

Hydropower Sustainability Assessment Forum

Mapping of World Commission on Dams Strategic Priorities within the Draft Hydropower Sustainability Assessment Protocol Content August 2009

The Hydropower Sustainability Assessment Forum (the “Forum”) is a cross-sectoral group that aims to establish a broadly endorsed sustainability assessment tool to measure and guide performance in the hydropower sector, based on the International Hydropower Association’s Sustainability Assessment Protocol (2006). As of August 2009, the Forum has just released a full draft of this assessment tool, entitled the Draft Hydropower Sustainability Assessment Protocol (the “Draft Protocol”).

This document provides information on where the strategic priorities outlined in the World Commission on Dams (2000) report can be found within the content of the Draft Protocol. Alignment of the Protocol with the WCD report is not a specific objective of the Forum, and this analysis is provided at the request of interested stakeholders for their information.

The analysis shows that much of the WCD content is reflected in the Draft Protocol. Significantly, the Protocol builds on many more inputs that have been developing over the ten years since the WCD report was published (e.g. IFC Performance Standards, bank safeguards policies, Global Reporting Initiative, socially responsible investment assessment approaches, and many developments that advance the thinking on an aspect-by-aspect basis).

Interested parties are encouraged to look at the Draft Protocol, which is found in four sections relating to progressive stages of the project life cycle (Section I – Strategic Assessments, Section II – Project Preparation, Section III – Project Implementation, Section IV – Project Operation), and can be accessed at www.hydropower.org/sustainable_hydropower/hsaf.html .

WCD SP1 - Gaining Public Acceptance	Relevant Draft Protocol Content
- Public acceptance essential for equitable and sustainable water and energy resource development	- The performance attribute Level of Stakeholder Support assesses level of stakeholder support on an aspect-by-aspect basis.
- Stakeholder identification and inclusion process based on recognition of rights and assessment of risks	- Directly affected stakeholders are defined in the Protocol as those stakeholders with substantial rights, risks and responsibilities. The auditing guidance note for the process attribute Quality of the Consultation Process considers stakeholder identification and engagement based on consideration of rights, risks and responsibilities.
- Access to information and legal and other support to all stakeholders	- The auditing guidance note for the process attribute Quality of the Consultation Process considers accessibility of information and assistance to stakeholders.
- Informed participation of all stakeholders in decision-making processes	- The auditing guidance note for the process attribute Quality of the Consultation Process considers freedom to participate and accessibility of information. The aspects Project Affected Communities (sections II, III, IV), Indigenous Peoples (II, III, IV), and Resettlement & Land Acquisition (II, III) assess the degree to which consultation and decision-making processes are free, prior and informed, as well as the degree to which stakeholders are involved in the design of consultation processes and the decision-making about issues of relevance to them.
- Particular attention to identification, support and informed participation of indigenous and tribal peoples, women and other vulnerable groups	- The auditing guidance note for the process attribute Quality of the Consultation Process considers informed participation of affected peoples, respectful of rights, culturally sensitive, and gives appropriate attention to gender, minorities, level of literacy, and others who might require particular assistance. . - Components of this are addressed to varying degrees in the aspects Social Issues & Risks (Sec.I), Social Impact Assessment & Management (Sec. II, III, IV), Project Affected Communities (Sec. II, III, IV), Indigenous Peoples (Sec. II, III, IV), Resettlement & Land Acquisition (II, III), and Public Health (Sec. II, III, IV).
- Agreements negotiated in open and transparent process	- The aspects Project Affected Communities (Sec. II, III, IV), Indigenous Peoples (Sec. II, III, IV), and Resettlement & Land Acquisition (II, III) assess the degree to which stakeholders are involved in the design of consultation processes and the decision-making about issues of relevance to them. The Indigenous Peoples and the Resettlement & Land Acquisition aspects specifically assess agreements under the stakeholder support attribute.
- Free, prior and informed consent of indigenous and tribal peoples affected by large dam projects guides decisions	- The degree to which consultation is free, prior and informed are all assessed in the aspects Project Affected Communities (Sec. II, III, IV), Indigenous Peoples (Sec. II, III, IV), and Resettlement & Land Acquisition (II, III). The Indigenous Peoples aspect specifically assesses agreements under the stakeholder support attribute, and specifies consent for a score of 5.

