

MULTIPARTY WORKSHOP

Preliminary Recommendations

OLADE / OR. Calgary Program

Social Issues Initiative
(Iniciativa sobre Asuntos Sociales)



Canadian International
Development Agency

olade
Organización Latinoamericana de Energía



UNIVERSITY OF
CALGARY

1. PURPOSE FOR THESE RECOMMENDATIONS:

The purpose of this document is to orient activities aimed to organize Multiparty Workshops focused on the rural sector of Latin America and the Caribbean, like ad hoc advisory groups, to set energy development strategies. The recommendations contained herein will serve as a basis for discussions and activities in the different countries and will be tailored to the local conditions locales of the four host countries.

2. WORKSHOP ORGANIZATION AND LOGISTICS

A. Relations with the Host Country Government:

The success of the Multiparty Workshops depends greatly on the degree of receptivity and cooperation of the host government. In the case of this project, the first sign of the degree governmental receptivity is the willingness and expeditiousness with which it names the national focal point national focal point or National Project Coordinator (NFP).

However, the project leaders, especially the local consultant, should understand that NFPs are often officials who have little time to spend on extra tasks such as those associated with Multiparty Workshops. Also, NFPs do not always have all information needed for project development. Consequently, it is always advisable for local consultants to communicate with them from the start of their activities to **establish a relationship of close collaboration and coordination** and to define a **government access strategy** between the two. That is, the NFP should identify the government offices and officials whose collaboration could be required for organizing the workshops, and provide the consultant access to those officials. Likewise, in order to ensure the NFP's active participation in the workshops organizing process, they will coordinate with the NFP when attempting to include new officials or other interested parties in conversations on the Multiparty Workshops. (Note that not all officials who are identified and contacted during the organization stage will be those participating in the workshops.)

Frequently, the administration of environmental and social issues is independent from management of the energy sector. In these cases it is fundamental to identify officials in all sectors and work on establishing common bonds. This can be achieved through organization – prior to the Multiparty Workshops – of **one or two informal meetings of the local consultant with the officials of the different sectors involved in the project.** These meetings would have the **purpose of identifying the government stakeholders as well as thematic areas of common concern and also potentially conflictive areas.** Said meetings should be an integral part of the preparatory tasks to be carried out by the local consultant, and should not require the disbursement of any additional funds.

B. The Local Consultant's Role:

First of all, **local consultants should be able to demonstrate independence and impartiality with regard to the different sectors and interests represented at the**

Multiparty Workshops. Otherwise, their legitimacy as a guide through the process would be seriously compromised. The fact that at the beginning of the Multiparty Workshops their contract and salary comes from sources that are external to the participants, and that they work in collaboration with the other members of the OLADE / Univ. of Calgary team, offers an initial guarantee of independence. Nevertheless, **local consultants should maintain their independence and impartiality throughout the process and should report any case of conflict of interest.**

The ideal thing would be for local consultants not to be necessary beyond the first foundational meetings of the workshops, after which they would be managed by the involved participants themselves. However, once Multiparty Workshops have been set up, the participants may decide to keep this figure in the future through the contributions of one or several of the intervening sectors (government, industry, interest groups) in which case the **selection process should be guided by written criteria and should be internal to each workshop.** While preparing the selection criteria, the participants in the Multiparty Workshops could benefit from the experience of the OLADE / Calgary team.

C. Selection of Participants

Despite having the common goal of helping to develop criteria for including social and environmental considerations in the projects, policy guidelines and activities of the energy sector, the workshop agenda will be varied and will require contributions of information of different types and contents. **We suggest that workshop attendance should reflect this reality by establishing two different categories of participants: permanent participants and guest participants.** In this way, the makeup of each workshop could include all parties having a true interest in the subjects to be covered.

Permanent participants would form the fixed workshop team and would represent general sectors such as the government, civil society (including municipalities and communities) and, in some cases, industry; and particularly involved interests such as indigenous peoples, gender, and the environment. These participants should see these workshops as a suitable vehicle to achieve the goals that are set.

When selecting permanent participants, it is important to take into account workshop sustainability, which implies a long-term commitment on behalf of the participants. Accordingly two questions should be asked when selecting these participants:

1. Who can make a commitment to work for free for a prolonged period?
2. What participants require incentives in order to participate? What kind?

For most organizational representatives, including community representatives, NGOs, the government and industry, free participation is not a problem, since this type of work is included in the job description of the organization and its representatives. However, **when trying to attract members of dispersed (unorganized) groups, the long-term commitment required by the Multiparty Workshops could be a large load in relation to the daily activities of the individuals.** Therefore, it is necessary to enhance the advantages of participation through incentives.

