

*Part II*

---

How to Do It



## Designing MSPs: A Detailed Guide

Based on the building-blocks assembled in Part I, this chapter provides a detailed outline of the questions, issues and challenges which need to be addressed when designing a multi-stakeholder process. The aspects we discuss and the suggestions we make are addressed. We hope the considerations help to clarify a variety of options and point to the crucial aspects which can make an MSP work or fail.<sup>1</sup> The chapter begins with some general considerations and is then organized according to five possible phases of MSPs. A number of issues to be addressed throughout such processes are considered at the end.

Edward Sampson (1993, p98) said ‘that the most important thing about people is not what is contained in them but what transpires between them’. Our suggestions on how to design and conduct MSPs are about how to set up a space that allows that what ‘transpires between’ people is a constructive contribution to sustainable development.

MSPs will have to be unique to their issue, scope, objectives, participants, resources, and so on. There is no ‘one-size-fits-all’ formula. Hence, we are not able to outline all possible options, and some of the points and suggestions below do not apply to all such processes.

What we are presenting here may sound ideal, but in ‘real life’ it will often not be possible to address all aspects sufficiently. However, we would recommend that conscious choices are made where and when it is possible, to go through the points raised and decide what to do with the limited resources at hand.

### **SOME GENERAL CONSIDERATIONS**

The suggestions made here are addressed to institutions, organizations or groups that are considering designing a multi-stakeholder process.

Ideally, all stakeholders should be able and eligible to initiate MSPs. However, many stakeholder groups are not in a position to do so due to a lack of capacity and resources (see Funding).

It is crucial to invest sufficient time and resources in carefully designing MSPs in order to avoid failure. Failure can result in stakeholders walking away from dialogue, the inability of a group to make decisions or the lack of implementation of the decisions reached. After a failed attempt to carry out an MSP, the situation might be worse than before – entering the process raises stakeholders' expectations. Failure might increase conflict and distrust, confirm stereotypical views and diminish the ability and readiness to listen or collaborate. In other words, an unsatisfactory process can be a step back rather than forward.

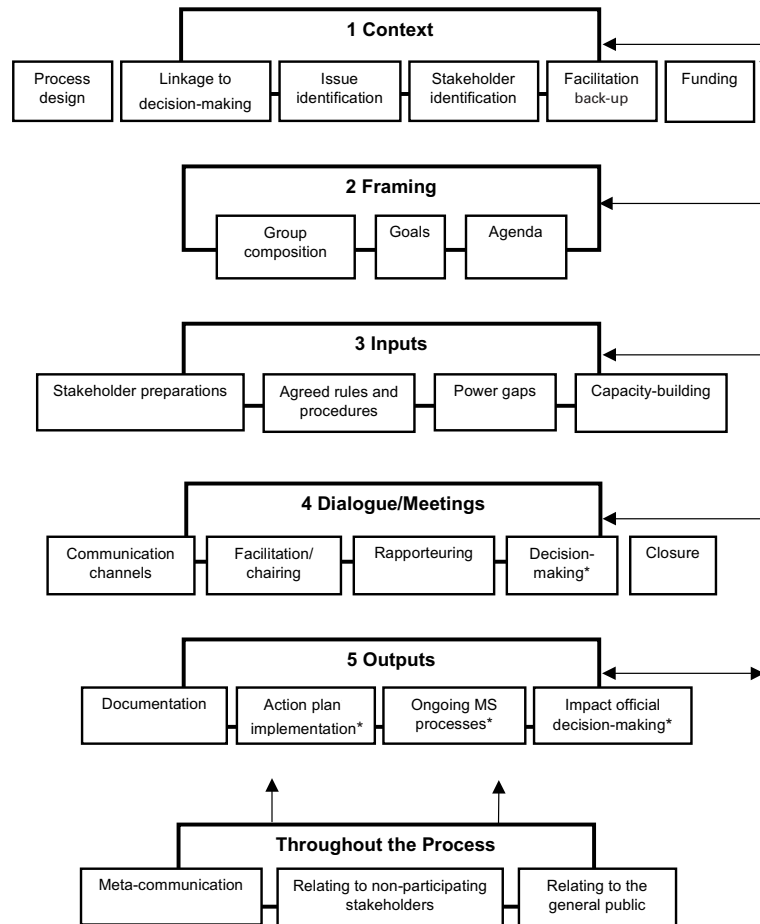
Everybody who considers initiating an MSP should do so *in collaboration with other stakeholders*, namely representatives of those groups who should be involved. The idea is to make the design phase a multi-stakeholder effort itself. As early in the process as possible, initiating bodies should reach out and assemble a small group of representative stakeholders of high diversity. This group can become an initial coordinating group for the process, but the participants of the MSP itself need to decide if the group is to have a continuing role.

MSPs need precisely defined issues before them. The questions to be addressed and the goals of the process need to be very clear to all the participants and agreed by them. Possible changes over the course of an ongoing process also need to be agreed by the group, allowing for consultations within constituencies if necessary.

Every MSP is about learning. Every participant should be prepared to learn from and about others, and to learn how to work together as a team and come to creative, integrative solutions. The same applies to the process itself – every MSP should take a learning approach towards its procedures and, in some cases, the issues developing over time. Flexibility needs to be balanced by the process having clear objectives and cut-off points.

MSPs are about creating a space where dialogue can take place, 'a neutral, free and ordered space, where violence is replaced by verbal debate, shouting by listening, chaos by calm' (Asmal, 2000). An atmosphere that cultivates equity, respect, dignity, humility and hope will help to create a space where people can interact in such a way that their differences and their commonalities become clear so that they can begin to explore possible ways forward.

MSPs should not only publish their discussions and outcomes but also keep records of their design.<sup>2</sup> Information should be made available on who initiated the process and who was involved at a specific time, on the issues and questions, and on which mechanisms were employed to identify stakeholders, issues, objectives, rules and procedures, and so on.



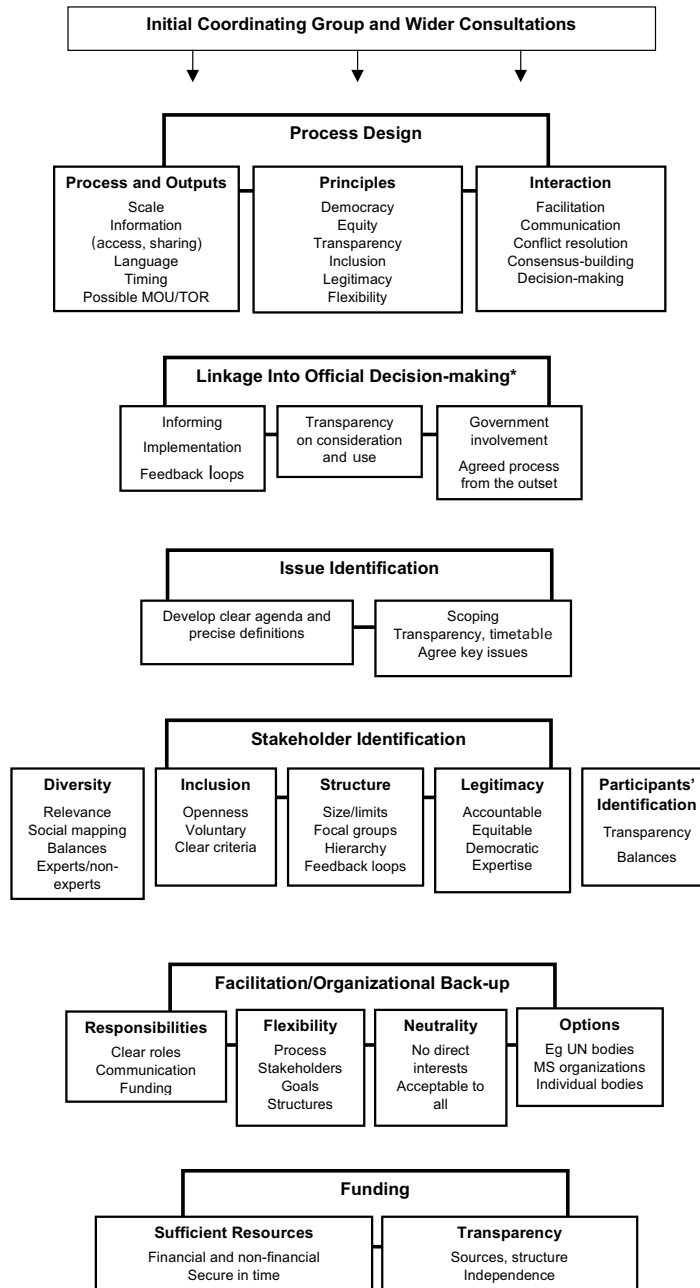
Arrows indicate reviewing/refining/repeating  
 \*Optional

Figure 7.1 Overview

## CONTEXT

### Process design

Each situation or issue prompts the need for participants to design a process specifically suited to their abilities, circumstances and needs. Participants must be able not only to set out their individual goals and expectations, but also to establish a common agenda that addresses a mutually agreed problem.



\*Optional

Figure 7.2 Context

The most important mechanism to start building the necessary trust and ensure high quality from the outset is to design the process in a collaborative effort, not a unilateral one. This does not mean that there will be no conflicts on the issues, but it helps to avoid confusions on the process which tend to increase distrust.

Involving stakeholders in every aspect of the design process is crucial to achieve the best design, commitment to the process, credibility, legitimacy and trust. A core coordinating group may be required to manage the process, identify the issue to be addressed, approach possible independent facilitators and involve relevant stakeholders. Possible designs can be suggested by individual stakeholders but should be put to a multi-stakeholder group.

