

**United Nations Environment Programme  
Dams and Development Project**

**Compendium of Relevant Practices**

**Stakeholder Participation**

**by**

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**on behalf of**



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**List of Acronyms**

BPC	Butwal Power Company
DDP	Dams and Development Program
DAD	Decide, Announce, Defend
EIA	Environmental Impact Assessment
GTZ	German Technical Cooperation
IAP2	International Association for Public Participation
NGO	Non-Government Organisation
SIA	Social Impact Assessment
ToR	Terms of Reference
TVA	Tennessee Valley Authority
UNEP	United Nations Environment Program
WCD	World Commission on Dams

## 1. Executive Summary

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Late in 2005, the DDP engaged the International Association for Public Participation (IAP2) to describe the substantive elements characterising stakeholder participation on dam projects around the world and the current status of development. IAP2 was also required to identify and collect information on examples of national and international frameworks establishing criteria and mechanisms for stakeholder participation, and the implementation thereof.

This report comprises the output of the research and analysis undertaken by IAP2 under Phase 2 of the Dam Development Project.

The scope of this research project has three dimensions. Firstly, it considers the full life cycle of dam projects including the planning and management stages. Secondly, the stakeholder participation priority key issue focuses on mechanisms and institutional approaches to stakeholder participation, their financing, timing, level and scope of participation and participation plans. Thirdly, the research is to draw on case studies which represent the diversity of experience internationally, rather than focussing on cases from either the developed or developing world.

The project was based on analysis of case studies of dam development projects from around the world. The selected projects represented a broad range of project stages.

A total of 13 case studies from around the world were identified:

- through the literature provided by the DDP;
- through the network of practitioners associated with the International Association for Public Participation;
- by web search.

The case studies include:

<b>Project</b>	<b>Country</b>
1. Coquitlam	Canada
2. Nam Theun 2 Dam, Hydropower Project	Laos
3. Eastmain A1/Rupert Diversion Project, James Bay Hydroelectric	Canada
4. Andhikhola Hydropower	Nepal
5. Wivenhoe Dam upgrade, Qld	Australia
6. Ribble River Basin Planning	England
7. Tennessee Valley Authority	USA

8. Olifants River Water Resources Development Project	South Africa
9. Manapouri Monitoring	New Zealand
10. Upper Kotmale Hydropower Project	Sri Lanka
11. Jondachi Hydropower Project	Ecuador
12. Salto Caxias	Brazil
13. Thai-Baan Community Response	Thailand

Research was undertaken by:

- a survey of participant managers from the various projects;
- a questionnaire/survey of key stakeholders;
- direct input from participant managers;
- web search.

Once identified each project was analysed and a case study was created based on a framework provide by UNEP. Once the case studies were completed an analysis/discussion of stakeholder participation on dam projects was developed. This characterisation of stakeholder participation discusses the dam development projects in terms of the priority key areas determined by UNEP-DDP at the 4<sup>th</sup> DD Forum held in October 2005.

Findings include the fact that information on stakeholder participation on dam projects is not easily accessible for many projects, and particularly those from the developing world. While good information about projects could be sourced in North America, the UK and Australia, it was more difficult to find comprehensive data on projects outside the English speaking world. However, sufficient data was sourced to provide useful information.

Findings from the case studies include:

- A number of dam projects exhibit high quality stakeholder participation, with lots of effort expended on identifying and working with stakeholders;
- In at least one case the case studies revealed the evolution of stakeholder participation practices over 30 years, with the recent partnership approach contrasting favourably with the original model used during construction;
- In the developed world, large-scale stakeholder participation processes have been aided with the use of high technology, which facilitated input from a large number of participants.
- The rigorous evaluation of the UK project, and the emphasis of the stakeholder participation on social learning is an interesting model that may have wide spread application

- Central to the success of participation processes on a number of projects is the establishment of and value placed on long-term relationships. Trusting relationships underpin information sharing and understanding. Examples include resettlement committees with high local representation, participatory resettlement in Brazil, and the harnessing of local skills and knowledge to support decision making.

### **Recommendations**

Recommendations made are as follows:

#### **Stakeholder participation processes are carefully planned so that:**

1. *The stage of the dam project is clearly identified.* The stage of the project, from project planning through construction to decommissioning, will define the other elements of the stakeholder participation process. These will include the decision being made or issues being explored that the public can participate in, the project time frame, information needs, impact on stakeholders etc. Being clear on these elements allows the participation process to be planned appropriately.
2. *The decision to be made is clearly identified and scoped.* All parties need to be clear on the decision or decisions yet to be made so that the participation process can be designed to best support that decision. Different decisions will have different impacts on stakeholders, and this will define an appropriate role stakeholders can have in influencing those decisions. Clarity of decision scope helps all parties to understand what is a given and what is negotiable, in other words, what the limits of the decision are.
3. *All stakeholders are identified.* Good stakeholder participation processes require that all stakeholders are identified. Their role can then be decided, along with their information needs and the techniques that might best be used.
4. *The impact stakeholders can have on that decision is clearly identified.* As described by the IAP2 Spectrum, the impact stakeholders have on decisions can vary. It is essential that the stakeholders' role is resolved at the outset and stakeholders and project proponents agree on that role.

#### **Techniques are selected on the basis that they deliver specific outcomes**

Techniques for stakeholder participation must be selected because they will deliver specific outcomes. Those outcomes will vary greatly depending on the project, the stage of dam development and the stakeholders. Important outcomes might include building trust, providing technical information to stakeholders, learning from stakeholders as well as making them feel listened to and involved in finding a solution.

**Stakeholder participation is focussed on making decisions relating to dam development**

Stakeholder participation should not be done in isolation. The role of stakeholder participation is to support better decisions relating to dam development. Any process should only be undertaken where stakeholders can add value to the decision making process to improve outcomes for all.

**Stakeholder participation on dam projects includes an evaluation component**

Formal evaluation of stakeholder participation projects helps ensure high quality processes. Evaluation is also essential for learning so that each project supports a better stakeholder participation process for the next dam project. A portion of the budget for stakeholder participation should be set aside for evaluation to ensure good practice.

## 2. Introduction

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### 2.1. Background

The Dams and Development Project is a program of the United Nations Environment Program (UNEP). The mission of the project is to “*Promote improved decision-making, planning and management of dams and their alternatives building on the World Commission on Dams core values and strategic priorities and other relevant reference materials through promoting multi-stakeholder dialogue at national, regional and global levels and producing non-prescriptive tools to help decision-makers*”.

Phase 2 of the Project involves the production of a compendium of relevant examples of the planning and management of dams and their alternatives. The compendium will be based on the seven key priority issues identified during the 4<sup>th</sup> DD Forum held in October 2005. One of those areas is stakeholder participation. The DDP believes this priority key issue includes mechanisms and institutional approaches, financing, timing, level and scope of the participation and participation plans. Stakeholder participation is relevant throughout the lifecycle of dams.

### 2.2. Objectives of This Study

Late in 2005, the DDP engaged the International Association for Public Participation (IAP2) to describe the substantive elements characterising stakeholder participation on dam projects around the world and the current status of development. IAP2 was also required to identify and collect information on examples of national and international frameworks establishing criteria and mechanisms for stakeholder participation, and the implementation thereof.

This report comprises the output of the research and analysis undertaken by IAP2 under Phase 2 of the Dam Development Project.

### 2.3. Scope

The scope of this research project has three dimensions. Firstly, it considers the full life cycle of dam projects including the planning and management stages. This reflects the understanding that stakeholder participation can take place at any stage in this life cycle.

Secondly, the stakeholder participation priority key issue focuses on mechanisms and institutional approaches to stakeholder participation, their financing, timing, level and scope of participation and participation plans. Thirdly, the research is to draw on case studies which

represent the diversity of experience internationally, rather than focussing on cases from either the developed or developing world.

This project was designed and carried out in such a way as to best meet the scope described above. Case studies were identified which together represent a variety of stages of the life cycle of dams, and which characterise the elements of the priority key issue. Details of the methodology for achieving these ends are provided in the following sections.

