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Discussion Note on Public Consultation

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Acronyms

NGO	Non-Governmental Organizations
IDB	Inter-American Development Bank
MST	Brazilian Movement of Landless Rural Workers
MAB	Brazilian Movement of Dam Affected Peoples
ESMP	Environmental and Social Management Plan

1. Aims and Scope

The aim of this note is to delineate some of the basic principles that should underlie any process of consultation. It is not specifically intended as a guidance note on how consultation should take place in Bank projects, but is rather an attempt to understand what we mean by consultation and to provide a model that could eventually be developed and adapted into a more formal guidance. The note looks at the reasons why consultation should be carried out, what it comprises, who should be involved and when and where it should be done. It also summarizes some basic principles of how consultation can be carried out effectively.

The paper focuses on consultation in high impact or high visibility projects. Typically these are large infrastructure projects in which the development benefits for the country or region are deemed to outweigh the negative impacts on people living in the immediate area of the project. However, many of the issues raised in the paper apply to other operations, including projects that are specifically designed to improve social and/or environmental conditions. Some of the principles outlined in the paper are also relevant to other Bank activities, such as the development of country or sector strategies, and country programming.

2. Why Is Consultation Needed?

People that are or may be directly or indirectly affected by a project have a basic right to know what will happen and have a right to express their opinions and to be heard. The closest formal statement to this position is Article 19 of the Universal Declaration of Human Rights (1948), which states that:

> *Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*

This means people should be able to receive accurate, comprehensible information about the objectives, scope, timing, and the potential impacts and risks associated with a project. It means that they will be given the opportunity to express their concerns, fears and doubts, will be allowed to share their knowledge, insights and understanding, and will be able to recommend modifications or changes to the operation. It also means their concerns, fears and recommendations will be seriously considered and whenever possible addressed.

Consultation can also be important for the proponents of a project, in both the public and private sectors. It offers them a forum to explain the aims and scope of the project, and gives them an opportunity to allay people's fears and to ensure they receive accurate, unbiased information. It provides a chance to listen and understand people's concerns, and it allows the proponents to take advantage of local knowledge and insights. Finally, it may allow the project proponents an opportunity to reconsider their options and alternatives.

The Value of Local Knowledge

Consultation also offers an opportunity to benefit from local or "indigenous knowledge". Projects tend to rely on expert knowledge and often undervalue the practical experience of people living in the project area. Local people can provide insights that may help in the design of a project; typical examples include the identification of areas subject to flooding along a road alignment, or an understanding of long-term changes in the hydrology or vegetation of an area, that may affect agricultural projects or the establishment of protected areas.

There are some types of project where an understanding of local knowledge is essential. They include agricultural extension and river basin management programs, which ought to start from a comprehensive understanding of how and why people are cultivating or managing the area the way they do before the project begins to promote alternatives. The same is true for forestry and fisheries programs, and perhaps for public health and nutrition or water supply and sanitation programs, which ought to be based on an understanding of why people behave the way they do, and which should seek to promote alternatives through a constructive engagement, based on respect for local culture and understanding.

3. What Is Consultation?

Consultation is a two-way process. It is not just a question of holding formal meetings or public hearings. Rather it is a process of informing and listening. It is the means by which a project engages with the people and communities that are affected, either positively or negatively, directly or indirectly. It is critical and can determine the success or failure of a project.

Consultation goes beyond the disclosure of information; disclosure is essentially the provision of information, such as documents, maps, designs, or web pages whereas consultation demands a more pro-active approach and require a more effective engagement with people. It means taking every step necessary to ensure people can truly comprehend the aims and scope of

a project or operation. It means using appropriate media and language to present the information, at the times and in the places where they can listen to, watch or read the presentation. While a good web-site may be appropriate for informing the international Non-Governmental Organization (NGO) community, it is less likely to be relevant to a Quechua-speaking community in the High Andes or to the inhabitants of a squatter settlement in Rio de Janeiro or Kingston, Jamaica.