Procedures need to be agreed by the participants – the procedures of preparation, communication, the ground rules for the meeting, the issues around confidentiality, decision-making (if applicable), rapporteuring, documentation, relating to non-participants and the general politics, and fund-raising. As a rule, any changes in procedure throughout the process also need to be agreed – they should be suggested to the whole group and dealt with by them, including opportunities to check back with constituencies if participants choose to do so.

Procedures should be designed to ensure democracy, equity, mutual respect, transparency, legitimacy, accountability, and inclusiveness in order for the process to benefit from diversity; generate mutual understanding, creative outcomes and win-win solutions; and to encourage commitment.

An example which is not included in this study but offers insights on how to go about designing an MSP in a multi-stakeholder fashion is the development of the Urban Environmental Policy in Durban, South Africa. In stage one of the process, consultations with stakeholders lead to a 'public workshop' and an 'officials' workshop', out of which the facilitating agency developed a draft process agreement document. This was then put to review by the MSP founding meeting which involved all stakeholders (Commonground, 2000).

Allowing sufficient time for preparations and the process itself is another important point. Many of the examples have been conducted within a short time period which sometimes has created all sorts of problems. It can hinder groups participating in the preparations altogether or in checking back with their constituencies. The negative effects on the quality of the outcomes and the likelihood of agreement and implementation are easy to imagine. However, MSPs should have an agreed time-frame to keep participants focused and to avoid large ongoing expenses. Designing an MSP is about striking a balance between having enough time to learn, consult and develop, and having sufficient pressure to deliver. Caution should be exercised to ensure

that MSPs are not used by some participants as a tactical device to delay or block decision-finding.

A process will be more difficult the greater the differences between participants' agendas and if the issue to be addressed lies in an area of existing or likely conflict. In that case, finding mechanisms to help overcome confrontational relationships and distrust will need to be in the centre of designing the process. The designing group should consider including conflict resolution techniques in the process: bargaining, third-party mediation or other dispute resolution techniques. In cases of stark conflict, however, it might be more appropriate to begin working with individual stakeholder groups first, before bringing the different groups together.

Finally, the MSP group can consider preparing and signing a Memorandum of Understanding (MOU) or Terms of Reference (TOR) that serves as the basis for cooperative work. The MOU can include the following components:

- Specific activities that are to be jointly undertaken.
- Respective roles and responsibilities of MSP group members.
- Responsibilities of facilitators and other positions within the MSP group.
- Types of information to be shared and standards for sharing of information, including agreements on confidentiality.
- Time-frame for completing each phase of the work.
- Methods for group decision-making and conflict resolution.
- How outcomes of the MSP will be integrated into the official decision-making processes.
- Resources to be provided by each member of the MSP group.

### **Linkage into official decision-making**

A clear distinction needs to be made between a forum of stakeholder dialogue and collaboration and the deliberations of a democratically elected body or governing council that takes the responsibility for decisions.

Different types of MSPs provide different kinds of linkages into official decision-making bodies. Many of the dialogue-focused examples of informing processes have their weak point when it comes to identifying their linkage into official decision-making. Will delegates take up the points raised and recommendations made by the stakeholders? Will they put particular weight on aspects that the stakeholders agreed upon? There is a great need for transparency, ensuring that officials as well as stakeholders are very clear about what they are engaging in.

A chair's summary or another form of MSP outcome document can be produced and put into the decision-making process. In case the official body is to produce such a document, stakeholders should be consulted upon a draft to allow for input and clarification. The production and the status of such a document needs to be agreed within the decision-making body beforehand. For example, the input from the MSP will be more effective if officials receive the document as an official publication (such as a UN background paper) or a summary of the chair of dialogues and negotiations (as is practice at the CSD). It will put weight to the document and enable delegates to use it much as an official one.

In our view, the often purely informing role of stakeholder participation around (inter)governmental bodies should be expanded. This does not mean that democratically elected bodies should be disempowered. MSPs are meant effectively to give 'a voice, not a vote' (Edwards, 2000, p29), or rather voices, not votes. For example, stakeholders should be involved immediately in the steps towards implementation. They could be invited to study decisions and engage in action-oriented discussions on how to implement them. For example, the stakeholder dialogues at the beginning of CSD meetings could be complemented by sessions towards the end of the meeting. Stakeholders could be brought together again to work out how to implement the decisions, and which tools, strategies and partnerships would be needed. This would capture stakeholders' engagement and could generate more commitment, spark off partnerships and concrete pilot projects as outcomes, the results of which could be fed back into the policy-making process at an agreed time. 'Stakeholder implementation conferences', organized independently around official events, would be another option.

Such mechanisms could be taken one step further by consulting a multi-stakeholder forum on draft (inter)governmental decisions and resolutions. This would provide feedback to governments as to the practicability and likelihood of the implementation of policies. Such an approach implies some stakeholder involvement in official decision-making itself and would need political decisions to be taken by governments and the relevant intergovernmental bodies.<sup>3</sup>

Independent MSPs also need to be answerable to questions of democratic legitimacy and accountability. They cannot replace democratically elected bodies or governing councils to make decisions, but they can supplement and complement (inter)governmental decision-making processes. Wherever MSPs touch on areas where the involvement, guidance and/or control of governments are required, these bodies need to be part of the process from the beginning.

## Issue identification

MSPs need a clear agenda and precise definitions of what issues they are going to address. Without a precise question before the MSP, participants will not be able to engage in productive dialogue. A crucial question is: Who can and who should identify an issue or problem area which needs to be addressed with an MSP? And how should that happen? Ideally, anyone who is a stakeholder should be able to suggest an MSP. As reported above, approaching a small group of stakeholders to begin consultations is a good first step.

Issue identification is therefore the first substantive stage of an MSP. It is helpful to have agreement on what it is that you are trying to do before deciding on the tools you will use. As a general rule, proper problem clarification saves time and reduces conflict later on. The various representations or understandings that stakeholders hold of the issue(s) at hand need to be clarified to arrive at a precise question before the MSP. The different understandings need to be clear for everybody involved to establish further what the group is addressing. Otherwise, the whole process will be hampered by ongoing battles about what to include or exclude from the discussions. It is highly unlikely that stakeholders will share a common understanding, hence the questions and subissues they will want to address will be different.<sup>4</sup>

In many cases, the issues to be addressed in an MSP are decided by the body which facilitates it and/or which has a vital interest in setting it up. Conducted in such a fashion, identifying the issues will result in a unilateral decision, with stakeholder groups being invited to participate in a process which has a preset agenda. This poses a dilemma for the invitees, since taking part in the process could mean agreeing to an agenda they might not approve of, whereas refusing to take part might lead to the MSP being conducted without them and their views not being included.

For the sake of ensuring the potential success of a process, appropriate measures need to be taken to avoid unilateral, non-transparent and inequitable identifying of the issues. These include:

- Carefully scoping the area of an issue of interest: those who consider initiating an MSP should aim to get a clear picture of the discussions in and around the area of interest before identifying a particular issue as the one to be addressed (see Eden and Ackermann, 1998).
- Involving stakeholders in discussions about potential issues and communicating to them all that that is being done.
- Based on initial consultations, setting a timetable for such identifying discussions and communicating it clearly.

- Supporting stakeholders to identify the issues of interest where necessary (eg by governments or foundations), including access to information and resources.

From the initial scoping and discussions, a group of people can emerge who are interested in actively pursuing the setting up of an MSP on a particular issue. This can be used as a starting point for creating a coordinating group of representatives from various stakeholder groups ensuring a diversity of views. Upon setting up the MSP, this group needs to be reviewed by all participants of the process and, if necessary, recomposed, so that it is acknowledged by all involved. An example of such a process is the GRI.

The initial scoping of an issue area might also lead to identifying research and knowledge gaps. In such cases, MSP design might involve commissioning such research.

It is important to create a mechanism for sharing information and a 'home' for a common knowledge base for the process, ensuring that all concerned have equal access to the relevant information from the outset. Such a base does not need to be in one place, but should be easily accessible to all. Everybody who might be involved in the process should be informed of this information base and how it is being assembled.

In the initial phase, agreement should also be reached on the language(s) to be used in the process. This will normally depend on the issues and groups who need to be involved. Using one language, such as English, can be exclusive. Many of the examples we looked at reportedly suffered from using one language only, mostly due to lack of time and money. Sufficient resources need to be available for translations where necessary.

## **Stakeholder identification**

The main questions here concern issues, inclusiveness, diversity and size.

Open calls for participation should be the preferred mechanism. The motto could be 'Be as inclusive as necessary and possible', and deal creatively with the problems of numbers and diversity. As issues of sustainable development are very complex and affect a great number of stakeholders, a high degree of diversity of MSPs is desirable.

Principally, all who have a stake in a policy, process or project, should be part of a multi-stakeholder process relating to it. This requires careful analysis and consultation among those who are involved initially to identify all who need to be part of the process and to reach a

necessary balance, for example of South and North or women and men. A great deal of power is involved in the decisions on participation. Each process needs to be clear and transparent on who identifies stakeholders, how that is being done, how stakeholders are being informed and invited. There is also a need for mechanisms to invite additional stakeholders into the process if gaps become clear. The criteria used and the processes employed to measure those criteria need to be made transparent and public.

