



Affected Community Members Protest the Murum Dam
in Sarawak, Malaysia.

Fight Back Against Greenwash

HOW TO ENGAGE WITH THE HYDROPOWER SUSTAINABILITY ASSESSMENT PROTOCOL (HSAP)

The International Hydropower Association (IHA)'s voluntary auditing tool, the HSAP, is currently being used by at least 13 dam builders across the world, and many more are being trained on how to use it. Yet, serious flaws make HSAP assessments a biased tool. It does not require or oblige the dam builder to correct failures, identify weaknesses in its policies, or improve its approach to dam-building. At worst, it could be used to greenwash dams as sustainable despite existing evidence to the contrary.

This guide is intended to both inform and advise civil society organizations, dam-affected communities, and corporate accountability activists on how to call out HSAP greenwashing. The guide is designed to walk you through reading an HSAP assessment so that you understand the scoring system,

know what to look out for, and can effectively take action. To read more about the shortcomings of the HSAP, visit: <http://www.internationalrivers.org/node/2299>.



WHAT IS AN HSAP ASSESSMENT?

The official purpose of an HSAP assessment is to quantify the sustainability of a particular dam. There are four different assessment templates that follow stages of a dam's life cycle (see Figure 1). Each assessment contains a number of sustainability topics relevant to the project stage. For each topic, the HSAP scoring system is used to rate the project's compliance to specific criteria.

Since there is no required assessment time-period, project assessors can write an assessment in as little as five days or less, insufficient to gather a large body of evidence or to assure the participation of affected communities.

WHAT IS A "SUSTAINABILITY PARTNER"?

A "Sustainability Partner" is a company in the dam-building industry that has paid the IHA £65,000 to enter a 3-year engagement that includes completing an HSAP training with the IHA and having an accredited assessor write both an unofficial and an official assessment – not necessarily on the same project. The terms and conditions for unofficial and official assessments are different (see Figure 2, next page).

Becoming a "Sustainability Partner" is a voluntary commitment that risks serving more as a public relations campaign for the dam builder than a mechanism to actually improve its sustainability outcomes. Many of the Partners are members of the IHA or have representatives on the IHA Board. Some of the Partners have records of violating human rights and causing severe environmental impacts in their dam projects.

See which dam builders have committed to using the HSAP by visiting the following link: <http://www.hydrosustainability.org/Programmes/Sustainability-Partners/List-of-Sustainability-Partners.aspx>

WHO ARE ACCREDITED HSAP ASSESSORS?

The IHA controls accreditation by selecting assessors with previous experience related to the dam industry, especially certification in auditing and experience in hydro engineering or environmental/social impacts. Accredited assessors receive training on how to do an HSAP assessment from the IHA; they are invited as experts to participate in at least two HSAP assessments and complete a course designed by the IHA. The IHA is building a group of accredited assessors to serve as HSAP experts in both unofficial and official assessments.