One of the advantages of participating in activities such as the Multiparty Workshops, which should be highlighted during the process of selecting participants, tends to be the possibility of receiving training in a given subject or technique. In the case of Multiparty Workshops, there are many training opportunities. On the one hand, participants will gain an understanding of workshop operation as a multiparty decision-making tool. On the other hand, there are the contributions of each party to their technical know-how and social awareness. In this particular case, through the Multiparty Workshops, participants may have a greater appreciation of the issues of gender, indigenous culture, diversity and customs, the natural environment and the relations among its different components, and the functioning of the energy sector and the technologies its uses.

Public acknowledgement of participant intervention can also be an incentive. As far as possible, we recommend offering participants some type of certificate or designation highlighting their participation before third parties and emphasizing the importance of said participation within the context of the country's energy development. Said acknowledgement may also be important to validate the activities of representatives vis-à-vis their communities or grass-roots organizations.

In all cases, before permanent participants become committee, they should understand the implications and scope of their participation in terms of the time the activity requires on the short and long term.

Guest participants are those whose contributions are considered necessary in order to cover certain subjects in particular, but whose presence is not required on an on-going basis. This would be the case, for example, of representatives of the sugar industry or another relevant industry if the subject under consideration is energy production based on biomass with production wastes from those industries. Another example is community members who have been selected to carry out a given project.

Participant characteristics may vary from one country to another, depending on local conditions and the subjects to be covered at each meeting. In general, workshops should incorporate different sectors and interests involved and/or affected by energy development activities, which in general terms include the government and civil society, and, in some cases, industry.

Government:

The government should contribute technical energy knowledge, the overall development vision for the country and the sector, and knowledge or concerns regarding environmental and social challenges, particularly as regards indigenous and gender issues. By reason of what has been said, **it is important to facilitate access to Multiparty Workshops for all government sectors pertaining to social and environmental energy sector management**, which could mean that the energy sector the representative would be accompanied by peers from sector such as the environment, health, forestry, etc., as well as by locales and municipal authorities, depending on the institutional organization of each country.

Although the contributions of governmental officials normally represent the vision of the respective sector, their mandates should be flexible, and they should approach the table with a vocation of consensus. **We should add the possibility that attending officials limit their contributions to the agenda of their own sectors, and that their mandates not enable them to offer their collaboration and consensus on matters that are outside of that agenda.**

The degree of capacity of the governmental representatives is key to determining the scope of workshop results. If the capacity of government representatives is limited, the workshops will produce non-binding guidelines or criteria whose implementation will be subject to the political will of the administrators. In itself, the lack of directly binding workshop results is not an obstacle to the appropriate functioning and usefulness of the results, provided the participants understand the scope and possible impacts of their efforts.

The hope is that the recommendations of the Multiparty Workshops will be translated into concrete projects and policy guidelines, which in turn will translate into laws and regulations. Therefore, as regards the **sustainability of workshop results**, besides government representatives, sometimes it may be appropriate to consider the advisability of having the **presence of magistrates and/or legal advisors of sectoral administrations at the workshops.**

Governmental selection of participants usually comes from the governments themselves and includes the NFP or another senior official. Oftentimes, the government expects the senior official's contribution to be mere formality, which is not a problem provided other officials are engaged to be fully involved.

It is important **to mention the number of permanent governmental representatives**, as frequently the government tends to be over-represented, either because the industry representatives come from public enterprises and are therefore also government officials, or because the governments see the Multiparty Workshops as a training opportunity, leading them to maximize their presence. There is also a natural tendency to want to minimize the risk implied in opening the political decision-making process to sectors that are generally not so involved.

Lastly, it is common for officials who are designated to participate at these tables to add this task to their habitual ones and, therefore, have limited time to spend on the tasks required for the functioning of a multiparty table, including preparatory and follow-up tasks. In order to ensure the priority attention of these officials, it is advisable **to obtain the commitment of their superior, showing how the activities related to participation in the Multiparty Workshops are of special interest and priority** to the participant's sector and department. This commitment should be obtained by those in charge of selecting participants, who as far as possible should ensure that it is communicated to all participants in writing in the note confirming their designation.

Industry:

In cases where, according to their level local activity, the tables include industrial representatives, they should contribute their own views of sectoral development and their own concerns. **They should be prepared to contribute seriously and candidly to the dialogue, providing precise information, without turning it into an opportunity to practice public relations in favor of their companies.**

According to the degree of openness to private participation in each country, the participants for industry should include representatives of public, mixed and/or private enterprises.

