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Gender and Public Participation in EIAs

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Acronyms

BPA	The Beijing Platform for Action
CBD	United Nations Convention on Biological Diversity
CECR	Center for Environment and Community Research
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CDRI	Cambodia Development Research Institute
CPWF	The Challenge Program on Water and Food
CSOs	Civil Society Organizations
EIA	Environmental Impact Assessment
ESCAP	United Nations Economic and Social Commission for Asia and the Pacific
GIA	Gender Impact Assessment
IAIA	The International Association for Impact Assessment
IEE	Initial Environment Examination
LMS	Lower Mekong Sub-region
LS2	Lower Sesan 2
MPE	Mekong Partnership for the Environment program
NGOs	Non-Governmental Organisations
NTFPs	Non-Timber Forest Products
RECOFTC	The Center for People and Forests
SIA	Social Impact Assessment
UNCCD	United Nations Convention to Combat Desertification
UNFCCC	United Nations Framework Convention on Climate Change

EXECUTIVE SUMMARY

Large-scale investments and development projects throughout the Lower Mekong Sub-region (LMS) beg for careful and inclusive environmental impact assessments (EIAs) to ensure the sustainability of land, forest and water resources, and the well-being of communities who rely on them for livelihoods and survival. Public participation is a core part of EIAs, envisaged to offer guidance for developers and state decision makers to consider for mitigating possible adverse effects of these investments on local communities and ecologies. Inclusive and gender-sensitive public participation also ensures that the diverse concerns of women and men from different ethnic, class and age groups on these investments are taken on board. Inclusive public participation however is constrained by several gender and social factors, a theme that is largely unexamined by research.

To address this knowledge gap, this paper aims to highlight and synthesize the main findings from three research projects on gender and public participation in EIAs in Cambodia, Myanmar and Vietnam, and offer guidelines for future action.

The Center for Environment and Community Research (CECR), Cambodia Development Research Institute (CDRI) and Spectrum examined the gender dimensions of public participation in EIA processes in Vietnam, Cambodia and Myanmar, respectively. Funded through research grants from the Mekong Partnership for the Environment (MPE), the research projects examined how women participated in EIAs, the range of gender-related constraints that they faced in participating in EIAs, and the benefits, if any, of their participation.

The 3 country research teams undertook desk reviews to prepare for the field data collection in the study sites. In the study sites, they conducted key informant interviews (development project personnel, village association heads, local state authorities, *in situ* NGO representatives), focus group discussions and semi-structured interviews with women in communities, as well as expert consultations in capital cities. CECR conducted field data collection on the Trung Son Hydropower project and Hoa Phu Solid Waste Landfill project in Vietnam. CDRI studied two hydropower projects, the Lower Sesan 2 and the Kamchay Dam projects in Cambodia. In Myanmar, Spectrum's field study was on the Upper Paunglaung Hydropower project, and did desk reviews on the Myitsone Dam, Letpadaung Copper Mine and the Thilawa Special Economic Zone.

In all three project sites, the study found that about less than half of the participants in past EIA consultations were women. The study found that EIA consultants and local authorities were not conscious of the need to deliberately summon women and men equally from communities that were likely to be affected by large-scale investment projects.

No guidelines within EIA procedures explicitly instructed equal participation of women and men in consultations.

Apart from the consultants and institutional procedures, the other key constraints for women's full and meaningful participation were due to low education levels, insufficient access and understanding of information due to language barriers and the use of technical language, gender biases of consultants and local authorities towards women. Gender norms and stereotypes shaped these biases, as women were fundamentally not considered citizens with full rights for engagement such as for example, recognition of men as household heads and community representatives.

While enormous constraints prevented women from sharing their views on investment projects openly and freely, there were some positive breakthroughs. For instance, in Vietnam, women had very specific concerns on livelihood and environmental issues such as drinking water, pollution of rivers, fields, gardens and air, and their health impacts but their concerns arose at the late stage of the project implementation. The women's active participation later led to the change in resettlement sites. Women also benefited from their participation when NGOs stewarded them through the consultation process leading them to share their opinions more freely.

Finally, in all 3 research projects, women were often described as being shy and reticent, lack of self-confidence, and insecure about their presence and participation in these consultations. While these were constraining factors, they also point to how a sense of one's self and one's place in a (hierarchical and stratified) society often governs one's behavior in public consultations. By discussing with women, researchers found that they are calmer, do know more about what is happening, better able to prepare for the future, if they were included in ways that recognized their feelings and accorded them importance. Considering overall community benefits, it was found that in Myanmar, women were concerned with their communities and not just their families, and they had more suggestions about where the school and market would be located to suit everybody's needs compared with the men who were interviewed.

In conclusion, the projects' findings therefore demonstrate that if public participation initiatives are to be successful, they must simultaneously consider broader social and institutional contextual conditions *as well as* individual capability (often influenced by knowledge, emotions and identity), that altogether guide individual behaviours and may cause insecurity. The 'public' in public participation needs to be understood with much more depth that will complement institutional remedies and new mechanisms.

Guidelines for more gender-inclusive participation are based on these research projects' findings, which are as follows.

- Guideline 1: Gender and social impact assessment should be part of the capacity requirement and specified in the terms of reference for the EIA consultant team.
- Guideline 2: EIA instruction manuals on procedures should explicitly instruct consultants to deliberately summon both women and men to consultations. These procedures must be reviewed prior to implementation, and a checklist for preparation of implementation should be filled out to ensure that instructions for equal participation are clear and understood.
- Guideline 3: EIA instruction manuals on procedures should contain gender-related assessment questions for the scoping and screening stages (example on Table 3). The EIA consultant team should contract a gender specialist to ensure that these questions are addressed throughout these stages of investigation.
- Guideline 4: In the absence of gender and participatory skills among the EIA consultants, gender specialists and gender-sensitive NGO representatives should be on hand to steward the process together with the women to enable them to feel secure when they voice their concerns and opinions. These specialists can employ special participatory techniques and approaches.
- Guideline 5: Solicit to the fullest extent possible, women and men's views regarding the possible impacts of investment projects and potential resettlement plans, drawing from their long years of experience with their livelihoods, the use of natural resources, and local ecologies.
- Guideline 6: Ministries of women's affairs or women's unions should be actively involved in the EIA process and ensure that grievance procedures are observed whenever needed.

