

Building Consensus for a Sustainable Future

Guiding Principles

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Dedication

These Guidelines, bringing together the experiences of Canadians from all regions and sectors of Canada, emphasize the importance of process in achieving the goals of sustainable development. Roy Aitken, a pioneer in sustainable development, recognized the importance of developing consensus based processes to meet the challenges of sustainable development. As a corporate leader, as a member of the National Task Force on Sustainable Development and as a founding member of the National Round Table on the Environment and the Economy, his advocacy and actions inspired others to pursue consensus based processes to challenge the numerous difficult conflicts in Canada. These Guidelines are dedicated to the memory of this exceptional pioneer.

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Foreword

These Guiding Principles have been developed by Round Tables in Canada to build awareness, understanding, and an interest in using consensus processes to achieve a sustainable future. Consensus processes are not new and are not uniquely Canadian. This document reflects the experience with the use of these processes in Canada and elsewhere, and in particular, that of the Round Tables themselves. This document is not a comprehensive "how-to" for consensus processes; rather it proposes guiding principles and key steps to make consensus work. It is intended to be a living document that will change with time and new experience.

Building a sustainable future requires processes that reconcile competing interests, forge new co-operative partnerships, and explore innovative solutions. These processes need to employ the abilities of all parties to enhance the quality of life for present and future generations. Although consensus processes are not appropriate for all issues, the Round Tables believe that consensus processes are an invaluable tool which can be used to solve many complex environmental, economic, and social problems. Consensus processes can work and have been used successfully.

Developing this guide provided an opportunity for members of Canadian Round Tables to share their experiences in using consensus processes. We are pleased to acknowledge the help and the endorsement of the Canadian Standards Association and the Niagara Institute

in developing the guide. It is hoped that the lessons learned from these experiences will help people respond to the challenges of achieving a sustainable future in a spirit of practical, collaborative problem solving. We recommend the use and development of consensus based processes to develop practices and policies that promote a sustainable future.

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CONSENSUS PROCESSES - *Why?*

Many of the decisions we face in the years ahead demand that we find ways to listen to opposing points of view, and find ways to accommodate deeply held and differing values. Conventional decision making mechanisms tend to exclude rather than include diverse interests and do not cope well with the complexity that issues of sustainability present.

The terms sustainability and sustainable development embrace the concept that environmental, economic and social needs are complex and require integrated decision making. More than ever, we understand how decisions made today affect the quality of life for future generations. People are demanding more meaningful input to decisions that directly affect them or the place where they live.

Consensus processes encourage creative and innovative solutions to complex problems by bringing a diversity of knowledge and expertise together to resolve issues. When used in appropriate situations, consensus processes reward expenditures in time and effort by generating creative and lasting solutions to complex problems.

Opportunities for using consensus processes exist at all stages of decision making involving issues of sustainability - from the establishment of broad policies and regulations, to long range planning, to allocating land and resources, to resolving specific disputes, to licensing, monitoring, and enforcement.

CONSENSUS PROCESSES - *What do we mean?*

A consensus process is one in which all those who have a stake in the outcome aim to reach agreement on actions and outcomes that resolve or advance issues related to environmental, social, and economic sustainability.

In a consensus process, participants work together to design a process that maximizes their ability to resolve their differences. Although they may not agree with all aspects of the agreement, consensus is reached if all participants are willing to live with "the total package".

Consensus processes do not avoid decisions or require abdication of leadership - but call upon leaders to forge partnerships that work toward developing solutions. A consensus process provides an opportunity for participants to work together as equals to realize acceptable actions or outcomes without imposing the views or authority of one group over another.

There are many forms that a consensus process can take. Each situation, issue or problem prompts the need for participants to design a process specifically suited to their abilities, circumstances, and issues.

CONSENSUS PROCESSES - *Using them*

Consensus processes enjoy some inherent advantages over other decision making processes in addressing the challenges of a sustainable future.

