

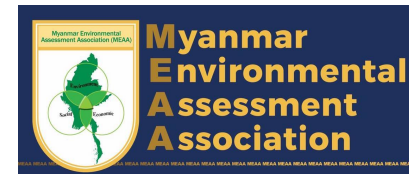
Stakeholder Engagement (EIA Process)

Presented by: Myat Mon Swe

Date: 6 December 2020



Environmental Compliance Consultancy Co., Ltd.



Agenda

- ❖ Stakeholder engagement?
- ❖ Stakeholder Engagement Part of the EIA Process in National Guideline
- ❖ Draft Guideline on public participation in IEE/EIA process
- ❖ Stakeholder Engagement in IA Process
- ❖ When Stakeholder Engagement is required?
- ❖ Key Principles of Stakeholder Engagement Process
- ❖ Social Management System Elements
- ❖ Stakeholder Mapping
- ❖ Stakeholder Engagement Plan (SEP)
- ❖ Public Consultation Approach in Practices
- ❖ Challenges
- ❖ Question & Answer

Stakeholder Engagement?

The process of involving those who are directly and indirectly affected by a decision in the decision-making process, promoting sustainable decisions by providing participants with the information they need to be involved in a meaningful way, and communicating to participants about how their input affects the decision – in this way, it encompasses both information disclosure and consultation processes.



Stakeholder Engagement Part of the EIAProcess in National Guideline

Environmental Impact Assessment Guideline (29-12-2015)

| | IEE | EIA (Scoping) | EIA (Investigation) |
|-------------------------------------|--|---|---|
| Must be done - | <p>34. The Project Proponent shall undertake the following public consultation process in regard to an IEE Type Project:</p> <ul style="list-style-type: none"> a) Immediately upon commencement of the IEE, disclose relevant information about the proposed Project to the public and civil society through the Project or Project Proponent's website(s) and local media, including by means of the prominent posting of legible sign boards at the Project site which are visible to the public, and comply with technical guidelines issued by the Ministry; and b) arrange the required complement of consultation meetings as advised by the Ministry, with local communities, potential PAPs, local authorities, community-based organizations, and civil society, and provide appropriate and timely explanations in press conferences and media interviews. | <p>50. As part of the Scoping, the Project Proponent shall ensure that the following public consultation and participation process is carried out:</p> <ul style="list-style-type: none"> a) disclose information about the proposed Project to the public and civil society through posting on the Project or Project Proponent's website(s) and local media, including by means of the prominent posting of legible sign boards and advertising boards at the Project site which are visible to the public; and arrange the required complement of consultation meetings as advised by the Ministry, with local communities, potential PAPs, local authorities, community based organizations, and civil society, and provide appropriate and timely explanations in press conferences and media interviews. | <p>61. As part of the EIA investigations, the Project Proponent shall undertake the following consultation process:</p> <ul style="list-style-type: none"> a) timely disclosure of all relevant information about the proposed Project and its likely Adverse Impacts to the public and civil society through local and national media, the website(s) of the Project or Project Proponent, at public places such as libraries and community halls, and on sign boards at the Project site visible to the public, and provide appropriate and timely explanations in press conferences and media interviews; b) arrange consultation meetings at national, regional, state, Nay Pyi Taw Union Territory and local levels, with PAPs, authorities, community-based organizations and civil society; c) consultations with concerned government organizations including the Ministry, the concerned sector ministry, regional government authorities and others; and d) field visits for the Ministry and concerned government organizations. |
| Must be included in Report - | <p>36. The IEE Report shall contain the following:</p> <ul style="list-style-type: none"> g) results of the public consultation and public participation processes, recommendations received from the public, and the Project Proponent's written responses to comments received during that process; | <p>51. The Project Proponent shall prepare a Scoping Report either in the Myanmar language, or in the English language with an accompanying, accurate summary in the Myanmar language, with the following content:</p> <ul style="list-style-type: none"> g) Public Consultation and Disclosure | <p>63. The Project Proponent is responsible for the preparation of an EIA Report which shall contain the following:</p> <p>9.0 Public Consultation and Disclosure</p> <ul style="list-style-type: none"> 9.1 Methodology and Approach 9.2 Summary of consultations and activities undertaken 9.3 Results of Consultations 9.4 Further ongoing Consultations 9.5 Disclosure |

