

Gaining Public Acceptance

The fifth issue-based workshop on Gaining Public Acceptance was convened in Nairobi, Kenya on 5 October 2005, within the context of the DDP work programme component on supporting global dialogues. The workshop served the purpose of unpacking the key elements of the WCD first strategic priority as well as reaching consensus on outstanding controversial issues for use by those involved in dams and development issues at national, sub-national and local levels. Seventy eight participants representing a wide range of stakeholder groups attended the meeting. The overall objectives of the workshop were to:

- Discuss the nature and features of gaining public acceptance process/procedure; seeking at their clarification and prioritization for further consideration at local level with a view to its integration into policy, legal and regulatory frameworks.
- Assess challenges and opportunities in national and regional contexts for institutionalising gaining public acceptance; identify examples of relevant practices in this regard.



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The discussions addressed the main components of the gaining public acceptance process: stakeholder identification and enabling, access to information, informed participation in decision-making process and measure of acceptance. Environmental impact assessment (EIA) and its public participation component were considered as the main vehicle, through which public acceptance could be implemented and integrated into regional and national policy and regulatory frameworks. Environmental impact assessment was understood to be inclusive of social effects and is approached as a lifecycle analysis.

The output of the workshop was a set of recommendations and issues to that needed to be addressed related to the four key components of a gaining public acceptance process. They reflect principles, criteria and strategies concerning the improvement and implementation of gaining public acceptance mechanisms at the national level.

1) Stakeholder Identification:

- Stakeholders can be different at policy and project level and also as the project evolves.
- Their identification can be a combination of different approaches.
- Equal access should be guaranteed to all stakeholders during the identification process.
- However, a hierarchy of stakeholder groups does require consideration based on level of adverse effects.
- A hierarchy of stakeholder groups is also to be considered when rights or significant risks are concerned.
- There should be priority given to communities if it is a community level project.
- Particular attention should be provided to vulnerable groups and gender issues, to establishing capacity to participate and the use of local knowledge.
- Need to differentiate between the social and legal meaning of public acceptance with regard to rights issues.



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2. Access to Information:

These recommendations for access to information apply to both public or private sector projects.

Availability:

- All relevant project information should be made available to stakeholders.
- Need to provide information on and access to comparable projects with similar effects.
- Need to inform people about existing mechanisms to address grievances at a local and national level.
- Information disclosure: need for national laws on access to information as well as appeal mechanisms thereon.
- Importance of provision of access to independent review of project information and studies .
- Importance of access to expert advice and counsel.

Timeliness:

- Importance of early access to information and adequate/sufficient time to process the information by stakeholders.
- The time frame between public hearing and decision, should allow sufficient time and be embedded in a procedure that ensures incorporation of inputs from public hearing(s).

Format and Means:

- It must be adapted to stakeholders' level of understanding.
- Greater attention should be given to proper means of communication, taking into account literacy.
- It is imperative to provide information in the appropriate local language(s).

Responsibility for supplying Information:

- There should be a reliable depository of information on dams at a country level.
- There is a need for more extensive use of points of access at local level that are embedded in the community.
- A good governance framework is required providing for freedom of expression.

3. Informed Participation in Decision-making Process

- Public Participation should be done throughout the entire project lifecycle and as soon as the policy is formulated.
- During project cycle, the intensity of public participation should increase from the initial scoping stage to the project implementation phase.
- After construction level, public participation may decrease unless there are specific issues or risks to be addressed.
- Sufficient time should be provided to allow people to effectively and meaningfully participate bringing them to the same level.
- Tools and techniques should be context specific and be adapted to the local culture and traditions.
- As a principal, national strategic planning of water resources must be a participatory process that provides the opportunity for water resource users to be included in the policy decision-making.
- The main regulatory framework in which informed participation in the decision-making should be embedded in is environmental law while making explicit social and health issues.
- There is a necessity to translate policies into effective implementation through different mechanisms and processes.

4. Measure of Public Acceptance:

- The responsibility and liability for decisions lies with government as the key decision-maker.
- Public acceptance should be measured by an outcome-based approach that lists aspects demonstrating public acceptance. Projecting into the future and looking back is recommended.
- Public acceptance does not result merely from good public participation process.
- Apart from good public participation, various other aspects contribute to public acceptance: the contents of the public participation process (facts, figures, statistics, including aspects relating to benefits, agreements for compensation etc), the decision-making process and governance framework.

Issues to be dealt with:

- The need to determine at what stage it is relevant to assess whether public acceptance has been achieved or not.
- Whether measuring public acceptance is a question of numbers (majority) or reliance on issues.



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