



5. Public Consultation & Disclosure

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Public consultation and disclosure (PCD) plays a key role in enabling the public to participate in the planning of the Project. The PCD process has been carried out based on the following primary objectives:

- Ensuring that stakeholders' concerns, experiences and recommendations, especially from affected persons, are integrated in the design, planning and implementation of the Project;
- Increasing public awareness and understanding of the Project; especially on mitigation measures to reduce impacts and improve the livelihood of the affected people; and
- Enhancing development initiatives through the support and direct involvement of affected people and communities.

Table 5.1: Project stakeholders

Local	Regional	National	International
Households and villages on the Nakai Plateau	Community leaders	GOL ministries	Power utilities
Downstream communities	District agencies	The people of Lao PDR	Thai Government
Project Land communities	Provincial agencies	National NGOs	Embassies
Communities in the NNT NBCA and proposed corridor areas.	Businesses and contractors	National media	International Financial Institutions
			NTPC investors and Financial Institutions
			International NGOs
			International media
			Hydroelectric dam developers

As of the beginning of 2004, there have been more than 250 public consultation and participation briefings and meetings, which have taken place at the local, regional, national and international levels. Dialogue has been established with interested groups and stakeholders who are directly or indirectly involved in the Project and who have expressed a wish to participate in the Project's public consultation program.

The main focus of the following chapter is on the outputs of these briefings and meetings, and how feed-back was incorporated into the Project design. The chapter begins by identifying the PCD policies of the World Bank and World Commission on Dams. This is followed by the identification of the Project stakeholders and an outline of the approach taken. The following sections discuss activities to date and details the main comments received from these discussions and their incorporation into the Project design. Finally, the chapter clearly spells out the plans for consultation and disclosure leading up to World Bank appraisal, as well as during implementation of the Project.

World Bank & World Commission on Dams Policies

The three World Bank safeguard policies of Environment Assessment (OP 4.01), Involuntary Resettlement (OP 4.12) and Indigenous People (OD 4.20) require the involvement and participation of all stakeholders, including affected people and NGOs, in the planning and implementation of the Project. The World Bank also requires a culturally appropriate strategy that allows for the participation of indigenous people and uses appropriate consultation methods which take advantage of local knowledge. Ongoing PCD is also required during the construction and implementation phases of the Project.

The PCD process has also taken into account the requirements set out in the World Commission on Dams report, summarized below:

- The participation of indigenous and tribal people in consultation is a process of communication and negotiation, spanning the planning and project cycles;
- Effective participation requires an appropriate choice of community representatives;
- The consent of affected indigenous and tribal people should be sought prior to key points in the decision making process;
- The manner of expressing consent will be guided by customary laws and customs, and by national laws;
- At the beginning of the process the affected people will state how they will express their consent to key decisions;
- The integrity of community processes should be guaranteed;
- Communities shall not be divided or coerced, and shall be free of manipulation; and

- An independent dispute resolution mechanism should be agreed with the other stakeholders at the beginning of any process.

The Stakeholders

The five main stakeholder groups comprise of: i) people directly affected by the Project; ii) government officials at the district, provincial and national levels; iii) the broader interested national community; iv) NGOs operating in Lao PDR; and v) international NGOs, international organisations and other interest groups, including the local, regional and international media.

The various individuals, communities, government and non-government agencies and organisations are further defined in Table 5.1. with their interests and requirements in terms of information dissemination presented in Table 5.2.

Public Consultation & Disclosure Process

Three Phase Process

Consultation at the local, regional, national and international levels has started and will continue to progress through a three-phase process:

Phase 1: Information Collection & Dissemination

This initial phase of consultation aimed to collect and disseminate information. Data has been collected on the human and physical characteristics of the current environment in order to predict Project impacts. As part of this phase, information was disseminated to stakeholders regarding the Project features and the implications in terms of changes to the social and physical environment.

Phase 2: Consultation with Stakeholders

Comments continue to be sought from stakeholders in response to information gathered as part of Phase 1. The information was disseminated and discussion of the alternatives and proposed mitigation measures were, and continue to be, encouraged. Issues for stakeholders that may have been previously overlooked or are outstanding are given a forum for review.

Phase 3: Active Involvement in Project Design & Implementation

Based on the discussion of Phase 2, a set of mitigation measures were developed that address Project impacts. The process of stakeholder involvement and identification will continue during Project implementation. This process provides for cyclical feedback, should deficiencies appear at any stage either prior to or during the Project implementation.

Table 5.2: Stakeholders, their interests and involvement in the consultation and disclosure process (source: SDP, April 2004)

Stakeholders	Interests & Experience	Consultation Process to Date
Nakai Plateau villagers to be relocated or otherwise affected: approximately 1,200 families	Positive with regard to their resettlement and the proposed livelihoods. Currently involved in demonstration farms and pilot village relocation.	Preliminary consultation in 1995. Intensive consultation 1997-1999 in all villages. Pilot village consultation from 2001. Establishment of an Information Centre in Nakai in RMU and Nakai DRWG based in Nakai. Village Resettlement Committees organised.
Villagers along the proposed downstream channel: about 198 families	Positive towards irrigation potential but concerned over impacts of flooding and livelihood.	Consultation about impacts held in 1997. Further, detailed, consultations about mitigation plans and compensation options to be carried out in 2004 by NTPC and RMU.
Villagers along the proposed Transmission Lines	Interest in fair and prompt compensation.	Consultation about impacts held in 1997. Further, detailed, consultation about mitigation plans to be carried out in 2004 by NTPC and RMU.
Villagers with assets under other Project Construction Lands	Yet to be consulted in detail about project impacts.	Detailed design and impacts in the process of being determined. Planned consultation process to commence in 2004 but basic information available from RMU.
Villagers along the Xe Bang Fai	Positive towards irrigation potential but concerns over increases in flooding and impacts on livelihood.	Consultation about impacts held in 1997. Further, detailed, consultation about mitigation plans to be carried out in 2004 and onwards by NTPC and RMU.
Local Authorities	Representation in decision making process and capacity building.	Ongoing consultation and meetings since 1997, assessment of capacity, and inclusion in key institutions such as the RMU and DRWG.
Provincial Organisations	Representation in decision making process and capacity building.	Ongoing consultation and meetings since 1997, inclusion in RC.
National Government (Ministries and STEA)	National legal and policy framework, project viability financing and representation in decision making.	Ongoing consultation and meetings since 1995, inclusion in the RC, STEA part of National Level Consultation.
Mass Organisations (LWU, LNF)	Representation in decision making process and capacity building.	Ongoing consultation and meetings since 1997, inclusion in key institutions such as the RMU, DRWGs and VRCs.
NGOs	International standards for social and environmental aspects and project viability.	Involved in some local and all national consultation meetings, reviewed documents and undertook site visits, including in 2003.
Panel of Experts	International standards for social and environmental aspects and project viability.	POE has carried out site visits and consultation since 1996 and has reviewed all relevant documents.
Donors and Financial Institutions	International standards for social and environmental aspects and project viability.	Involved in all national consultation meetings, reviewed documents and site visits from 1995.
Embassies	International standards for social and environmental aspects and project viability.	Involved in all national consultation meetings, reviewed documents and site visits from 1995.
Thai stakeholders (EGAT, private sector, Govt)	International standards for social and environmental aspects and financing.	Involved in negotiations of the PPA, all national consultation meetings, reviewed documents and site visits.