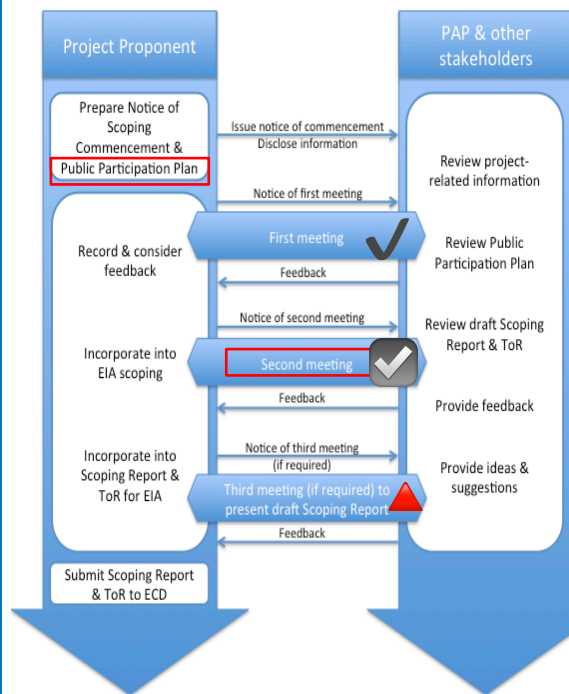




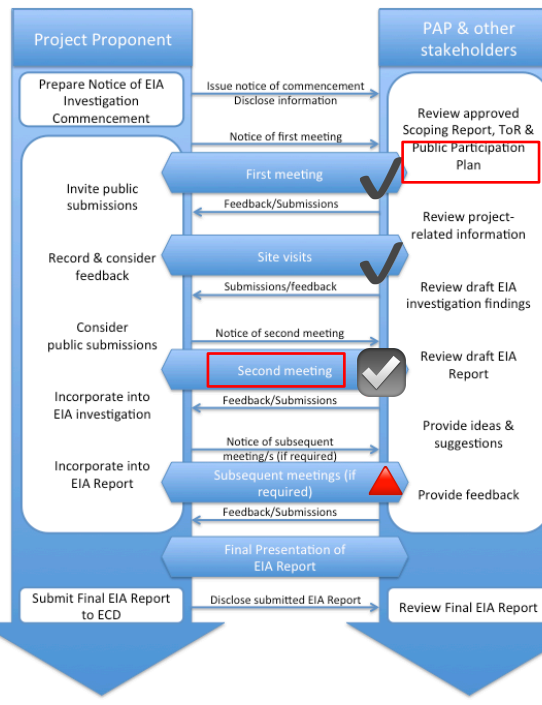
Myanmar Environmental Assessment Association