## 2.4. This Report

This report contains the following main sections:

Chapter Heading	Content Summary
Introduction	Provides the background to the DDP project, the objectives of this study and its scope.
Methodology	Identification and analysis of case studies
Case Studies	Summarises the case studies
Characterisation of Stakeholder Participation	Provides a broad discussion of stakeholder participation as revealed in the case studies
Discussion	Key learnings from the case studies
Conclusions and recommendations	Draws together significant conclusions from the case studies and makes recommendations
Case study bibliography	Lists the references used in the case studies
Bibliography	Lists other references
Appendices	<ol style="list-style-type: none"> <li>1. Case Studies</li> <li>2. Case study database</li> <li>3. Project team survey</li> <li>4. Stakeholder questionnaire</li> </ol>

## 3. Methodology

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### 3.1. Project Context

In October 2005 the 4<sup>th</sup> DD Forum was held in Nairobi Kenya. At that Forum seven priority key issues were identified, being:

- Benefit sharing
- Stakeholder participation
- Compliance: enforcement/mechanisms
- Compensation policy
- Outstanding social issues
- Social Impact Assessment
- International policy concerning shared river basins

Phase 2 of the Dams and Development Project comprises the production of a compendium of examples of the planning and management of dams and their alternatives from around the world. The compendium will be structured around the seven priority key issues listed above.

To create the compendium, the DDP engaged a range of consultants, with each focussing on one of the seven issues. To complete issue two – Stakeholder Participation – the DDP engaged IAP2 as the leading international proponent of public participation. IAP2 subsequently engaged Twyford Consulting in Wollongong Australia to coordinate a team of researchers to undertake the work.

### 3.2. Identifying Case Studies

Case studies of dam management projects from around the world were required for this project. Cases studies were identified in a number of ways.

#### **DDP Project Literature**

A couple of relevant case studies were identified in the literature provided by the DDP project team. However much of the literature focussed on dam projects that had been controversial, rather than best practice examples of public participation.

#### **IAP2 Network**

A number of projects were identified through the network of practitioners represented by IAP2.

The criteria for selection of case studies included:

1. Representative of the international experience
2. Representative of the full life cycle
3. Incorporating sufficient stakeholder participation for the purposes of this study

4. Have sufficient documented detail of the stakeholder participation process
5. Provide sufficient information about the priority key areas as outlined by DDP

Extensive review of the literature meant that a number of examples which had been recommended by the above two sources were discarded due to either lack of sufficient information or poor consultation practices. For example, one case study submitted in the draft report was discarded due to civil society feedback on the draft report and an explanation of the inadequacies in participation which were not apparent from other sources. This was replaced with another recommended example. Most of the other cases studies proposed by civil society in the draft report feedback were either not related to dams or were from North America. It should be noted that many examples of participation in dam-related activity in North America exist and are well-documented. If such case studies had been used, there would have been considerable savings in time and effort, however the objectives of the review would not have been met.

### **Research**

The research process was primarily by extensive web and literature searches; questionnaire surveys of participant managers; and direct contact with participant managers.

Two questionnaires were prepared to survey participant managers and key stakeholders involved in chosen case studies (included as appendix 3 and 4). These were sent to a number of the proposed case studies where participant managers could easily be identified. Questionnaires were received from 3 participant managers, with others indicating they only had time to email material or refer to sources of information. In a couple of cases, there was no reply to requests for information, the information received was general project information rather than participation-related, or as in the case of a dam decommissioning, came too late to be incorporated in the project. In 5 cases participant managers contributed directly to the template or reviewed the case study and added information. 5 case studies were largely based on web sources, as the level of availability of other documentation was not high. These cases were included despite information gaps because they illustrated the range of international experience and all contributed learnings which may be applicable to other situations.

The outcome of the selection process was 13 case studies identified and documented.

### 3.3. Case Study Analysis

Once the research was carried out for each dam project, it was summarised in the form of a case study (See Section 4). Each case study provides a summary of the characteristics of the participation process associated with a single dam project. A total of 13 cases were produced. Analysis of information was undertaken in accordance with the following outline provided by UNEP:

- Key features of the stakeholder participation process, including:
  - a. stakeholder identification and enabling
  - b. access to and dissemination of information
  - c. Informed stakeholder participation in decision making
- National and international policy/normative framework applying to the project
- Life cycle stage
- General and detailed description of the legislative context
- The organisational set up available for implementation, enforcement and monitoring
- The implementation history of the 'norm'
- Project description
- Implementation of stakeholder participation
- Outcomes and results – data based
- Outcomes and results – stakeholder reflection/assessment
- Challenges and opportunities

In addition, public participation processes were assessed in accordance with IAP2 and the World Commission on Dams guidelines.

## 4. Case Studies

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### 4.1. Overview of Case Studies

#### 4.1.1. Justification of Selected Case Studies

There are many good examples of consultation in developed countries where, in some cases, there has been a history of public participation and evolution in techniques and skills for over 30 years. The challenge has been to:

- a) identify examples from each continent to reflect the variation in application of techniques, purpose, and culture;
- b) not dominate our cases studies with North American examples of techniques which may not be appropriate or feasible to apply in other countries because of the literacy rate, access to technology, culture, institutional context, and resources available for participation; and
- c) select case studies which: illustrate a unique technique for consideration; demonstrate important learnings; or application of participation to a specific life cycle of dam development which other countries may be considering.

### 4.2. Case Studies

#### 4.2.1. Case Study Location and Stage

	Dam project	Country	Continent	Stage
1	Coquitlam	Canada	North America	Upgrading
2	Nam Theun 2 Dam, Hydropower Project	Laos	Asia	Project implementation and resettlement
3	Eastmain A1/Rupert Diversion Project, James Bay Hydroelectric	Canada	N America	Project planning
4	Andhikhola Hydropower	Nepal	Asia	Project planning, construction, implementation, operation, resettlement
5	Wivenhoe Dam upgrade, Qld	Australia	Australasia	Upgrading
6	Ribble River Basin Planning	England	Europe	River basin planning

	<b>Dam project</b>	<b>Country</b>	<b>Continent</b>	<b>Stage</b>
7	Tennessee Valley Authority	USA	N America	Implementation and Operation
8	Olifants River Water Resources Development Project	South Africa	Africa	Project planning and EIA
9	Manapouri Monitoring	New Zealand	Australasia	Operation and Monitoring
10	Upper Kotmale Hydropower Project	Sri Lanka	Asia	Resettlement
11	Jondachi Hydropower Project	Ecuador	S America	Pre-feasibility
12	Salto Caxias	Brazil	S America	Implementation and resettlement
13	Thai-Baan Community Response	Thailand	Asia	Community-based monitoring of implementation and operation

The detailed case studies are included as Appendix 1.

## 5. Characterising Stakeholder Participation

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The Terms of Reference for the UNEP Dams and Development Project require a description of the substantive elements characterizing each key issue. The following outlines the substantive elements of stakeholder participation from the perspective of the International Association for Public Participation.

### 5.1. Definition and discussion of concepts

#### 5.1.1. IAP2 definition

Stakeholder participation is defined as “any process that involves stakeholders in problem-solving or decision-making and uses stakeholder input to make better decisions.” IAP2 2002.

This definition reinforces the fact that stakeholder participation is a process or series of actions, impacts and outcomes not one single activity.

It clarifies that the ultimate aim of stakeholder participation is better decisions, that is, decisions that are better informed, more sustainable, owned by stakeholders and implementable.

Importantly, stakeholder participation does not involve watering down the decision making role of government. Rather, stakeholder participation focuses on involving stakeholders and using their input to support government through decisions which affect everyone.

As an extension of this definition, IAP2 identifies three foundations on which effective stakeholder participation is built.

- **Values-based.** Stakeholder participation is most effective when the proponent (whether government or private sector) and the practitioner recognise, acknowledge and validate stakeholder values when designing a participation process. While good factual data is necessary for informed decision making, good decisions will incorporate both accurate and relevant data as well as the values, principles or standards of stakeholders in that decision.
- **Decision-oriented.** Effective stakeholder participation supports robust decision-making. Stakeholder participation is not undertaken in a vacuum, for its own sake or as a way to “sell” a decision already made, but specifically to influence and improve decisions. “Better decisions”, in the context of dam development, are decisions that are better informed, better understood, more sustainable or more implementable, because they are

owned by those affected by, or with an interest in, the outcome of the decision on the dam.

- **Objectives-driven.** It is important to manage expectations of the participation process and to be clear about the role of stakeholders in making decisions. When stakeholder participation is planned to achieve specific and shared objectives, such as: to provide balanced and objective information, or to establish and maintain relationships, or to gather stakeholder comments, or to seek new ideas or to facilitate participation decision-making, there is more likelihood that mechanisms or techniques will be selected and implemented in such a way as to achieve these objectives. There are many participation techniques that can be used by practitioners. Selecting the most appropriate technique requires a clear understanding of what stakeholder participation is to achieve.

