

AUTHOR ACCEPTED MANUSCRIPT

FINAL PUBLICATION INFORMATION

Public Hearings in Environmental and Social Impact Assessment for Energy Sector Projects in Cameroon

The definitive version of the text was subsequently published in

Impact Assessment and Project Appraisal, 31(1), 2013-01-29

Published by Taylor and Francis

**THE FINAL PUBLISHED VERSION OF THIS ARTICLE
IS AVAILABLE ON THE PUBLISHER'S PLATFORM**

This Author Accepted Manuscript is copyrighted by the World Bank and published by Taylor and Francis. It is posted here by agreement between them. Changes resulting from the publishing process—such as editing, corrections, structural formatting, and other quality control mechanisms—may not be reflected in this version of the text.

You may download, copy, and distribute this Author Accepted Manuscript for noncommercial purposes. Your license is limited by the following restrictions:

- (1) You may use this Author Accepted Manuscript for noncommercial purposes only under a CC BY-NC-ND 3.0 Unported license <http://creativecommons.org/licenses/by-nc-nd/3.0/>.
- (2) The integrity of the work and identification of the author, copyright owner, and publisher must be preserved in any copy.
- (3) You must attribute this Author Accepted Manuscript in the following format: This is an Author Accepted Manuscript of an Article by Kengne, Cyrille Valence Ngouana; Menang Evouana, Serge Emeran; Bitondo, Dieudonné *Public Hearings in Environmental and Social Impact Assessment for Energy Sector Projects in Cameroon* © World Bank, published in the Impact Assessment and Project Appraisal 31(1) 2013-01-29 <http://creativecommons.org/licenses/by-nc-nd/3.0/>

Public hearings in Environmental and Social Impact Assessment for energy sector projects in Cameroon.

Authors: Cyrille Valence Ngouana Kengne¹, Serge Emeran Menang Evouna²
& Dieudonné Bitondo³

- 1- Centre for Centre Transdisciplinary Studies in Aquaculture, Environment and for Development Support (CTA-AED). P O Box 31616 Yaoundé 13 Email : cyrille_ngouana@yahoo.com (Corresponding author)
- 2- The World Bank Country Office –Cameroon. World Bank Street, 1792 - Rue #186 - Yaounde – Cameroon. Email: emenangevouna@worldbank.org
- 3- University of Douala, Faculty of Industrial Engineering. P.O Box 2701, Douala-Cameroon. Email: bitondo@hotmail.com

Submitted: 2 November 2012

Accepted: 13 December 2012

Abstract

In Cameroon, like in other countries, public hearings are the most common method of citizen involvement mentioned in Environmental and Social Impact Assessment (ESIA). To elicit various attributes of current practice and characteristics of these public hearings in Cameroon, with focus on access, process and outcomes, we used an interpretive approach. This research unveiled an array of problems, including shortcomings in public hearing practice, law and regulatory framework, limited access to information, and inconvenient location of reading rooms (depositories). Public hearings do take place in depositories but they do not provide participants with the opportunity for direct debate and consensus-building. This research demonstrated that, local economic stakes tend to take precedence over critical questioning during public hearing events. However, public hearings in Cameroon attest to the growing willingness to challenge ESIA reports that may be fully backed by the government. In order for public hearings to be worthwhile events in Cameroon, there is need to build credibility and mutual trust among stakeholders.

Key words: *energy, public hearings, environmental and social impact assessment*

Introduction

Considering that Public Participation (PP) has been increasingly prioritized at the core of national Environmental and Social Impact Assessment (ESIA) legislation in countries around the world, there is growing interest in the dynamics and efficacy of PP – especially as it is becoming a social expectation. However, the literature on limitations of public participation is extensive (Wolfgang and Rasid, 2002). There is no consensus on the methodology for achieving adequate PP (O'Faircheallaigh, 2010; Kert Rault 2009; Diduck et al. 2007) and it is open to a number of different interpretations. At one level, it is considered as a flexible and adaptive process and social learning exercise (Kert Rault and Jeffrey, 2008; Collins and Ison 2006, Sinclair and Diduck 2001; Webler et al., 1995). At another, it is considered as a normative approach, inspired by Arnstein' ladder of citizen participation (Arnstein, 1969). The ladder depicts participation as essentially a linear process and hierarchical involvement, and fails to capture the dynamic and evolutionary nature of user involvement (Collins and Ison 2006). Yet in spite of, or perhaps because of, the latitude of interpretation, the need for PP in ESIA is universally accepted. Despite the plethora of criticisms from scholars and experts, in Cameroon, like in many ESIA jurisdictions around the globe, Arnstein's ladder of citizen engagement explicitly remains at the core of approach to participation. While recognizing that PP is a controversial subject, this research focused on public hearings which are the most common method of citizen involvement mentioned in ESIA literature (Chavez and Bernal 2008; Nadeem and Hameed, 2008; Diduck et al., 2007; Heather and Koontz, 2004; Baker and McLelland, 2003; Wolfgang and Rasid, 2002; Palerm, 1999; Richardson et al., 1998).

Since inception of formal ESIA legislation in 1996 (environmental Law), with regulatory improvements in 2005, no thorough study has been carried out on public participation and public hearings in ESIA. It can therefore be argued that there is a need for more such studies to reflect on our five years of PP practices. This work seeks to highlight the current situation concerning the practice of public hearings during ESIA for energy sector projects in Cameroon. In doing so, we seek to identify constraints to effective public hearings and opportunities for improving public hearing practices in Cameroon. We did this by analyzing documents, organizing focus group discussion and conducting semi-structured interviews in order to understand the perceptions of individuals, relating to the process, implementation and outcomes of public hearings in ESIA for energy sector projects in Cameroon. We focused on energy sector projects for three reasons: (i) at the present time, the Government of Cameroon is committed to accelerating the development of oil, gas and dams for electricity purposes. A good number of large infrastructure projects in energy sector are therefore currently being implemented across the country's landscape. This enables us to look at actors at different levels and socio-cultural settings; (ii) energy (oil) shortage and availability of affordable, and reliable electricity is a general problem in Cameroon, which could entice people to take part in participative initiatives that aim at constructing and solving energy problems; (iii) large infrastructure projects are especially characterized by a great deal of public attention and protest (Lidskog and Soneryd, 2000).