It is usually more difficult to engage with poor or marginal groups, such as urban squatters, small farmers, or indigenous peoples, who are often the people that are most directly affected or most at risk from the potential impacts of a project. They may have little formal education, may live in remote areas, may share different cultural understandings and may speak languages or dialects that are quite different to those of the country's educated elite, and it is often necessary to use different ways to reach them. For consultation to be effective it is likely to require face-to-face meetings, simple leaflets, and support from programs or spots on the radio and TV. Above all, it is likely to require time and patience, not only to present people with information but also to listen and respond to their concerns.

It is important to appreciate that consultation is not the same as participation. It does not imply a delegation of responsibility: the people that are consulted do not take over – or even necessarily take an active role in the project. A project itself has usually been defined, at least in general terms, when the consultation takes place, and it is unlikely that a process of consultation will lead to the abandonment or even to radical changes in a project. At the same time, the process of consultation does imply some possibility of introducing change, perhaps to the design of a project, and almost certainly to those programs or components intended to mitigate or compensate for the impacts caused by the project. If it is not participation, consultation is at the very least, more than simply listening to complaints; it requires that people's concerns, recommendations and aspirations are given serious thought and that whenever possible are incorporated into the final design and implementation of the project.

4. Who Should Be Involved?

Social Impact Analysis

The starting point for any process of consultation is the identification of the different groups and sectors that may be affected. To begin with this requires an analysis of the different groups that

live in the area of the project or that may be affected by or may be critical to the outcome of a project. For large infrastructure projects this usually requires a detailed social and cultural analysis or social impact assessment of the people that are living, working in or using the areas that are directly and indirectly affected by the project. In complex projects it is also essential to distinguish the people that are affected by the different components of the project. In a hydropower project, for example, the concerns of the people affected by the transmission lines or the access road may be very different to those of the people whose land will be flooded by the reservoir.

The analysis should distinguish and describe the different groups, sub-groups and types of population, considering issues such as place of residence, land tenure, economic activity, ethnicity, language and social organization. It should also distinguish between people whose homes, land, or other assets are required or who will in some other way be directly affected by the project and those people living in the wider area who may be indirectly affected, for instance, by the presence of the construction site or the broader impacts of economic development in the region. The identification of the different interest groups, often referred to as "stakeholders", is an essential pre-requisite for developing an effective consultation strategy. Once a process of consultation is under way, new groups or sub-groups may be identified, so the consultation strategy has to be sufficiently flexible to allow for the incorporation of new parties into the process.

In practice it is often difficult to reach all the people that may be affected or that may benefit from a particular project. This is true of some very large infrastructure projects, especially linear projects such as roads or pipelines, as well as national-level projects, in areas such as health or education. For these projects consultation should involve a combination of methods and procedures that could include formal surveys, discussions with key actors, focus groups with specific sectors, as well as more formal meetings and public hearings. The selection techniques should allow the proponents of the project to engage with a reasonably representative cross-section of the people that will be directly or indirect affected and should ensure that people from different communities and geographical areas are consulted. They should also cover different ethnic groups and social strata, giving particular attention to the most vulnerable: in rural areas, for example, it is important to cover smallholder farmers, tenants, sharecroppers and squatters as well as the larger landowners or ranchers. Similarly, in urban areas, it is important to

include tenants, squatters and people whose livelihoods depend on the informal sector, such as roadside vendors and stallholders, as well as people that have formal rights to property. Finally, it is essential to include a broad range of people within each of the socio-economic or ethnic groups, especially people whose voices may not be heard in the formal decision making processes, particularly the women of the community, young people or the elderly.

Representation of Different Groups and Sectors

The essence of good consultation is to ensure that all the people that may be affected by a project feel that their concerns and opinions can be heard. In the first place this means giving priority to the people that are directly affected and making a special effort to reach them directly, as far as possible without relying on representatives or intermediaries. However, in large-scale projects it may not be possible to engage directly with everyone, and some system of representation may have to be adopted, either using the structures of authority that already exist or by establishing formal structures of representation, usually by asking people to elect representatives, for instance from different neighborhoods or different villages in the project area.

The issue of representation is complex. There is no ideal or easy solution to the question of who can legitimately represent the interests of the people that may be affected by a project. In Latin America and the Caribbean local structures of power are often dominated by elites and they often have a gender and/or ethnic bias that makes it difficult, especially for poorer, more marginal groups, indigenous peoples, afro-descendents, women, youth or the elderly to make themselves heard.

