

Avante consulta!

Effective consultation

Tool

Purpose:

This tool proposes a set of steps to empower communities in consultation processes – based on experience in Mozambique.

Communities in Mozambique have entrenched rights to land and forestry resources, even though the State owns all natural resources. Communities have to approve the application of any third party who wishes to apply for a user rights. This is done by through a consultation process. Once a concession is granted it may be renewed without further consultations.

The legislation however does not establish a uniform method for these consultations. Research into the impact of forestry legislation on communities has identified the need to strengthen the community consultation process. This tool aims to standardise the consultation process irrespective of the type of rights being applied for.

Activities:

- 1 **Preparation phase.** During which the community:
 - Outlines its use rights and duties
 - Considers the potential impact (positive and/or negative) of the third party application
 - Formulates a position regarding the application
- 2 **Negotiation phase.** All the parties meet. The applicant informs the community of its intentions and puts 'an offer' on the table. The community considers the offer and starts negotiating. Alternatively, the community informs the applicant that it is not willing to approve the application.

Keep in Mind

Ensure that all parties

- ★ Understand the process that is being entered into
- ★ "Buy into" the process
- ★ Have fully mandated & informed representatives



3 Decision phase. The community considers proposals, discusses what it means for them, and decides whether it can approve the application. Parties discuss:

- A final agreement
- Dispute resolution
- How to monitor agreements

A written record is made of the meeting. This record becomes the basis for the monitoring of the project. All parties then sign this record. Agreements should be incorporated into the forestry management plans or development plans.

4 Monitoring phase. This establishes who is responsible, and how and when monitoring will take place, including what steps are to be taken when agreements are broken.

Further information

Find full tool and other related tools and resources at:

www.policy-powertools.org

or contact:

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