### **5.1.2. IAP2 concepts**

Core IAP2 concepts include Core Values, a Code of Ethics and a Public Participation Spectrum. The Core Values describe seven attributes of a stakeholder participation process that the association suggests are the minimum standards that will deliver a fair and ethical process. They include:

- stakeholders having a say in decisions about actions that affect their lives;
- stakeholders' contributions genuinely influencing decisions;
- achieving sustainable decisions by meeting the needs of all participants including the decision-makers;
- seeking out and facilitating the involvement of those potentially affected;
- involving participants in defining how they participate;
- providing stakeholders with the information they need so they can participate in a meaningful way;
- communicating to stakeholders how their input influenced the decision as a result of their participation in the process.

The IAP2 Spectrum of Public Participation recommends that participation can be effective at five different levels. The goal of participation will be different at each level, the promise to the public will be different and the techniques used will be different.

At the **Inform** level,

- the goal is to provide balanced and objective information to stakeholders.
- the promise is to keep the stakeholders informed throughout the decision-making process.

- the techniques likely to be used are communication tools such as written information or websites, communication activities such as information sessions, site visits and Open Houses.

At this level, the stakeholders have influence as observers of a transparent decision-making process which allows them to hold decision-makers accountable for their decisions.

At the *Consult* level,

- the goal is to seek feedback from stakeholders on proposals.
- the promise is to listen to aspirations, concerns and issues and to provide feedback on how the input influenced the decision.
- techniques are surveys, interviews, meetings, submissions and public hearings.

At this level, decision-makers seek feedback from stakeholders so the information gathered, the criteria generated and the alternatives considered can be reviewed and commented on by stakeholders during the process.

At the *Involve* level,

- the goal is to engage with stakeholders to generate new ideas through dialogue;
- the promise is to work directly with stakeholders during each stage of the decision process to ensure their aspirations and concerns are directly reflected in the decision process.
- techniques are meetings, workshops and deliberative mechanisms.

At this level, decision-makers seek information and ideas from stakeholders while making the actual decisions themselves.

At the *Collaborate* level,

- the goal is to partner with stakeholders in each aspect of the decision, including developing criteria and alternatives and identifying a preferred solution.
- the promise is to look to stakeholders for advice and innovation and incorporate this into the decisions to the maximum extent possible.
- techniques are advisory groups, stakeholder panels and participatory decision-making.

At this level decision-makers seek to share decision-making power and responsibility with stakeholders.

At the *Empower* level,

- the goal is to place decision-making in the hands of the stakeholders.
- the promise is to implement what the stakeholders decide.
- typical techniques are citizen juries, referenda and delegated decisions.

This level is unlikely to be appropriate in national and international dam projects where government will be the ultimate decision-maker.

Managing the expectations of both decision-makers and stakeholders is challenging. When decision-makers only intend to Inform or Consult stakeholders, as is often the case in decision-making on dams, yet stakeholders seek to Collaborate in decision-making, there is a mismatch of expectations.

It is important to get decision-maker clarification of, and commitment to, the role that stakeholders can play in decision-making. Once this is clarified, it needs to be clearly communicated and explained to stakeholders. The stakeholder participation goal can then be clearly established as a guide to practitioners and decision-makers, and a Promise to stakeholders clearly articulated.

### **5.1.3. The DAD model**

IAP2 also recognises that there is a model of stakeholder relations that is often confused with stakeholder participation. IAP2 uses the acronym DAD to describe this model, which stands for *Decide, Announce, Defend*. When this model is used, a decision is made by the proponent, announced to the public and then defended should stakeholder response to the decision be negative. Sometimes, if the negativity is sufficiently articulate or politically effective, the decision is changed. IAP2 makes it very clear that this does not fit into the IAP2 definition of stakeholder participation.

The DAD model rarely results in better decisions crafted as a result of discussion and consideration of many perspectives. It more frequently results in “knee-jerk” reactions that can be costly to the decision-maker and increase stakeholder cynicism about the transparency and authenticity of the decision-making process.

## **5.2. Decisions during dam development processes**

As indicated in the ToR, there is a lifecycle in dam development projects which involves several stages including:

- Policy and strategic planning
- Integrated river basin planning
- Dam project planning
- Dam construction
- Dam operation
- Dam decommissioning.

The decisions in which stakeholders can participate are likely to be different at different stages. During the Planning stage – including policy and strategic planning, river basin planning and dam project planning - stakeholders may participate in a wide range of decisions. The World Commission on Dams (WCD) suggests there are six sustainability elements to be considered, being engineering, environmental, social, economic, financial and decision making. For each of these elements there are a number of factors relating either to water resource management or normative frameworks, and decisions may need to be made about each of them.

During the management phase of dam projects, including dam construction, operation and decommissioning, decisions will continue to be made regarding the normative frameworks.

The following table provides some indicative questions that might require stakeholder participation at the major stages. Note that these questions are indicative only and many questions might be appropriate at each stage. For example, the question of which water supply option might require stakeholder participation during the policy and strategic stages, as well as during river basin planning.

Stage in Dam Lifecycle	Example decision for stakeholders to participate in
Policy and strategic planning	The vision for providing water to improve the lives of people in the area or community and the strategies to achieve the vision.
Integrated river basin planning	How can the resources of this river basin be used to provide water and energy for communities while retaining the health and flow of the river and tributaries
Dam project planning	What alternatives exist in this catchment to supply water and energy to communities? Is dam storage the most sustainable alternative to achieve required outcomes? What will be the social, environmental and economic impacts and how can they be effectively and fairly mitigated? Is there a process in place to ensure adequate compensation?
Dam construction	How can this dam be constructed cost effectively to provide sustainable water or energy supplies for the next 50 years while protecting the natural environment and improving the welfare of communities at the dam site and downstream?

Stage in Dam Lifecycle	Example decision for stakeholders to participate in
Dam operation	How can this dam be operated to provide a sustainable water or energy supply as well as meet the commercial, employment, recreational and social needs of the community while protecting public health and the natural environment?
Dam decommissioning.	How can this dam be decommissioned in a cost-effective manner and the area rehabilitated to meet the needs of the local community and reinstate natural habitats for local flora and fauna?

It is important to recognise that a decision to be made at a later stage is dependent on the decisions made at an earlier stage. The early decisions often become “givens” or “non-negotiables” for the subsequent decisions. For example, a decision may be made to build a dam irrespective of understood impacts based on perceived broader national interests; this then has implications for the scope of discussion on mitigation measures and compensation. Likewise a decision not to engage community early on may lead to lack of understanding of rationale for earlier decisions; inadequate data on which to base a decision; cynicism and distrust by community. Sometimes stakeholders participating in later decisions, are not aware of the reasons behind earlier decisions and want to revisit them or renegotiate them. This can cause confusion and create conflict.

Being clear on the decision that is to be made, the context in which it is being made, the people who will make the decision and the role of the stakeholders in the decision-making process is an important start to stakeholder participation planning.

### **5.3. Gaining public acceptance as an outcome of stakeholder participation**

The DDP issues based workshop held in October 2005 was focused on the issue of Gaining Public Acceptance, one of the WCD Strategic Priorities. Included under this strategic priority were first level issues including: Stakeholder identification, access to and dissemination of information and informed stakeholder participation in decision-making.

The background paper Annexure 3 to the Issue Based Workshop proceedings indicates that “Public acceptance of key decisions is essential for equitable and sustainable water and energy resources development.” An example of a key decision might be to modify a proposal based on detailed engineering, cost-benefit, or impact assessments, or not proceed with a dam project at all.

Participants in the Forum agreed, and IAP2 would support the concept, that good stakeholder participation does not necessarily equate to public acceptance. Public acceptance does not result merely from good stakeholder participation processes. *Care must be exercised not to equate participation with acceptance.* Providing accurate information to carefully identified stakeholders and encouraging their informed participation in a decision may lead to public acceptance, if the benefits to stakeholders outweigh the disadvantages. However it may lead to conflict between the public and the decision-maker because stakeholders do not see a benefit for them in the proposal. Alternatively it could lead to an agreement, by all parties including the developer, that the project is not acceptable.