Methodology

Appropriate interactions and information sharing techniques have been developed for these different stakeholders in order to ensure a good mutual understanding.

The Approach

Throughout the PCD process it has been important to take into account the following:

- Local power and authority structures and the need to ensure that participation in consultation activities is not dominated by local authorities;
- Participation of women and vulnerable groups; and
- The documentation of the process.

Use of Suitable Techniques

Techniques were developed to meet the requirements of the diverse and numerous participants involved. The techniques adopted include:

- Use of visual representations including pictures, diagrams and posters, especially at the local and regional level;
- Face-to-face communication where levels of literacy are recognized as being low. This includes use of seminars, workshops, general village meetings, semi-structured interviews, small

group meetings, models, Participatory Rural Appraisal techniques and site visits;

- Translation of Project documents and summaries into Lao language. These are used in particular for local leaders, regional officials and national stakeholders;
- Use of local NTPC Project Information Centres (PIC) at Vientiane, Thakhek, and Nakai. These provide written material and information on the Project, deal with inquiries and requests for additional information, and conduct periodic meetings with village and district representatives; and
- Direct contact with stakeholders through electronic or written media, group and individual briefings, radio and television interviews, distribution of detailed Project information, organisation of symposium and forums, and site visits for international stakeholders.

Table 5.3 outlines the tools used to disseminate information to specific groups of stakeholders.

Language Issues

Information gathered on language usage has established that the vast majority of people from ethnic groups in the Project area can speak Lao, and the different ethnic languages are for the most part confined to domestic use. Only a small percentage of the affected population do not have a good working knowledge of Lao. In addition, none of the ethnic languages have any written form. Thus, it

Table 5.3: Consultative mechanism used with key stakeholders

Stakeholders/Project Area	Key Information	Timing	Mechanisms & Approaches
Nakai Plateau villagers to be relocated: 5,684 persons	Relocation plans, site selection, village layout, livelihood scenarios, compensation, training.	Formal consultations in 1997-2000. Regular consultations from 2001 as required.	RRA and PRA techniques. Information dissemination, meetings and discussions (village, group and individual levels) to create feedback loop – posters, booklets, information centre, demonstration farms and visits to sites.
Villagers with assets under other Project construction Lands	Relocation plans, compensation and site selection if required.	Regular consultations from 2003.	Information dissemination, meetings and discussions (village, group and individual levels) to create feedback loop – posters, booklets, information centre.
Villagers with assets under the proposed Downstream Channel	Relocation plans, site selection, village layout, livelihood scenarios, compensation, training.	Formal consultations in 1997, 2003 and 2005. Regular consultations from 2007 as required.	RRA and PRA techniques. Information dissemination, meetings and discussions (village, group and individual levels) to create feedback loop – posters, booklets, information centre and visits to sites.
Villagers along the Xe Bang Fai	Mitigation framework, project impacts along the Xe Bangfai, compensation, training and for directly affected families, site relocation and support services.	Formal consultations in 1997 and 2003 and 2005.	RRA and PRA techniques. Information dissemination, meetings and discussions (village, group and individual levels) to create feedback loop – posters, booklets, information centre and visits to sites.
Villagers with assets under the proposed Transmission Line Corridor	Mitigation for project impacts, compensation and support services.	Formal consultations in 1997 and 2005.	RRA and PRA techniques. Information dissemination, meetings and discussions (village, group and individual levels) to create feedback loop – posters, booklets, information centre and visits to sites.
Local GOL Organisations	Project features, impacts and mitigation, resettlement, compensation and implementation schedule and budget as well as WB Safeguard Policies.	Meetings, discussions and seminars from 1995 onwards. Local, Regional and National level consultations from 1996.	Training and capacity building seminars and workshops from 1997 in consultation techniques and participation as members of PCPP Teams. Assistance in setting up local consultation bodies and monitoring procedures.
Provincial Organisations	Project features, impacts and mitigation, resettlement, compensation and implementation schedule and budget as well as WB Safeguard Policies.	Meetings, discussions and seminars from 1995 onwards. Local, Regional and National level consultations from 1996.	Training and capacity building seminars and workshops from 1997 in consultation techniques. Assistance in setting up local consultation bodies and monitoring procedures as part of the Resettlement Committee. Translation of key project documents into Lao for distribution.
Mass Organisations (LWU, LNF)	Project features, impacts and mitigation, resettlement, compensation and implementation schedule and budget as well as WB Safeguard Policies.	Meetings, discussions and seminars from 1995 onwards. Local, Regional and National level consultations from 1996.	Training and capacity building seminars and workshops from 1997 in consultation techniques and participation as members of PCPP Teams. Assistance in setting up local consultation bodies and monitoring procedures as part of RMU and other bodies. Translation of key project documents into Lao for distribution.
GOL (Ministries and STEA)	Project features, impacts and mitigation, resettlement, compensation, implementation schedule and budget. WB Safeguard Policies.	Meetings, discussions and seminars from 1995 onwards. Regional and National level consultations from 1996.	Training and capacity building seminars and workshops from 1997 in consultation techniques and participation as members of PCPP Teams. Assistance in setting up local consultation bodies and monitoring procedures. Translation of key project documents into Lao for distribution.
Local NGOs	Project features, impacts and mitigation, resettlement, compensation and implementation schedule and budget as well as WB Safeguard Policies.	Local, Regional and National level consultations and briefings since 1996.	Participation in Local, Regional and National level workshops and meetings and site visits. Program linkages between RMU and local NGO activities. Translation of key project documents into Lao for distribution.
International NGOs	Project features, impacts and mitigation, resettlement, compensation and implementation schedule and budget as well as WB Safeguard Policies.	National level consultations and briefings since 1997.	Participation in National level workshops, meetings and site visits. Translation of key project documents into English for distribution and websites.
Thai Stakeholders	Project features, impacts and mitigation, resettlement, compensation and implementation schedule and budget as well as WB Safeguard Policies.	National level consultations and briefings since 1997.	Participation in Local, Regional and National level workshops, meetings and site visits. Translation of key project documents into English for distribution and websites.

