

CBAisa Workshop 2008

Developing Energy and Natural Resources, Building Sustainable Society



**Information Packet for Public
Workshop Participants**

**August 29, 2008
Sanjo Hall, University of Tokyo, Hongo Campus**

hosted by



Integrated Research System
for Sustainability Science
サステナビリティ学
連携研究機構

co-sponsored by



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Host:



The Integrated Research System for Sustainability Science (IR3S) aims to create a network-type platform for world-class research and education in the field of sustainability science. For more information, please visit <http://www.ir3s.u-tokyo.ac.jp/>.

Co-sponsor:



The Centre on Asia and Globalisation brings together leading scholars and policymakers from around the world to analyse the management of global issues and Asia's role in a rapidly changing and integrating world. For more information, please visit <http://www.spp.nus.edu.sg/cag/>.

Organizer:



Researchers across Asia are currently working together to promote "good governance" through trials and evaluations of consensus building approaches to public policy disputes. The group is currently based in Japan (Masa Matsuura: Graduate School of Public Policy, University of Tokyo), South Korea (Dong-young Kim: KDI School of Public Policy and Management), People's Republic of China (Andrew Lee: Leading Negotiation LLC), and Singapore (Boyd Fuller: LKY School of Public Policy, National University of Singapore). For more information, please visit <http://www.cbasia.org/>.

Program

8/29 (Fri.)

Sanjo Conference Hall, University of Tokyo

9:30 Convene, doors open.

10:00~10:10 Introduction to the workshop by Prof. Hideaki Shiroyama
(University of Tokyo, Graduate Schools for Law and Politics)

10:10~10:15 Introduction on Centre for Asia and Globalisation by Prof. Boyd Fuller
(Lee Kuan Yew School of Public Policy, National University of Singapore)

10:15~11:05 **Introductory session on consensus building processes**

10:15~10:35 The Challenge of Public Deliberations, Dispute Resolution, and Responsive Governance
Prof. John Forester (Cornell University, Department of City and Regional Planning) [USA]
10:35~11:55 The Keystone Center Working Group on the Endangered Species Act (ESA)
Dr. Peter Adler (Keystone Center) [USA]
10:55~11:05 Interaction between John and Peter

11:05~11:15 Short break

11:15~12:30 **Session I: Food and Biofuel** (Moderator: Prof. Shiroyama)

11:15-11:35 GMO Consensus Conference in Hokkaido: Consensus building in local context
Prof. Nobuo Kurata (Hokkaido University, Graduate School of Literature) [Japan]
11:35-11:55 Roundtable on Sustainable Palm Oil
Mr. Chew Jit Seng (Malaysian Palm Oil Association) [Malaysia]
11:55-12:15 Vacuum Planter Promotion In China - A multi beneficiary project
Mr. David Liu (Pioneer-Dupont) [China]
12:15-12:30 Wrap-up (Q&A)

12:30~13:30 Recess

13:30~14:45 **Session II: Land, Water, and Institutional Issues** (Moderator: Prof. Forester)

13:30-13:50 Framing and Stakeholders Alliance Formation in the Case of Coastal Management in a Local Community
Ms. Asuka Hino (Ocean Policy Research Foundation) [Japan]
13:50-14:10 Environmental Conflicts
Prof. Chin-Seung Chung (KDI School of Public Policy and Management) [Korea]
14:10-14:30 Institutionalization of Consensus Building in South Korea: From adoption to adaptation to innovation
Prof. Dong-young Kim (KDI School of Public Policy and Management) [Korea]
14:30-14:45 Wrap-up (Q&A)

14:45~15:20 Coffee Break

15:20~16:35 **Session III: Energy** (Moderator: Dr. Adler)

15:20-15:40 Meaningful Public Participation to Reach the Difficult Decision: A case of relocation of the power plant
Dr. Vanchai Vatanasapt (King Prajadhipok's Institute, the Office of Peace and Governance) [Thailand]
15:40-16:00 Approaches to Managing Conflict in Trans-national Oil and Gas Pipelines: Two cases from Asia
Dr. Toby Carroll (Centre for Asia and Globalisation, National University of Singapore) [Singapore]
16:00-16:20 Stakeholder Dynamics - Coal Conversion Projects in China
Mr. Jon Qiang Jin (Anglo American Group) [China]
16:20-16:35 Wrap-up (Q&A)

16:35~16:45 Short break (rearrange the podium for panel discussion)

16:45~17:30 **Panel discussion** moderated by Professor Hideaki Shiroyama (University of Tokyo)
Panel members: Prof. Chung, Prof. Forester, Prof. Kurata, and Dr. Vatanasapt

18:00~20:00 Reception
(Sanjo Hall Reception Hall)

Biography

Peter S. Adler

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Peter S. Adler, Ph.D. is President of The Keystone Center (www.keystone.org) which is located in Colorado with offices in Washington DC, Boston, and Santa Fe. The Keystone Center combines consensus-building strategies and state-of-the-art scientific and technical information to energy, environmental and health-related policy problems. The Keystone Center also offers extensive training and professional education programs to educators and business leaders and runs the Keystone Science School in the Rocky Mountains. Adler's specialty is multi-party negotiation and problem solving. He has worked extensively on issues that involve business, government agencies and civic organizations and mediates, writes, trains, and teaches in diverse areas of conflict management. He has worked on cases ranging from compensation and cleanup issues for the one of the world's worst mine contamination case in Papua New Guinea to the siting of the world's largest telescope on Mauna Kea. He has extensive experience in commercial and business problems, land planning matters, water quality and quantity issues, marine and coastal affairs, and strategic resource management.