Due to the emphasis on alternative energy sources that usually accompanies the rural electrification process, if the alternative producers are not present among the industry representatives, it may be appropriate **to make space for representatives of alternative equipment and technology producers.** This is especially important given that traditional energy sub-sectors tend to have stronger leads to governmental levels.

Civil society:

The civil society has as many faces as there are interests related to the development of a sector and of a country. This project is especially interested in two sectors that in the past have suffered most of the impact of energy policies without any possibility of influencing their course. These two sectors are the indigenous peoples and women. Ensuring adequate representation for both groups is key to the success of Multiparty Workshops.

The issue of the adequate representation of minorities is particularly thorny, because these minorities are not always homogeneous or are organized in such a way as to produce a representative that is able to intervene legitimately on behalf of all sub-groups involved. In this regard, it is worth warning the organizers of the dangers of rushing to involve intermediaries that claim to represent certain groups, especially of indigenous people and the women, as a means to achieve goals on their personal agendas. In order to **avoid recurring to intermediaries** of this type, in cases where there is no leader who is directly identifiable and recognized by the grassroots groups, it is advisable as far as possible that representative nominations come from the groups themselves, even if the process is a little slow due to the lack of organization at the grass roots. In the Canadian experience, the integrity and usefulness of participatory process like the Multiparty Workshops could be seriously affected if the intervening parties are not given the opportunity to designate their representatives through their own procedures and mechanisms.

In the case of the indigenous groups, in order to ensure an adequate representation of all ethnic groups, it is advisable for those in charge of selecting the participants apprise themselves as to the number and origin of the different ethnic groups in a locality, their degree of organization, and whether there are any conflicts among them that should be taken into account when putting together and operating the workshops. Similarly, in the

case of women, it would be necessary to obtain information on whether there is group awareness with manifest concerns, and regarding their degree of organization and mobilization and, if need be, whether any non-governmental organizations are trained to cover the issues that affect women and facilitate their representation in the workshops. It is also recommendable to leave the **forum open to the participation of individual women and indigenous people** as guests and as observers when they themselves so request and there is no well-grounded objection on behalf of the representatives of those groups. Guest observers could have the option of presenting written comments within a reasonable time period at the end of the workshop meetings. Besides acting as informers through the data provided in their comments, **the presence of these observers would contribute to the legitimacy and transparency of workshop operations.**

Care for the environment is also an interest that should be represented in the workshops through local environmentalist organizations (NGOs) that, as far as possible, manage a comprehensive agenda without interference that is foreign to the locality they represent. Since the environment itself cannot be represented at the Multiparty Workshops, it is important for NGOs to participate whose purpose is protection of the natural and social environment. **These NGOs play a very valuable role, as they are important sources of information from a technical standpoint, and also contribute alternative viewpoints and analyses regarding the social and environmental issues dealt with in the workshops.** These organizations have the advantage of being positioned at the intersection of development and social and environmental issues, meaning that **they can contribute an overall vision towards a balance among diverse interests and needs.** Their presence can be complemented by the occasional participation of technical institutions dedicated to studying the environment local.

Workshop makeup should be especially careful **not to leave out non-indigenous minorities**, including the inhabitants of low-resource, rural and/or remote regions, especially those communities that do not have access to energy services. As far as possible, **the youth should also be represented** since generally they are the most affected by changes in employment conditions and options.

It is also important to identify and include, where appropriate, any real estate owners and other industries that might be affected by the results of these workshops. The issue of the real estate owners is of particular importance considering that the occupant of the soil is not always its owner, a circumstance that could cause contingencies when implementing a given project.

Furthermore, the success of the Multiparty Workshops depends greatly on the availability of adequate information, which should be objective and of such quality as to be useful to all participants. This is why it is advisable to seek the presence of representatives from the universities, institutes or houses of higher studies as “informers” that can contribute technical data and other types of data.

Despite what is stated in the above paragraphs, it is necessary to exercise certain caution when selecting the permanent workshop participants. Especially, **attention should be**

paid to the possibility that too much diversity among participants dilutes the purpose of attending primarily to energy sector impacts on women and the indigenous groups. In order to prevent the number and type of workshop participants from hampering the correct functioning of same, **it is advisable to seek to limit participation to no more than 20 persons.** Also, as mentioned above, aside from the basic nucleus, space could be made for occasional guests as observers with a right to present their comments or observations in writing. These guests may also play a merely informational role, whenever a workshop requires especial information that only one individual or group has.