- Guideline 7: Depending on the level of comfort of women in EIA consultations, consultants together with NGO representatives should plan ad hoc arrangements where women will feel freer to learn and dialogue about the project being assessed. This can be through separate all-women sessions where technical details of the project are explained in a language and approach that are accessible to them.
- Guideline 8: Enjoin local translators and consultants in the assessor team who have special skills for participatory processes and dialogues.
- Guideline 9: Ensure that gender and social equity guidelines are part of a regional EIA standard being developed and advocated with LMS governments.

INTRODUCTION

Environmental Impact Assessments (EIAs) have earned international and national acceptance, with stronger political backing and practical success (Beyerlin and Marauhn 2011). In 1996, the International Association for Impact Assessment (IAIA) adopted the following definition of the Principles of EIA and objectives for EIA: "The process of identifying, predicting, evaluating and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made." In Principle 17 of the 1992 Rio Declaration, international law requires that EIA processes "as a national instrument, shall be undertaken for proposed activities that are likely to have significant adverse impact on the environment, and are subject to a decision of a competent national authority" (UN General Assembly 1992).

Conducting an EIA can therefore become an opportunity for a holistic consideration of environmental concerns, of which social dimensions are of big importance. One important social dimension is gender. Investments using natural resources can have gender-specific risks, benefits and costs, which are often unaddressed and overlooked. Groups of women and men – marked by their poverty, marginal ethnic identities, age or vulnerable geographical location – may experience being displaced of their homes, livelihoods, land and water access, and health due to these investments. Additionally, deliberating on whether investments are environmentally sound is also a gendered process, where male technicians make most approvals unaware that women equally have stakes in sound environmental projects.

To address the problem of adverse effects of large-scale investments and development projects on social groups of women and men, this paper provides a brief literature review of gender dimensions of current development projects and large-scale investments in the Lower Mekong Subregion. This will be followed by discussing the findings from three research projects on gender and public participation in EIA with a subsequent section on discussion and analysis of these findings. Following this, a section will present possible entry points for gender integration in the EIA process. Finally, the last section will summarize the main findings of the 3 research projects and draw specific guidelines from them.

1. LARGE-SCALE INVESTMENTS IN THE LOWER MEKONG REGION: A BRIEF REVIEW

Large-scale development investments like hydropower, mining and economic land concessions are making significant headway in the Lower Mekong Region. This is due to the promises of quick-paced economic and development returns that national governments favor as they steer their countries along the path of economic growth. Major investments have been made on power infrastructure and especially hydropower with developers from China, Thailand, Malaysia and Viet Nam (ICEM 2010). China also continues to remain the biggest investor in the mining of natural resources and improving the infrastructure, particularly in Lao PDR, Cambodia and Viet Nam (Lazarus, 2009). Moreover, agriculture continues to play a key role in people's livelihoods, employing between 38% (Thailand) to 74% (Cambodia and Lao PDR) people, and contributing 30% of GDP in Cambodia and Lao PDR (ADB 2011). State institutional actors and local elites in Cambodia, Lao PDR, Myanmar, Thailand, and Vietnam have transacted the lease of land, mining and the damming of major rivers with foreign public and private firms. Many of these concessions are also regional in nature as they involve transnational firms and investors, and/or involve project impacts that go beyond the territorial jurisdiction of these states.

The lease of concessions for agricultural plantations (e.g. rubber, cassava, sugarcane, etc.) with Cambodia, Laos, and Myanmar. Additionally, the agro-fuels boom in the region is being driven by rising global, regional and domestic demand for bio-energy, which in turn compete with traditional food crops, induce encroachment on so-called marginal lands where women's food and garden crops are usually cultivated, and pollute soil and water sources. The expansion of ethanol production in Thailand, for instance, is expected to have a serious impact on water quality near processing facilities. Wastewater treatment plants located close to major rivers and populated areas are feared to present a "high risk of soil, surface and ground water contamination. The increased number of production plants would create huge quantities of wastewater more than what could be re-used as fertilizer" (Leonard, 2011:25).

Vast acreage of land has been converted to produce 'flex crops' or those crops with multiple uses across food, feed, fuel and industrial complexes (e.g. sugar cane, palm oil, maize, soya), other major commodities (e.g. rice, wheat and other cash crops), and industrial materials such as rubber. In turn, water and use rights of local farmers are placed at risk especially when land and water are appropriated by these concessions.

These forms of resource appropriation many times end in dispossession and the loss of assets by local populations, increasing the insecurity of livelihoods and creating forms of displacement. For instance, a case cited by a team from the World Bank:

A recurring trend in many LMB countries is that land concessions are negotiated, awarded, and managed haphazardly, with little unified monitoring and evaluation procedures. As a result, losses in valuable natural resources render local communities who are dependent on them, more vulnerable. Failure to integrate concessions into the regular land administration system leads to corruption, speculation, and a parallel land market characterized by a lack of security. Such tendencies are reinforced by unclear assignment of responsibility to relevant institutions. This situation leads to incorrect interpretations and uneven application of laws and regulations, abuses of public powers to support private developments, and failure to provide compensation to local communities. Addressing these issues, and the many underperforming or poorly performing concessions that have resulted from them, requires better communication with investors and a more reliable land information system (Deininger et al., 2011: 60).

Hydropower development has dramatically altered local communities and ecosystems in Lao PDR, Vietnam and Cambodia. In Laos, for instance, the government has actively pursued a strategy that is envisaged to transform the country into Southeast Asia's 'battery,' but which have tremendous adverse impacts for local communities and livelihoods. A study has shown that due to resettlement schemes, people are unable to regain lost livelihoods and income levels; the same study further showed that women's home gardens replaced riverside gardens that generated less income, whereas men could no longer plan and develop their upland rice economies (Weeratunge, Joffre, Sellamuttu, Bouahom, & Keophoxay, 2016).

