ICAT | INITIATIVE FOR **Climate Action Transparency**

STAKEHOLDER PARTICIPATION GUIDE

Supporting stakeholder participation in design, implementation and assessment of policies and actions

ICAT SERIES OF
ASSESSMENT GUIDES

CCBA The Climate, Community & Biodiversity Alliance

VERRA Standards for a Sustainable Future

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How to use the Assessment Guides

This guide is part of a series developed by the Initiative for Climate Action Transparency (ICAT) to help countries assess the impacts of policies and actions. It is intended to be used in combination with other ICAT assessment guides and can be used in conjunction with other guidance.

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- Renewable Energy
- Transport Pricing
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- Agriculture
- Buildings Efficiency

- Sustainable Development
- Transformational Change
- Non-State and Subnational Action

Process guides
- Stakeholder Participation
- Technical Review

Contents

PART I

Introduction, objectives and key concepts

1 Introduction

The unprecedented challenge of climate change requires that society undergoes a fundamental shift away from carbon-intensive and unsustainable models of development. The urgency of the transition towards net zero global greenhouse gas (GHG) emissions was underlined in the 2018 special report Global Warming of 1.5°C[1] *by the Intergovernmental Panel on Climate Change.*

To ensure that policies and actions are effective in delivering GHG mitigation and sustainable development benefits, and given the fundamental changes they might entail, there is an increasing need to assess and communicate their multiple impacts. Stakeholder participation enhances the effectiveness of policies by integrating stakeholder knowledge and perceptions into policy design and implementation, and builds support for policies through increased transparency, accountability and legitimacy of decision-making. The Initiative for Climate Action Transparency (ICAT) Stakeholder Participation Guide *helps policymakers conduct effective stakeholder participation in pursuit of these goals.*

1.1 Purpose of the guide

ICAT provides methodologies for assessment of the GHG, sustainable development and transformational impacts[2] of policies and actions. This document provides guidance to help users conduct effective stakeholder participation in support of these impact assessments. The guide can also help users with stakeholder participation beyond impact assessment, such as to support policy design and implementation.

Effective stakeholder participation enhances policies and actions, and their assessment by:

- raising awareness and enabling better understanding of complex issues for all

parties involved, thereby building their capacity to contribute effectively

- building trust, collaboration, shared ownership and support for policies and actions among stakeholder groups, thereby leading to less conflict and easier implementation

- addressing stakeholder perceptions of risks and impacts, and helping to develop measures to reduce negative impacts and increase benefits for all stakeholder groups, including the most vulnerable

- increasing the credibility, accuracy and comprehensiveness of the assessment, drawing on diverse expert, local and traditional knowledge and practices

- increasing transparency, accountability, legitimacy and respect for stakeholders' rights

- enabling enhanced ambition and finance by strengthening the effectiveness of policies and the credibility of reporting.

The guide helps users answer the following questions:

- Who is affected by, or has influence over, a given policy or action?

- Have the stakeholders of a given policy or action been effectively engaged?

The guide was developed:

- to raise awareness of the benefits of stakeholder participation

- to provide practical guidance on planning and implementing effective participatory processes.

The guide supports users in achieving various objectives of effective stakeholder participation, such as building understanding and support for policies and actions, strengthening the assessment of impacts and strengthening the technical review of

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[1] Available at: www.ipcc.ch/sr15/.

[2] A transformational impact is a system change that results when a policy or action leads to processes and outcomes of change at scale and sustained over time.

assessment reports. These objectives are elaborated in Chapter 2.

This guide is intended to be used in combination with any ICAT assessment guides that users choose to apply. The series of assessment guides[3] is intended to enable users to assess the impacts of a policy or action in an integrated and consistent way within a single impact assessment process. Refer to the *Introduction to the ICAT Assessment Guides*[4] for more information about the ICAT assessment guides and how to apply them in combination.[5]

1.2 Intended users

This guide is intended for use by a wide range of organizations and institutions. Throughout this document, the term "user" refers to the entity using the guide.

The following examples explain how different types of users can use the guide:

- **Governments.** Strengthen stakeholder participation in design, implementation and assessment of policies and actions to enhance the effectiveness of policy design and implementation, and to build support and participation from stakeholders. This includes addressing potential barriers to effective implementation. Governments can also use this guide to enhance the monitoring of performance of implemented policies and actions, and ex-post assessment of impacts. This will enable them to learn from experience, enhance the transparency of reporting, and facilitate access to financing for policies and actions.

- **Stakeholders affected by policies and actions, such as local communities and civil society organizations.** Participate more effectively in, and influence, the design, implementation and assessment of policies and actions to ensure that their concerns and interests are addressed.

- **Donor agencies and financial institutions.** Assess the extent to which stakeholders' interests and rights have been addressed in policies and actions that the agencies have financed, such as through grants or loans, including results-based financing and development policy loans.

- **Businesses.** Strengthen stakeholder participation in private sector actions, such as voluntary commitments, implementation of new technologies, and private sector financing, and enhance private sector participation in policies and actions.

- **Research institutions and non-governmental organizations (NGOs).** Strengthen participatory approaches to assessing the environmental, social and economic impacts of policies and actions to assess their performance or provide support to decision makers.

1.3 Scope and applicability of the guide

This guide is designed to support all other documents within the ICAT series. It explains the key elements of effective stakeholder participation. The other ICAT assessment guides highlight the importance of engaging stakeholders at particular points in an impact assessment or technical review, and provide links to the relevant sections of this guide.

This guide provides general principles, concepts, methods and approaches for stakeholder participation, which are applicable to all types of policies,[6] and throughout the policy design and implementation cycle. The guide also contains examples and case studies that illustrate how to apply the guide to specific policies or country contexts.

The document is organized in three parts (see Figure 1.1). Part I provides an introduction, including objectives and key concepts. Part II provides guidance on key elements for the user to consider when designing and implementing effective stakeholder participation. Part III provides guidance

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[3] https://climateactiontransparency.org

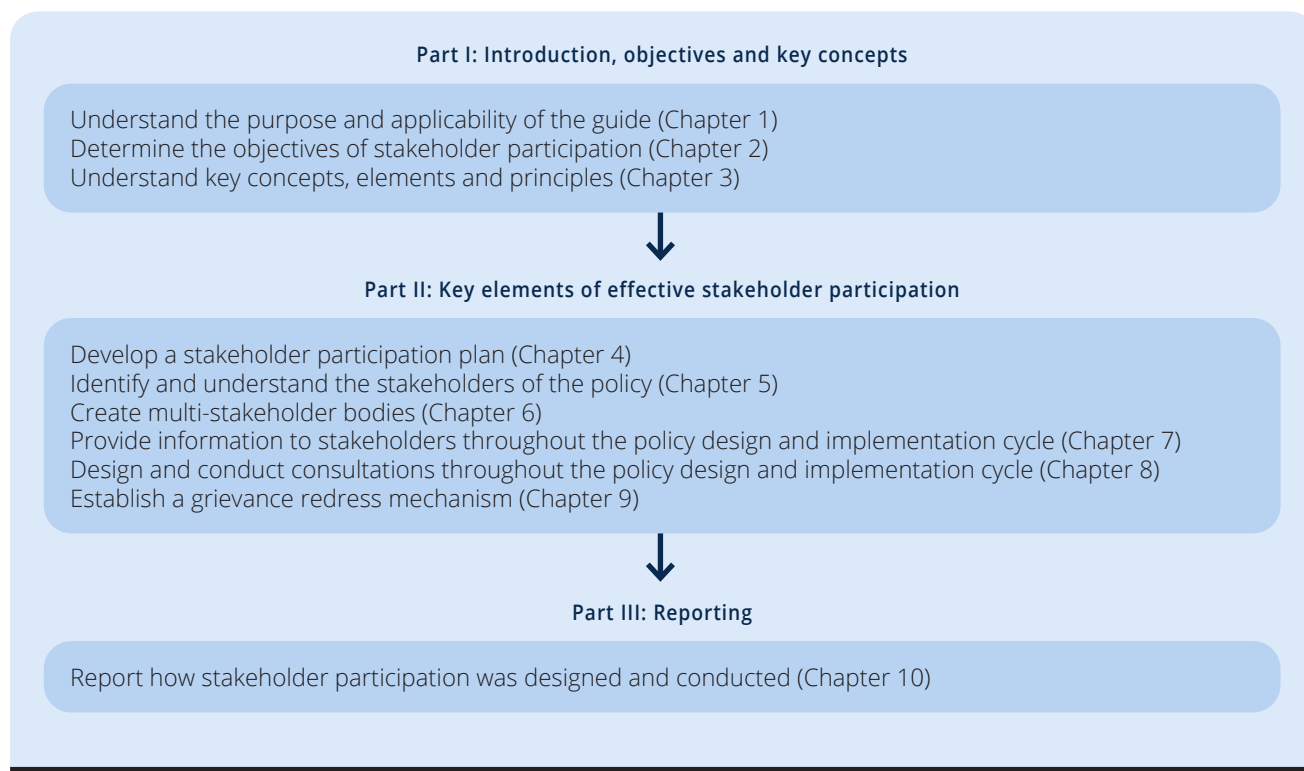[4] https://climateactiontransparency.org/wp-content/uploads/2020/01/Introduction-to-the-ICAT-Assessment-Guides.pdf

[5] https://climateactiontransparency.org/wp-content/uploads/2020/01/Stakeholder-Participation-Guide-Executive-summary.pdf

[6] Throughout this guide, where the word "policy" is used without "action", it is used as shorthand to refer to both policies and actions.

FIGURE **1.1**

Overview of the guide

Part I: Introduction, objectives and key concepts

Understand the purpose and applicability of the guide (Chapter 1)
Determine the objectives of stakeholder participation (Chapter 2)
Understand key concepts, elements and principles (Chapter 3)

Part II: Key elements of effective stakeholder participation

Develop a stakeholder participation plan (Chapter 4)
Identify and understand the stakeholders of the policy (Chapter 5)
Create multi-stakeholder bodies (Chapter 6)
Provide information to stakeholders throughout the policy design and implementation cycle (Chapter 7)
Design and conduct consultations throughout the policy design and implementation cycle (Chapter 8)
Establish a grievance redress mechanism (Chapter 9)

Part III: Reporting

Report how stakeholder participation was designed and conducted (Chapter 10)

on reporting how stakeholder participation has been conducted.

The document provides various methods and approaches that can be used in different country contexts; however, it does not provide specific recommendations for all possible stakeholder groups for all different country contexts (including laws and regulations on stakeholder participation). Users should consider their country context carefully and should adapt this guide for application to their specific stakeholder participation needs.

1.4 When to use the guide

The guide can be used throughout the policy design and implementation cycle, including:

- **before policy implementation** – to improve the design of a policy, and build understanding, participation and support among stakeholders of the policy; to strengthen the assessment of expected

future impacts of a policy (through ex-ante assessment)

- **during policy implementation** – to improve implementation of a policy to enhance its GHG, sustainable development and/or transformational impacts; to strengthen the assessment of impacts achieved to date (through ex-post assessment) and expected future impacts (through ex-ante assessment)

- **after policy implementation** – to enhance adaptive management to improve a policy; to strengthen the assessment of impacts that have occurred as a result of the policy (through ex-post assessment).

1.5 Key recommendations

The guide includes key recommendations that are suggested elements for implementing effective stakeholder participation. The key recommendations are intended to help users to plan and implement

effective stakeholder participation. They are based on the principles of inclusiveness, transparency, responsiveness, accountability and respect for rights (see Section 3.3 on principles of effective stakeholder participation).

In keeping with ICAT assessment guides being non-prescriptive, the key recommendations focus on the key steps that users are recommended to follow, rather than on any specific methods, models or tools they should use. Key recommendations focus more on the "what" users should do than on the "how" they should do it. The guidance that accompanies each key recommendation provides the "how".

Key recommendations are indicated in subsequent chapters by the phrase "It is a *key recommendation* to ...". All key recommendations are compiled in a check list at the beginning of each chapter.

Key recommendations are provided as an option for users who want to engage stakeholders according to a consistent set of elements and principles. Users who want to follow a more flexible approach can choose to use the guide without adhering to the key recommendations.

Introduction to the ICAT Assessment Guides provides more information on how and why key recommendations are used within the ICAT assessment guides, and on following either the "flexible approach" or the "key recommendations approach" when using the documents. Refer to *Introduction to the ICAT Assessment Guides* before deciding which approach to follow.

1.6 Relationship to other resources

This guide supports, and is consistent with, international treaties, conventions and other agreements relating to stakeholder participation, including the United Nations Universal Declaration of Human Rights[7] and the United Nations Economic Commission for Europe (UNECE) Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters[8] (see Box 3.1 for additional examples of relevant international agreements). It builds on many existing resources, including those listed in the References section.

1.7 Process for developing the guide

This guide has been developed through an inclusive, multi-stakeholder process convened by ICAT. The development is led by the Climate, Community & Biodiversity Alliance (lead) and Verra. The first draft was developed by drafting teams, which are a subset of a broader Technical Working Group (TWG), and the document leads. The TWG consists of experts and stakeholders from a range of countries identified through a public call for expressions of interest. The TWG contributed to the development of the technical content for the guide through participation in regular meetings and written comments. A Review Group provided written feedback on multiple drafts of the guide. ICAT's Advisory Committee, which provides strategic advice to ICAT, reviewed the second draft.

The second draft was applied by ICAT participating countries and other non-state actors to ensure that it can be practically implemented. This version of the guide was informed by the feedback gathered from that experience and includes case studies from those applications.

More information about the development process, including governance of the initiative and the participating countries, is available on the ICAT website.[9]

All contributors are listed in the Contributors section.

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[7] Available at: www.un.org/en/universal-declaration-human-rights.

[8] Available at: www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf.

[9] https://climateactiontransparency.org

2 Objectives of effective stakeholder participation

This chapter provides an overview of objectives users may have for stakeholder participation in the design, implementation and assessment of policies. Determining the stakeholder participation objectives is an important first step, since decisions about approaches and steps to follow will be guided by the identified objectives.

Stakeholder participation can make an important contribution to strengthening the design, implementation and assessment of policies. Stakeholder participation enhances effectiveness of policies by integrating stakeholder knowledge and perceptions, and builds support for policies through increased transparency, accountability and legitimacy of decision-making. The following potential objectives of effective stakeholder participation have been identified in relation to the objectives and scope of the initiative:

- **Build understanding, participation and support** for policies among diverse stakeholders, including enhancing legitimacy and shared ownership, and removing barriers.

- **Improve design and implementation** of policies to enhance their GHG, sustainable development and transformational impacts.

- **Strengthen assessment of impacts of policies on GHG emissions** by enhancing the comprehensiveness of the assessment through diverse expert, local and traditional knowledge and practices.

- **Strengthen the identification and assessment of sustainable development impacts** by enhancing the comprehensiveness of the assessment through diverse expert, local and traditional knowledge and practices.

- **Strengthen the identification and assessment of transformational impacts** by enhancing the comprehensiveness of the assessment through diverse expert, local and traditional knowledge and practices.

- **Strengthen technical review** of GHG emissions, sustainable development or transformational impact assessment reports.

- **Facilitate the assessment of effectiveness and efficiency of stakeholder participation** in policy design, implementation and assessment.

One or more of these objectives may be relevant, depending on when in the policy design and implementation cycle users intend to conduct stakeholder participation. Stakeholder participation objectives can be used to support other objectives of users of the ICAT assessment guides.

3 Key concepts, elements and principles

This chapter introduces key concepts in this guide, provides an overview of the key elements involved in stakeholder participation and outlines the principles of effective stakeholder participation.

Checklist of key recommendations

- Base stakeholder participation on the principles of inclusiveness, transparency, responsiveness, accountability and respect for rights

3.1 Key concepts

3.1.1 Stakeholders and marginalized people or groups

Stakeholders are individuals, organizations or communities that are directly or indirectly affected by, and/or have influence or power over, a policy. They can include different agencies and levels of government, civil society and private sector organizations, and members of the public.

Marginalized people or groups are those that have little or no influence over decision-making processes. They tend to be ignored, misrepresented or underrepresented. Examples are women, indigenous peoples and local communities. Marginalization may be related to a range of factors, including gender, ethnicity, socioeconomic status, remoteness, inaccessibility, political connections, culture and religion.

3.1.2 Participation and effective stakeholder participation

Participation entails processes that enable stakeholders to understand and influence decisions and processes that may interest or affect them. Other terms for participation include involvement and engagement. Participation involves a spectrum of possible levels of stakeholder involvement and influence. Table 3.1 describes stakeholder

participation goals and associated user promises based on the level of stakeholder involvement.