Prior to his appointment at Keystone, Adler held executive positions with the Hawaii Justice Foundation, the Hawaii Supreme Court's Center for ADR, and the Neighborhood Justice Center. He served as a Peace Corps Volunteer in India, an instructor and Associate Director of the Hawaii Bound School, and President of the Society of Professionals in Dispute Resolution. He has been awarded the Roberston-Cunningham Scholar in Residence Fellowship at the University of New England, New South Wales, Australia, a Senior Fellowship at the Western Justice Center, and was a consultant to the U.S. Institute for Environmental Conflict Resolution.

Adler has written extensively in the field of mediation and conflict resolution. He is the author of *Eye of the Storm leadership* (RIS Publications, 2008), the co-author of *Managing Scientific & Technical Information in Environmental Cases* (1999), *Building Trust* (National Policy Consensus Center, 2002), *Beyond Paradise* (Ox Bow Press, 1993), *Oxtail Soup* (Ox Bow Press, 2000) and numerous other articles, monographs, and chapters.

Toby Carroll

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Dr. Toby Carroll is a Research Fellow at the Centre on Asia and Globalisation at the Lee Kuan Yew School of Public Policy at the National University of Singapore. He earned his doctorate in politics from Murdoch University in Western Australia, where he was based at the Asia Research Centre. His research interests include the political economy of development and the politics of energy in Southeast Asia. He has published academic articles in the Australian Journal of International Affairs and the Journal of Contemporary Asia and opinion pieces in newspapers in Australia and Southeast Asia.

Chin-Seung Chung

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Dr. Chung was the Dean and is the current Professor at the Korea Development Institute School of Public Policy and Management. After being educated abroad and receiving a Ph.D. in Economics from the University of Georgia, Dr. Chung began his career in service to many different government institutions in the field of environmental policy. Prior to joining the KDI School, he served as Deputy and Vice Minister at the Ministry of Environment, Republic of Korea, Senior Research Fellow at the Korea Development Institute (KDI), President of the Korea Environment Research Institute, President of the Korea Environmental Economic Association and consulted to different governments and international organizations. Currently, he serves as a chairman in many different governmental organizations, such as the Ministry of Environmental Affairs' Oversight and Evaluation Committee and the Advisory Committee on Water Management to the Prime Minister. His other governmental and intergovernmental affiliations include Presidential Commission on Sustainable Development in Korea, Regulatory Reform Committee, the National Committee on Legislative Agendas, the National Committee on Local Agenda 21, and China's Council for International Cooperation on Environment and Development at the World Bank.

In the field of negotiation and dispute resolution in particular, he was the head negotiator of Korean delegation for the Kyoto Protocol meeting on Climate Change Convention in 1997. Also, he was the chairman (and chief mediator) of the Special Presidential Committee for Dispute Resolution on Hantan River Dam.

Dr. Chung has lectured at Stanford University, Korea Advanced Institute of Science and Technology (KAIST), and Sogang University, and has also published numerous books and articles related to industrial trade and environmental issues.

John Forester

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John Forester is Professor at the Department of City and Regional Planning, Cornell University. He received his Ph.D. from University of California, Berkeley in 1977. He is a leading planning theorist with a particular emphasis on participatory planning. His research interests include Participatory Planning Processes, Ethics and Deliberative Democracy, Public Dispute Resolution and Multi-party Mediated Negotiations, and Oral Histories of Planning Practitioners. He delves into the micropolitics of the planning process, ethics, and political deliberation and assesses the ways planners shape participatory processes and manage public disputes in diverse settings.

Professor Forester has served as chair of the Department of City and Regional Planning (1998-2001) and as associate dean of the College of Architecture, Art, and Planning at Cornell University. He is a mediator for the Community Dispute Resolution Center of Tompkins County, has consulted for the Consensus Building Institute, and has lectured in the past several years in Seattle, Chapel Hill, Sydney, Melbourne, Helsinki, Palermo, Johannesburg, and Aix en Provence. His recent books include *The Deliberative Practitioner* (MIT Press 1999) and *Israeli Planners and Designers: Profiles of Community Builders* (SUNY Press 2001), co-edited with Raphael Fischler and Deborah Shmueli). Professor Forester's latest book, *Dealing with Differences: Dramas of Mediating Public Disputes*, will appear in March, 2009 from Oxford University Press. For his research on practice stories, see: <http://courses.cit.cornell.edu/practicestories/>

Boyd Fuller

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Boyd Fuller joined the School of Public Policy at the National University of Singapore (NUS) in 2006. His area of specialization is the facilitation and negotiation of difficult public policy conflicts in which stakeholders appear to have irreconcilable differences. Professor Fuller's current research includes the practice of facilitation in post-conflict peacebuilding and development in conflict and post-conflict areas. His previous research examined the mediation of

intractable public policy conflicts in the United States. He has published on the negotiation and facilitation of complex conflicts in respected journals. Professor Fuller designed and organized the first and second conferences in Asia on public policy consensus building together with colleagues from the Korean Development Institute and the University of Tokyo.

Before joining NUS, Professor Fuller taught at the Taubman College of Architecture and Urban Planning at the University of Michigan. Professor Fuller has taught graduate students and senior executives in advanced and basic negotiation at Massachusetts Institute of Technology, Harvard Law School, the University of Michigan, and NUS. Professor Fuller co-wrote and developed the first pedagogical workbook (*Teaching Multi-Party Negotiation: A Workbook*) for teaching an advanced seminar on multi-party negotiation together with faculty at Harvard Law School and MIT. As a practitioner, he has eight years of experience designing and training others in infrastructure and water supply projects in post-conflict Cambodia as well as other developing countries around the world.

