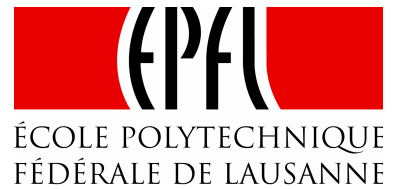


# Roundtable on Sustainable Biofuels

An initiative of the EPFL Energy Center



## Summary of the discussion on principle 2 – consultation (SOC) Working Group

### The principle – Introduction, background and purpose

The principle has been introduced to ensure that potential impacts, both negative and positive, of biofuels projects are understood by stakeholders, that any negative impacts are mitigated against, and that positive impacts are maximized, through a process of consultation with stakeholders that results in concrete remedial action. This includes activities during production and processing, and throughout the full life cycle of the project. Concrete action must form part of the outcome.

A common understanding of the words consultation, participation, and transparency is needed and a glossary of terms will be added to the final RSB document; some suggestions are contained in an annex to this document.

The purpose of this principle is to involve and actively engage stakeholders in order to ensure that the concerns and interests of stakeholders are included in the development and implementation of biofuel projects.

The motivation for this principle is that social issues and rights, in particular, are difficult to assess without consultation with affected and interested parties. Getting full buy-in from local communities and stakeholders is an important step in achieving best practice, contributing to the aspirational nature of the principles in particular.

The principle's wording and criteria come from two internationally recognized sources, the ILO convention 169 on the rights of indigenous people and the principle of "free, prior and informed consent" (otherwise known as FPIC). These adopt the approach that "individuals and communities should be informed - in appropriate, accessible language - about projects that might take place on their land". It also guarantees that they are given the opportunity to give, withhold, or negotiate land use and related issues. In other words, consent must be freely given, obtained prior to implementation of activities and be founded upon an understanding of the full range of issues implicated by the activity or decision in question.

### Principle on Consultation (old version)

*"Biofuel projects shall arise through fully transparent, consultative and participatory processes that involve all relevant stakeholders."*

Suggested new wording, agreed to by the members of the SOC WG and accepted by the Steering Board of the RSB:

*'Biofuel projects shall be designed and operated under appropriate, transparent, consultative, and participatory processes that involve all relevant stakeholders'.*

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## Glossary and definitions

Producer: Either a farmer, group of small farmers, or the owner of the production facility, depending on the context.

Public participation is process whereby people, individually or through organized groups can exchange information, express opinions and articulate interests and have the potential to influence decisions on the outcome of the matter at hand.

Public participation:

- Is inclusive rather than exclusive

- Is voluntary with respect to participation by stakeholders, but not by project proponents. It may complement legal requirements but not conflict with legal provisions in force, particularly with respect to ownership and user rights

- Is fair and transparent to all participants and follows agreed basic rules

- Is based on all participants acting in good faith

- Does not guarantee or predetermine what the outcome will be

A relevant stakeholder is any individual or organized group that will be impacted upon by any part of the full life cycle of the project.

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ÉCOLE POLYTECHNIQUE  
FÉDÉRALE DE LAUSANNE

<p>2 <i>Consultation: 'Biofuels projects shall be designed and operated under appropriate, transparent, consultative, and participatory processes that involve all relevant stakeholders'.</i></p>			
Criterion	Requirements	Responsibilities	Guidance for implementation
<p>2a) Stakeholder consultation should be used to establish rights and obligations of the entire project cycle and should inform the outcomes of the ESIA described under the principle on rural and social development.</p>	<p>Integration of stakeholder consultation must be achieved within the ESIA in order that all risks, opportunities and positive and negative impacts are assessed holistically.</p> <p>Land and water rights, as recognized by customary or national laws must be documented and distributed during the initial phases of the project.</p>	<p>The project proponent is responsible for assuring that all aspects of the ESIA and stakeholder consultation are integrated.</p>	<p>Stakeholder processes should be done in tandem to avoid duplication, but must ensure that all ecological, social and economic aspects are addressed throughout the process</p>
<p>2b). The scope, length and extent of the consultation and participation must be reasonable and proportionate to the scale and stage of the project and the interests at stake</p>	<p>For preexisting projects with no land use changes, the consultation process should focus on assessing compliance with the other principles</p> <p>The stakeholder process and plan must be documented up front in draft format and presented to the stakeholders for approval and acceptance.</p> <p>If potential impacts lie below the minimum criteria in any of the principles in this standard, or potentially infringe any rights or national laws, as evidenced by stakeholder registration of such an impact, then stakeholder engagement must be rigorous to determine the extent of the infringement and the potential impacts.</p> <p>Specific time frames and objectives should be established at the onset with meetings time lines and dates set as early as possible with maxim</p>	<p>Producers are required to do an initial scoping exercise to determine the extent of stakeholder issues.</p> <p>Producers are required to draw up the initial draft plan and for its implementation.</p>	<p>Initial scoping exercises must involve advertising in local or (where there is no local media) national media as well as consultation with local leaders, both at a governmental and non-governmental level</p> <p>Standard processes for grievance in a region, local area or nationally can be adopted and used in the absence of clear guidelines.</p>