Table 5.4: Media relations since August 2000

No.	Organisation	Location	Date/Event
1.	France2 TV	Paris	3 August 2000/55 min feature broadcasted on the programme "Geopolis".
2.	France2 TV	Paris	3 June 2001/15 min feature broadcasted on the programme "Faut Pas Rever".
3.	International Herald Tribune	New York	Visited the Project site in early March 2002 and released a story on 11 March 2002.
4.	The Nation (Thai newspaper)	Bangkok	Symposium "Nam Theun 2 – Window to the Future" July 3rd, 2002.
5.	Reuters/Voice of America (VOA)/Radio France Internationale (RFI)	Bangkok	Symposium "Nam Theun 2 – Window to the Future" July 3rd, 2002.
6.	Agence France Presse	Hanoi	Site Visit from 26 to 28 November 2002.
7.	Associated Press	Bangkok	Site Visit from 26 to 28 November 2002.
8.	Bangkok Post	Bangkok	Site Visit from 26 to 28 November 2002.
9.	BBC Radio	Bangkok	Site Visit from 26 to 28 November 2002.
10.	Business Day	Bangkok	Site Visit from 26 to 28 November 2002.
11.	The Nation	Bangkok	Site Visit from 26 to 28 November 2002.
12.	Reuters/VOA/RFI/The Nation	Bangkok	Site Visit from 26 to 28 November 2002.
13.	Radio Free Asia (RFA)	Washington	Site Visit from 26 to 28 November 2002.
14.	Lao Foreign Language Press	Vientiane	Site Visit from 26 to 28 November 2002.
15.	Le Renovateur	Vientiane	Site Visit from 26 to 28 November 2002.
16.	Vientiane Times	Vientiane	Site Visit from 26 to 28 November 2002.
17.	RFI	Paris	Radio Interview by phone on 13 December 2002.
18.	BBC TV	London/Bangkok	BBC TV crew visited Laos and the Project site on 13-14 February 2003. TV reports were broadcast on 19 and 23 February 2003 on BBC World News, Reporters and BBC domestic news programmes.
19.	Lao TV	Vientiane	TV report and video on the Project's Resettlement and Envi-ronmental plans produced in April 2003.
20.	Asahi Shimbun (Japanese Daily Paper)	Tokyo/New Delhi	Visited Project Site on 13-14 June 2003.
21.	The Economist	Bangkok	Released a story on Laos and the Project on 18 September 2003, visited the Project site on 25-26 September 2003 and published an article on Mekong Development 30 December 2003
22.	NHK TV (Japan)	Bangkok	NHK TV crew visited Laos and the Project site on 25-26 September 2003.
23.	Radio Australia	Canberra	Phone Interview on 30 October 2003.
24.	Vientiane Times	Vientiane	Site Visit from 9 to 11 June 2004.
25.	UPI, National Press Club	Washington	Site Visit from 9 to 11 June 2004.
26.	The Nation	Bangkok	Site Visit from 9 to 11 June 2004.
27.	South China Morning Post, BBC	Bangkok	Site Visit from 9 to 11 June 2004.
28.	Bloomberg	Bangkok	Site Visit from 9 to 11 June 2004.
29.	Compas	Jakarta	Site Visit from 26 to 27 June 2004.
30.	Wall Street Journal	Bangkok	Site Visit from 29 July to 3 August 2004.
31.	All Thai press, Le Monde, Liberation, AFP, Reuters	Worldwide	Site Visit from 31 August to 27 September 2004.

is impossible to design written materials in each ethnic language for the purpose of consultation.

Translation of oral presentations into ethnic languages – Brou and Vietic languages – has always been an option, and during consultation, such translations are provided whenever necessary by local village leaders or ethnic staff of the District Working Groups. Language checks are made before discussions, especially for women and the elderly, who might have less exposure to the national language.

Gender Issues

Participation of women in consultation requires special attention, because most women are either less educated than men, or have less exposure to the outside world and politics. In the consultations, efforts have been made to include women and to encourage their participation by having separate women's groups. This has been possible through the central role of the Lao Women's Union (LWU) at the local level consultations.

Consultation & Participation Activities

Numerous PCPP events have been conducted at the local, regional, national and international levels. A summary of activities up to October 2004 is presented in Annex N.

Media Relations

To promote widespread Project awareness, NTPC has encouraged the involvement of various media and other groups in the PCD Process (Table 5.4).

Summary of PCD Activities from July 2002 - March 2005

To gain public support for the Project implementation, GOL and NTPC have been targeting three types of audience: i) diplomats/donor community; ii) NGOs/civil society groups/academics; and iii) the media. Communications efforts were conducted through the following actions:

Table 5.5: Schedule for consultation and disclosure of the EAMP.