SUMMARY

- *The success of Multiparty Workshops depends on the level of receptivity and collaboration on behalf of the government.*
- *The local consultant should be independent and impartial, and should report any conflicts of interest.*
- *Two categories of participants: permanent and guests.*
- *Workshop sustainability implies a long-term commitment by participants.*
- *It is necessary to promote the advantages of the participation through incentives.*
- *The participants should understand the implications of their participation in terms of work and time required.*
- *Governmental representation should go beyond the energy sector (horizontal and vertical representation) in the workshops.*
- *The government should publicly state its commitment to Multiparty Workshops.*
- *When required, the industry should participate seriously and candidly, and may especially include non-traditional sectors.*
- *The representatives of civil society and minorities should arise from the grass roots themselves through their own selection mechanisms.*
- *The workshops should be open to the participation of individual observers as members of the civil society, especially women and indigenous people.*
- *The presence of observers will lend greater legitimacy and transparency to workshop functioning.*
- *NGOs can contribute an overall vision that seeks a balance of diverse interests and needs.*
- *It is important to include the interests of minorities and majorities that may be affected.*
- *Attention should be paid to the possibility that excessive diversification of workshop membership could dilute their primary purpose.*

3. MANDATE AND SCOPES

A. Own design

Above all it is important to understand the expectations of all participants. This can be known by simply bringing up the matter at the start of the first meeting. As the first order of business, having covered the formalities of the agenda, including participant

introductions, the parties should have a space at the beginning where they can say what they expect as a result of the Multiparty Workshops. This is the opportunity for the local consultant, acting as a facilitator, to state the general goals of the workshops and clarify their scope. **It would be advisable, within the overall parameters and based on a text provided by the facilitator, for the participants themselves to be the ones who design and approve the final text of the Multiparty Workshop mandate.**

Said text should go beyond the general objectives of the workshops and constitute a **true “contract”¹ among the parties** where – without leaving aside the voluntary nature of the process and of participation – they state their common and specific roles and responsibilities, general goals, and above all come to an **express agreement regarding the type and scope of results sought through the workshops and the commitments to be taken on by each party with regard to them.** These results could be:

- Non-binding guidelines or criteria;²
- proposals;
- observations;
- joint or individual commitments to action; etc.

The suggested procedure, although it may take more time than is allotted in the preliminary agenda for presenting the Multiparty Workshop structure, and for the review of the proposal by the plenary of all participants (from 12:00 to 1:00 p.m. of the first day), is a **key step for the future development of the workshops, as it helps to legitimize the grounds on which their operation is based, as well as adding sustainability to their results.**

B. Capacity of Participants

During this stage, **participants will have an opportunity to present their “credentials” and clarify the scope of their particular mandates.** Optimal workshops functioning demands that participants have ample capacity to represent the diverse sectors or interests present in same, even if the issues covered in each instance are not those agreed on at the beginning. **The participants’ mandates should not become a hindrance to workshop functioning and to the frankness and seriousness of the dialogue.** The scope of said mandates will have a direct impact on the possible results of the workshops. As stated above, since the workshops are aimed to define criteria or tools to attend to the social aspects of energy sector activities, especially as regard rural electrification, **it is particularly important for the governmental representatives to manage a flexible agenda when participating, since in their case, the possibility of facing the dialogue in an open way, without restrictions, could mean greater celerity and effectiveness in sectoral actions, and at once guarantee the usefulness and sustainability of workshop results.** This is less important in the case of woman participants as such, however, as one cannot assume that they commit in general all women, but rather that they

¹ The use of the word contract does not imply an executable legal obligation but rather is used to emphasize the degree of commitment between participants.

² Eventually, workshops may evolve to constitute an advisory body whose recommendations are binding.

contribute a group vision, and care should be taken to ensure that the final result reflects that input.

C. The Place of the Workshops within the Legal and Institutional Framework

In favor to workshop continuity and sustainability, their constitution document (the contract) should **consign the legal grounds on which workshop functioning is based, both directly and indirectly**. These legal grounds should include all provisions of any rank (from the Constitution to regulations and binding international treaties) that encourage the parties to talk and attend to the social and environmental impacts of energy activities. An example would be Convention 169 of the International Labor Organization, the environmental protection and management laws, or those for the protection of minorities and public participation in each country, such as the Law of Participation in Bolivia. **Besides legitimating their functioning, this frame of reference will help to lay the future groundwork for consolidating the mechanism as a tool to support decision makers.**

On the long term, once the workshops have been established and their usefulness has been tested as an advisory mechanism before the institutions of the governmental representatives in accordance with the peculiarities of the institutional framework of each country, one could **study the legal and material possibilities of inserting the Multiparty Workshops formally into the institutional framework of the sector as a permanent consultative body**. In order to ensure the correct functioning and sustainability of the workshops, it is advisable for the Project to consider the possibility of convening and financing a second meeting of the workshops within a relatively short time from the foundational meeting.