In many cases, such decisions are not clear, and invitations are extended by the facilitating body without (visible) external communication. In other cases, those invited are picked from a set group of stakeholders, such as in the CSD dialogue process where the nine Major Groups identified in Agenda 21 define the 'sample' to choose from. Yet other stakeholders such as faith communities, parliamentarians, the media, the elderly, the education community, cyclists or others might be appropriate. Participation needs to be based on the same social groups as cultural and economic activities in communities, be they global, national or local, particularly when relevant to the respective issue. In other words, careful analysis of which are the 'high impact categories' is crucial.<sup>5</sup> With regard to many issues, for example, gender is such a category and policies affect women and men very differently. In other cases, gender might not have such a great impact. Careful 'social mapping' can be used to ensure the involvement of all parts of a community of stakeholders. Building on earlier experiences can be very useful, but developing 'traditions' too quickly is dangerous. Societies are dynamic and ever-evolving. New stakeholder groups or differentiations of previously rather homogeneous stakeholder groups might develop and need to be taken into account when 'mapping the scene' of relevant stakeholders. In short, thinking outside the box is required.

Increased diversity makes conflict more likely; therefore, one needs to consider the appropriate modes of communication, depending on the expected amount of conflict, including conflict resolution techniques and/or working with groups separately before commencing the MSP itself.

A crucial question is which bodies to approach to represent stakeholder groups. Criteria should include (see Chapter 5): the legitimacy and accountability of stakeholder representatives; equity within the represented stakeholder communities as regards their participation; the democratic processes of the election/appointment of representatives; expertise; commitment to the MSP approach. Well-established networks and caucuses of NGOs working on particular issues are in many cases a good starting point. Others are industry associations, trade union federations, local government associations, academic societies, and so on.

There needs to be sufficient stakeholder involvement to ensure that an MSP is going to have the desired legitimacy. For example, among NGOs, a split seems to be developing between those who are prepared to engage in multi-sectoral work and those who are not. If substantial parts of a sector are distancing themselves from a process, it will lack legitimacy. In such cases, it might be better to reconsider the setting up of an MSP and/or to work out carefully what kind of legitimacy it can claim, and conduct it clearly within those limitations. The question is, of course, what criteria should be employed to determine what a 'substantial part' of a sector would be?

Often, there are good intentions regarding involvement that are frustrated by the basic infrastructure of involvement. The issues of meeting time, meeting place, transport, childcare and handicapped accessibility, and so on, need to be considered. There will be some stakeholders who, for cultural, religious or other reasons, bring their own barriers. Special activities may be required if their input is to be included.

Principally, when decisions require government action, the appropriate policy and regulatory authorities should participate in an MSP. The involvement of governments and/or intergovernmental bodies is also an important strategy to deal with concerns that MSPs are intended to weaken or reduce their role. In contrast, government involvement in MSPs ensures that they fulfil an appropriate supplementary and complementary role to governments.<sup>6</sup>

Problems may arise from large numbers seeking to participate. There are limits to how many people can consult effectively in a meeting. However, this problem should not result in the exclusion of stakeholder groups but rather in finding creative and constructive ways for the inclusion of all, while keeping group(s) at manageable sizes. Unilateral decisions that limit the number of participants should be avoided. It is better for the process to put this challenge to the stakeholders involved, perhaps to an initial smaller coordinating group.

For example, MSPs do not have to be limited to one group or forum; they can comprise several strands or layers of work. This might involve core groups surrounded by a larger forum or parallel working groups on different aspects which feed into the plenary. Phases of enlargement and down-sizing also provide options to deal with large numbers and diversity. Larger groups will also be of help when it comes to the dissemination of MSP outcomes. Feedback loops between different levels (local, national, international) can help to inform dialogue and decision-making. If the process aims to develop concrete action plans, the involvement of groups involved in actual implementation, such as smaller NGOs and community-based organizations, is necessary.

The World Commission on Dams, for example, was a small group of 12 members but instituted a larger Forum of over 70 organizations

around it and ensured a wider outreach into the various stakeholder networks. The WCD also engaged in regional hearings and commissioned case studies. The OECD / DAC process on National Strategies for Sustainable Development involved individual country analyses, and deliberations at the regional and global levels.

Another example, which was not included in our sample, is the Mediterranean Commission on Sustainable Development (MCSD) (UNEP, 2001). The MCSD, operating within a large web of partnerships, meets annually and allocates thematic groups, with task managers comprised of Commission members, to follow up specific issues. These groups receive technical support from MAP, involve experts from governmental bodies at local and regional levels, and conduct dialogues with stakeholders. Groups submit recommendations and proposals for action to MCSD.

Voluntary involvement is key. There is no point in trying to impose dialogue or partnerships upon stakeholders. It will create mistrust and can have a disempowering effect. The empowerment and confidence of stakeholders are not renewable resources.

Each stakeholder group needs to make its own decision about participation in an MSP. Stakeholders need to be informed sufficiently and early enough to make their decision, which includes the right to say 'No' to any arrangements. Such information should include what role the MSP group will play (advisory, decision-making), what kinds of commitments of time and resources will be involved, and what is expected from each participant.

Problems may arise because people may participate in a process with no intent to follow agreed ground rules and procedures. Participants may want to use the process as a stage to put forward their views without listening or integrating others' views. Or they might want to use it to stall decision-making. Based on the rules of procedure and any communication ground rules agreed beforehand, the facilitator should point out if and when a stakeholder does not play by those rules. Facilitators should not only rely on their own judgement but should take on the concerns that participants might raise (in private or in the meetings) about the seriousness of other participants. The group then needs to deal with the issue in a problem-solving manner, applying agreed rules of dialogue and decision-making.

## **Participants' identification**

Having identified the participating stakeholder groups, decisions need to be made as to who should represent those groups at any given meeting. Stakeholder groups identify who should represent them. This

is a very important point and stakeholders will need time to consult within constituencies. Representatives need to have the time to participate (taking part in MSPs is, for most stakeholders, not part of their job). The integrity and hence the effectiveness of a process can be compromised if the participating stakeholders are not given the opportunity to determine their representatives through their own processes and mechanisms. Bodies who initiate MSPs often invite certain people as representatives of their groups, employing unknown criteria of selection. However, when there is a lack of active associations and networks, or representativeness is not a key issue, special efforts to identify potential participants can be made by the organizing body. For example, for the hearings conducted in the UN Financing for Development process, the Secretariat actively sought out business representatives from developing countries.

Stakeholder groups should also be transparent to others about their elections or appointment criteria, and about the criteria being used to identify individuals with expertise on the respective issues at hand. The process of identifying individuals to represent groups is helped by regular election or appointment processes within stakeholder networks and associations – for example caucus coordinator elections among NGOs or the appointment of representatives to particular processes by stakeholder groups such as industry, trade unions, and so on. Other participants should be allowed to bring to the floor any problems they might have with criteria being used by other stakeholders. In some cases, such as local community participation, stakeholders should consider ‘layered’ participation to spread the burden of having to deal with unfamiliar norms and cultures (Hemmati, 2000d), or agree to ‘share’ representatives, as was done in the Lower Columbia River Basin process (see Chapter 7).

Another example is the Sustainable Agriculture and Food Systems (SAFS) caucus to the CSD who carried out an elaborate process to identify the NGO group of representatives to the CSD stakeholder dialogues on sustainable agriculture at CSD-8 (2000). Based on the agreed criteria of balancing by gender, region, age, expertise and background, the caucus developed a list of potential representatives which it then discussed and agreed.

It is important to balance the numbers of participants from each stakeholder group, and, in some cases, with regard to the views they are likely to represent. Stakeholder groups can be asked to meet certain balance criteria within their delegations, such as regional and gender balance.

Problems may arise if stakeholder representatives change and different individuals are involved on and off over time. This should be avoided whenever possible. If representatives have to be replaced, they

need to be briefed carefully by the person whose part they are to take and be introduced to the group.

Where government involvement is required, it should be such that it ensures the buy-in from those capable of making the final decision. Where lower-level officials have to take an MSP outcome through the formal decision-making system, the necessary decisions might not be taken.

### **Facilitation/organizational back-up**

MSPs need certain organizational or institutional back-up or facilitation. This is a very important aspect, as a failure of sufficient organizational support may cause the whole process to fail. Experiences have shown that responsibilities need to be marked clearly and be known to all participants, to avoid the diffusion of responsibilities, to ensure proper communication and in general to ensure a smooth running of the process. Yet flexibility is also very important. MSPs need to be supported by a flexible administrative structure which can be adapted as processes, participants and needs develop over time.

Again, organizational arrangements should be part of the planning phase and agreed by the group. Such arrangements are also closely related to the question of funding, as secretariat services can be expensive.

MSPs should be facilitated ideally by people who are not stakeholders and have no direct interest in the outcome of the process. In some cases, that might be possible, while in many others, it won't be, simply because of the complex and wide-ranging nature of sustainability issues. To ensure that there is a trustworthy 'honest broker' in place, organizations charged with facilitating an MSP need to be:

- explicit about their interests or possible interests;
- of diverse composition themselves – that is, made up of representatives of the various stakeholder groups; and
- acceptable to everybody involved.

At the international level, UN bodies might be appropriate resources for facilitation, particularly if the processes require or benefit from the involvement of intergovernmental organizations. UN bodies also have the benefit of relative neutrality towards various parties and regions. A problem might be that UN and other intergovernmental bodies only represent governments and have to operate on the basis of the rules of stakeholder involvement, which in most cases are fairly restrictive. These institutions are also often reluctant to take on

additional administrative tasks, due to already overstretched budgetary and staff resources.