Boyd Fuller completed his Ph.D. (Urban and Regional Planning) at the Massachusetts Institute of Technology and his M.Sc. (Engineering) and B.Eng (Honours) at McGill University.

Asuka Hino

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Asuka Hino is Research Fellow at the Policy Research Department in the Ocean Policy Research Foundation. She received her bachelor (1997) and Master's degree (1999) in Liberal Arts, Master's degree in International Studies (2001) from the University of Tokyo. Her research interests include integrated coastal zone management, consensus building, and social studies of science.

She is the author of "Objectivity' of the Environmental Impact Assessment: A Case Study of the Fujimae Tidal Flat Landfill", Papars on Environmental Information Science No.15, 2001, pp.101-106 and "Observations on the local process for the integrated coastal management in Moriyama Bay, Oita Prefecture, Japan", Proceedings of the Forth International Conference on Asian and Pacific Coasts, 2007 pp.755-758.

Chew Jit Seng

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Qualifications:

Post-Graduate Dip. in Strategic Mgmt (UTM)
MSc. Plantation Management (UPM)
Diploma in Management (MIM)

Summary of working experience :

More than 30 years experience in various technical and management capacities in the planting industry in Malaysia, including research and development, advisory and training, feasibility studies and management of oil palm, rubber and cocoa plantations; mainly with Sime Darby Plantations.

Current Interests :

Policy research and management on industry related sustainability issues especially on RSPO.
Alternate Member in RSPO Executive Board for MPOA since 2005.
Member of RSPO Criteria WG, Verification WG, Standards & Certification and Audit Review Panel.
MPOA representative in various Government, MPOB, SIRIM committees on related matters.

Jon Jin

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Jon Jin is the Head of Corporate Finance China of Anglo American, a leading global natural resources and mining company. He leads Anglo's investment and business development in China. Mr. Jin has hands on experience in due diligence, negotiations and evaluation over deals in China natural resources sector, especially in coal industry.

A former corporate finance consultant based in London, Mr. Jin previously worked for several professional services firms advising institutional investors and private equity funds investing in emerging markets, in banking and several industrial sectors.

Born in China, Mr. Jin started his career with Bank of China, before went abroad to get his MBA from INSEAD in Fontainebleau, France.

Dong-Young Kim

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Dong-Young Kim is an Assistant Professor at the KDI School of Public Policy and Management. He becomes a director for the Center for Conflict Resolution and Negotiation (CCRN) at the KDI School as of August 14, 2008. His research interests include theory and practice of public dispute resolution and negotiation in developing countries, and participatory & collaborative governance. He currently teaches four courses ('Participation, Collaboration, and Governance,' 'Dispute Resolution and Negotiation,' 'Advanced workshop for multiparty negotiation,' and 'Social Conflict and Peace building').

He has been responsible for an extensive series of the training of mid-career and senior government officials in the field of negotiation and mediation in public disputes in Korea and from other developing countries. Also, Professor Kim has consulted various governmental organizations, such as The Prime Minister's Office, The Ombudsman of Korea, as well as private sectors (Hankook Research) and Non-government organizations (Citizen's Coalition for Economic Justice). Internationally, he participated as an Associate Faculty in International Programme on the Management of Sustainability sponsored by Sustainable Challenge Foundation (SCF) in the Netherlands and organized two-days workshops for Bangladesh government officials at Dhaka, Bangladesh in 2008.

Currently, he is working on the research to improve Korean Public Dispute Resolution system, sponsored by the Prime Minister's Office. His recent major publication is "The Challenges of Consensus Building in a Consolidating Democracy: Diesel Vehicles and Urban Air Pollution in Korea" (VDM-Verlag, Forthcoming 2007).

He earned two Master's degrees (Master of City Planning from Seoul National University, Korea and Master of Environmental Management from Yale School of Forestry and Environment.) He received his Ph.D. in Public Policy and Environmental Planning from MIT.

Nobuo Kurata

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Nobuo Kurata is an Associate Professor of Department of Philosophy and Ethics of graduate school of letters at Hokkaido University, Sapporo, Japan. He is also a member of CAEP(Center of Applied Ethics and Philosophy, Hokkaido University) and CENSUS (Center for Sustainability Science, Hokkaido University). His current research interests are: Environmental Ethics, Philosophy and Ethics of Risks, Bioethics (cloning debate/Genetics), Ethical Legal and Social Issues of Biotechnology, Science Communication, Deliberative Democracy, Metaethics, Philosophy of Kant.

He received B.A. in Ethics in 1987 from Kyoyo University and M.A.in Philosophy in 1989 from Kyoto University, and received Accomplished Credits for doctoral program in History of European Philosophy in 1994 from Kyoto University.

He worked as a Research Fellow, Japan Society for the Promotion of Science 1997-1998 and worked for Faculty of Humanities,Mie University as a Reader and an Associate Professor. He joined the graduate school of letters of Hokkaido University, Sapporo, 2001. Though his main research area is philosophy, especially applied ethics, he has some experience of Consensus Building. He worked as the official advisor for Hokkaido GM Conference in 2007.

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In 1982, He graduated from Beijing Normal University and received Bachelor of Arts. In 1987, he graduated from Renmin University of China and received Master of Law. In 1989 and 1990, he studied Civil Law in Maximiliam University of Munich.

From 1982 to 1984, he worked as a Teacher in a High School in Beijing. From 1991 to 1992, he worked as China Representative for MVG AG. From 1993 to 2001, he worked as China Commercial Manager for Monsanto Co., establish commercial JVCs and launch 1st biotech crop in China, which becomes successful business case of Harvard Business School. Since 2002, he joins Pioneer co., a subsidiary co. of DuPont Co. in China as China Country Manager. Since then, he established and led 2 commercial JVCs in China, built up new business model and achieved over 50% annual growth rate in sales revenue and PTOI in last 4 years.