SUMMARY

- *The expectations of all parties should be clearly defined at the start of activities.*
- *The final workshop mandate arises from the work of the tables themselves.*
- *The parties commit themselves through a “contract” that defines the goals, roles and obligations of all parties.*
- *There is an express agreement regarding the type and scope of the results sought.*
- *Participant mandates should not become hindrances to workshop functioning and the frankness and seriousness of the dialogue.*
- *The legal framework that workshops move in should be consigned.*

4. FUNCTIONING OF THE WORKSHOPS

A. Guiding Principles and Distribution of Responsibilities

The basic principles guiding the functioning of the Multiparty Workshops should be **flexibility, transparency and balance among the parties**. The workshops should offer a space for different sectors and interests to express themselves freely, without hindrances and without fear of retaliation. This space should be perceived by all stakeholders as an impartial forum.

It is a function of local consultants to guarantee workshop neutrality through a design that ensures a balance among participating parties and interests. The starting point is recognition that none of the parties alone can guarantee acceptable results and that the cooperation of all is needed to achieve balanced results that will support the sustainable development of the sector and will contribute to an overall improvement in living conditions. As said above, workshop design should ensure, first of all, that **no group is over-represented. Over-representation refers to the number of representatives per sector / interest and the distribution of roles among them.**

Special roles or tasks (moderator, rapporteur, etc.) should to be equitably distributed. Furthermore, although workshop neutrality advises against granting a government representative permanent *control* of same, **it is important to highlight and add legitimacy to the link between the workshop and the governmental sector it aims to support**, offering that a senior official of the sectoral department chair the workshop. **The role of the workshop chair is not control but mainly protocol, and represents the government's willingness to talk and its commitment to the society that is affected by energy development.** The workshop chairperson does not participate in its discussions and work, and his/her duties are limited to ceremonies such as opening and closing workshops and activities of a formal nature. However, **the workshop chairperson is the official nexus between the workshop and the sector**, and is therefore the addressee of all workshop-related notices, conclusions and results.

Besides the chairperson, the organizational structure of the workshops should have a neutral facilitator or moderator. **The duty of the facilitator or moderator is to ensure that the dialogue proceeds in a fluid, seamless way, as well as to guide participants towards the adoption of consensual conclusions.** The facilitator should to be trained to identify and solve situations of conflict and dead-ends. He/she should highlight the areas of convergence and encourage the parties to state their agreements through express criteria or recommendations. The facilitator may be in charge of preparing draft recommendations and submitting them to the approval of the group. The persona in charge of this role requires no special knowledge of the topics to be covered in the workshop, but rather a willingness to listen and help the parties with impartiality, aptitude for negotiation, and a good ability for oral and written synthesis. Although at the beginning this duty can be given to the local consultant funded by the project, who can also contribute any technical knowledge needed for workshop startup, on the long term and to ensure facilitator neutrality as far as possible, this duty could given, on a rotating basis, to the participants themselves, who should name them. The designation of a general facilitator general does not exclude the possibility of dividing into sub-groups throughout the work, with ad-hoc moderators elected among the participants.

The facilitator works closely with the rapporteur, who is in charge of following up on the workshop discussions and conclusions by preparing minutes and final reports. **The duties of the rapporteur can be covered alternatively by any of the participants who offer voluntarily to do so.** The rapporteur is the link between the facilitator and the steering group.

Appropriate workshop functioning also requires a **steering group in charge of administrative and logistical matters**. Among the matters that this group deals with are:

- Defining the agenda;
- Obtaining and circulating information;
- General notices; and,
- Follow-up of workshop results.

In general, the members of the steering group carry out most of their tasks before and after the plenary meetings, which requires great commitment to the workshops and their results. It is advisable for steering groups to be made up of representatives from the principal intervening sectors and interests. In this case the steering group would be made up by one representative for the indigenous group, one for the women, and one for the government. Communication among these four personas should be fluid and on-going, which is a factor that should be taken into account when the workshop plenary selects the steering group.