A few studies highlight and concur on the specific plight of women living and working in mines. In Myanmar, for example, women as household food providers, face the challenge of food insecurity in large part due to the 'dead zones' created by mines where virtually nothing can grow. Additionally, they face the constant risk of physical and gender-based violence from armed personnel and male migrant mine workers. Finally, since they transport (mineral) ore and treat/wash them with chemicals, and at the

same time are tasked to collect water for drinking, washing and cooking, they expose themselves and children to the toxic properties of these chemicals (Earthrights, 2017; Oxfam, 2016, 2009).

Cases of livelihood and residential displacements in the LMS (notably in Laos, Cambodia, Vietnam and Myanmar) have been cited in land concessions for rubber plantations in Cambodia and Laos (Von Braun and Meinzen-Dick, 2009), pulpwood plantations in Laos, and hydropower development in Laos, Vietnam and Cambodia (Matthews, 2012; Lazarus, et al., 2011). These concessions require heavier use of water, thereby re-allocating its access to an increasingly competitive but diverse and socially unequal group of water users and stakeholders. The fluid nature of water also intersects with the 'slippery' nature of appropriation and encroachment processes: unequal power relations; fuzziness between legality and illegality and formal and informal rights; administrative boundaries and jurisdictions with bodies that operate in silos often fraught with complex and cumbersome bureaucratic negotiation processes. Land and water appropriation can also shape basin water and land ecologies, thereby constraining rural women and men's livelihood security and well-being.

Many of these investments are taking place in the context of increasing regional economic integration, which has been promoted widely by the LMS countries and regionally. Bilateral trade and investment agreements and the 2015 ASEAN Economic Community suggest further acceleration of these economic development processes. Though the region is experiencing significant economic growth, poverty and inequality remain significant and local and transboundary environmental degradation has become a major challenge. Mechanisms for ensuring both environmental sustainability and gender/social equity are essential. Safeguards and standards have been put in place to ensure that environmental sustainability and social equity are not put at risk. Historically, governments relied on Environmental Impact Assessments (EIAs) and Strategic Environments Assessments (SEAs)[1] to safeguard environment and people.

This section in brief described recent large-scale investments in the LMS, their drivers, governance processes and possible adverse outcomes. The conditions of gender inequality – as in all forms of social inequality – intersect with and constitute these recent developments in the LMS in profound ways, sustaining disadvantage and increasing risks among women and men who rely on natural resources for their livelihoods. Environmental Impact Assessments (EIAs) may be a viable entry point for influencing decisions on these investments, through their built-in clauses for public participation and transparency that aim to ensure resources and people are not adversely affected. No known effort exists to date to consciously integrate women and men's equal participation in such assessments.

In the Mekong region, investment projects are expanding every day, and resulting in adverse environmental and social impacts such as increasing pollution, loss of natural resources and livelihoods, forced resettlement. The most affected groups are ethnic minorities, and among them, women. Research shows that these groups have little say in decision-making processes that affect their lives. National legislations on environmental protection and donor's social safeguard policy use Environmental

[1] Environmental impact assessment (EIA) is used to identify the environmental and social impacts of a proposed project prior to decision-making to predict environmental impacts at an early stage in project planning and design. A strategic environmental assessment (SEA) is used at the government policy, planning and programming levels.

Impact Assessments (EIAs) as a policy instrument to ensure affected groups of investment projects are consulted and influence investment decisions. The below section highlights the issues surrounding women's participation in EIAs using research findings from Cambodia, Myanmar and Vietnam.

2. GENDER, EIA AND PUBLIC PARTICIPATION IN CAMBODIA, VIETNAM AND MYANMAR

Vietnam's Center for Environment and Community Research (CECR), Cambodia Development Research Institute (CDRI) and Spectrum, through research grants from MPE, examined the gender dimensions of public participation in EIA processes in Vietnam, Cambodia and Myanmar, respectively. This addresses the huge knowledge gap on women's participation in EIA processes in the LMS, and whether and how they were part of decision making processes in largescale development investments.

Our research projects asked the following questions that guided the research:

a) How are women involved in EIA deliberations?

b) What are the constraints that women experience in participating in EIA deliberations?

c) What are the benefits of women participating in EIA deliberations?

To prepare for their field data collection, country research teams undertook desk reviews and field data collection in the study sites, by conducting key informant interviews (development project personnel, village association heads, local state authorities, *in situ* NGO representatives), focus group discussions and semi-structured interviews with women in communities, as well as expert consultations in capital cities. CECR conducted field data collection on the Trung Son Hydropower project and Hoa Phu Solid Waste Landfill project in Vietnam. CDRI studied two hydropower projects, the Lower Sesan 2 and the Kamchay Dam projects in Cambodia. In Myanmar, Spectrum's field study was on the Upper Paunglaung Hydropower project, and did desk reviews on the Myitsone Dam, Letpadaung Copper Mine and the Thilawa Special Economic Zone.

In the Upper Paunglaung Hydropower Project, Myanmar, 38 local women and 20 local men were individually interviewed and participated in FGDs, while there were 10 key informants who were government engineers, project implementers, a township officer, and village leaders.

In Vietnam, a meeting was held among 16 EIA and gender experts in Hanoi. There were 6 key informants consisting of the Program Management Unit of Trung Son Hydopwer, Commune People's Committee, and a village leader. Individual interviews were conducted with 7 local women and 6 local men. The research team organized two FGDs (men's group of 6 members; women's group of 4 members). In Buon Ma Thot, there were 3 key informants and two interviews with a woman and man from one of the affected villages. Four FGDs were separately organized with project representatives, local leaders, village residents who lost their land to the project and commune leaders, and commune leaders.