Draft Guideline on public participation in EIA process

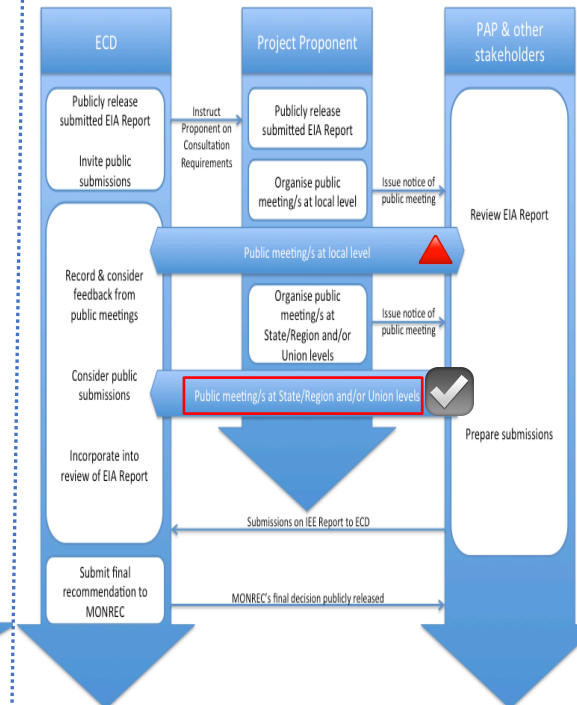
EIA Scoping



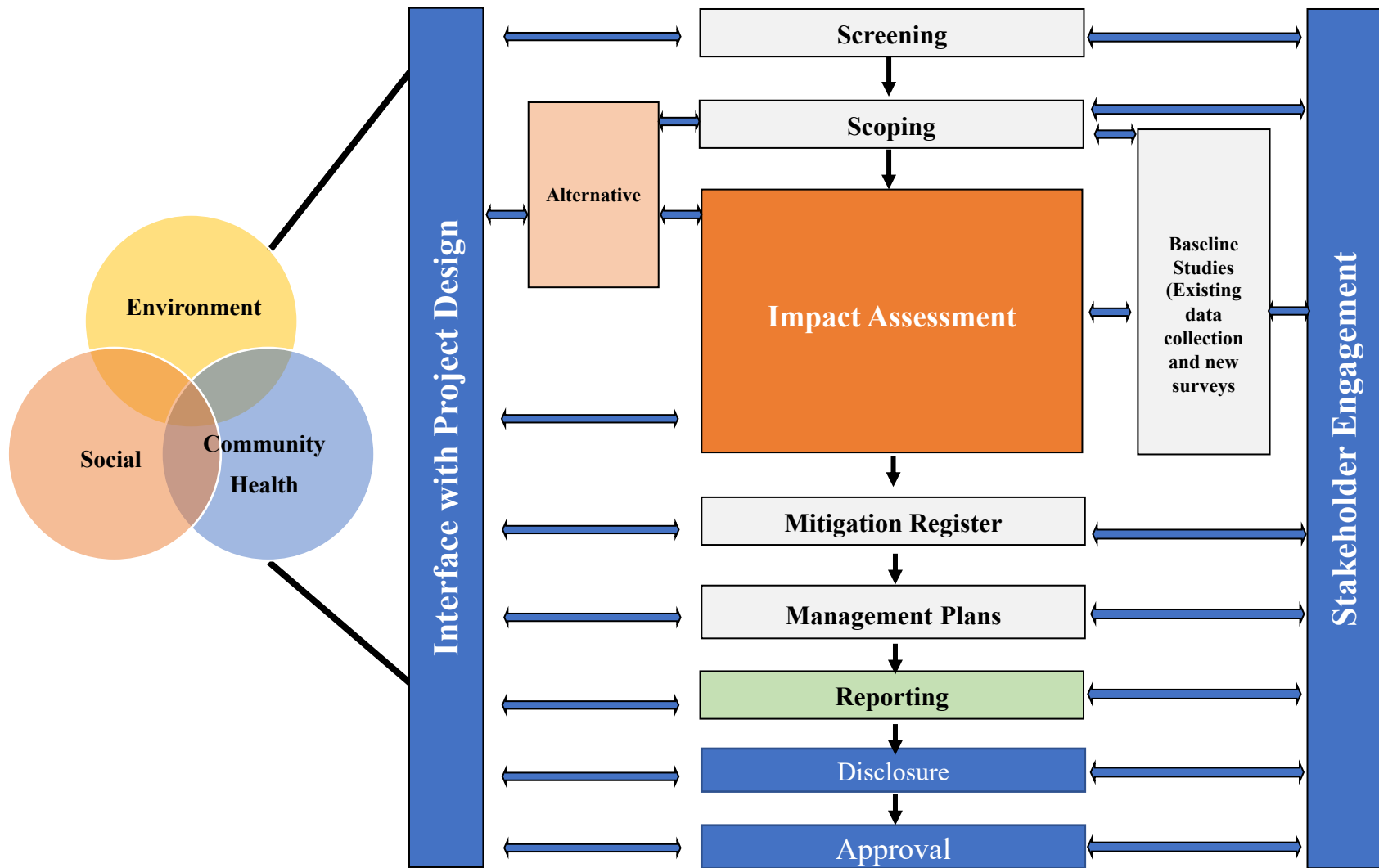
EIA Investigation