In all leadership and support roles to be played in the workshops – chair, facilitator, rapporteur, etc. –, **one should ensure the representation of women**. To clarify, placing women in positions of leadership within the workshops is not only a way to empower the people who play these roles, but is primarily a way to maximize the contributions of the other female participants who may frequently feel intimidated by masculine leaders and other male participants. In this regard, it is of vital importance that the local consultant be aware or obtain information through a gender study on the roles traditionally assigned to women in each community, in order to be able to anticipate and overcome any obstacle that prevents the women from occupying positions of leadership and participating actively.

SUMMARY

- *The main keys to workshop functioning are flexibility, transparency and balance among participants.*
- *Control of the agenda and discussions should be in the hands of the entire group of participants.*
- *Workshop design should ensure a balance among participating sectors and interests.*
- *The link between the workshops and the energy sector is represented by the workshop chair, held by a senior official of the sector.*
- *The duty of the facilitator is to ensure that dialogues flow and are continual.*
- *The facilitator works with the rapporteur and a steering group.*
- *The steering group is made up of representatives from the primary sectors and interests.*
- *Women representation in leadership and support roles should be encouraged.*

5. WORK METHODOLOGY AND DECISION-MAKING MODEL

A. Workshop Dynamics

Workshops should be promoted and developed in a climate of cooperation and mutual understanding. **The parties should have time listen and be heard.** Although it is important to have a work agenda to guide the dialogue, it should remain flexible. This is especially important when there are diverse cultures or marked differences in the types of knowledge that each party contributes, such as the women's view, the technicians' view, or the energy sector's view, and the empirical knowledge of the natural environment contributed by members of a rural or indigenous community. The bases for a fruitful dialogue are the knowledge and mutual understanding among participants, who should see the workshop as a fundamental mechanism for strengthening long-term relations of collaboration.

In Canada, experience has shown that very tight, inflexible agendas and rigid procedures tend to accentuate tensions among parties and favor to sectors or interests with a more aggressive style of participation. The key to success lies in a flexible format that avoids unnecessary formalities or rigidity. In the final analysis, **control over the agenda and discussions should lie in the hands of the entire group of participants.**

Once having solved the issues regarding the bases for workshop functioning (the "contract," party mandate, expectations and results sought), which should be the unavoidable topic of the first meeting, flexibility is particularly important during the initial workshop meetings where the parties get to know each other and form an opinion of their counterparts, a circumstance that should be taken into account when stipulating workshop duration and frequency. Therefore, it may be advisable, depending on the possibilities of the participants, for the first meetings to be longer and more frequent than those held once the workshops become more agile. It is during this foundational stage when the workshops will require all the support possible on behalf of the project. Financing a second workshop meeting on behalf of the project would help strengthen the results of the first round and to ensure meeting the goals of the project itself, which seeks workshop sustainability.

The experience in North America has demonstrated that even the most carefully worded agreements may require revisions due to unforeseen circumstances. That is why the Multiparty Workshops should be set up as an open dialogue forum and seek to become permanent. The most important product of these workshops is the construction of an environment of mutual trust and a commitment to the sustainable, socially acceptable development of the energy sector.

B. Patterns of Functioning

When seeking to consolidate the workshops, one of the primary goals of the foundational meeting is to **set the operational rules or work patterns of the workshops.** These work patterns should stipulate, among other things:

- The modality for each party to express its position and answer others' questions;
- The type of information and evidence that each party is expected to contribute;

- The way any additional information and studies will be obtained;
- The forma to incorporate input from guest participants;
- The cases in which the direct participation of members of the public will be admitted as observers or informers, and how; and
- The way publicity will be given to the results and the process itself.

The issue of publicity for the process and results aims to afford them legitimacy and sustainability through a system that guarantees transparency. The idea is to implement a “face the public” mechanism that precludes the possibility of ungrounded or frivolous questionings that could hamper workshop functioning.

In order to facilitate the tasks of the parties at this stage, **the local consultant should propose alternative models of rules for workshop functioning.** By formulating these models, the consultant should be careful to attend to the peculiarities of each group and help to create an environment where all parties can present their ideas and receive the same respect and consideration. For example, question sessions should to be structured in such a way that they do not become an attack or criticism of the ideas and postures of the parties, but help clarify the real needs of each party. If the group is large (20 persons) it is advisable to divide it into smaller sub-groups (5 to 10 persons) to ensure that all parties have an opportunity to contribute to the discussions in a balanced way. Also, it is important for the rules of functioning to take into account the different types and forms of knowledge or information that each group is expected to contribute (technical information, cultural notions, or group views) and ensure they be received with all due deference, in a suitable way, that can be of use to all. Each party should be able to contribute any information that illustrates its position in consequence with their own means and forms of knowledge that is within its reach.