DESCRIPTION	TIMELINE											
	'03			'04						'05		
COMPLETION OF ADVANCED DRAFT												
Issue AD to the IFIs and the general public												
World Bank & ADB Appraisal of AD												
COMPLETION OF FINAL DRAFT - PHASE 2												
1. Local												
Production of consultation material												
Public consultation with local people												
2. National												
Reading period of documents												
Public meetings												
3. Regional												
Public disclosure through Project website												
Reading period of documents												
Public meetings												
4. International												
Public disclosure through Project website												
Reading period of the document												
Public meetings												
REVISION & DISCLOSURE OF DOCUMENTS												
Production of FINAL DRAFT												
Issue of FINAL DRAFT												
World Bank & ADB Appraisal of FD												
DISCLOSURE AFTER APPRAISAL - PHASE 3												
Disclosure of Documents												
Public disclosure on WB info shop												
Receive comments												
Review & Clearance												
Translation of the FINAL DRAFT EAMP												
GOL review and clearance												
WB review and clearance												
POE review and clearance												
FINALISATION FOR IMPLEMENTATION												

Symposium "Nam Theun 2 – Window to the Future"

This event, held on 3 July 2002, was chaired by GOL and gathered more than 150 participants, including Ministers, Ambassadors, representatives from the international donor community and NGOs, members from the World Bank's IAG and GOL's POE, international and local media, as well as representatives from the provinces and villages directly concerned by the Project. The Symposium emphasized GOL's determination to implement the Project following international standards, in particular with regard to social and environmental issues. The Symposium's debates thus focused on three main issues: i) the national development framework and Nam Theun 2's strategic importance, ii) social and environmental safeguard issues, and iii) the protection of Lao PDR's interests.

Site Visits

Two site visits for Ambassadors and international organisations representatives in Vientiane were organised in late 2002 by GOL and led by H.E. Mr. Soulivong Dalavong, former Minister of Industry & Handicrafts.

A visit for international and Lao local media was conducted in November 2002 with 15 journalists and photographers, including

major international press agencies, the Thai press and Radio Free Asia. This visit resulted in the production of a long series of media reports on the Project all through 2003.

A series of three site visits for NGOs was conducted between February and March 2003, to enable the groups to assess the actual environmental and social situation and challenges. Around 80 NGOs were invited by GOL, though only 20 replied and 15 actually participated in the visits. The three-day visits provided time for discussions between NGOs and the local populations. On each visit, NTPC staff were available to answer any questions, while noting the concerns and advice of each NGO. In addition, debriefings were organised in Vientiane on the fourth day, to allow interaction between NGO staff and senior government officials in a different context.

Follow-up Actions

Working meetings and discussions have been held on different occasions between NTPC, GOL, diplomats and some NGOs, as well as with donor community representatives in Vientiane, Bangkok, Paris and Washington. Interviews were given to journalists (press, radio, TV) and additional site visits were conducted with specific groups representing the various audiences.

Table 5.6: Summary of disclosure plan for the EAMP

Stakeholder	Language	Phase					
		Prior to WB/ADB appraisal		Disclosure by Appraisal		Final Version for implementation	
		Full	Partial	Full	Partial	Full	Partial
Project affected persons	English Lao		•		•		•
GOL stakeholders	English Lao		•	•		•	
GOL implementors	English Lao	•	•	•		•	
National public, NGOs and mass organisations	English Lao	•		•		•	
International stakeholders (donors, NGOs, etc)	English Lao	•		•		•	

The PCD Process Since the Advanced Draft of the EAMP to Appraisal

Main Stages of Information Dissemination, Consultation & Disclosure

An indicative schedule for the process of finalizing the EAMP since the production of the Advanced Draft EAMP is presented in Table 5.5, and described in summary as follows: Information dissemination and consultation before appraisal has been and will be carried out at the local, national, regional and international levels. At the local level, consultation was primarily conducted by recurrent interactive workshops and presentations, and the placement of posters illustrating expected project impacts. The main groups that have been consulted are: i) plateau resettlers; and ii) villagers along the Xe Bang Fai. The villagers with assets under Project Lands will be consulted before and during appraisal. At the national level, it included consultation with national NGOs and mass organisations, GOL authorities involved with the implementation activities, and the general public. This was achieved primarily by workshops and presentations. For GOL organisations involved with implementation (including STEA who will review and clear the documents for GOL), there was an interactive review and training process. At the regional and international level, it included consultation with donors, international NGOs, and Thai stakeholders in the form of public meetings in Bangkok, Tokyo, Paris, Washington DC and Vientiane. The suite of safeguard documents, revised according to the consultations above, will be made available to all project stakeholders before appraisal by the International Financial Institutions and 120 days before the WB board of directors begin consideration for approval (Table 5.5). At this time GOL implementers will have a full translation of the revised documents. Disclosure to the local affected people will be through an information and outreach program, and the Lao documents will be made available to them. The remainder of the groups will be provided with a full revised version of these documents. After appraisal and board decision, any required revisions will be made to project planning documents, and then these documents will be made available to the various stakeholders. Of particular importance are the GOL implementers and the PAPs who will be given a full Lao translation and partial Lao translations respectively. The PAPs will also have the services of an information and outreach program. The remainder of the groups will be provided with a revised full version of the document.

Main Stakeholders in Future Consultation & Disclosure

Table 5.6 indicates the general type of consultation and disclosure that has been and will be to be undertaken with each audience, ranging from information and outreach programs with local PAPs, to the provision of full English and full or summary Lao translations of all relevant documents.

Information Dissemination to the General Public

Past activities were aimed at developing public awareness of the Project. A symposium was organised in Vientiane on July 3, 2003 by GOL, numerous site visits were conducted for diplomats, media and NGO communities, the Project website (www.namtheun2.com) was updated, a GOL website was created, and various communications supports (brochures, leaflets and news releases on various topics) were produced and widely distributed. The public awareness strategy is continuing with the following activities:

Table 5.7: Sections of the EAMP to be translated into Lao

Section	Degree of Translation
Main Text	Full translation
Annexes	
A References	No translation
B Contributors to the EAMP	Full
C Project Key Technical Data	No translation
D Technical Drawings of Project Infrastructure	No translation
E Hydrological Data	Full
F Simulated Dam Operations	Full
G Water Quality Modelling Assumptions	Full
H Forest & Bird Species	No translation
I Natural Habitats Accounting	Full
J Mammal and Bird Species	No translation
K Fish Species	No translation
L HCC Environmental Requirements	Full
M Pest Management Plan	Full
N Public Consultation and Disclosure Events	Full
O POE & IAG	Full
P Physical Cultural Resources	Full
Q Riparian Release	Full

Information Centres

Additional Information Centres will be established in defined locations in the Project area, as well as in Vientiane, to promote information exchange from the earliest stages of project implementation. A first Information Centre and Forum will be established in NTPC's Vientiane office in 2004, displaying safeguards documents in English and summaries in Lao language, a Project small scale model, and a video.