This paper proceeds as follows. After this introduction with a focus on public participation in ESIA, there is a section on legal and regulatory requirements for public hearings in the Cameroonian context. Subsequently, we describe the study methodology, followed by a

discussion of results. Finally, the constraints and opportunities for improving public hearing practices in Cameroon are considered.

An overview of legal and procedural disposition regulating ESIA and public hearing in Cameroon

The principal legal and regulatory frameworks that lay down ESIA in Cameroon is the law N°96/12 of 5th August 1996, bearing the framework law relating to the management of the environment in Cameroon; the Decree N0. 2005/0577/PM of February 23, 2005, which formally launched Cameroon ESIA procedure; and the Order N0.0069/MINEP of March 2005 prescribing the different categories of projects that would necessitate an ESIA.

The law N°96/12 of 5th August 1996 gives overall provisions for public participation. Article 72 of this law explains that “the participation of the populations in the management of the environment must be encouraged, particularly through: free access to environmental information, within the imperative reserve of the national defense and of the State safety”. The same law stipulates that the rational management of the environment and of the natural resources in Cameroon must obey a certain number of fundamental principles, among which is the principle of participation which states that:

- “each citizen must have access to information relating to the environment, including dangerous substances and activities;
- decisions concerning the environment must be made after a consensus between the economic operator on the one hand, and the groups concerned as well as the public on the other hand to ensure environmental protection.” The current ESIA legislation in Cameroon provides no room for an appeal by the proponent and other stakeholders against the decision if the above mentioned consensus required by the legislation does not eventuate. However, since the Penal Code punishes air and water pollution, adulteration, etc., Cameroonians can use these provisions and their constitutional rights to a healthy environment to enforce environmental law.

The Decree N0. 2005/0577/PM was enacted to operationalize the above mentioned public participation specific provisions. Article 11 (1) of this Decree states that the realization of the ESIA must be made with the participation of the local populations concerned through consultations and public hearings. Public hearing is then a new process in Cameroon where democratic process and environmental awareness are still evolving. It takes place during the ESIA report review process.

Order N0. 0069/MINEP of March 2005 classifies projects requiring an ESIA into two categories. Category 1 projects are those projects requiring a simple ESIA, while Category 2 projects are those projects requiring a detailed ESIA study. Public hearings are mandatory for detailed ESIA. In accordance with the provisions of the Decree N0.2005/0577/PM of February 23, 2005, public hearing shall aim at advertising the study, recording possible objections to the project, and enabling the population to give their say on the findings of the study. In Cameroon, public hearings are funded by the project proponent and implemented by the Ministry in charge of the Environment. In order to ensure a well-organized public hearing event that is in accordance with the provisions of the Decree N0.2005/0577/PM of February 23, 2005, the Minister in charge of the Environment creates an ad-hoc committee. Effective and massive participation of the stakeholders, number of comments freely lodged, wider publicity of the event through mass media, existence of depositories with ESIA reports are

applied in determining if a hearing is well organized and in accordance with the Decree. In practice, public hearing events consist of pre-event communication activities (information through written press, radio communiqués, television, and banners), and then the organization of hearings, which generally take place in reading rooms (depositories open at the sub-divisional headquarters and not within the vicinity of the community where the project will be implemented). Participants are free to sign up, consult documents (ESIA reports, copies of the bilingual non technical summaries) put at their disposal in these reading rooms, ask questions for clarification to representatives of the Ministry in Charge of the Environment and representatives of the project proponent/ESIA consultant present in reading rooms, provide their written opinions in the register, and sign a written record of their observations. Reading rooms usually open from 10:00 AM to 4:00 PM. Considering the bad of state of roads in some regions, sometime mobile teams made up of above mentioned representatives go round to collect the observations of affected communities especially those within the vicinity of the project. At the end of any public hearing, ESIA and public hearing reports are sent to the Inter-Ministerial Committee for the Environment (IMCE), which is the final advisory and consultative body in the ESIA review process with members drawn from different government ministries having a stake in a particular project. It provides an opinion on the ESIA and forwards its opinion to the Ministry in Charge of the Environment. When the Ministry in charge of the environment receives the opinion expressed by the IMCE, it concludes the evaluation of the ESIA and rules on the admissibility of the study. If the Ministry rules in favor of the study, it issues a Certificate of Environmental Conformity (CEC). Otherwise, a conditional ruling accompanied by measures to be taken by the proponent is issued.

Research methodology

The investigation of public hearing practices in Cameroon used an interpretative research approach because it provides significant depth of insight into the complex world of lived experience from the point of view of those who actually live it (Sandberg, 2005; Schwandt, 1994). Our philosophical stance is that, as stakeholders are involved in public hearing processes; their interpretation is the best source of understanding. This approach allowed respondents to recount their own versions of public hearings. The overall research strategy included a literature review (step 1), semi-structured interviews (step 2), focus group discussion (step 3) and document analysis (step 4).