As an example of stakeholder participation leading to non-acceptance of a project, a dam project in New Zealand known as Project Aqua was proposed and, under the New Zealand Resource Management Act of 1991, was the subject of a public consultation process. The project generated a considerable amount of stakeholder dialogue, discussion and in some cases, outrage, both local and national. In 2005 the proponent of the project, Meridian Energy, decided not to proceed.

At the time, CEO of Meridian Energy Keith Turner said that a combination of circumstances meant that it was no longer prudent or responsible for the company to continue with the project. The relevant circumstances included geotechnical information that adversely affected project economics, decisions made in the High Court around the nature of "water rights", the length of time it would take to resolve the uncertainties concerning resource consents, the costs of compliance with consent requirements, including community and environmental mitigation, and the need to be decisive and reduce uncertainty. Meridian's 2004 Annual Report states they lost NZ \$38.7M on the project.

#### 5.4. Other relevant issues

Other issues relevant to stakeholder participation and public acceptance include:

- Willingness of decision makers to use stakeholder input. This is not a given. Many decision-makers do not accept that stakeholders can provide useful input, especially if they are not highly educated; or they decide that a 'greater community good', from their perspective, should prevail.
- Willingness of technical experts to engage with and listen to stakeholders, particularly vulnerable groups. Many technical experts believe there is one "right" solution, do not see the relevance or value of other perspectives, or are constrained in considering alternatives.
- Transparency of decision making processes, even to decision-makers. Many decision-makers do not have a clear idea of the process they are using to make a decision.

Stakeholder participation needs to inform their decision. If the process is not clear, stakeholder participation may happen, but is unlikely to affect the decision.

- The need to invest in building capacity in stakeholders or providing support to enable participation in decision-making eg if there is not a high level of literacy or access to technology.
- The need to use techniques tailored to the diversity of the stakeholders.
- The need for good practice standards for stakeholder participation by decision-makers, especially elected representatives. Political realities affect the way decisions are made. They may also affect the potential for stakeholder input to be sought, valued and used. In many cases, political risk can often be reduced through stakeholder participation.

## 5.5. Participation mechanisms

### 5.5.1. Introduction

The Report on the DDP Issues-Based Workshop identified the following first level stakeholder participation issues:

1. Stakeholder identification – how to identify and reach those people affected by or interested in the outcome of a decision.
2. Access to information – how to provide real access to information to identified stakeholders.
3. Informed participation in decision-making – how to facilitate stakeholder participation in the decision-making process.
4. Ways to measure public acceptance – how to measure whether the stakeholders who participated in the process, and those who did not, accept the outcome of the decision.

The focus of this report is item three of the list above, namely, how to facilitate informed participation in decision making.

IAP2 has developed concepts to identify stakeholders, to identify and communicate key messages, to gather data from stakeholders and process the data to provide useful information to decision-makers. It also encourages practitioners and decision-makers to extend their process to ensure that all stakeholders are informed of how their input influenced the decision.

In the case studies the first 3 issues have been specifically addressed, with emphasis on the third issue. Point 4 proved difficult to address with any certainty as in no cases was public acceptance measured. In 5 cases in total the outcomes *appeared* to be accepted and acceptable to the affected stakeholders and decision-makers. It should be pointed out that in none of these accepted case studies was a new dam proposed and in all cases, comprehensive engagement took place. With one exception (Wivenhoe upgrading), in cases where

participation has been formally evaluated, the focus has mainly been on the effectiveness of the process (as per Ribble River Basin Management) rather than evaluating whether there was agreement with outcomes.

The following discussion is a characterisation of stakeholder participation based on the perspective of IAP2, as the leading international exponent of stakeholder participation. The discussion is focused on the elements of the priority key issue as defined by the DDP. They are mechanisms and institutional approaches, financing, timing, level and scope of participation and participation plans. For the purposes of this report the critical elements are the mechanisms for participation, and the institutional approaches to implementing them.

### ***5.5.2. Stakeholder Analysis and Participation Plans***

A precursor to deciding on mechanisms for consultation is to identify stakeholders, analyse their interests and needs for participation, and if possible engage stakeholders in identifying preferred mechanisms for how they would like to be engaged. For example, stakeholders who are directly affected may wish to be on a committee which engages throughout the process. Others may have a general interest to see that appropriate processes are followed or good science is considered and therefore may only want to receive newsletters, with the proviso that they can approach a participant manager or communication officer if they have concerns or information to contribute.

A consultation plan should be developed early in the process, incorporating outcomes of the stakeholder analysis. It can be used for the following:

1. to gain agreement of decision-makers about the stages, purpose, and timeframe for participation;
2. to be transparent about the decision-making process for participants
3. to identify appropriate techniques for categories of stakeholders,
4. to identify resources needed and length of time for each stage of the process.

A consultation plan can be provided to possible participants for feedback on how they would like to be engaged, and whether stakeholders have been overlooked. Seeking feedback on the Consultation Plan was the first and a major step in the participation process for Ribble River Basin Planning. Consultation Plans were also specifically mentioned as providing guidance for Coquitlam, Wivenhoe, and TVA. In some other cases, such as Eastmain A1 and Wivenhoe there were formal Agreements with indigenous stakeholders that covered the consultation process.

IAP2's training for practitioners and decision-makers focuses on how to design and plan a participation process. Five key steps in planning are suggested:

- Gaining internal commitment
- Learn from the public or stakeholders
- Select the level of participation and clarify participation goal, objectives and promise
- Clarify decision process and participation objectives at each step
- Design participation plan.

The training program, developed by international practitioners, reinforces the need to clarify the scope of the decision and the decision process to be used, identify the decision-makers and the level of influence stakeholders can have, and understand the stakeholders and their likely issues before determining stakeholder participation methods and tools. Participation plans should be in place at the start of the participation process, and be sufficiently flexible so they can be responsive to the needs of stakeholders.

The experience of IAP2 trainers reflects the need for systematic processes in planning stakeholder participation processes. Skills in this area are not widespread.

### **5.5.3. Techniques and Tools**

There are many mechanisms for engaging stakeholders in decision-making. IAP2 suggests that there are 3 formats that are generally used to achieve the objectives set.

- There is a range of techniques and tools that allow balanced and objective information to be shared.
- There is another range of techniques that support the gathering of data from stakeholders that then needs to be aggregated and processed into useful information for decision-makers.
- Finally there are techniques for bringing people together so they can engage with information, provide feedback, generate new ideas, interact with other stakeholders, or participate in decision-making.

Techniques need to be selected based on the stakeholder participation objectives, the stakeholder preferences, the languages and cultures of the stakeholders, the resources available including money, time and skills, and the size and complexity of the project. The choice of technique or mechanism must not drive the process. Rather, techniques must be chosen having first decided the decision to be made and the participation objectives sought. Only then is a discussion of techniques appropriate.

Typically the tools most used by those proposing major dam projects with major impacts on both the environment and local communities are:

Tools to share information:	Tools to gather and aggregate data:	Tools to allow interaction:
<ul style="list-style-type: none"> <li>• Media advertising</li> <li>• Newsletters</li> <li>• Open house displays</li> <li>• Websites</li> <li>• Briefings</li> <li>• Public exhibitions</li> </ul>	<ul style="list-style-type: none"> <li>• Surveys</li> <li>• Comment forms</li> <li>• Interviews</li> <li>• Focus groups</li> <li>• Public Hearings</li> <li>• Review panels</li> </ul>	<ul style="list-style-type: none"> <li>• Workshops</li> <li>• Discussion groups</li> <li>• Public meetings</li> <li>• Ongoing stakeholder committees</li> </ul>

#### **5.5.4. Mechanisms used in the case studies**

Details of techniques used during stakeholder participation processes were not available for all case studies, particularly where secondary published sources were relied on. The following briefly describes the mechanisms for stakeholder participation applied in the case studies.

**Newsletters, posters, displays, brochures, and websites** were a common way of informing community about project progress, stages of consultation, and how feedback on stakeholder input was being used. Most of the examples used some or all of these mechanisms.

**Surveys to gather information and views** were found to be integral to projects such as Upper Kotmale resettlement, Andhikhola, Ribble River Basin, and Thai Baan community-led assessment. The Andhikhola project began its stakeholder participation with a ‘baseline’ survey to ascertain the needs and attitudes of stakeholders. The Thai Baan project used “grassroots people’s research” to identify issues and document facts. For the Upper Kotmale resettlement project a socio-economic survey was conducted with affected communities. Ribble River Basin Planning did a questionnaire survey of perceptions. Providing a feedback questionnaire is commonly used as part of an information package to get input, as per Coquitlam.