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Hideaki SHIROYAMA is a professor of public administration at the Graduate School of Law and Politics and the Graduate School of Public Policy, The University of Tokyo. He studies about policy making process in Japan, international administration and its implementation at national administration, and the environmental/ safety policy especially focusing on the interface between science/ technology and politics. He has been involved in an AGS (Alliance for Global Sustainability) between the University of Tokyo, MIT, ETH and Chalmers; and was a chair of planning committee of the New Research Initiatives for Social Sciences and Humanities of JSPS (Japan Society of Promotion of Sciences) between 2003 to 2008 and president of PI forum, a NPO for consensus building in Japan from 2005 to 2008.

His recent publications include "Technology Innovation and Diffusion for Environmental Protection - The Roles of Public Policies, Corporate Strategies and Civic Actions from an Interaction Perspective," Martha HARISS, ed., Energy Market Restructuring and the Environment: Governance and Public Goods in Global Integrated Market (The University Press of America, 2002), "Clean and Efficient Coal Use in China and Political Economy of International Aid" (Social Science Japan, August 1999), Governace of Science and Technology (Toshindo, 2007: In Japanese), Structure of International Aid Administration (University of Tokyo Press, 2007: In Japanese), "Legal System for Safety" (Shisou no.963, 2004: In Japanese), Inside Japanese Bureaucracy Vol.1, 2 (Chuo University Press, 1999, 2002: In Japanese), The Structure and the Process of International Administration: the Case of International Telecommunication (University of Tokyo Press, 1997: In Japanese).

Vanchai Vatanasapt

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Vanchai Vatanasapt is the Diplomate American Board of Surgery and was once cancer surgeon, Dean of the Medical School and President of Khon Kaen University. Having been cancer surgeon for over twenty years his paradigm shift to cancer epidemiology which is the sciences of population and their behavior. With the support of CIDA, he has the training in Conflict Resolution at IDR, University of Victoria, Canada and established the Institute for Dispute Resolution at Khon Kaen University. He established another important for the Greater Mekong Subregion that is the Mekong Institute. He has also additional training in the Conflict Resolution and Dialogue organized by several other Center such as National University of Singapore, Harvard University, Public Conversation Group, and APEC. He has been involved in several Mediation and Dialogue process to solve the domestic conflict in Thailand. He was later asked to establish the Center which later became the Office of Peace and Governance at the King Prajadhipok's Institute which has the mandate to be the think tank for the Parliamentarians..Recently, he was asked to establish another Institute called, Institute of Reconciliation and Restorative Justice at the Ministry of Justice to set the National Plan for Reconciliation, Dispute Resolution, Restorative Justice, and networking all other government agencies and civil society. He has translated several books into Thai such as "Getting Past No" of William Ury, "the Public Participation handbook" of James L Creighton, "the Mediation Process" of Christopher Moore and has written several articles, books and made other training materials such as VCD on conflict resolution. He has been asked by several Ministries, Universities, and Institutes in both Thailand and International to talk and run workshop on Conflict Resolution and

Presentation Abstracts

Introductory session on consensus building processes

10:15-10:35 "The Challenge of Public Deliberations, Dispute Resolution, and Responsive Governance" by Prof. John Forester

1. I would like to introduce the relevance and significance of negotiation analysis in contexts of governance by linking and relating, first, the concepts of (more or less) "public or stakeholder participation" with (more or less) "effective negotiations." By the latter, as I will make clear, I refer to mutual gains producing negotiations, not simply those that produce lose-lose, poor compromise outcomes.

- a. the two by two table: Table 1 (below)
- b. examples: "public hearings," "deal-making" "bureaucracy" "deliberation"
- c. the challenge of the last quadrant: (how to do it?) mediated participation
- d. example: Lisa Beutler, environmentalists vs. off highway vehicle users

2. Integrating inclusive participation with effective negotiations poses the challenges of mediating participatory processes or encouraging robust public deliberations. We can understand these processes to integrate three distinct moments and related strategies of fostering i) dialogue, ii) debate, and iii) negotiation itself. We encourage dialogue via facilitating conversations; we encourage debate via moderating arguments; we encourage negotiations by mediating conflicting proposals.

Consider each Process:	Dialogue	Debate	Negotiation
Goal	understanding	right/wrong	action
Intervention:	facilitating	moderating	mediating
Key question:	mean?	have as proof?	propose?
What do you...			
Mode	conversation	argument	action options
Phil. Basis	Hermeneutics	Rationalism	Pragmatism
Traps	talk, talk,talk	escalation	mutual loss

3. Notice that "agreement" provides an inadequate criterion of negotiation success, because in any dispute of even modest complexity, multiple agreements might be possible—surely of differing quality. So we must evaluate possible outcomes with respect to more criteria than simply "agreement." What criteria might we use to evaluate negotiation outcomes: how do we know if an agreement is "a good one" or "a lousy compromise"? We can begin with Susskind's four criteria -- fairness, efficiency, stability, intelligence -- and the practical steps required to achieve each of them (inclusion and representation; recognizing and trading across different priorities; allowing for renegotiation; using best available science).