	<p>mum notice for date, venue and time changes.</p> <p>Grievance procedures must be included in the stakeholder plan and process, including the specific ways that an affected community can seek recourse in the event of dissatisfaction with the process.</p> <p>Described processes must cover the full life cycle of the project, from project inception to final project closure and must describe ways that unanticipated impacts can be maximized, resolved or mitigated against.</p>		
<p>2c) Stakeholder engagement must be active, engaging and participatory, enabling local, indigenous and tribal people to engage meaningfully.</p>	<p>Consultation processes must be carried out using practices that are familiar to the stakeholders such as :</p> <ul style="list-style-type: none"> <li>• The use of local languages</li> <li>• Use of media and presentation tools that are understandable and appropriate for the level of education and local channels of communication</li> </ul> <p>Where the stakeholders are unfamiliar with the topics or issues raised in the stakeholder consultation process, training and capacity building shall be provided.</p> <p>Focus groups with women and men separately is essential to ensure all views are expressed openly and freely.</p>	<p>The producer is responsible for ensuring that stakeholders are communicated with in an appropriate and enabling way</p> <p>The producer is responsible for providing the necessary capacity building and training</p>	<p>Written media may not always be appropriate, but must be in local language.</p> <p>Use of diagrams and pictures coupled with skilled local communicators is likely to yield the best understanding.</p> <p>In some communities use of electronic media is advisable, but in others access to such technologies may preclude its use as an enabling communication tool.</p> <p>Use of participatory planning tools and rural appraisal methodologies will benefit this process.</p> <p>Local NGOs and organizations are</p>

			<p>usually well versed in the local languages and in participatory tools and can be engaged to work on behalf of the community and with the project's supporters.</p> <p>Where government legislation demands ESIA for a particular project, assistance should be sought from the authority</p> <p>Best practices should be used to describe the aspirational nature of the project towards the green line goals of the standard.</p>
2d) Stakeholder consultation should be based on reaching consensus through free prior and informed consent and must have an overall benefit to all parties.	<p>Coercion of stakeholders to accept a project is unacceptable.</p> <p>Consensus will not be considered an acceptable agreement for approval of the project if the overall impact from the project is not positive over the entire life cycle of the project from an ecological, social and economic perspective.</p>	The producer must do an overall assessment of the project and report findings to the stakeholder group on the final analysis.	While some impacts may not benefit the local community, on an overall assessment the total benefit should improve the social, ecological and economic situation in the community.
2e) Processes linked to this principle should be open and transparent and all information required for input and decision-making should be readily available to stakeholders.	Documentation should cover, but not be limited to, initial scoping and feasibility studies, stakeholder identification, land and water rights verification, the consultation meetings and focus group meeting reports, business and feasibility plans, the outcome and report of the ESIA, additional technical reports and all information that may be necessary for stakeholders in decision making; such documentation must be in appropriate formats and languages.	<p>The producer is responsible for making all appropriate information available in appropriate places, formats, languages.</p> <p>The producer is responsible for providing local facilitators to translate and present the reports and documents where needed.</p>	Where information is considered proprietary it must be explained in the report as to why it is not for public attention. Such withheld information should be kept to a minimum.

	<p>Access to documents must be assured through distribution networks, location in appropriate venues and places and being produced in readily accessible formats and languages.</p> <p>Documentation must be distributed as far in advance as possible, with a minimum time of a week in advance.</p> <p>Facilitation for non-literate communities should be provided in order to enable this sector to access the information in the documents.</p>	<p>The producer is responsible for distribution of documentation</p>	
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