Consensus processes are designed to:

- ensure that all significant interests are represented and respected
- enable participants to deal with each other directly
- give an effective voice to all participants
- allow the parties involved to design a process appropriate to their special circumstances and needs
- provide a forum that forges new partnerships and fosters co-operative problem solving in the search for innovative solutions that maximize all interests and promote sustainability

In terms of results, consensus processes can:

- improve the working relationships between all interests participating in the process
- help build respect for and a better understanding of different viewpoints among the participants
- lead to better informed, more creative, balanced and enduring decisions because of the shared commitment to and responsibility for the process, results, and implementation
- often be used to complement other decision making processes

Even if all matters are not resolved through consensus, the process can crystallize the discussion, clarify the underlying issues, identify the options for dealing with outstanding disagreements, and build respect and understanding among the parties affected.

GUIDING PRINCIPLES OF CONSENSUS PROCESSES

Consensus processes are participant determined and driven - that is their very essence. No single approach will work for each situation - because of the issues involved, the respective interests and the surrounding circumstances.

Experience points to certain characteristics which are fundamental to consensus - these are referred to as the guiding principles. These principles are described in detail on the following pages.

Principle #1 - Purpose Driven

People need a reason to participate in the process.

Principle #2 - Inclusive not exclusive

All parties with a significant interest in the issue should be involved in the consensus process.

Principle #3 - Voluntary Participation

The parties who are affected or interested participate voluntarily.

Principle #4 - Self Design

The parties design the consensus process.

Principle #5 - Flexibility

Flexibility should be designed into the process.

Principle #6 - Equal Opportunity

All parties must have equal access to relevant information and the opportunity to participate effectively throughout the process.

Principle #7 - Respect for Diverse Interests

Acceptance of the diverse values, interests, and knowledge of the parties involved in the consensus process is essential.

Principle #8 - Accountability

The parties are accountable both to their constituencies, and to the process that they have agreed to establish.

Principle #9 - Time Limits

Realistic deadlines are necessary throughout the process.

Principle #10 - Implementation

Commitment to implementation and effective monitoring are essential parts of any agreement.

PRINCIPLE #1 - Purpose Driven

People need a reason to participate in the process.

The parties should have a common concern and believe that a consensus process offers the best opportunity for addressing it. This belief requires an informed understanding of consensus processes and a realistic view of available alternatives. If the parties conclude consensus offers a better option to pursue their interest, then a greater commitment to the process and its outcomes will be generated.

Business, government, non-governmental organizations, and other groups can apply consensus processes to a wide range of situations including planning and policy development, and regulation, licensing, and site specific development.

PRINCIPLE #2 - Inclusive not exclusive

All parties with a significant interest in the issues should be involved in the consensus process.

Care needs to be taken to identify and involve all parties with a significant interest in the outcome. This includes those parties affected by any agreement that may be reached, those needed to successfully implement it, or who could undermine it if not included in the process.

It is sometimes appropriate for those representing similar interests to form a caucus or coalition.

When decisions require government action, the appropriate authorities should participate.

The integrity of a consensus process may be compromised if the parties are not given the opportunity to determine their representatives through their own processes and mechanisms, particularly in circumstances where the direct interests of the parties will be affected by the outcome.

PRINCIPLE #3 - Voluntary Participation

The parties who are affected or interested participate voluntarily.

The strength of a consensus process flows from its voluntary nature. All parties must be supportive of the process and willing to invest the time necessary to make it work. The possible departure of any key participant presses all parties to ensure that the process fairly incorporates all interests.

A consensus process may complement other processes. It asks the parties to make their best efforts to address issues through consensus. If that process fails, participants are free to pursue other avenues.

PRINCIPLE #4 - Self Design

The parties design the consensus process.

All parties must have an equal opportunity to participate in designing the process. There is no "single" consensus process. Each process is designed to meet the circumstances and needs of the specific situation.

An impartial person, acceptable to all parties, can be an important catalyst to suggest options for designing the process, but the ultimate control over the mandate, agenda, and issues should come from the participants themselves.

Designing a consensus process enables the participants to become better acquainted before they deal with difficult substantive issues.

It is important to take time at the beginning to:

- define the issues clearly;
- assess the suitability of a consensus process for each issue - as opposed to other decision making processes;
- clarify roles and responsibilities for everyone involved;
- establish the ground rules for operating.

