falls Lessons

- Pre-feasibility stage – early consideration of environmental issues and potential fatal flaws
- Lack of detailed information
- Public participation scope:
 - Aim to identify initial issues
 - Lack of detailed information – intensive participation not appropriate
 - Process largely comprised public meetings

Commitment - Popa Falls Lessons

- NamPower committed to open and transparent process
- Lack of political interference in project
- Past process generated level of mistrust
- Allayed to some extent by open approach
- Opposition to project but stakeholders happy with process

Stakeholders - Popa Falls Lessons

- Broad range of stakeholders – national through to local
- Meetings held in Namibia and Botswana
- Broad range of issues elicited
- Difference in stakeholder attitude
 - Namibia quieter – traditional structures
 - Botswana – more acrimonious
- Early consultation vs detailed information
- Policy and governance
- Transboundary nature of project – intergovernmental co-ordination – OKACOM
 - Presentations to OKACOM at initiation
 - Further meetings not held during process
 - OKACOM not directly engaged in process
 - Unclear whether more pro-active involvement contribute to more considered decision making

Overview

- Sasol Natural Gas Project
- Sun International Victoria Falls Hotel Development Project
- Port of Durban Container Handling Facilities Project

Sasol Natural Gas Project - overview

- Extraction in Inhambane, Mozambique
- Processing Facility at Temane, Mozambique
- 865km pipeline to Secunda, South Africa
- Sasol infrastructure converted to utilise natural gas feedstock
- Distribution to commercial and domestic customers
- 7 parallel EA processes

Complexity - Sasol Natural Gas Project - Lessons

- Design and implementation the biggest challenge
- Linear and large scale
- 7 processes
- Highly diverse stakeholder groups
- Government at all levels
- Farmers and landowners
- Traditional leaders and semi-subsistence communities
- Diverse capacities and languages

Capacity Issues - Sasol Natural Gas Project - Lessons

- Deepened civil society participation, especially in Mozambique
- Stakeholder capacity built in both countries
- Direct material help to stakeholders
- Language issues

Parallel Activities - Sasol Natural Gas Project - Lessons

- Sasol's extensive broad-based stakeholder engagement strategy in Mozambique
 - enhanced the environment
 - set context
- Negotiations with South African landowners
 - used as a vehicle
 - primary focus of farmers' concern

Stakeholder Targeting - Sasol Natural Gas Project - Lessons

- Consultation with community leaders, not members
 - uncertainty of pipeline alignment
 - avoided undue expectations and speculation
- Socio -Economic Studies
 - deepened base of involvement
 - distinct methodologies

Sun International Victoria Falls Hotel Development - overview

- Victoria Falls, Zambia
- Two hotels, day visitor centre and small casino
- Site of previous hotels, within National Park
- Environmental and cultural significance
- Standard EA in terms of Zambian and international conventions

- Limited participation budget

Stakeholder Dialogue - Vic Falls - Lessons

- High level of debate
 - a new experience
 - developer considered withdrawing
- Built civil society, but not full participation
- Deepened appreciation of heritage and tourism issues
- Traditional communities
 - Chief's role
 - Specialist study
- Active developer

Steering Committee - Vic Falls - Lessons

- Project Steering Committee
- Key stakeholder groups
 - Heritage Council
 - City Council
 - National Parks and Wildlife Service
 - Developer
 - Consultants

Political Involvement - Vic Falls - Lessons

- Very high profile project in Zambia
- High level involvement
- National government support linked to strategic needs
- Wanted speed
- Pressure on officials
- “Sham”, “hijacked”, “sledgehammer of State House”

Port of Durban Container Handling - overview

- Proposed expansion of container handling facilities
- To meet growth in demand
- Highly complex urban context

Integrated Environmental Management Process

- Phased
- Strategic planning and assessment

- collaborative problem solving

Stakeholders and Issues - Durban Port - Lessons

- Very broad base of stakeholders
- Metropolitan context
- Very broad set of issues
- Concern with dominance of ecological agenda

Communication - Durban Port - Lessons

- Significant resources for communication
- All products converted into accessible formats
- Posters, brochures and pamphlets
- Media liaison - special emphasis

Conflict Management - Durban Port - Lessons

- Collaborative approach
- Appointment of consultants
- Facilitated problem solving - core principle
- Vision driven:
 - vision creation
 - common outcome
 - assisted evaluation
- Stage by stage agreements
- Local Advisory Committee
- negotiating forum
- endorsed by developer

ANNEX 5: PRESENTATION OF DRAFT HANDBOOK

Calabash Project

Handbook Overview

Overview

- Each process unique – not a ‘recipe’ book
- Covers 4 sectors:
 - Practitioners
 - Civil Society
 - Government
 - Developers
- Benefits
- Guidelines, tips and comprehensive annexures of techniques

Chapter Structure

•Roles and responsibilities

- Role in environmental assessment
- Responsibilities – participants have responsibilities within process and accountable

Planning

- Each group needs to plan for involvement – not just practitioner
- Sets out steps and considerations

Information and informing

- Engaging
- Decision making
- Practitioners

•Planning forms major section

- Properly planned process from outset can avoid problems
- Encourages practitioners to consider situation and particular stakeholders
- Plan unique process tailored to circumstances
- Social profile key activity
- Continuum of participation
 - Key concept in thinking about nature of engagement

•

•Informing and Engaging

- Annexures of techniques in the ‘toolbox’ of the practitioner
- Practitioner selects techniques appropriate to situation determined during planning

Civil Society

- Roles and responsibilities key
- Reference to ‘rights’ to participate
- Planning - just as important for civil society
- Sets out questions:
 - Do you want to be involved?
 - How can you become involved?
 - Who else is involved
 - What resources do I have?
- Sets out a continuum of involvement
- Information
 - Where to find information
 - Getting messages out and communicating issues
 - Tools

•Engaging

- Formal participation guidelines
- Building relationships with others and engaging outside the formal process
- Issues

Government

Roles and responsibilities

- Differentiation of ‘roles’ of government
- Aimed mainly at decision makers

•Setting frameworks

- Akin to planning
- Policy and guidance
- Reviewing adequacy of the process

•Informing and engaging

- Difficulties of engaging as a decision maker
- Thinking about techniques used

•Decision making

- Consideration of the public process
- Communicating decisions

Developers

Roles and responsibilities

- Often where problems generated

•Planning

- Clarifying requirements
- Selecting the practitioners

Information and engaging

- Importance of accessibility
- Importance of honesty and listening

Conflict Resolution

- Separated out from other chapters
- Poorly addressed aspect in environmental assessment
- Of relevance to all participants

Annexures

- Annexure A - Legal basis for participation
 - Work by EnAct – summary
- Annexure B - Communication techniques
- Annexure C – Engagement techniques
 - Includes activist techniques for civil society
- Annexure D – Samples
 - Letters, minutes, information documents etc
 - TORs for public participation
- Annexure E – Resources
- Annexure F – IAP2 Toolbox