**Computer-aided technology** proved useful for the large scale TVA consultation but might be impractical or unaffordable in other situations. This process required the use of a specialist IT firm to develop and manage the interactive tools for gaining participant input, and a suite of computers. This approach was appropriate to the TVA project because of the large scale of the stakeholder engagement process.

**Committees or working groups** established to facilitate interaction of representatives for the duration, or a phase, of the project were used in 10 out of the 13 case studies. Such groups had benefits for building trust, interchange of ideas, joint gathering and analysis of data,

cooperation and collaboration. They were used for resettlement discussions at Nam Theun 2, Upper Kotmale, and Salto Caxias Hydropower Projects. At Eastmain AI/Rupert, the relationship extended to working together for joint data gathering, to create joint EIAs, and the provision of training for stakeholders. At Andhikhola it involved permanent Users Organisations in planning, construction and management. The Manapouri project built on relationships that had been established over many years in monitoring the hydro power station and associated environmental works. With Jondachi, the representative Board should be an efficient mechanism for considering stakeholders' interests. They were mechanisms to seek stakeholder views and consider options at Coquitlam, Wivenhoe, Ribble Basin, and TVA. While such groups are efficient and effective ways of engaging knowledgeable representatives in discussions, they should not be seen as a substitute for broader community engagement, either by the representatives or by the project team.

**Dedicated consultation officers** were in part responsible for the success of stakeholder participation in Coquitlam, Wivenhoe, Eastmain AI/Rupert, TVA, and Olifants case studies. A characteristic of less well-resourced processes seemed to be that project managers without specific consultation skills had responsibility for the process. Nam Theun 2 tried to address this through a capacity building approach.

**A local resource centre** was the locus of contact with stakeholders in Coquitlam, Nam Theun2, Eastmain AI/Rupert, where displays and other information were placed. In some cases, these became a base for dedicated consultation officers.

**Ability to engage participants in appropriate local languages** were essential in Olifants, Eastmain AI/Rupert, Upper Kotmale and Nam Thuen2.

The techniques used in the case studies provide a valuable insight into effective methods applied in different contexts and the importance of tailoring the technique to the objectives of participation and stakeholders' needs. There are many sources of information (both in hard copy and on the web) about the range of participation techniques and tools that interested parties can access. It is not intended to duplicate their contents here, however a website that is particularly useful for identifying appropriate techniques for purpose is: - the Citizen Science Toolbox - <http://www.coastal.crc.org.au/toolbox/index.asp> .

**Table : Case Studies – Summary of Features, Mechanisms**

	Dam project	Features, Mechanisms
1	Coquitlam	<ul style="list-style-type: none"> <li>Consultation Plan</li> <li>Meetings with interest groups</li> <li>Public meetings, information sessions</li> <li>Flyers</li> <li>Technical support to indigenous population for joint discovery</li> <li>Information centre</li> <li>Information line</li> <li>Workshops</li> <li>Questionnaire feedback survey</li> <li>Expert panel of advisors</li> <li>Community Liaison Committee</li> <li>Community Relations Consultation Manager</li> </ul>
2	Nam Theun 2 Dam, Hydropower Project	<ul style="list-style-type: none"> <li>Information centre</li> <li>Relevant languages</li> <li>Workshops</li> <li>Resettlement committees</li> </ul>
3	Eastmain A1/Rupert Diversion Project, James Bay Hydroelectric	<ul style="list-style-type: none"> <li>Partnership with indigenous population for joint discovery of information for EIA and SIA</li> <li>Formal agreement about process with indigenous</li> <li>Public assemblies</li> <li>Information officers</li> <li>Relevant languages</li> <li>Interest group meetings</li> <li>Field visits</li> <li>Formal review hearing</li> </ul>
4	Andhikhola Hydropower	<ul style="list-style-type: none"> <li>Household survey</li> <li>Field visits</li> <li>Users Organisations involved in planning, construction, management</li> </ul>
5	Wivenhoe Dam upgrade, Qld	<ul style="list-style-type: none"> <li>Consultation manager</li> <li>Participation and consultation plan</li> <li>Community Reference Group</li> <li>Technical support for indigenous joint discovery of information</li> <li>Agreement with indigenous groups re process</li> <li>Newsletters</li> <li>Information line</li> <li>Workshops</li> <li>Field visits</li> <li>Interest group meetings</li> <li>Evaluation process</li> <li>Website</li> </ul>
6	Ribble River Basin Planning	<ul style="list-style-type: none"> <li>Stakeholder analysis and communication plan</li> <li>Stakeholder Forum</li> <li>Newsletters</li> <li>Website</li> <li>Expert meetings</li> <li>Community workshops</li> <li>Questionnaire survey of perceptions</li> <li>Evaluation of process</li> </ul>
7	Tennessee Valley Authority	<ul style="list-style-type: none"> <li>Stakeholder participation plan</li> <li>Workshops</li> <li>Website</li> <li>Information line</li> <li>Direct mailout</li> <li>Interactive computer system to record comments</li> </ul>

	Dam project	Features, Mechanisms
		Public Review Group Interest group meetings
8	Olifants River Water Resources Development Project	Direct mail-out Relevant languages Consultation officers Direct contact with affected landowners Information documents, posters Interest group representatives meetings NGO focus group Newsletter Issues and Response Report Public meetings
9	Manapouri Monitoring	Issue-based focus groups Site visits Working Party Resource support for interest groups
10	Upper Kotmale Hydropower Project	Relevant languages Resettlement Committee Resettlement Action Plan Environmental Monitoring committee Housing committee Socio-economic survey Website Workshops
11	Jondachi Hydropower Project	Representative Board Community meetings Benefit-sharing structure
12	Salto Caxias	Multi-disciplinary Study Group Resettlement Plan Community meetings
13	Thai-Baan Community Response	Consensus-based approach to research plan Local researchers Focus groups Expert panel of locals

## 5.6. Institutional frameworks

The analysis for this project focuses on the institutional frameworks, including national and international frameworks applicable to dam projects. It was not an objective of this exercise to evaluate country frameworks related to dams and participation. The study also only investigated a limited number of case studies. As a result, there some excellent 'frameworks' are likely to exist that have not been identified.

### 5.6.1. International

A notable 'international framework' with a legal basis referring to participation is the Aarhus Convention and the EU Water Directive Framework and its pilot program for testing

participation processes. Continual reference was also made to the work of WCD and the Dam and Development Programme, and IAP2 in providing guidance on participation.

International funding and development bodies such as the World Bank, Asian Development Bank, the Inter American Development Bank, the Overseas Private Investment Corporation, the African Development Bank, the European Bank for Reconstruction and Development, the Canadian International Development Agency and the International Hydropower Association have incorporated stakeholder participation into policy making and planning procedures for impact assessment, management of catchments, river flows, water resources, environments and energy supply. Some include policies on vulnerable peoples or indigenous participation.

A detailed review of application of the principles of these funding agencies was not a component of the consultancy, so it is not clear to what extent these are supported with detailed definitions or guidelines. However there is evidence that funding contingent on firm application of existing participation principles can significantly influence the way participation is carried out in some countries particularly where there has been little commitment to consultation in the past (eg Nam Thuen 2). To match these principles with appropriate funding targeted for participation processes through the life of the process would consolidate their effectiveness.

The importance of stakeholder participation in international water resources planning increased from the 1970s and continued through the 1990s and into 2000 and beyond (ESMPAP, 2003; IUCN)

### **5.6.2. National**

Stakeholder participation is an increasingly accepted component of natural resources and environmental planning processes in the North America and some other parts of the world. However even in these countries, there is very little legal definition of the meaning of stakeholder participation and no defined standards of how stakeholder participation should be achieved or measured.