Three other Information Centres including discussion forums will be established in Thakhek, Mahaxai, and Nakai. To assist in the implementation of such information centres and forum, the LWU will play a decisive organisational role. Other than the LWU, key provincial and district officials and key villagers/local organisations will be identified to serve as the junction between the Project and the PAPs, through information centres and forums. These permanent centres and forums will be established just after the completion of village-by-village disclosure and consultations.

Mass Media

Permanent and regularly updated diffusion of messages will be made through the Project website (including a newsletter, the photo description of site works progress, news releases, etc.).

Key messages are diffused to the media via NTPC's designated spokespersons through press, radio or TV interviews and reports. In addition, several key media organisations have been identified and will be regularly updated on Project progress. These are:

- International agencies – AFP (Hanoi office), Reuters (Bangkok Office);
- Thai press – Bangkok Post, The Nation (Thai and English editions);
- Lao agencies and press – KPL, Vientiane Times;
- Radio – Radio Free Asia, Voice of America; and
- TV – BBC, TV5, NHK.

A 20-minute Project video overview (including technical, social, environmental aspects) has been prepared and will be used as a basic support for general presentation in the Project Information Centres. A 5-minute video summary and separate technical simulations have also been produced for the Project website.

Translation

Because of the international, multi-stakeholder and somewhat complex nature of the project, all documents are originally drafted, reviewed and revised in English. However, while key GOL counterparts can work in English, many GOL staff and most local villagers cannot. Thus, translation of all project safeguard documents into Lao language is a crucial feature of the consultation and disclosure process. Various versions of the EAMP have been translated into Lao, the latest being the fifth draft of October 2003. Due to the technical nature of the documents, and the limited ability or time of PAPs to read, the consultation process will translate key aspects of the documents. Table 5.7 indicates those sections of the final draft EAMP to be translated for the purpose of information dissemination and consultation at the local, regional and national levels. Documents that will need to be translated for the purpose of disclosure at appraisal include the SESIA and the EAMP (main text and annexes).

Local Consultation Events

Two additional local consultation events, for the Nakai Plateau and the Xe Bang Fai, have been carried out before appraisal and one main local consultation event is proposed before appraisal for the communities affected by construction activities in Project lands. Details are presented in the SDP.

Consultations & Disclosure for Nakai Plateau Resettlers

The 2004 round of consultations on the Plateau focused on presenting to PAPs the range of livelihood options that they may choose to adopt, and enabling the PAPs to make a choice on both: i) the mixture of livelihoods; and ii) the actual location of their newly resettled village. Further details of the activities that were conducted on the Nakai Plateau in 2004 can be found in the SDP. These include preparation of consultation material, methods of training the facilitators, how information was disseminated and the feedback process. A presentation of concerns raised by villagers and how these will influence the planning is also included in the SDP.

Consultations & Disclosure for Xe Bang Fai Riparian Villages

During the period of July to September 2004, the consultations in villages along the Xe Bang Fai will focus on: i) presenting what the Project will deliver in terms of quality and quantity of water; ii) the expected impacts on flow; iii) the expected impact on aquatic life; and iv) the expected impact on their livelihoods. The villagers were asked to review and comment on these predicted impacts. Following this, the proposed strategy of how to monitor the impacts and then compensate the impacts was presented, and again villagers asked to comment on how this strategy could be improved and finally implemented.

These PCD activities were conducted in 2004, although because the actual impacts on the Xe Bang Fai will occur in five to six years time, future consultations to refine the strategy, compensation and monitoring procedures will continue to be undertaken.

Further details of the activities can be found in the SDP. These include preparation of consultation materials, training facilitators, methods of disseminating and gathering information, and the integration of feedback before appraisal. The concerns raised by villagers during this round of consultations and the integrations of these concerns into Project planning is also discussed.

PAP Consultations & Disclosure: Project Lands

The next round of consultation with PAPs in relation to Project land impacts will be different from the Plateau and the Xe Bang Fai consultations. This is because:

- i) The impacts on PAPs is known exactly, and is of one type only – permanent or temporary acquisitions of land and assets;
- ii) These impacts will be assessed and compensation given in a relatively short period of time – less than one year for permanent loss of land/assets, and up to three years for temporary loss of land and assets, after which time the PAPs will no longer be PAPs;
- iii) In most cases relocation will not be required; and
- iv) The PCD activities for Project Lands activities will be undertaken in groups of project lands, and thus groups of PAPs. The schedule will be linked to the progressive requirements of the construction contractors to have full rights to Category 1 Project Lands, and to have primary right of access to or through Category 2 lands.

Further details of the activities that will be conducted for the Project Lands consultation in 2004 can be found in the SDP; these include information gathering, preparation of consultation material, methods of training the facilitators, dissemination of information, land and assets registration, and the compensation process.

International Stakeholder Workshops

Several international workshops were held in Bangkok, Tokyo, Paris, Washington DC and Vientiane during the period of August to September 2004. The goal of these international workshops was

Table 5.8: Concerns and issues raised during the 2004 International Workshops (non exhaustive).