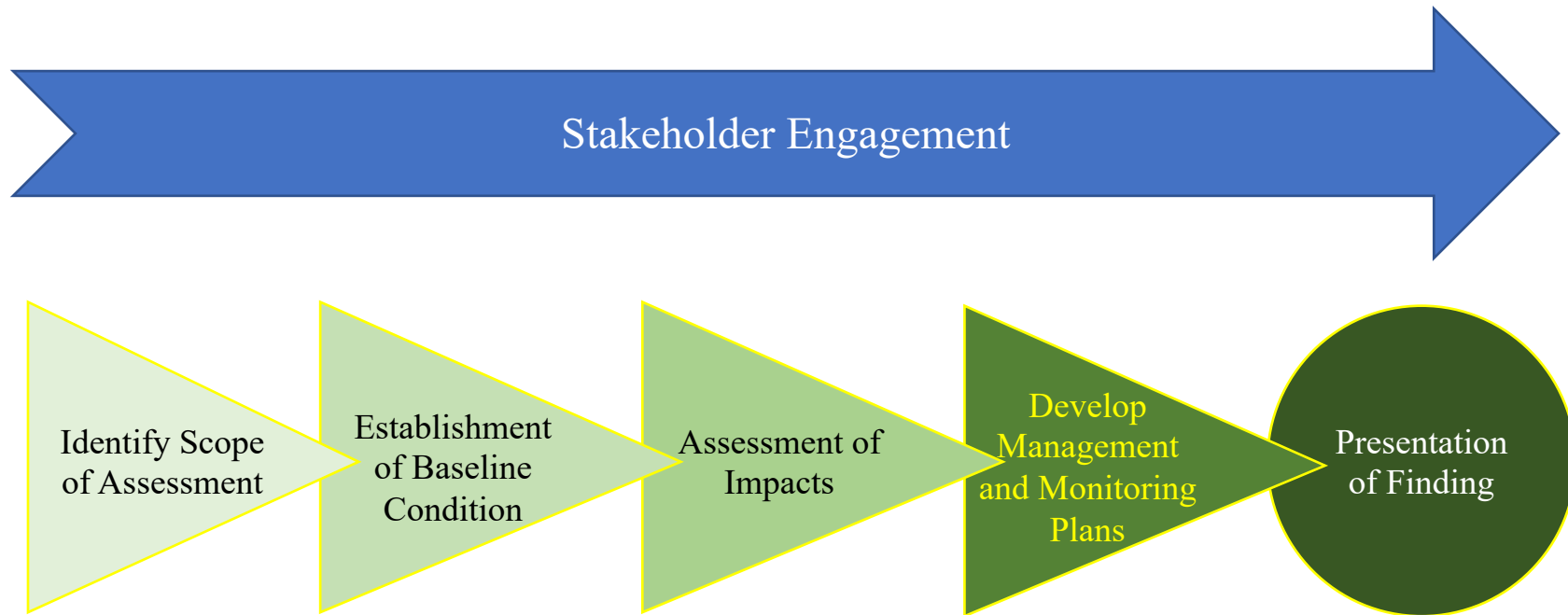
EIA Review



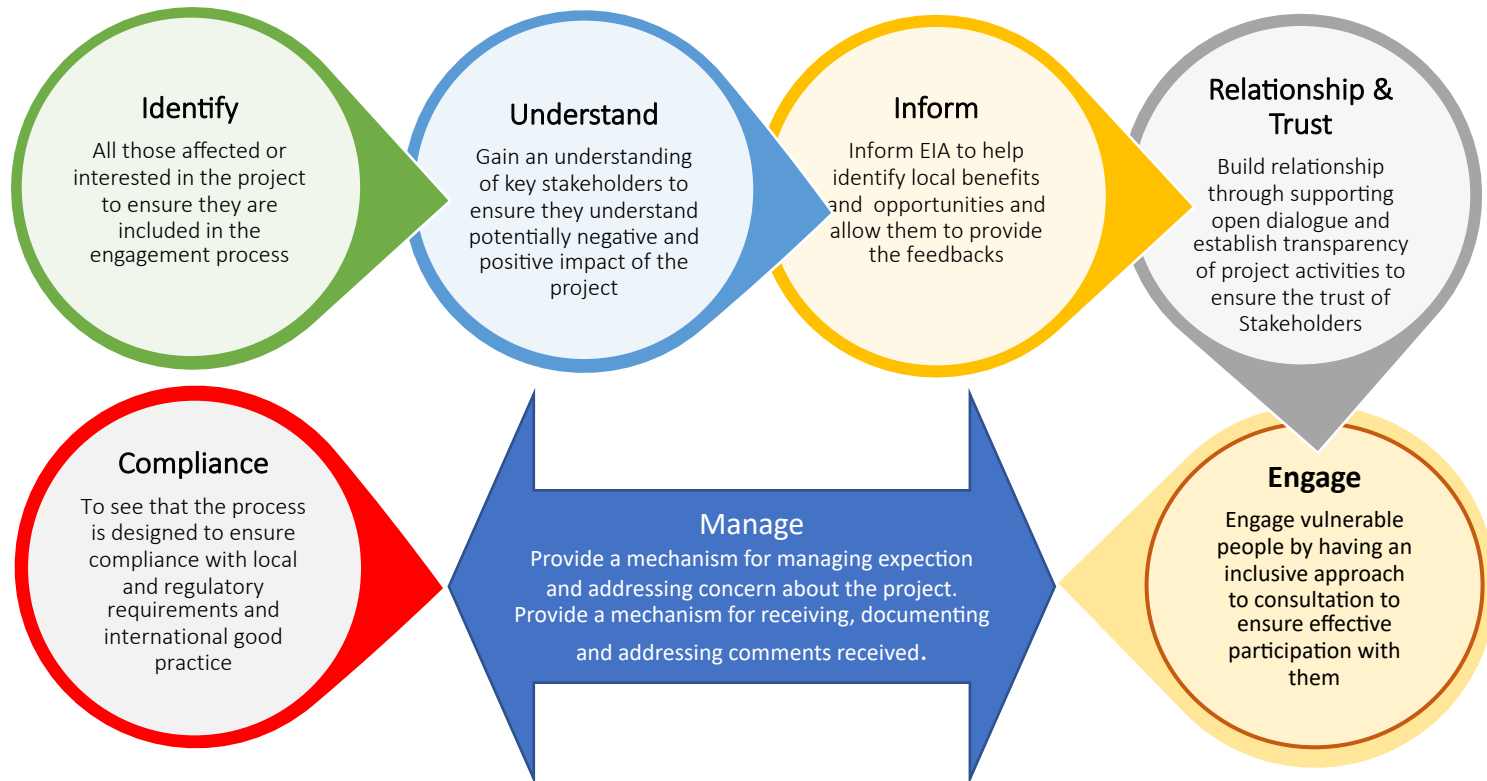
Stakeholder Engagement in IA Process



When Stakeholder Engagement is required?