It is also important to recognize that different groups and sectors may have different expectations and priorities and may present conflicting views. Indeed, it would be naïve to expect consultation to lead to consensus. Rather the process of consultation should aim to be fair and even-handed and should focus on those groups or sectors that are most likely to be affected and that may have more difficulty in defending themselves or taking advantage of the benefits offered by a project. This may mean organizing specific meetings or creating spaces for specific groups or sectors: for instance, for ethnic minorities, youth or women. This has to be done sensitively, respecting local values and culture, but at the same time providing opportunities for people who have no voice in the formal structure of decision making to understand the issues and express their opinions.

Local and National Government

Local and national government agencies are legitimate actors in any process of public consultation – especially when dealing with a private sector project. However, the process of consultation does not end with government. It is sometimes argued that since the government has been elected and represents the people of the municipality, region or nation, there is no need to engage with anyone from civil society. In fact, this is not true, since the area affected by a project rarely coincides with the boundaries of a municipality or a department, and the interests of government do not necessarily coincide with the interests of all the stakeholders that are affected by the project.

In practice, there are specific areas where the interests of government, especially of local or regional governments, need to be taken into account. This is particularly true where the provision of services may be affected by a project, by an increase in demand – as typically happens when there is an influx of construction workers, which may put a strain on the health and education services, on the police, and perhaps on public utilities, such as water and sewerage. There is also the issue of taxes and royalties. These are often paid to regional or local government, and may benefit the region or municipality as a whole, but without having a significant influence or providing specific benefits for those groups that have suffered the most direct impacts of the project. These are issues that need to be thought out carefully, discussed, agreed and monitored to ensure that those people that are most directly affected, or that should have priority, do actually receive a fair share of the benefits of the project.

Traditional Leadership

The Social Impact Assessment should identify the traditional leaders in the project area and should include a comprehensive analysis of their roles and legitimacy. In Latin America "traditional" leaders are found among indigenous peoples and perhaps some other rural societies. It is obviously important to consult directly with traditional leaders - indeed in most cases where they exist there is no other option, but it is also important to understand the basis of their authority. In many places the institutions of "traditional" leadership were originally established to facilitate communication between the institutions of the national government and highly egalitarian peoples whose real systems of authority are based on kinship and perhaps on ritual or shamanic knowledge. The role of the Amerindian "Captains" and "Toshaos" in Guyana or the

"Caciques" found among the Guaraní in Paraguay are in fact based on powers that have been created by the State and incorporated into law, and often exist in parallel with other structures of authority that may include church leaders or more traditional religious authorities, such as shamans or the ritual specialists known as *Poraíva* among the Guaraní. Other indigenous societies, in the Andes and the Highlands of Central America, manage the difficult issue of secular power through a system of "cargos", by which adult men take it in turns to occupy positions of authority. Essentially, the concern here is to understand the scope and legitimacy of traditional leaders and to gauge the need for other types of consultation that may involve other sectors of the community.

NGOs, Advocacy Groups and Social Movements

Non-Governmental Organizations (NGOs) can play an important role in public consultations. There is a wide range of NGOs, including "grass roots" and national organizations that claim to represent particular groups or sectors, such as indigenous peoples or small farmers, as well as advocacy groups that focus on particular interests or issues, without claiming to have any formal mandate other than their specialized knowledge and concern about particular areas. Examples would include the national and international NGOs that work in areas such as human rights, conservation, disability, rural development or water supply.

It is very difficult to make any general statement about the legitimacy of different NGOs and advocacy groups as representatives of the populations that a project may need to engage with. Local, "grass roots" organizations can offer a particularly useful point of contact with local people, since they tend to be based on more personal, face-to-face relations and are more likely to reflect the position of the people they claim to represent. Bear in mind that the role of a local NGO is not just to represent the individual members of the group, but also to provide leadership, a vision for the future and to encourage change. This means that "grass roots" organizations, of indigenous peoples, small farmers, or the inhabitants of marginal urban settlements are often in flux. Since these organizations have been set up to challenge the status quo, their leadership is often questioned, it may be subject to frequent changes, and may be in conflict with the existing, formal or traditional systems of authority or with local systems of political and economic patronage. This does not make local organizations of this kind any less legitimate; however, it does require patience and a great deal of sensitivity in managing relations with local leaders.