Concerns and Issues	Organisations	Responses
Many promises made by donors and the Thai Government for the Pak Mun project in NE Thailand were not fulfilled and affected persons were not properly compensated. Why the situation will be different in the case of Nam Theun 2?	Terra, Thailand and Representatives of Concerned Groups for Pak Mun.	NTPC consultation process is more comprehensive and transparent and involves all stakeholders. In the case of Nam Theun 2, the Concession Agreement is legally binding for NTPC with income targets. GoL invited representatives of Thai villagers affected by the Pak Mun project in Thailand to attend the Vientiane Workshop and to visit the site.
Fisheries impacts may have not been sufficiently studied in particular for the downstream Xe Bang Fai area and tributaries	Terra and Independent experts, Thailand	Comprehensive studies of the Project impacts on the fisheries have been undertaken. The Project is committed to properly compensate the affected people living along the affected portion of the Xe Bang Fai as well as those living in the hinterland, and who also rely on the Xe Bang Fai for fisheries.
Not enough time was given to review the documents prior to the workshop.	Friends of the Earth, Japan	The documentation has been posted on NTPC website since May 2004 onwards and earlier versions have been available since 2002. Further opportunities for comments will be available during the appraisal process. (NTPC)
Logging on the Nakai Plateau has degraded the environment and affected the livelihoods of the people there from 1996 onwards.	Mekong Watch, Japan	Logging was undertaken on the Plateau since the mid-1980s and was discontinued in 1999. The WB has undertaken since two missions to check the status of logging on the Nakai Plateau and concluded that there has been no logging in the community forest areas or in the NBCA. (NTPC and WB)
Concerns about the livelihood model. 1) How will the resettlers be able to grow rice? 2) Where are the markets for cash crops? 3) Where are the grazing areas located?	Japan Volunteer Centre	1) Villagers have decided to stay on the Nakai Plateau and this has implications for their livelihoods. Resettlers are not encouraged to grow rice but the cultural importance of rice and food security are recognised. However, in the long-term, alternative crops on irrigated terrace will be developed. (NTPC) 2) Studies are being carried out at present in order to identify the best cash crops for commercial markets in the region. (NTPC) 3) Grazing areas will include the drawdown zone of the reservoir and in the resettlement zone. (NTPC)
Project cost unclear and there is inconsistency in the data as presented in the report: 1) Surface inundated unclear (650 or 450 ref. SESIA?) 2) Number of people to resettled unclear (5,700 -6,200) Number of people affected downstream unclear (40,000 – 150,000) 3) Livelihood options have not been sufficiently tested and this involves a high risk for the plan. 4) Request full disclosure of PPA and CA for public review.	Friend of the Earth, France	1) Maximum or full supply level (538 masl.) will be 450 sq km. The reference to the 650 sq km., which represents the total area of zone 1, will be removed. (NTPC) 2) The number of people to be resettled is estimated based on population surveys and projected numbers. The present estimate is 6,200 people, which includes Project Construction Lands. (NTPC) 3) Livelihood options have been tested and developed since 1996 in the demonstration farms and later in the pilot village. (NTPC) 4) Relevant sections of the CA and a summary of the PPA are already public documents(NTPC)
1) Studies used for the development of alternatives fisheries in the XBF and of the Reservoir fisheries? 2) What is the relation to WCD?	World Wildlife Fund (WWF), France	1) Reports (experiences) from Nam Ngum and Ubon Rattana reservoirs form the basis for the analysis of reservoir fisheries, is presented in Ch. 24 of the SDP. XBF fisheries is still being analysed and will be completed before appraisal. (NTFP) 2) The WCD Report does not have any legal status but is a document considered useful by donors and planners for hydropower development. Lessons learnt and recommendations have been taken into consideration in the revision of safeguard documents. (WB/ADB)
Nam Ngum fisheries experience has shown that it is necessary to exclude outsiders in order to ensure benefits to the local people.	CNRS, France	The reservoir fisheries association intends to ensure that benefits reach affected communities. A decree will give exclusive rights to resettlers. (NTPC)
Monks should participate in the social development of the Nakai Plateau	Friends of Laos Association, France	Cultural and religious concerns will be taken into account during the resettlement and there are provisions for improving existing temples and establishing new structures at the new sites. (NTPC)
Concerns about the risk of sedimentation in the reservoir and dust generation in the drawdown zone.	Fin-enviro Paris	The sedimentation in the reservoir is anticipated to be very limited due to the protection of the forest cover in the watershed. The drawdown zone is likely to become a grazing zone during the dry season.

to allow international stakeholders, including NGOs, governments and donors, to voice their opinions and concerns. A number of presentations were made specifically on project environmental and social impacts, mitigation, and the consultation process. A wide range of queries and opinions were expressed during these discussions. Table 5.8 summarises concerns and issues raised and the related responses. Full records from the international workshops are available in the moderators' reports and news releases that have been produced for each of the workshops.

A number of important issues were raised during the discussions at the workshops and the following aspects will be acted upon in order to enhance existing plans and initiatives:

- Organising visits by concerned groups from Pak Mun in order to allow open discussions and interactions between affected persons from NE Thailand and Nam Theun 2 Project Affected Persons – the aim would be to allow the exchange of information and improve resettlement plans;
- Completion of studies on markets for agricultural products and starting additional studies in order to obtain a better understanding of potential markets for cash crops in the region and ensure income for resettlers;
- Inconsistencies regarding population figures, reservoir size and other aspects in the EAMP, SDP, SEMFOP-1 and SESIA will be made removed;

Table 5.9: Disclosure of past and future drafts of the EAMP

Month	Year	Version	Disclosure	Consultation
May	1997	First draft EAMP	Yes	Yes
November	2000	Second draft EAMP	Yes	Yes
April	2001	Third draft EAMP	Upon request	No
March	2003	Fourth draft EAMP	Upon request	No
October	2003	Fifth draft EAMP	Limited Distribution	No
March	2004	Advanced draft EAMP	Disclosure to the Public	Yes
October	2004	Final EAMP	Disclosure at the WB info shop	Yes

- Completion of analysis on fisheries in the Nakai Reservoir and Xe Bang Fai;
- Enactment of a decree which will clearly ensure that the land and forest resources of the resettlement area, and the fisheries resources in the reservoir, are for the exclusive use of the Nakai Plateau resettlers;
- Further investigation of the potential to raise buffaloes and cattle in the resettlement areas, and drawdown zone.

More generally, the workshops allowed GoL and NTPC to better assess the general opinion on, and the level of preparedness of, the Project's social plans. It also emphasized the need for continuous monitoring during the implementation period.

Public Disclosure

Throughout Project planning, NTPC has made available copies of key reports and draft Project environmental and social documents. The Project website (www.namtheun2.com) has also disseminated information and includes an email link for Project feedback. There are several key documents that include specific information relating to public participation; these include the Study of Alternatives, the EAMP, the SDP and the SEMFOP.

Detailed below is the disclosure process for the Study of Alternatives and the EAMP; the disclosure process for both the SDP and the SEMFOP can be found in those respective documents.

Environmental Assessment & Management Plan

Since 1997, public participation has been integrated into Project planning. As a result there has been active participation and expression of views on the environmental aspects of the Project at local, regional, national and international levels. There were two formal national public consultations, in March 1997 and November 2000, a symposium in Vientiane in 2002, and several international workshops in September 2004. Comments from these consultations were incorporated into the EAMP documents. Table 5.9 presents the past and proposed future versions of the EAMP.

Alternatives & Economic Impact Studies

The Study of Alternatives included an intensive participatory approach to the identification and weighting of criteria for assessing the suitability of various alternatives as presented in Chapter 2. Public consultation as part of the Study of Alternatives was conducted using three workshops held in January, May and July 1997; the Study of Alternatives was also the subject of discussions during the series of international workshops in September 2004. These workshops brought together NGOs registered in the Lao PDR, international NGOs, local ministries, district and government officials, donor agencies, academic institutions, embassies and energy sector representatives.

