

## **10<sup>th</sup> Steering Committee Meeting, the Hague, Netherlands, 16 and 17 February 2006**

### **Draft Summary Record of the Meeting**

The tenth meeting of the Steering Committee held deliberations on 16-17 February 2006 in the offices of the UNEP Global Programme for Action, in The Hague, The Netherlands
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#### **Steering Committee Members:**

Mr. Refaat Abdel-Malek, Montgomery Watson Harza, USA  
Mr. Ger Berkamp, IUCN, Switzerland  
Ms. Dipti Bhatnagar, NBA, India  
Mr. Peter Bosshard, IRN, USA  
Ms. Joji Carino, Tebtebba Foundation, UK  
Mr. Willie Croucamp, DWAF, South Africa (GACG, Africa)  
Mr. Øivind Johansen, Ministry of Petroleum and Energy (CACG, Europe and NA)  
Mr. Janak Lal Karmacharya, Nepal Electricity Authority, Nepal  
Mr. Manfred Konukiewitz, BMZ, Germany  
Mr. Mathew McCartney, IWMI, Ethiopia  
Mr. Alessandro Palmieri, World Bank, USA  
Mr. Teodoro Sanchez Campos, ITDG, UK  
Ms. Myriam Truchon, IHA, Canada  
Ms. Veerle Vandaweerd, UNEP (DEPI OiC), the Netherlands

#### **Alternates**

Mr. Hans Peter Schiffer, HEA, Germany  
Ms. Anne Schuster, GTZ, Germany  
Mr. Jean-Michel Deverney, EDF International-Electricite deFrance

#### **Absent with Apologies**

Ms. Joan Carling, Cordillera Peoples Alliance, The Philippines  
Mr. Veliparampil Kamalanathan Jyothi, Central Water Commission, India (GACG, Asia)  
Mr. Stephen Karekezi, AFREPREN/FWD, Kenya  
Mr. Gopal Siwakoti (CHITAN), WAFED, Nepal  
Mr. Richard Taylor, IHA, UK

#### **Facilitator**

Mr. Donald Kaniaru, UNEP, Kenya

#### **DDP Secretarial**

Mr. Alberto Calcagno, DDP Co-ordinator  
Mr. Thomas Chiramba, Senior Project Officer

These summary minutes reflect the decisions taken and the action points for further follow up arising from the deliberations under each agenda item, without detailing the arguments during the discussions or the range of issues addressed.

### **Agenda Item 1: Welcome and Opening Remarks**

1. Mr. Donald Kaniaru opened meeting welcoming the participants to the 10<sup>th</sup> Steering Committee (SC) Meeting. Ms. Veerle Vandeweerd, (OIC) DEPI/UNEP delivered opening remarks. She briefly presented the meeting of Global Ministerial Environment Forum/Governing Council Special Session recently held in Dubai, which findings would be reflected by the Summary of the Chair once it is published. She referred to three documents emerging from the meeting to be noted by the Steering Committee: the paper on environmental issues prepared by the Division of Technology, Industry and Economics (DTIE) for submission to the CSD 14; the outline of the UNEP Water Policy and Strategy endorsed by the GC, and the discussion around the Bali Strategic Plan on Capacity Building that gives UNEP a mandate to work at national level in coordination with UNDP. She invited DDP Secretariat to circulate these documents to the SC members. She further invited the SC members to provide their views, and expectations and reflect about the exit strategy.
2. The proposed Agenda was approved. It was agreed that item 9 Exit Strategy would be considered the following day at a fixed time to allow for the participation of the DEPI OiC. An item under AOB was added regarding the situation of SC members in detained or threatened due to their activities in the context of promoting rights and dialogue.

### **Agenda Item 2: Review and adoption of Summary Minutes of the 9<sup>th</sup> Steering Committee Meeting**

3. The draft summary minutes were reviewed and approved with no amendments. The fact that they were short, concise and focused on decisions was welcomed.

### **Agenda Item 3: Progress Report**

4. The DDP Secretariat referred the Committee to Document B covering progress both in project content and finances. DDP noted that the activities are on track and will increase. In terms of finances, the project was below the target and tries to be economic.
5. The meeting noted that despite a specific request made at the 4<sup>th</sup> DDF for a dialogue process in South East Asia, no developments have taken place as no formal request from this region has been submitted to DDP for follow up.
6. It was reconfirmed that disseminating of the WCD report was still needed; DDP was requested to reprint copies of the Report.
7. A swoop in figures for Support Cost and Total Cost in the Financial Report was noted and corrected.