When stakeholder participation is effective, stakeholders have meaningful influence over decisions; this includes stakeholders who are potentially affected by, or interested in, a decision, and who have a right to be involved in the decision-making process, with special attention to marginalized stakeholders and those who are directly affected by the policy. The processes recognize and communicate the needs and interests of all stakeholders, involve stakeholders in defining how they participate, provide stakeholders with the information and capacity to participate, and communicate to stakeholders how their input affected the decisions.

3.2 Overview of elements

This guide is organized around the elements a user should consider in conducting effective stakeholder participation (see Figure 1.1). The guide is relevant throughout the policy design and implementation cycle, and for any objective for stakeholder participation identified by the user. Part II provides guidance on each of the key elements. Each relevant step of the ICAT *Renewable Energy Methodology, Buildings Efficiency Methodology, Transport Pricing Methodology, Agriculture Methodology, Forest Methodology, Sustainable Development Methodology, Transformational Change Methodology, Non-State and Subnational Action Assessment Guide* and *Technical Review Guide* highlights the elements that are most relevant to achieve the user's objectives. The relevant steps and the corresponding elements of stakeholder participation are summarized in an appendix to each document.

The elements described in Chapters 4–8 are not presented as sequential steps because each element needs to be considered for effective stakeholder participation. As well, the elements will benefit from ongoing improvements following an iterative approach for adaptive management.

TABLE **3.1**

Stakeholder participation spectrum

Low level of stakeholder participation		Mid level of stakeholder participation	High level of stakeholder participation	
Inform	Consult	Involve	Collaborate	Empower
Provide stakeholders with balanced and objective information to help them understand the problem, alternatives and solutions	Obtain stakeholder input on analysis, alternatives or decisions	Work directly with stakeholders throughout the process to ensure that their concerns and aspirations are consistently understood and considered	Partner with stakeholders in each aspect of decision-making, including developing alternatives and identifying preferred solutions	Place decision-making in the hands of stakeholders
"We will keep you informed."	"We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how stakeholder input influences the decision."	"We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how stakeholder input influenced the decision."	"We will look to you for advice and innovation in formulating solutions, and incorporate your advice and recommendations into the decisions to the maximum extent possible."	"We will implement what you decide."

Source: Adapted from IAP2 (2014).

3.3 Principles of effective stakeholder participation

The following five principles underpin and guide the implementation of stakeholder participation, especially where the guidance provides flexibility. It is a *key recommendation* to base stakeholder participation on the principles of inclusiveness, transparency, responsiveness, accountability and respect for rights:

- **Inclusiveness.** All stakeholders have opportunities and the capacity to participate effectively and equitably, including both men and women, with special attention to stakeholder groups that may be marginalized and that may be directly affected by the policy.

- **Transparency.** Information relevant to making an informed decision is disseminated to all stakeholders and publicly accessible, in a format that can be understood, and provided in advance to enable effective participation.

- **Responsiveness.** Changes are made in response to stakeholders' input, as appropriate; stakeholders are informed how their input has been addressed; and stakeholder requests for information and for resolution of grievances are resolved impartially and promptly.

- **Accountability.** Clear governance structures and processes are established, including for decision-making and oversight, and for resolution of grievances with appropriate redress.

- **Respect for rights.** Stakeholders' rights relating to policies and their impacts are recognized and respected, with special attention to stakeholder groups that may be marginalized and directly affected. Rights include procedural rights, such as the right to information, participation and access to justice; and substantive rights, including both customary rights and statutory rights.

In many cases, legal frameworks at local, national and international levels – including customary practices and non-binding agreements that establish norms – define rights relating to each of these principles.

Relevant international legal frameworks include United Nations principles and corresponding agreements relating to rights – for example, on human rights, indigenous peoples and women's rights – and any treaties, conventions and other agreements that the country is party to. Box 3.1 provides examples of relevant international agreements.

Users should note that existing frameworks can be contradictory. In such cases, participatory processes need to be set in place to address contradictions when designing, implementing or evaluating policies.

BOX **3.1**

Examples of relevant international treaties, conventions and agreements

- **United Nations Universal Declaration of Human Rights.** This declaration, adopted by the United Nations General Assembly, sets out fundamental human rights to be universally protected. Although the declaration is not legally binding, it is the foundation for a number of national and international laws and treaties.
- **United Nations Convention on the Elimination of All Forms of Discrimination against Women.**[7] This international treaty, adopted by the United Nations General Assembly, legally binds all parties to fulfil, protect and respect women's human rights. It defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.
- **United Nations Declaration on the Rights of Indigenous Peoples.**[8] This declaration establishes a universal framework of minimum standards for the survival, dignity and well-being of the indigenous peoples of the world. Although not legally binding, it elaborates on existing human rights standards and fundamental freedoms as they apply specifically to indigenous peoples.
- **International Labour Organization Convention 169 on Indigenous and Tribal Peoples.**[9] This convention, which is legally binding for member states, is the only international law guaranteeing the rights of indigenous and tribal peoples. It recognizes and protects land ownership rights, and sets a series of minimum standards regarding consultation and consent.
- **UNECE Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention).** This convention is legally binding for parties and establishes a number of rights of the public (individuals and their associations) with regard to the environment.

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[10] Available at: www.ohchr.org/en/professionalinterest/pages/cedaw.aspx.

[11] Available at: www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.

[12] Available at: www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169.

PART II

Key elements of effective stakeholder participation

4 Planning effective stakeholder participation

Planning and sharing of plans for stakeholder participation help stakeholders to understand the opportunities for participation, and the role they can have in designing, implementing and assessing policies. It helps them to decide how and when they want to participate, and to prepare for their participation. Planning stakeholder participation involves identifying activities, methods, timing, roles, responsibilities and resources to meet the defined objectives of stakeholder participation effectively and efficiently throughout the policy design and implementation cycle.

Checklist of key recommendations

- Commence stakeholder participation at the start of, and continue it throughout, the policy design and implementation cycle
- Determine the objectives and scope of stakeholder participation before starting stakeholder participation activities
- Make an initial identification of stakeholder groups at the start of planning, and establish processes for representatives of these groups to inform decisions on planning, including on the objectives of, and opportunities for, stakeholder participation
- Develop a stakeholder participation plan that specifies the activities, methods, timing, roles, responsibilities, reporting and resources that are required to meet the identified objectives of stakeholder participation
- Publish the stakeholder participation plan and disseminate it to stakeholders
- Revise and improve the stakeholder participation plan iteratively after each phase of its implementation

4.1 Identifying the objectives for stakeholder participation

It is a *key recommendation* to commence stakeholder participation at the start of, and continue it throughout, the policy design and implementation cycle. Stakeholder participation must have a purpose. It is a *key recommendation* to determine the objectives and scope of stakeholder participation

before starting stakeholder participation activities (see Box 4.1). The primary objective may be to ensure that the policy design, implementation and assessment processes are informed by a well-represented understanding of stakeholder views, knowledge and interests. Stakeholder participation can also foster positive stakeholder relationships, including interpersonal relationships, during a process that might involve a wide divergence of views, opinions, interests and expectations. It can enable stakeholder learning – including learning about the perspectives of other stakeholders. This understanding and learning can enhance the contributions of stakeholders, and enable them to assume and share responsibility for policies (see Chapter 1 for rationale and Chapter 2 for potential objectives of stakeholder participation). When defining the scope of participation, it is important to determine the extent to which participation can influence design of a policy without compromising the policy goals (e.g. emissions reduction goals).

The mandate for conducting stakeholder participation should be clearly established and assigned by the entity responsible for the design, implementation and assessment of the policy. Where the lead entity lacks the appropriate competencies for conducting stakeholder participation, assistance from others should be sought to facilitate and manage the different elements of participation (see Part II of this guide for details on the elements of effective stakeholder participation).

It is a *key recommendation* to make an initial identification of stakeholder groups at the start of planning, and establish processes for representatives of these groups to inform decisions on planning, including on the objectives of, and opportunities for, stakeholder participation. When starting to plan stakeholder participation, users should conduct an initial identification of stakeholder groups and involve stakeholders from these groups in defining the objectives of the participation. The initial objectives and scope of the participation should be adjusted based on input received from stakeholders.

BOX **4.1**

Examples of requirements relating to involuntary resettlement, indigenous peoples and cultural heritage

When setting objectives, identify and ensure conformity with:

· national legal requirements and norms for stakeholder participation in public policies

· requirements of specific donors

· international treaties, conventions and other agreements that the country is party to.

These are likely to include requirements for disclosure, impact assessments and consultations. In the case of policies involving involuntary resettlement, indigenous peoples or cultural heritage, special requirements for stakeholder participation in country legislation, donor policies and/or international law may apply. The World Bank's *Environmental and Social Framework* (2017)[13] provides standards relating to involuntary resettlement, indigenous peoples and cultural heritage, as well as standards for information disclosure and stakeholder engagement:

· Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

· Environmental and Social Standard 7: Indigenous Peoples

· Environmental and Social Standard 8: Cultural Heritage

· Environmental and Social Standard 10: Information Disclosure and Stakeholder Engagement.

United Nations documents outlining special provisions relating to indigenous peoples include:

· Declaration on the Rights of Indigenous Peoples (2007)

· Office of the United Nations High Commissioner for Human Rights (OHCHR) *Indigenous Peoples and the United Nations Human Rights System* (2013)[14]

· United Nations Development Programme (UNDP) *Guidelines on Indigenous Peoples' Issues* (2008)[15]

· OHCHR *Guiding Principles on Business and Human Rights* (2011)[16]

· UN-REDD (reducing emissions from deforestation and from forest degradation) Programme *Guidelines on Free, Prior and Informed Consent* (2013)[17]

· OHCHR reports of the Expert Mechanism on the Rights of Indigenous Peoples[18] and the Special Rapporteur on the Rights of Indigenous Peoples to the Human Rights Council[19]

· OHCHR reports of the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises (2013).[20]

4.2 Developing a stakeholder participation plan

It is a *key recommendation* to develop a stakeholder participation plan that specifies the activities, methods, timing, roles, responsibilities, reporting and resources that are required to meet the identified objectives of stakeholder participation. Once engaged, stakeholders should be involved in a review of the initial stakeholder participation plan to increase the likelihood that it meets its intended purpose and objectives. It is a *key recommendation* to publish the stakeholder participation plan and disseminate it to stakeholders.

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[13] Available at: http://documents.worldbank.org/curated/en/383011492423734099/pdf/114278-WP-REVISED-PUBLIC-Environmental-and-Social-Framework.pdf.

[14] Available at: www.ohchr.org/Documents/Publications/fs9Rev.2.pdf.

[15] Available at: www.un.org/esa/socdev/unpfii/documents/UNDG_guidelines_EN.pdf.

[16] Available at: www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.

[17] Available at: www.uncclearn.org/sites/default/files/inventory/un-redd05.pdf.

[18] Available at: www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/EMRIPIndex.aspx.

[19] Available at: www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/SRIPeoplesIndex.aspx

[20] Available at: www.ohchr.org/EN/Issues/Business/Pages/WGHRandtransnationalcorporationsandotherbusiness.aspx.

Planning for effective stakeholder participation:

- begins at the start of the overall planning process for the policy

- continues actively on an iterative basis, as risks, impacts or new context issues arise, enabling adaptive management

- identifies methods and approaches that are gender-sensitive and socioculturally appropriate, and that address barriers to participation, using concepts, language and terminology that are understandable to stakeholders

- uses or builds on consultation and participation structures and processes already in use in the country that have proven to be effective and legitimate, based on previously reported experiences

- links or integrates with related stakeholder participation processes for other policies

- includes measures to ensure that all participation is free from external manipulation, interference, coercion, discrimination and intimidation

- ensures that a full range of stakeholders are identified and that:

» their differences and barriers to participation are understood (see Chapter 5)
» multi-stakeholder bodies enable equitable and balanced representation and participation of all stakeholder groups to support decision-making (see Chapter 6)
» all relevant information is understandable, publicly accessible and disseminated to stakeholders in a timely manner (see Chapter 7)
» socioculturally appropriate and gender-sensitive consultations enable effective exchange of information between stakeholders, so that diverse stakeholders can provide input reflecting their needs and interests (see Chapter 8)
» fair, impartial, accessible and responsive grievance redress mechanisms are in place to ensure that grievances are addressed in an efficient and timely manner (see Chapter 9)
» the stakeholder participation process is documented and reported (see Chapter 10).

An example of a stakeholder participation process is provided in Box 4.2. Box 4.3 describes the information that should be provided in a stakeholder participation plan.

BOX **4.2**

Example of how the elements of effective stakeholder participation can be addressed iteratively throughout the stakeholder participation process

- Make initial identification of stakeholder groups.
- Establish initial advisory group.
- Develop initial plan for stakeholder engagement.
- Refine identification of stakeholder groups.
- Revise composition of advisory group and/or other governance bodies.
- Assess opportunities for, and barriers to, stakeholder participation.
- Refine plan for stakeholder engagement, including methods to be used.
- Provide all relevant information to stakeholders, including about policies, their impacts (if known), process for impact assessment and opportunities to participate.
- Conduct consultations.
- Use information to improve the impact assessment.
- Provide feedback to stakeholders on how their input has been used.
- Communicate the impacts of policies to stakeholders.

BOX **4.3**

What is a stakeholder participation plan?

A stakeholder participation plan describes the following:

- The objectives of stakeholder participation, incorporating stakeholder expectations for their participation.
- The process for identifying, mapping and understanding stakeholders (e.g. understanding their interest in, and influence over, the policy), and capacity-building or other approaches needed to enable effective participation of different stakeholder groups, including marginalized groups.
- The timing and methods by which stakeholders will participate throughout the policy design and implementation cycle. This includes explaining the approaches that will be used to enable effective participation of all stakeholder groups.
- The type and timing of information to be communicated to different stakeholders, setting out how communication with stakeholders will be handled throughout the policy design and implementation cycle. Dedicated approaches and different levels of resources may be needed for communication with different stakeholder groups so that they can obtain the information they need, in a timely manner, about the issues that potentially affect them.
- The measures that will be used to remove barriers to participation for stakeholder groups, including marginalized groups.
- How the input of different stakeholder groups will be captured.
- Governance arrangements for stakeholder participation, including decision-making, oversight, implementation, monitoring and evaluation of the stakeholder participation process, and links with governance arrangements for the policy.
- Mechanisms for feedback and for grievance redress.
- Processes to evaluate effectiveness of stakeholder participation and improve the stakeholder participation plan after each phase of its implementation.
- Processes for reporting, disclosure and dissemination of stakeholder participation activities.
- Financial and other resources required and available for implementation of all elements of the stakeholder participation plan. These include ongoing costs, such as for the functioning of multi-stakeholder bodies, and for feedback and grievance redress mechanisms.

4.3 Adopting an iterative approach to planning

It is a *key recommendation* to revise and improve the stakeholder participation plan iteratively after each phase of its implementation. Stakeholder participation should be an inclusive process conducted throughout the policy design and implementation cycle. An iterative approach to planning increases the effectiveness of stakeholder participation and enables adaptive management. Through review and feedback, participants in the stakeholder participation process identify areas where improvement is needed and seek effective ways to make these improvements.

Adaptive management – involving monitoring, evaluating and adjusting plans throughout the process – allows uncertainty to be addressed by maintaining flexibility in planning. Iterative planning for adaptive management recognizes that most initiatives go through changes. For example, the scope might expand or shrink, budgets or other resources might change, the timeline might change, the stakeholders might change, and the tasks might present new challenges.

It is helpful to discuss and plan stakeholder participation in phases – for example, revisiting the planning at the start of each stage of policy design and implementation. Users should meet with representatives of the identified stakeholder groups at the start of each phase of the stakeholder participation process, and/or each stage of policy design and implementation, to review the experiences of the prior phase or stage and consider new context for the stakeholder participation plan moving forward.

5 Identifying and understanding stakeholders

Effective stakeholder participation involves identifying all types of stakeholders and understanding their differences across many dimensions, with special attention to those who may be marginalized. Stakeholder mapping helps users to understand the relative influence, impact or other characteristics of different stakeholder groups, and to prioritize stakeholders with respect to objectives and strategies for stakeholder participation.

Checklist of key recommendations

- Establish criteria for identifying stakeholders
- Establish a participatory process for identifying stakeholders
- Follow a transparent and participatory process for understanding the interests, power and influence of different stakeholder groups; their stake in the policy; the way and extent to which they may be affected; and their expectations of the participation process
- Establish a participatory process for identifying legitimate representatives of stakeholder groups
- Identify the opportunities and barriers affecting the participation of different stakeholders, particularly for women, indigenous peoples, youth and other groups that may be marginalized, and involve these stakeholders in identifying appropriate methods and approaches to enable their effective participation

5.1 Importance of identifying and understanding stakeholders

Identifying and understanding the full range of stakeholders relevant to the design, implementation and assessment of policies is important to:

- identify all parties with an interest or stake in the policy who will be interested or have a right to participate
- build an understanding of the power and influence of stakeholders, and how they can

influence the policy, to help harness their support and avoid risks caused by lack of stakeholder support

- promote inclusiveness and raise awareness among stakeholders about other stakeholders, and, in the case of divergent interests, the potential need to collaborate and compromise to find a solution that is fair to all parties
- increase understanding of the extent to which stakeholders may be impacted positively or negatively by the policy, as a basis for revising the policy to reduce negative impacts and enhance positive impacts
- understand the capacity of individuals and groups participating, and the incentives and obstacles to their participation so that appropriate methods to facilitate participation can be adopted.

