

Consultation Phase 2 Planning Document**1. Background - The Hydropower Sustainability Assessment Forum**

The Hydropower Sustainability Assessment Forum aims to establish a broadly endorsed sustainability assessment tool to measure and guide performance in the hydropower sector.

There are 14 Forum members, including representatives of developed and developing countries involved in hydropower as well as from the NGO, finance and industry sectors.

The Forum's work centres around the International Hydropower Association's (IHA) Sustainability Guidelines and Assessment Protocol. The *IHA Sustainability Assessment Protocol (2006)* was developed as a measuring tool to assess social, environmental and economic performance against criteria described in the *IHA Sustainability Guidelines (2004)*. The Forum is recommending the relevant issues to be included in the assessment protocol and the measurement approach for each of these issues. The work plan involves input from experts on key hydropower sustainability themes, on-ground assessments of schemes, workshop sessions focussed on the Protocol, and input from key stakeholder reference groups. See www.hydropower.org/sustainable_hydropower/hsaf.html for more information.

Two open consultation periods are built into the HSAF process:

1. **Phase 1: Jan-Feb 2009.** This early stage consultation focuses on developing relationships with stakeholders, building understanding of the HSAF process and getting initial feedback on a Key Components Document for the Draft Hydropower Sustainability Assessment Protocol.
2. **Phase 2: Aug-Oct 2009.** This phase focuses on the content of the Draft Hydropower Sustainability Assessment Protocol and the practical application of this assessment tool. It will be conducted at the same time as a program of trialling of the Draft Protocol in a number of different locations.

This is a proposal for the HSAF Phase 2 Consultation, on which comment is invited, or any expressions of interest in hosting/participating in regional meetings or otherwise being involved.

2. Objectives of the HSAF Phase 2 Consultation

Objectives of the HSAF Phase 2 Consultation are:

1. to build on the awareness raising and stakeholder relations developed during Phase 1;
2. to obtain detailed feedback from a diversity of views on the content and applicability of the draft Hydropower Sustainability Assessment Protocol; and
3. to ensure that the final Hydropower Sustainability Assessment Protocol is a tool which is credible and useful to stakeholders with an interest in hydropower and sustainability.

3. Principles for the HSAF Phase 2 Consultation

Key principles proposed to be behind the Phase 2 consultation are:

- To provide a transparent and inclusive process which endeavours to enable any interested party to be involved;
- To ensure that stakeholders understand how they can get involved, feel that their involvement is meaningful and has the potential to make a difference, and are informed as to how their feedback has been used;

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- To seek good feedback from stakeholders in all groups and global regions, recognising that this requires particular effort in developing effective mechanisms to consult with civil society and dam-affected peoples;
- To ensure flexibility with regard to methods for involving stakeholders so that, as far as practicable, appropriate methods are used for particular stakeholders;
- To ensure that individuals and organisations who could have a significant impact on the credibility and acceptance of the Protocol, including those who are, or potentially could be, opposed to aspects of the HASF process and content are proactively engaged with; and
- To ensure that the limited resources available for consultation are allocated in a way that is balanced, strategic and as efficient as possible.

The consultation design will be informed by both the relevant excerpts of the ISEAL Code of Good Practice for Setting Social and Environmental Standards (Attachment 1) and the International Rivers recommendations on HSAF consultation with civil society (Attachment 2).

4. Stakeholders

Stakeholders for the Phase 2 consultation are proposed to be the same target stakeholders as for Phase 1, and include:

- hydropower owners, operators and developers
- governments, regulators
- major consumers of water and energy services from dams
- non-government organisations
- financial institutions
- civil society
- dam-affected peoples
- inter-governmental organisations
- professional associations;
- research and centres of expertise
- other private sector
- standards and verifications organisations
- media
- water, energy and climate change policy institutions

5. Approaches

Approaches proposed to be used in the Phase 2 consultation will be a repeat of the centralised approaches used for Phase 1 because they are low cost and far-reaching, supplemented by regional approaches many of which were not able to be undertaken in Phase 1 due to budget constraints. The extent to which the regional approaches listed here will be able to be pursued will be budget dependent.

5.1. Centralised Approaches

On-Line Questionnaire

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As with the Phase 1 consultation, an email providing links to consultation documents and an on-line questionnaire will be sent to as wide a distribution list as possible. An on-line questionnaire using Survey Monkey will be set up as per the Phase 1 consultation, and will be one of the main vehicles for compiling quantitative feedback on views on the draft protocol.