### **Agenda Item 4: DD Forum Renewal**

8. DDP introduced Document C on participation of organizations in the DD Forum.
9. The Steering Committee noted that although there is one DD Forum meeting before the end of DDP, there was still need to identify institutions to replace non active members of the DDF in view of the fact that the global dialogue is anticipated to continue in one form or another.

10. The lack of participation of governments particularly those building dams was noted. The Steering Committee recommended that Governments should be encouraged to participate, as they are the ones expected to use the Compendium.

11. The following responsibilities for follow up were agreed.

- Governments (Policy): Government of Laos, Jean-Michel Devernay.
- Governments (River Basins) Policy: Government of Lesotho, LHWC, Willy Croucamp
- Government (Bilateral, ECAS, Regulators) DFID, DDP Secretariat?
- Indigenous People's Group: Himba Community (Namibia), Joji Carino
- Private Sector/Industry: ALSTOM Power, Hans Peter Schiffer
- International Financial Institutions: China EximBank, Peter Bosshard

12. The Steering Committee considered the interest expressed by the following advocacy NGOs to be members of the DD Forum. Baslizi Trust Zimbabwe, African Rivers Network and Environmental Defense. The SC endorsed that Klub Gaja fills in the DD Forum membership slot vacant under Advocacy NGOs. The Environmental Defence is to fill in a vacant slot under International NGOs. The Water Research Commission of RSA is to be invited to fill in a vacant slot under Research Organizations. The Jalsrot Vikas Sansthan (JVS), Nepal Water Partnership, was also proposed as candidate to fill any additional slot in the same group. Atkins was to fill in a vacant slot under the Private Sector.

13. The Steering Committee members were invited to submit additional names to DDP Secretariat and UNEP was to approach the organizations.

#### **Agenda Item 5: National and regional initiatives**

14. The Steering Committee considered the progress report on the Ugandan Dialogue process and the concept note on the Regional Dialogue as presented by the DDP Secretariat based on Documents D and E.

15. The Steering Committee emphasized that the dialogue process in Uganda should be inclusive, the Ministry of Energy should be fully engaged. The dialogue should be about how to meet the water and energy needs of Ugandans and less emphasis placed on the WCD Report. If the process is partly supported by DDP, the Project must be visible. The committee noted the efforts of the Secretariat to address the above issues.

16. The Steering Committee recommended that the Africa wide dialogue in collaboration with AMCOW should also include the Civil Society and the Africa Rivers Network. Further, other alternative approaches like the sub-regional approaches, SADC, ECOWAS, should also be explored. It was observed that an Africa wide approach is likely to take a long time. The committee noted that the Africa wide process is part of a multi pronged approach that is being adopted. This approach aims particularly at creating the political space for the national dialogues.

#### **Agenda Item 6: Practical Tools: Compendium on Relevant Practices**

17. The Steering Committee considered the progress report presented by the DDP secretariat based on Documents F, G and H as well as the outcomes from the 1<sup>st</sup> Coordinating meeting of Consultants held on 15 and 16 February 2006.

18. The committee recommended that the issues raised during the joint session of the SC and the Consultants be considered. See Annex A. Some of the issues however were highlighted once more during the SC meeting while some new issues were brought forward.