In Cambodia, in both Lower Sesan 2 and Kamchay dam projects, there were 14 in-depth individual interviews, 37 key informants that included NGO representatives, commune council officials, Ministry of Environment, provincial government officials and EIA consultants with two separate FGDs in each field site.

2.1 THE STUDY SITES

Cambodia. At the time the research was conducted, Lower Sesan 2 (LS2) hydropower dam was under construction. The dam is a joint project of Cambodia's Royal Group, China's Hydro-Lancang International Energy, and Electricity of Vietnam. One local company, Key Consultants Cambodia, and one Vietnamese company, Power Engineering Consulting Joint Stock Company No. 1, conducted an EIA.

Kamchay dam is the first large-scale hydropower project in Cambodia. Located in Bokor National Park, it is a 44-year build-operate-transfer project, an agreement between the Cambodian government and Sinohydro Corporation. The dam affects five communes in the Teuk Chhu district of Kampot province. The EIA was approved seven months after the dam was inaugurated. From NGO informants, the project raised important questions relating to transparency, accountability, public participation and the incorporation of adequate environmental and social safeguards.

Vietnam. Trung Son Hydropower Project (TSHPP) is a government's medium-scale hydropower project with the designed capacity of 260 MW, expectedly to generate an average of 1,018.6 GWh annually Total estimated cost of the project is 412 million USD, of which $330 million (80%) is a loan from the World Bank, thus had to comply with WB safeguard guidelines. The project was built by Vietnam Power Corporation, and is in Trung Son commune, Quan Hoa district. The total project area is approximately 78,000 ha encompassing six communes and a township of three districts of two provinces (Son La and Thanh Hoa). There are 2,327 households and 10,591 people directly impacted and resettled. Ninety per cent of them are from Thai, Muong, and H'mong ethnic minority groups. Their main livelihoods are upland rice cultivation (70-80%), livestock raising (10%), collecting bamboo and other non-timber forest products and logging. Poverty rate in those impacted communities are high, particularly among H'mong group (DRCC, 2008). The project EIA was conducted between 2008 – 2010, and the World Bank approved the assessment report in January 2011. The construction commenced in 2011 and it is expected that the reservoir will be filled in 2016, and all the work to be completed in 2017. Representatives from NGOs, Vietnam Rivers Network and PanNature, were involved in the consultation as observers. The public EIA consultation targeted ethnic minority women as a consulted group. There were 2,324 people taking part in the consultations, of which women accounted for 40%. The participation of women from more mainstream ethnic groups such as Thai and Muong was higher than the minority ethnic group, the H'mong.

Hoa Phu commune was selected to host the solid waste treatment plant (SWTP) of Buon Ma Thuot city. This is a component of the secondary cities development project funded by the Asian Development Bank (ADB) that aims to turn Buon Ma Thuot, together with Ha Tinh and Tam Ky cities (in Ha Tinh and Quang Nam provinces, respectively) into regional economic development centers. Consultation meetings were held with representatives from 9 local organizations and two communities with the participation of 112 people, 34 of whom were women.

Myanmar. Upper Paunglaung Hydro Power Dam (UPLHPD) is located on the Paunglaung river in the southwest parts of Shan state. The dam is owned by the Myanmar government and was implemented by the Department of Hydropower Implementation (DHPI) under the Ministry of Electric Power. The feasibility study was started by Japanese engineers from Kansai Electric Power Co. and Department of Hydropower and finished by Swiss experts from Colenco Power Engineering. DHPI started the implementation of the project in 2005 through the conduction of a feasibility study. In 2014, the hydropower dam started transmitting electricity to the national grid. Directly from the hydropower dam,

a portion of the power does not go out on to the national grid, but are allocated to the 23 villages in Paunglaung township that were relocated. There was no formal EIA conducted, but consultations in 4 villages were held on the dam project.

The Spectrum team also conducted desk reviews of three other large-scale investment projects: the Letpadaung Copper Mine, Thilawa Special Economic Zone and the Myitsone Hydropower Dam.

2.2 WOMEN'S PARTICIPATION AND GENDER INTEGRATION IN EIAS

Women participated in EIAs of large-scale development projects in the 7 study sites in Cambodia, Myanmar and Vietnam. However, they were not in huge numbers, and comprised of less than half the participants in these EIA consultations. They were not able to offer their frank opinions in any straightforward manner, even though they care for their communities' future well-being. Many of the participants were men, since they are generally recognized as household heads and can represent the voices from their households and communities.

In Cambodia, informants in the study remarked that consultations were only for one-way sharing of technical information, often in Khmer, rather than in the ethnic languages of local villagers, as Table 1 below shows. However, in one study site, Lower Sesan 2 (LS2), some NGOs assisted in the consultations around compensation and resettlement. From one of the female interviewees:

At that time [first consultation in 2008], I didn't know how to speak Khmer [...] Neither men nor women knew how to argue. We didn't understand until the NGOs trained us on human rights so we could speak up. (Female villager, Srekor commune, Stung Treng, September 2016)

Table 1. Summary of women's participation and gender integration in EIAs of large-scale projects, Cambodia, Vietnam and Myanmar

Stage	EIA process	Cambodia	Vietnam	Myanmar
1	**Screening** (consider dependency level of the community to the impacted environment to determine if EIA is needed)	No gender analysis on the impacts of projects	No gender analysis on the impacts of projects	No gender analysis on the impacts of projects
2	**Scoping** (which impacts and issues should be considered)	Potential gender-specific impacts and issues were not proposed for further exploration	Potential gender-specific impacts and issues were not proposed for further exploration	Potential gender-specific impacts and issues were not proposed for further exploration
3	**Baseline study** (e.g. population, location, water management, agriculture, energy)	No gender-segregated data, or any gender analysis	No gender-segregated data, or any gender analysis	No gender-segregated data, or any gender analysis
4	**Prediction and impact assessment**	No prediction of gender-specific impacts	No prediction of gender-specific impacts	No prediction of gender-specific impacts
5	**Public consultation** (reporting and presenting	No record of women's attendance, but photos	Women's attendance in public consultations was	Heavy security present; restricted time and spatial