5.2 Criteria for stakeholder identification

It is a *key recommendation* to establish criteria for identifying stakeholders. The criteria should identify all individuals or groups who may:

- be affected, either positively or negatively, and directly or indirectly, by the implementation and associated impacts of the policy, including those who are potential actors in the design or implementation of the policy and those who are actors in the issues that the policy aims to address
- directly affect the design, implementation or assessment of the policy, either positively or negatively
- have an interest in the policy, including those who bring expert knowledge to the process.[21]

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[21] Adapted from World Bank (2016).

Some stakeholders may be identified or may be marginalized through a country's policies, laws and regulations, which should be taken into consideration in developing criteria for inclusion of stakeholders.

5.3 Methods for stakeholder identification

It is a *key recommendation* to establish a participatory process for identifying stakeholders. Stakeholders who are identified early in the process can help to identify further stakeholders and appropriate methods for their participation. It may be necessary to revisit stakeholder identification throughout the process if new information becomes available when the context for, or the details of, the policy change. All stakeholders who want to participate should be provided with equal opportunities throughout the process to participate and contribute to outcomes.[22]

Stakeholders can be identified, considered and selected using a combination of approaches, including:

- **Experts.** Ask staff, government agencies, NGOs, local people, interested groups or academics who have knowledge about the policy context.

- **Self-selection.** Make announcements at meetings, in newspapers, on local radio or through other media to invite stakeholders to come forward. This will attract those who believe they will gain from communicating their views.

- **Other stakeholders.** Ask stakeholders to suggest other stakeholders who share their views and interests, as well as those who may have a different way of looking at the issues relevant to the policy.

- **Written records and population data.** Use census and population data, which can provide useful information about numbers of people by age, gender, religion and residence, among other characteristics. Sources of data include directories, organizational charts, surveys, reports or written records issued by local authorities, donor agencies, government

bodies, experts, academics, NGOs, business and industry.

- **Oral or written accounts of major events.** Ask stakeholders to describe major events that are relevant to the policy context and the people who were involved in these events.

- **Checklists.** Use or modify the checklists provided in Boxes 5.1 and 5.2.[23]

5.4 Understanding stakeholder profiles and characteristics

It is a *key recommendation* to follow a transparent and participatory process for understanding the interests, power and influence of different stakeholder groups; their stake in the policy; the way and extent to which they may be affected; and their expectations of the participation process. An understanding of the different profiles and characteristics of stakeholder groups and individuals can be developed by systematically seeking to understand their relationship to the policy in terms of:

- their knowledge of the issues relating to the policy

- their existing relationship with the design, implementation and assessment of the policy (e.g. close or distant, formal or informal, level of support or opposition)

- how the policy affects them (e.g. positive or negative, direct or indirect)

- their perceived power and ability to advance or hinder the design, implementation or assessment of the policy, or the participation processes

- their relationships with other stakeholders and interests

- their expectations of stakeholder participation

- their willingness to participate

- their type of organization (e.g. civil society, government, consumer, producer, trader)

BOX **5.1**

Illustrative checklist for stakeholder identification[20]

1. Individuals (e.g. company owners)
2. Families and households (e.g. long-term local residents)
3. Traditional groups (e.g. clans)
4. Community-based groups (e.g. self-interest organizations, neighbourhood associations, gender or age-based associations)
5. Local traditional authorities (e.g. village council of elders, traditional chief)
6. Political authorities recognized by national laws (e.g. elected representatives at the village, local or district levels)
7. NGOs that link different communities (e.g. council of village representatives, district or local-level association of fishermen, natural resource management groups)
8. Local governance structures (administration, police, the judicial system)
9. Agencies with legal jurisdiction over natural resources, land and water
10. Local governmental services in areas such as education, health, environment, agriculture and forestry
11. Relevant NGOs at the local, national or international levels
12. Political party structures (at various levels)
13. Religious bodies (at various levels)
14. National interest organizations (e.g. workers' unions or people's associations, women's groups)
15. National service organizations (non-governmental voluntary service clubs)
16. Voluntary cultural associations
17. Businesses and commercial enterprises (from local cooperatives to international corporations), and business associations
18. Universities and research organizations, and technical or professional organizations or agencies
19. Local banks and credit institutions, and national banks
20. Government authorities at the district and regional levels
21. National governments, including ministries and agencies responsible for relevant sectors
22. Foreign aid or development cooperation agencies (government and non-government)
23. Staff and consultants of relevant projects and programmes
24. International multilateral agencies (such as United Nations Children's Fund – UNICEF, Food and Agriculture Organization of the United Nations, United Nations Environment Programme – UNEP, UNDP)
25. Other international organizations (such as International Union for Conservation of Nature, World Wildlife Fund)

- their sociocultural context

- their relationship to the geographical scale of the policy

- their capacity to participate (e.g. language barriers, information technology literacy, disability)

- their legitimacy, and role in governance and representation mechanisms.[25]

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[25] Adapted from AccountAbility (2015).

BOX **5.2**

Checklist of questions to deepen stakeholder identification

1. Are there specific communities, groups or individuals who may be affected by the policy or impact assessment? For example, are there indigenous communities or nomads, or traditional resource users with customary rights in the national context? Are there recent arrivals? Non-residents? Absentee landlords? Are there local communities or non-profit organizations concerned with the issues?

2. Are there business people or industries (across a wide range of sectors) that might be negatively affected by the policy, impact assessment and other decisions? Who, including businesses, has invested in the economic activities that will be affected?

3. Are there research, development, conservation, mitigation or adaptation projects and programmes to be considered? Are there employees (national and international) who will be affected by the policy? Who among these people are active in, or affected by, the policy?

4. Who are the main traditional authorities in the jurisdiction who can speak about the implications of the policy – and about what is at stake? What are the respected institutions that people rely on?

5. Who has access to, and/or uses, the land, forest, air, water or other resources that are likely to be affected?

6. Which communities, groups and individuals are most dependent on, or have a stake in, the policy or impact assessment processes? Is this related to livelihood or economic activity?

7. Who is responsible for claims, including customary rights and legal jurisdiction, in the territory or area to be affected? Are communities with historical or other types of acquired rights involved?

8. Which government agencies are officially responsible for the policy?

9. Are there national or international bodies involved because of specific laws or treaty obligations?

10. Which communities, groups or individuals are most knowledgeable about, and capable of dealing with, the issue and the policy? So far, who has direct experience in managing the issue and policy, or facilitating their participation in managing them?

11. How does use of the resources change depending on the season, the geography and the interests of the users? Are there seasonal migration patterns? Are there major events or trends (e.g. development projects, land reforms, migration, disaster, natural increase or decrease in the population) affecting local communities and other interested parties?

12. Are there co-management projects around that people are familiar with? If so, to what extent are they succeeding? Who are their main partners? What experiences do people have with co-managing GHG mitigation initiatives or sustainable development initiatives?

13. Who are the legitimate representatives of these stakeholder groups?

## 5.5 Mapping to prioritize stakeholders and identify appropriate approaches for their participation

"Mapping" stakeholders helps to determine which groups and individual representatives are most important to engage with in relation to the purpose and scope of the participation (see Chapter 4 on identifying objectives). Various methods can be used to map stakeholders. Two common methods are described below: the "rainbow diagram" and the "stakeholder matrix". The method that works best for the context should be used.

5.5.1 Rainbow diagram

The rainbow diagram (see Figure 5.1) is often used to understand the extent to which stakeholder groups are affected compared with the extent to which they are influential.

The rainbow diagram can be adapted to understand any differences between stakeholder groups. For example, the semicircles can be used to identify stakeholder groups working at local, regional and national levels, and the pie-shaped wedges can be used to show the extent to which these groups are affected by the policy. Box 5.3 illustrates how the

FIGURE **5.1**

Rainbow diagram

Source: Adapted from Chevalier and Buckles (2008).
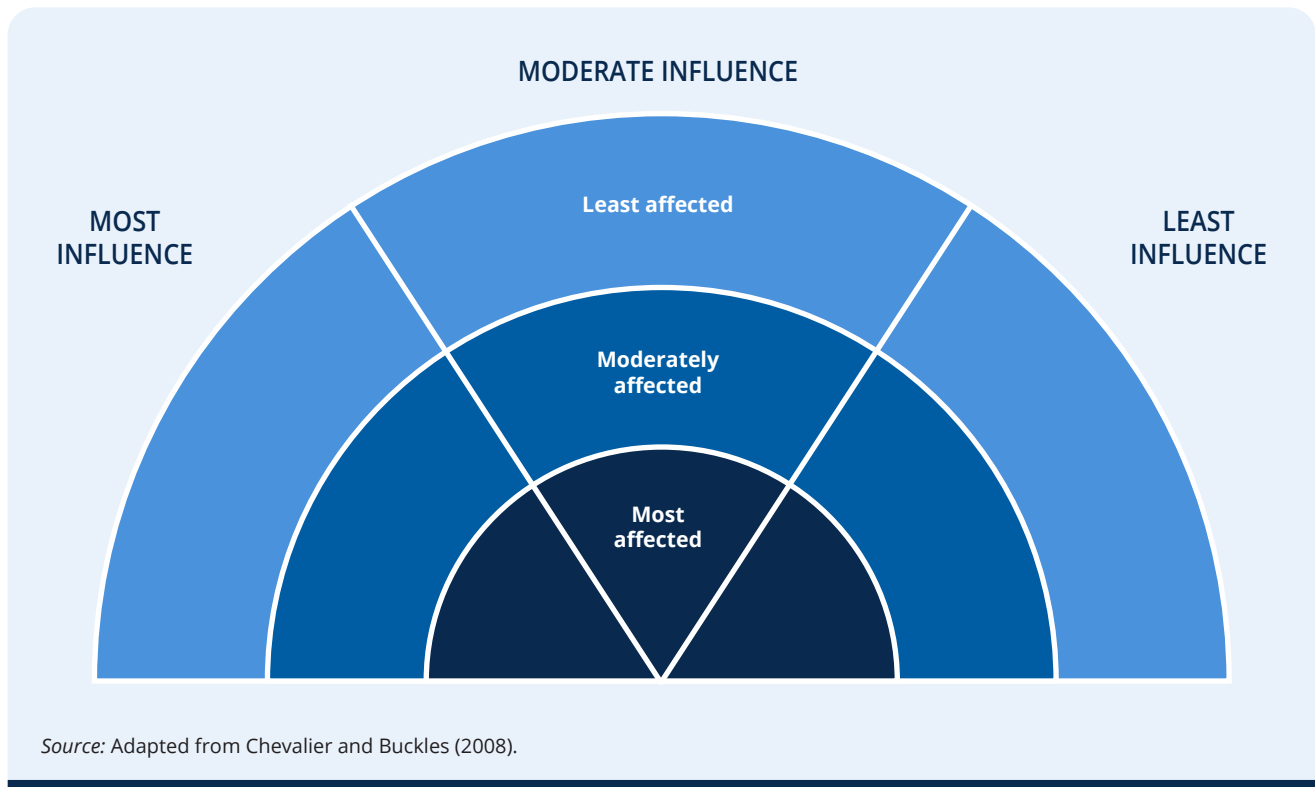
stakeholders of a sustainable development impact assessment were mapped using a rainbow diagram.

Mapping can be based on any of the criteria used to characterize stakeholders. Mapping of stakeholders can be done using several criteria on one diagram or "map" – and may involve several maps to gain better insight. For example, potential stakeholders' level of influence (the pie-shaped wedges in Figure 5.1) can be mapped against their willingness or capacity to engage (in the semicircles), or their knowledge of issues can be mapped against their expectations.

5.5.2 Stakeholder matrix

A "stakeholder matrix" can also be used to map stakeholders by understanding the relationships between the stakeholders and the policy (see Figure 5.2). The level of interest and influence of stakeholders will depend on a range of issues, such as the nature of the policy, the timing and extent of their involvement, and their ability to affect the outcomes.

Figure 5.2 illustrates how the stakeholders of a solar photovoltaic (PV) incentive policy might be mapped on a stakeholder matrix. The stakeholders are mapped according to their level of interest in, and level of influence over, the policy. The eligible sectors for this policy include residential (all types of residential buildings), institutional (schools, health institutions), social sector (community centres, welfare homes, old-age homes, orphanages, common service centres), and commercial and industrial facilities. In the stakeholder matrix, installation is focused on residential buildings; therefore, the relevant stakeholders might have the following levels of interest in, and influence over, the policy:

- **Residential building owners** are likely to have a high interest in, and medium influence over, the policy, given the potential payback they could receive from installing solar panels and the high upfront cost of installation.

- **PV manufacturers** may have a high interest in, and high influence over, the policy, given their interest in selling their product and their

BOX **5.3**

Identifying and mapping stakeholders of a sustainable development assessment in Mexico

A researcher at Aalto University assessed the sustainable development impacts of two climate actions in public buildings in Mexico: installing PV panels and changing fluorescent lamps to LED lamps. Both actions are part of the Mexican State of Jalisco's Carbon Management Plan, which was developed by the Ministry of Environment and Territorial Development (SEMADET) in cooperation with Carbon Trust. The office buildings of the Sub-Administration of the Ministry of Planning, Administration, and Finance (SEPAF) were the first to undergo the retrofit.

As part of the assessment, it was important to identify a balanced group of stakeholders to provide a comprehensive and robust range of information and insights. To identify stakeholders to engage, the study used the rainbow diagram below. The diagram helped identify and classify specific people and groups of people who are both affected by the policy and have influence over the policy to varying levels. This helped identify key impact categories for the assessment.
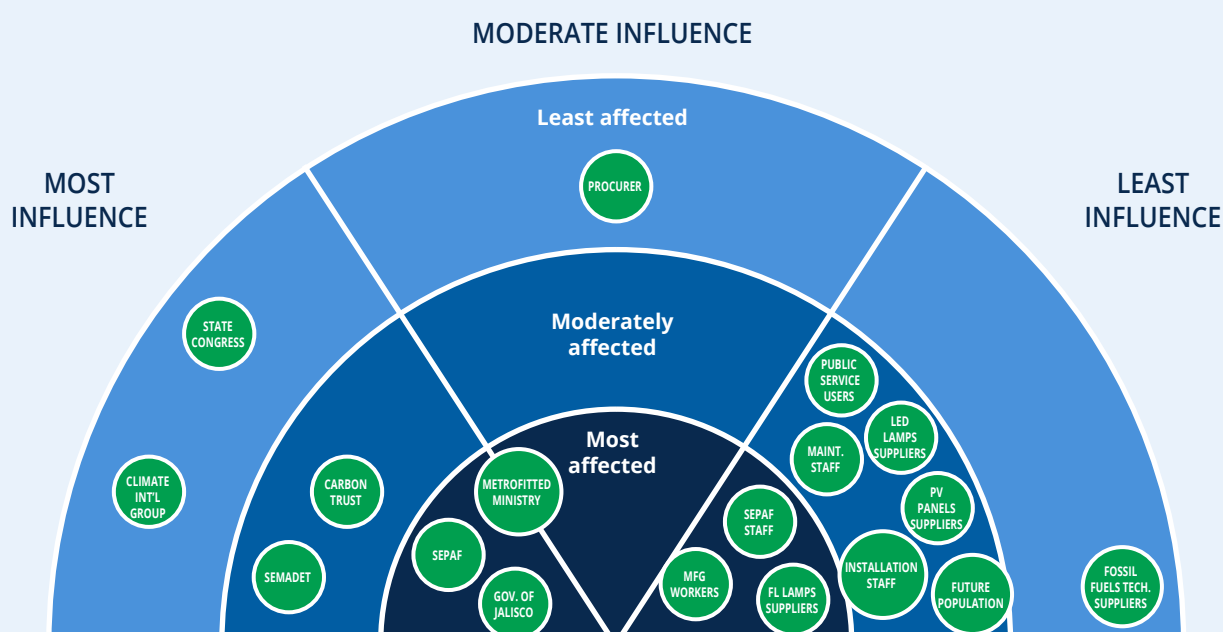
role in producing the product so that the policy can be implemented.