Email, Telephone and Direct Stakeholder Outreach

As with the Phase 1 consultation, follow up emails, telephone and other forms of direct stakeholder outreach will be undertaken to ensure as wide a cross-section of views as possible are brought out through the consultation process.

5.2. Regional Approaches*Regional Workshops*

In addition to the consultation approaches identified above, regional workshops are proposed to be held during the Phase 2 consultation. The number of locations is budget dependent, but the thinking is that there would be at least two. Possible locations are in Latin America (possibly Brazil or Mexico), India, Africa, China and Southeast Asia (possibly in the Mekong River Basin).

A particular objective of these regional meetings is to ensure meaningful consultation on the work of the Forum with civil society organizations, social movements and, in particular, dam-affected people. The Forum notes the principles for such consultation identified by International Rivers and provided here as Attachment 1.

For the workshops to be successful it will be essential to identify a locally based partner who can assist in the design and co-ordination of the workshop. This input will be key to ensuring that relevant civil society organisations are invited and feel comfortable in attending and expressing their views.

The Forum would be very interested in any expressions of interest in hosting, supporting and/or participating in a regional workshop.

Consultation in Association with Trialling

During the Phase 2 consultation, there is the potential to have consultation integral with trials undertaken of the draft Protocol. Trialling will be undertaken during the same time period. A draft Protocol trial could be used to anchor consultation events and to provide interested stakeholders with an opportunity to obtain first-hand experience with the object of consultation. One way of doing this could be to have regional consultation meetings with interested stakeholders prior to and following a field trial.

The Forum will look at the expressions of interest in projects being included in the trial program (called for in a separate document) and see where this dovetails with expressions of interest in regional consultation meetings.

Forum Member Meetings with Target Organisations Regarding Particular Aspect Content

During this phase of the Forum consultation, Forum members will try to meet with organizations with particular concerns, experience, insight and/or expertise in particular Protocol aspects to get their close review of the content and the practicability/applicability of the aspect(s) as drafted.

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The list of target organizations would be developed in consultation with the Forum members and those who express interest. Respondents from the Phase 1 consultation and also Forum member networks and reference groups will be important sources of input to this list. By way of example, some small hydropower organisations have indicated a willingness to support the Forum process by looking closely at how well the draft Protocol could be applied to small hydropower, and so these might be target organizations to meet with during the consultation.

Forum Member Visits to Civil Society and Dam-Affected Peoples

As part of the effort to find effective mechanisms to consult with civil society and dam-affected peoples in the regions, it is proposed that Forum members undertake regional tours during the Phase 2 consultation period to personally visit identified organizations. The Phase 1 consultation experience will help indicate some of the organisations that the Forum should approach, and the Forum would also very much welcome expressions of interest and recommendations.

Forum Member Briefing Sessions

As with the Phase 1 consultation, briefings on the Forum work will be set up and provided by Forum members to their networks where possible. These might be open sessions offered to interested stakeholders, such as IHA and WWF provided in London during the phase 1 consultation, or they might be sessions for invited individuals from a particular sector such as the World Bank undertook with multi-lateral development bank representatives during the Phase 1 consultation. Forum members will take responsibility to summarise outcomes of these briefing sessions according to a common template so that they can be compiled into the consultation outcomes report.

Consultation Sessions at Externally Organised Conferences and Events

As with the Phase 1 consultation, consultation sessions on the Forum work will be provided by Forum members at externally organised conferences and events during the consultation period where possible. Again, Forum members will take responsibility to summarise outcomes of these briefing sessions according to a common template so that they can be compiled into the consultation outcomes report.

6. Consultation Questions

Some of the key Phase 2 consultation questions are proposed to be:

1. Would you use the Protocol, and if yes, how and for what purpose?
2. Does the Draft Protocol seem like a practical assessment tool, and if not, how could it be improved to increase practicability?
3. What do you think about the draft Protocol content in terms of its appropriateness, quality and applicability for a range of projects of different types, scale and geographic settings? Are there improvements that you would propose?
4. Do you find the information and guidance notes helpful, and how might they be improved?

The consultation questions will be finalised based on the views of the Forum members and any feedback on this consultation planning document.

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Additionally, consultation during this period will seek to focus in meetings on the content and practicability of particular Protocol aspects of concern to or the focus of personal insight of the organisations being visited.

7. HSAF Phase 2 Consultation Outcomes Report

The HSAF Phase 2 Consultation Outcomes Report would provide:

- A summary of consultation undertaken;
- An overview of response received;
- A listing of key issues requiring response;
- An evaluation of the consultation process.

The HSAF will post the Phase 2 Consultation Outcomes Report and their response to the issues raised on to the HSAF website following Forum Meeting 8 (December 2009).