19. The Steering Committee reiterated that the combination of Benefit Sharing and Compensation Policy should be considered and emphasised that managing overlaps will need special attention in the whole assignment.
20. Consensus was also reached that Outstanding Social Issues and Social Impact Assessment will not be combined as they deal with different set of issues. Consultants will however be encouraged to work together. The Steering Committee noted that, flexibility will be applied in considering these recommendations of the body in view of the fact that contracts have been concluded.
21. Addressing Outstanding Social Issues is important for a number of countries like the Philippines. The Committee noted an observation that the research on unresolved social issues might not result in many good examples, if any.
22. Consensus was reached that the purpose of the compendium is to provide learning materials, how to do things better. The focus of the consultants is to look for relevant examples and preferably good examples. It was noted, it is easier to reach agreement on good examples than bad ones. Emphasis was made that the idea is not to name and shame. It was further observed that there are plenty of bad examples. The WCD Report focused on bad examples. The compendium should therefore focus on examples that provide solutions i.e. examples that illustrate how things should be done. A point was made on the diversity of the examples and the transparency of the process making emphasis on procedure rather than on the product.
23. The committee noted that at times good examples are not good enough. Under these circumstances, it was proposed to include a qualitative analysis that discusses gaps.
24. After extensive discussion, it was agreed that the list of examples is to be circulated to Steering Committee members for comments at the time when consultants begin to elaborate examples. The Committee members will also be invited to propose additional examples from recent times (last 10 years). Whilst there is need to guide the consultants, too many limitations should not be imposed on the consultants. An interactive process is to be adopted.
25. It was observed that the WCD process was not only about dams and their alternatives, but about how to resolve water and energy challenges. An effort should therefore be made to look for examples that address the issues of options.
26. Concerning good practice, it was agreed that the SC should not make decisions on whether examples are good or not. A decision in this regard should be left to the reader/audience. The Compendium should be good basic reporting on how specific issues were dealt with in specific circumstances. Thus decision would have to be made on the relevancy of the practices.
27. Regarding reaching consensus on what is relevant or not and therefore to be included, it was agreed that should there be difficulties in the consultative process, the substantial responsibility regarding this lies with UNEP which is responsible for the product. Consultation is therefore like a peer review process.
28. The Steering Committee observed that the governments are the main clients for the Compendium. Thorough consultation with GACG is therefore very important.
29. The Steering Committee recommended that the wording of the Compendium be carefully done in a manner appealing to the intended readers.
30. The committee noted that besides the first edition of the Compendium, the methodology of developing subsequent versions of the compendium will emerge from this process.

### **Agenda Item 7: DDP Participation in Key International Meetings**

31. The DDP Secretariat was encouraged to invite active members of DDP to participate in its side events. In the case of the 4th WWF however, the Committee noted that the Conference organiser had imposed the organisations participating in DDP proposed topic session. Therefore the request of IHA to be incorporated in the session being convened by DDP together with other four organisations could not be taken on board.

32. It was recommended that the wording of the key messages should be user friendly. The same information should be presented in a positive way, avoiding highlighting every time the danger associated with dams. Further the key messages should also deal with the work DDP has done and is doing towards promoting sustainable development of dams and their alternatives including the development of the Compendium.

### **Agenda Item 8: Dams and Development Forum: Planning the 5<sup>th</sup> Meeting**

33. The overall structure and contents of the agenda (Document K) was found satisfactory. A recommendation was made to remove the definition of “good dams” in the footnote. A distinction was made between the global and specific contexts regarding the shift of the dialogue on dams to be inclusive. While at global level, the discussion has shifted from whether to build dams or not to how to build “good dams”, in specific situations, however, the question of building dams or not is the first question to be addressed. It was recognised that the DD Forum meetings dwell in the global arena.

34. It was suggested to use the DD Forum meetings for carrying out multistakeholder dialogue in innovative forms, such as exploring the possibility of offering additional networking mechanisms beyond the usual social activities and innovative approaches like “speed dating”. To consider the possibility of holding panel discussions instead of traditional presentations, offering an “open market space” to the DD Forum member organisations initiative, and organizing an open Steering Committee meeting for transparency was also suggested. Channelling discussions through small groups was considered to better encourage discussions, particularly by government representatives.

35. It was proposed that the headlines for Sessions 2 and 3 could be more specific, e.g. “what was the goal of DDP, what did we achieve and what was spent”. This would be followed by the session on the Compendium which is to be allocated sufficient time to as well as to the way forward.

36. It was suggested to investigate the possibility of having DDF meeting back to back with a scheduled inter-governmental meeting of UNEP, in order to attract the participation of governments. Therefore the venue and proposed dates of 4-6 October 2006 were to be considered as tentative. However the Steering Committee noted that decision on these issues need to be taken soon to issue the invitations with enough anticipation.

### **Agenda Item 9: Exit Strategy**

37. The Steering Committee considered the Exit Strategy around two basic issues as outlined by Ms Veerle Vanderweerd: what to do with the results of the Project and what UNEP is to do after the project. Ms. Vanderweerd started the discussion against the background of the approved outline of the UNEP Water Policy and Strategy now in the process of being further elaborated to be presented at the GC24, the Bali Strategic Plan on Capacity Building detailed and the paper on water and energy being finalised with DTIE. These elements provided a framework to put forward ideas on dams for the next decade, including within the concept of IWRM.