Communications can be helped by establishing ground rules up front, and allocating time for the participants to appreciate each other's values and interests.

PRINCIPLE #5 - Flexibility

Flexibility should be designed into the process.

It is impossible to anticipate everything in a consensus process. By designing flexibility into the process, participants can anticipate and better handle change when it faces them.

A consensus process involves learning from the perspectives of all participants. Feedback must, therefore, be continually incorporated into the process.

Flexibility is important. The initial design may evolve as the parties become more familiar with the issues, the process, and each other.

PRINCIPLE #6 - Equal Opportunity

All parties have equal access to relevant information and the opportunity to participate effectively throughout the process.

All parties must be able to participate effectively in the consensus process. Unless the process is open, fair and equitable, agreement may not be reached and, if reached, may not last.

Not everyone starts from the same point - particularly in terms of experience, knowledge and resources.

For example:

- the process involves time and expenses - resources that not all participants may readily afford
- the process revolves around the sharing of information on issues and impacts - something to which not all participants have ready access

To promote equal opportunity, consideration needs to be given to providing:

- training on consensus processes and negotiating skills
- adequate and fair access to all relevant information and expertise
- resources for all participants to participate meaningfully

PRINCIPLE #7 - Respect for Diverse Interests

Acceptance of the diverse values, interests, and knowledge of the parties involved in the consensus process is essential.

A consensus process affords an opportunity for all participants to better understand one another's diverse values, interests, and knowledge. This increased understanding fosters trust and openness which invaluablely assists the participants to move beyond bargaining over positions to explore their underlying interests and needs.

Recognizing and addressing all relevant stakeholders' values and interests provides a basis for crafting creative solutions that are more likely to last.

Sometimes parties may be deeply entrenched in an intense conflict prior to a consensus process. Reaching a consensus agreement involves exploring and developing common interests despite differences in values.

PRINCIPLE #8 - Accountability

The participants are accountable both to their constituencies and to the process that they have agreed to establish.

It is important that the participants representing groups or organizations effectively speak for the interests they represent. Mechanisms and resources for timely feedback and reporting to constituencies are crucial and need to be established. This builds understanding and commitment among the constituencies and minimizes surprises.

Given significant public concern about environmental, social and economic issues, keeping the public informed on the development and outcome of any process is important.

PRINCIPLE #9 - Time Limits

Realistic deadlines are necessary throughout the process.

Clear and reasonable time limits for working towards a conclusion and reporting on results should be established. Such milestones bring a focus to the process, marshal key resources, and mark progress towards consensus.

Sufficient flexibility, however, is necessary to embrace shifts or changes in timing.

PRINCIPLE #10 - Implementation

Commitment to implementation and effective monitoring are essential parts of any agreement.

Parties must be satisfied that their agreements will be implemented. As a result, all parties should discuss the goals of the process and how results will be handled. Clarifying a commitment to implementing the outcome of the process is essential.

The support and commitment of any party responsible for follow-up is critical. When decisions require government action, the participation of government authorities from the outset is crucial.

A post-agreement mechanism should be established to monitor implementation and deal with problems that may arise.

KEY STEPS IN CONSENSUS PROCESSES

Making it Work!

There are four basic steps in a consensus process:

- [Assessment](#) - Talking About Whether to Talk
- [Getting Started](#) - Talking About How to Talk
- [Running the Process](#) - Talking
- [Implementing and Monitoring the Results](#) - Turning Talk into Action

Assessment - Talking About Whether to Talk

Not all situations are appropriate for using consensus processes. Experience suggests the following questions should be asked before deciding to proceed:

- Is there a reason to participate in a process?
- Can the subject matter be addressed at this time?
- Can progress be made or issues negotiated?
- Can the major interests be identified?
- Are there representatives who can speak for these interests?
- Can meaningful deadlines be established for reaching agreements?
- Are there incentives for reaching agreement? What are the negative consequences of failing to agree?

- Are the decision makers who will be required to act on the results of this process willing to be involved or act on/respond to any agreement reached during the process?
- Can a viable process be structured? Or, is another decision making process more applicable to resolving these issues?
- Are there preliminary matters that need to be dealt with before the process gets under way (for example, pre-negotiation to get some participants to the table)?
- Are there parallel activities occurring that must be considered (for example, a pending legal action)?