- **Utilities** are likely to have a high interest in, and high influence over, the policy because of their key role in connecting the solar PV installation to the grid and their interest in maintaining their critical role in the energy system.

- **Consumers** are likely to have a relatively low interest in, and low influence over, the policy because they are likely to continue consuming electricity from the grid regardless of the energy source, unless prices increase dramatically or the supply becomes unstable.

The following method can be used when completing a stakeholder matrix:

1. Make a list of stakeholder groups (see Section 5.2 on how to identify stakeholders).

2. Draw a set of two-by-two quadrants with one criterion increasing on the x axis and the other increasing on the y axis.

3. Write the name of each stakeholder group on an index card or post-it note.

4. Rank the stakeholders on a scale of 1 to 5, according to the two criteria in the matrix,

such as "interest in the policy outcomes" or "influence over the policy".

5. Consider the following:

   » Are there any unexpected placements?
   » Which stakeholders have the most and least opportunities to participate?
   » Are there stakeholders for whom additional efforts should be made to ensure engagement?

Boxes A, B and C in the matrix (see Figure 5.2) are the key stakeholders of the policy. The implications of each box are summarized below:

- **Box A.** These stakeholders are important for the policy's success. It is important to construct good working relationships with these stakeholders to ensure an effective coalition of support for the policy. Examples might be senior government officials, politicians or trade unions.

FIGURE **5.2**

Stakeholder matrix

Source: Adapted from Victorian Department of Education and Early Childhood Development (2011).

- **Box B.** The interests of these stakeholders may need to be protected. An example may be marginalized groups such as indigenous peoples, youth or the elderly, who might be beneficiaries of the policy but who have little "voice" in its development.

- **Box C.** These stakeholders can affect the policy outcomes, but their interest in the policy is not necessarily aligned with the overall goals of the policy. An example might be financial administrators with control over funding. These stakeholders could be a barrier to success of the policy, and may need specific monitoring and engagement.

- **Box D.** Limited monitoring and engagement are needed for this group of stakeholders, although they should be kept informed.

The interest or influence of a stakeholder may change as the policy progresses. Therefore, it is important to reassess – to identify new stakeholders and changes in the level of stakeholder participation – at each phase of implementation of the stakeholder participation plan, as discussed in Chapter 4.

Setting clear criteria for mapping stakeholders helps to avoid being driven by non-strategic considerations such as the "noisiest" stakeholders, the short-term focus of the media, or the comfort zone of managers or government personnel.

Initial profiling and mapping can take place without the systematic involvement of stakeholders. However, as planning continues, identified stakeholder representatives should be involved in the stakeholder selection process and adjustments made based on their input.

Box 5.4 illustrates how the stakeholders of a sustainable development impact assessment were mapped using a stakeholder matrix.
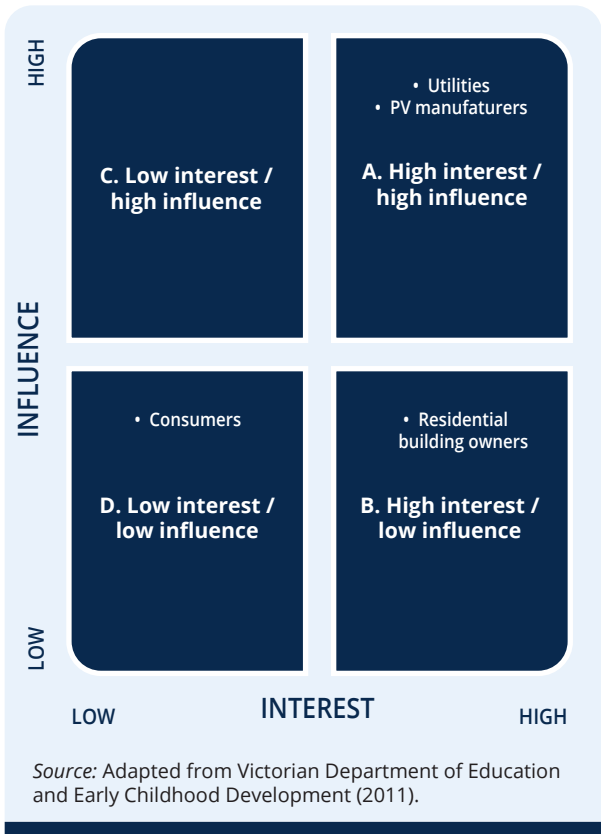
5.5.3 Further references

For guidance on approaches to stakeholder analysis and mapping, see the following references:

- Better Evaluation's "Stakeholder mapping and analysis" provides guidance on identifying

stakeholders to inform data collection and evaluation processes.[26]

- Morphy's *Stakeholder Analysis* provides step-by-step guidance on how to analyse stakeholders by their influence and interest.[27]

- Requirements Techniques' "Stakeholder power/interest analysis" provides step-by-step guidance for using the stakeholder matrix to identify stakeholders.[28]

BOX **5.4**

Participatory identification and mapping of stakeholders in Kenya

A stakeholder identification and mapping exercise was conducted to prepare for an assessment of potential sustainable development impacts of a policy to reduce emissions by shifting freight from road to rail between Mombasa (port) and Nairobi (capital city) in Kenya. The identification and mapping were conducted as a participatory exercise by a group of stakeholders from relevant government departments and NGOs at a workshop hosted by the Climate Change Directorate of the Ministry of Environment and Forestry in October 2018.

The photo below shows participants at the workshop.

Source: © Joanna Durbin/Conservation International

The workshop participants followed the methods outlined in this chapter for completing a stakeholder matrix, by identifying a long list of stakeholder groups (see table below), and assigning a level of interest and influence on a scale from 1 (lowest) to 5 (highest) to each group.

Participatory identification and mapping of stakeholders in Kenya

Stakeholders	Interest	Influence
Kenya Ports Authority	5	4
County governments	5	3
Local communities	3	3
Kenya Revenue Authority (KRA)	4	4
Kenya Railways Corporation (KRC)	5	5
National Transport & Safety Authority (NTSA)	3	3
National Land Commission (NLC)	5	5
Kenya Wildlife Service (KWS)	5	3
Kenya Forest Service (KFS)	5	3
Ministry of Environment & Forestry (MEF)	5	3
National Environment Management Authority (NEMA)	5	2
Environmental Institute of Kenya (EIK)	5	1
Private sector (forest owners)	5	1
Kenya National Highways Authority (KeNHA)	3	2
The National Treasury (TNT) & Planning	3	5
Investors	5	3
Civil society & community-based organisations (CSOs and CBOs)	4	3
Clients	5	2
Service users/passengers	3	2

Stakeholders	Interest	Influence
Drivers (trucks)	4	2
Kenya Pipeline Company (KPC) security	2	2
Security	2	5
Ministry of Trade	3	3
Kenya Civil Aviation Authority (KCAA)	2	2
Kenya Maritime Authority (KMA)	4	3
Shipping companies	5	2
Insurance companies	3	1
Petroleum Institute of East Africa (PIEA)	4	3
Kenya Bureau of Standards (KEBS)	2	2
Kenya National Bureau of Statistics (KNBS)	1	1
Banks	4	2
Landowners	5	5
East African Community (EAC)	5	3
Lamu Port (LAPPSET) Corridor Development Authority	5	4
Business owners	4	2
Council of governments (COG)	2	3
Marginalized groups	1	3
State Dept of Planning	3	5
Ministry of Lands	4	5
Sector ministries	4	4
Countries	4	4

BOX 5.4, continued

Participatory identification and mapping of stakeholders in Kenya

The stakeholders were plotted on a matrix (see below) to help plan appropriate levels of engagement for the sustainable development assessment, and for design and implementation of the policy more broadly.

INFLUENCE

HIGH 5

C. Low interest / high influence

• Security

• Marginalized groups

• COG

4

3

A. High interest / high influence

• TNT & Planning

• State Dept of Planning

• Sector ministries

• Countries

• Ministry of Lands   • KRC

• Landowners

• NLC

• Kenya Ports Authority

• KRA

• LAPPSET

• NTSA

• Ministry of Trade

• Local communities

• MEF

• PIEA

• KMA

• CSOs

• CBOs

• KFS

• EAC

• Investors

• KWS

• County govts

D. Low interest / low influence

• KPC Security

• KEBS   • KCAA

• KNBS

2

1

LOW 1

B. High interest / low influence

• Service users / passengers

• KeNHA

• Truck drivers

• Banks   • Business owners

• NEMA

• Clients

• Shipping companies

• Private sector – forest owners

• Insurance companies

• EIK

1   2   3   4   5
LOW   INTEREST   HIGH

5.6 Identifying legitimate stakeholder representatives

It is a *key recommendation* to establish a participatory process for identifying legitimate representatives of stakeholder groups. Stakeholder representatives are important to facilitate the participation of larger stakeholder groups. They can disseminate information to, and receive information from, the members of these groups.

When identifying stakeholder representatives, it is important to ensure that these individuals are indeed true representatives of their constituents, and can be relied upon to faithfully advocate for them and communicate information back to them. Stakeholder representatives should have sustained interest and time to engage in the participation process and to communicate with their stakeholder group, as well as the capacity and resources to fulfil their role.

Stakeholder groups should select their own representatives through a mechanism that they define based on agreed criteria, by-laws and norms. Provision should be made to enable representatives to share and receive information, and to discuss issues with their constituents, to ensure effective participation.

One way to validate legitimacy of representatives is by talking directly to a sample of the stakeholders to assess how well (or perhaps how inconsistently) stakeholder views are being represented. Another way is to validate that stakeholders have indeed transparently selected their own representatives.

5.7 Enhancing opportunities for, and reducing barriers to, stakeholder participation

It is a *key recommendation* to identify the opportunities and barriers affecting the participation of different stakeholders, particularly for women, indigenous peoples, youth and other groups that may be marginalized, and involve these stakeholders in identifying appropriate methods and approaches to enable their effective participation. Barriers to participation can reduce the effectiveness of stakeholder participation. Although it may not be possible to remove all barriers, it is important to make efforts to enhance participation of stakeholders. Being respectful of differences and acknowledging that invisible barriers to communication exist are critical.

Identify opportunities to increase participation and reduce barriers to participation of each stakeholder group through initial profiling of stakeholder groups and ongoing adjustment in discussion with members of each group. This includes knowing how information is best provided to each stakeholder group; their needs for timely and continuous capacity-building; the most effective methods for conducting inclusive, socioculturally sensitive and gender-sensitive consultations; and the resources needed to facilitate participation. Consult participants about what might prevent or hinder their participation, and what arrangements can be made for them to feel comfortable and to become involved.

Examples of barriers to participation and ways to address them include the following:

- **Information.** Stakeholders may not have adequate information about the policy, the process or the substantive issues to participate effectively. Information needs to be in an appropriate format and language, using concepts that the stakeholders understand. Chapter 7 discusses how to provide information to various stakeholder groups based on their circumstances.

- **Capacity.** Stakeholders may not have the knowledge, understanding or skills required for effective participation, either as an individual or as a representative. Education, training and public awareness may be needed to build the capacity of stakeholders to participate effectively. Where experienced people and resources for capacity-building are limited, supportive partnerships can sometimes be developed with national or international NGOs, universities, consulting companies, or bilateral or multilateral agencies.

- **Accessibility.** Stakeholders may lack access to technology (e.g. the Internet), face certain social or cultural constraints, or be in locations that are not conducive to participating in meetings or written consultations, online or otherwise. To address such constraints, hold meetings at a time and location that suit the stakeholder groups, and use approaches and technologies that are familiar to them and that they can access easily. Identify socioculturally appropriate and gender-sensitive approaches that provide a safe setting for women and men of all ethnicities and political affiliations. For example, this may involve holding separate consultation meetings with women or other groups.

- **Financial and other resources.** Stakeholders may not have adequate resources to travel and participate in consultations. Support for transportation, accommodation and food may be necessary for certain groups to participate. Other forms of compensation, including cash payments (e.g. daily sitting allowances or per diems), should be considered cautiously, because they could potentially influence, or be perceived to influence, stakeholders' input.

- **Timing.** The schedule should allow sufficient time for stakeholders to share information, provide or receive feedback, and participate in consultations. Ensure that sufficient time is provided for effective stakeholder participation in the design, implementation and assessment processes. Chapter 4 discusses how to plan for stakeholder participation, including the timing for each element of effective participation.

Try to include representatives of all stakeholder groups equitably. This may require providing education and support to certain stakeholder groups to level the playing field across all groups. Use the stakeholder identification and mapping processes to determine the barriers faced by each group, and then minimize the barriers as much as possible.

5.7.1 Further references

For methods aimed at increasing the participation of women, see the following references:

- United Nations Framework Convention on Climate Change (UNFCCC) "Gender and climate change capacity-building"[29]

- European Institute's *Gender Equality and Climate Change: Report*[30]

- Governance and Social Development Resource Centre's *Gender and Climate Change: Overview Report*[31]

- UNDP's *Guidance Note on Gender Sensitive REDD+*[32]

- Global Landscapes Forum's "How to walk the talk: promoting gender equality in national climate policy and action".[33]

For methods aimed at overcoming barriers relating to language and ethnicity, or based on the stakeholders' history, location and jurisdiction, see the following references:

- UNFCCC's *Report on Good Practices of Stakeholder Participation in Implementing Article 6 of the Convention*[34]

- Organisation for Economic Co-operation and Development's *Encouraging Increased Climate Action by Non-Party Stakeholders*.[35]

For methods aimed at overcoming barriers that can divide stakeholders based on differentials in power, wealth and access to resources, refer to:

- Moser and Ekstrom's "A framework to diagnose barriers to climate change adaptation".[36]

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[29] Available at: http://unfccc.int/gender_and_climate_change/items/9690.php.

[30] Available at: https://eige.europa.eu/publications/gender-equality-and-climate-change-report.

[31] Available at: www.gsdrc.org/go/display&type=Document&id=4305.

[32] Available at: www.undp.org/content/undp/en/home/librarypage/womens-empowerment/guidance-note-gender-sensitive-redd-.html.

[33] Available at: https://archive.globallandscapesforum.org/glf-marrakesh/agenda-item/day-one/discussion-forum-3/how-to-walk-the-talk-promoting-gender-equality-in-national-climate-policy-and-action/.

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[34] Available at: http://unfccc.int/resource/docs/2014/sbi/eng/03.pdf.

[35] Available at: www.oecd-ilibrary.org/environment/encouraging-increased-climate-action-by-non-party-stakeholders_5jm56w74s5wg-en.

[36] Available at: www.weadapt.org/sites/weadapt.org/files/legacy-new/knowledge-base/files/952/5241a63f0f66cpnas-2010-moser-1007887107.pdf.

6 Establishing multi-stakeholder bodies

A multi-stakeholder body or structure is a formal or informal regular gathering of people representing various constituencies, interests and stakes. The purpose of a multi-stakeholder body is to ensure and enable the participation, contribution and influence of stakeholders towards a goal or strategy. Multi-stakeholder bodies provide a forum for dialogue and mutual learning to inform decision-making.

Multi-stakeholder bodies are an important element of effective stakeholder participation in the design, implementation and assessment of policies. They contribute to successful implementation of the stakeholder participation plan (see Chapter 4 for guidance on stakeholder participation plans). They are an important means for addressing the "how" of stakeholder participation.

Checklist of key recommendations

- Clearly define the mandate, objectives, role and scope of multi-stakeholder bodies
- Identify and strengthen existing multi-stakeholder bodies, or establish new ones where needed, that meet the needs and criteria for supporting effective stakeholder participation in the design, implementation and assessment of the policy
- Clearly define the composition of multi-stakeholder bodies to ensure equitable and balanced representation and participation of all stakeholder groups, with special attention to stakeholders who may be marginalized or directly affected
- Clearly define the procedures and decision-making processes of multi-stakeholder bodies

6.1 Importance of multi-stakeholder bodies

Multi-stakeholder bodies are important to:

- enable the organized and coordinated participation of various stakeholder groups in the design, implementation and assessment of policies

- make use of the expertise and perspectives of different stakeholders

- enable joint and collaborative efforts to address an issue of common or divergent interests and stakes, or an issue that crosses boundaries of expertise or sectors

- provide a mechanism for iterative exchange between stakeholders and input from stakeholders, facilitating reciprocal learning, feedback, communication and information sharing

- contribute to decision-making, through either an advisory or decision-making role, promoting broader understanding and ownership of decision-making, and enhancing the credibility and legitimacy of decision-making.

6.2 Characteristics of multi-stakeholder bodies

Multi-stakeholder bodies can be formal or informal, and institutionalized or ad hoc, as in the following examples:

- **Formal and institutionalized** – a structured platform, working group or commission that meets virtually and/or physically. For example, a government may establish a commission, a working group or a consultative group as a permanent body to address a critical public policy issue. The commission or group formulates recommendations or provides guidance for informed and evidence-based decision-making. Examples are the civil society platforms established in many countries where REDD+ activities are being implemented (e.g. Cameroon, Ghana, Guatemala, Mexico, Nepal), and Civil Society Networks on Adaptation, which are helping to shape the climate policy on adaptation in developing countries.