National and international advocacy NGOs rarely enjoy the same kind of legitimacy as local "grass roots" organizations and may have an ideological or religious focus – even though this is not always explicit. In fact, this may be a source of conflict, with local leaders and activists disparaging the educated, middle class professionals who operate from clean, air-conditioned offices in the capital city and who may not even speak the local language, while the staff of the national level NGOs look down on what they see as the ignorance, incompetence and nepotism of the "grass roots" leadership. In spite of these potential differences, the ideal would be to combine the strengths of both types of NGOs. The national and international NGOs typically have the experience and professional knowledge that is often lacking in the "grass roots" NGOs and they are more likely to prioritize longer-term concerns and objectives. For instance, they are more likely to comprehend the potential long-term indirect impacts of a road project, or are less likely to be swayed by the prospect of large numbers of short-term jobs on a construction project.

A common, perhaps almost a defining feature of NGOs, - since they are neither government nor "for profit" organizations, is their dependence on external funding. Local level, "grass roots" organizations do sometimes achieve a certain level of financial autonomy by imposing levies on their members or by engaging in activities that generate a certain level of profit, as in the case of savings and loan groups. However, almost all NGOs, perhaps with the exception of some very local level organizations that have little or no expenditure depend on external finance to cover their running costs. Many of the well-known international NGOs have very sophisticated systems for raising funds and are also able to access funds provided by bilateral and multilateral organizations – including the IDB. However, in Latin America and the Caribbean most NGOs are dependent on funds provided by international organizations and have little capacity to raise funds in their respective country.

This raises the difficult issue of how far a project should be willing to cover the costs of engaging in consultation with NGOs. Since local NGOs may not have sufficient resources to cover the cost of participating in meetings and, especially in more isolated areas, carrying out consultations with their members may demand some kind of support – including transport, meals and other running costs. At the same time, too much support could be seen as compromising their independence and legitimacy, and could easily exacerbate existing conflicts within these organizations.

Social movements, such as the MST (*Movimento de Trabalhadores Rurais sem Terra*) – the Brazilian Movement of Landless Rural Workers, or MAB (*Movimento dos Atingidos por Barragens*) – the Brazilian Movement of Dam Affected Peoples, are different from most mainstream NGOs, as they do not have a legal jurisdiction, a clearly defined organizational structure or even a clearly defined process of decision making. This allows them to operate on the margins of the law and often makes it difficult to hold a movement accountable for the actions of its members. The social movements in Brazil, and some movements of indigenous peoples, especially in the Andean countries, have taken on a more explicitly political role, and in some cases have become so radicalized that the broader political agenda has taken over from the original concerns that led to the founding of the movement. For instance, MAB, which started as a spontaneous movement of small farmers affected by hydropower projects in Southern Brazil, has now become a political movement, based on patronage, and is more concerned with capturing benefits for the landless poor that support the movement than with ensuring fair treatment for the landowners that are affected by new dams.

Although the legitimacy of some social movements may be open to question, it would be foolish to exclude them from the process of consultation. They may be willing to act outside the law: on occasions social movements have inflicted serious damage and have carried out acts of violence. However, this does not mean that a willingness to talk to the representatives of a social movement should be seen as a sign of weakness. On the contrary, if a project refuses to engage in dialogue with the movement, those people who are undecided may interpret this as meaning that they project has something to hide. In fact, experience suggests that social movements are more likely to temper their demands and curb their excesses if there is a solid program of communication and an effective system of representation already in place. The more extreme positions within the social movements feed on rumours and half-truths, and flourish in those situations where communication is lacking, where people have little real information about what is happening and have no place where they can raise their concerns and worries. On the other hand, once people understand what is happening, when they can see their concerns are being addressed fairly, and where they are able to communicate with senior management, it becomes much more difficult for a movement to radicalize the population and engage in confrontation.