8. How to Express Interest

If you are interested in participating in the HSAF Phase 2 Consultation for the Draft Hydropower Sustainability Assessment Protocol by any of the mechanisms indicated, please email the Sustainability Forum Coordinator, Dr. Helen Locher, at hl@hydropower.org.

We would particularly like to know of any interest in hosting regional meetings or visits, and look forward to discussing the possibilities.

ATTACHMENT 1

**SOME RELEVANT EXCERPS OF THE ISEAL CODE OF GOOD PRACTICE FOR
SETTING SOCIAL AND ENVIRONMENTAL STANDARDS**

P005 - Public Version 4 - January, 2006

5. Procedures for the development of standards

- 5.4 The public review phase in the development of a new standard or revision of an existing standard shall include at least two rounds of comment submissions by interested parties, where necessary. Each round shall include a period of at least 60 days for the submission of comments. However, this period may be shortened in exceptional circumstances where justified by a policy of the standard-setting organisation. In such cases, the modifications and justification shall be documented, and the comment period shall still be no less than 30 days.
- 5.5 The standard-setting organisation shall take into account, in the further processing of the standard, the comments received during the period for commenting. The standard-setting organisation shall compile comments received according to the issues raised and shall prepare a written synopsis of how each material issue has been addressed in the standard revision. This synopsis shall be made publicly available.

7. Participation in the standards development process

- 7.1 Standard setting organisations shall ensure that participation reflects a balance of interests among interested parties in the subject matter and in the geographic scope to which the standard applies. Participants in the standard setting process should have expertise relevant to the subject matter of the standard and/or be materially affected by the standard.
- 7.2 Interested parties shall be provided with meaningful opportunities to contribute to the elaboration of a standard. Standard setting organisations shall identify parties that will be directly affected by the standard and proactively seek their contributions. Impartiality shall be accorded throughout the standard development process, so that no single interest predominates. Standard setting organisations shall include a balance of interests in the structures that are responsible for developing and approving social and environmental standards.
- 7.3 Where a standard setting organisation has members, membership criteria and application procedures shall be transparent and non discriminatory.
- 7.4 Constraints on disadvantaged groups to participate effectively in standard development shall be addressed in the standard development process. Standard setting organisations should consider how the influence of these groups can be increased, even if their participation rates cannot. Particular attention should be paid to the needs of developing countries and small and medium sized enterprises.

ATTACHMENT 2**INTERNATIONAL RIVERS RECOMMENDATIONS ON HSAF CONSULTATION WITH CIVIL SOCIETY**

The following is taken from a letter from Patrick McCully, Executive Director, International Rivers to Dr. Refaat Abdel-Malek, President, International Hydropower Association and member of the Hydropower Sustainability Assessment Forum, dated 12 January 2009 and raising concerns about the lack of outreach to and opportunities for input from dam-affected people, social movements and civil society organizations in the HSAF process. This letter was endorsed by 35 representatives of civil society organisations around the globe.

“A credible, comprehensive and meaningful consultation process with civil society should meet a number of basic requirements:

- **Meaningful participation.** Information dissemination and the consultation itself should not rely solely on web-based forms of communication. Materials should be mailed or otherwise available in hard-copy to participants as necessary, and face-to-face consultation meetings in a number of regions of the world with a range of stakeholders (including civil society groups, affected people and indigenous peoples) should be conducted. Proactive communications should take place with a diverse array of stakeholders to ensure that they are aware of the consultation process and that their participation is encouraged. Workshops should be broadly advertised in the regions in which they take place to ensure maximum possibility of representation from a variety of stakeholders.
- **Adequate time.** Consultation materials – including necessary background information – need to be provided to stakeholders with adequate time (three to four weeks) to allow for review and preparation before any consultation workshop.
- **Appropriate language and format.** Key consultation materials must be available in an appropriate language and format so that they are easily understandable to a broad array of stakeholders, including civil society organizations, social movements and affected communities. The consultation workshop itself should be conducted in the appropriate language with interpretation available as necessary.
- **Sufficient resources.** Comprehensive and meaningful consultations cannot be conducted on the cheap. Adequate funding is required to produce appropriate materials and bring a meaningful number of civil society organizations, social movements and affected communities to consultation venues.
- **Responsiveness to feedback.** A clear process for documenting and incorporating the feedback received through the consultation process must be developed and explained to consultation participants. A document outlining the feedback received during the consultation period and how/if the Sustainability Assessment Protocol was changed as a result should be produced. Further comment and reflection on that document should also be encouraged.”