- **Informal and institutionalized** – a loose yet coordinated network of actors who have agreed to work together to exert influence or contribute to an agenda they have an interest in. For example, during the early stage of the REDD+ readiness process, the Government of Cameroon organized a series of multi-stakeholder meetings of the government, NGOs, research organizations, international organizations, donors and private sector organizations to generate a common understanding to shape the direction of REDD+ in the country. Participation in this meeting was voluntary.

- **Formal and ad hoc** – a body established to fulfil an objective for a limited period. For example, a government may establish a multi-stakeholder commission, working group or consultative group with a time-bound mandate to address a clearly identified set of issues that contributes to a broader public policy or climate agenda. Examples are ad hoc groups in charge of elaborating the methodology for monitoring, reporting and verification of a national REDD+ strategy, or formulating a proposal for legal and institutional frameworks for climate action.

- **Informal and ad hoc** – a group that emerges to discuss and influence a particular issue. For example, in advance of the UNFCCC Conference of Parties hosted by the Peruvian Government in 2014, national civil society actors formed a united platform – Grupo Peru COP20 – to develop common positions and coordinate collective advocacy around the negotiations. This loose civil society platform continues to collaborate and inform national climate policy today.

Multi-stakeholder bodies can have different advisory and decision-making roles, such as:

- providing expert advisory inputs

- making informed recommendations that integrate diverse stakeholder perspectives

- making decisions on behalf of, or in collaboration with, government.

Multi-stakeholder bodies can be structured in different ways to address multiple issues, including:

- a single body to cover the range of issues agreed, within which working groups or subcommittees are created to handle thematic issues that contribute to the overall agenda of the multi-stakeholder body

- different bodies to handle specific thematic issues separately.

Multi-stakeholder bodies can be established at different levels or in different areas, including:

- at national, subnational and local levels, considering the scope of the policy

- in a project- or programme-specific area.

In terms of composition, multi-stakeholder bodies can aim to include:

- a balanced representation of all stakeholder groups

- only members from specific groups – for example, constituency-based stakeholder bodies in which stakeholders whose interests or actions overlap with that constituency are represented (e.g. a civil society platform).

6.3 Defining the mandate, objectives, role and scope of multi-stakeholder bodies

It is a *key recommendation* to clearly define the mandate, objectives, role and scope of multi-stakeholder bodies. These should be established by the user and agreed among stakeholder representatives. This involves determining:

- the need for a multi-stakeholder body and its mandate or authority to carry out its role

- whether the multi-stakeholder body will function as a technical body, and whether it will have an advisory or decision-making role

- the level of authority and autonomy of the multi-stakeholder body, and its level of independence from political and other influential parties – that is, whether the body will be attached to established institutional arrangements within the government or an agency created by the government, or will be an independent body that makes independent contributions

- whether there will be one or several multi-stakeholder bodies

- whether the multi-stakeholder body is an ad hoc body created to achieve a specific time-bound objective, or a body to function in the longer term

- the mechanisms through which the multi-stakeholder body will influence the policy.

Agreement among stakeholders on these key aspects could be sought through an appropriate existing multi-stakeholder body, through consultations with stakeholders or through establishment of a temporary advisory body (see Chapter 4 for guidance on planning), depending on the context.

It is a *key recommendation* to identify and strengthen existing multi-stakeholder bodies, or establish new ones where needed, that meet the needs and criteria for supporting effective stakeholder participation in the design, implementation and assessment of the policy. Creation of new multi-stakeholder bodies can lead to confusion and conflicts, as well as needing time commitment from members and ongoing resources. For these reasons, it may be preferable to adapt existing bodies if they can adequately meet the identified needs and criteria.

6.4 Defining the composition of the multi-stakeholder body, and ensuring balanced representation and participation

It is a *key recommendation* to clearly define the composition of multi-stakeholder bodies to ensure equitable and balanced representation and participation of all stakeholder groups, with special attention to stakeholders who may be marginalized or directly affected. Once the objectives, role and scope of the multi-stakeholder body are defined, the relevant stakeholders should be identified and the appropriate size of the group should be determined. For decision-making groups, a maximum of 15–25 people is recommended. Platforms and networks established to share information may be much larger, depending on logistics and available resources.

Identify criteria for mapping and selecting stakeholder groups that will be represented on the multi-stakeholder body, and the specific skill sets, attributes and qualifications to be demonstrated by those who will participate in the multi-stakeholder

body on behalf of their constituents. This should be done in agreement with an appropriate existing multi-stakeholder body or through consultations with stakeholders. The method adopted for identifying representatives is important because it affects their legitimacy, and the legitimacy of the multi-stakeholder body (see Chapter 5 for guidance on identifying legitimate representatives).

It is important to define the balance of the group, including the number of participants from different stakeholder groups and geographical regions. This should be done in agreement with an appropriate existing multi-stakeholder body or through consultations with stakeholders. When seeking balanced and equitable representation, ensure that all stakeholder groups that have been identified are represented (see Chapter 5 for guidance on identifying stakeholders), with special attention to ensuring equitable participation of groups that may be marginalized or directly affected.

Another measure to promote balanced and equitable representation and participation is to establish, as part of the overall stakeholder participation strategy, specific bodies to enable the engagement, participation and contribution of marginalized groups. Specific bodies may be established for women, indigenous peoples or local communities who might need to caucus separately to reflect and contribute on their own terms without being influenced by dominant stakeholders. Although these specific bodies could channel their contributions through a broader multi-stakeholder body, they should be provided with space and mechanisms to allow them to directly interact with key decision-making structures so that their concerns and contributions are delivered without filtration.

6.5 Defining procedures and decision-making processes

It is a *key recommendation* to clearly define the procedures and decision-making process of multi-stakeholder bodies. Since systematic disempowerment has often led to elites controlling multi-stakeholder bodies, it is important to ensure that the procedures and rules for participating in discussions and decision-making ensure that people from marginalized groups have equivalent voice to people from more powerful groups.

Procedures, including housekeeping rules, for the functioning of the multi-stakeholder body should be

designed and agreed by the members. They should include the following topics, if relevant:

- virtual or physical meetings, or both

- venues, frequency and timing of meetings

- procedures by which notes and outcomes of meetings will be captured, consolidated, stored and communicated through appropriate channels

- procedures to ensure that every member speaks, and that the contribution of everyone is registered and considered

- the governance structure of the body, and appointment of key positions such as chairperson and secretariat, preferably through elections or self-selection

- a procedure for decision-making to meet the objectives and mandate of the body

- conflict management mechanisms to handle disputes, conflict of interest and conflicts relating to the body.

Rules and procedures should take into account budgetary constraints, and the policies and procedures of the entity responsible for the policy. They should be made available to the public.

The decision-making mechanism should be fair, so that no single stakeholder group can dominate and no stakeholder group can be marginalized. Options include the following:

- **Consensus.** A decision is reached when no member has a sustained objection (i.e. all members are willing to "live with" the decision), provided the right conditions have been created for people to express themselves without fear and to register their objections. This approach takes into account the views of all members but may lead to less ambitious solutions. It may also take time or may even be impossible to achieve. Where bodies aim to make decisions based on consensus, they should define and agree on an alternative decision-making mechanism at the start of the process, in case consensus cannot be achieved.

- **Majority voting.** A decision is reached when a predefined proportion (e.g. 50% or 70%) of the members are in favour. This approach may

ignore the views of minority and marginalized groups, leading to frustration among these groups.

- **Voting by sectors or constituencies.** The members are organized by sector or constituency into chambers or other groupings. For a decision to be approved, a defined proportion (e.g. 60% or 75%) of all chambers must be in favour plus a defined threshold (e.g. 51%) of the members within each chamber. This approach ensures that decisions cannot be made unless a majority in each sector agrees. It can be effective in building trust by reassuring stakeholder groups that their voices will be heard or, in the case of government, that they will not lose complete control.

6.6 Setting a plan and agenda for the multi-stakeholder body

The multi-stakeholder body should agree on the expected results, outputs or deliverables, and the plans for achieving them, with clearly agreed milestones. The plan should clarify roles and responsibilities, the frequency and purpose of meetings, and any preparatory work. Without a clear plan and agendas for each meeting, the multi-stakeholder body may be prone to free riding, power games, and manipulation by more powerful members.

6.7 Supporting the function of the multi-stakeholder body

Procedures need to be established and followed to ensure that the body functions effectively. These include:

- **transparency measures** – ensuring that plans for, and reports of, meetings and other activities of the body are disclosed publicly

- **communication mechanisms** – ensuring effective and timely communication with and among members, and between members and their constituents, using appropriate channels and forms of communication

- **facilitation** – ensuring balanced and inclusive participation, a focus on meeting objectives and good time management

- **documentation and reporting** – ensuring that key points, recommendations and decisions are accurately and impartially recorded and reported.

Depending on the defined mandate of the multi-stakeholder body – which may be advisory or deliberative – it is essential to clearly establish and agree on mechanisms by which the outputs and decisions of the multi-stakeholder body will be communicated to other bodies responsible for decision-making relating to the policy. Failure to have well-established and functioning outreach and communications pathways may prevent the multi-stakeholder body influencing the design, implementation or assessment of the policy.

It is critical to identify and ensure availability of ongoing resources – financial and otherwise – that are needed for the functioning of multi-stakeholder bodies. This may include providing support to members who find it difficult to participate because of financial or logistical problems (e.g. transportation from and back to remote areas, translation to languages that are the most understood by stakeholder groups, accommodation support during meeting periods for participants coming from distant areas).

6.7.1 Further references

For guidance on creating an effective multi-stakeholder body, see the following reference:

- AccountAbility and Utopies' *Critical Friends: the Emerging Role of Stakeholder Panels in Corporate Governance, Reporting and Assurance*.[37]

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[37]   Available at: https://www.accountability.org/publication/critical-friends-emerging-role-stakeholder-panels-corporate-governance-reporting-assurance/.

7 Providing information to stakeholders

Providing information involves active dissemination of information to stakeholders and public disclosure of information. Stakeholders need information to be able to participate effectively to support policy design, implementation and assessment. Effective participation requires an understanding of the issues, based on good information. Informed stakeholders provide richer and more effective input. The objectives and benefits of stakeholder participation cannot be achieved unless stakeholders have sufficient relevant information.

Checklist of key recommendations

- Disseminate information to stakeholders, and ensure that the information is timely, relevant and comprehensive, including information about potential and actual impacts, as well as opportunities to participate
- Tailor the content and format of information, and how it is provided, to ensure that it is understandable and accessible for each stakeholder group, based on consultations with them
- Publicly disclose information about policies, unless there is a legitimate reason to keep some information confidential, following an established policy on disclosure of information

7.1 Importance of providing information to stakeholders

Stakeholders need information about how they may be affected by a policy, especially where the policy may affect their rights – for example, with respect to their security or livelihood. Providing information to stakeholders about how they may be affected is often required by national law (e.g. regulations on social impact assessment); by donor policies; and by international treaties, conventions and agreements that the country is party to. Stakeholders also need other kinds of information if they are to participate effectively, including clarification about their expected role in designing, implementing and assessing policies, and about the options and mechanisms for influencing policies.

In the case of government policies, all members of the public are stakeholders, so information about the policies and their impacts should be publicly disclosed. National laws and donor policies often require public disclosure of many types of information. In addition, public reporting on stakeholder participation, showing the scope and breadth of outreach, demonstrates transparency and helps to build public support for policies.

7.2 Providing information to stakeholders

It is a *key recommendation* to disseminate information to stakeholders, and ensure that the information is timely, relevant and comprehensive, including information about potential and actual impacts, as well as opportunities to participate.

7.2.1 Timely

Stakeholders need information in advance to participate effectively. Sufficient time is needed between the provision of information and the occasion of participation (such as a public consultation or a meeting of a multi-stakeholder body) to give participants time to think about the issues, consider the options and trade-offs, and discuss these with others. In addition, stakeholders need information in advance about how they can participate so that they can plan their participation and contribution. Optimal timing varies with the specific circumstances.

In addition to information provided in advance of a specific opportunity to participate, it is important to provide information to stakeholders consistently throughout the policy design and implementation cycle – for example, providing feedback to stakeholders after consultations, and updates on progress or changes in plans and processes. To this end, it is important to establish mechanisms for ongoing communication with stakeholders.

7.2.2 Relevant

The information provided needs to prepare stakeholders for participating effectively. It is important that information provided is objective, unbiased and impartial, with an explanation of any uncertainties and different views. Stakeholders are likely to appreciate information that is linked to concerns they have voiced – for example, on how the policy might affect air quality, public health, jobs and other relevant sustainable development impact categories (see the ICAT *Sustainable Development Methodology* for further information about impact categories).

7.2.3 Comprehensive

It is important that information provided covers all relevant topics, including:

- processes for design, implementation and assessment of the policy

- description of the policy, including[38]

  - » title of the policy
  - » type of policy
  - » description of specific interventions
  - » status of the policy
  - » date of implementation
  - » date of completion (if relevant)
  - » implementing entity or entities
  - » objectives and intended impacts or benefits of the policy
  - » level of the policy
  - » geographic coverage
  - » sectors targeted
  - » related policies
  - » additional information that may be relevant to describe the policy, such as activities, timeline and budget

- key questions or issues to be addressed by the policy, including studies undertaken to inform the design, implementation and assessment of the policy

- GHG, sustainable development and transformational impacts that are expected to be (1) relevant and (2) significantly affected by the policy (either positively or negatively),

if known, including impacts for different stakeholder groups

- changes or adaptations to plans, processes and impacts throughout the policy design and implementation cycle

- governance structures and procedures for decision-making and oversight relating to the policy, and reports on implementation of these procedures

- mechanisms to participate in policy design, implementation or assessment

- mechanisms to ask questions and request information, and how to access them

- grievance and redress mechanisms, and how to access and use them

- plans for stakeholder participation and opportunities to participate

- how stakeholder input will be used, and later how it was used

- relationship of the policy to other existing or planned policies.

7.3 Providing information that is accessible and tailored for each stakeholder group

It is a *key recommendation* to tailor the content and format of information, and how it is provided, to ensure that it is understandable and accessible for each stakeholder group, based on consultations with them. Stakeholders need to understand the information that is provided. Information should be provided in a form that is appropriate to each stakeholder group, using concepts, language and terminology that they understand, and using communication media already known and used by them. It may be necessary to provide information in different formats tailored for different stakeholder groups, making sure that translations and other adaptations are available, accurate and not misleading. For example, a less technical summary can be prepared for stakeholders who do not have sufficient technical knowledge and information, taking into account sociocultural (including gender) sensitivities.

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[38]   Refer to the ICAT impact assessment guides for the complete checklist of recommended information to understand and describe the policy.

Information has not been provided effectively if it is not reaching the stakeholders. This means that information should be actively disseminated to ensure that stakeholders receive it. Information can be made accessible to stakeholders through mechanisms such as the Internet, radio and posting in public places. More active forms of sharing information can also be considered, including email, direct mail, newsprint and broadcast media, public meetings, songs and theatre performances, social media, gatherings of specific stakeholder subgroups, and communication from leaders.

It is important that relevant information is made accessible to members of all stakeholder groups using tailored dissemination strategies, including strategies tailored for women, local communities and people who may have less access to information. It is helpful to consult stakeholders to identify what information they need and when, and how to enable their effective participation. Communication mechanisms can use and build on existing communication channels that have proved effective in the past.

Information should be provided and accessible to all stakeholders, not just those who participated in the past (which might occur, for example, if information is distributed by email only to the participants in previous meetings).

Information on policies may be sensitive and have the potential to cause conflicts (e.g. information relating to land acquisition or significant impacts on resource tenure, environment and health). Users should identify potentially sensitive information and consider an appropriate strategy for dissemination, such as through meetings where clarification can be provided immediately. Restrictions may be placed on how information can be further disclosed by stakeholders – for example, through a confidentiality agreement. However, consider any potential tensions and conflicts that such restrictions might cause, and any legal implications, before imposing restrictions on sharing of information.

7.4 Responding to questions and requests for information

It is important to ensure that there is an accessible and effective mechanism to receive questions and provide responses, including requests for further information. Procedures need to be established and published about how to ask questions and request information, how requests will be responded to

and within what time frame, and what information can be requested. These procedures should be based on existing practices and laws on rights to information at national and international levels. Ensure that stakeholders are made aware of, and know how to use, information request mechanisms. (See Chapter 8 for guidance on mechanisms for ongoing consultations, and Chapter 9 for guidance on grievance and redress mechanisms.)