FIGURE 1: THE HSAP ASSESSMENT PROCESS

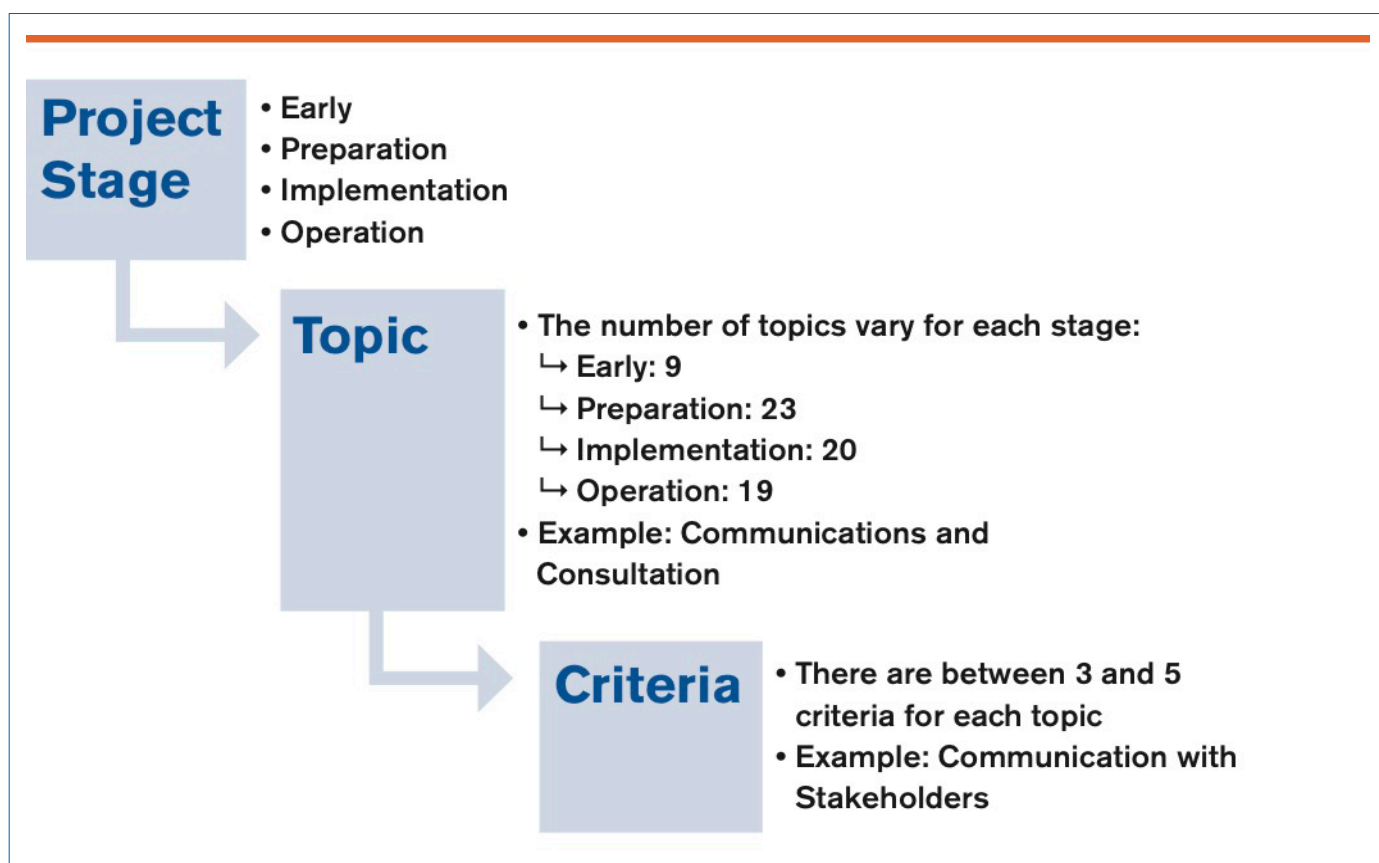


FIGURE 2: UNOFFICIAL VS. OFFICIAL ASSESSMENTS

UNOFFICIAL ASSESSMENTS	OFFICIAL ASSESSMENTS
Not necessarily written by an accredited assessor	Only written by an accredited assessor
No requirement to be made publicly available	Must be published on the websites of both the HSAP and the project developer
No requirement to involve the project sponsor	Involves the organization responsible for project (dam builder) and approval of the project sponsor
Anyone not affiliated with the project can conduct one, including civil society and project-affected communities	A 60-day comment period directly follows publication – however, the assessor is not obliged to respond to comments
Purpose is to inform dialogue, guide business, or as an in-house assessment by a project owner who is not a Sustainability Partner	Purpose is to provide a sustainability score profile for the project

HOW HSAP ASSESSMENT SCORING WORKS

As illustrated in Figure 3 below, there are three to five criteria within each topic for assessing a dam with HSAP. The assessor scores the dam quantitatively on a scale of 1 to 5 for each criterion (see Figure 3), starting at a score of 3 (the IHA's definition of basic good practice). However, starting at a score of 3 is the most concerning aspect of the scoring process. By assuming that the project will meet "basic good practice", the HSAP creates an easy opportunity to greenwash the dam as sustainable.