Another option are organizations which are multi-stakeholder themselves, governed and advised by representatives of all Major Groups and other stakeholders. Few such organizations exist at the various levels.<sup>7</sup>

Yet another option is to found a facilitating body for the sole purpose of facilitating the respective MSP. Some of the examples we looked at have either fully or partly employed this option, such as the World Commission on Dams with its own Secretariat or hybrid bodies of several organizations such as the WBCSD/IIED for the Mining, Minerals and Sustainable Development Project. Among the advantages are that the constitution of such a body can be tailor-made for the purposes of the MSP; that staff will be taken on for a specific task; that funding goes to the specific body and its purposes; and that a new body may be perceived as more neutral and having no accountability structure and responsibility other than to the process itself. The disadvantages include the necessary investments in time and resources to found an organization and provide a legal status which allows it to receive funds of various kinds, and the formality a process can develop once it has a formal structure and organizational basis. Indeed, some experiences have shown that the lack of formal legal status or constitution has created an informal and flexible framework which has benefited the process (see, for example, Hohnen, 2000c, p15).

The choice depends on a number of factors, the most important being the time lines and size of a process. For preparations of 'one-off' events, an MSP-initiator – or, preferably, a group of stakeholder representatives agreeing to design an MSP – may assign an appropriate organization to facilitate the process or simply choose to organize the event themselves. Such a procedure needs careful consideration of the possible consequences regarding legitimacy and credibility. However, problems can be addressed by ensuring maximum transparency about what is being done and why, and by checking with other stakeholders that they perceive the procedure as appropriate. Another strategy is for the facilitating organization to take a back-seat role explicitly on the subject matters throughout the preparations and at the event itself. For the processes of larger size and complexity, different requirements emerge.

Again, it seems advisable that dialogue about the appropriate organizational set-ups should be part of the designing process, and therefore should be conducted in a multi-stakeholder fashion. It is important to tell the relevant people what is being planned, to seek their advice on who else should be consulted, and to do so. Presenting a fixed and rigid structure and plan will not work. Rather, initiators of MSPs should demonstrate flexibility in response to the requirements

and suggestions of potential participants. Otherwise, the process might lose out on the diversity of the participants which, in the end, will jeopardize the purpose of the whole exercise.

## **Funding**

MSPs require funding for capacity-building and a range of operational aspects. If the appropriate resources are not available, the process will be in danger of failing due to, for example, lack of participation, facilitation, information dissemination and implementation options. It will also be in danger of being unbalanced or inequitable by putting better-resourced stakeholders in advantageous positions.

Participation requires resources for people to prepare for and attend meetings, to consult within their constituencies, and to build their capacities to input effectively. Larger and/or long-term processes need a stable funding base for their operations, including organizational and secretariat services.

Fund-raising targets and strategies beyond the initial start-up funding need to be agreed by the group; roles and responsibilities need to be assigned clearly. Participants should be fully informed about funding sources, budgets, etc. Keeping the process independent of individual funders is important; mixed funding sources are a way around that problem. Non-financial contributions such as printing, mailing and gifts of space can add value and should also be sought.

A lack of resources will undermine the capacities, effectiveness and possibly the entire potential of MSPs. The challenge is for society to find mechanisms which enable MSPs to be created around priority issues requiring urgent progress, and not just on those that are popular or enjoy the interest of resourceful parties. This will not be an easy matter to resolve.

One suggestion is that the UN, governments and/or independent foundations should set up a trust fund to support the creation of MSPs by providing financial resources and other assistance for stakeholder and public awareness and access to information (see, for example, Alexander, 2000). This should be invested, as a priority, in the participation and empowerment of groups who are most disadvantaged and under-represented, first and foremost the representatives from developing countries.

In principle, participants should not have a direct role in funding the process they are involved in. This could lead to further distortions in power relationships and compromise the integrity of the outcomes. It is necessary to define better the role and mechanisms of independent, purpose-built trusts and other arm's-length financial structures designed to ensure adequate funding for the process in question. Again, UN

bodies may be well placed to take the lead in further work on this question.

In weighing up the costs of funding an MSP process, governments, business and other stakeholders should take into full account the high expense of operating current ‘business as usual’ systems, which often create an adversarial atmosphere. In many cases these do not produce decisions or produce decisions which are not going to be implemented. Given the high stakes surrounding many of the sustainability issues, for example climate change, it might be concluded readily that an investment in MSPs might prove to be cost-effective, particularly since they offer the possibility of more creative options and the virtual certainty of a strengthened network of stakeholders.

### FRAMING

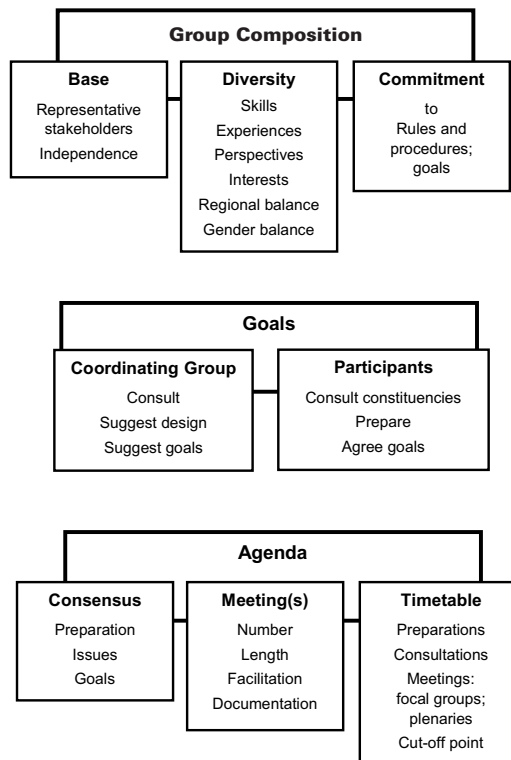


Figure 7.3 Framing

## Group composition

It is important to ensure a rough symmetry of powers within MSPs. MSPs with equal participation from all stakeholder groups attempt to increase the equity between different sectors of civil society in their involvement and impact. They aim to level the playing-field between groups whose 'traditional' lobbying activities largely depend on their resources and are therefore grossly imbalanced.

There also needs to be sufficient diversity to make the largest possible number of resources available to the group. A mix of experts and novices is not harmful; indeed, it can be helpful. Within the MSP framework, we can consider all participants experts and novices at the same time – experts of their own views and knowledge, and novices to much of the others' views and knowledge.

An MSP should always include at least two representatives of each stakeholder group, and preferably in a gender-balanced manner. Research on minority influence has shown that a single member with a divergent view will be less heard and may become reluctant to contribute her or his divergent view. We also know that (power) minority representation needs to be above a certain critical level (research on gender has shown that the critical level lies at about 15–20 per cent). This needs to be kept in mind with regard to categories such as gender, region or ethnic group. Regional balance is particularly important for international processes; ensuring equitable participation from developing countries and countries in transition is the key.

However, in addition to such balances what matters is what and who is to be represented; gender balance, for instance, cannot by itself ensure that gender aspects will be addressed. It is the inclusion of participants with expertise on gender issues that is the crucial factor.

People should not be expected to represent more than one stakeholder group because individuals can only 'wear a limited number of hats' (at least in a balanced manner!). It also makes communicating difficult if a person keeps changing roles (even if it is done explicitly). For example, it makes no sense to count a woman from Zimbabwe who is working with an environmental NGO as representing the views of women, developing countries NGOs, and environmental NGOs. Expecting such representation and differentiation is, quite simply, ridiculous.

In some cases, initiating bodies have restricted the number of dialogue participants to a very small group of people. This has made it difficult to have all relevant high-impact categories represented and balanced. Again, problems with high numbers should be dealt with more creatively than by unilaterally limiting numbers, which can jeopardize the process.

To avoid 'groupthink' (extreme loyalty and lack of divergence - see Chapter 5), it should be checked that, within the group, not a significant number of participants is dependent on another member. This person or stakeholder group could otherwise quite easily assume leadership and dominate the process.

Again, problems may arise because people may participate in a process with no intent to follow the rules of discourse or to reach an agreement. Based on the rules of procedure and any communication ground rules agreed beforehand, this should be put to the whole group through the facilitator. The group then needs to deal with the issue in a problem-solving manner, applying agreed rules of discussion and decision-making.

### **Setting the goals**

This question relates back to the different kinds of MSPs, which vary considerably as regards their specific goals and objectives: a frank exchange of views; agreeing upon disagreements; exploring possible common ground; achieving partial or full consensus; making decisions; implementing decisions; monitoring and evaluating implementation; revisiting them. It should be self-understood that goals need to be understandable and perceived as achievable. MSPs raise the expectations of the participants, and failure or delay may cause frustration. Furthermore, goals perceived as unachievable or unrealistic from the outside and/or relevant (inter)governmental bodies will decrease the MSPs' impact on official decision-making.

Agreeing a common goal (and agenda) will be more difficult when there are significant differences between participants' goals, even more so if the starting point is an area of existing or potential conflict. In these cases and before trying to agree common MSP goals, participants have first to overcome histories of distrustful and confrontational relationships. They need to try to build a minimum of trust through considerably sharing their views and listening (as opposed to 'hearing'). This might not always be possible, in which case an MSP is not a suitable way forward.

The first goal of an MSP needs to be to clarify the various representations that stakeholders have of the issue(s) at hand. There is a need for a phase that allows people to assess various understandings and possible common ground to work on, and to consider carefully how far they want their collaboration to go.

In many cases, however, goals are defined by an initiating body, through inviting stakeholders to take part in an MSP. Identifying the goals in a common design process is better. Suggested goals should then be reviewed by the whole group, or at least put to constituencies for comment, modified where necessary and adopted. Another option

for identifying goals are 'common vision' exercises (see stakeholder preparations, below).