Step 1: literature review

The purpose of literature review was to acquire knowledge, develop understanding criticisms of public hearings at national and international levels. Some substantial work has already been done worldwide on criticisms of public hearings in ESIA. Such criticisms of the public hearing, as unveiled by Heather and Koontz (2004), Connor (2000), Sinclair and Diduck (1995), Hadden (1989) are manifested in four related sets of problems: legal, administrative, communication and citizen representation. According to Heather and Koontz (2004), legal problems refer to how requirements are written in the law itself, while administrative problems center on how government officials implement the law. Citizen representation refers to the degree to which citizen participants are representative of the affected public and finally according to Bond et al. (2004), communication refers to two-way communication affair, where there is a dialogue between the developer and the public oriented to reach (if possible) consensus and where mutual learning takes place. Administration problems encompass access to information, which according to Foti and Lalanath De Silva (2010) refers to (1) the

availability of information and (2) the mechanisms by which public authorities provide environmental information.

Since these above-mentioned criticisms are based on democratic characteristics of developed countries where institutional infrastructures are robust, it was important to elicit views on various attributes of current practice and characteristics of the public hearing in Cameroon through semi-structured interviews, focus group discussion (FDG) and document analysis.

Step 2: Semi-structured interviews

Analysis of public hearing attendance sheets suggested that stakeholders group comprised of five categories: direct affectees, representatives of CSOs, ESIA consultants, academics and officials of the concerned government departments. Non probability purposive and snowballing sampling was then used (Zikmund 2003) to produce a list of interviewees from the above stakeholders group. Zikmund (2003) describes this as a technique in which an experienced individual selects the sample based on judgement about some appropriate characteristics required of the sample members. To ensure that the right respondents were selected, these criteria were used:

- had made a comment on ESIA reports/energy sector projects and was published in some form in the public domain;
- been involved in ESIA in some way;
- been working in the environmental field as an ESIA consultant;
- been affected or consulted one way or another in a project where ESIA was done;
- take part as a member of an interest group during an ESIA: CSOs, Community Based Organizations (CBOs) or Cameroonian development partners.

Linked to the interpretivist paradigm being followed, the type of questions in the interviews did not lend themselves to quantitative answers, as they require a detailed exploration of the context within which public hearings operate. Data were collected from September to December 2011 and from five levels of stakeholder groups- ESIA administrators (two) and two ESIA administrators on retirement, ESIA Consultants (six), project proponents (03), Civil Society Organizations (12) involved in ESIA processes, local community representatives affected by energy development projects (six), financial development partner (two) and one representative from the Ministry of Land tenure. Semi-structured interviews were conducted in Yaoundé (State political capital) and at Lom-Pangar and Song Mbengue (project sites). For example respondents were asked whether they were able to understand a voluminous technical report and give comments. The purpose of the interviews with the concerned ESIA administrators was to learn: How was the public hearing process actually working? The proponents and consultants were interviewed to get information on range of issues like their perception about ESIA, public hearing procedures in ESIA and costs. The interviewees were asked how they came to know about the invitation to participate in the process, and how far the location and timing of the availability of information about the project were convenient to them. Anonymity and confidentiality were measures provided to improve the quality of the results.

Step 3: Focus group discussion (FGD)

The sample for FGD was selected from the national energy platform target population. The criteria were that respondents had to be involved in energy sector projects and public hearings. The data gathering method selected to access peoples' perceptions is discussion (Swan, 2011). FGD, which are also recommended for obtaining qualitative data (Bryman, 2001) were conducted, since it was possible to gather key stakeholders (project proponents,

ESIA consultants and the regulators, academia, Civil Society Organizations). On December 13, 2011, a focus group discussion was organized with a multi-stakeholder group. These stakeholders were made up of six parliamentarians, one ESIA administrator from the Ministry in charge of the environment, fifteen civil servants from four ministries (social affairs, land tenure, energy, economy and planning), two academia, two representatives from CSOs representing a network of seventeen local NGOs and associations, and two representatives from energy private sectors. Discussion was based on public hearing practices in Cameroon.

Step 4: Document analysis

Since the analysis of documentary sources is one of the major methods of social research and is considered as meaningful and appropriate in the context of qualitative research strategy by many researchers (Mason, 1996). ESIA guidelines, Cameroon's ESIA legislation, ESIA reports and public hearing reports (Matanda Block; Iroko Block; 2D seismic Bomono; Offshore block Etinde; HFO Logbaba; 2D seismic Ndian; Forage Njonji; Dibamba power plant; Bojongo; Lom Pangar dam project) were reviewed. Excerpts from public hearing reports analyzed are given in the Table 1.

Table 1: Excerpts from public hearing reports

| Project | Number of participants | Gender | | Number of individual written observations | Period of hearings | Number of reading rooms /mobile team |
|--|------------------------|--------|--------|---|---|--------------------------------------|
| | | Male | Female | | | |
| Ndian River block seismic | 220 | 162 | 58 | 55 | 19 th to 24 th October 2009 | 01 |
| Lom Pangar dam | 1893 | 1596 | 297 | 507 | 19th January to 1 st February 2011 | 06 |
| Shallow water seismic survey in Matanda Block, Offshore Cameroon | 494 | 412 | 82 | 131 | 19-24 January 2009 | 02 reading rooms and 01 mobile team |
| extension HFO thermal plant Logbaba-Douala. | 198 | N/A | N/A | 46 | 19 November 04 – December 2007 | N/A |

Source: Authors' own construct,

Data were analyzed regarding their correspondence to selected criticisms of public hearings revealed by literature review.

Results and discussion

Document analysis, focus group discussion and semi-structured interviews revealed an array of problems including shortcomings in public hearing practice, law and regulatory framework, limited access to information, low literacy, high costs (travel, documents, etc.), and limited public hearing outcomes.