	findings in environmental & social impact studies; identification of key impacts; discussing solutions)	show they were present. One-off consultations conducted Consultations used for sharing technical information with little dialogue Women were not encouraged to voice their views Local languages were not used in consultations	at 30-40%. Concerns of women and men were captured, but not systematically presented in the consultation report. No gender disaggregated data or gender analysis in the SEIA reports Women were not encouraged to voice their views	coverage for consultations; in some cases, conflict present Less than half the participants were women; male household heads mostly invited No deliberate effort to ensure information on consultations reached both women and men Women were not encouraged to voice their views
6	**Decision to approve project**	Local NGOs commented on the EIA report, yet did not significantly influence final outcomes	Women in a public consultation recommended change in two resettlement locations. In one site, gender specialists made inputs to the IEE report.	No apparent inclusion of women (and local people) to formally approve projects No clear consultations before the EIA report was completed Protests in some projects, but did not influence decisions, overall
7	**EIA reports and monitoring plans**	No reference to how women and men's concerns on the project should be equally addressed	No reference to how women and men's concerns on the project should be equally addressed	No reference to how women and men's concerns on the project should be equally addressed

Sources: interviews, FGDs, desk reviews

In the Trung Son Hydropower Dam project EIA, women comprised 40% of participants in consultative meetings. Despite their representation, most of them did not speak out, especially in the presence of largely male village leaders. In one third of the total 53 village consultations, the speakers were mostly men and household heads. Most women did not contribute any opinion during the consultation process. In many Northern mountainous communities affected by Trung Son Hydropower plant, attending meetings is an important job of men. When the invitation was sent to the representative of the household, men generally responded. A woman only participates if her husband is busy or the invitation addresses her directly.

The presence of military authorities during public consultations on the Letpadaung Copper Mine and in the Paunglaung Hydropower Dam served to further constrain both women and men's active interventions in Myanmar, especially during the previous administration. No deliberate efforts to reach both local women and men were observed by Spectrum's team of researchers. However, there were active women protesters that opposed the Myitsone Hydropower Dam (post-approval of the project)

and the Letpadaung Copper Mine. The Myitsone Hydropower Dam project was halted due to its controversial nature[2] in 2011 pending a decision by the new government.

Overall, gender was not considered a significant variable in screening, scoping or baseline study efforts by EIA consultants, due in large part to an absence of guidelines in EIA procedures. The CECR team in Vietnam reports that guidelines, insufficient skills and capacity on consulting the public and women were significantly lacking among local authorities, project proponents, and independent consultants. Specifically, these institutional weaknesses were reflected in the lack of investment in gender experts, and an absence of accountability mechanisms on public consultation and disclosure. It was only in the EIA of the Buon Ma Thuot Solid Waste Landfill in Vietnam that benefited from the assistance of gender specialists, who provided inputs to the IEE. However, despite this, there were no references or recommendations around gender-specific concerns and how they should be addressed in the final report. The CDRI team in Cambodia observed gender-blind facilitation and processes, unequal representation of women and men, and uneven power in decision-making especially in the results of the assessment.

2.3 CONSTRAINTS TO PARTICIPATION

Generally, in all three countries, women's participation has been weak due in large part to prevailing and persistent gender-related factors. These gendered factors are: social norms, biases and stereotypes, knowledge on the project and education levels, emotions, identity issues and communication barriers. All these narrow the opportunities for inclusion through public participation in EIAs in all the study sites.

The CECR team noted that patriarchal social norms on family headship govern representation and participation in EIA consultations. Men are *de facto* heads of households in Vietnam, and thus they are the first ones summoned to join a community consultation. On the other hand, in LS2 in Cambodia, CDRI found out that women were invited to consultations in lieu of husbands who were away collecting non-timber forest products to sell. The Spectrum team learned that, overall, the organizers of the consultations with local people did not consciously summon *both* women and men, but invited local people in general.

There were reports from the Cambodia and Vietnam teams that women were more active and vocal not in the EIA process, but in meetings tackling the issues of resettlement and compensation, which seemed to strike deeper chords among them as these are concrete issues directly affecting their lives. Technical discussions on the pros and cons of huge infrastructure projects seemed abstract and remote to most local people. In the Kamchay dam compensation process, for example, informants witnessed women's active interventions, enabled by the presence of local NGOs:

For dam-related affairs, it's mostly women who participate because they can think and decide very quickly. Perhaps it's the training provided by NGOs that's encouraging women to speak up. (Male representative of provincial department, Kampot, July 2016)

[2] Ninety percent of the electricity will go to China and the remaining 10%, will stay in Myanmar (International Rivers, 2011).

Unlike before, women these days are very knowledgeable. They clearly know how to talk with the authorities. This might be because they've received training from NGOs. They dare to express their own opinions of dam construction impacts as well as the compensation rules. (Male representative of provincial department, Kampot, July 2016)

In Cambodia, the lack of deliberate effort to be inclusive in the EIA process is largely shaped by biases against women that draw from traditional gender stereotypes and cultural conceptions about their roles and capacities. Women in Khmer society are traditionally expected to be submissive and defer to men, thus their opinions and interests are not prioritised. Women then do not express themselves, and even when they do, men seem to take little notice of their ideas and opinions. These stereotypes and attitudes can create a psychological barrier, leading women to think they are not equal to men in decision making or preventing them from expressing their views in public. In the Upper Paunglaung study site in Myanmar, informants said that they believed women worried more than men regarding the loss of livelihood and the future: "women worried more because women have more responsibility at home, caring for children and the community." Other stereotypes and perceptions constrained women from attending consultations because "they talked and complained too much." One informant said that despite acquiring permission from her husband to attend the consultation, the village leader said that she had nothing to do there and should stay quiet. Villagers were also told by local authorities that if the women complained, their husbands would end up in prison.