Time also needs to be allowed for stakeholders to consult anew with their constituencies when new proposals regarding MSP goals, for example concrete collaborations, are put forward.

This also depends on the scope of an MSP: international ones, no matter if they are dialogues or decision-making processes, allow for smaller scales of concrete action (specific development projects and the like) than those at national or local level. Whereas Local Agenda 21 processes might assemble the relevant actors to refurbish a city centre, for example, a global dialogue like the Global Mining Initiative attempts to return to local and national constituencies from an international perspective and help them implement possible decisions with a new group of partners at national and local levels.

### **Setting the agenda**

Setting a concrete common agenda after agreeing issues and goals is a key MSP design issue. It can be suggested by an initial coordinating group but needs to be put to the group as a whole and to be agreed by all the participants.

This applies to logistical issues (how much of an exploratory phase is needed, how much time they need to prepare, how many meetings would be needed and what issues they should address in which order, how long meetings should be, how they should be facilitated, documented, and so on), as well as substantive issues (the key issues and the sequence for addressing them). The first substantive point on the agenda of an MSP needs to be to clarify the various representations that stakeholders hold of the issue(s) at hand (see above).

It will be necessary to agree which aspects of the MSP issue will be addressed and in which order. It is very important to keep a close check on power differences throughout this stage, otherwise more powerful and vocal stakeholders will succeed in dominating the agenda with their representation of a problem, and the subsequent exclusion of issues will not reflect the representations and requirements of marginalized groups. As MSPs should be designed indeed to give an equal voice to everybody, enough time and effort should go into this stage.

### **Setting the timetable**

It is vital to meet the requirements of all stakeholders and their constituencies when designing a viable timetable for an MSP. Even a

single event requires a preparatory phase; hence, all MSPs need a timetable. The best solution to such problems is to design the timetable through consultations and to agree it among the participants.

For example, when preparing for the Ministerial Dialogue at the 8th Informal Environment Ministers Meeting in Norway, 2000, NGOs insisted on including the contributions of women and Indigenous Peoples, working through their respective CSD caucuses. The Indigenous People’s caucus had to decline as there was insufficient time to consult the draft NGO background papers within their constituencies. Instead, they sent a representative to speak at the dialogue, and the NGO background paper included contributions only by NGOs and the women’s caucus.

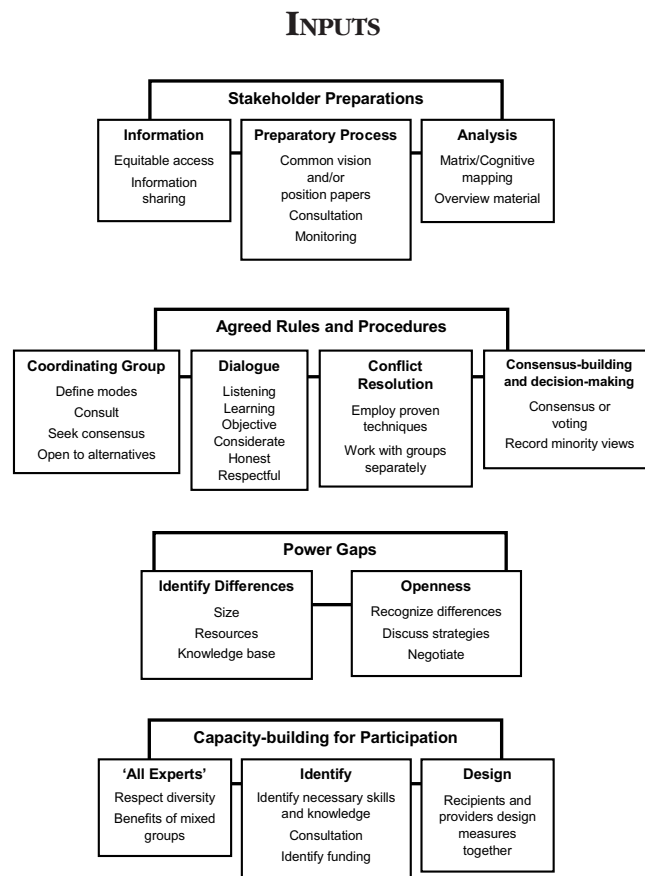


Figure 7.4 Inputs

## Stakeholder preparations

All stakeholder groups need to have equitable access to all information. As a general rule, there needs to be sufficient communication among stakeholders before an actual meeting. Many processes use email list servers and telephone conferences. Participants need to agree on a preparatory process in a transparent manner, depending on the issues, goals, scope, resources, and so on. There are different options which should be discussed, as follows.

Experiences have shown that preparations in written format can be beneficial. Requiring all participating stakeholder groups to prepare initial position papers can be a viable tool. Preparatory documents should have an agreed, common format. As a minimum, they should be fully referenced and include background information. They also need to be submitted well in advance to allow others to study them.

The advantage is that in order to prepare such papers, stakeholders will engage in consultations. In addition, stakeholder groups can review all papers beforehand. This can speed up progress and it allows participants to speak for their constituencies even when reacting to positions of others.

Preparations can also include an analysis of initial background or position papers. The MSP coordinating group and/or the facilitating body can be charged with analysing the preparatory material in a manner that encourages dialogue at the MSP meeting(s). One option is to put all positions into a matrix format for comparison. Another option is 'cognitive mapping': via interviews or document analysis or a combination of the two, trains of thought, points and arguments are mapped out in a graphic structure which not only portrays the content of a paper but also the structure of causes and effects, values and proposed action, and other components of the views that a person or a group has of a particular subject. Such 'individual maps' can be combined into 'meta-maps' portraying the various arguments, thoughts and suggestions of a number of individuals or groups. Meta-maps can then also be put forward to a group for discussion. They help to identify commonalities and differences in understanding and priorities. Nowadays, software is available, making it relatively easy to develop such maps based on written material.<sup>8</sup> It will be worth experimenting with such techniques in MSPs, particularly in phases preparatory to actual meetings. Any such efforts need, of course to be agreed by the group. Any overview material produced should be made available to all participants well in advance of a meeting.

Preparation of the initial position papers, however, can run the risk of 'fixing' MSP group members into positions, creating a barrier towards finding common ground and agreement. Thus, the first step

can also be to bring participants together to agree on a common vision of what they are trying to achieve or what their community (country or world) should ideally look like. After the vision exercise, the MSP group members can come to an agreement on their goals.<sup>9</sup> This provides a common framework for working together, which will be especially useful once different positions become clear.

Various options can be combined, of course; a first step of developing a common vision can be followed by preparing position papers by stakeholder groups. Such papers would then focus on outlining strategies to achieve the common vision.

An important question in this context is the representation of stakeholder groups by MSP participants who may want to design a process where participants can truly speak for a wider constituency. This will require consultations within constituencies, and communication within stakeholder groups becomes as important as communication between stakeholder groups. It might be appropriate to agree what are acceptable consultation processes within constituencies and even the mechanisms to monitor if and how that is being done. As a minimum requirement, participating stakeholder representatives need to make clear on whose behalf they are speaking and with what authority. Stakeholder groups need to be transparent about how they carry out the agreed preparatory process – that is, how they consult within their constituencies. Stakeholders may choose to conduct their preparations publicly, for example via open email list servers as some of the CSD NGO caucuses do.

With regard to any dialogue or consensus-building phases, which may include ideas and suggestions that have not been made available to all participants before the meeting, there needs to be a group decision on how to deal with the question of consultation with constituencies. Do people consult with their constituencies and reconvene? This will depend on the type of MSP. If it is a one-off event which starts and finishes over a day, such consultation will not be possible. If the dialogue goes on for a several of days, it might be possible to consult by email or telephone conferences. Again, equity needs to be ensured: not all stakeholder groups' constituencies have the same kind of access to communication technologies.

Preparations should also include information about the way that participants plan to communicate and interact. For example, it may be helpful to reproduce the ground rules developed here and offer them for discussion so that the group can adapt and adopt what seems to be most desirable.

## Ground rules for stakeholder communication

The ground rules for the purpose of dialogue and/or consensus-building need to be agreed within the group. Participants in an MSP must assume that no one has all the answers. The purpose of an MSP is to try to assemble the collective wisdoms into a new vision of how to move ahead. One possibility to consider is for the preparatory team to develop a set of options on how to communicate and put it to the group for discussion and agreement.

The following rules have proved to be effective tools:

- A facilitator or a number of facilitators should be agreed on by the group (see below).
- During discussion, participants must make every effort to be as frank and candid as possible, while maintaining a respectful interest in the views of others. Participants need to refrain from personal attacks and avoid placating, blaming, preaching, dominating or passively resisting. Confrontation, blank ultimatums and prejudicial statements are not helpful. An atmosphere that cultivates directness, openness, objectivity and humility can be viewed as a prerequisite for successful dialogue and consensus-building.
- Participants need to be honest and trustworthy.
- A true dialogue cannot be entered into with the goal of 'getting one's way'. It must be entered into with the expectation of learning and change.
- All participants and their contributions need to be treated equally.
- Participants are asked to address the group as a whole, while showing concern for each point of view, rather than confronting and criticizing individuals.
- To help understanding and to clarify perceptions, participants and facilitators should be encouraged to restate one another's views in their own words ('active listening').
- Participants should refrain from presuming the motives of others and rather be encouraged to ask direct questions.
- Participants must argue on a logical basis and be prepared to back up their opinions with facts.
- Brain-storming can be helpful: conducting a session of putting forward ideas and collecting them without judgement for later discussion can create a larger pool of more creative ideas.
- When an idea is put forward, it becomes the property of the group. This sounds simple but it is a very profound principle: all ideas cease to be the property of any individual, subgroup or constituency. This can reduce the impact of personal pride and make it easier for others to adopt an idea.