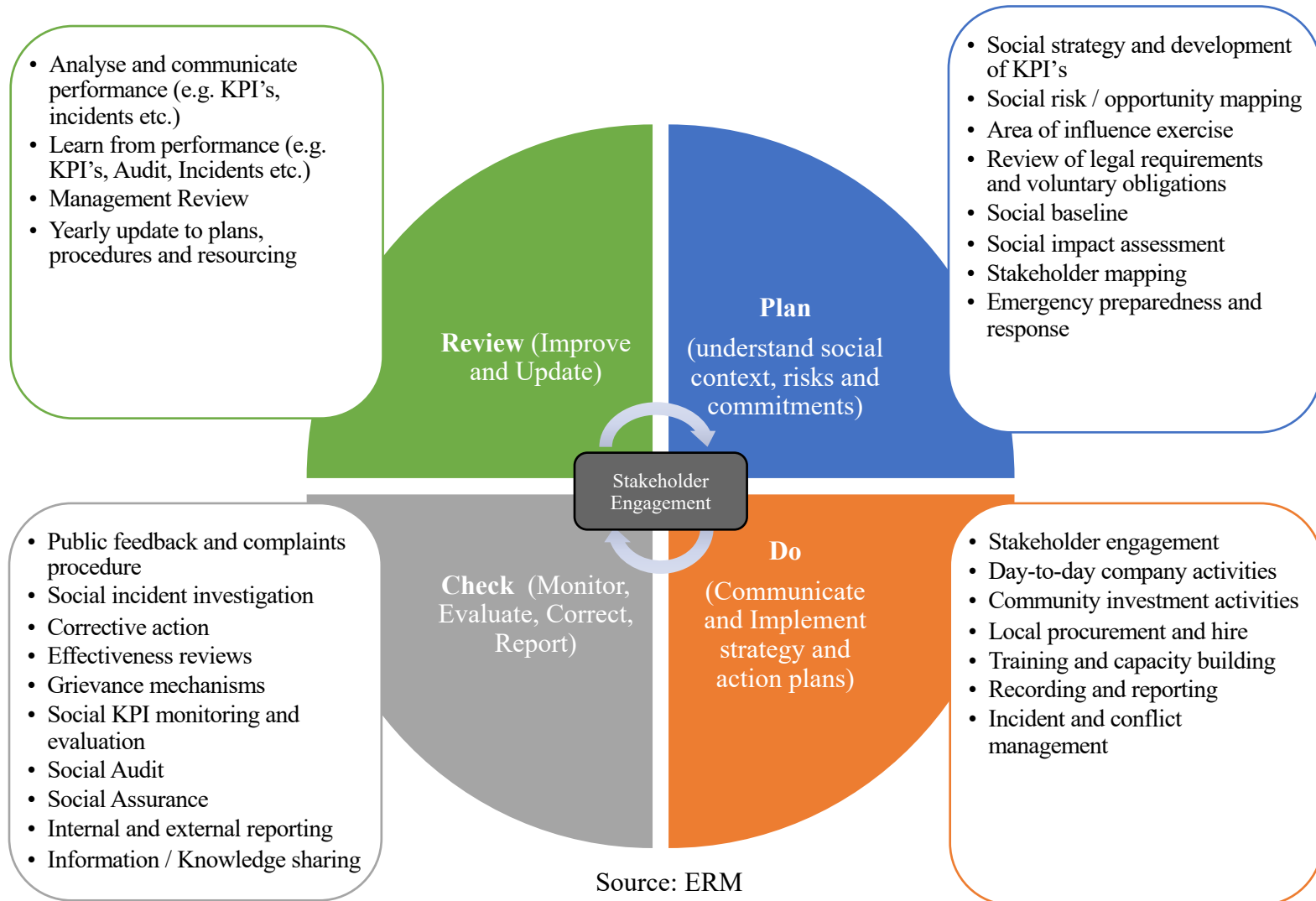


Key Principles of Stakeholder Engagement Process



Stakeholder Engagement Plan (SEP)/ Public Participation Plan: sets out what engagement will be done and how it will be managed for a project.