Deciding whether a consensus process should be established is a step often not seen by the public and can be very time consuming. It may require the use of an impartial person who can help participants focus on the issues, exploring ways of recasting issues, pointing out linkages, and guiding the parties towards consensus.

Getting Started - *Talking About How to Talk*

Identifying the Participants

Starting a consensus process requires taking time to identify the participants. The task consists of two parts - identifying the interests and then identifying the appropriate representatives of those interests.

To identify the interests, focus on groups affected by the decision and those with the power to implement or block potential outcomes.

To identify the representatives, focus on:

- consulting with various agencies, organizations, businesses, etc. to develop a sense of who is viewed with credibility as a leader or accepted spokesperson
- identifying existing or potential mechanisms that will enable participants to represent their constituencies
- confirming that the participants are accountable if they represent groups or constituencies.

Designing the Process

Reaching agreement on how to proceed provides participants with an opportunity to practice and experience reaching agreement before they address substantive issues. Some initial steps that should be developed include:

- establishing clear objectives
- defining what will constitute a consensus for reaching an agreement
- structuring how the process will work, including meeting formats, work with sub-groups, caucuses, resource requirements, and ground rules.
- establishing protocols on attendance, confidentiality, and the sharing of information
- establishing the role and responsibilities of an acceptable impartial person
- identifying the participants' responsibilities to represent their constituents accurately and to keep their constituencies informed of the process

- providing checks to ensure constituents are kept informed
- agreeing on a schedule of milestones and deadlines. Interim dates can be established to address specific issues and assess progress.
- agreeing on how the participants (including government) will act upon agreements
- determining what will happen if consensus is not achieved (the fallback)

Running the Process - Talking

In this step, the participants should focus on building consensus by:

- discussing issues
- focussing on the issues rather than personalities
- genuinely listening to one another's perspectives on these issues
- reaching agreement on principles around issues and exploring what these commitments mean in practice
- developing an action plan for building the agreement
- recording agreements as they are reached

The process of talking among the parties proceeds according to the ground rules established earlier. A degree of flexibility must be maintained in order to foster consensus.

Providing participants with support and training on negotiating and consensus building, may enrich the results of "talking".

If an impartial person is involved, he or she may meet independently with the various representatives to assist in identifying and defining common ground and to prepare for joint sessions.

Implementing and Monitoring the Results - Turning Talk into Action

Along with attempting to reach agreement, a consensus process must deal with implementation. Several key features need to be considered:

Who is responsible for what:

The support and commitment of the parties responsible for following up on proposed decisions and recommendations must be clearly indicated.

The timetable and funding for agreements reached:

The participants should propose a schedule for implementing the results of the process so that it is understood how long an agreed result will take to be put in place and how long it will last. It is necessary to address the costs of implementation and monitoring.

The monitoring of results:

Given that the agreement will take time to implement, the participants should deal with a process for review and revision which outlines who will be responsible for monitoring, review, and, if necessary, renegotiating parts of the agreement.

CONCLUSION

The impact that decisions involving sustainability have on the quality of life for current and future generations has prompted many people to demand the right to meaningfully participate in decision making processes. Consensus processes ensure that the people affected are involved from the start in identifying and agreeing on issues, sharing different perspectives, and making choices with which people can live.

Opportunities for building consensus exist at all stages of decision making around issues of sustainability - from the establishment of broad policies, to long range planning, to allocating land and resources, to resolving specific disputes, to monitoring and enforcement. The use of consensus processes helps decision makers to be proactive by anticipating and avoiding disputes and problems.

Consensus processes have been used successfully to address issues of sustainability. It is our hope that these principles for consensus processes will help people respond to the challenges of a sustainable future in a spirit of practical, collaborative problem solving.

These Guiding Principles were developed by the National, Provincial, and Territorial Round Tables in Canada. Further copies are available from the addresses below:

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Department of the Environment, PO Box 6000, FREDERICTON NB
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Nova Scotia Department of the Environment, PO Box 2107, HALIFAX NS B3J 3B7
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