Also, **time management is also important.** Breaks are useful for participants to reflect in smaller groups (2 or 3 persons) and return to the workshops with a clearer picture of the direction the discussions are going, which could be the beginnings of a consensus.

Once having defined the work patterns, roles of the parties, expectations and mandates of the workshops, **the local consultant can help to define central topics by handing out questions beforehand that instigate the participants to define their groups’ priorities in advance.** Later on, this duty can be taken on by the permanent moderator (if there is one) or the steering group. The idea is not that each sector or interest attend the workshops with specific proposals, which are frequently too rigid, but contribute concrete data on the needs and concerns of the groups they represent. For example, instead of demanding a technology that does not require opening roads and access routes to the land of indigenous peoples, the need to preserve and protect the ancestral territories and indigenous cultures could be addressed; or, in the case of women, stating the need for equipment whose maintenance and operation reduces the amount of time that a group normally spends on tasks relating to obtaining energy, may be more useful then demanding specific items.

C. Level and Balance among Parties

In order for the parties to participate more effectively in Multiparty Workshops, attention should be given to the balance among them. This balance refers to:

- The material and physical possibility of gaining access to information.
- The possibility of gaining access to advisory services and training.
- The possibility of gaining access to financial resources that enable sustained participation.
- The circumstances of time and space in which the workshop is carried out.

The management of information aimed to feed the work of the Multiparty Workshops is of key importance for the quality and sustainability of the results. Each party should share the information that its position is based on. As far as possible, this information should be made available to participants before the workshop meetings, in a format that is accessible to its recipients. The steering group would be in charge of gathering information and making it available to the other participants. The same group would have the task of seeking specific information at the request of the participants.

The recipients should understand the information that is supplied and have time to communicate it and gather the opinions of the groups they represent. Especially, technical information should be put forth in such a way as to be understandable and relevant to all parties. At all times, it is advisable for participants to be available to answer questions and make clarifications regarding the information supplied, which can be achieved through a simple exchange of telephone numbers or similar information.

Should the necessary information not be available in written form, when sharing new information or clarifications it is advisable to dedicate a segment at the beginning of each meeting for sharing information.

In certain cases, **the language of choice may be a significant barrier to the optimal functioning of the workshops.** The solution in many cases is to hire interpreters. However, financial resources are often not available for this. It would be up to the local consultant to detect and propose such a need during the foundational meeting(s). If workshops evolve towards long-term support mechanisms, solutions to these requirements, such as creating a special fund, recruiting permanent voluntary translators, or mutual assistance among bilingual and non-bilingual participants, may arise from the workshop itself. The same goes for the advisory and training needs of the parties, or for any another activity aimed to level off the ability of all parties to participate significantly that may require external sources of support or financing.

The place where workshops are held also has an impact on their results. In general, **it is advisable for parties with greater mobility to go where the participants with less mobility are.** This is especially important in the case of community and women's representatives who often cannot leave their habitual tasks entirely and should be able to quickly get back and forth between the workshop site to their homes. Holding the workshops in communities that are potentially affected by energy development projects or their surroundings has the added advantage of making them a visible process that

invites direct participation, promotes trust in their results and thus enhances their sustainability.³ It also has the advantage of providing other participants an opportunity to see the potentially affected areas up close. When choosing a site, one should also consider that the place have safe access for woman participants or transportation to facilitate the mobility of women and members of remote communities, or of persons requiring assistance due to age.

The workshop dates should be set considering the particular needs of each group, so as not to interfere with their own activities, uses or traditions. For example, it is important to avoid holding workshops during market days when the women go to sell their products or on especially significant days from a cultural viewpoint. Also, the schedule set for the workshops and breaks should take domestic routines into account.

D. Exchange and Decision-making Model

The workshops constitute a forum for consultation and consensus. Consultation is understood as an interactive process aimed to promote an exchange of ideas among participants and grant them a space to exercise, through their non-binding input and opinions, some influence on decision-making processes. Consultation differs from mere information in that it is a dialogue in which the parties alternate between hearing and being heard, and in **that the final result reflects the intervention of all parties**. The purpose of consultation is to develop ideas or recommendations that feed the decision-making process of the sector in charge of the advance conflict resolution mechanism and ensuring the sustainability of sectoral actions.