Shortcomings in public hearing legal and procedural requirements regulating public hearing

The Decree N0.2005/0577/PM of February 23, 2005, enacted to operationalize public participation in the ESIA process in Cameroon contains a number of limitations which could impede public hearing event outcomes and learning perspectives. This legal provision does not require specific reporting format for public hearing events. This failure has resulted in some confusion and lack of uniformity in reporting public hearing events. As an ESIA report is a final product which includes the outcomes of a public hearing event, it is useful to outline the structure or format for which the public hearing event will follow and be reported. In this way, it becomes easier to acquire an organized set of information. It also facilitates the analysis, which is an essential step towards the identification of key learning points. The problem would be that the legislator did not envision public hearing events as institutional and social learning processes, or as knowledge building processes. This finding is in line with previous data reported by Fitzpatrick (2006), showing that learning is important to ESIA but it is rarely identified as an objective of process design. An approach increasingly discussed in the literature involves the concept of social and organizational learning, in which stakeholders work together, sharing information to identify effective, socially acceptable strategies to mitigate impacts and identify opportunities (Chavez and Bernal, 2008; Diduck and Mitchell, 2003; Fitzpatrick, 2006; Webler et al., 1995).

The Decree N0.2005/0577/PM of February 23, 2005, does not implicitly require the Ministry in Charge of the Environment to make publicly available public hearing reports and final ESIA reports. This does not provide stakeholders with confidence and satisfaction that the project development will adequately address their concerns and issues. In order to maintain continuity and for confidence building, ESIA legal framework should explicitly require the Ministry in charge of the environment to share with key stakeholders outcomes from public hearing events. Apart from the above-mentioned shortcomings, this Decree does not specify public hearing duration and the number of public hearing reading rooms. These flaws have also resulted in some discrepancies among a few ESIA stakeholders. According to project proponents, funding agencies and NGOs representatives, these gaps establish a basis for negotiation and corruption. However, although a determination of the required number of reading rooms is complex and dependent on the function and scope of each project, the duration of hearings can be predicted. From Cameroon ESIA administrator perspectives', public hearing duration and number of reading rooms determined by the Ministry in charge of environment depend upon project size, type, impact area, population, and potentially controversial issues. Public hearing events duration varied from four to fourteen days over the period 2006-2010 (Table 1), with reading rooms open from 10:00 AM to 4:00 PM. Over the course of these days, the public is invited to inspect the report and to submit written comments. Representatives from NGOs and ESIA consulting firms argued that in the current practice in Cameroon, there is minimal time to read the document, time for public input is limited and does not recognize that there is a resource imbalance, both financially and

technically between proponents and the public (Meinhard and Sinclair, 2006). It does not allow the public, voiceless people, vulnerable groups, and seriously affected families to seek out technical guidance and financial support.

In contrast, in Pakistan and Bulgaria for example, stakeholders are given 30 days, following a notice published in two national daily newspapers, for submitting written comments before the public hearing (Nadeem and Hameed, 2008; Heather and Koontz, 2004). In addition, Baker et al., 2003, pointed out a minimum notice period of 45 calendar days and a maximum of 90 days given to the public to inspect the report and to submit oral or written comments. This study does not argue that Cameroon should copy these approaches or that everything should be set out in legislation, but as Meinhard and Sinclair (2006), there are a number of principles that should be entrenched in legislation, to ensure that participatory events are meaningful. It should include requirements for minimum notice periods, and some guarantees in terms of locations, access to ESIA reports, and duration of hearing events.

Inadequate language instruments

The problem of language constraint was revealed in six public hearing reports. Project proponents stepped into Anglophone regions with ESIA reports written in French and vice-versa. Cameroon is a bilingual country (French and English) and according to circular N° 001-CAB-PM of 16 August 1991 on bilingualism in Cameroon, the practice of bilingualism requires a French and English version of any public document. It is worthwhile noting that this constraint is allowed by the ESIA law which only requires a bilingual non-technical summary of any ESIA report. Language plays an important role in ensuring that the audience absorbs information (Okello et al., 2009). In order for public participation to be effective, information should be of immediate relevance, be attractive and brief, and be appropriate to the people's abilities, experience, knowledge, language, and culture (Beresford and Croft, 1993). As the most vulnerable persons are those who are illiterate, it would be important to increase more resources in translating or summarizing the ESIA reports in local languages, so that people are really aware of what could be the impacts of the project.

Access to ESIA reports and information

ESIA reports are not made publicly available during informational activities that take place before and after public hearings. ESIA administrators explained that, photocopies of ESIA reports, which are typically over 350 pages in length, are expensive. Furthermore, they said that they usually receive from any proponent twenty copies of ESIA reports and these copies are intended to the IMCE members. However, the Ministry in charge of the Environment attempted to make ESIA reports available before hearings through local chiefs, but it did not work because these reports were not well handled as they were supposed to be returned to the IMCE members. According to CSOs representatives interviewed, since there is minimal time to read the document, and the cost of copies cannot be supported by the Ministry, accessibility is limited. Access to information is a critical aspect of a participatory process (Hanna, 2000; Sinclair and Diduck, 2005). In order for public hearing to be effective, it must be accompanied by real opportunities for access to information as well as provision of key information. Furthermore, data should be available in forms that meet participants' needs (Hanna, 2000; Fitzpatrick and Sinclair, 2003).

Advertisements and press releases are undertaken with a view toward mobilizing the stakeholders for a robust level of participation in the public hearings. Whilst advertisements in newspapers can potentially reach wide audiences, they are generally expensive and limited in

quantity of information they provide. Apart from advance public notices, one potential approach is the use of technical session prior to the hearings. By word of mouth information dissemination can also be used to improve local community reach regarding public hearing events. We experienced this approach in a number of projects subjected to ESIA in Cameroon and it seems as access to information can be balanced with readable, general summaries of the potential environmental and social impacts.