The Project Proponents

It is important to think about who should represent the proponents of the project. Although the organization and administration of public consultations is sometimes delegated to professional facilitators, consultants or even Public Relations companies, the proponents or executors of the project must take an active role in the process. This is the essence of consultation, since the project proponents must be able to understand and respond to the concerns and expectations raised by the people that are directly or indirectly affected. The most effective consultation processes are those that involve the direct participation of senior management, since this exposes managers to the real concerns of the people affected and allows them to respond directly and to take the decisions that are required. This is a demonstration of commitment – it avoids delays and obfuscation, and it shows the proponent is serious about engaging with the different groups that are affected. If consultation is delegated it is essential to establish effective channels of communication with senior managers to ensure they can respond to the issues that are raised.

In large infrastructure projects it is also important to ensure that the principal contractors are involved in the appropriate stages of the process along with the government and any other agencies that may be involved in the project (for instance, government agencies that may be responsible for land acquisition).

5. At What Stage Should Consultation Take Place?

Consultation should be thought of as an ongoing process, not just as a step in the procedures for project approval. In essence consultation is the means by which a project communicates with the people living in the project's area of influence. As such, some kind of consultation should take place throughout the life of the project, from its initial conception, design, and implementation through to completion and decommissioning. In practice, different kinds of projects have different requirements, depending both on the nature of the project and the regions and populations that are affected. By way of example, the potential impacts of a road corridor through an area of pristine tropical forest inhabited by traditional indigenous peoples will be completely different to the potential impacts of upgrading an existing road in an area of existing rural settlements, and as a result the concerns and the requirements for consultation in each project will also be completely different.

The Consultation Plan

It is useful to have a master plan for consultation, especially for major projects that will have significant social and environmental risks and/or impacts. Indeed some multilateral lenders now require a Consultation Plan or a Stakeholder Engagement Plan – along with a Grievance Mechanism, as part of the Environmental and Social Management Plan (ESMP). The Plan should be based on the Social Impact Analysis, since this is where the different groups and sectors are identified, and it should include a timetable for the different stages of the consultation process – and a description of any consultations that have already taken place, a budget, and a definition of the reporting procedures and institutional responsibilities for consultation. The plan should also include a detailed description of the procedures for managing complaints and grievances. The advantage of having a Consultation Plan is that it provides a formal commitment, defines responsibilities, and ensures that adequate funds are made available to carry out the program of consultation.

Scoping

Consultation is essential in the earliest stages of scoping and project design, since this is where major issues can be identified and alternative solutions proposed, before too much time and large sums of money have been invested in detailed project preparation. At this stage consultation has to be handled sensitively, given that the inputs from the consultations are only a part of the scoping and design studies, and have to be balanced against other, technical and financial issues. For instance, in selecting the site for a hydropower project, the analysis of alternatives has to consider geotechnical considerations, the hydrology, natural habitats and biodiversity as well as social issues. There is also the difficult issue of competing interests: for instance, the project may benefit the wider society by providing a cheaper, more reliable source of energy, and it may also benefit farmers by providing water for irrigation, but at the same time it may displace communities or flood the areas that they depend on for their livelihoods. In this kind of situation it is important to be very clear about the scope and rules for consultation and to ensure that people are given regular feedback that allows them to see how and where their opinions have or have not been taken into account.

Design of the Project and the ESMP

Consultation with local people can be critical during the detailed design of a project, using local knowledge and understanding to avoid or mitigate potential impacts. Typical examples include the detailed design of the alignments for roads, pipelines or transmission lines, where consultation with the communities can help the project avoid areas subject to flooding or can identify the best sites for road crossings or for the towers of transmission lines, minimizing the impacts on housing or on the best agricultural land. At this stage it is very important to ensure that the respective roles of the project proponent and the contractors are clearly defined, and to ensure that any agreements reached with the project proponent are reflected in the work carried out by the contractor.

Consultation is an essential part of preparation of the ESMP and, if required, for the Resettlement Plan or any other social mitigation or community development programs. Indeed, national legislation often mandates public hearings as part of the EIA process. In fact, the social impact analysis that goes into the ESMP is typically based on a combination of informal consultations, such as focus groups, interviews and discussions with key informants, as well as secondary data, from the census, household surveys and line ministries or local government. However, the key issue is not so much the social analysis – although this is essential to be able to carry out an effective program of consultation, as the need to hold formal discussions and reach agreement on the plans to manage the potential social impacts. In the case of projects that have significant social impacts or that present potentially serious risks, consultation should ideally go beyond public hearings and should take the form of negotiations that lead to formal agreements between the project proponent and the different groups that are affected by the project.