4. We can sum up with a few lessons drawn from mediators of public disputes:

- a. interdependence drives negotiation as does difference;
- b. but participation involves people who are angry!
- c. vulnerability to future uncertainty motivates parties to learn
- d. as curiosity kills cats, presumption kills negotiators: probe!
- e. value conflicts? disagree about theology, agree about road signs
- f. take advantage of indirection: listen before proposing, by design

Table 1: Integrating Participation with Negotiation

	"High Voice/ Participation"	"Low Voice/ Participation"
Effective negotiations	Dealing with Differences via Mediated negotiations and Facilitative Leadership	Deal making
Weak negotiations	Public hearings	Bureaucratic Procedure

10:35-11:55 "The Keystone Center Working Group on the Endangered Species Act (ESA)" by Dr. Peter Adler

The Keystone Center is an independent 33-year old non-governmental organization. Keystone's mission is to bring together today's public, private and civic sector leaders to help solve society's most challenging environment, energy, and public health problems. Simultaneously, Keystone works to arm the next generation with the intellectual and social skills they will require to effectively approach the challenges they will face in coming decades. Keystone makes extensive use of a spectrum of different consensus-building procedures to help resolve energy, environment, and public health problems (Attachment 1).

In 2005, six senior members of the United States Senate requested The Keystone Center to convene a working group composed of diverse interest groups and to seek a resolution to long-standing issues under the federal "Endangered Species Act." Specifically, they sought to help break a long-standing deadlock between those favoring conservation and those favoring usage of the natural resources involved in the "critical habitats" of animals and plants officially listed as threatened or endangered. Keystone organized, convened, and facilitated a 6-month process that led to more than thirty specific agreements between industry and environmental groups.

The “Working Group on Endangered Species Act” is a good example of the expanding use of consensus building procedures that help supplement the

decision making processes of government. In the U.S., these procedures are likely to increase in the face of increasingly complex problems.

Attachment 1

SPECTRUM OF PROCESSES FOR COLLABORATION AND CONSENSUS-BUILDING IN PUBLIC DECISIONS

EXPLORE/ INFORM	CONSULT	ADVISE	DECIDE	IMPLEMENT
Outcomes	Outcomes	Outcomes	Outcomes	Outcomes
<ul style="list-style-type: none"> Improved understanding of process, subject, etc. Lists of concerns Information needs identified Explore differing perspectives Build relationships 	<ul style="list-style-type: none"> Suggestions for approaches Priorities identified Comments on draft policies Discussion of options Call for action 	<ul style="list-style-type: none"> Consensus or majority recommendations, on options, proposals or actions, often directed to public entities 	<ul style="list-style-type: none"> Consensus-based agreements among agencies and constituent groups on policies, lawsuits or rules 	<ul style="list-style-type: none"> Multi-party agreements to implement collaborative action and strategic plans
Sample Processes	Sample Processes	Sample Processes	Sample Processes	Sample Processes
<ul style="list-style-type: none"> Focus Groups Conferences Open houses Dialogues Roundtable Discussions Forums Summits 	<ul style="list-style-type: none"> Public meetings Workshops Charettes Electronic Town Halls Community Visioning Scoping meetings Public Hearings Dialogues 	<ul style="list-style-type: none"> Advisory Committees Task Forces Citizen Advisory Boards Work Groups Policy Dialogues Visioning Processes 	<ul style="list-style-type: none"> Regulatory Negotiation Negotiated settlement of lawsuits, permits, cleanup plans, etc. Strategic Planning Committees Consensus meetings Mediated negotiations 	<ul style="list-style-type: none"> Collaborative Planning processes Partnerships for Action Implementation Committees
Use When	Use When	Use When	Use When	Use When
<ul style="list-style-type: none"> Early in project when issues are under development When broad public education and support are needed When stakeholders see need to connect, but are wary 	<ul style="list-style-type: none"> Want to test proposals and solicit public and stakeholder group ideas Want to explore possibility of joint action before committing to it 	<ul style="list-style-type: none"> Want to develop agreement among various constituencies on recommendations, e.g. to public officials" 	<ul style="list-style-type: none"> Want certainty of implementation for a specific public decision Conditions are there for successful negotiation 	<ul style="list-style-type: none"> Want to develop meaningful on-going partnership to solve a problem of mutual concern To implement joint strategic action
Conditions for Success				
<ul style="list-style-type: none"> Participants will attend 	<ul style="list-style-type: none"> There are questions or proposals for comment 	<ul style="list-style-type: none"> Can represent broad spectrum of affected groups Players agree to devote time 	<ul style="list-style-type: none"> Can represent all affected interests and potential “blockers” All agree upfront to implement results, incl. “sponsor” Time, information, incentives and resources are available for negotiation 	<ul style="list-style-type: none"> Participants agree to support the goal for the effort Participants agree to invest time and resources

1. Developed by Suzanne Orenstein, Lucy Moore, and Susan Sherry, members of the Ad Hoc Working Group on the Future of Collaboration and Consensus on Public Issues, with consideration and inspiration of the spectra developed by International Association for Public Involvement (http://www.iap2.org/associations/4748/files/IAP2%20Spectrum_vertical.pdf) and the National Coalition for Dialogue and Deliberation (<http://www.thataway.org/exchange/files/docs/ddStreams1-08.pdf>).

2. While all types of processes have intrinsic value on their own, outcomes from the various types of processes on the left side of the spectrum tend to be incorporated into the outcomes of the processes to the right. The outcomes might be seen as roughly cumulative from left to right.

Session I: Food and Biofuel

11:15-11:35 "GMO Consensus Conference in Hokkaido Consensus Building in Local Context" by Prof. Nobuo Kurata

In 2003, National Agricultural Research Center for Hokkaido Region planted GM rice for experiment in an open field in the center. Some groups of consumers and some citizens with concern gathered to the center and asked to stop the experiments. At the same time, a farmer in Hokkaido announced he had tried to grow GM soybeans.