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WCD SP2 – Comprehensive Options Assessment	Relevant Draft Protocol Content
- Clearly formulate development objectives and needs before identification of options	- Aspects Demonstrated Need (Sec. I) and Demonstrated Need & Strategic Fit (II) specifically consider development objectives. Options Assessment (I) addresses the assessment of options to meet demonstrated needs.
- Open and participatory process for needs assessment	- Consultation by governments in the identification of needs for water and energy services is addressed in aspect Demonstrated Need (Sec.I).
- Options assessment undertaken before decision to proceed with project or program	- Aspects in Section I are relevant for an assessment before any significant investment is made into project preparation, and include Options Assessment.
- Options assessment covers full range of planning approaches to meet development objectives (policy, institutional, management, technical...)	- Aspect Options Assessment (Sec.I) specifically addresses this.
- Social and environmental considerations given equal significance as technical, economic or financial factors in options assessment	- Aspect Options Assessment (Sec. I) outlines considerations for an assessment before any significant investment is made into project preparation, and includes technical, economic, financial, social and environmental. Aspect Project Siting & Design Optimisation (Sec. II) assesses optimization of all considerations across technical, economic, financial, social and environmental.
- Priority given to increasing effectiveness of existing infrastructure for water, irrigation and energy	- Aspect Options Assessment (Sec. I) specifically addresses this.
- Options assessment for dams also apply social and environmental principles throughout life cycle	- Aspects Options Assessment (Sec. I), Project Siting & Design Optimisation (Sec. II), Social Impact Assessment & Management (Sec. II, III, IV), and Environmental Impact Assessment & Management (Sec. II, III, IV) all address options assessment and are relevant at all stages of the project life cycle. The auditing guidance note for the process attribute Quality of the Management Process also considers assessment of options.
WCD SP3 – Addressing Existing Dams	Relevant Draft Protocol Content
- Project monitoring and evaluation process and periodic review process (ex-post evaluation considering the project as implementation phase)	- The auditing guidance note for the process attribute Quality of the Management Process considers monitoring, evaluation, review and continuous improvement.
- Programmes to restore, improve and optimise benefits	- Aspects Project Siting & Design Optimisation (Sec.II), Economic Viability & Additional Benefits (Sec. II), Benefit Sharing (II, III, IV), and Reservoir Management (II, III, IV) all refer to optimizing or maximizing benefits.
- Include Identification, assessment, evaluation and mitigation measures for social and environmental issues when technical rehabilitation and upgrading are undertaken	- Technical rehabilitation and upgrading would typically require an assessment using Section II of the Protocol. Aspects Social Impact Assessment & Management (Sec. II, III, IV) and Environmental Impact Assessment & Management (Sec. II, III, IV) are relevant here.
- Formalized operating agreements with time-bound licensing	The Protocol assesses Public Sector Governance (II, III) and Regulatory Approvals (II, III), but does not specify the nature of the licencing or permits that would be granted for a project.
WCD SP4 – Sustaining Rivers & Livelihoods	Relevant Draft Protocol Content
- Understanding, protecting and restoring ecosystems at river basin level, including understanding of communities and livelihoods which depend on and influence them	- Aspects River Basin & Transboundary Issues (Sec. II, III, IV), Catchment & Management (Sec.II, III, IV), and Environmental Flows & Downstream Sustainability (Sec. II, III, IV) are all relevant to this.
- Ecosystem, social and health issues are considered integral parts of the project and decision-making about it	- Aspects Options Assessment, Social Issues & Risks, and Environmental Issues & Risks in Section I are all relevant. Many aspects in Sections II, III and IV specify ecosystem, social and health issues to be considered, as well as containing a number of specific aspects dedicated to environmental, social and health issues. The aspects Integrated Programme Management & Communications (II, III, IV) and Project Siting & Design Optimisation specify consideration of all project components including environmental and social in decision-making.
- Avoidance of impact is prioritised with a precautionary approach, followed by minimisation and mitigation of impact	- Aspect Options Assessment (Sec.I) specifically addresses this. The guidance note for the performance attribute Level of Effectiveness specifies prioritization of avoidance, and where avoidance is not possible, minimization, mitigation and compensation of negative impacts. This approach is replicated throughout the Protocol.
- National policy is developed for leaving high ecosystem value rivers undisturbed	- Aspects Options Assessment (Sec.I), Regional & National Policies & Plans (Sec. I), River Basin & Transboundary Issues (Sec. II, III, IV), Project Siting & Design Optimisation (Sec. II), Biodiversity & Invasive Species (Sec. II, III, IV) make references to avoiding high value ecosystems, with a priority on avoidance.
- Good site selection and project design, with priority given to locations on tributaries	- Aspect Options Assessment (Sec.I) prioritizes projects on tributaries. Aspect Site Selection & Design Optimization (Sec. II) addresses site selection and design optimization, and notes that locations on tributaries may have lower social and environmental impacts.
- Avoidance of significant impacts on threatened and endangered species; where impacted ensure measures for net gain to species.	- Aspect Options Assessment (Sec.I) prioritizes avoiding high value biodiversity areas. Aspect Biodiversity & Invasive Species (Sec. II, III, IV) specifically assesses biodiversity issues, including avoiding, minimizing, mitigating and compensating negative impacts and identifying and maximizing enhancement opportunities.
- Release of tailor-made environmental flows	- Aspect Environmental Flows & Downstream Sustainability (Sec. II, III, IV) is dedicated to this.