In the assessment document, each criteria evaluation includes a description about why the dam did or did not meet the criteria. At the end of this section, there is a box titled "Evaluation of Significant Gaps" which reviews the total topic score. Yet, how this is calculated can be unclear. Each "significant gap" ought to represent one point, though in

practice this can be manipulated by the assessor.

While the scoring methodology of HSAP assessments can be complex and inconsistent, having an understanding of how it works will help you call out scoring discrepancies and manipulation as greenwash. This will be important for leveraging your case against dam builders. Figure 4 (below) illustrates the scoring process.

You may be wondering, "Is the dam given a final total score?" The answer is No. The project does not get an overall score. Instead, the results for each topic are displayed in a spider graph.

Regardless of the scores, the dam builder or Sustainability Partner uses the HSAP Assessment as a way to claim a sustainable project.

FIGURE 3: THE HSAP SCORING SYSTEM

1	<i>Significant gaps relative to basic good practice</i> Lowest score – Given if project did not meet any of criteria for a score of 3
2	<i>Most relevant elements of basic good practice have been met, but there is a significant gap</i> Score is given if project did not meet all of the criteria for a score of 3
3	<i>Basic good practice (Starting point for scoring)</i> Perceived by the IHA as the "average" score – sufficient for a sustainable project If all criteria are met, the assessor moves up to a score of 5 and deducts points from there
4	<i>All relevant elements of basic good practice have been undertaken and in one or more cases exceeded, but there are one or more significant gaps in requirements for proven best practice</i> Given if project did not meet all the criteria for a score of 5
5	<i>Proven best practice</i> Highest score – Given if all criteria are met

What is missing from the scope of the HSAP?

Some areas of social and environmental best practices are not well covered by the HSAP, such as the following:

Cumulative Impacts and a Basin-Wide Approach

- The HSAP does not account for a dam's cumulative impacts on biodiversity and ecology overtime
- The HSAP does not evaluate how the dam will affect the entire river basin and watershed, including the dam's and in relation to other projects in a river basin

Environmental flows

- The HSAP does not require an environmental flows assessment and management plan

Human Rights

- Expectations that dam builders uphold national and international human rights law are not required as basic good practice

Free, Prior and Informed Consent (FPIC)

- Obtaining FPIC is considered a score of 5 (proven best practice) but not a core of 3 (basic good practice). Dam builders that do not obtain the FPIC of affected indigenous people are not meeting basic good practice.

Women and Gender

- There are no specific criteria for assessing impacts to women and gender equality



Ethnic villagers who would be affected by the Salween dams joined the International Day of Action Against Dams and for Rivers on the Thai-Burma border.

COMMON PROBLEMS IN AN HSAP AUDIT

Poor Evidence Base. Visual, documentary and verbal evidence is not made publicly available and there is no mechanism for accessing this information. In the topic evaluations, there are no references to specific evidence – only a description of the evidence is listed in an appendix.

What to look for:

- Lack of documented evidence supporting specific criteria
- A high score despite criteria not being met or inaccurate point deduction

Lack of Community Participation. Assessors meet with as few as one affected community. No evidence exists of contact with relevant community organizations. Civil society is not asked to participate as assessment observers.

What to look for:

- How scores are obtained for these topics: “Communications and Consultation”, “Project Benefits”, “Project Affected Communities and Livelihoods”, “Resettlement”, “Indigenous Peoples”, “Labor and Working Conditions”, “Cultural Heritage” and/or “Public Health”
- Criteria explanations that indicate a lack of community participation and engagement
- Selection of community organizations/representatives referenced in the evidence appendices

Qualitative Information is Ignored. Only two outcomes exist when scoring criteria: “yes” or “no.” This binary system quantifies important qualitative concerns. It simplifies complex social and environmental issues that would be better accounted for if abiding by international human rights covenants and standards.