After that, Hokkaido prefecture legislative assembly enacted the ordinance, which regulates open cultivation of GM crops, in 2005('The Hokkaido Preventive measure Ordinance against Crossing by GM Cultivation'). This ordinance requires farmers planning commercial cultivation of GM crops to get a license from Hokkaido prefecture Governor. In order to grow GM crops in the outdoor field for trial purposes, researchers have to submit notification to the Governor.

Because agriculture is one of the most important industries in Hokkaido, and there are many stakeholders on this issue (farmers planning to plant GM soybeans, farmers growing organic products, researchers of biotechnology planning to carry out GM rice trials, consumers in cities, distribution industries), the situation is very complicated.

Hokkaido Prefecture Government held The Hokkaido GMO Consensus Conference (2006.11-2007.2) . I worked as the official advisor for the Conference, because I had some experience of Consensus Conference.

One of the factors which enabled compromising among the participants was that the main target of the decision making was limited to the agricultural policy making in a local area (Hokkaido), and not a policy of GMO in the whole country. In this presentation, I would like to talk about some background which enabled an effective discussion about the problem.

11:55-12:15 "Vacuum Planter Promotion In China-A Multi-Beneficiary Project" by Mr. David Liu

Pioneer China has developed a unique planting program that is not only benefiting farmers with increased yields at lower costs using less labor - creating loyal customers and an incredible pricing opportunity, it is providing sustainable financial growth for the company.

Traditionally, Chinese corn growers plant two to three times more seed than necessary using traditional planters to increase the odds of having a sufficient number of healthy corn plants. The growers would later thin out any excess plants by hand to ensure correct plant population. This practice, however, increased seed and labor costs for the growers, as well as increased risk of injury.

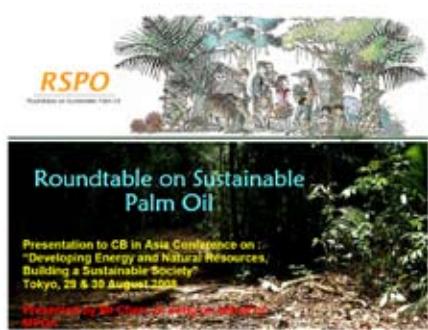
To help address the issue, the Pioneer China team partnered with a local Ag equipment manufacturer, Nonghaha (NHH), that had developed, but not yet commercialized, a vacuum planter capable of planting at lower seeding rates. NHH's planter and Pioneer seed are a particularly good fit because only high quality seeds should be planted at a lower rate using the NHH planters – and Pioneer is the only high quality seed provider in the area. Pioneer is the first company to try this new approach with vacuum planters in China.

After rounds of testing, feedback, and revisions, Pioneer formally launched the Pioneer China Planter Project in the 2006/2007 season. The Pioneer China team successfully placed approximately 2,200 vacuum planters with key farmers in the summer corn market, reaching 25 percent more growers than projected. The Pioneer China team expects to continue increasing the number of planters each year for a total of 17,000 over the course of the three-year promotion. (When rolled out to the spring corn market, it will add an additional 20,000 planters.)

Thus far, the program has been well accepted and welcomed by growers, mechanized farmers, dealer/retailers, planter manufacturers, and local government agriculture officers alike. Pioneer teams in India, Indonesia and Japan are attempting to leverage the success of this project by exploring similar programs for their markets.

11:35-11:55 "Roundtable on Sustainable Palm Oil" by Mr. Chew Jit Seng

- Palm Oil
- Issues
- What is RSPO?
- Progress and Status
- Challenges





The Pioneer China Planter Project is creating significant value for Chinese farmers and dealers, as well as the Pioneer China business in the long-term, while at the same time helping to fundamentally change the Chinese seed industry and farming practices for the greater good. The vacuum planter project is:

- Reducing seeding rate by >50% in the planter planting market, which allows for increased Pioneer seed sales volume and price
- Helping Pioneer edge out the competition by providing high quality seed priced for its value
- Fundamentally changing farmers' farming practice in China for the better

Session II: Land, Water, and Institutional Issues

13:30-13:50 "Framing and stakeholders alliance formation in the case of coastal management in a local community" by Ms. Asuka Hino

Cooperation of various stakeholders is important for the coastal environmental management. One of the important issues to be discussed is how and by whom such cooperation of various stakeholders with different interests can be coordinated.

At Moriy Bay, Oita Pref. in Japan, there has been some environmental problems, such as beach erosion, decrease of fishery resources, decrease of horseshoe crab which is famous as a living fossil and one of the endangered species in Japan. Though they had been working on many individual measures against each individual problem, they were not able to achieve an enough effect.

A forum for various stakeholders to grasping and sharing the total picture of environment condition and usage of Moriy Bay and discussing effective measures for these environmental issues was needed. The forum for environmental management of Moriy Bay was not realized until a proprietor of a resort hotel changed its framework from "protection of precious environment of Moriy Bay" to "sustainable use of rich resources of Moriy Bay".

This case shows us how powerfully framework works on the network building for consensus building.