Construction and Operation

Formal consultations are not normally held during construction; instead, most large-scale projects have a grievance procedure or a complaints mechanism that allows individuals to register any concerns or complaints they may have, and which in principle requires the proponent and/or contractor to respond within a specified time. In fact, negotiations relating to the ESMP or Resettlement Plan often continue after construction has started; however, at this stage they tend to focus on specific issues, such as the definition of who may or may not be eligible for compensation or other benefits, rather than on issues relating to the main project.

There may be benefits from holding regular consultations during the construction phase. Basically the aim of these consultations would be twofold: first, to make sure that the project – especially the primary contractor and subcontractors, as well as any other agencies that may be involved, including national or local government agencies, have been complying with the agreements that were reached during project design; and secondly to identify any significant issues that may have been missed during the design phase.

One of the most critical points in the implementation of large infrastructure projects is when the construction phase is completed and the project becomes operational. At this point a series of new issues arise: the management of the project often changes, being handed over to an operations team that works to a different rhythm, with different priorities and a different budget, and perhaps with less concern for social issues, since the goodwill of people in the area is no longer quite as vital to the success of the project. At the same time the contractors have finished their work and have to remediate the sites before they leave, workers are laid off or move elsewhere, the economic boom comes to an end, and people in the project area have to come to terms with long-term changes brought by the project.

At this stage it could be useful to carry out a series of consultations, above all to allow people to engage with the new management, to review the progress of the ESMP and Resettlement Plans, to raise any issues that may be related to the clearance and remediation of the construction sites, and perhaps to identify possible areas for new initiatives or new partnerships between the project proponent and the communities in the project's area of influence. Finally, for some projects, the start of operations is the point at which royalties begin to be paid to local or regional governments. This raises a series of potentially conflictive issues that need to be discussed, since the benefits from these payments may not necessarily be fairly distributed among the communities or sectors that have been most affected by the project.

Decommissioning

This is a particular concern with oil, gas and mining projects. Ideally, any project in the extractive sector should include a decommissioning plan that includes an initial outline plan that will be developed in more detail once the project begins to approach the end of its productive life. The detailed development of the decommissioning plan should start some years before the project closes down, and it should cover both the environmental remediation and the social

issues, above the loss of direct and indirect employment, loss of business opportunities and the decline in the value of housing. This means developing mitigation plans that may include training or re-training and support to encourage the development of new businesses.

6. How Should People Be Consulted?

Remember that consultation is a two-way process. This means presenting information is a way that can be comprehended and creating the space that allows people to respond and express their doubts, concerns and opinions. It also means providing feedback and documenting the issues that were discussed. Beyond this, the details depend to a large extent on the groups that are involved and the kinds of issues that are raised by the project.

Presentation

The objective of the presentation is to explain the nature of the project, the different stages, and the above all the potential issues, risks and impacts associated with each stage. Projects proponents sometimes make or contract the preparation of sophisticated video or power-point presentations: these can be helpful – for instance, to give an idea of what area will look like once a reservoir has been filled, but they often lean towards propaganda (especially if they have been contracted out to professional studios or PR companies) and this can detract from their usefulness. People know propaganda when they see it: few people are lucky enough not to have been exposed to commercial and political propaganda and even in the most isolated indigenous villages in the tropical forest or in the Andes people are familiar with the claims and counter-claims of local politicians and are immunized against this kind of advertising. The same is true of gifts: T-shirts, caps, pens and so on, may even be counterproductive, since people could see them as a naïve attempt to buy their approval of the project.

People also tend to recognize honesty, and typically welcome a presentation that tries to explain the details of a project, including the more difficult and controversial issues. It is obviously important to use the local language and local styles of expression – although people are willing to struggle with a different or more technical language if they believe a serious effort is being made to explain the issues. In some cases it may be necessary to use interpreters, but this ought to be done with caution, since difficult technical issues are hard to translate into local languages – and interpreters may simply repeat the technical terms that they fail to understand.

Drawings, diagrams and short printed texts are helpful, especially when they can be handed out for people to take home. When the audience is illiterate and/or speaks a different language, it may be useful to explain or even go through a short text. Often people take these documents home and study them, perhaps with members of the household who are more literate or have a better understanding of the national language.