- 'Learning exercises' that have been developed in Knowledge Management approaches, can be helpful to draw out the success factors of other processes and agreements.<sup>10</sup> This can be done by inviting others with such experience into the group and/or in separate meetings with experienced people. The group can use the outcomes to deepen the pool of ideas.
- Allow space and time for different modes of communication, both socio-emotional and strictly task-oriented. Humour – a good laugh – and space for informal encounters are legitimate tools and can go a long way to help the group to build trust and a sense of common ownership of the process, as well as release tension arising from differences.

Again, problems may arise because people may participate in a process with no intention of following the rules of communication. Based on the rules of procedure agreed beforehand, this should be put to the whole group through the facilitator. The group then needs to deal with the issue in a problem-solving manner, applying the agreed rules of discussion and decision-making.

## **Power gaps**

MSPs need to provide the opportunity for participants to work together as equals to realize acceptable actions or outcomes without imposing the views or authority of one group over the other. Yet fundamental differences exist between stakeholders in such things as knowledge and information, size, nature and the amount of resources (such as money but also the 'high moral ground'), which define significant power gaps and unfair distribution of bargaining and negotiating power.

Constructive stakeholder communication between unlikely partners must be built slowly and carefully. Communication and trust must be established before engaging in consensus-building and decision-making. It is therefore essential to devote sufficient time to dialogue to develop mutual understanding. Crucial components of dialogue processes, such as honesty, openness and trustworthiness are indispensable, but it takes time and commitment for everybody to demonstrate these qualities.

The most important point is to be explicit about power gaps and not shy away from discussing their implications. This opens the door for dealing with the problem creatively. It needs to happen early in the process, often before trust has been built. Indeed, addressing this difficult question can help to build trust. Another important tool is to work on the basis of agreed formal procedures of communication.

If these conditions are not met, there will be a great risk that the powerless will have no real voice and no real involvement in the issues. No real partnerships will develop. This problem relates to questions of support and capacity-building for MSP participants in terms of access to information and resources, political experience, negotiating skills, and so on.

Providing sufficient resources for meaningful participation by disadvantaged groups is a means of empowerment. Adequate funding for MSPs is therefore a crucial component of dealing with power gaps within MSPs.

### **Capacity-building for participation**

Ideally, participants should be well equipped to reflect their stakeholder groups' views and interests. But there will be areas where no stakeholder group has sufficient background or knowledge, or where there is an imbalance of knowledge and thus power.

If participants lack knowledge and/or the processes lack balance, then capacity-building measures should be considered. For example, in global processes, there can be a lack of knowledge, particularly with regard to often intricate cross-cutting issues such as of international institutional arrangements and agreements and trade relations. For the benefit of all parties planning to engage in MSPs, information about relevant agreements, policies and legislation needs to be shared widely. It also needs to be made available in an appropriate format, such as in local languages and non-expert vocabulary. If, for example, community-based organizations are to participate effectively in international processes, they need to be briefed about the context of their local experiences. This will help them to communicate their interests in a more effective manner.

National and local political processes may be even more difficult to understand than those at the international level, as national and local policy processes tend to be more opaque, involving uncertain interests and a mix of decisions. In order to achieve optimum results, providing information about such policy processes would therefore be desirable.

Capacities and skills which empower stakeholders to participate effectively in MSPs include:

- representatives: stakeholders are able to elect or appoint somebody who has the expertise and the time to participate;
- knowledge about other stakeholders, relevant policies, agreements, institutions;
- language skills;

- communication and negotiating skills: group decision-making skills, including effectively participating at meetings, team-building, conflict resolution; and
- capacities to consult within constituencies (time; financial resources).

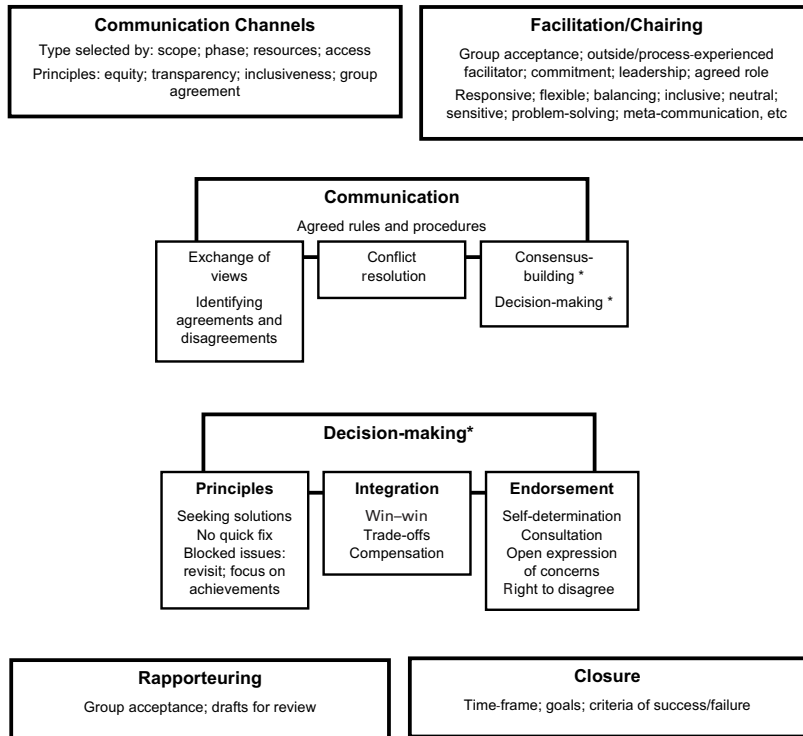
It is important to note that capacity-building is to meet needs defined by the 'recipients', based on self-evaluations. Designing capacity-building measures therefore needs to be an interactive process of those receiving and those offering capacity-building. The MSP group needs to address those questions openly and to decide upon which capacities and skills are necessary and who should provide capacity-building for whom. Independent 'honest brokers' of the process and issue knowledge are required. The group needs to decide where to seek the funds for capacity-building measures if they are deemed necessary. As with the funding of MSPs in general, the independence of donors is important.

The question of capacity-building preparing for a particular MSP also relates to access to information and knowledge in general. Enabling equitable access therefore needs to be part of any framework policies on participation and MSPs.

## **DIALOGUE/MEETINGS**

### **Communication channels**

MSPs can use various channels of communication – face-to-face meetings, email, telephone, fax, letters, interactive websites. In the beginning of an MSP, face-to-face meetings certainly help to build trust. They provide direct interaction using more communication channels (body language). They offer more opportunities for informal contact and issue exploration. By contrast, electronic communication can provide a good basis for neutralizing differences in status and personality, as related to gender, age and ethnicity. Non-verbal characteristics will have little effect, which can benefit minorities. Research also suggests that electronic communication is more likely to reflect diversity. Written communication seems to focus people more effectively on the contents of the message. Yet without inflection or body language the tone and intention of electronic statements can be easily misconstrued. 'Communicate clearly, not cleverly' seems to be a good guiding line for electronic communication. Thus, the internet could be the ideal tool for collecting suggestions to a given problem in a brain-storming effort or for getting an overview of the diversity of opinions on a given subject



\*Optional

**Figure 7.5 Dialogue/Meetings**

matter, particularly with a larger group. However, for building or consensus, electronic communication is not the most useful tool.

When using electronic communication, the group needs to check if this is feasible for all participants. The same applies to the use of software tools which allow people to work collectively on a document (Lotus Notes, MS Word Track Changes, among others). Some participants may operate under tight constraints in terms of equipment and capacities.

The choice of communication channels, therefore, should be considered carefully, taking into account the respective stages of the process, numbers of participants, resources available to all participants and, not the least, cultural preferences. Choices can include a mix of communication channels and need to be guided by the principles of inclusiveness, equity and transparency. Such choices should be made by the group, and can be suggested by an initial coordinating group.

## **Facilitating/chairing**

MSP meetings need facilitation and a facilitator needs to be accepted by all the participants as a suitable person without a direct stake in the process or the decisions to be taken. In several of the examples studied and in interviews with people involved in them, it is obvious that professional facilitators are seen as having a role to play – usually they can be accepted by everybody as impartial and are familiar with useful group work techniques and tools. For example, this has worked well in the Brent Spar process. Outside facilitators can also provide training on meeting facilitation to build the group's capacity to facilitate an ongoing process themselves. However, people also feel that a facilitator's commitment and integrity, high standing, political stature, experience in the political processes and expertise on the issues, charisma and other personal characteristics can be a crucial success factor. This has been asserted for the World Commission on Dams, the Global Compact meetings and the UN CSD dialogues, among others.

Using several facilitators, for example representatives from different stakeholder groups, to co-chair meetings or facilitate on a rotating basis, is another option that should be considered. The various options should be discussed in the group so that an agreement can be reached which everyone is satisfied with.

The following are important guidelines for the effective facilitation of MSPs:

- Facilitators should have been involved in the design process of the MSP to ensure their full understanding of it and their commitment to how the group decided to conduct it.
- Facilitating needs to be flexible and responsive to different situations – hence facilitators need considerable diagnostic skill to enable them to assess a given situation correctly.
- Facilitators have an essential role to play to ensure equity in discussions.<sup>11</sup> Chairing in a way that capitalizes on diversity needs to stress the benefits of diversity. The modes of communication and decision-making suggested here largely depend on a facilitator encouraging and guiding the group to put them into practice.
- Facilitators need to be sensitive to the different cultural backgrounds of participants and not impose a 'way of doing things' based on their own culture.
- Facilitators should encourage people to speak freely and invite everybody to take the floor, including drawing out quieter participants.
- Facilitators need to help create an open and positive atmosphere which will encourage respectful listening and possibly learning and

changing of views among the participants. Facilitators should help the participants and the group to surface 'what is hidden', allowing time for each participant to share concerns, thoughts and feelings. At the same time, facilitators need to help the group to stay focused.