Social Management System Elements



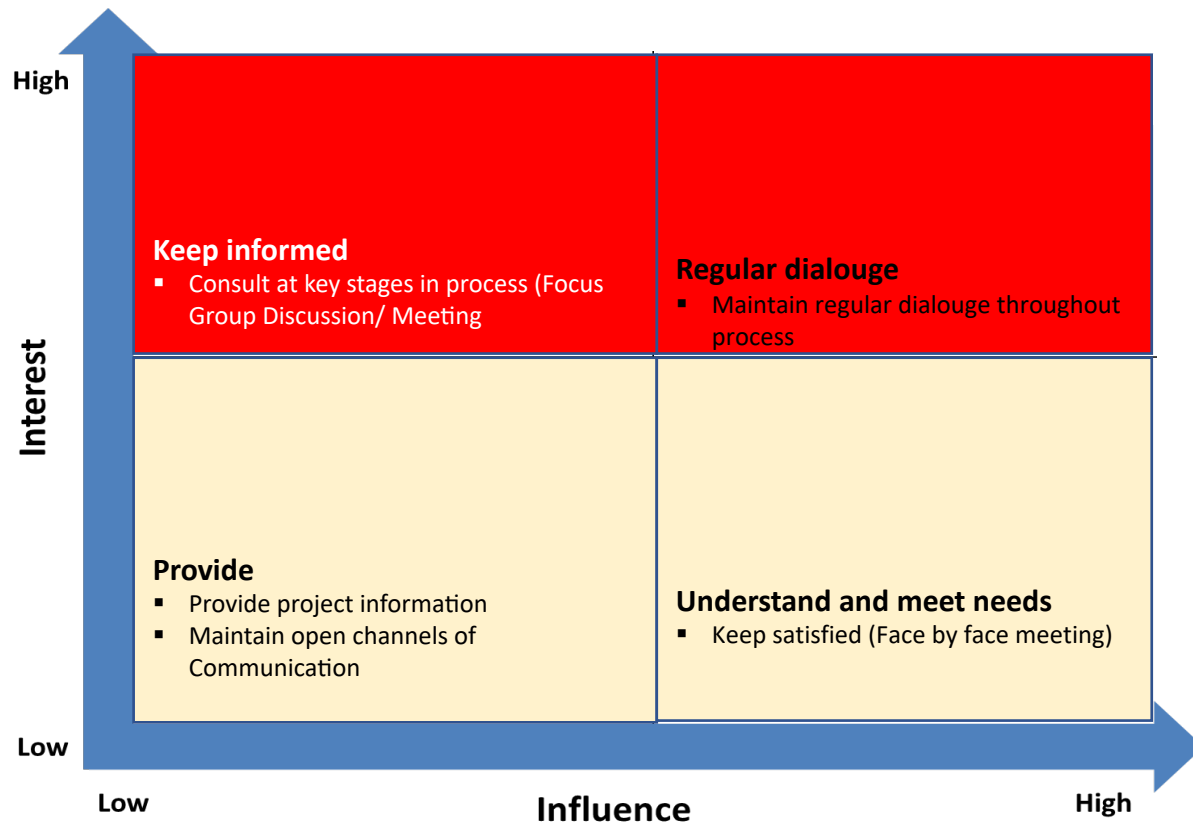
Stakeholder Mapping

- **Scope:** To identify key stakeholders associated with proposed projects /existing site
- **Approach:**
 - Developed a protocol for ranking stakeholders based on interest and influence (*Stakeholder Engagement Matrix*)
 - Utilized qualitative measures to justify rankings (*AOI*)





Stakeholder Mapping:

Stakeholder Engagement Matrix

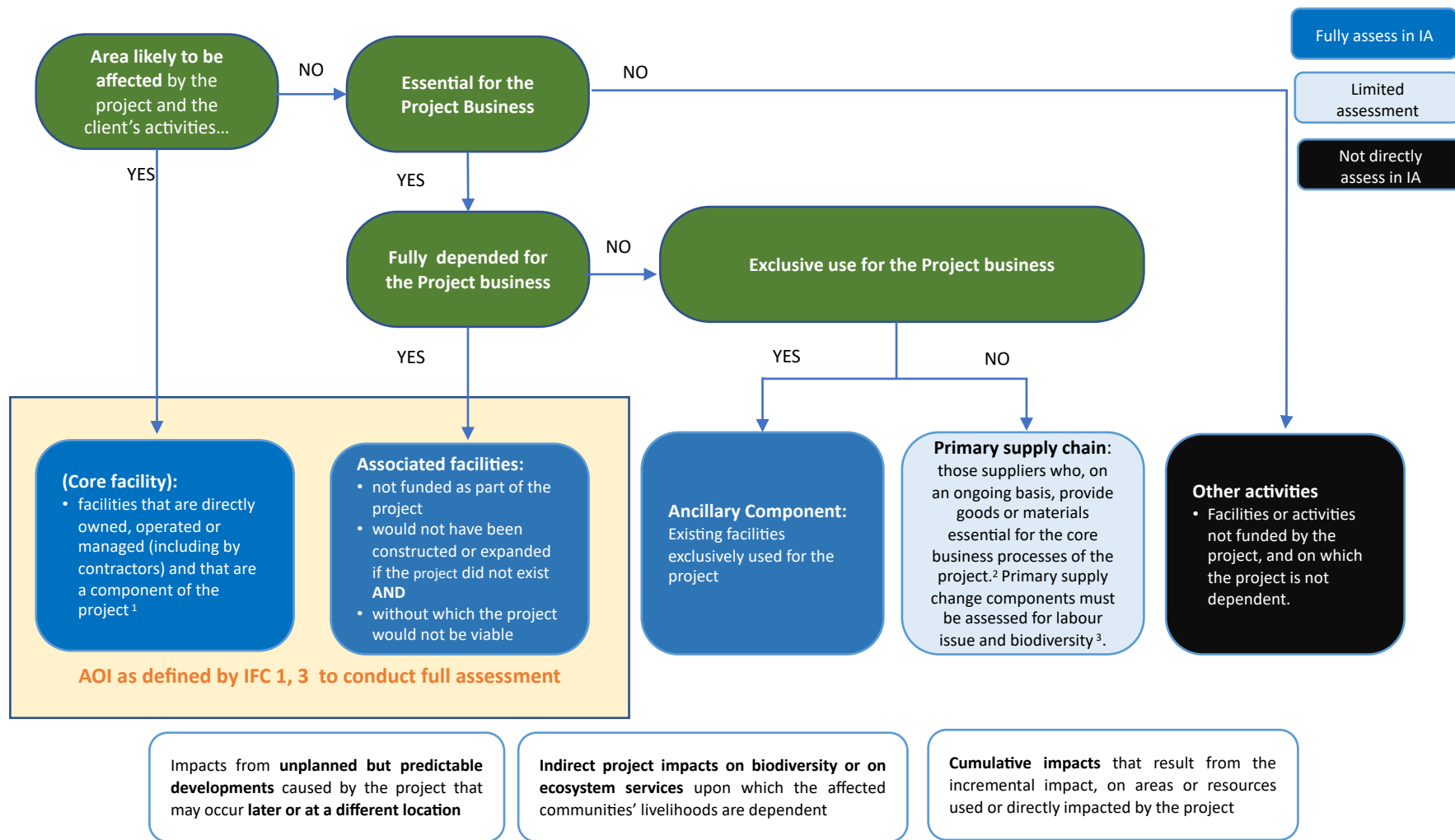


Source: ERM

- Type:**
-  Passive (e.g. having a grievance mechanism: Regular Meetings, calls, joint working)
 -  Active (e.g. organising public exhibitions, focus groups, and public meetings)