Listening

Perhaps the most critical issue in consultation is attitude. People are usually much more responsive if they feel they are being treated with respect; and they quickly sense if they are being talked down to. This requires patience, a willingness to listen – avoiding the tendency to interrupt a speaker in mid-flow, and above all a respect for local culture and rhythms.

Many indigenous peoples expect community decisions to be based on consensus and do not accept the principle of the majority vote – i.e. that a majority can impose their wishes or opinions on the minority. This often makes it difficult to reach a decision and can be very time consuming. In practice, this means consultation is often drawn out, with the members of the community requiring time to discuss the issues among themselves. In addition, and this is particularly true of traditional societies that have more formal procedures for decision making – typical examples would be the community organizations found in much of the Andes, the men that participate in the formal meetings of the community (the women are either female heads of household or wives standing in for their husbands who are absent) – will go back and discuss the issues with their wives and other members of their households, and this can result in quite dramatic changes of position from one meeting to the next.

Another concern is to ensure that different groups can express their opinions freely. Large public hearings tend to be dominated by the people that feel most at ease in this type of situation, typically the local elites, politicians, representatives from government agencies and often the schoolteachers (since they are used to standing before a captive audience). Other people may feel inhibited, perhaps because of their low status or poor command of the official language. Some may actually be excluded: for instance the inhabitants of informal settlements or other groups that are stigmatized because of their ethnic status or place of residence, or tenant farmers – especially in collective organizations such as the Mexican *ejidos*, where formal voting rights and rights to land are vested with descendents of the original community. In addition, public

meetings often have a gender and age bias: in Latin America, especially in the more traditional rural societies, women may be excluded, while in parts of the Caribbean it is often difficult to get younger men to speak in public meetings. This may require a specific strategy to engage these groups, perhaps separately, and at the times and in the places where they will feel more at ease.

Time and Place

The importance of time and place cannot be overstated. People may find it difficult to take time off from their work, and this is no less true in rural areas than it is in the city. In rural areas it is often better to organize meetings at the end of the working day and, if possible, outside the most critical periods of the agricultural cycle, and also outside the local calendar of holidays and festivals. Finally, people cannot be expected to travel long distances or pay high transport costs to attend public meetings. The idea is to hold meetings close to their place of residence, but where people have to come further, this raises the difficult issue of paying transport and per diems. While it is fair to cover expenses or to provide transport, lodging and meals, it is usually not a good idea to be too generous and to cover "loss of earnings" since this can be a source of conflict, and may be easily interpreted as trying to buy the goodwill of the representatives that attend the meetings.

Feedback and Documentation

People that have participated in consultations want to know if, or how far their opinions have been taken into account. It is essential to ensure that the issues that were raised and any agreements that were reached are formally recorded, preferably as some kind of a minute and not as verbatim text. In fact, it can be useful to try to summarize the issues before the meeting is closed; however, this should not become an excuse to try and force a decision if an agreement has not have been reached or if people feel they need to consult with their families or other members of the community.

It is a good idea to record the meeting, preferably on tape and perhaps by hand (video is rather intrusive and, especially if there is a cameraman present, can either inhibit participation or worse still encourage people who want to be filmed but have little to offer). The results of the meeting then have to be communicated back to the participants: this is easy enough if they all have email or access to the internet; if not, another alternative is to provide a short written record and perhaps post the minutes of the meeting in a publicly accessible place, perhaps the place

where the meeting was held. It is more challenging when the people that are affected by the project live in more remote, isolated areas, especially if they are illiterate or not fluent in the official language. In these cases radio programs or cassettes can offer a very useful alternative.

Where there are significant issues such as land acquisition, resettlement or mitigation projects, the ideal scenario should be to try and reach a formal agreement with the people that are affected by the project and their representatives. This is not always easy, and should not be hurried, but it provides a benchmark against which the actions of both the project proponent and the affected parties can be measured. Even when the affected population is not fully literate or does not speak the official language, a written agreement can still be valid and effective, provided that it has been discussed and reflects all the details that were discussed during the process of consultation. In some countries the Public Ministry, the Ombudsman or the Environment Agency can facilitate an agreement of this kind and can help to mediate if any disputes arise after the agreement has been signed.