These biases against women, and the stereotypes that perpetuated them, do not begin and end in the villages where these consultations took place. They are prevailing gender elements that cut across scales of engagement, and can explain the lack of institutionalization of gender in EIAs and in environmental policies in general.

Then there is the matter of how the local women actually felt in the presence of EIA technical consultants, local authorities, NGOs and development project proponents. All three research teams reported that women felt insecure and intimidated. Insecure, due to their low education levels and weak facility in mainstream languages; intimidated due to the amount of technical information they were fed, more often not communicated to them in grounded and simpler terms. The CDRI team learned that in 2008, when the EIA team consulted the local people for the first time, women were shy and lacking self-confidence to express their ideas and concerns. One male Khmer commune chief noted:

Women dare not comment or speak up because they are shy plus their knowledge is limited. And if they are poor and uneducated, they also dare not speak up. (Male, commune chief, Stung Treng, July 2016).

"Fear of speaking wrongly" also obstructs women. In the case of LS2, this feeling was exacerbated by the language barrier. One villager tells us about her fear:

I am always hesitant to comment [at meetings] because I have very little understanding of matters and language is a barrier. I understand some words but cannot converse in Khmer ... but then I am scared to talk in Khmer. (Female villager, Srekor commune, Stung Treng, July 2016)

For other women, it is a mix of shyness, lack of confidence, but more importantly, a conscious sense of who they are and their social standing *as women* that governs their demeanor in public consultations. In the Buan Mo Thuot Solid Waste Landfill consultation, for instance, women's voices were largely ignored because they did not present their ideas the way men present theirs, which means using the mainstream language (*Kinh*), and expressing their views and motioning with a loud voice. Women were

also not comfortable in to speak out in platforms that are supposed to be for men. In short, women's gender identity – their perception of themselves as women and women's place in society – restrained them from voicing their concerns.

On the other hand, for some women, their ethnic identity anchors them with confidence. For instance, a female informant from the village of Ta Ban in the Trung Son Hydropower Project in Vietnam derives confidence from who she says she is:

"*I am married to a Thai husband and it is tradition that we take care of housework and men should be in important events. But we know some better places for resettlements than men regarding clean water resources. We were involved in resettlement consultations where we helped to choose new locations better than original one*."

This sense of confidence led the women to assert their preference for alternative resettlement sites for their communities. Their knowledge on the local environment – local ecology, plants, soil and water resources – was sufficiently persuasive. Women's assertion of their knowledge effectively changed the location of two resettlement areas.

3. DISCUSSION

Public participation in EIAs is an opportunity to enable democratic processes, by fostering a climate of dialogue and joint decision-making on large-scale projects that may affect people's well-being and livelihoods, both in the present and future.

According to O'Faircheallaigh (2010), the broader purposes of public participation are to (i) obtain public input into decisions that will probably be taken elsewhere (e.g., at the national level, in a ministry or at the executive branch); (ii) share decision making with the public; and (iii) alter the distribution of power and structure of decision making, which would in the long run, set in motion state-citizen structures of democratic decision making. How are these purposes linked with women's participation in EIA and the public participation experiences in the three countries?

Obtaining input from the public on their views on huge investments suggests that these inputs in a way legitimizes decisions that are usually made elsewhere by more powerful actors. Public input can therefore be represented to justify certain decisions. A tokenistic engagement with the public in an EIA process can also dangerously rubber stamp approvals implicitly engineered by specific group interests, which may be inimical to the well-being of local people in the long run. For example, Cooke & Kothari (2001:3) warns of 'participatory processes undertaken ritualistically, which had turned out to be manipulative, or which had in fact harmed those who were supposed to be empowered.' This means that while advocating the need to recognize and value women's participation, knowledge and inputs in an EIA process, caution must be taken on how women's participation and contributions are represented and later used, and how and whether these will ultimately benefit the women themselves. Under autocratic or heavily elite-dominated administrations, decision making is usually an opaque process; so, if not careful, women's public participation in EIAs may serve to legitimize decisions made under these conditions. Participatory approaches, therefore, may not fulfill its fundamental democratic purpose when they do not question the social inequalities behind the difficulties that women – and poor people – face.

The second purpose of public participation is for the state to share decision making with its citizens, which is truly a hallmark of consultative democracy in action. This presupposes that women are considered citizens – equal to men – and that they are capacitated to engage in and ensure that the field is level. Accounts from the EIA consultations in Cambodia, Myanmar and Vietnam earlier indicate otherwise, and instead underscore existing social/gender norms and stereotypes, low education levels, social status, language barriers, undemocratic political climate, and contrasting expert knowledge that constrain their full participation as citizens. Unless these barriers are fully recognized and addressed, state-citizen interaction will continue to tilt towards tokenism, and gender considerations will remain excluded from the growing trend of institutionalizing public participation in EIAs.

Public participation is envisaged to alter the structures of decision making towards more democratic ends. It is assumed as a shared aspiration, and that citizens can straightforwardly participate once an enabling climate is put in place. An enabling climate conducive to public participation assumes that information is properly disseminated, participation methodologies are clear, grievance mechanisms are put in place, public participation is made mandatory and not just encouraged. However, as accounts in the three research projects point out, it is not just about enticing the public (or women) to participate by offering them adequate spaces for joint decision making intended to influence the course of development projects, it is also recognizing that 'the public' is fundamentally a composite and 'layered' notion, and needs to be unpacked. People, women included, participate in public forums shaped by notions of who they are, where their social place might be, whether they are able to project a public self and get accepted for it, and how they feel about participating in a space created by others. The findings in all three countries demonstrate how emotions of shyness, fear of shame, and low levels of self-confidence often define how women will participate in EIAs. They highlight how social norms are not only "out there" at the community level, but are often internalized and self-perpetuated as the women worked to align their emotions and senses of self with accepted social practices and hierarchies that are expected of women (Morales & Harris, 2014).

To conclude, if public participation initiatives are to be successful, they must simultaneously consider broader social and institutional contextual conditions *as well as* individual capability (often influenced by emotions and identity), that altogether guide individual behaviours. The latter aspect is often overlooked and trivialized when institutionalizing public participation, or when weaknesses to public participation are discussed.