14:10-14:30 "Environmental Conflicts" by Prof. Chin-Seung Chung

I. Causes of Conflicts

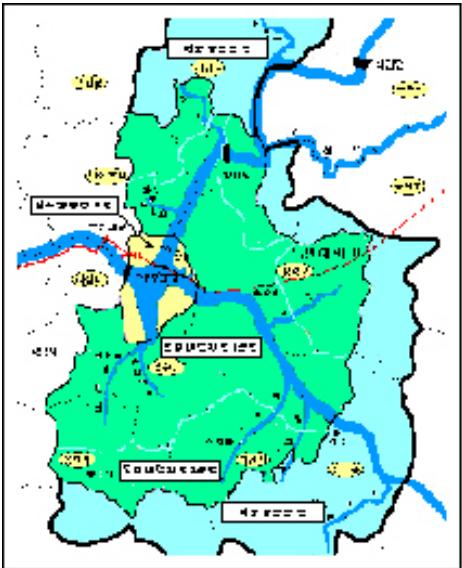
- A. Characteristics of Environmental goods
 - Externalities
 - Property Right
 - Public Goods (Non-rivalness and Non-excludability)
- B. Environmental Kuznets Curve
 - Per capita GDP: \$6,151(1990), \$11,471(1995)
- C. Lack of transparency in Policy Formulation process

II. Most important Factor for Social Conflicts

- A. Transparency
 - Notification, Consultation, Participation
- B. Without transparency
- C. With transparency.

III. Paldang Reservoir Special Measure

- A. General Information
 - Capacity: 18 m. tons
 - Supply: 2.6 m. tons of water to 24 m. people (40% of population)
 - 600,000 people live along the bank
- B. Team within MOE
- C. Issue: Paldang Reservoir Special Measure



D. Interest Groups

- Government (MOE)
- Other related Ministries
- Local Residents and Gon'ts (Up Stream)
- Local Residents and Gon'ts (Down Stream)
- NGOs

E. Integrated Negotiation

- Total Pollution Load Management
- User Pays Principle (About \$300 M./yr)
- Riparian Buffer Zone within 500 to 1,000 meters

IV. Hantan Dam Case

A. General Information

- Floods in 1996, 1997, and 1999
- More than \$2 b. Property Damage and 100 People died.
- Gon't decided to build Hantan Dam to control flood (2000), but can not implement until 2004.

B. Conflict Resolution Committee

C. Issue: Built Dam or not

D. Interested Group

- Government
- Local Residents and Gon't(Up Stream)
- Local Residents and Gon't(Down Stream)
- NGOs

E. Ground Rules

F. Integrated Negotiation

V. Factors Contributing to successful Negotiation

- A. Why negotiations are needed must be made clear.
- B. Technical data related negotiation issues
- C. Participation of all important interest groups
- D. Formulation of the Ground Rules
- E. Transform the distributed to integrated negotiation
- F. Agreement on post-negotiation elements

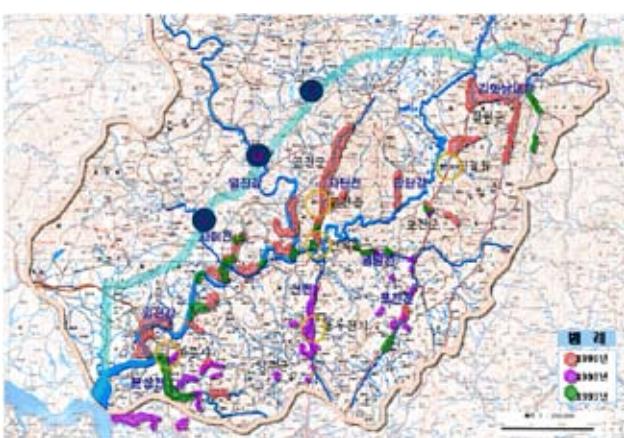
VIII. Conclusion

13:50-14:10 "Institutionalization of Consensus Building in South Korea: From Adoption to Adaptation to Innovation" by Prof. Dong-young Kim

Since the democratization in the late 1980s, South Korea has been a conflict-laden society incurring lots of social costs. Consequently, alternative approaches to unreasonably escalating public disputes have been explored. Meanwhile, the South Korean government took the initiative in shifting the undesirable trend of ineffective public dispute resolution. In 2005, the previous government – often called “Participatory government” – tried to institutionalize a public dispute resolution system by enacting ‘the Basic Act on Conflict Management for Public agencies,’ however, it failed to pass the parliament. The proposed Act would recommend every public agency to prepare and review “conflict impact assessment” before it formulates, implements, and modifies public policies which may cause public disputes.

The Act was often considered as an imitation of dispute resolution systems in the US and Europe. However, it had a few distinctive features. First, every public agency could establish ‘conflict management review committee’ to review the assessment and advise agency on conflict resolution mechanisms. Second, an agency could establish an ‘ad-hoc conflict resolution committee’ for a specific dispute. Stakeholders and experts would participate in the committee, establish a ground rule, and try consensus building. Third, the government would fund research institutions for training and research in the field of conflict resolution. In 2007, the spirit of the Act reappeared in the form of a presidential decree. The decree maintained major components of the Act but narrowed its scope to central government agencies (local governments were excluded). The decree will be in effect in May 2007.

Its implications are threefold. First, it will increase the demand for skilled professional neutrals. These professionals are expected to participate in the ‘conflict management advisory council’ and ‘ad-hoc conflict resolution committees.’ Second, this decree will produce large-scale social experiments of conflict prevention and resolution backed by institutional supports. Third, however, there will always be a risk of bureaucratization and ossification of dispute resolution processes, as we often observe in NEPA-mandated environmental impact assessments. The effect of the presidential decree is yet to see.



Session III: Energy

15:20-15:40 "Meaningful Public Participation to reach the difficult decision: A case of relocation of the Power Plant" by Dr. Vanchai Vatanasapt

Thailand has been facing problems in the increasing number and variety of the industry development as other developing countries. The Globalization and the localization seem to clash in the siting process of the facilities especially the Power Plant. Coal fired Power Plant seem to have a bad reputation in Thailand from the old power plant in the Northern Thailand that effect the health of the people in the community during the past 20 years . The strong protest of the two historic Coal-fired Power Plants in Prachuab Kirikhan which never succeeded in the construction plan.