Public hearings in Cameroon appear to be a public access to ESIA reports as they do not provide participants with the opportunity for direct debate and consensus-building. They intend to create publicity for the study and provide opportunities to lodge comments on ESIA reports. They always take place in reading rooms and working documents in these rooms are mainly made up of ESIA (three ESIA reports, more than three hundred copies of the bilingual non technical summaries, three registers of observations and three registers of participation). Public hearing reports show that, women were underrepresented (Table1) in these rooms. The heavy gender imbalance is due to the fact that women are mostly engaged with household chores and so do not have time to go to reading rooms. Furthermore, public hearing requires reading skills and literacy which is low for women. The literacy rate of Cameroon was estimated by The World Factbook (2009) to be 77% for males and 59.8% for females.

Members of communities interviewed during this research indicated that the cost of travel to reading rooms is a barrier to their participation in public hearings. For example, within the framework of Song-Mbengue/Sakbayeme dam project, people from Sakbayeme village were very willing to participate in on-site public hearings, but many found it impossible to attend hearings held in Pouma (the center of the city). Comments from parliamentarians and CSOs representatives interviewed reveal that citizens lack formal means to comment on ESIA reports, lack basic reading skills, and lack the ability to understand technical content. The disproportionate number of individual written observations over the general number of participants could attest this comment. For illustration (table 1), during the public hearings for ESIA of the Ndiian River block seismic project, had a general participation of 220 participants took part, with 55 persons that made written observations.

In contrast, the Lom Pangar dam project had a general participation of 1893 participants took part in the hearing for the Lom Pangar dam project, which involved a total of six reading rooms with 507 individual observations. In the above-mentioned case, local chiefs received ESIA reports prior to the hearings but illiterate local populations found technical information as a barrier to enjoyment of their access rights. During the public hearings for Shallow water seismic survey in Matanda block, Offshore Cameroon – participants also raised that the technical quality of the report was not for peasants and fishermen.

This finding is in line with earlier studies reported by Bond et al. 2004. They also found that participants may wish to engage in public hearing processes but lack the human or economic resources to undertake comprehensive reviews of the documentation and defend their positions. Appah-Sampong (2003) also found that the effectiveness of public hearings has been hampered by: the inability of the affected communities to easily understand project proposals due to the low levels of literacy. This lack of understanding has usually led to hostilities during public hearings. It would have been more beneficial if the locals could have a thorough understanding of the ESIA to facilitate effective discussions. This issue of understanding ESIA documents is a dilemma because according to Foti and Lalanath De Silva (2010), even fully literate populations may find technical information a barrier to enjoyment of access rights.

Level of interaction, deliberation and facilitation

In Cameroon, public hearings take place in reading rooms. According to CSOs representatives, Key ESIA team study members are not systematically present at the public hearing, and most of the concerns raised may not be answered satisfactorily. Reading rooms as an approach are valuable, but they do not provide participants with the opportunity for direct debate and consensus building with other stakeholders. They do not foster constructive dialogue and can perpetuate an 'us versus them' feeling. In addition, the current practice does not deliberate and does not report to all key stakeholders records of public hearings although any decision-making process finds benefits from having transparent and interactive communication processes with the public (Bond et al., 2004). Decision-makers need to publicly announce the extent to which each public hearing/deliberative initiative will have influence over data collection, options and decisions. This would have been done in order to maintain continuity and for confidence building. The entire process needs to be transparent. This will help increase the credibility of the proponent and develop mutual trust among stakeholders. The hearing would essentially be structured discussions and a forum where mutual agreement and consensus would be reached between the stakeholder groups, the regulatory bodies and the proponents or a form of participation in which stakeholders and proponents are brought together in a forum to express their opinions and offer suggestions on a proposed undertaking in order to influence the decision-making process (Appah-Sampong, 2003).

Outcomes of public hearings

In accordance with the Decree N0.2005/0577/PM of February 23, 2005, public hearings are intended to create publicity for the study, provide opportunities for the consideration of possible objections and to enable the participants to identify themselves in the final document. Furthermore, based on practice, public hearing reports analyzed stated that public hearings in relation to ESIA consequently represent a means of checking the conformity of the information contained in the report of ESIA of the project and the detail report as concluded during the public consultation. According to the reports analyzed, the main expectation of these public hearings is to secure the substantial and active participation of the local population and other stakeholders related to the project. Even if in the current practice it is difficult to know the extent to which each public hearing initiative has influence over data collection, ESIA report content, and decisions, it is worthy to recognize that projects subjected to detailed ESIA regularly undergo public hearings in Cameroon.

In the current practice in Cameroon, feedback to participants is not always provided. Similar findings are reported by (Sinclair and Diduck, 2001). This is likely to hinder public hearing outcomes because individuals are motivated to participate because they would have a chance to influence the outcome (Foti and Lalanath De Silva, 2010). Providing feedback of public hearings to participants is likely to provide stakeholders the confidence and satisfaction that the project development would adequately address their issues.

As a means of checking the conformity of the information contained in the report of ESIA and the detail report as concluded during the public consultation, the public hearing report just describes what was done and analyzes the observations collected in relation to the results of public consultation. These reports do not interpret how each hearing suggestion might guide the assessment process and how respondents can make further contributions, such as providing comments on the draft ESIA report. Assuming that the role of regulatory authorities (Ministry in charge of the environment) in this process is to serve the public interest, or trade-

off socio-environmental protection, public and proponent interests, it would have been interesting to find in public hearing reports suggestions regarding future assessment and hearing processes.