4. APPLYING A GENDER APPROACH TO THE EIA PROCESS

This section will offer lessons learned from the research experience above by presenting possible ways to integrate gender in the EIA process.

Figure 1 below identifies opportunities in the EIA process where gender issues could be integrated, by posing questions in each step of the assessment.

Table 2. Possible gender-related questions in each step of the EIA process

	EIA Process	Gender-related questions
	Project screening (is an EIA needed?)	How will the investments affect the environment and natural resources? How will the community

	Project screening determines the initial environmental examination. Within that scope, it is important to consider the relationship between the environment and the community. This would determine the dependency level of the communities to the impacted environment and address this in the assessment.	– men, women, children – be affected by any changes in their environment and natural resource base in the following aspects? • Land for livelihoods • Land for living spaces • Food security • Water security • Leisure and recreation • Air quality
Public consultation	Scoping (which impacts and issues should be considered?)	What possible gender-related impacts and issues are identified in the scoping in the following aspects? • Land for livelihoods • Land for living spaces • Food security • Water security • Leisure and recreation • Air quality Are separate male and female consultations held to help identify specific gender-related impacts?
Public consultation	Reporting/Presentation of findings in the Environmental Impact Summary (EIS)	Within EIS, what is the summary of the findings on the affected communities, women and men?
	Review of EIS	Is the EIS gender-sensitive? Are the mitigation measures recommended gender-responsive?
	Prediction of impacts	What are the predicted impacts on the environment, and how do these affect men and women differently in the following aspects? • Land for livelihoods • Land for living spaces • Food security • Water security • Leisure and recreation • Air quality
Public	After EIA approval: Post-decision monitoring (impact management)	Have the EIA results been shared with the communities and all concerned and possibly affected stakeholders, ethnic groups, women and men? If so, what has been the reception? Does the post-decision monitoring address

consultation		predicted and unintended adverse impacts on local communities, and on specific livelihoods of women and men? Are there actions and resources that mitigate these adverse impacts?

Source: Adapted from Glasson et al. (2005) in Li, Jennifer C. (2008) and Donelly, Dalal-Clayton and Hughes (1998).

In a comparative review paper on EIA participation in LMS countries, Baird (2015, p. 74) cited recommendation of a Bangkok workshop in December 2014 organized by MPE (http://www.aecen.org/events/environmental-impact-assessment-policy-and-practice-mekong-region-safeguarding-sustainable-de) that stated:

"Stakeholders" are broadly understood to include all affected groups, both those directly and indirectly impacted by the planned project. Effort must be made to engage women, minorities and marginalized communities. CSOs can act as a bridge between local stakeholders, project proponents and government representatives. They can help mobilize, raise the voice of the community, provide technical expertise, and so on."

To address the recommendation from the workshop, this paper will outline Baird's findings on gaps and weaknesses on EIA public participation among LMS countries, and will identify gender dimensions for each gap presented in Table 3 below.

Table 3: Gaps and weaknesses in EIA public participation in LMS countries and their gender dimensions and recommendations

Identified Gap/Weakness	Possible Gender Dimensions	Recommendations
Public participation is encouraged but not mandatory. Thus in practice whether public participation happens or not is up to the project proponents	Project proponents may not be gender-conscious in the first place.	Guidelines for EIA public participation should include provisions to deliberately summon and enjoin women and men to consultations, and to seek ways that their voices will be heard through various participatory approaches and techniques. Specialists on participatory approaches could be engaged to ensure all voices are heard during consultations.
Public participation provisions do not mention how the public should be informed about the EIA process, the venue and language formats by which the public should gain access to EIA reports, and at which stages of the EIA process the project developers should	Affected populations such as specific ethnic groups and groups of women and men have unequal access to full information on the implications of projects and large-scale investments. They may also not have knowledge about the need for them to be included in EIA	Develop national and regional standards for public participation that includes explicit guidelines for access to information and in local language formats of key stakeholders, equally including women and men from ethnic

Identified Gap/Weakness	Possible Gender Dimensions	Recommendations
involve public participation.	processes.	groups and local communities.
Directions on public consultation are general. It is left relatively open as to what type of methodology and approach shall be used during consultations. Public participation of project affected populations (particularly minorities) can be impeded by:	Instructions or guidelines are not sensitive to gender and ethnicity.	Enlist gender-sensitive CSOs and NGOs to steward women and men in consultations
Low degree of integration of some ethnic minority groups into the mainstream economy.	Poorer, disabled and older women in these groups may be further marginalized by deep-seated biases of local authorities, EIA consultants and project proponents.	Enable the organization of poor, disabled, older women in ethnic groups to build their capacity and create platforms for dialogue and negotiations in the assessment and consultation processes;
Lack of familiarity with aspects of development projects.	Poorer, disabled and older women in these groups may have less access to project information and weaker understanding than men and women who are in better social positions.	Facilitate networking and collective actions among women's groups affected by investment projects and organizations working on women's rights and environment;
Lack of political representation of minority groups compared to lowland communities. Most vulnerable groups and ethnic minorities are illiterate (language issues need to be addressed, especially consultations and reports of public meetings and comments in minority languages).	Women are usually even less represented than men in both minority and majority groups. They also have less access to education and literacy skills.	Communicate knowledge on the benefits of women's participation among developers and state authorities.
Grievance mechanisms or procedures are often missing or not mandatory.	Grievance mechanisms that ensure redress of gender-exclusionary participation is missing. And even if present, it may not be always the case that these mechanisms are gender-sensitive.	Develop grievance mechanisms that explicitly ensure all groups of women are included.
There are generally no requirements for the establishment of consultative committee for large projects	Consultative committees – if present and formed – may be dominated by elite male members.	Consultative committees – if present and formed – should be gender-inclusive, with equal representation of women and men who can negotiate their respective interests.
Although there may be legal provisions requiring public	NGO involvement is no guarantee that gender issues are recognized	Enjoin NGOs with a track record of gender-responsive programs