The very newly established Kang Koi II Power Plant which was moved from Prachuab to this new site at Sara Buri Province has used the meaningful public participation to gain the acceptance of the people. The energy source was also changed from Coal to Gas to not only because of the accessibility but also to reduce the perceived risk of the people in the area. Trust is built through the transparent management and the assurance of safety is under the monitoring control by the elected neighbor committee.

Dialogue and working together is the key success factors in building the consensus in conflict issues.

15:20-15:40 "Approaches to managing conflict in trans-national oil and gas pipelines: two cases from Asia" by Dr. Toby Carroll

This presentation will look at the approaches used to manage conflict around the construction of two trans-national pipelines in Asia: the Baku-Tbilisi-Ceyhan (BTC) oil pipeline in the Caucasus and the gas pipeline between Myanmar and Ratchaburi, Thailand. In both cases efforts were made by the consortiums involved with the pipelines to mitigate conflict in relation to the respective infrastructure projects. In particular, parties driving the projects employed now-common methods to the task of addressing divergent interests, including the use of extensive social and environmental impact assessments, consultation processes, and community investment programs.

This said, in both cases diverging interests proved hard to reconcile and conflict (at several levels) was common. Furthermore, the efforts of some of the pipeline operators in these areas were criticised by non-governmental organisations (NGOs) and others as little more than public relations and/or 'box ticking' exercises, whittled down according to the logic of maximising profit.

In the case of the BTC pipeline, a US\$3.6 billion project built by the BTC Company (a BP-led consortium) which currently transports around one percent of global oil production, a very conscious approach was made to address social and environmental issues in the interest of making a complex project proceed

as smoothly as possible. The project came at a time when BP, under the stewardship of John Browne, was making a concerted effort to improve the company's environmental and social credentials (during the 1990s the company received significant criticism for issues ranging from human rights violations in Colombia to oil and other pollutant spills in Alaska).

The pipeline also required significant external financing, which the International Finance Corporation (IFC) – the World Bank's private sector arm – and the European Bank for Reconstruction and Development (EBRD) assisted in both providing and marshalling. BTC Co., conscious of the need to secure multilateral support and lending for the project and wanting 'to set the bar' for such projects, allocated significant resources and energy towards social and environmental impact assessments, local investment programs and consultation exercises with stakeholders.

Despite these efforts, the pipeline's construction was mired in controversy. This related to several key issues. Firstly, there were the high-profile concerns of environmental non-governmental organisations (concerns that resonated globally, right up to the highest levels within the World Bank Group and beyond). In particular, NGOs focused upon issues such as the pipeline's routing and the impact that construction would have upon local populations. Secondly, problems emerged with villagers living in close proximity to the route, who found themselves in conflict with one another and others over issues pertaining to land compensation and access rights. In tackling these examples of conflict around the pipeline, conflict mitigation procedures succeeded insofar as the project proceeded with alacrity, however they failed in a larger way to ensure the protection and representation of many critical interests.

The pipeline between Myanmar and Ratchaburi involved both a similar set of actors, with some similar methods deployed by the companies involved, albeit in a much more limited way. However, a more critical distinction between BTC and the Myanmar-Thailand pipe was the strong presence of both the Thai and Burmese states in the project (in tandem with international hydrocarbon companies) and the absence of multilateral actors such as the IFC and the EBRD. Crucially, the pipeline constituted an important bilateral conduit between energy-hungry Thailand and the military-ruled Myanmar, with both states driven to secure the connection in partnership with private companies.

In this second case, critical environmental and human rights issues emerged in relation to the construction of the pipeline. The French company Total, which received significant criticism for working with the brutal regime in Myanmar, justified its involvement in the project by arguing that it was an unfortunate reality that many of the world's energy resources are not to be found in democracies. It has made much of its social investment projects and consultation efforts with stakeholders in Myanmar. This said, many villagers living in the vicinity of the pipeline

asserted that the Burmese military's involvement in securing the pipeline construction area introduced conflict into areas where it had not been present previously. Further to this, many NGOs argued that environmental concerns were less than adequately dealt with.

Both cases raise critical issues about the purpose of particular methods deployed in such projects, especially when they operate in the context of marginalised communities where stakeholders are information- and resource-poor, easily subjected to state and private pressure and where meaningful transparency and accountability mechanisms are often non-existent. To be sure, despite the failings of such approaches, if such projects are to proceed at all it is preferable for conflict mitigation processes to accompany them. However, both of the above cases suggest that for conflict mitigation exercises to be seen as more than a prerequisite required to attract particular financing, embellish corporate reputation, and to guarantee the smooth progress of a project, more conciliatory approaches would need to be introduced. This would require powerful parties in a given project to make significant concessions. The incentives for developing such an approach, especially in closed environments such as that of Myanmar, are far from self-evident. Indeed, both cases demonstrate that the political environment in which particular projects unfold heavily conditions the nature of the conflict mitigation methods deployed. This said, some limited potential exists for deeper conflict mitigation processes to be tied to multilateral and bilateral financing instruments.

15:40-16:00 "Stakeholder Dynamics - Coal Conversion Projects in China" by Mr. Jon Jin

Thanks to decades of continuous economic growth, China is facing constraint of energy and oil based feedstock supply. Holding the second largest coal reserve in the world, the country is looking into various alternatives to utilise this traditional type of energy resource.

Coal conversion technology becomes more economically attractive because of the current oil price inflation. On the other hand, the large number of proposed coal conversion projects causes various issues in China.

Such a project would involve complicated stakeholder issues. Among the key elements of managing the stakeholder issues in China are partnering strategy and resource management.