What to look for:

- Content that is missing (see box on previous page)
- Positive scores for criteria that are only partially met

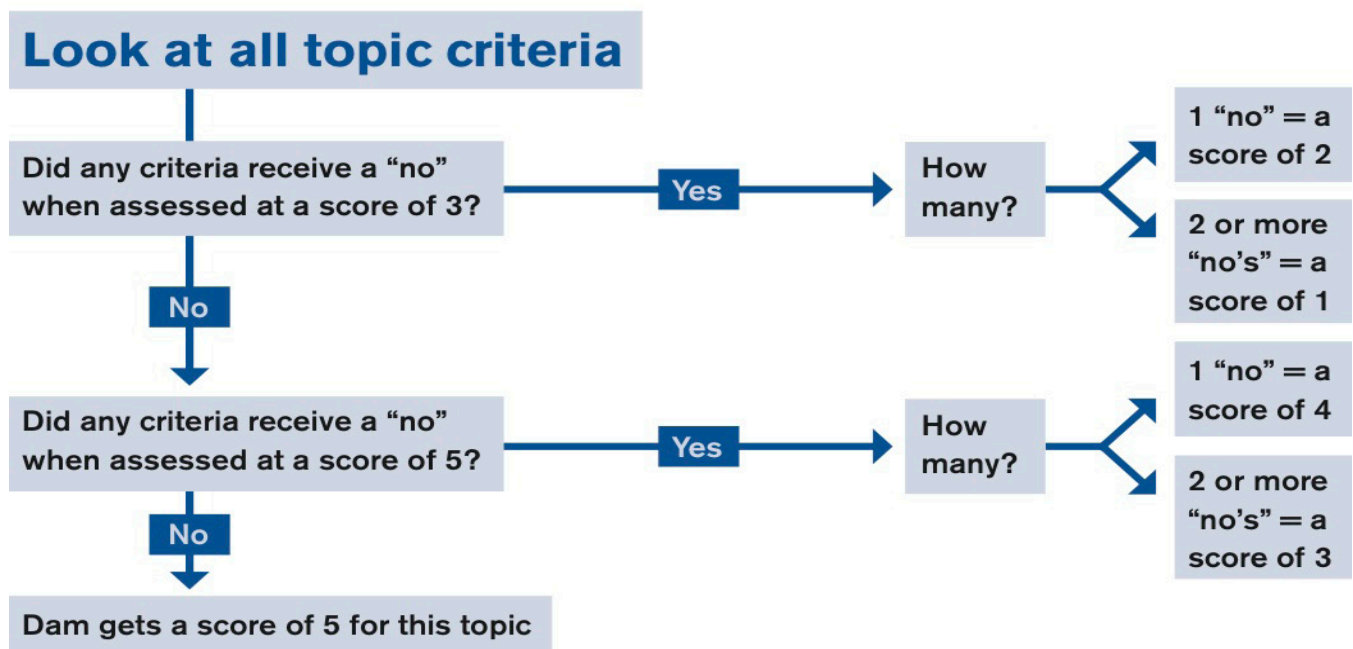
Scoring is Highly Subjective. Project assessors are selected and trained by the IHA and there is no independent oversight to assure that assessment scores are accurate and independent of industry influence. Dams are assumed to meet “good practice” or “best practice.” An unbiased system would not make any assumptions, but would just start from the evidence and reward points based on the project’s actual performance.

There is no clear formula for how many points are deducted if the dam was assessed at both “basic good practice” and “proven best practice” within one topic.

What to look out for:

- High scores for topics in which some criteria were not met or are not even scored
- Manipulation of the scoring system

FIGURE 4: HOW HSAP CRITERIA RECEIVE A SCORE



The Hvammur Dam Unofficial Assessment

To understand more clearly how the HSAP scoring system is flawed in practice, let's look at the 2012 unofficial HSAP assessment of the Hvammur Dam in Iceland.