Workshop results and decisions should reflect the consensus the parties arrive at in their discussions. **Consensus is understood as a final result that, while not exactly reflecting the position of each participant, is accepted by each and every one as a viable proposal.** The consensus formation process gives participants the opportunity to deepen their understanding of the values, interests and knowledge of the other parties, building the bases for reaching creative, lasting solutions. In the discussions, it is important to differentiate between what can be considered information related to concrete, testable facts, and information that reveals group positions or appreciations, as well as non-negotiable values. Consensus implies exploring and developing alternatives of common interest beyond differences in values. **A consensual result should be accepted by all participants and not by a qualified majority.**

It is important for the parties to understand the concepts of consultation and consensus, as these are the bases on which workshop operation is established. It is advisable for the local consultant to spend some time during the first meeting to ensure a full, equal understanding of these concepts and their usefulness.

In cases where it is not possible to reach a consensual solution or recommendation, not should be taken of that circumstance in order to inform the decision-making bodies of the

³ See the section on methodologies where community participation is discussed (presentation of oral or written comments).

existence of a potentially conflictive area, so that the topic can be discussed again in the future.

The flexibility of the process does not preclude establishing **reasonable deadlines and targets to channel discussions towards specific goals.**

E. Follow-up and Implementation

Workshop participants should be accountable to each other and to the sectors they represent, keeping all fully informed of the progress of their activities. On the one hand, **they should minimize all possibilities for the results to be questioned by the sectors they represent**, with whom the participants should maintain continual channels of communication and information so that nothing in the results of the workshops will take the represented sectors and interests by surprise. On the other hand, **the workshop design should contemplate including follow-up and implementation mechanisms for all commitments made and for feedback.** To this end, it is of utmost importance for workshop results to be clearly formulated without ambiguities and include achievement indicators.

Workshop activities should be carried out under the view of the public. **The publicity and transparency of workshop procedures and results is key to their sustainability.** The dissemination of commitments made by the parties enhances the visibility of its actions and motivates the parties to act more carefully.

The rules of operation of the workshops could stipulate that the auditing function be carried out by the steering group, to which reports could be submitted, either periodically or at the specific request of the group.

The means each group will use for notices should be defined, as well as a minimal frequency of notices. The means of communication should be adapted to the conditions of each country and each group. However, **each participant should be in charge of keeping up to date and notifying the others of any circumstance that is pertinent to workshop functioning.** For this purpose, it is advisable to name one of the steering group members as the trustee of the group's information.

SUMMARY

- *The parties should have time to hear and be heard.*
- *The agenda should be flexible.*
- *Very tight, inflexible agendas and rigid procedures tend to accentuate tensions among parties and favor sectors or interests with a more aggressive style of participation.*
- *The most important workshop product is the construction of an environment of mutual trust and commitment to the sustainable, socially acceptable development of the energy sector.*
- *The foundational meeting is key to defining the rules for workshop functioning.*

- *The purpose of the rules for workshop functioning should be to create an environment where all parties can express their ideas freely and receive the same respect and consideration.*
- *The local consultant / permanent facilitator may help define the central topics by handing out questions beforehand that instigate participants to define their groups' priorities.*
- *Each sector or interest group should contribute concrete data on the needs and concerns of the groups they represent.*
- *The workshops constitute a forum for consultation and consensus.*
- *Consultation is understood as an interactive process aimed to promote an exchange of ideas among participants and provide a space where their inputs can be considered in the decision-making process.*
- *Consensus is understood as a final result that, while not exactly reflecting each participant's position, is accepted by each and all as a viable proposal.*
- *In order for the parties to participate more effectively in Multiparty Workshops, careful attention should be given to the balance among them.*
- *The management of information meant to feed the work of Multiparty Workshops is of key importance for the quality and sustainability of the results.*
- *Recipients should be able to understand the information provided them and have time to report it and receive the opinions of those they represent.*
- *The language of choice may be a significant barrier to optimal workshop functioning.*
- *It is advisable for parties with greater mobility to go where the participants with less mobility are.*
- *Workshop dates should be set considering the particularities of each group.*
- *Workshop design should contemplate including follow-up and implementation mechanisms for commitments made and for feedback.*
- *The publicity and transparency of workshop procedures and results are key to their sustainability.*
- *Each participant should be in charge of staying up-to-date and notifying the others of any circumstance pertaining to workshop functioning.*
- *It is important for workshop results to be formulated clearly and without ambiguities, and to include achievement indicators.*