In Canada the Canadian Environmental Assessment Act is the Federal Act that governs the approval of projects that have the potential to affect the environment. This Act includes in its definitions “interested parties” meaning “any person or body having an interest in the outcome of the environmental assessment for a purpose that is neither frivolous nor vexatious.” It defines proponents as “the person, body, federal authority or government that proposes the project”. It offers no definition of “public” or “stakeholder”. It requires “public consultation” “where ..... the responsible authority shall ensure public consultation with respect to the proposed scope of the project for the purposes of the environmental assessment,

the factors proposed to be considered in its assessment, the proposed scope of those factors and the ability of the comprehensive study to address issues relating to the project.” There is no further reference in the Act to any required process for or outcome from the public consultation. This is typical of many pieces of environmental legislation world wide and it leads to proponents undertaking the minimum “consultation” involving typically, advertising of the project, public exhibitions of the Environmental Assessment and the receipt of submissions.

In the US, stakeholder participation has been codified in environmental planning legislation, for example the Administrative Procedure Act and the National Environmental Policy Act.

In Australia the planning and development assessment legislation in most states requires a proponent to consult with stakeholders including government and the local community, and usually include a minimum period for public review of documents. However once again no legal definition of consultation exists in either Federal or State legislation nor any standards that a process or outcomes must meet.

New Zealand is one of the few countries that has a legal definition of “public consultation”. This definition came from a case brought by the local community in 1992 against Wellington Airport. Essentially any proponent who consults the public about a proposal must do so “with an open mind” and be prepared to change the proposal as a result of public input. Recent legislation in New Zealand that requires public consultation includes the Resource Management Act 1991, the Local Government Act of 2002 and the Land Transport Management Act 2004. The Resource Management Act is the legislation that applies to dam projects.

While participation details are often not spelled out in detail in legislation, many of these countries have extensive guidelines prescribing how participation should take place. In some cases, they are based on the IAP2 framework.

### **5.6.3. Corporate**

An important factor for instigating and implementing good consultation practice is the policy of specific agencies or corporations that are involved in dam development. Hydro Quebec, BC Hydro, SEQ Water, GTZ, TVA, and Meridian Energy stand out in this regard. Without their commitment to building good relationships with community, best participation practice would not have been achieved. They have found from experience that public participation can provide long term benefits for their agency. In many cases, they have developed their own guidelines for participation.

In summary, basic legislative or regulatory frameworks generally provided a minimum basis for consultation. In all cases of sound practice, participation went well beyond these frameworks.

## 5.7. Financing

IAP2's experience in working with organisations undertaking stakeholder participation processes is that there are many constraints on budgets for this work. This is evident in the reluctance of most case study participant managers to disclose the budget set for the stakeholder participation activities.

Projects presented in these case studies cost between \$45 M and \$1 Billion to develop. Advice from 5 of the case studies suggest that much less than 1% of the project cost was spent on participation activities. For those who reported, actual figures varied from \$8000 to \$350,000 over 3 years. When the ability to deliver a project relies so greatly on good practice consultation, it is surprising that so little is allocated for this purpose. Unpublished research among practitioners into participation budgets indicates that there are several ways budgets are established.

- there is an increasing tendency to establish a budget, particularly for stakeholder participation in major infrastructure projects such as dams, on a percentage of the total project budget. So, for instance, if a dam project has an overall budget of \$100,000,000, a stakeholder participation budget of around 1 or 2 % of this, might be established.
- a budget may be set once a stakeholder participation plan has been developed, based on the estimated amount required to deliver the plan.
- sometimes there is no specific budget for stakeholder participation and all activities have to be funded out of the project budget, which means that there is competition for funds between the project and the participation process.
- sometimes there is no specific budget for stakeholder participation because an international donor has agreed to fund a project once it is approved. As a result, an agency must allocate its existing overstretched resources to stakeholder participation during EIA and approval process.

Good practice requires a realistic budget to be set during the scoping stage for any dam project that covers the following activities at minimum:

- participation planning,
- the development and distribution of effective communication materials,
- some deliberative activities that allow stakeholder engagement with the technical information,

- data gathering from stakeholders,
- processing that data into useful information for decision-makers and
- the provision of ongoing feedback to stakeholders on how decision-makers used the information.

When negotiating finance for a project, it would be appropriate to ensure there is sufficient for adequate stakeholder participation to be undertaken by people with appropriate skills or to include time and resources to build appropriate capacity. The advantages can be seen in the case of Nam Theun 2 where capacity building in participation improved the resettlement outlook.

In specific terms, financial details are available for only a few of the case studies. Information available includes:

1. Wivenhoe Dam Upgrade: \$913,850 was spent on stakeholder participation, from a construction budget of \$70m AUD.
2. Manapouri Power Scheme: The cost of stakeholder participation was in the order of 10% of the total cost of the review.
3. Upper Kotmale Hydropower Project: It is estimated that over the six year period, stakeholder participation cost approximately \$60,000 USD – or .025% of the total project cost.
4. Resettlement planning – Salto Caxias Hydroelectric Power Plant: The total cost of this project was \$1 billion US, with almost \$250 million going toward the mitigation of social and environmental impacts of the process.

## 5.8. Timing

Stakeholder participation mechanisms involve 3 important activities. These are:

- The provision of information to stakeholders.
- The gathering and aggregating of stakeholder input
- Providing feedback on how stakeholder input affected the decision.

There is already recognition of the importance of early access to information by stakeholders. The GPA workshop suggested a minimum timeframe of at least 6 months to allow stakeholders to process the information, and sufficient time to allow people to effectively and meaningfully participate.

Good practice would support early provision of information on the scope of the decision to be made. It is more effective to provide information early, even when the details of the proposal are incomplete. This is not to say that unsubstantiated information should ever be provided.

Rather, it is better to provide information as early as possible, even if that information is an acknowledgement that there is much that remains unknown. Often dam developers and political decision-makers hold back on providing information until their proposal is complete with all the components researched and finalised. This practice can increase stakeholder cynicism because stakeholders, particularly vulnerable groups, see no potential for their input to be used so never enter, or later withdraw from, the participation process. This approach also reduces the opportunity to take advantage of local knowledge, which can be considerable, as illustrated in the case of the Thai Baan research..

Stakeholders need information throughout the entire project lifecycle. They are more likely to be able to process that information if it is provided in small amounts on a regular basis rather than as one complete document at the end.

It is important to provide sufficient and timely opportunities for stakeholders to engage with the information and discuss it with people they trust.

Legislative or regulatory frameworks in countries such as Australia, New Zealand, UK and Canada often require a minimum period of 28 days to allow stakeholders to submit comments. In reality in many consultation processes, much longer is allowed. This certainly is not sufficient time for vulnerable groups to work together to understand the information and provide an agreed response on a major proposal

## **5.9. Level and scope of participation**

Stakeholder participation is frequently undertaken using the Inform or Consult levels on the IAP2 Spectrum of Public Participation. IAP2 does not present the Spectrum as demonstrating that stakeholder participation undertaken at any level is “better” than stakeholder participation at another level. IAP2 does encourage proponents of any project to engage stakeholders at the level that decision-makers believe will result in the best, most sustainable decisions.

Typically, in major infrastructure projects such as dams, stakeholder participation is mostly undertaken at the Inform or Consult level at most stages in the dam development process. Those organisations that are prepared to spend the additional time and resources to work with stakeholders to gain their trust, their expertise and their advice, often do achieve more sustainable decisions and greater public acceptance of those decisions.

The 13 case studies were selected to reflect good practice where possible. Interestingly, no case studies were conducted only at Inform level. Four case studies were conducted at Consult level. Three were conducted between Involve and Collaborate levels. Six were conducted at Collaborate level indicating a real attempt to engage stakeholders in the decision-making process and use their input to the maximum extent possible.

It is not often that decision-makers are willing to seek new ideas from non-technical people to help them make what they see as technical decisions.

It is even rarer for decision-makers to allow stakeholders to sit at the decision-making table, which is what it means to work at Collaborate level. There are examples of this in the case studies, at least for certain of the decisions needing to be made – Manapouri monitoring; Eastmain A1/Rupert, Wivenhoe, Salto Caxias, and TVA. It seems ‘safer’ to work at a collaborative level on decisions not directly related to whether a dam should be built, or once the decision about constructing a dam is not threatened. These case studies do provide examples of good practice consultation resulting in improved decisions and, in many cases, greater stakeholder acceptance of the decision.