Current public hearing practices in Cameroon seem to be a formality, as indicated by the fact that administrators do not go beyond the minimum requirements necessary. No final decision has ever been delayed and no project has ever been rejected because of public hearings recommendations. Even the research did not find a case with a high opposition by local communities. 17, 4 % of participants expressed opposition to the HFO-Logbaba project, and apart from this, no opposition was recorded. We do expect that certain aspects of the project proposal would have been altered, additional mitigation measures and commitments made and final decision on projects delayed until substantive issues raised are addressed. For example, during the Ndian river block hearing, participants raised questions about benefit sharing and better social assessment, but the project proponent said that social development issues is the state responsibility. Attendees did point out a significant flaw in the executive summary and health impact aspects (Matanda block project) as well as the lack of applicable indicators to check the efficiency of mitigation measures on disposal of sewage (Drilling Iroko block project).

Even if public hearings do not directly impact the final decision in a given project, they have the capacity to enhance public trust in the ESIA decision-making process in Cameroon. From 2005 to 2010, the period considered in this study, there has been a presence of environmental groups as well as a diverse array of local organizations, businesses, specialist and individuals involved in public hearing activities (Table 2).

Table 2: Excerpt from public hearing reports/type of participants

| Type of participants | Ndian river block seismic project | Lom-pangar dam project | ESIA extension HFO thermal plant Logbaba-Douala. | ESIA for proposed shallow water seismic survey in Matanda Block, Offshore Cameroon |
|-----------------------------|--|-------------------------------|---|---|
| Farmers | 106 | NA | NA | NA |
| Small crafts workers | 37 | 258 | NA | 54 |
| Primary sector operators | 47 | 994 | 58 | 197 |
| Salary earners | 18 | 236 | 58 | 63 |
| CSOs | 02 | 30 | 06 | N/A |
| Economic operators | 10 | 46 | 03 | N/A |
| Jobless | N/A | 281 | 20 | 36 |
| Local leaders | | 54 | 48 | |
| Students | | | | 50 |

Source: Authors' own construct

The attendance and the distribution of opinions of the project at the hearings vary, but from Table 2, it can be said that those attending might have financial stakes or some other direct connection with the project rather than representing interests of the broader public. For example, statistics from the table below show that, the participants focused their interests on the socio-economic benefits from the projects than the negative environmental impacts. Some participants also raised environmental and socio-economic stakes

Table 3: Excerpt from public hearing reports/ stakes raised

| Project | Percentage of environmental stakes | Percentage of socio-economic stakes |
|---------------------------|------------------------------------|-------------------------------------|
| Block Etinde project | 17 % | 91 % |
| Ndian river block project | 36,4 % | 63,3 % |
| Lom-Pangar dam project | 14 % | 88,2 % |

Source: Authors' own construct

In Cameroon, community members close to the project vicinity always focus on economic opportunities offered by the project. Citizens and powerful elite are willing to accept new activities happening “in their backyard” because they do not experience direct effects. This finding is in line with earlier studies reported by Côté and Gagnon (2005), who argued that in ESIA process, where economic stakes are dominant, there is less opposition and they take precedence over critical questioning. When attending, citizens and powerful elite have financial stakes (socio-economic impacts), they strategize to secure their financial stakes by participating in the hearings and taking control of the process. This is likely to bias public hearing outcomes as it hinders equitable trade-off of interests and stakes.

This finding is not in line with earlier studies reported by Heather and Koontz (2004) who argued that contributing to a public hearing related to environmental impacts will likely remain a low priority for most citizens in developing countries, where people are struggling to meet day-day needs. It is fair to say that hearings in Cameroon attest to the growing willingness to challenge ESIA reports that may be fully backed by the government. Public hearings were opportunities for local chiefs, local CSOs and local populations to provide critical insights and perspectives:

- the west coast chiefs issued to the Minister in charge of the environment a memorandum on the ESIA (request for traditional ritual before the commencement of activities) during the public hearing for exploration/Appraisal drilling Iroko Block;
- Councillors of Idenau and service heads of west coast district presented a memorandum on the ESIA (take into account the social perspective) during the public hearing for exploration/Appraisal drilling Iroko Block;
- Representatives from Song-Mbengue presented to the Minister in charge of the environment and to Rio Tinton Alcan a memorandum on the ESIA during the public hearing for Song Mbengue-Sakbayeme dam project;
- Network for Associations for Environment and Clean Energy (RAEEP) presented to the Minister in charge of the environment a critical analysis of ESIA reports for Lom-Pangar dam project, Mekin dam project and Song Mbengue/Sakbayeme dam project.

Public hearing reports analyzed do not show how pertinent suggestions from these memoranda were considered, but it is fair to say that in settings without strong legal, constitutional and civil infrastructures, hearings may provide a formal opportunity and valuable experience for individuals and organizations who otherwise may not feel empowered to express their opinions to government officials (Shapiro, 2001; McKilip, 1987). According to Appah-Sampong (2003), public hearings in Ghana have been beneficial in terms of: providing an avenue for public information and interaction between the proponent and all interested groups; allowing people to articulate their views about a given project and make inputs which eventually enhance the quality of the project's environmental assessment. As Rakowski (1995) argues, in evaluating Social Impact Assessment in developing countries, an important result is “more subtle outcomes, such as increasing awareness of social issues or

generating public debate.” Such awareness and debate can encourage the evolution of public participation from government domination to institutionalized guarantees of an independent social sphere. Yet the public hearings, and the ESIA process more generally, have contributed to progress in information access, public knowledge of rules, and the “opening” of the authoritative bodies.

