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Key Lesson from the World Dams Commission Framework for Decision Making that can be applied to improve the NRGF design

By Joji Cariño
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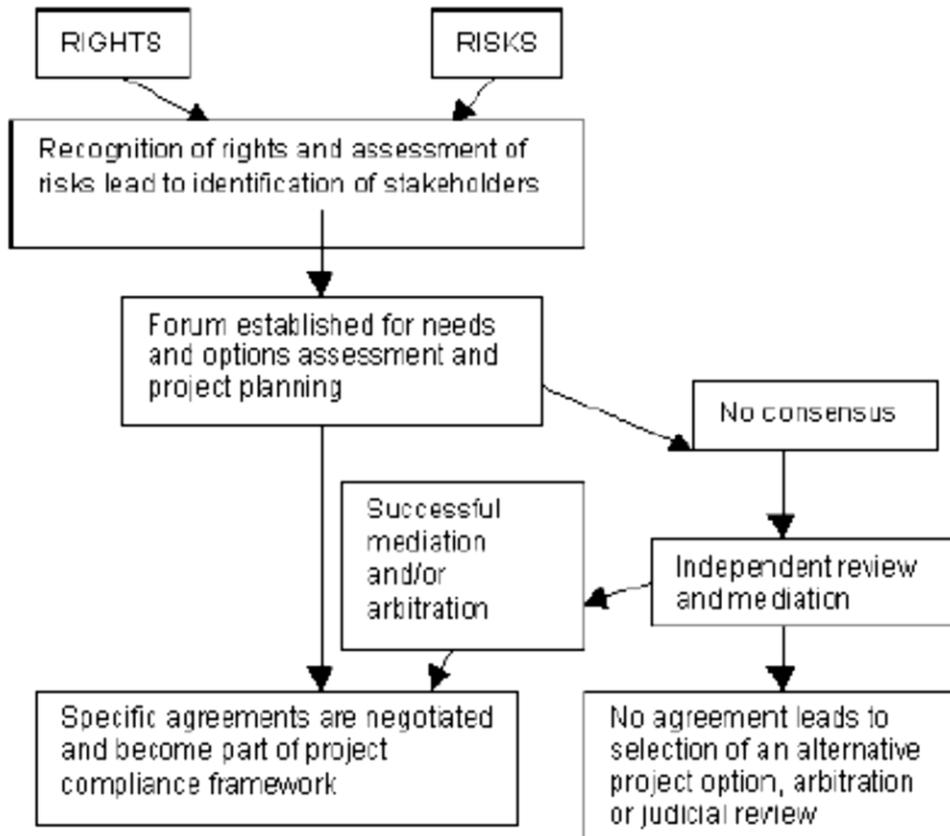
WCD Process

- Development effectiveness was jointly evaluated by the directly affected and interested parties - to generate and study the evidence, agree the findings, learn the lessons and make the recommendations, through a multi-stakeholder forum.
- Failure to recognise the rights of all affected groups, whether legally sanctioned or not, coupled with the significant involuntary risk imposed on the most vulnerable, is central to the dams debate and associated conflicts.
- A fair, informed and transparent decision-making process, based on the acknowledgement and protection of existing rights and entitlements, will give all stakeholders the opportunity to fully and actively participate in the decision-making process.

Analysis of planning, decision-making , and compliance issues

- Participation and transparency in planning processes for large dams frequently was neither inclusive nor open.
- Options assessment has been typically limited in scope and confined primarily to technical parameters and the narrow application of economic cost-benefit analyses.
- The participation of affected people and the undertaking of environmental and social impact assessment have often occurred late in the process and were limited in scope
- The paucity of monitoring and evaluation activity once a large dam is built has impeded learning from experience
- Many countries have not yet established licensing periods that clarify the responsibilities of the owner towards the end of the dam's effective life.

From rights and risks to negotiated agreements: a framework for options assessment and project planning



WCD Strategic Priorities

- Gaining Public Acceptance
- Comprehensive Options Assessment
- Addressing Existing Dams
- Sustaining Rivers and Livelihoods
- Recognizing Entitlements and Sharing Benefits
- Ensuring Compliance
- Sharing Rivers for Peace, Development and Security

The Report of the World Commission on Dams

Strategic Priority 1

Gaining Public Acceptance

- Public acceptance of key decisions is essential for equitable and sustainable water and energy resources development.
- Acceptance emerges from recognising rights, addressing risks, and safeguarding the entitlements of all groups of affected people, particularly indigenous and tribal peoples, women and other vulnerable groups.
- Decision-making processes and mechanisms are used that enable informed participation by all groups of people, and result in the demonstrable acceptance of key decisions.
- Where projects affect indigenous and tribal peoples, such processes are guided by their free, prior and informed consent.

Strategic Priority 5

Recognizing Entitlements and Sharing Benefits

Joint negotiations with adversely affected people result in mutually agreed and legally enforceable mitigation and development provisions. These provisions recognize entitlements that improve livelihoods and quality of life, and affected people are beneficiaries of the project.

Successful mitigation, resettlement and development are fundamental commitments and responsibilities of the State and the developer. They bear the onus to satisfy all affected people that moving from their current context and resources will improve their livelihoods.

Accountability of responsible parties to agreed mitigation, resettlement and development provisions is ensured through legal means, such as contracts, and through accessible legal recourse at national and international levels.

Strategic Priority 6

Ensuring Compliance

Ensuring public trust and confidence requires that governments, developers, regulators and operators meet all commitments made for the planning, implementation and operation of dams. Compliance with applicable regulations, with criteria and guidelines, and with project-specific negotiated agreements is secured at all critical stages in project planning and implementation.

A set of mutually reinforcing incentives and mechanisms is required for social, environmental and technical measures. These should involve an appropriate mix of **regulatory and non-regulatory measures, incorporating incentives and sanctions. Regulatory and compliance frameworks use incentives and sanctions to ensure effectiveness where flexibility is needed to accommodate changing circumstances.**

"A development strategy that disregards or interferes with human rights is the very negation of development."

Realization of the Right to Development, Report prepared by the Secretary General, February 1990

Participation in the Development Process

- Organized efforts to increase control over resources and regulative institutions in given social situations, on the part of groups and movements of those hitherto excluded from such control.

The United Nations Research Institute on Social Development

"Self-determination and sustainable development were two sides of the same coin."

Indigenous Peoples addressing the UNGA Special Session on Sustainable Development