- Facilitators should help to ensure that all participants feel recognized and part of the group.
- Facilitators should keep to agreed timetables and speaking times, which need to be the same for everybody (with obvious exceptions for participants operating in another language, and the like).
- Facilitators need to keep track of everybody's contributions to draw together aspects of common ground and to summarize at regular intervals what has been said. They also need to keep track of which points might be missing in the discussion and to encourage the group to address aspects that have not arisen.
- When exploring differences, facilitators should ask problem-solving questions, not judgemental ones, and encourage all participants to do so.
- In cases of conflict, the facilitator should encourage participants to focus on the 'positive intent' or 'grain of fact' in their opponent's position. This can be done by encouraging participants to restate opposing views in their own words (known as 'active listening' or 'mirroring').
- When summarizing, differences should be stated clearly and there should be no pressure to conform. Stating and restating common ground and agreements along the way can help to build confidence and momentum.
- Facilitators need to be sensitive regarding issues on which participants will need to consult with their constituencies.
- The group needs to agree on how to deal with possible substantive contributions from the facilitator. Alternating the role of the facilitator is an option.
- In some cases, it might be worth considering to work with special facilitators as the link into particular stakeholder groups. For example, at the local level, it might be advisable to work with local facilitators to develop the appropriate meeting styles.
- Suggestions regarding how to deal with participants who do not 'play by the rules' have been outlined above and facilitators have a key responsibility to deal with such behaviour and/or concerns appropriately.
- Using flip-charts, meta-plans or other facilitation techniques is recommended in order to transparently keep track of what is being said, enable summarizing and help decision-making. Such techniques also allow for the same pieces of information to be displayed in various modes (oral or written), which helps participants to follow discussions and actively contribute. This can also relieve participants

from taking notes themselves, allowing people to look at each other rather than at their notepads, which helps to create trust. Other group work techniques are worth considering and experimenting with. These include scenario, or future, workshops, citizens' juries (depending on the situation, the issue, the cultural context and the group).

## **Rapporteur**

Rapporteurs (or persons responsible for reporting on the group's activities) need to be assigned beforehand and agreed by the group, as the documentation process itself. Rapporteur needs to be done in the most neutral fashion possible, reflecting the full breadth and depth of discussions. If summaries and reports are not perceived as truly representative of what happened, the whole process will suffer with regard to credibility, the participants' commitment and the quality of decisions. The coordinating group (or facilitating body) should suggest rapporteurs and a documentation process and put that to the group for decision.

In the example of the Lower Columbia River Basin process, the group worked with different stakeholders, providing rapporteurs on a rotating basis. This will help not only to spread the workload more equally, but also will increase the sense of ownership on all sides.

## **Decision-making**

Participants need to agree in the beginning of the process on what kind of decision-making process will be used.<sup>12</sup> Consensus is the preferred method of decision-making because it will generate better solutions and commitment by all. Seeking consensus will urge participants to find an agreement that incorporates all points of view. Consensus can take different shapes, for example:

- unanimity, ie total agreement; or
- a willingness to step aside and live with the 'whole package', not blocking an agreement because of disagreement with one or another point. This is the willingness to compromise and support the compromise and agree with it as the group consensus.

Groups should decide explicitly if and when they want to enter into decision-making. They need to be clear at which point they want to

test consensus or seek a majority vote. When going for a decision by vote, the group needs to decide what constitutes a majority. We suggest the following: the group should strive for consensus as this fosters patience, exploring possible common ground, but a majority vote should be introduced to bring about a conclusion and make the decision, if necessary. The group should make the decision about the appropriate time of voting. A decision can be reached when the respective majorities of the stakeholder groups represented are in favour of it. Minority viewpoints should be recorded in final decisions when consensus cannot be achieved.

Entering into decision-making should not happen too early. Groups of high diversity can have a tendency towards depolarizing and compromising too quickly for truly integrative solutions to emerge. As long as the dialogue process is not exhausted and not all the ideas have been put forth and scrutinized, the group should refrain from entering into decision-making. Groups need to be challenged to deliver maximum creativity, which can be helped by the facilitator. Premature consensus or majority rule tends to lead to decreased commitment and will therefore be an obstacle to implementation. There are a number of possible procedures that will help groups to agree without compromising prematurely:

- Participants should avoid arguing for favourite proposals but make innovative suggestions. They should be challenged to be creative and integrating, to seek the best ideas, not to win support for their own ideas.
- Participants should avoid 'against-them' statements.
- Participants should avoid agreeing just to avoid conflict.
- Participants should view differences as helpful.
- When a decision is stalled, the facilitator should state the points of agreement on which to build.
- When no agreement can be reached on an issue, the group can agree to revisit it at the next meeting.

Other techniques that aim to counter premature agreement involve using 'devil's advocates', working parallel in different small groups on the same task and avoiding public voting.

Acceptable decisions are those which integrate the needs and requirements of everybody. Sometimes this will not be possible and trade-offs or compensations might be sought, if all parties agree.

The fundamental right of communities to self-determination needs to be respected. In cases where a potential agreement affects the future lives of a stakeholder group, they need to have the right to say 'No'. For example, if all stakeholders except the affected local community agree to a tourism development plan, the plan should not be carried

out. Discussions on the question if a 'No' is being based on sufficient information should be allowed. However, placating participants by declaring that they are making uninformed or incompetent decisions is destructive and needs to be avoided.

Again, based on the rules of procedure agreed beforehand, the facilitator should point out if and when a stakeholder does not play by them and address concerns that participants might raise (in private or in the meetings) about the seriousness of other participants. The group then needs to deal with the issue in a problem-solving manner, applying agreed rules of dialogue and decision-making.

Another question concerns possible secondary or tertiary consequences of policies, such as agreements within a local community which might affect adjacent communities. If possible, such potential consequences should be addressed and the question of involving representatives of those affected needs to be considered.

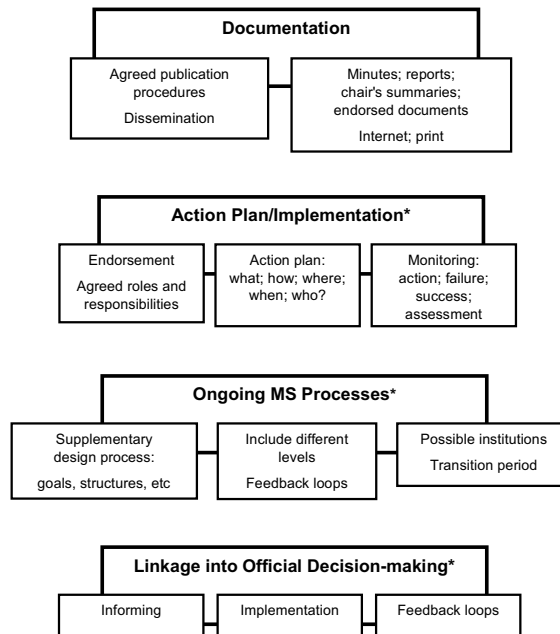
## **Closure**

MSPs need to agree a time-frame and a clear goal. They need to agree cut-off points and criteria of closure, for failure and success alike. Participants need to develop a sense of ownership not only of the process but also of an output that they feel comfortable promoting – a document outlining the different positions, a concrete set of suggestions, toolkits or agreed actions. Once the group agrees that this point is reached, the process should be brought to an end.

## **OUTPUTS**

### **Documentation**

Depending on the type of process and the timing vis-à-vis official decision-making processes, there are various conditions that will define the type of documentation process required. For example, it is always preferable to have draft minutes and reports put to the group for review before they are published. If there is enough time, these can be sent out to participants, giving a clear deadline for comments. Unless otherwise stated, no comment should count as agreement (one of the rare cases where silence can be taken to mean assent!). If there is insufficient time, drafts should be discussed with the participants directly after the meeting. For example, at the CSD in 1999, stakeholders were invited to comment on the Secretariat's draft summary of the dialogue sessions overnight; at the Bergen ministerial meeting,



\*Optional

**Figure 7.6** *Outputs*

stakeholders met late in the evening to discuss a draft of the chair's summary.

Often, a facilitator's summary, rather than a document formally endorsed by the group, is the best choice, particularly if there is insufficient time for participants to check back with their constituencies. Endorsements by stakeholders will require various procedures of constituency agreement and will be a necessary component in decision-making and implementation processes. They will not be required in dialogue processes where the group has been able to discuss a chair's summary and which is clearly labelled as such.

All documentation should be forwarded to other stakeholder groups and made publicly available.

## Implementation

Once a decision has been reached, all of those involved need to make sure that it is implemented and to engage their constituencies' support. Without solid support from the represented stakeholder groups, decisions will not be implemented successfully.

Implementation is the crucial test for the quality of the group's decision-making. In cases of (premature?) agreement reached by majority vote, it is a common problem that not everybody will support it with their actions. Often, minority members who lost the vote will not engage in implementation but keep to their views, and sometimes will even work to undermine successful implementation. Upon failure of implementation, they will be able to point out that they were 'right all along'. If consensus was achieved, everybody involved will support a decision and do their part in implementing it. Then, a decision can be properly evaluated against reality and it can be changed if genuine deficiencies are detected. Therefore, action-oriented MSPs should aim to produce a consensus about a way forward that those involved will be committed to implementation. Given trustworthy, transparent, continuous monitoring and evaluation the mechanisms, likelihood of successful implementation is highest. If the decision was wrong, common learning will lead to revisiting it.