Constraints and opportunities for improving public hearing practices in Cameroon

While many constraints are evident in public hearing practice in Cameroon, opportunities do exist for improvement. First, there is a crucial need to ensure that information around ESIA decisions and opportunities for comments on ESIA reports matches the technical understanding, literacy levels, and native languages of hearing participants. The bilingual non technical summaries are made mandatory during public hearing events but specific focus groups discussion for women, youth and uneducated groups, non technical and technical pre-information sessions with simple explanations and illustrations, radio programs in indigenous languages may significantly offset the information challenge and add value to the project design process.

Second, citizens are motivated to participate in public hearings when they are certain that their contributions will be considered. To expect significant and active participation, there is a need to build credibility and mutual trust among stakeholders. This is very important bearing in mind the fact that where decisions are not justified, trust is lost and decisions lose legitimacy. Public hearing reports are not publicly available and participants do not know the extent to which their contributions have an influence over ESIA report and decisions. They are more considered this exercise as another political game technique to enroll poor people. In order to maintain continuity and for trust building, public hearing reports, together with key outcomes from the process need to be reported to all stakeholders. In addition, for confidence building, public hearing practice should shift from reading rooms to forum where mutual agreement and consensus (facilitated by a neutral and impartial parties) would be reached between the stakeholder groups, the regulatory bodies and the proponents.

Third, public hearing processes are hampered by the inability of the affected communities, certain CSOs, and ESIA administrators to easily understand project proposals due to the low levels of literacy and technical skills. In order to increase interest in environmental issues, the government must take the necessary steps to increase public awareness in environmental issues and moreover the public hearings. Capacity building efforts need to be broadened and target local communities. This would help the actors closest to the project better understand the purpose behind environmental and social mitigation issues and measures prescribed in ESIA documents. In addition, facilitating participation by providing personnel, logistical support for technical guidance, legal advice, transport and travelling expenses for participant attendance, information, and training (Brenneis and M’Gonigle, 1992; Beresford and Croft, 1993; Smith, 1993) could enhance public hearing outcomes.

Fourth, public hearing events are not currently addressed as social learning processes, or knowledge building processes. It is considered merely as a procedural step. In this way, it is difficult to build on experience and draw lessons for improvement. Public hearing needs to be designed as a process in which stakeholders work together, share information to identify unearthing issues, and also identify effective measures to mitigate environmental and social impacts. The Ministry in charge of the environment should also have an organized set of

information on hearings. It will facilitate the analysis, an essential step towards the identification of key learning points.

Fifth, in the current public hearing practice in Cameroon, there is minimal time to read the document, time for public comment is limited, and does not recognize that there is a resource imbalance between proponents and the public. However, an increase in time without technical and financial resource provision for voiceless, vulnerable groups and unskilled affected families and CSOs, will hardly enhance public hearing outcomes.

Lastly, there is no universal approach for undertaking this type of process, but a manual should be developed to provide general guidelines for the public hearing process.

Conclusion

Public hearing critics analyzed in this study, for the most part, correspond to the critics of hearings in general that have been articulated by numerous scholars. Hearings in Cameroon are characterized by many shortcomings which include limited access to information, low literacy of local communities, gender imbalance, inadequate location of reading rooms, etc. Our findings suggest that where economic stakes are dominant there is less opposition. This is likely to bias public hearing outcomes as it hinders equitable trade-off of interests. Public hearings seem to be an administrative formality, but they attest to the growing willingness to challenge ESIA reports that may be fully backed by the government in that 17, 4 % of participants expressed opposition to the HFO-Logbaba project whereas public hearings were opportunities for local chiefs, local CSOs and local populations to provide critical insights and perspectives.

Access to information that matches the technical understanding, literacy levels, and native languages of local populations is essential and should be considered in the hearing process in Cameroon. While ESIA reports and bilingual non-technical summaries were available through reading rooms, focus groups discussion for women, youth and uneducated groups, non technical and technical pre-event information sessions with simple explanations and illustrations (video, audio, blogs, etc.), radio program in indigenous languages would greatly facilitate public access.

In order for public hearings to be worthwhile events in Cameroon, credibility and mutual trust among stakeholders must be established. Finally, the public hearing needs to move from an administrative requirement to a strong and powerful tool that is able to guarantee sustainable investments projects in Cameroon.

References

Appah-Sampong, E 2003. Public Hearing within the environmental impact assessment review process. (2nd ed.). In: UNEP, *UNEP EIA Training Resource Manual*, Geneva, Switzerland: UNEP, P.85-91.

Arnstein, S 1969. A ladder of Citizen Participation. *Journal of the American Planning Association*, 35(4), p. 216-224.

Baker, D C and J N McLelland 2003. Evaluating the effectiveness of British Columbia's environmental assessment process for first nations' participation in mining development. *Environmental Impact Assessment Review*, 23, 581–603.

Brenneis K and M M'Gonigle 1992. Public participation: components of the process. *Environments*, 21(3):5–11.

Beresford P and S Croft 1993. *Citizen involvement: a practical guide for change*. New York:

MacMillan Publishers.

Bond, A, J Palerm, P Haigh 2004. Public participation in EIA of nuclear power plant decommissioning projects: a case study analysis. *Environmental Impact Assessment Review*, 24, 617–641.

Bryman, A 2001. *Social Research Methods*. Oxford University Press.

Chávez B Vand A S Bernal 2008. Planning hydroelectric power plants with the public: a case of organizational and social learning in Mexico. *Impact Assessment and Project Appraisal*, 26(3), pages 163–176.

Collins, K and R L Ison 2006. Dare we jump off Arnstein's ladder? Social learning as a new policy paradigm, Proceedings PATH Conf 4–7 June 2006 Edinburgh.

http://oro.open.ac.uk/8589/01/Path_paper_Collins_Ison.pdf (19 November 2011).

Connor, D 2000. Public participation and impact assessment: an overview. *Constr Citiz.* 27–34.