## 5.10. Criteria for good stakeholder participation practice

As can be seen from the above characteristics, key criteria for good practice stakeholder participation include:

### **Mechanisms and Institutional Approaches**

- The use of appropriate techniques that support genuine understanding of relevant information on the project that allows informed participation by stakeholders;
- A basic regulatory framework of principles supported with more detailed guidelines;
- Implementing the participation with transparency of intent, effective listening skills and respect for diverse opinions;
- Willingness and skills to work through conflict resulting from diverse views;
- An effective process to gather data from stakeholders;
- Appropriate aggregation of collected data to provide useful information to decision-makers;
- Decision-makers who use the information to increase their knowledge and make better decisions;
- Feedback to participants as to how their contribution influenced the decision;
- An effective evaluation process that facilitates new learning and improved practice;

### **Financing**

- Sufficient resources including money, time and skills to achieve the stakeholder participation objectives;

### **Timing**

- Stakeholder participation that begins as early in the process as possible, including the message that there are questions that are yet to be answered;

**Participation Planning**

- Effective planning and the development of a stakeholder participation plan that is separate from but supports the project plan– it includes stakeholder identification and analysis and input from stakeholders on how they would like to be involved;
- Commitment by decision-makers to inclusiveness in participation;

These criteria can be used as a checklist when preparing for participation or as a basis for evaluating basic characteristics of a participation process.

## 6. Discussion

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### 6.1. Introduction

This research project into the priority key issue of stakeholder participation has provided significant insights into the state of stakeholder participation in dam projects around the world. In particular it has uncovered important information about the elements of stakeholder participation as defined by the DDP. One of the important insights is that information on several of the elements is difficult to come by for projects in many areas of the world, making detailed analysis a greater challenge. Only in North America, the UK and Australia has the stakeholder participation facet of dam projects been written up in any meaningful way. Examples from other areas of the world are much harder to come by. The important implication of this for the DDP is that where stakeholder participation is not being written up it is more likely that best practice participation is not part of the project.

This section discusses these and other findings and their context. It also discusses the research methodology, including its strengths and weaknesses.

### 6.2. Stakeholder Participation and Dam Projects

As mentioned in Section 4.1 there are many good examples of consultation in developed countries where, in some cases, there has been a history of public participation and evolution in techniques and skills for over 30 years. The challenge has been to:

- a) identify examples from each continent to reflect the variation in application of techniques, purpose, and culture;
- b) not dominate our cases studies with North American examples which may not be appropriate or feasible to apply in other countries; and
- c) select case studies which: illustrate a unique technique for consideration; demonstrate important learnings; or apply to a specific life cycle of dam development which other countries may be considering.

Where stakeholder participation is not being documented, it is an indication that evaluation of participation is not being undertaken. Without evaluation it is likely that participation is not a high priority. It minimises the opportunity to learn from successes and mistakes, and to build skills and improve for the next time.

Under these circumstances, stakeholder engagement is likely to be reactive, that is, letting the issues and concerns raised by stakeholders to govern the participation activities and messages.

A lack of emphasis on participation may tend to encourage the use of the Decide – Announce – Defend model, where decisions are made without input from stakeholders, and then announced and defended against criticism. This is not stakeholder participation as understood by IAP2, and does not produce good outcomes for the project proponent or stakeholders.

Another possibility is that stakeholder participation may be a priority, but that a poor understanding of the foundations of planning for participation processes leads to poor outcomes. It is often the case that stakeholder participation tends to focus on techniques rather than on the purposes and outcomes sought, with the result that the stakeholder participation does not assist good decision making.

### 6.3. Highlights from Case Studies

Having found that stakeholder participation is not being written up well in many parts of the world, it has been possible nevertheless to draw useful information from the case studies included in this report. This section provides a brief summary of the salient points from each.

Both *Coquitlam* and *Wivenhoe* projects are examples of existing dams needing upgrading and where agencies spent great effort on public consultation. Initially it might appear that these two cases, a world apart in Canada and Australia, involved relatively minor issues not requiring public input. After all, the dams already existed and only needed to be upgraded. However the responsible agencies endeavoured to carefully manage community perceptions so that the public was not alarmed by the fact that safety audits found the dams at risk. They also took the opportunity to use the project to improve community relations.

Both of these case studies were characterised by thorough stakeholder identification and inclusiveness; appointment of a community relations consultation manager throughout the process, and special efforts and resources provided to engage First Nation or Aboriginal people in the process. In both cases there were also spin-offs for indigenous communities as a result of this consultation. In the case of Coquitlam, it was providing a process for salmon restoration; and with Wivenhoe, it was documenting Aboriginal history of the dam and environs for use in the Information Centre and sponsorship of an indigenous outreach program and reconciliation wall.

Canada's *Eastmain AI/Rupert Diversion Project*, James Bay Hydroelectric Scheme case study illustrates the evolution in public consultation approaches over 30 years in a developed democratic society. Not uncommon globally, the original 1970's dam development concept was not open for genuine public debate although compensation was a component of early

discussions. However in 1998 Hydro-Quebec adopted a new strategy governing development of hydropower projects which included commitment to sustainable development, a partnership approach with Indigenous communities and specified that an essential condition for any new construction project was that it had to be well-received by local communities. The approach has been characterised by full access to information, joint EIA development, training, joint decision-making, substantial compensation and benefit-sharing. Indigenous communities held a well-attended referendum in 2001 which supported the signing of agreements endorsing projects and partnership approaches. As in other case studies an essential ingredient has been to have a resource centre, dedicated consultation officers, and communication material and skills in relevant languages.

It has been commented that it might be easier to take such an open approach in a country where there is not a shortage of hydropower. In common with a number of countries, it appears that there is increasing comfort with public consultation (eg re compensation) once the decision to build a dam has been made.

The *Tennessee Valley Authority (TVA) Reservoir Operations Study* case study provides an example of a large highly coordinated consultation process over 3 years to review operating procedures for the huge TVA system which includes 49 multipurpose dams. The purpose was to determine if the operational strategy could be changed to meet recreational and other community benefits while still meeting dam objectives. It is an example of a well-resourced process using 'high-tech' consultation techniques such as computer-assisted participant feedback, an electronic database, computer modelling of policy alternatives (eg flood risk), and videos. Similar to other consultation processes, success was also attributed to establishment of an inter-agency team and Public Review Group; widespread dissemination of information; and inclusiveness.

Whereas there is general agreement world wide that public acceptance of dams and development cannot be gained without good public participation to inform decision-making, the *Olifants River Water Resources Development* case study, South Africa, illustrates that good public participation is not the only ingredient for public acceptance of a decision. Despite a comprehensive two-year process in which hundreds of people representing all sectors of society actively participated and appeared to accept the proposed project, five appeals to the decision were received, mainly in relation to technical aspects of the project. Stakeholders commended government for conducting an open and transparent EIA and a good public participation process. Like other case studies, consultation featured inclusiveness, accessibility, dedicated participation managers, and communication in several languages.

**Ribble River Basin Planning**, England, case study is an excellent example of a well documented consultation process. It has been formally evaluated by an independent international team including NGOs as a model for stakeholder participation for implementation of the European Union Water Framework Directive. From this evaluation, key learnings have been identified. It demonstrates processes that could be tailored to river basins where dams are being planned or operated elsewhere in the world. The model for review and 'social learning' is one which may be of interest to UNEP in the next phase of the Dams and Development Programme.

The process for consultation on the 7 year review of New Zealand's **Manapouri Monitoring** programme benefited greatly from long standing relations between Meridian Energy and its precursor and interested parties. Ability to deal with the same groups over a period of time has advantages in building respect and trust. Cost effective and innovative solutions were found through collaboration with these groups and research institutions.

The previously mentioned case studies were relatively well resourced and in countries where there has been a long history of consultation or recent high priority placed on consultation. The next group of case studies demonstrate fairly good consultation for at least a certain phase of a project such as resettlement. They illustrate that there is the ability to undertake cost-effective consultation in these countries, providing the policy and institutional framework is supportive. In some cases it illustrates a phasing in of the institutional preparedness for stakeholder participation, as these countries and institutions are becoming more familiar with and experiencing the benefits of the concept.

Consultation in relation to resettlement and dam impact mitigation for **Nam Theun 2**, Laos was chosen, not because it illustrated 'best practice' consultation, but because it demonstrates the process improvements that can be made and the benefits brought through capacity building and training in participation techniques and a commitment to consultation (even if externally imposed as a result of international aid and NGO criticism). Consultation with affected stakeholders improved after government officers received consultation training and the consultation program was developed with external support. This influenced project design and resettlement options.