38. It was agreed that the assessing the results of the project required first finalising the ongoing activities, and carrying forward the planned external evaluation. It was agreed that the evaluation of the Compendium will be possible after its long use.

39. The committee observed that the multi stakeholders' dialogue is invaluable; stakeholders have no other opportunities to meet. However, goals and expectations from this process have to be realistic. The global dialogue considered issues not addressed elsewhere, there is therefore the need for annual meetings in future. There is merit in promoting regional dialogues around concrete processes. Indigenous people value dialogues and encourage the continuation of national dialogues where they can participate and contribute. The presence of the intergovernmental institution is important.

40. Concluding a package of work that started with WCD was deemed important. The Compendium is the most important output of the Project providing a set of relevant examples to help governments. It will help improving frameworks. However, how it will be finalized is still open and how the learning process will continue is to be determined. The Compendium will be a live document that will need to be updated as it is a progressive, non static document. It is a longer term objective. Substantial work will have to be done on the packaging of the outcomes; the WCD was a good exercise but the package of the outcomes was controversial. UNEP has a special responsibility on the packaging and the monitoring of the reactions of users for improvements to be made. If reactions are positive UNEP should have a role.

41. Regarding what to do with the results of the project and, in particular, UNEP's role, it was raised the need for a continued learning and to create awareness on how things could be done, but not necessarily as a separate project. There may be other mechanisms better suited. Several members suggested that UNEP could provide for continuity in the context of its water policy, eventually as an internal unit in partnership with other organisations.

42. In future, it is important to look at where action will take place and what needs would emerge. Needs are big in Africa, infrastructure development will take place. The response from donors is positive – e.g. the WB, EU and China. There is need for a framework for investment on dams/water infrastructure for reference by donors, financiers, private sector and civil society is required to avoid having to negotiate project by project. UNEP is well placed to bring together all major players at high policy level. It is located in Africa and has already established a special relationship with AMCOW. To be noted is that other countries are already in the process of developing dams – Brazil, China and India. These are relevant countries that cannot be ignored due to size, population and influence.

43. It was pointed out that the word “Exit” has a negative connotation. It is important to end the project and demonstrate to funders that the special effort outside the traditional structure going beyond governments can be finished on time. There is however, need to change the format and continue with key activities. The extension of the dialogue is invaluable; the Compendium is for use in the long term with needs of updating. The creation of a Unit within UNEP with a changed name e.g. Water and Energy Infrastructure Dialogue is recommended.

44. To funders, it is important that Stakeholders are satisfied by the outcomes of the Project. Funders will not use any evaluation for strategic decision making purposes. An evaluation of the Project is important to UNEP as a matter of procedure. A questionnaire could be circulated to the Steering Committee members, governments and donors with questions on the past and the future.

45. Increased engagement of governments will be required to influence decision making in future due to their relative importance in this matter. This is also in recognition of who is going to use the project products. Some balance in terms of engaging other stakeholders will have to be maintained.

46. The Steering Committee recognized the balanced leadership role played by UNEP on dams and water in general. The catalytic role of UNEP was also acknowledged. UNEP promoted partnership development to better levels. UNEP moderated the discussions. UNEP being an intergovernmental body, it is a strategic partner to reach out to decision makers. UNEP can play an important role in building

capacity to manage infrastructure in Africa and other developing regions. UNEP would be in a good position, to carry forward a new effort in terms of a new institutional set up different from DDP, though employing elements of DDP. UNEP was encouraged to think about taking a leadership responsibility.

**Any Other Business**

47. The Steering Committee observed that issues regarding raising concerns about security of members of DDP Steering Committee due to their advocacy were not a matter for the body since it does not regulate on individuals. However, the situation affecting SC alternate Joan Carling, raised by Peter Bosshard, could be referred to the relevant UN bodies for action through the Executive Director's Office (ED) of UNEP. Peter Bosshard committed to circulate a note for Steering Committee members to consider and endorse on their individual capacities.

**Annex A**  
**Elaboration of the Compendium on Dams and Development**  
**Joint meeting of DDP SC members and Consultants**  
**16 March 2006, The Hague, Netherlands.**

This note summarises comments from individual SC members regarding the main issues addressed at the joint meeting of the DDP SC members and the consultants on 16 February 2006 according to the notes taken by the Secretariat. They constitute guidance for the consultants and do not represent opinions from the SC as a body.