Stakeholder Mapping:

Area Of Influence (AOI)



¹ IFC PS1: Assessment and management of environmental and social risks and impact, 2012

² IFC PS2: Labour and Working Conditions, 2012

³ IFC PS2: Assessment and Management of Environmental and Social Risks and Impacts, 2012

Source: ERM



Stakeholder Engagement Plan (SEP)

Document that outlines the steps to be taken and the meetings to be held during the EIA/IEE Process and necessary element of an EIA Terms of Reference (TOR)

Content of SEP (Example)

1. Introduction
 - a. Background
 - b. Objective of SEP
2. Regulatory Requirements on Stakeholder Engagement
3. Stakeholder Identification and Analysis
 - a. Stakeholder Characterization
 - b. Stakeholder Mapping Matrix
 - c. Area of Influence (AOI) : Rationale for ranking interest and influence
 - d. Stakeholder Register: List of individuals and group/ communities identified
4. Engagement Schedule (Preliminary and Ongoing/ implementation)
5. Methodology of Stakeholder Engagement
6. Feedback process and Grievance Redress Mechanism
7. Engagement: Working list of prioritized stakeholders for engagement

Public Consultation Approach in Practices

- **Open to alternatives**
- **Activity informed by equality impact assessment**
- **Briefed scrutiny of key stakeholders**
- **Public meetings in key locations**
 - Independent place
 - Presentation
 - Round table format
 - Q&As
 - Recorded comments
- **Encouraged community-based groups to invite us to their meetings**
- **Meet with ‘activists’ (Parliament Members/ Political Parties)**
- **Vast amount of information published/ disclosed**



Public Consultation Approach in Practices: Engagement Approach and Key Stakeholders



- Focused on stakeholders
- Built on information previously gathered during consultation
- Stakeholders initially identified at the Union, State and Regional and Township level and refined based on information collected during engagement



Engagement Process

Union/National Level

Relevant Ministries and Governmental Departments,

State / Regional Level

Regional/ State Government including Chief Ministers and members of Government, Governmental Departments, Institutions/ Universities

Township Level

General Administrative Departments, Other Governmental Departments, Leaders of Civil Society Groups, Project Affected People, Parliament members

Village level

Relevant stakeholders who have a particular interest or insight into the potential impact of the project, representative of organisations and non-governmental organisations.

Public Consultation Approach in Practices:

Baseline data collection

- ❖ Data collection will be based on scope, cultural context, logistics, time and budget.
- ❖ Data collection techniques:
 - **Primary data collection:**
 - Qualitative and quantitative
 - census, questionnaires, focus group discussions, key information interviews, visual tools (mapping exercise), transect walks
 - Mapping
 - **Secondary data collection:** online data, regional development plans, other ESIAs
- ❖ **Stakeholder engagement:** links closely with primary baseline data collection, where the first formal round of engagement will generally be undertaken in parallel– although they are not the same exercise!

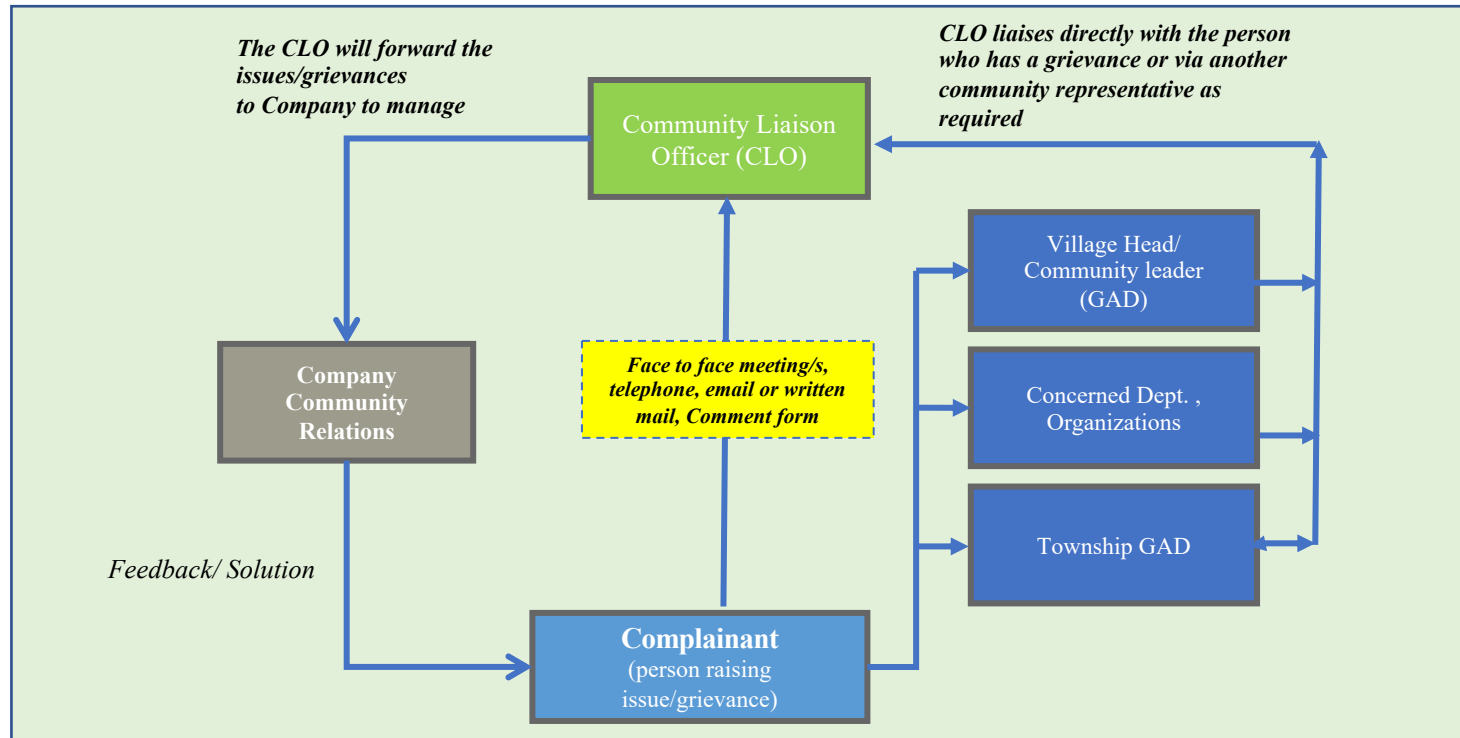
- ❖ Initial consultation with the community (i.e., giving people a say, and getting people involved before you start planning a project)
- ❖ On-going engagement (Stakeholder Engagement Plan)
- ❖ Keeping people informed and up to date with activities and achievements
- ❖ On- going disclosure of project information and finding results of IEE/EIA including EMP