However, this should not lead to a 'tyranny of consensus' which can easily be a tyranny of the majority. That is why avoiding premature decision-making is so important and why the group should consider carefully which kind of decision-making it is going to use.

But no matter how elaborate the dialogue and decision-making processes will be, MSP participants will not always be able to reach consensus, even in the form of a compromise as in 'agreeing with the whole package'. Everybody should always have the right to speak out against a decision even if they participated in a process. Participation does not mean that people give up their right to oppose a decision down the road that they do not agree with.

Any implementation needs to be based on agreed roles and responsibilities. It needs a clear plan outlining who is to do what, when, where and with whom. In short, an action plan needs to be agreed by the group. It could be developed by an assigned person or small group and put to the whole group for discussion. Otherwise, the so-called 'diffusion of responsibilities' - when everybody believes somebody else but themselves is responsible for carrying out a task - is likely to take place, and nothing will happen.

The group should also decide how to monitor and evaluate implementation. Monitoring and evaluation activities and time lines can be assigned to a group made up of different participating stakeholders to ensure neutrality and balance. Third party, 'independent' monitoring and evaluation should only be an option when all participants truly agree with it. Otherwise, such monitoring and evaluation can be perceived as an imposition, and will be questioned for its independence and credibility.

Monitoring and evaluation also involve the question of how to deal with non-compliance. MSPs which involve implementation activities

need to agree what to do if stakeholders don't do what they said they would do.

### **Impacting official decision-making**

Processes that are linked to official decision-making are designed to impact them. As was said before, most of those processes are meant to inform decision-makers and, by means of a wider input, improve decision-making. It will be important to ensure that any MSP outcome documents have a high status in the official process and receive the desired attention.

We have discussed above that the current, mostly informing role of stakeholder participation should be expanded. We have also outlined some possible mechanisms for immediately involving stakeholders in implementation. Such steps towards increased involvement of stakeholders would, on the one hand, make clear to governments where stakeholders stand, ready to implement, if agreements are reached. On the other hand, they would enable stakeholders to develop a better understanding of political processes and what is politically possible at a given point.

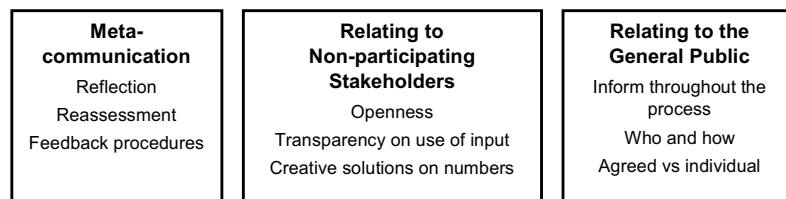
### **Ongoing MSPs**

Arriving at the agreed cut-off point, groups may decide to move into a new phase. For example, dialogue processes need to provide the space possibly to develop into action-oriented MSPs – if groups want to move from talking to joint action, for example promoting the outcomes together or engaging in implementation. In some cases, follow-up will involve some kind of institutionalizing, which needs to be worked out by the group. This may include finding a new 'home' for a process, engage in new fund-raising activities, and so on. As some examples such as the Global Reporting Initiative and the World Commission on Dams have shown, transitions need to be prepared and managed carefully. Principally, in such cases groups need to engage in a supplementary MSP design process.

Documentation, implementation, impacting official decision-making and possibly ongoing MSPs are the more tenable outputs of MSPs. However, there are other, less tenable but equally important outcomes: when MSPs go well they will lead to more trust and better relations between participating stakeholder groups, and to improved communication and networks, which may in turn lead to further

collaboration. These are the more long-term effects of MSPs which are clearly benefits for the whole of society.

### THROUGHOUT THE PROCESS



**Figure 7.7** *Throughout the Process*

### Mechanisms of meta-communication

Multi-stakeholder processes need to include mechanisms which allow participants to reflect on the process they are participating in (meta-communication). Even if issues such as agenda, participants, ground rules of communication and decision-making, necessary structures, resources, capacity-building, and so on have been agreed by participants at the outset, there needs to be space for reflection upon that same process and how it is working. How this is best done will depend on the length of the process, the scope and size of the group involved, and the structural and organizational arrangements. For example, meta-communication can be ensured by facilitators asking for reflections on the process at certain points in meetings or through feedback loops being coordinated by a process secretariat. It is important that such feedback exercises are suggested to the group to discuss in a transparent and inclusive manner and that *all* participants are included in the exercise. Some level of formality for meta-communication is therefore desirable.

As has been underlined before, groups increase their effectiveness if they work on the basis of an agreed set of rules – hence they need to communicate about the way they communicate. Meta-communication also creates space for dealing with problems which arise when members feel that other members are not playing by the rules.

Many MSPs take place in culturally mixed contexts. Meta-communication allows participants to discover what are indeed cultural differences, which are more common than we generally tend to believe.

For the process of meta-communication and agreeing procedures, it is helpful if the group is aware of the general effects of high diversity, so that they can deal creatively with potential problems.

### **Relating to non-participating stakeholders**

MSPs should be kept open for input from non-participating stakeholders. This can be done via a frequently updated interactive website, which is an easy but also problematic strategy because of access divides. Participating stakeholder groups should also consider calling for inputs from non-participating groups, particularly in cases where the number of participants has been limited. For example, the NGO group called for input from the women's caucus and the Indigenous Peoples caucus when they were preparing for the Bergen Ministerial Dialogues. Another option was demonstrated by the World Commission on Dams process, which consisted of the Commission itself, with 12 members, plus a larger Forum of around 70 organizations. The Forum served as a sounding board for all process considerations and draft material, and allowed the inclusion of a larger number of groups and a larger variety of stakeholder views.

Such calls for input need to provide clear information on how it will be considered and used. Similar to hearings and consultations that (inter)governmental bodies often use to obtain stakeholders' views, those who invest time and resources in providing such input need to be able to make an informed decision on whether they feel it is worth the effort. Experience has shown that people will not participate (or participate again) if they don't see where their inputs are going. That does not mean that an MSP has to take every input on board, but it should be clear how such inputs are being processed.

Problems arising from non-participating stakeholder groups that aim to disrupt and hinder the multi-stakeholder process should be addressed within the group if possible in order to develop a common strategy.

Many of the other issues raised with regard to relating to the general public also apply here.

### **Relating to the general public**

Relating to the general public is very important. MSPs in sustainable development are new developments in decision-finding and governance, and touch on issues which, eventually, will be of concern to

everybody. Since they are, in some senses, self-appointing, it is crucial that they are open and transparent to the wider public as to their objectives, structure and processes.

Even though sustainability questions relate directly to people's everyday lives, many involved in sustainable development debates often find it very difficult to explain what they are doing in a language free of jargon. This observation applies equally to Local Agenda 21 processes as to those around the UN. Other processes are very specialist, addressing issues which are highly technical and require a professional or quasi-professional knowledge base. However, even then, relating to the general public should be a priority. The group should face the challenge and aim to make the process and its issues understandable to the general public. A useful motto for all participants can be: 'Communicate as if people mattered'.

Within the MSP, it will be crucial to agree on who will relate to the public – through agreed statements, website contents, and so on – and how. In general, every participant should be able to share information with the public and present it from their perspective. To avoid public confusion, however, the communication from the process or group as a whole should be agreed and coordinated. To facilitate external communication, the group should consider engaging people (and 'experts'!) from outside the process to convey the message to the general media.<sup>13</sup> This is a question of resources and prioritization, and should not be forgotten when fund-raising for an MSP.

A good information strategy includes identifying target audiences; developing partnerships with key information sources; identifying appropriate methods and channels; creating effective messages; and evaluating strategies.<sup>14</sup> It will be important also to release information progressively throughout all stages of a process and not only to present a finished product. This should be the norm and not just when one wants to open the process for input and comments from the public.

Discussions should also include the choice of media. Especially in the case of global processes, an MSP might need a mix of channels, as different media are accessible in different parts of the world. Television, in connection with internet sites, might be suitable in industrialized countries, particularly the US, while radio could be more appropriate in developing countries. The reality is that huge numbers of people are not consulted or readily accessible to decision-making processes. In structuring an MSP, decisions need to be made about how close to the affected communities the process shall take place. In some cases, it might be appropriate to take the MSP to the people, rather than locate it, say, at UN Headquarters in New York.

Hohnen (2000a, p7) notes that one of the main challenges 'for the designers of multi-stakeholder processes' will be to 'enable and encou-

rage inputs from parties both within and without the process', saying that the internet offers an 'ideal tool for facilitating transparency and cost-effective input from civil society throughout any dialogue'.

The advent of the internet indeed enables wide public communication and consultation. Websites can be updated regularly, are relatively cheap to maintain once they are set up and running, and are hardly restricted with regard to the amount of information which can be set up. They can be interactive and include message boards, chat rooms, list servers, and so on. They can also allow web-casting of meetings, the provision of video-streaming and radio broadcasts.

For this to be effective, however, several concerns need to be addressed. As noted above, these include communication with disadvantaged groups (victims of the 'digital divide'), and the need to summarize materials and key questions in a manner that encourages and enables public interest and input. The internet is a means rather than an end. Placing information on the web should not be regarded as 'communication' or 'consultation', but as a means of enhancing it. The greater the focus of the MSP and the extent to which it can be concrete about the choices to be made and their implications, the greater the chance will be that the public will engage.