7.5 Disclosure of information

It is a *key recommendation* to publicly disclose information about policies, unless there is a legitimate reason to keep some information confidential, following an established policy on disclosure of information. In addition to active dissemination of information to stakeholders, it is important to establish a policy and strategy for passive disclosure of information. The policy and strategy should at least meet any national, international, donor or other legal requirements, noting that laws on rights to information exist in many countries. In general, information should be disclosed unless there is a legitimate reason not to do so. Information can be disclosed on a government website with dedicated space for information on the policy. Other forms of disclosure may be appropriate or required, depending on the context.

7.5.1 Further references

For guidance on providing information to stakeholders, see the following references:

- World Bank's *Environmental and Social Framework* (ESS10)[39]

- UNECE's *Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters*[40]

- UNEP's *Putting Rio Principle 10 into Action: an Implementation Guide for the UNEP Bali Guidelines*.[41]

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[39] Available at: http://documents.worldbank.org/curated/en/383011492423734099/pdf/114278-WP-REVISED-PUBLIC-Environmental-and-Social-Framework.pdf.

[40] Available at: http://ec.europa.eu/environment/aarhus.

[41] Available at: https://wedocs.unep.org/bitstream/handle/20.500.11822/11201/UNEP%20MGSB-SGBS%20BALI%20GUIDELINES-Interactive.pdf?sequence=1&isAllowed=y.

8 Designing and conducting consultations

Consultations are processes that enable exchange of information between stakeholders (including between government and other stakeholders). This includes providing information and capacity-building to stakeholders, and enabling diverse stakeholders to provide input reflecting their needs and interests relating to the policy that is the subject of the consultation.

Checklist of key recommendations

- Identify and use socially and culturally appropriate, and gender-sensitive consultation methods that enable effective consultation with different stakeholder groups, including those that may be marginalized
- Conduct consultations with diverse stakeholder groups to support the design, implementation and assessment of the policy
- Share with stakeholders a synopsis of the input received during consultations and how the input was taken into account

8.1 Importance of consultations

Consultations are important to:

- obtain input from stakeholders about policy design, implementation and assessment

- provide information to stakeholders and raise their awareness about the policy

- enable exchange of knowledge and understanding between different stakeholders, including with users of the ICAT guides

- provide an opportunity for capacity-building to help stakeholders to participate more effectively.

Consultations can:

- improve outcomes by taking account of stakeholders' input at relevant decision points

- help to review, identify and prioritize different options and approaches, including those that optimize benefits across diverse stakeholder groups

- capture stakeholder feedback on what is working well and issues that arise

- contribute to transparency

- build trust, common understanding and legitimacy by providing stakeholders with an avenue to provide input, and have their views and concerns taken on board.

8.2 Methods for conducting consultations

It is a *key recommendation* to identify and use socially and culturally appropriate, and gender-sensitive consultation methods that enable effective consultation with different stakeholder groups, including those that may be marginalized. Stakeholder representatives and people with experience of prior consultations can help to determine the most appropriate methods for specific groups.

Consider whether consultations may be more effective if anonymous participation is allowed, and/or information is kept confidential.

When designing and planning consultations, various consultation approaches can be considered, including those listed in Table 8.1. Different methods can be used together in a complementary way. Use of electronic media and the Internet can have a relatively low cost while reaching a large number of stakeholders. However, it is important to assess the extent to which access to the Internet may be limited for some stakeholders, and consider using electronic methods as a tool that complements other consultation methods.

Some consultation methods use a facilitator to guide the discussion. Box 8.1 describes the role of a facilitator in consultations and the characteristics users can look for when identifying a facilitator.

TABLE **8.1**

Consultation methods

Public meetings	An open, accessible method of consulting with the public. Depending on the scale of the issue under consultation, public meetings can take place at any level (e.g. national, subnational, local). They may be located and designed to facilitate consultations with specific stakeholder groups, such as those that may be directly affected and/or marginalized (e.g. village congregations, town hall meetings, workplace meetings). Ensure that they are accessible and adequate notice is given to enable interested stakeholders to participate. Meeting size affects participation. Groups of fewer than 20 people provide greater opportunities for everyone to speak. Breaking out into smaller groups and using participatory methods (e.g. asking participants to provide input on cards, then grouping the cards into issues and getting their input on ranking the issues) can help to capture all viewpoints.
Workshops	Gathering a group of stakeholders to gain their feedback in a structured format. Workshops enable different stakeholders to discuss and exchange views on specific topics, often adopting a face-to-face format that allows brainstorming and testing of ideas. A series of workshops can be more effective than a single workshop. Different workshop types can be adopted (e.g. open-space discussions that lack an initial agenda and emphasize self-organization, write shops where groups of stakeholders develop written documents together, round-table discussions). Facilitation is important, and a skilled, neutral individual can help to ensure that group rules are clear, views are taken seriously, and no single participant dominates.
Focus group discussions	Semi-structured discussions with a small group, generally from similar backgrounds (usually 5–12 participants plus one or two skilled facilitators). Open discussions explore people's attitudes, concerns and preferences about a specific issue, with the range of viewpoints collated at the end. Community members not used to formal meetings (e.g. women, ethnic minorities, disadvantaged castes, people with disability, poor individuals and households) may feel more comfortable expressing themselves in a focus group discussion. Focus groups generally last about two hours, and discussions are guided by a skilled facilitator.
In-depth interviews	Face-to-face or virtual interviews with individual stakeholders that can be used to get a sense of stakeholders' perspectives. In-depth interviews can be structured (formal, and closely following a written interview guide), semi-structured (partially directed by an interview guide, but open and conversational to allow interviewees to introduce other topics of interest) or unstructured (organized around a few general questions or topics, but informal and open ended). Structured interviews are likely to yield information that can be compared and generalized, whereas less structured ones can explore an issue in depth and permit related issues to be introduced into the discussion. Interviews with key informants who have particular knowledge of an issue can be especially useful.
Stakeholder assessments	Systematic consultation with stakeholders to help identify and design climate policy, signal any potential constraints to stakeholder participation, and obtain feedback on reactions to an intervention during implementation. This assessment is an investigation of the perceptions of a systematic sample of beneficiaries and other stakeholders to ensure that their concerns are heard and incorporated into policy formulation.
Expert elicitation	A protocol for consulting with experts, including a process for helping experts understand the elicitation process, avoiding biases, and producing independent and reliable judgments. Expert elicitation can help to avoid bias when expert judgments are needed for assessments. Refer to the *2006 IPCC Guidelines for National Greenhouse Gas Inventories* (Chapter 2: Approaches to data collection for an expert elicitation protocol).[a]
Surveys	A sequence of focused, predetermined questions in a fixed order, often using closed questions with predetermined, limited options for responses. Surveys can be useful to identify problems or objectives, narrow the focus or clarify the objectives of the policy, plan strategies for implementation, and monitor or evaluate participation. Surveys can be conducted through interviews or by requesting written responses either online or on paper.

TABLE 8.1, continued

Consultation methods

Written consultations	Typically involve using a consultation web page or printed sheet to introduce the policy and to solicit written input. A draft document, broad topics or open-ended questions can be used to solicit comments, with more freedom to submit personalized responses than a survey. The call for written comments can be made to specific stakeholders or to the public. Define a deadline for receiving comments, ensuring that this allows sufficient time for stakeholders to be made aware of the invitation for comments and to provide comments. Identify appropriate methods to solicit comments (e.g. email, letter, phone) and for submission of comments (e.g. online, email, mail, hand delivery to an office or a box in a public place). Provide an explanation to stakeholders about how their input will be shared and used. For example, a synthesis of the comments and responses can be posted bi-weekly on the Internet, or a summary can be published at the end of the consultation. Publication of comments during the consultation enables further reactions from stakeholders. Social media can also be used. Online consultation enables open public consultation but has limitations in that it only reaches those who are literate and have Internet access, and therefore may not reach marginalized stakeholders.
Electronic discussion (e-discussion)	Enables stakeholders to provide input in response to input from other stakeholders through an electronic medium. E-discussions can be moderated discussions on specific topics (e.g. comments on a draft document). They can be held through an electronic mailing list (e.g. a list server), on a website where comments from other stakeholders are posted (e.g. in response to a blog or other information posted on the web) or via social media (e.g. Twitter or Facebook). The advantages of these discussions include lower costs and the ability to reach larger audiences. The disadvantage is that access to the Internet may be limited for some stakeholders. Thus, electronic means are best used as a tool complementing other consultation methods, such as face-to-face interviews or other events. To be a successful complement to other consultation tools, online deliberations need to be competently and constructively moderated.

ᵃ Available at: www.ipcc-nggip.iges.or.jp/public/2006gl.

8.2.1 Further references

For guidance on consultation methods, see the following references:

- UNECE's *Tool #50: Stakeholder Consultation Tools*[42]

- Victorian Department of Education and Early Childhood Development's *Stakeholder Engagement Framework*.[43]

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[42] Available at: https://ec.europa.eu/info/files/better-regulation-toolbox-50_en.

[43] Available at: http://docplayer.net/4006046-Stakeholder-engagement-framework.html.

8.3 Planning consultations

It is a *key recommendation* to conduct consultations with diverse stakeholder groups to support the design, implementation and assessment of the policy. Consultation is not a one-off event but a dynamic, ongoing process that can involve several objectives, target groups and methods at different times. Consultations should be carefully planned as part of the overall planning for stakeholder participation and included in the stakeholder participation plan explained in Chapter 4. Plans for consultations should be shared with stakeholders in advance to allow them to prepare well and to select the consultations they want to participate in.

When planning consultations, take the following into account.

Set clear objectives for consultations by conferring with internal and external groups that have knowledge of the policy, and the implementation context and area. Define the scope of consultations

BOX **8.1**

Role and characteristics of a facilitator

Meeting or workshop facilitator role:
- Helps develop the agenda before the meeting
- Helps users determine or adjust the objective and achieve desired results
- Helps participants understand how the meeting will contribute to the broader stakeholder participation process for the policy and how the outputs will be used
- Remains neutral and does not provide personal views on content
- Creates a safe and encouraging environment for open discussion
- Seeks appropriate participation from all participants
- Ensures that everyone has an opportunity to speak and that their views are respected
- Keeps groups focused on desired outcomes
- Guides the process and makes suggestions for alternatives
- Makes sure the note taker captures all valuable information
- Designates someone to keep track of time and helps to stay on time

Characteristics of a good facilitator:
- Familiar with the subject
- Understands the whole stakeholder participation process
- Neutral to the topic of discussion
- Has a good reputation and trust with all participating stakeholders, including the target stakeholders and the entity that is sponsoring consultations, often including both civil society and government
- Able to engage the audience, encourage participation, and keep people's attention and the discussion moving
- Able to level unbalanced interactions, especially when differences exist between powerful and powerless stakeholders
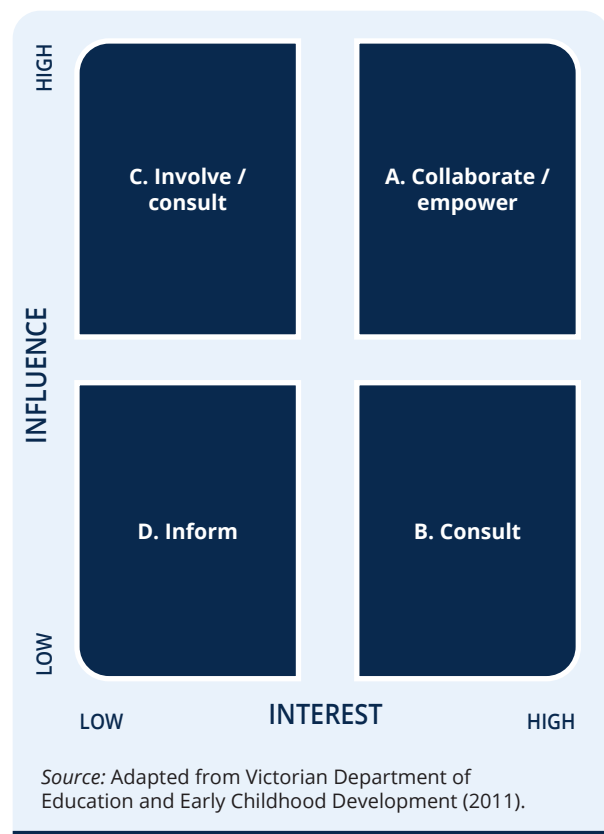- Able to guide and listen

by identifying and prioritizing issues for consultation, defining clearly from the start what is and is not under consideration.

Identify appropriate stakeholder groups for the subject of the consultations (see Chapter 5 for guidance on identifying and mapping stakeholders to identify the groups that are most affected or have greatest influence over a policy). For example, ensure that stakeholder groups potentially affected by the policy have an opportunity to raise concerns about potential negative impacts, express desired outcomes and provide input on the policy design, including the causal chain, both before the programme design is finalized and during implementation and assessment.

Adapt consultation methods for the identified stakeholder groups. Select the most appropriate consultation methods (e.g. written consultations, in-person events, Internet-based methods), considering the scale and impact of the initiative, the appropriate level of interaction for the stakeholders and for the topic, factors affecting accessibility (e.g. language and disability) and timing requirements. The type of consultation should be proportionate to the scale and impact of the initiative. A large-scale initiative with a broad impact will require input from a wider range of stakeholders. A more technical policy will merit a more targeted approach. Stakeholder mapping (see Chapter 5) that maps stakeholders based on their level of influence and interest can help users to determine the most appropriate methods for consultations. Figure 8.1 provides examples of methods for providing information and conducting consultations that are likely to be appropriate for stakeholders with different levels of influence and interest with respect to a policy. Figure 8.2 illustrates this approach used to inform stakeholder engagement strategies for a policy in Kenya (see Box 5.4 in Chapter 5).

FIGURE 8.1

Stakeholder matrix

Source: Adapted from Victorian Department of Education and Early Childhood Development (2011).

Conduct stakeholder consultations at each relevant stage of policy design and implementation. The most appropriate type, level and methods of stakeholder consultation depend on the type of stakeholders, and their relative levels of interest and influence (see Section 5.5 for guidance on mapping stakeholders using this kind of matrix). They also depend on the stage of policy design, implementation and assessment. For example, the following types of consultation can be helpful at different stages of policy design and implementation:

- **Before policy implementation** to establish the need and/or opportunity for the policy, to research possible policy responses and to identify workable solutions by reviewing a range of policy options, including consultations on

  » issues and problems that a policy could address, and setting objectives
  » possible policy responses, and associated challenges and opportunities

  » potential policy options and the detail of proposals (e.g. with respect to feasibility, effectiveness, potential impacts).

- **During policy implementation** to develop plans for implementation of the policy and to optimize stakeholder participation in implementation, including consultations on

  » plans for implementation with respect to efficiency, effectiveness and equity in meeting policy objectives
  » ways that stakeholders can participate in implementation
  » policy outcomes, results and impacts, including ways to address negative and enhance positive outcomes.

- **After policy implementation** to evaluate efficiency, effectiveness and equity with respect to achieving policy objectives, and to provide feedback for improvements to policy design and implementation, including consultations on

  » methods for monitoring, findings of monitoring (i.e. the assessed impacts of the policy) and technical review, including ways for stakeholders to participate
  » ways that findings from monitoring and technical review can feed back to improve design, implementation and assessment of the policy
  » lessons learned about the process followed for the design, implementation and assessment of the policy, including on stakeholder participation.

Use several complementary consultation methods to obtain input from different stakeholders at different times using the most appropriate approaches.

Share and validate the plans for consultation before commencing consultations by using the most appropriate media for the target stakeholder groups, and use feedback from stakeholders to improve the plans. See Chapter 4 for guidance on planning, and Chapter 7 for guidance on announcing and communicating consultations.

Assess effectiveness of past consultations and revise plans for future consultations through a participatory evaluation and planning process conducted with stakeholder representatives.