Public Availability of Reports

At various times during Project implementation, NTPC has issued public notification of the availability of Project reports through

NTPC Project Information Centres at Vientiane, Thakhek, and Nakai.

Upon completion of the draft EAMP in November 2000, a public announcement was made in local newspapers. This was in addition to the notice given at the provincial and district levels, and direct invitations to more than 200 persons. One hundred and eighty-nine persons attended the national level workshop in Vientiane in November 2000 where the findings of the EAMP were disseminated amongst an audience that included Project affected people, community leaders, the LWU, the World Bank, Government agencies, and other interest groups. The workshop included interactive displays of the resettlement areas and of the demonstration and agriculture extension farms. Major reports were available at these meetings. Group discussions and question and answer sessions followed the presentations. A technical resource person and a representative of NTPC were available at each session to facilitate and to answer inquiries from the participants.

Public Disclosure on Project Approval

NTPC will conduct the following public disclosure on Project approval:

- During the construction phase the HC will disseminate information regarding construction progress to the stakeholders in collaboration with NTPC and local authorities;
- Grievance resolution mechanisms will be put in place to ensure that potential problems are addressed promptly and efficiently. The procedure is set out in the SDP;
- The reports of the findings of the POE will be made publicly available; and
- Throughout the Project implementation, NTPC will provide PAP with information on all aspects of Project development. This will be distributed through the existing Information Centres and other avenues such as the Resettlement Committee, the offices of the EMU, and the Project Grievance Committee. NTPC will continue to record the ongoing consultation activities that have been organised.

Stakeholder Input into Project Design

Issues Raised by Independent Reviewers & Project Responses

The PCD process has benefited from the continued advice and review of a host of international experts. Regular independent reviews by the International Advisory Group (IAG), the Panel of Experts (POE) and the Dam Safety Panel of Experts (DSPOE) have shaped the direction and enhanced the quality of planning and decision making. Annex O discusses the scope of work and the independence of these international experts, and highlights some of the suggestions made.

Table 5.10: Stakeholders concerns and influence on Project planning

Topic	Stakeholder Concerns	Influence on Project Planning
Benefits for Lao	Logging in the NNT NBCA.	The Project will contribute a total of US\$ 31.5 million to the management and conservation of the NNT NBCA to protect its natural resources.
EIA process	Slow progress of Project development.	The Project is being developed in line with WB and ADB policies, and so takes time.
Erosion	Erosion effects and control mechanisms in the Downstream Channel.	The majority of the Downstream Channel will be lined and the confluence with the Xe Bang Fai protected to help minimize erosion.
	Potential sedimentation problems in the Reservoir.	An analysis of sedimentation concluded that with current rates of erosion, the loss of storage in the Reservoir would be minor.
Fisheries	Impacts on the downstream families who are dependent on fisheries.	Aquatic resources and socio-economic surveys will quantify the loss of livelihood. Proactive compensation plans are presented in the Xe Bang Fai strategy of the SDP.
	Lessons learnt from similar projects in terms of the effect on fisheries.	Lessons learnt from the Theun Hinboun hydroelectric project have been used to develop the mitigation and compensation measures for the Xe Bang Fai. Past experience in other projects has been used to estimate the productivity of the reservoir fisheries in an assessment for livelihood options for the resettlers.
Flooding	Increased flooding in the Xe Bang Fai in the wet season and less water in the dry season.	The Project will reduce then stop generation to prevent any additional over bank flooding. In the dry season a reliable water resource will be available in the Xe Bang Fai for irrigation.
Geology	Impact of the Reservoir on the geology.	The geology of the Nakai Plateau has been assessed and it was concluded that there should be no impacts in terms of stability and water tightness.
Health	Health impacts during construction.	The Project shall implement three health programs (Regional, Resettlers and Construction Workers) to strengthen local health facilities and to educate communities on potential health risks.
Land issues	Compensation for loss of land and assets.	A survey is being conducted to identify how much of the land is required for construction. The framework for compensation is presented in the SDP.
Natural Habitats	Hectares lost and gained as a result of the Project.	The Natural Habitats accounting study quantified the areas and habitat types that will be lost or conserved as a result of the Project.
NBCA	Resettlement sites or the reservoir encroaching on the NNT NBCA.	The proposed resettlement area is on the southern side of the reservoir and the boundary for the NNT NBCA is the El 538 m contour. Therefore neither the inundation of the reservoir nor the resettlement area will have direct impact on the NNT NBCA.
PCD	Communities understanding the nature of the impacts.	The PCD process utilizes appropriate media and language, taking into consideration the needs of vulnerable groups such as women and ethnic minorities.
PCR	Impacts on artifacts, historical places and handicrafts.	Two separate surveys were conducted to determine the presence of existing cultural resources within the Project area. An additional survey is being undertaken and will be completed by August 2004.
Study of Alternatives	Power supply options within Thailand need to be determined.	The Study of Alternatives analyzed the generating options and demand in Thailand. The study concluded the demand was strong enough to accommodate 3,300 MW of exports from Lao PDR and the Project can easily compete with the most attractive power supply options in Thailand.
	Need to study other alternatives for short and long term development of Lao PDR.	The Study of Alternatives analyzed the other candidate power export schemes for Lao PDR and concluded the Project ranked as one of the most attractive proposals.
Technical Design	Impacts of reduced flow downstream of the dam.	The Riparian Release study will evaluate the impacts of reduced flows and spills downstream of the Nakai Dam, then make recommendations on management options for the flow regime and channel modifications to minimise impacts. The report is expected in June 2004.
	Minimization of resettlement and compensation downstream of the Power Station.	A Downstream Channel will be constructed instead of releasing water into the Nam Katang, reducing the number of households that would be affected, plus providing opportunities for gravity irrigation.
	Minimization of resettlement and compensation for new roads.	Construction and upgrading of roads will follow existing road alignments and avoid inhabited areas.
	Minimization of resettlement and compensation regarding water releases from the Power Station.	A Regulation Pond will be constructed to regulate flows and thus avoid unnecessary negative impacts along the Xe Bang Fai communities.
Transmission Lines	Safety of the transmission towers and compensation for loss of houses or fields.	The towers are designed to be structurally safe and withstand adverse weather conditions. Analysis of magnetic and electric fields has been carried out. The baseline survey will identify those persons eligible for compensation.
Water Quality	Remaining biomass in the reservoir.	Ongoing satellite imagery interpretation and ground truthing will assess the current biomass in the inundation area and recommend measures to target the removal of the remaining biomass to help improve water quality.
	Water quality downstream of the Power Station for domestic users.	A monitoring program will assess whether any adverse changes in groundwater and surface water quality are potentially harmful to human health. NTPC will provide alternative sources of household water, especially in villages where surface water is indicated as their primary domestic water source and this water is not suitable for human consumption.
Wildlife	Fate of rare animals.	Various wildlife programs are being established to monitor and conserve threatened and endangered species. In particular, programs will initially focus on the protection of the two key species: the elephant and the white-winged duck.