Public Consultation Approach in Practices:

Community Grievance Mechanism

- **Purpose:**
 - To resolve community issues before they worsen
 - To retain a social license to operate
- **The Community Grievance Mechanism should be flexible to allow Company to address grievances, feedback, questions:**
 - Proportionally to the grievance
 - In a culturally appropriate manner (adapted to the complainant and his/her language, to his/her preferred channel of communication, etc.)
 - Received from anyone who may have an interest or be affected by Company's operations
 - Transparently and professionally (Company is accountable)
 - In a manner that protects the complainant
- **Key Actions:**
 - CLOs, information centres, suggestion boxes, websites/ Facebook are set up
 - They will advertise the mechanism, with the relevant contact details
- **Communication Channels for Company and for stakeholders:**
 - Face-2-face meetings with CLOs during meetings, CSR activities, presentations, etc.
 - Posters in information centers or on suggestion boxes – letters
 - Posts on Websites and Facebook
- **Mechanism:**
 - Grievance received by Company representative: CLO combines, transcripts, logs (on a confidential log and on a process log)
 - Response: on the spot by CLO/ Company representative for minor requests or within 30 days as developed by grievance team from HSSE Committee (collegial decision) so that it is adapted
 - Some grievances may require investigation (cross-checking) to be done tactfully and started within 7 days
 - The process must be documented (notes, transcripts, photos, documents, etc.)
 - The response is communicated and must be accepted before the grievance can be closed

Public Consultation Approach in Practices: Community Grievance Mechanism (Example)



Source: eGuard

| | |
|--|---|
| <i>Message:</i> | To reach the right audience with the right message - serious problem |
| <i>Technical subject:</i> | Hard to be sure there is understanding of the terminology |
| <i>Ideas from the Public:</i> | Suspicion and cynicism from the public as to whether their ideas are being heard and considered |
| <i>Conflicts within civil society:</i> | Hard to sometimes reach a consensus |
| <i>Transparency:</i> | Lack of transparency in the past influencing is hard |
| <i>Recognize concerns/current problems:</i> | Little consideration of local problems by the project – sometimes becomes a political issue |
| <i>Satisfaction needs of affected region:</i> | Most people view ‘industry’ as a money maker and people want to get in on the rewards |
| <i>Focus on attainable benefits:</i> | Lack of focus on CSR |
| <i>Challenges facing health and social care:</i> | Weakness of Health and Social data at rural area |
| <i>Commitment and Deliver promises:</i> | Having a true commitment to consult. Addressing the perception that implementation of the Stakeholder Engagement Plan is hard. Perceived disparity between promises and outcomes. |
| <i>Social Media:</i> | How is social media influencing public opinion, and how far have public and private organizations reached in utilizing it towards strengthening their outreach |
| <i>Indigenous issue:</i> | Hard to address Indigenous Rights. Improve cross-cultural understanding across a range of matters of significance to Indigenous communities. Unclear definition of Indigenous People. |
| <i>Comment collection:</i> | Hard to collect comments / feedback after disclosure of summary of Report |
| <i>Time for consideration and response:</i> | Feedback and responses conscientiously considered. |
| <i>Time constraint:</i> | Adequate time for consideration and response |
| <i>Contacts:</i> | Lack of regional office/ CLO for the temporary project like seismic survey/ Information Centers for long-term Project |
| <i>New pattern of Communication:</i> | Create new patterns of communication (Online Meeting) |

Question & Answer



Myat Mon Swe
Director/ Principle Consultant
myatmonswe@envccmyanmar.com

Thank you



Environmental Compliance Consultancy Co., Ltd.