FIGURE **8.2**

Stakeholder matrix to inform stakeholder engagement strategies for a policy to shift freight from road to rail in Kenya (see Box 5.4)
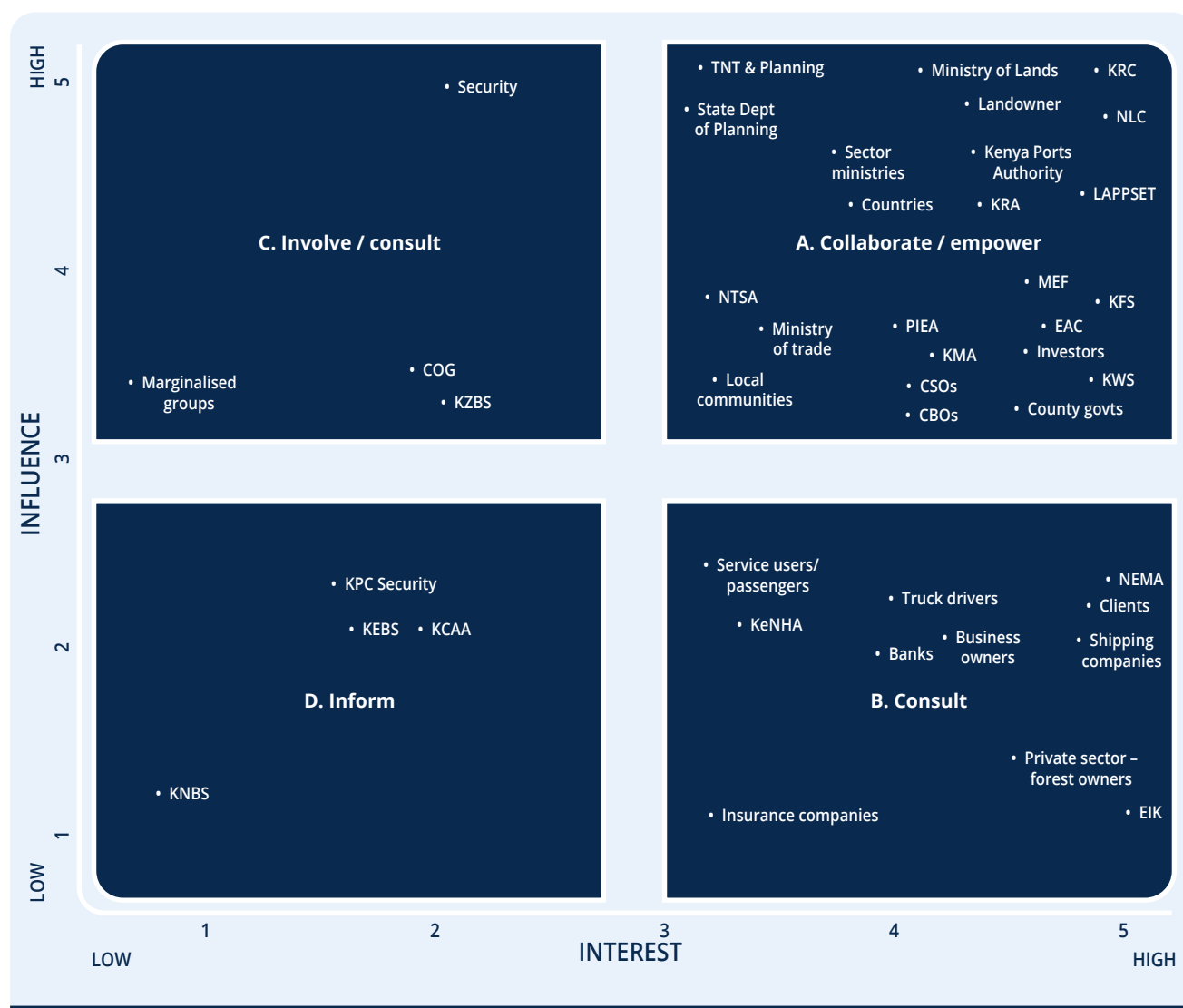
8.4 Conducting consultations

An inclusive and equitable consultation process is essential to ensure effective participation and the contribution of marginalized groups.

Conduct consultations at mutually agreed locations and through representatives who are designated by the stakeholder groups using their own procedures (see Chapter 5 for guidance on identifying legitimate stakeholder representatives). Different approaches can be appropriate for different stakeholder groups.

One of the guiding principles of consultation is inclusive engagement with stakeholders who are difficult to reach or have limited access. Inclusive consultation requires informing and engaging broadly with communities and other stakeholders using socially and culturally appropriate methods to enable them to have meaningful influence over the subject of consultation. Stakeholders might include indigenous peoples, and culturally and linguistically diverse communities. Conduct consultation in a way that is gender and intergenerationally sensitive.

Priority stakeholders such as those that may be directly affected by the policy need to be targeted but may be marginalized and harder to consult with, especially for sectors such as water, agriculture and forestry.

Where consultations involve group discussions – for example, in workshops – seek assistance from experts who are skilled at managing group dynamics. In addition to a facilitator, a note taker or rapporteur is helpful to record key points. Often, a rapporteur does not need to keep detailed minutes but can capture the progress of the discussion, themes, points, issues and areas of substantial agreement or disagreement. It can help to video or audiotape the proceedings. Summarize commitments and next steps at the end of the meeting.

Skills training or learning activities can be helpful for organizers and participants of consultations – for example, training courses to develop skills in conducting consultations.

The findings from consultations need to be analysed, reported and discussed with representatives of the stakeholder groups concerned (e.g. with an advisory group established to support the stakeholder participation process for the policy). This analysis feeds into the decision-making process about the design, implementation and assessment of the policy.

On completing a consultation, develop a report of findings, acknowledge key issues raised during consultations and respond as appropriate, and describe how the outcomes of the consultation process will be incorporated into policy. Share these reports with stakeholders, including those who participated in the consultations and those who were invited but were not able to participate. Providing timely feedback is important to sustain stakeholder interest in, and commitment to, the process. In addition, the findings of all the consultations should be publicly disclosed.

8.4.1 Further references

For guidance on conducting consultations, see the following references:

- African Development Bank's *Handbook on Stakeholder Consultation and Participation in ADB Operations* (Chapter 4)[44]

- European Commission's *Better Regulation Guidelines* (Chapter 7)[45]

- Action Research & Action Learning's "Guiding the consultative process".[46]

8.5 Feedback mechanisms for ongoing consultations

Feedback enables ongoing consultations throughout the policy design and implementation cycle. Feedback mechanisms can take different forms and serve a variety of purposes – for example, channelling suggestions, improving the quality of a specific climate policy that is being developed, or addressing concerns or questions of a stakeholder group in relation to a policy.

Feedback can go both ways. It includes opinions, concerns, suggestions and advice provided by stakeholders to those responsible for design, implementation and assessment of policies. Feedback also includes information provided to stakeholders about whether and how their input has been used to influence the design, implementation and assessment of policies.

It is important to distinguish between "feedback" and "grievances". Feedback is information provided back to stakeholders (including the government) in response to previous information from that person or entity. A specific resolution is not always needed. In contrast, a "grievance" is an issue, concern, problem or claim (perceived or actual) that an individual or group wants to be addressed and resolved. Where feedback is not effectively dealt with, it may escalate into a grievance (see Chapter 9 for guidance on grievance redress mechanisms).

Diverse channels for feedback include:

- dedicated email address or web page

- verbal or written communication at a drop-in centre

- verbal communication at a meeting

44   Available at: www.afdb.org/fileadmin/uploads/afdb/Documents/Policy-Documents/Handbook%20on%20Stakeholder%20Consultaion.pdf.

45   Available at: https://ec.europa.eu/info/sites/info/files/better-regulation-guidelines-stakeholder-consultation.pdf.

46   Available at: www.aral.com.au/resources/consulpro.html#a_cp_guide.

- physical feedback box at an office or in a public place

- telephone hotline number

- text message (e.g. SMS)

- social media (e.g. Twitter, Facebook).

It is important to clarify roles and responsibilities for processing input from feedback mechanisms to ensure that the feedback informs the relevant stage of policy design, implementation or assessment, and that a response is provided, where appropriate.

Feedback mechanisms should be established early in the design stage and maintained for the life of the policy to optimize the benefits from this form of consultation throughout the policy design and implementation cycle.

8.6 Documenting how input was addressed

It is a *key recommendation* to share with stakeholders a synopsis of the input received during consultations and how the input was taken into account. It is important to explain to stakeholders how their input has influenced decision-making, and helped to shape the design, implementation and assessment of the policy.

Input received can be compiled according to the issues raised. A written explanation of how each issue has been addressed can be prepared. Input and comments received from meetings, workshops or written consultations may be overlapping. To streamline communications, the input can be categorized and summarized in a synthesis document that explains how the different types of input were addressed (e.g. whether they were relevant, whether the suggestions were adopted, what changes were made in response to the input). This is particularly effective where users receive a significant amount of input.

It may not be possible to adopt the recommendations of all input received in the consultation process; some suggestions may be contradictory, or not feasible. In such cases, an explanation of why certain recommendations were adopted over others should be provided. It is important to ensure that, at a minimum, stakeholders see that their input was considered.

The input received and the explanation of how it was taken into account should be made publicly available and disseminated to the stakeholders who provided input. See Chapter 7 for more information on how to provide information effectively to various stakeholder groups.

9 Establishing grievance redress mechanisms

A grievance is an issue, concern, problem or claim (perceived or actual) that an individual or group wants to have addressed and resolved. Grievance redress mechanisms are the formal systems through which stakeholders can lodge any grievances that arise relating to the design, implementation or assessment of policies. These mechanisms can take a variety of forms, although they are typically independent of the entities that are the subject of grievances. Grievance redress mechanisms are vital to safeguard policies, secure adequate protection for human rights, and ensure just transitions to greener and low-carbon economies.

Checklist of key recommendations

- Provide the necessary legal instruments to enable the grievance redress mechanisms to deliver a response, to provide redress, or to pass the grievance to a more powerful decision-making body such as in the justice system or government
- Establish grievance redress mechanisms that are accessible to all stakeholders, socioculturally appropriate, gender-sensitive and tailored to the local context
- Ensure the impartiality and independence of grievance redress mechanisms, employing a consistent, credible and objective approach in all investigations and decisions
- Secure the safety and rights of all stakeholders who use grievance redress mechanisms, where necessary ensuring anonymity and/or protection of complainants from potential reprisals
- Ensure that grievance redress mechanisms are responsive, and process grievances in an efficient and timely manner

9.1 Importance of grievance redress mechanisms

Policies involve and impact a range of stakeholders. Potential grievances could be very broad in scope. For example, a grievance might involve indigenous peoples and local communities that have been negatively impacted by a hydropower or renewable energy project, or may be lodged by a company in relation to the development of a new policy that affects their business.

It is important to make a distinction between "feedback" and "grievances". A provider of feedback does not expect a specific response or resolution. In contrast, for a grievance, the complainant seeks a direct response or redress. Feedback that is not effectively dealt with may escalate into a grievance. Grievance redress mechanisms are usually separate from the collation of feedback through the usual stakeholder engagement processes.

Grievance redress mechanisms are not intended or expected to replace established legal channels for prosecuting wrongdoing. Effective grievance and redress mechanisms serve as a "first line" of response to stakeholder concerns, complementing relevant national legal and administrative processes. Effective integration within the national legal system and clear guidelines for referral may be important for a grievance redress mechanism to function effectively.

Effective grievance redress mechanisms help to:

- ensure accountability by providing a channel through which stakeholders can hold actors accountable for their obligations and commitments

- serve as an early warning system by helping to identify problems and close gaps in a timely and cost-effective manner, thereby avoiding escalation of problems into more entrenched or complex disputes

- identify recurring problems or grievances that may escalate by helping to identify underlying systemic issues that need to be addressed

- ensure respect for rights by providing a channel through which human rights abuses can be detected and redress obtained

- tackle corruption by providing a secure channel for victims and whistle-blowers to seek and achieve redress.

9.2 Defining the type and scope of a grievance redress mechanism

Grievance redress mechanisms can take different forms and have different functions depending on the context in, and purpose for, which they are established. It is a *key recommendation* to provide the necessary legal instruments to enable the grievance redress mechanisms to deliver a response, to provide redress, or to pass the grievance to a more powerful decision-making body such as in the justice system or government. Grievance redress mechanisms can be judicial or non-judicial. Judicial grievance redress mechanisms have the advantage of having the "teeth" to sanction wrongdoing, which a non-judicial grievance redress mechanism usually cannot. However, non-judicial grievance redress mechanisms can provide an important alternative to processing a grievance through the national legal processes, which can sometimes be lengthy or ineffective.

It is important to define the scope of a grievance redress mechanism, and provide clear guidance to potential users on what they can expect from the mechanism, what issues the mechanism deals with and what issues are outside its remit. Types of grievance redress mechanisms include:

- community-based grievance and dispute resolution mechanisms

- operational-level mechanisms to handle grievances relating to a specific project

- national human rights institutions that handle more serious allegations of abuse or mismanagement

- anti-corruption hotlines, integrity units or anti-corruption agencies to deal with allegations of corruption, fraud or abuse of authority

- mechanisms associated with international development and climate finance institutions (e.g. the Inspection Panel of the World Bank, the Green Climate Fund's Independent Redress Mechanism and Independent Integrity Unit)

- sectoral and multi-stakeholder grievance mechanisms that address breaches in commonly agreed standards (e.g. under the Roundtable on Sustainable Palm Oil).

When a citizen or community wishes to file a grievance, it can be a complex and unwieldy process for them to identify which of a multiplicity of mechanisms is appropriate to deal with their concern.

Effective national grievance redress mechanisms should be able to address a broad scope of concerns at the point of initial receipt and processing. Where grievances received fall outside the remit of the grievance redress mechanism, an effective referral system should be in place to ensure that grievances are addressed through the appropriate channels or institutions. The onus should be on the grievance redress mechanism, not the complainant, to ensure the best avenue for redress.

Grievance redress mechanisms should align and conform with the existing legal and institutional frameworks established in the relevant country.

9.3 Establishing accessible channels to submit grievances

It is a *key recommendation* to establish grievance redress mechanisms that are accessible to all stakeholders, socioculturally appropriate, gender-sensitive and tailored to the local context. The grievance redress mechanism should be tailored to the needs and context of the potential users. For example, secure channels for verbal communication of grievances (which are transcribed and reported) may be most appropriate where literacy is low, whereas in other contexts written or online reporting schemes may have the greatest reach and accessibility.

When designing a grievance redress mechanism, find out what already exists and how people prefer to deal with grievances, and involve stakeholders in the process of creating the mechanism. It will often be most appropriate, and possibly even more efficient and effective (depending on proven performance), to build upon or adapt existing mechanisms in the local or national context, rather than establishing new mechanisms. In most cases, a variety of channels will be required to ensure that all potential complainants are able to submit their grievances. Depending on the context, these channels can include:

- dedicated email address or web page

- verbal or written feedback at a drop-in centre

- verbal communication at a meeting

- physical feedback box at an office or in a public place

- telephone hotline number

- text message (e.g. SMS)

- social media (e.g. Twitter, Facebook).

Consider establishing specific approaches or channels to ensure access for different stakeholder groups. For example, although community meetings may be the best mechanism to gather input from an affected community, women or marginalized groups may not speak openly in this context, so it may be appropriate to provide a distinct and safe space to collect their input.

It is a *key recommendation* to ensure the impartiality and independence of grievance redress mechanisms, employing a consistent, credible and objective approach in all investigations and decisions. Whichever channel or channels are established to process grievances, it is important to build trust in the system by guaranteeing impartiality and independence in the process of receiving and handling grievances. The grievance mechanism should have no link to any of the bodies that might be the subject of the grievance; if such a link exists, the impartiality and validity of the mechanism risk being compromised.

It is a *key recommendation* to secure the safety and rights of all stakeholders who use grievance redress mechanisms, where necessary ensuring anonymity and/or protection of complainants from potential reprisals. Anonymous reporting needs to be an option to support the safety and security of complainants. Specific protections should be offered to complainants, especially in contexts where whistle-blower protection is weak or non-existent.

9.4 Publicizing the grievance redress mechanism

Once the scope of the mechanism has been defined and the channels through which grievances will be received have been established, it is important to publicize the mechanism widely with all stakeholders and potential users, so that they are aware of channels available and what they can expect when submitting feedback or a grievance.

Define the best means of communication and outreach to build awareness of the mechanism in the context. For example, it may be most appropriate to provide clear information on institutional websites, or via information boards or community meetings at

the level of project implementation (see Chapter 7 for guidance on effective methods for providing information to different stakeholder groups).

In publicizing the mechanism, it is important to manage expectations of potential users by making explicit its scope, mandate and functions. Information that is important to provide includes:

- who can submit grievances

- where, how and when grievances can be submitted

- the scope of the grievance redress mechanism, including any limitations to the problems that can be dealt with and the criteria that will be used to assess whether grievances are accepted or rejected

- the timelines, steps and processes for handling grievances

- the types of responses and outcomes that can be expected

- the institutions that will be involved in handling grievances

- the possibility of submitting a grievance anonymously

- the rights and protections provided for complainants

- how the information in a grievance case can be shared and used.

9.5 Handling grievances

It is a *key recommendation* to ensure that grievance redress mechanisms are responsive, and process grievances in an efficient and timely manner. Responsive mechanisms provide information on expected timelines and actions to be undertaken when the grievance is lodged. They also provide regular and systematic information to the complainant on the progress of their case until it is resolved. Receiving, processing and resolving grievances should be a systematic process that follows clear guidelines and principles of objectivity, integrity, and respect for the rights and confidentiality of all involved stakeholders. The exact process to be followed will depend on the details of the case in question, but the core steps

involved in receiving and processing grievances are as follows.