**Andhikhola hydropower project** illustrates the positive outcomes from Nepal's Butwal Power Company's (BPC) ethic, - the purpose of dam construction and electrification was for development of the local community. Engagement of groups that had a long term commitment to the process, such as Village Development Committees and Users

Organisations meant continuity in relationships and a means for ongoing information exchange. An early community survey helped BPC understand community needs.

Likewise a socio-economic survey and resettlement committees in relation to *Upper Kotmale resettlement*, Sri Lanka played an important part in understanding communities' needs, exchanging information, and developing a Resettlement Plan.

The *Salto Caxias* case represents evolution of public participation and key institutional reform in Brazil. Based on prior experience, limited public participation was expected and only basic participation was required by law. However, as a result of public pressure, issues were discussed openly before the beginning of the construction of the dam in which everyone taking part in the process had the opportunity to give their opinion and affect decisions. It provides a good example of participatory resettlement planning and legally binding agreements which affected the environmental impact assessment report and the licensing procedure.

Likewise in Ecuador, the *Jondachi Hydropower Development*, while in its early stages, is expected to provide a sound basis for consultation and local benefits because of local (including indigenous organisation) shareholding in the hydropower proposal, formal structures for on-going participation in decision-making, and a positive experience of prior low-key community-based electricity development.

Lastly, the case of *community-based Thai Baan research* was a response to and input into monitoring of impact of a trial opening of the Pak Mun gates in Thailand. It illustrates potential cost-effective mechanisms for including community views and knowledge that could have been used for everyone's benefit prior to dam development. It demonstrates the existing available skills and resources within Thailand and the great potential for harnessing local expertise and knowledge for mitigating impacts of dam projects. It is an example of the resourcefulness of civil society in a climate of distrust of government approaches. Like other case studies it is an example of a consultation approach tailored to the needs and circumstances of the community.

## 6.4. Research Methodology

The key steps of the methodology were identifying the case studies and surveying project staff about those projects. Identification of case studies was undertaken in the first instance through the IAP2 and civil society networks. While this process identified the case studies, many of them were from North America. As one of the aims of the project was to look at

cases from around the world, more work had to be done to identify cases. To identify other case studies, substantial web searching was undertaken.

The problems identifying cases is less an issue about the method used and more about the general lack of information globally on stakeholder participation. While many cases could have been sourced from the US, well documented cases from elsewhere are difficult to find. In future, more primary research such as face to face interviewing of stakeholders might have to be done. As it was, much of the research undertaken was secondary, based on other sources.

The survey of managers and key stakeholders proved a useful method in some cases, with survey responses from 3 participant managers. Others simply emailed some responses or referred to other information sources. On other case studies, there was no response, or the information returned was very general.

Surveys are relatively easy to do but their returns are mixed. Where participant managers can be identified it is useful to talk to them directly, where time and financial resources allow.

In this study, five participant managers did have a direct input into the project or reviewed the written case study. This input proved useful and is a preferred methodology.

Overall, information had to be sourced in whatever way possible to get sufficient information for each case. In the end, gaps remain but those gaps are not so large as to prevent conclusions from being drawn.

## 7. Conclusions and Recommendations

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### 7.1. Conclusions

The outcomes of this research report provide a number of important lessons for DDP and the stakeholder participation community more broadly. The first significant fact is the lack of sound reporting of stakeholder participation associated with dam projects from around the world. With the exception of some projects from the English speaking world there are significant information gaps. A lack of sound reporting indicates a lack of evaluation, without which it must be difficult to judge the effectiveness of programs.

One of the challenges faced by project proponents and stakeholders in the developing world is the low literacy rates of local populations. When a large proportion of the stakeholders can not read it is much more difficult to run mass communication programs. Scientific and technical information is difficult to communicate even to a highly literate community, yet several of the case studies included here involved stakeholders from poor farming and fishing communities where literacy rates were low.

Associated with low literacy rates is a low level of familiarity with the technologies of dam projects. Low 'technical literacy' was a feature of the communities around Upper Kotmale and Nam Thuen projects. On the Kotmale project comments included the fact that people had to be educated about the benefits of electricity and how they could use it. Many people had never seen refrigerators or electric stoves. Of most interest were electric lights, though electric hotplates were being used by some community members. In the Nam Thuen<sup>2</sup> case it was said that people came out of the forest to attend stakeholder meetings having no idea of the implications of a dam. They had no experience of dams, turbines, powerlines and the like, nor could they imagine them.

Another of the challenges presented in these cases is the difficulty of breaking down the assumption that the engineers and local officials know best. Where stakeholders may have no more than a primary school level education, and no experience of the technologies involved in a dam project it will be very easy for both proponents and stakeholders to slip into the role of 'expert' and 'ignorant' respectively. This dynamic does not facilitate good sharing of information. Neither does it support the important role stakeholders can have in making a decision better.

While these challenges are real for cases in the developing world, there are a number of examples where they have been overcome to a significant extent, and where meaningful participation by stakeholders has been achieved. For example, the Thai-Baan case was another instance where local community members had little formal education. In this case, the local fishermen were engaged in documenting fish species and fishing characteristics in a methodical way to provide data for the project team. The validity of data collected was confirmed by a local expert panel which was formed to review project data. This process gave value to local knowledge.

The Thai-Baan case is an example of a project where there was a culture of joint discovery of information. It is very common for project teams not to initiate stakeholder participation until they have all the answers, perhaps because they feel that going out too early may lead to mixed messages and confusion. But where there is a culture of joint discovery the opportunity is there for project proponents and stakeholders to work out together what information is needed. Using local fisherman to provide valuable scientific data is one way of allowing parties to work together to gather information. This approach was exemplified in a number of cases, such as the James Bay case, and appears to have supported successful and positive stakeholder participation.

The idea of joint discovery of information is based on strong relationships between proponents and stakeholders. Another way in which relationships were supported in the cases was by means of ongoing advisory groups. The important feature of these groups appears to be that they built trust between stakeholders and project proponents, and that each party was able to recognise what the other had to offer. An ongoing advisory group provides members with the opportunity to understand data in detail, to question information and have their questions respected. Members interact, talk, deliberate and share perspectives. Many techniques are good for obtaining information from members, but ongoing advisory groups allow deliberation, build relationships and provide high quality input into the decision making process. The challenge with advisory groups is to ensure that they continue to relate their deliberations back to the group they represent. This can be facilitated by timely distribution of meeting outcomes to advisory group members, or additional support with newsletters or whatever mechanism identified by advisory group members.

## **7.2. Recommendations**

A number of recommendations can be drawn from the research undertaken.

It is recommended that:

**Stakeholder participation processes are carefully planned so that:**

5. *The stage of the dam project is clearly identified.* The stage of the project, whether at project planning or construction, will define the other elements of the stakeholder participation process, such as timeframe, information needs, impact on stakeholders etc. Being clear on these elements allows the participation process to be planned appropriately.
6. *The decision to be made is clearly identified and scoped.* All parties need to be clear on the decision or decisions to be made so that the participation process can be designed to best support that decision. Different decision will have different impacts on stakeholders, and this will define the role stakeholders should have in making those decisions. Clarity of decision scope helps all parties to understand what is a given and what is a variable – what the limits of the decision are.
7. *The impact stakeholders can have on that decision is clearly identified.* As described by the IAP2 Spectrum, the impact stakeholders have on decisions can vary. It is essential that this question be resolved at the outset so that stakeholders and project proponents agree.
8. *All stakeholders are identified.* Good stakeholder participation processes require that all stakeholders are identified. Their role can then be decided, along with their information needs and the techniques that might best be used.

**Techniques are selected on the basis that they deliver specific outcomes**

Stakeholder participation should not be technique driven. Rather techniques must be chosen because they will deliver specific outcomes. Those outcomes will vary greatly depending on the project and the stakeholders. Important outcomes might include building trust, providing technical information to stakeholders, learning from stakeholders, making them feel listened to.

**Stakeholder participation is focussed on making decisions**

Stakeholder participation should not be done for its own sake. The role of stakeholder participation is to support better decisions. It should only be undertaken where stakeholders can add value to the decision making process.

**Stakeholder participation on dam projects includes an evaluation component**

Formal evaluation of stakeholder participation projects helps ensure high quality processes. It is also essential for learning so that each project supports a better process next time. A portion of the budget for stakeholder participation should be set aside for evaluation to ensure good practice. Facilitation of evaluation could be a future role for an ongoing UNEP Dams and Development Project.

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