
Annex 7 : Consultation and Public Participation

A7.1 Consultation and Public Participation in the EIA process

Consultation and public participation are an integral part of the **EIA** process in Swaziland as applied to projects assigned to both Category 2 and Category 3 under the Environmental Audit, Assessment and Review Regulations. Those affected by a proposed development, often referred to as “Interested and Affected Parties”, are expected to be involved throughout the **EIA** process. Their involvement starts during the initial design phase and continues right through construction, implementation and compliance monitoring. Good consultation and public participation is a two way communication process and helps to:

- identify public concerns and values and inform the public about proposed actions and consequences;
- gather important economic, environmental and social information which will help improve the understanding of a proposed project, clarify related issues and improve project design;
- allow the appropriate participation of affected people in decision making processes and foster a sense of local ownership;
- develop and maintain credibility and create transparent procedures for project implementation.

The benefits of consultation and participation are that more efficient planning is possible, costs and delays will be minimised and there will generally be a higher level of support for a project. Confrontational situations can often be avoided while, importantly, locally significant impacts are less likely to be overlooked with an opportunity to address existing inequalities and optimise the project’s impact on the receiving environment. In addition it is an opportunity to identify those indirect impacts occurring upstream and downstream of a development which are otherwise difficult to predict.

A7.2 Planning Consultation and Public Participation

Planning for consultation and public participation generally requires skilled professional advice, usually provided by a social scientist who is part of the **EIA** consultancy team. To be effective, this planning needs to start with informal consultation early in the **EIA** process. The three key tasks are to identify *who* will be affected, *how* and *when* they are to be involved in the consultation and participation process. Such planning will involve:

- defining clear objectives regarding which issues are to be addressed, which issues are not under discussion and what are the key decisions involved.
- integrating consultation and participation within the **EIA** and project design process,

taking account of the information and internal communication requirements of the **EIA** team and project designers;

- allowing flexibility to adapt and change as new information comes to light - which it inevitably will;
- allocating sufficient resources (note that this is not money down the drain but a vital investment) and scheduling work.

It is important to identify the difference between *consultation* and *participation*. The key factor distinguishing these two processes being the extent to which those involved are allowed to influence, share or control decision making. Generally speaking, the greater the impact on an individual or community, the greater the level of participation should be.

Consultation and public participation is not a one off event in the **EIA** process and should be seen as an evolving strategy throughout the **EIA** process. Neither is the work finished when project design is complete and construction begins - consultation and public participation is a vital part of the **Comprehensive Mitigation Plan** (see [Annex 5](#)). Throughout the **EIA** process, checks need to be made that those affected are satisfied with the information they were given, appropriate measures taken if they are not, and any additional concerns identified and addressed.

A7.3 Interested and Affected Parties

Those affected by development include a broad range of individuals and communities, including business communities, local residents, local, national and traditional government representatives. Some points to consider in identifying those affected by a development and how they should be involved in the consultation process are:

- Different sectors of the a community have different roles and are affected in different ways. For example, women and men, the old and young, rich and poor.
- Indirect and secondary impacts of development can significantly affect people not directly associated with a project.
- In the initial stages consult as widely as possible involving local organisations or community groups, NGOs, business representatives or trade associations, public representatives, local or national government representatives.
- When dealing with representatives of affected communities rather than individuals (such as leaders of local organisations), an assessment of their legitimacy and how representative they are of affected communities should be made.
- Where possible utilise and support those existing and traditional systems of consultation and community representation that are already in place.

- Some people, often the most vulnerable, have difficulty voicing their concerns. This often includes groups such as those involved in the informal economy, the poor and illiterate.
- Different groups are concerned about different issues (local, regional and national) and will need to be consulted in different ways (these may be verbal or written and in siSwati or English).

A7.4 Forms of Consultation / Public Participation

As well as public meetings, which are often the principal form of consultation used in environmental assessment, there are many other more interactive and proactive consultation and participation methods. These include persuasion, education, information feedback, open houses, joint planning, focus group meetings, delegation of authority to an affected community and increased levels of self determination within that community.

There are also many ways to document and disseminate information on the consultation and participation process and provide feedback on decisions taken. These include the following:

- House and public meetings - with care taken to ensure an atmosphere prevails in which all attending are free to express an opinion.
- Circulars, advertisements or newsletters.
- Videos, computer software.
- Exhibitions and “open days”, theatre and the arts.
- Phone in programmes and “hot lines”.
- True public availability of reports.
- Surveys, interviews and questionnaires - (often called rapid or participatory rural appraisal).
- Workshops and advisory groups.
- Advertisements and notices on radio / television or in newspapers.

Where workshops or public meetings are convened it is highly effective to use an independent and professional facilitator to control discussions and assist in debate and prevent personal conflict from disrupting proceedings.

Note:

The term “public” is very general and is a constantly shifting mixture of affiliations, interests and alliances - there are many publics not just one. The level of involvement in the consultation and participation process is also usually representative of how deeply affected a particular sector of the “public” is. Therefore, as the consultation on a project (and perceptions about that project) proceed the “public” may well change in terms of characteristics and numbers and this should be taken into account.

A7.5 Key Points in Consultation and Participation

- Understanding the community and its history is essential for effective consultation.
- The quality and effectiveness of the consultation and participation process is no better than the ability and commitment of the people involved in managing that process and implementing its findings.
- All those involved in designing and implementing a project should have a good understanding of the purposes and benefits of the consultation and participation process. Appropriate staff training should be conducted if they do not.
- Do not spend large amounts of resources trying to change the minds of a minority of committed opponents to a valid proposal. Better to direct efforts to interest, inform and involve the silent majority and to encourage them to deal with the minority.
- Be wary of raising expectations of the benefits that a project will deliver in order to gain approval. Use persuasion rather than exaggeration as this will avoid subsequent, damaging, conflict.
- The media can be useful, but if you want something said well, say it yourself. The media often has its own agenda and will usually use yours to achieve it.
- Consensus is a noble ideal, but be prepared to settle for informed, visible, majority public support as a more realistic and achievable goal.
- “Public” is a collective noun representing different groups of people with varying needs and opinions - beware of any statement that implies the public is a single uniform group.
- Social Impact Assessment requires a participative methodology and a focus on co-managing both predicted *and* unforeseen impacts of a proposal.
- A proposal often has more support than media coverage may suggest.
- In designing a public participation programme, one secret of success is to try to ensure that every one wins something - even if it is only recognition.