Godschalk, D and B Stiftel 1981. Making waves: public participation in state water planning. *J Appl Behav Sci*, 17:597– 614.

Côté, G and C Gagnon 2005. *Nouvelles pratiques sociales*, vol. 18, n° 1, p. 57-72.

Diduck A, J Sinclair, D Pratap and G Hostetler 2007. Achieving meaningful public participation in the environmental assessment of hydro development: case studies from Chamoli District, Uttarakhand, India. *Impact Assessment and Project Appraisal*, 25(3), pages 219–231.

DOED, Department of Electricity Development 2004. *Manual for Conducting Public Hearings in the Environmental Impact Assessment Process for Hydropower Projects*.

Department of Electricity Development, Kathmandu.

Fitzpatrick, P 2006. The environmental assessment process-learning nexus: A Manitoba case study. In B. Hallman (Ed.) *Prairie Perspectives: Geographical Essays*, 9 (1).

Fitzpatrick, P and A J Sinclair 2003. 'Learning through public involvement in environmental assessment hearings' *Journal of Environmental Management* 67, 161-174.

Foti, J and Lalanath De Silva 2010. *A Seat at the Table: Including the Poor in Decisions for Development and Environment*. Washington, DC: World Resources Institute. 42p.

Hadden, S 1989. *A citizen's right to know: risk communication and public policy*. Boulder Westview Press.

Hanna, K 2000. 'The paradox of participation and the hidden role of information: A case study' *Journal of the American Planning Association*, 66, 398-410.

Heather L A and T M Koontz 2004. Public hearings for EIAs in post-communist Bulgaria: do they work? *Environmental Impact Assessment Review* 24, 473–493.

Ker Rault, P A 2008. *Public participation in Integrated Water Management- a Wicked Process for a Complex Societal Problem*. Doctoral Thesis, Cranfield University, UK.

Ker Rault, P A and P J Jeffrey 2008. On the appropriateness of public participation in Integrated Water Resources Management: some grounded insights from the Levant.

Integrated Assessment, 8(2), p. 69-106.

Lidskog R and L Soneryd 2000. Transport infrastructure investment and environmental impact assessment in Sweden: public involvement or exclusion? *Environ Plann A*, 32(1):1465– 79.

Lein, K L 2003. *Integrated Environmental Planning*. Blackwell.

Mason, J 1996. *Qualitative Researching*, London, Sage.

McKilip, J 1987. *Need analysis: tools for the human services and education*. Newbury Park, CA: Sage.

Meinhard and A. J Sinclair 2006. Time for a new approach to public participation in EA: Promoting cooperation and consensus for sustainability. *Environmental Impact Assessment*

- Review*, 26, 185– 205.
- Nadeem O and R Hameed 2008. Evaluation of environmental impact assessment system in Pakistan. *Environmental Impact Assessment Review*, 28, 562–571.
- O'Faircheallaigh, C 2010. Public participation and environmental impact assessment: Purposes, implications, and lessons for public policy making. *Environmental Impact Assessment Review*, 30, 19–27.
- Okello, N, L Beevers, W Douven and J Leentvaar 2009. The doing and un-doing of public participation during environmental impact assessments in Kenya. *Impact Assessment and Project Appraisal*, 27(3), pages 217–226.
- Palerm, J R 1999. Public participation in EIA in Hungary: analysis through three case studies. *Environ Impact Assess Rev*, 19:201–220.
- Rakowski, C A 1995. Evaluating a social impact assessment: short- and long-term outcomes in a developing country. *Soc Nat Resour*, 8:525–40.
- Richardson, T, J Dusik and P Jindrova 1998. Parallel public participation; an answer to inertia In decision-making. *Environ Impact Assess Rev*, 18:201–216.
- Sandberg, J 2005. How do we justify knowledge produced within interpretive approaches? *Organizational Research Methods*, Vol. 8 No. 1, 41-68.
- Schwandt, T A 1994. Constructivist, interpretivist approaches to human inquiry. In N. K. Denzin & Y. S. Lincoln (Eds.), *Handbook of qualitative research* (pp. 118-137). Thousand Oaks, CA: Sage.
- Shapiro, L 2001. *Making the most of public hearings. Environmental enforcement project*. New York, NY: Title V Publications; p. 1– 3.
- Sinclair, A J and A P Diduck 2005. 'Public involvement in Canadian environmental assessment: Enduring challenges and future directions' in *Environmental impact assessment: Process and practice*. ed. K. Hanna, (Toronto, ON, Canada: Oxford University Press) 53-74.
- Sinclair, A J and A P Diduck 1995. Public education: an undervalued component of the environmental assessment public involvement process. *Environ Impact Asses Rev* ;15:219–40.
- Sinclair, A J and A P Diduck 2001. Public involvement in EA in Canada: a transformative learning perspective. *Environmental Impact Assessment Review*, 21 :113±136
- Smith, L G 1993. *Impact assessment and sustainable resource management*. Addison-Wesley, Longman, Essex England.
- Swan, N 2011. "Researching Sustainable Development of the Rural Poor in India" *The Electronic Journal of Business Research Methods* Volume 9 Issue 2, pp 185-194.
- The World Factbook*, 2009. Washington, DC: Central Intelligence Agency, 2009. (<https://www.cia.gov/library/publications/the-world-factbook/index.html>, last accessed 12/01/2012)
- Webler, T, H Kastenzholz and O Renn 1995. Public Participation in Impact Assessment: A Social Learning Perspective. *Environ Impact Assess Rev*, 15:443-463.
- Wolfgang, H and H Rasid 2002. Public preferences for municipal water supply options. *Environmental Impact Assessment Review*, 22:337–360.
- Zikmund, W G 2003. *Business research methods* (7th ed.). OHIO: South-Western.