Identified Gap/Weakness	Possible Gender Dimensions	Recommendations
participation, participation of NGOs may be discouraged or curtailed. The lack of local NGO activity means that public participation in the EIA process is limited.	and addressed. However, some NGOs have a record of gender-responsive programs.	to assist and steward local communities through the EIA process.
Requirements for the incorporation of public comments and inputs to the EIA reports are not stated (and thus most probably not into decisions of which mitigation measures should be selected)	Public comments, even if included, may overlook women's interests and concerns in consultation processes. Therefore, transgressing these interests fail to inform mitigation measures.	Independent groups such as NGOs should act as 'watchdogs' to ensure that concerns and interests of women and men of ethnic and poor groups are expressed in EIA reports and findings.
There is no legal requirement for EIA reports to provide reasons for approval or rejection of public comments (only to list comments as part of a public participation annex to the EIA report)	Reasons for approval or rejection, even if present, may not include the sentiments of marginal groups such as women and men from specific ethnic groups and classes.	Legal provisions should mandate EIA to report on processes of approval or rejection of public comments from participatory processes and consultations, including rejection or approval of comments by women, men from poor and ethnic groups.
Access to project information and EIA reports can be limited. Without clear guidelines for public access to environmental information it is difficult to have effective public consultation.	Women's and men's access to project information and EIA reports are different and unequal. This will exclude these groups from meaningful and fully informed consultations.	Ensure that information on prospective projects reaches every adult man and woman in a community by using a combination of available census data and key informants that will identify inhabitants. Ensure that languages used in the information are accessible by the communities possibly affected by the project.

Source: Adapted from Baird (2016)

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDED GUIDELINES

Overall, EIAs for large-scale investment projects throughout the Lower Mekong Sub-region must be fundamentally inclusive and fair for them to fulfill their mandate of ensuring that local populations and ecologies are not adversely affected, or if possible, that the adverse impacts can be mitigated to some extent.

The three research projects led each by CECR, CDRI and Spectrum addressed the following core questions, although slight variations of these questions exist in each project:

a) How are women involved in EIA deliberations?

b) What are the constraints that women experience in participating in EIA deliberations?

c) What are the benefits of women participating in EIA deliberations?

The study sites of the three research projects included hydropower dam development project areas, a copper mining site, and a solid waste landfill project. Research teams in the 3 countries employed qualitative approaches, using a mix of FGDs, key informant interviews, desk reviews and semi-structured individual interviews, all intended to piece together a 'gender picture' of the processes of public participation in EIAs in these study sites.

The main findings of all three research projects are summarized below, and for each, guidelines for action have been recommended for future EIA exercises and for MPE's Regional Technical Working Group. Many of these guidelines echo the recommendations of the 3 studies themselves.

Main finding 1: In all three research projects, about less than half of the participants in EIA consultations were women. EIA consultants were not conscious of the need to deliberately summon women and men equally from communities that were likely to be affected by large-scale investment projects.

Main finding 2: No guidelines within EIA procedures explicitly instructed equal participation of women and men in consultations.

Guideline 1: Gender and social impact assessment should be part of the capacity requirement and specified in the terms of reference for the EIA consultant team.

Guideline 2: EIA instruction manuals on procedures should explicitly instruct consultants to deliberately summon both women and men to consultations. These procedures must be reviewed prior to implementation, and a checklist for preparation of implementation should be filled out to ensure that instructions for equal participation are clear and understood.

Guideline 3: EIA instruction manuals on procedures should contain gender-related assessment questions for the scoping and screening stages (example on Table 3). The EIA consultant team should contract a gender specialist to ensure that these questions are addressed throughout these stages of investigation.

Main finding 3: The main constraints for women's full and meaningful participation were due to low education levels, insufficient access and understanding of information due to language barriers and the use of technical language, gender biases of consultants and local authorities towards women. Gender norms and stereotypes shaped these biases, as women were fundamentally not considered citizens with full rights for engagement.

Main finding 4: Women benefited from their participation in at least two instances: through sharing their knowledge of the local environment and recommending a change of resettlement site that would suit their needs more; the other occasion was when a NGO stewarded women in the consultation and they were able to put forward their opinions openly.

Guideline 4: In the absence of gender and participatory skills among the EIA consultants, gender specialists and gender-sensitive NGO representatives should be on hand to steward the process together with the women to enable them to feel secure when they voice their concerns and opinions. These specialists can employ special participatory techniques and approaches.

Guideline 5: Solicit to the fullest extent possible, women and men's views regarding the possible impacts of investment projects and potential resettlement plans, drawing from their long years of experience with their livelihoods, the use of natural resources, and local ecologies.

Guideline 6: Ministries of women's affairs or women's unions should be actively involved in the EIA process and ensure that grievance procedures are observed whenever needed.

Main finding 5: Finally, in all 3 research projects, women were often described as being shy and reticent, with low self-confidence, and insecure about their presence in these consultations. While these were constraining factors, they also point to how a sense of one's self and one's place in a (hierarchical and stratified) society often governs one's behavior in public consultations.

Guideline 7: Depending on the level of comfort of women in EIA consultations, consultants together with NGO representatives should plan ad hoc arrangements where women will feel freer to learn and dialogue about the project being assessed. This can be through separate all-women sessions where technical details of the project are explained in a language and approach that are accessible to them.

Guideline 8: Enjoin local translators and consultants in the assessor team who have special skills for participatory processes and dialogues.

Guideline 9: Ensure that gender and social equity guidelines are part of a regional EIA standard being developed and advocated with LMS governments.

In conclusion, the projects' findings therefore demonstrate that if public participation initiatives are to be successful, they must simultaneously consider broader social and institutional contextual conditions *as well as* individual capability (often influenced by emotions and identity), that altogether guide individual behaviours. The 'public' in public participation needs to be understood with much more depth that will complement institutional remedies and new mechanisms.

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