Step 1: Record the grievance and acknowledge receipt

Once a grievance is received through one of the established channels, log it in the grievance data management system. Send the complainant a prompt acknowledgement, and information on the potential follow-up actions and timeline. The joint Forest Carbon Partnership Facility (FCPF) and UN-REDD Programme *Guidance Note for REDD+ Countries: Establishing and Strengthening Grievance Redress Mechanisms*[47] suggests that complaints should be acknowledged within 3–5 days of receipt. Even where a grievance is minor or can be directly resolved, record the details in the centralized system for monitoring and evaluation purposes.

Step 2: Assess eligibility

To ensure consistency and objectivity, follow clearly established guidelines to assess the eligibility of the grievance. The criteria for eligibility should be publicly available. If the grievance is assessed as falling outside the scope of the mechanism, clearly communicate this to the complainant, together with the criteria used to reach this conclusion. If the grievance is assessed as falling within the scope of the mechanism, a detailed review and analysis will be required.

Step 3: Review and analyse the information

Conduct an independent, objective and impartial review of the information submitted. In many cases, it may be relatively straightforward for the entity that received the grievance to identify and implement a solution. In more complex cases, further investigation and analysis may be required, involving multiple stakeholders. When dealing with serious allegations, it may be necessary to collaborate with law enforcement bodies. Systematically record all actions and findings, and send the complainant regular communications on the progress of their claim.

Step 4: Develop a resolution

Flexibility is key to ensuring effective resolution of grievances, which may have a broad scope. An effective grievance redress mechanism incorporates a variety of grievance resolution approaches, and the complainant should have a say in which approach is adopted. For relatively straightforward or common grievances, it may be possible for the team handling the case to directly develop a

response that deals with the issues raised. For more complex cases, further assessment and engagement with the complainant and other stakeholders may be required to jointly determine the best course of action. Finally, there will be cases where referral to another appropriate mechanism or body, such as a national ombudsman or human rights commission, is required to effectively handle the grievance.

Step 5: Communicate the proposed response

Whichever course of action is deemed most suitable to the case in question, communicate the proposed response to the complainant in a timely and accessible manner. The joint FCPF and UN-REDD guidance for grievance redress mechanisms proposes that a response should normally occur within 14–21 days of receipt of the grievance. Make the rationale for the response clear, and explain the complainant's options for how to proceed. Options might include accepting the proposed response, appealing the proposed response, or seeking further action via an alternative avenue for redress.

Step 6: Close the case

Once agreement has been reached with the complainant on the proposed course of action to address the grievance, implement the response and close the case. Collect evidence on the corrective actions taken (e.g. photos or documents, a record of resolution, an agreement with the complainant, a confirmation from the complainant).

Step 7: Handle appeals

Ensure that an appeals process is in place in case complainants are not satisfied with the decision of the grievance redress mechanism. The appeals process should involve an independent panel that can objectively verify the outcome of a case. Inform complainants about their rights to appeal, as well as any alternative national legal or administrative channels that may be available to address their case.

9.6 Monitoring cases and grievance redress mechanism effectiveness

Careful records should be maintained within a computerized data management system of all grievances received, as well as the actions taken to respond to them. Carefully maintaining records for future analysis has two chief purposes:

- to monitor the grievances that are received, in order to identify common issues and potential trends that may imply systematic capacity

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47 Available at: www.forestcarbonpartnership.org/sites/fcp/files/2015/September/FCPF_UN_REDDWebReady.pdf.

issues or gaps that need to be addressed on a wider scale (e.g. by altering policy design)

- to evaluate the overall performance of the grievance redress mechanism and compliance with the principles of fairness, impartiality, accessibility and responsiveness. This will ensure that weaknesses in the system are identified, and will allow adjustments to be made to the processes and procedures, as necessary.

An oversight body should be established with advisory authority to monitor performance and provide strategic advice about the grievance redress mechanism. This can be an independent entity or a multi-stakeholder body that includes government and representatives of relevant stakeholder groups.

Transparency is a key element of any effective review and evaluation process. Although there will likely be case-specific information that is sensitive and should not be shared publicly, it is important to make aggregate information (e.g. on the types of grievances received and the approaches used to resolve them) publicly available to demonstrate the effectiveness of the system. This can help to build trust or, where necessary, signal cause for reform (e.g. through improved public outreach).

9.7 Supporting the functioning of grievance redress mechanisms

Ongoing resources, financial and otherwise, will need to be identified and made available for the functioning of grievance redress mechanisms. These include resources for receiving and processing grievances, as well as for providing redress, as appropriate.

9.7.1 Further references

For guidance on the effective review of grievances from communities affected by development projects undertaken by climate finance institutions, see:

- Compliance Advisor Ombudsman's *A Guide to Designing and Implementing Grievance Mechanisms for Development Projects*[48]

For guidance on grievance redress relating to REDD+ initiatives and actions in forest-rich countries, see:

- FCPF and UN-REDD Programme *Guidance Note for REDD+ Countries: Establishing and Strengthening Grievance Redress Mechanisms*[49]

For guidance on non-judicial grievance mechanisms, see:

- SOMO's *The Patchwork of Non-Judicial Grievance Mechanisms*[50]

For guidance on grievance mechanisms to address corruption, see:

- Transparency International's *Complaint Mechanisms Reference Guide for Good Practice*.[51]

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[48]   Available at: www.cao-ombudsman.org/howwework/advisor/documents/implemgrieveng.pdf.

[49]   Available at: www.undp.org/content/dam/undp/library/corporate/secu/Joint-FCPF--UN-REDD-Programme-Guidance-Note---Establishing-and-Strengthening-Grievance-Redress-Mechanisms-EN.pdf.

[50]   Available at: www.somo.nl/the-patchwork-of-non-judicial-grievance-mechanisms-2/.

[51]   Available at: https://knowledgehub.transparency.org/product/complaint-mechanisms-reference-guide-for-good-practice.

PART III

Reporting

10 Reporting on stakeholder participation

Reporting on stakeholder participation in the design, implementation and assessment of a policy demonstrates transparency, provides stakeholders with assurance that an agreed and/or published stakeholder participation plan has been followed, and explains and justifies any changes made to the stakeholder participation plan as a result of adaptive management.

An assessment of the extent to which key recommendations for stakeholder participation have been followed can support transparent reporting and adaptive management to strengthen future participation.

Reporting on stakeholder participation, combined with reporting on the impacts of the policy, can help to build support for the policy – for example, among the public, specific stakeholder groups and donors.

This chapter presents a list of information that is recommended to be included in an assessment report.

Many donors and other sources of finance, including international and domestic public and private funding, have reporting and disclosure requirements for stakeholder participation. Further, reporting on stakeholder engagement is required under the Paris Agreement's enhanced transparency framework (para. 62 of the Modalities, Procedures and Guidelines).

Refer to Chapter 7 for more information on providing information to stakeholders. In addition, the ICAT Renewable Energy Methodology, Buildings Efficiency Methodology, Transport Pricing Methodology, Agriculture Methodology, Forest Methodology, Sustainable Development Methodology, Transformational Change Methodology, *and* Non-State and Subnational Action Assessment Guide *provide users with guidance on reporting the impacts of policies.*

Checklist of key recommendations

- Report information about how the stakeholder participation process has been designed and conducted (including the information listed in Section 10.1)

10.1 Recommended information to report

It is a *key recommendation* to report information about how the stakeholder participation process has been designed and conducted (including the information listed below).

Chapter 4: Planning effective stakeholder participation

- The objective(s) for effective stakeholder participation

- The stakeholder participation plan, including activities, methods, timing, roles, responsibilities, reporting and resources

- Information on implementation of the stakeholder participation plan, including progress, challenges and justifications for changes made to improve the plan

Chapter 5: Identifying and understanding stakeholders

- The methods used for, process followed for, and results of, stakeholder identification and mapping

- The process followed for, and results of, identification of legitimate representatives of stakeholder groups

Chapter 6: Establishing multi-stakeholder bodies

- The mandate, objectives, role, scope, composition, procedures and decision-making processes of multi-stakeholder bodies that

support the design, implementation and assessment of the policy

- Information on effective functioning of the relevant multi-stakeholder bodies (e.g. meetings held, participation, outputs and decisions, any changes to composition or procedures)

Chapter 7: Providing information to stakeholders
- The methods of information dissemination and an overview of information provided to different stakeholder groups

- An evaluation by stakeholders of the extent to which information provided to them about the policy has been timely, relevant, comprehensive, accessed and understood

Chapter 8: Designing and conducting consultations
- The objectives of, methods for, and participation in, consultations, including ongoing feedback mechanisms

- A summary of inputs received from stakeholders and how these inputs were taken into account

Chapter 9: Establishing grievance redress mechanisms
- A summary of relevant grievance redress mechanisms, including their scope, roles and responsibilities, timelines and processes for handling grievances, and the types of responses and outcomes that can be expected

- Information on the types and number of grievances received, approaches employed to resolve them, and any adjustments made to the mechanism based on an evaluation of performance

Additional information to report (if relevant)
- The process followed and actors involved in assessing stakeholder participation

- The type of technical review undertaken (first, second or third party), the qualifications of the reviewers and the review conclusions. More guidance on reporting information relating to technical review is provided in Chapter 9 of the ICAT *Technical Review Guide.*

10.2 Assessing stakeholder participation

The key recommendations in this guide can be used to support an assessment of each element of stakeholder participation: planning effective stakeholder participation, identifying and understanding stakeholders, establishing multi-stakeholder bodies, providing information to stakeholders, designing and conducting consultations, and establishing grievance redress mechanisms.

Involving stakeholders in conducting the assessment is helpful, since they can provide insights and validation of findings. This guide may therefore also be used to help design a participatory assessment (see Box 10.1). For example, surveys, interviews, focus group discussions and other methods of consultation (see Chapter 8) can be used to collect information from stakeholders about the extent to which the key recommendations have been followed.

When conducting a participatory assessment, it is particularly important to ensure balanced representation of all stakeholder groups, with special attention to vulnerable and marginalized stakeholders, to avoid bias in the assessment. Groups that may have different opinions, such as government, local communities and private sector organizations, should have a voice, and their different opinions need to be recorded. Conducting a transparent process, and enabling opportunities for public comment and stakeholder review of the findings can also help to ensure an unbiased assessment (see Section 10.3).

A participatory approach to assessment can also provide an opportunity to obtain stakeholder input on ways to strengthen stakeholder participation, thus supporting adaptive management (see Box 10.1).

10.3 Technical review

Technical review can strengthen the credibility of reporting, building confidence in the reports so that they are more effective in generating support from different actors. The technical review process emphasizes learning and continual improvement, and can help users identify areas for improving future stakeholder participation processes. Technical review can also provide confidence that stakeholder participation has been conducted according to ICAT key recommendations.

BOX **10.1**

Conducting a participatory assessment of stakeholder participation in the Malawi National Climate Change Management Policy

The Initiative for Climate Action and Development in Malawi applied the ICAT *Stakeholder Participation Guide* to assess the effectiveness and efficiency of participation by community stakeholders in the design, implementation, monitoring and evaluation of the Malawi National Climate Change Management Policy 2016 (NCCMP).

The guide was used to plan the participatory assessment, identify stakeholders of the NCCMP and design appropriate consultations for the assessment. The data for this assessment were gathered from direct interviews and focus groups of identified stakeholders, including marginalized groups, in communities and through their representative organizations. Interviews were guided by a detailed questionnaire that was prepared to establish the extent of stakeholder engagement in the process of policy development and implementation.

Reponses to the questionnaire showed that communities and some disadvantaged groups had zero or minimal involvement in the process. The government strategy for the NCCMP does not include a monitoring and evaluation requirement for community participation. The same situation exists for marginalized groups, for which the monitoring and evaluation requirement relates to their consideration in projects and programmes, rather than their engagement in developing projects and programmes.

Despite this lack of significant engagement, respondents believed that the NCCMP is delivering positive outcomes. Malawi is a largely agrarian economy, with many people reliant on subsistence farming and living in poverty. Respondents highlighted their engagement in activities such as collaboration on disaster risk management, good agricultural practices (including the use of technology), soil and water conservation practices, awareness and education about new adaptive research activities, and village savings and loan schemes. The focus groups proved more expansive; while reinforcing the issues mentioned in expert interviews, they added the mainstreaming of eco-friendly technologies, capacity-building on climate change issues, livestock production and climate-smart agriculture.

The assessment of stakeholder participation sought the views of groups that are often marginalized, such as women. The Coalition of Women Farmers provided valuable insight into the leadership role of women in household management, and in developing their farms in relation to food and income security, crop selection, climate adaptation and farming as a business. Their comments about village savings and loan schemes, and microfinance indicate that interest rates are too high, and that possibly unfair dealings with farmers are occurring, which provide grounds for greater regulation and government intervention.

Although the responses about the impacts of the NCCMP were positive overall, challenges were reported in stakeholder engagement. This was due partly to lack of support and finance, and partly to lack of feedback channels, accountability and coordination.

Technical review can be conducted by first, second or third parties. However, when reviewing the effectiveness of the stakeholder participation process, consider conducting a participatory review with stakeholders. Engaging stakeholders in the technical review process can be more effective in establishing the credibility of reports relating to stakeholder participation. A multi-stakeholder review process also provides an opportunity to enhance transparency, share information and build capacity among stakeholders. Refer to the ICAT *Technical Review Guide*, Chapter 6, for more information on involving stakeholders in the technical review process.

Abbreviations and acronyms

FCPF   Forest Carbon Partnership Facility

GHG   greenhouse gas

ICAT   Initiative for Climate Action Transparency

NGO   non-governmental organization

PV   photovoltaic

REDD+   reducing emissions from deforestation and from forest degradation, conservation of forest carbon stocks, sustainable management of forest and enhancement of forest carbon stocks

TWG   Technical Working Group

UNDP   United Nations Development Programme

UNECE   United Nations Economic Commission for Europe

UNEP   United Nations Environment Programme

UNFCCC   United Nations Framework Convention on Climate Change

Glossary

Assessment report
A report, completed by the user, that documents the assessment process, and the GHG, sustainable development and/or transformational impacts of a policy or action

Consultations
Processes that enable exchange of information between stakeholders (including between government and other stakeholders), including providing information and capacity-building to stakeholders, and enabling diverse stakeholders to provide input reflecting their needs and interests relating to the subject of the consultation

Customary rights
Established, traditional patterns of norms that can be observed within a particular sociocultural setting, such as patterns of long-standing land and resource usage in accordance with customary laws, values, customs and traditions, including seasonal or cyclical use, rather than formal legal title to land and resources issued by the state

Effective stakeholder participation
Processes in which stakeholders have meaningful influence over decisions, involving those who are potentially affected by, or interested in, a decision and who have a right to be involved in the decision-making process, with special attention to those who may be marginalized and those who may be directly affected by the policy. The processes recognize and communicate the needs and interests of all stakeholders, involve stakeholders in defining how they participate, provide stakeholders with the information and capacity to participate, and communicate to stakeholders how their input affected the decisions.

Ex-ante assessment
The process of assessing expected future impacts of a policy or action

Ex-post assessment
The process of assessing historical impacts of a policy or action

Expert elicitation
A protocol for consulting with experts, including a process for helping experts understand the elicitation process, avoiding biases, and producing independent and reliable judgments

Feedback
Information provided back to stakeholders (including to the government) in response or reaction to previous information from that person or entity

Grievance
An issue, concern, problem or claim (perceived or actual) that an individual or group wants to be addressed and resolved

Impact assessment
The assessment of GHG, sustainable development and/or transformational impacts resulting from a policy or action, either ex-ante or ex-post

Marginalized people or groups
People or groups that have relatively little or no influence over decision-making processes

Multi-stakeholder body
A formal or informal regular gathering of people representing various constituencies, interests and stakes for the purpose of ensuring and enabling their participation, contribution and influence towards a goal or strategy

Participation
Processes that enable stakeholders to understand and influence decisions and processes that may interest or affect them

Policy or action	An intervention taken or mandated by a government, institution or other entity, which may include laws, regulations and standards; taxes, charges, subsidies and incentives; information instruments; voluntary agreements; implementation of technologies, processes or practices; and public or private sector financing and investment
Redress	A remedy or compensation for a wrong, loss or grievance
Stakeholders	People, organizations, communities or individuals who are directly or indirectly affected by, and/or who have influence or power over, a policy
Stakeholder participation plan	A plan that specifies activities, methods, timing, roles, responsibilities, reporting and resources required to meet the identified objectives of stakeholder participation

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