Table 5.11 Review of PCPP by Franklin (1997)

Issues Raised	Integration Into Project Development
A Senior full-time Social Scientist is required for PCPP Planning and Management.	Since this review a Senior Social Specialist has been involved in PCPP Team Training, developing a PCPP plan and managing its implementation. On approval of the Project for funding/financial close, a full-time appointment will be made.
Village facilitators need to be identified and smaller group discussions pursued for better representation of stakeholders.	In the Plateau villages, representative Village Resettlement Committees have been formed to coordinate village activities and continue village consideration and planning for resettlement for integration into the RAP. In the other impact areas, consultation programs have included focus group discussions and individual interviews with villagers in order to identify village facilitators. PCPP techniques have expanded to incorporate smaller group discussions and interviews ensuring representation of all gender, ethnic and generational groups.
PCPP Teams should be ethnic and gender representative of the stakeholder populations.	PCPP Teams have always included ethnic (Brou, Lao Kaleung, Phu Thai and other groups) and women 's groups.
Messages and materials need to be developed more specifically for target audiences.	Extensive planning has produced materials that are targeted at the various stakeholders, in particular posters, pictures, diagrams, drawings, videos and other means that take account of the literacy levels.
PCPP Teams require further training.	Training in participation techniques was conducted in 1997 and 1998. Further training is proposed for the RMU and others involved in the resettlement process.

Influence of Consultations on Project Planning

Feedback from stakeholders has been incorporated into and has influenced Project planning and design. The following Project design features can be attributed to input that has resulted from public consultation. Table 5.10 summarizes the influence of the participation process on Project design.

- The Power Station and substation are to be located in a place where there are no villages, thereby avoiding the need for resettlement;
- The Downstream Channel represents a substantial additional cost and an alternative to channelling the water into the Nam Kathang. The current design of the Downstream Channel minimises resettlement and social impacts and maximizes development potential. Detailed routing was based on the results of consultations with people directly affected. The channel is to be lined and partially above natural ground level, helping to minimize width and land requirements. Irrigation outlets from the raised channel will enhance gravity-fed irrigation opportunities in the Gnommalat area;
- The construction of a Regulating Pond shall minimize fluctuations in daily discharge, and thus minimise erosion in the Xe Bang Fai;
- Bank protection at the Downstream Channel confluence with the Xe Bang Fai will prevent erosion;
- Construction of aeration structures, in association with the Regulating Pond and Downstream Channel, will help ensure the quality of water for downstream areas;
- A guaranteed minimum flow into the Downstream Channel shall help sustain any fish populations that may develop; and
- Operational shutdown before natural over bank flooding occurs in the Xe Bang Fai, shall prevent the Project to exacerbate natural floods in terms of height or frequency.

Influence of Consultations on Resettlement Issues

Selection of resettlement sites, livelihood models, housing styles and other infrastructure recommendations occurred with careful consideration of the current living and livelihood patterns of the affected persons. The role of the Resettlers in the selection and preparation of resettlement sites, village configuration, house design and pilot village activities is outlined in the SDP.

Influence of Consultations of the PCD Process

As with the consultation of Project design, the development of the PCD process has also been open to review and consultation. In 1997, a review of local public consultation was conducted. Franklin (1997) identified the needs for local consultation, reviewed

past activities, and identified gaps between local consultation undertaken and the relevant World Bank policies. A summary of the findings and the integration of the recommendations into the ongoing PCD process are presented in Table 5.11.

In 2002, the Public Consultation and Participation Process (PCPP) was renamed as Public Consultation and Disclosure (PCD), with the consultation component of the PCD including the participation of stakeholders from the PCPP.

Institutional Arrangements for PCD Process

GOL has, and will continue to take the lead role in the PCD process, with NTPC providing technical and managerial support as required, and the World Bank and ADB assisting with engagement of experts in the fields of participatory consultation.

With regard to village level consultations, the earlier consultations (around 1997) were led by the GOL RMU. In the downstream area, and due to the large number of villages, GOL formed teams, composed of the Resettlement Working Groups, to visit each village for consultations. These teams were given training in PRA by NTPC hired experts.

The 2nd Phase of consultations, due to begin in early 2004, will again be led by GOL, who will form its own Public Consultations Office. For village level consultations and disclosure, the RMU will form a Participatory Consultation and Disclosure Unit. This unit will manage the consultation and disclosure process, and assist the District level staff with forming teams to work in villages. As required, the unit will also ensure that technical assistance is available in topics relevant to the PAPs, such as rural livelihoods, health care and community development.

NTPC will also form a team of national and regional level consultations officers, to liaise with, support, and where necessary provide training and actual assistance in the field to GOL PCD units. NTPC PCD staff will identify any gaps in the process and recommend measures to improve any deficiencies. They will conduct workshops to review and strengthen local staff capabilities in PCD, and help the field teams to develop strategies and working methodologies. They will assist the RMU in managing all processes.

A crucial role of NTPC will be to coordinate and ensure that GOL PCD Units are provided with, and understand, the full range of information relating to the Project. NTPC will plan a recurrent set of training sessions to ensure GOL staff are fully conversant in the Project. In addition, the NTPC PCD team will be primarily responsible – in close cooperation with the RMU – for the production of posters, maps, photos and translation, facilitation manuals and any other consultation materials and tools.

Notwithstanding the above general institutional arrangement, the actual responsibilities for, and content of any particular consultation and disclosure depends on the timing and the target audience.