**1. General**

- It is important for the consultants to be clear about who is going to use the Compendium; provide something fair to everybody; give a balanced view – not favouring one group, be clear and unambiguous.
- Note that key institutions not involved in the DDP process are observing the process and are keen to see outputs of the process to engage.
- The focus should be on practical examples.
- Note that all aspects of the examples will be useful.
- The Compendium is meant primarily to provide information on good examples.
- The purpose of the Compendium is to provide learning materials.
- It is easier to agree on good examples.
- There is value in identifying gaps. However it is noted that identification of gaps not easy without being judgemental
- There is need to accept realities in the compendium and consider different circumstances in the diverse countries in the world.

**2. Benefit Sharing**

- Include into study the generation of benefits. The case of projects that do not generate direct revenues (irrigation, water supply) was posed.
- Combining compensation and benefit sharing supported
- Include identification of beneficiaries
- Consider benefit optimization instead of maximization of benefit. Consider benefits from tourism and positive environmental impacts.
- Take into account sacrifice sharing as well in addition to benefit sharing.

**3. Social Impact Assessment**

- Need to focus
- Three cases from Nepal to be considered
- While it does not help to name and shame countries, there is need to identify bad examples if practice is to be improved.
- There is need to look at social assessment at strategic level around which project examples will be dealt with.
- Focus on process

**4. Stakeholder Participation**

- The focus should be on what we want more of.
- Examples of Projects that did not go ahead due to the recommendation of the public participation are not good examples. Focus should be on those that proceeded smoothly.
- Public participation should not be for its own sake.
- Define clearly the criteria for successful projects and then identify projects
- Consider time for public participation and implications to the economics of the project
- Focus on frameworks and not just public participation.

## **5. Addressing Outstanding Social Issues**

- Note that if somebody owns something and there is no way of enforcing it, it is the most difficult thing to deal with, if there were a process, one would have recovered the debt etc.
- There are plenty of negative examples. The WCD is full of such examples. The challenge is to find positive examples. The Compendium is a different product, positive examples to be followed.
- Consider the positive example in Laos, Asian Development Bank.
- Outstanding social issues and SIA are different issues, though its combination was considered.
- The issue is rather new. There will be just a few new generation examples to be find.
- Note that in some cases bad experiences led to improvements in regulatory frameworks – refer to the Philippines. Consider these too.
- Consider Corporate Social Responsibilities (CSR) as an opportunity to resolve outstanding social issues.
- Modernization of power schemes offers an opportunity to address outstanding issues.
- Define outstanding social issues clearly; issues that come up later in process not included in planning process; not dealt with in terms of compliance, how open can one be?
- Note there are numerous examples of outstanding social issues; the challenge is to get examples where something was done about this successfully.
- Present some ways of addressing the issue and opportunities to address it.
- Differentiate addressing social issues from upgrading; modernization offers opportunities to address the social issues but issues should be dealt with separately.
- Basin planning processes offer on opportunity to deal with outstanding social issues.
- Licensing process is an opportunity to address issues.
- Change title to: Addressing Outstanding Social Issues.

## **6. Compliance**

- Bonuses and penalties work in construction as incentive/disincentive, the concept could be considered in compliance. Reference was made to the WB Outputs based performance contracts.
- Different bodies responsible for different things: eg. construction and resettlement. No mechanisms to ensure compliance on both.
- Consider linking compliance with EMP; compliance has to be against something. If EMP is not complied with, it does not mean much.

## **7. International Policy on shared Waters for Peace and Development**

- Obtain exact details on agreements between India and Nepal.

- There is no shortage of literature about conflict on international waters; it is the reason the topic is being considered. No interest in dealing with conflicts but on how to move ahead.
- What are needed are examples where benefit sharing from international water is contributing to peace and development.
- Start with conflict situation but focus on how this situation was turned around through benefit sharing of rivers to peace.
- Consider the role of the international community against the background that key instruments like the International Convention on Non-navigational water use is not ratified after so many years.
- Note how multipurpose projects owned by different countries are contributing to peace through benefit sharing.
- Consider as examples: the NBI, the Niger, and the SADC Protocol on share watercourses.
- Consider how treaties/agreements reached during colonial era eg. UK and Egypt on the Nile are being dealt and their contribution.