Landsvirkjun is the Sustainability Partner and owner of the 82MW Hvammur dam, located on the Thjórsá River in Iceland. The dam was assessed in May 2012 in just two days using the HSAP Preparation Stage tool. Let's examine the how assessor scored two out of the 23 topics in the Preparation Stage to illustrate the confusing and inconsistent scoring system.

"Communications and Consultation" was the lowest scoring topic in the assessment, receiving a score of 2. Yet, this topic should have scored even lower than it did. As you can see below, the dam did not meet the requirements for a score of 3 in either the "assessment" or "management" criteria. While this should have resulted in a deduction of two points, only one point was deducted from "basic good practice" in the final score.

Scoring at level 3: basic good practice		Scoring at level 5: proven best practice	
Criterion	Meets a score of 3	Criterion	Meets a score of 5
Assessment	No	Stakeholder Engagement	No
Management	No	Conformance Compliance	No
Stakeholder Engagement	Yes		
Conformance Compliance	Yes		

This example also illustrates how the scoring system is subjective and easily manipulated. In the table above, two criteria – "Stakeholder Engagement" and "Conformance Compliance" – met the score of 3, so they were then assessed at a score of 5. Therefore, within one topic, the Hvammur dam was assessed at more than one level. So, how is a topic scored if the criteria are evaluated at multiple scoring levels?

In this complicated but frequent scenario, there is no clear methodology to determine the final score after all significant gaps have been counted. As the Hvammur Dam assessment shows, the total number of significant gaps is not reflected by the final topic score.

On the topic of "Public Health", the Hvammur dam received a score of 5, even though in all four criteria it did not meet "proven best practice". No information was provided to explain why the dam received a score higher than the number of "no's" indicates. In addition, four points should have been deducted from a score of 5 because they represented significant gaps, yet no points were deducted at all.

Scoring at level 3: basic good practice		Scoring at level 5: proven best practice	
Criterion	Meets a score of 3	Criterion	Meets a score of 5
Assessment	Yes	Assessment	No
Management	Yes	Management	No
Stakeholder Engagement	Yes	Stakeholder Engagement	No
Outcomes	Yes	Outcomes	No

What's more, this section of the Hvammur Dam assessment states perplexingly that the two criteria - "management" and "stakeholder engagement" - are not considered relevant to "proven best practice." This is another example of the confusing and ineffective scoring system: even when criteria are considered irrelevant, the dam can still receive the highest score.

The unofficial Hvammur Dam HSAP assessment is available here: <http://www.landsvirkjun.is/Media/pdf/HvammurFinalReport.pdf>

Official HSAP assessments that have been published are located here: <http://www.hydrosustainability.org/Protocol-Assessments.aspx>

HOW DO I INFLUENCE THE PROCESS?

Understanding how the HSAP assessments work puts you at an advantage – you can hold the dam builder and the IHA accountable for greenwash. One way to fight back against greenwash is to engage directly with the appropriate people. Below is advice on how to effectively communicate your problems with the HSAP assessment:

STEP 1:

Read through the assessment: Using this Guide as a reference, look out for scoring flaws, lack of evidence, and missing content.

STEP 2:

Build evidence to support your claim: Before you write a letter criticizing the assessment, be sure to collect your own evidence of the dam's impacts through photos, interviews with stakeholders and affected peoples, and information collected in other impact assessments or reports.

STEP 3:

Determine what your national laws require and which international standards may help you: There may be national laws in your country that have more stringent requirements for social and environmental impacts of infrastructure development and processes for community-level approval. Find out what Ministry or government bureau is in charge of monitoring compensation as well as environmental impacts and who you can contact about violations of national law. Learn which international standards your country is obliged to follow that may counter what is missing in the HSAP.

STEP 4:

Write a letter to the IHA, the dam builder, the dam financier, and the project assessor: If you are reviewing an official assessment, write to the Management Entity – the official body (comprised of IHA directors) that controls the assessment process – during the 60-day comment period. Use the points of criticism described in the “What is missing” and “What to look out for” sections of this Guide to discuss the weaknesses and faults of the assessment. Reference your own evidence to counter the lack thereof or missing content.