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WCD SP5 – Recognizing Entitlements & Sharing Benefits	Relevant Draft Protocol Content
- Identification of adversely affected stakeholders through recognition of rights and assessment of risks	- The definition of directly affected stakeholders used in the Protocol is those stakeholders with substantial rights, risks and responsibilities. The auditing guidance note to the process attribute Quality of the Consultation Process considers stakeholder identification and engagement based on consideration of rights, risks and responsibilities.
- Joint negotiations with adversely affected stakeholders on decisions relating to mitigation, resettlement and development	- The aspects Project Affected Communities (Sec. II, III, IV), Indigenous Peoples (Sec. II, III, IV), and Resettlement & Land Acquisition (II, III) assess the degree to which stakeholders are involved in the design of consultation processes and the decision-making about issues of relevance to them. The Indigenous Peoples and Resettlement & Land Acquisition aspects specifically assess agreements under the stakeholder support attribute.
- Adversely affected stakeholders are beneficiaries of the project	- Aspect Benefit Sharing (Sec. II, III, IV) directly addresses this.
- All adversely affected stakeholders will improve their livelihoods	- Part of the intent for the Resettlement & Land Acquisition aspect (II, III) is improved standards of living for displaced persons and host communities, and the level of improvement to livelihoods is assessed as a measure of effectiveness for this aspect. Part of the intent for the Benefit Sharing aspect (II, III, IV) is that the project affected communities are amongst the first to benefit from a project, and the timely delivery of commitments to benefits is assessed as a measure of effectiveness for this aspect.
- Negotiated entitlements are mutually agreed, formal and legally enforceable	- The compliance attribute for the Resettlement & Land Acquisition aspect (II, III) specifically assesses compliance with entitlements for resettled persons. The effectiveness attribute for Environmental Flows & Downstream Sustainability (II, III, IV) specifically assesses the level of commitment to environmental flow delivery and adaptive management to ensure objectives are met, with a score of 5 specifying public, formal, and legally enforceable.
WCD SP6 – Ensuring Compliance	Relevant Draft Protocol Content
- All commitments must be met	- The performance attribute Level of Compliance assesses level of compliance on an aspect-by-aspect basis, both compliance with legal requirements but also with public commitments made by the developer / owner / operator.
- Clear criteria and guidelines to ensure compliance	- The performance attribute Level of Compliance assesses level of compliance on an aspect-by-aspect basis.
- Compliance subject to independent and transparent review	- This is directly addressed in the Corporate Governance aspect (Sec. II, III, IV).
- Compliance Plan prepared prior to project commencement	- Compliance Plans are directly addressed in Regional & National Policies & Plans (Sec. I) and Corporate Governance (Sec. II, III). The aspect Regulatory Approvals (II, III) assesses compliance with regulatory approvals requirements.
- Binding agreements are specified for project-specific technical, social and environmental commitments	- A score of 5 for both the Resettlement & Land Acquisition aspect and the Environmental Flows & Downstream Sustainability aspect requires legally binding commitments
- Corrupt practices are avoided	- Aspects Institutional Capacity (Sec. I), Public Sector Governance (II, III), Regulatory Approval (Sec. II, III), Corporate Governance (Sec. II, III, IV), and Procurement (Sec. II, III, IV) all specifically address avoidance of corrupt practices.
- Incentives for compliance are developed	These are not specifically mentioned in the Protocol, as it was not clear how it fits.
WCD SP7 – Sharing Rivers for Peace, Development and Security	Relevant Draft Protocol Content
- Basin agreements in shared river basins are provided for in national water policies	- Aspects Regional & National Policies & Plans (Sec. I), River Basin & Transboundary Issues (Sec. II, III, IV) are relevant to basin agreements in shared river basins.
- Agreements are based on good faith among riparian States	- The aspect River Basin & Transboundary Issues (Sec. II, III, IV) specifically addresses this.
- Negotiations and agreements for sharing of rivers and their associated benefits	- The aspect River Basin & Transboundary Issues (Sec. II, III, IV) specifically addresses this.
- No development where riparian States raise objections that are upheld by an independent panel or good faith negotiations are contravened	The Protocol makes no specific requirement on conditions under which a development may not go ahead.