STEP 5:

Contact stakeholders – affected communities, civil society organizations, NGOs: The evidence appendices may reference particular people, community representatives and NGOs interviewed for the assessment. Find out their contact information. Ask about their participation during the assessment process – was it fair? Were they satisfied? Determine groups of stakeholders that may be affected by the dam who were not included in the assessment process – inform them of the problems with the assessment.

STEP 6:

Write letters to the editor of national media and letters of appeal to government officials: Use the points of criticism described in the “What is missing” and “What to look out for” sections of this Guide to discuss the weaknesses and faults of the assessment. Explain how greenwashing the dam as sustainable will not mitigate the impacts and will build upon a bad legacy for the dam builder involved. Endorse the recommendations of the World Commission on Dams (WCD) and note that they are supported by affected peoples and civil society, whereas the HSAP is not.

Be sure to follow up with all parties you contacted if you have not heard back within two weeks.

Where do I send my comments?

FOR UNOFFICIAL ASSESSMENTS:

- To the Accredited Assessor used in the assessment: <http://www.hydrosustainability.org/Protocol/Accredited-Assessors/Contact-an-Accredited-Assessor.aspx>
- To the HSAP Governance Committee. Members of the Governance Committee can be viewed here: <http://www.hydrosustainability.org/Governance/Committee.aspx>

FOR OFFICIAL ASSESSMENTS:

- Post on the HSAP website: A 60-day public comment period opens following the publication of each official assessment. Demand your comments be posted to the HSAP website. <http://www.hydrosustainability.org/Protocol-Assessments.aspx>
- To the Management Entity: Send copies of your comments to Executive Director Richard Taylor, Program Director Cameron Ironside, and other staff of the IHA. Contact information is found here: <http://hydropower.org/about-ihc/central-office/index.html>
- To the Accredited Assessor. A list of accredited assessors can be found here: <http://www.hydrosustainability.org/Protocol/Accredited-Assessors/Accredited-assessor-profiles.aspx>
- To the builders and financiers of the dam.

On the next page, a sample letter will give you a few ideas on how to structure your comments.

SAMPLE LETTER TO COMMENT ON AN HSAP ASSESSMENT

«Name of Organization or Community»

«Address»

«Email»

«Dam Builder»

«Name of Person in charge of corporate social responsibility, Director of External Relations, or CEO of Dam Builder» (For Official Assessments, send to Management Entity)

«Address»

«Country»

DATE, YEAR

«Dear Addressee»

We are writing to express concern over the results of the «Unofficial / Official HSAP Assessment» of the «Name of Dam». The assessment does not accurately reflect the breadth of the «Name of Dam»'s social and environmental impacts. Annexed to this letter is evidence we have collected to support our claim.

There are several important issues that were not taken into account in the assessment, including:

- «list social or environmental problem overlooked in the assessment, and reference the evidence you have collected. For example, the environmental impact assessment was not made public; affected communities were not properly consulted / did not grant their free, prior, and informed consent; resettlement and mitigation plans have not been implemented; the dam's cumulative impacts were not assessed.»

[Repeat as necessary] On the topic of «topic», the assessment lacks supporting evidence, and has been scored inaccurately. The stated evidence does not support the claim that the dam builder has met «basic, good practice / proven best practice». Instead, «state your argument about topic issue».

[As appropriate] We understand our rights as promoted by international covenants and protected by national law. The «Name of Law» requires that «statement of rights». These rights have not been respected by «Dam Builder».

The «Name of Dam» clearly does not represent «basic, good practice / proven best practice». We will call international attention to the reality of the social and environmental impacts of the «Name of Dam» and to the poor performance of «Dam Builder» until real improvements are achieved. In the interest of transparency, accountability, social responsibility, and respect, we ask you to halt development of the «Name of Dam» until our concerns have been properly addressed.

Respectfully,

«Name of Organization or Community»

CC:

«Relevant Institutions and Individuals»

JOIN US!

Join International Rivers today and become part of the global movement to protect rivers and rights. Sign up at internationalrivers.org