



MAKING PARTICIPATION COUNT

**A Briefing Paper on Meaningful Community
Engagement in the Energy Transition**

Transparency International's Accountable Mining Programme works across TI's global network to identify and address corruption risks in the mining sector. Since 2016, we have partnered with more than twenty TI national chapters across six continents, collaborating with governments, companies, civil society organisations, and communities to strengthen mining sector governance. Our goal is a sector that is transparent, accountable and participatory and ensures the social and environmental interests of current and future generations are protected.

<http://mining.transparency.org.au>

Cover: View from above of an open-pit copper mine in Chile. Source: Jose Luis Stephens, Shutterstock.

Transparency International Australia acknowledge the Wurundjeri Woi Wurrung people of the Kulin Nation, the Traditional Owners of the land on which our Melbourne office stands. We pay our respects to Elders, past and present.

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Every effort has been made to verify the accuracy of the information contained in this report. All information was believed to be correct as of March 2026. Nevertheless, Transparency International Australia cannot accept responsibility for the consequences of its use for other purposes or in other contexts.

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BACKGROUND

Communities are at the heart of the energy transition and should benefit from mining and infrastructure projects. The mining sector is critical to supplying transition minerals used in clean energy technologies. The infrastructure sector is also critical—renewable energy cannot deliver benefits without the enabling assets that connect projects to grids and markets, including transmission lines, substations, roads, ports, and other infrastructure corridors.¹

In both the mining and infrastructure sectors, local communities are often the first to face challenges and risks and the ones who live with the long-term impacts when projects end, fail, or are poorly governed. When done well, strong community engagement processes can strengthen consensus, improve project design, reduce conflict throughout the project lifecycle, and enhance outcomes and benefits for all stakeholder groups. As the energy transition accelerates, effective and inclusive community consultation and engagement are essential for governments and companies to meet their climate goals and address the challenges it entails.

Recent analysis of the mining sector finds that 43 per cent of 16,810 operating and prospective transition-mineral mines globally are located on or near officially recognised Indigenous or local community lands, highlighting the importance of consultation, participation, benefit-sharing and consent with affected communities.²

In infrastructure, the intersection of land and biodiversity is also significant. A 2025 global assessment of wind and solar farms found that 14.4 per cent of the total project footprint overlaps with sensitive areas, including protected areas and critical habitats.³

This challenge will intensify as more solar and wind energy comes online. The International Energy Agency (IEA) estimates that meeting all national climate and energy goals requires adding or refurbishing over 80 million kilometres of electricity grids by 2040, driving the construction of extensive new corridors and associated land-use negotiations across diverse community contexts.⁴

Taken together, these trends indicate that meaningful community engagement is a core condition for the legitimacy, accountability and fair outcomes from the energy transition, especially where projects intersect with Indigenous and local community lands, livelihoods and biodiversity sensitive sites.⁵

1 Electricity Grids and Secure Energy Transitions: Enhancing the foundations of resilient, sustainable and affordable power systems. (n.d.). Available at: https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/10/electricity-grids-and-secure-energy-transitions_9559dcb0/455dd4fb-en.pdf (Accessed 19 January 2026).

2 Thomson, B. et al (2025) *Community matters: Mining, local engagement and the race for critical energy transition minerals*, S&P Global, available at: <https://www.spglobal.com/sustainable1/en/insights/special-editorial/community-matters-mining-local-engagement-and-the-race-for-critical-energy-transition-minerals> (Accessed 1 November 2025).

3 Wang, Y., Ding, Q., Hao, X., Yang, H., & Qu, Z. (2025). A global assessment of the risks to biodiversity and Indigenous peoples' lands from solar and wind farms. *Geography and Sustainability*, 6(6), 100371. Available at: <https://doi.org/10.1016/j.geosus.2025.100371>

4 International Energy Agency (IEA). (2023). Lack of ambition and attention risks making electricity grids the weak link in clean energy transitions- News. IEA. Available at: <https://www.iea.org/news/lack-of-ambition-and-attention-risks-making-electricity-grids-the-weak-link-in-clean-energy-transitions> (Accessed 19 January 2026).

5 Community engagement for transmission projects – DCCEEW. (2024, July 19). Dcceew.gov.au. Available at: <https://www.dcceew.gov.au/energy/renewable/community-engagement/transmission> (Accessed 19 January 2026).

INTRODUCTION

This Briefing Paper is intended for communities, civil society, government agencies and companies involved in or affected by mining and infrastructure projects, especially those that support the renewable energy transition. **For government agencies and companies**, it provides information on planning and implementing projects transparently and in line with community participation and consent standards. **For communities and civil society**, it outlines ways to engage, monitor, negotiate agreements, and seek remedies.

It aims to promote **rights-based engagement** and effective access to remedy across licensing, Environmental and Social Impact Assessment (ESIA), land access and acquisition, community agreements, operations and closure. It clarifies what to do when consent is required and recognises that Free, Prior and Informed Consent (FPIC) is meaningful only if communities can say “no” or set conditions.⁶ When consent is not obtained, project proponents should be prepared to pause, redesign or consider alternatives, and avoid locking in decisions or significant investment before consent requirements are met.

The Paper explains the importance of clear, plain-language information so that project-impacted people can participate safely, without fear of retaliation, through established access to information and consultation channels. It also outlines pathways for accessing information, including FPIC procedures, participating in and seeking redress through project-level grievance mechanisms, and engaging with regulators and independent bodies, with agreed-upon timeframes and access to public information.

Drawing on [Transparency International's Accountable Mining](#) and [Transparency International Australia's Accountable Infrastructure Programmes](#), this Paper provides practical guidance for engagement with communities across the renewable energy value chain. This includes across upstream activities (exploration, project development, and extraction typically involving the mining sector) and downstream activities (processing, manufacturing, and distribution—typically connected to the development of renewable infrastructure). In doing so, it connects responsible mineral supply with the standards needed for a just transition.

The Paper is structured around six interlinked areas that move from foundational principles to practical risks and safeguards. It first explains why communities are central to the transition and where participation should occur across mining and renewable energy infrastructure projects. It then examines risks that can undermine consultation, especially integrity and corruption risks, before defining what meaningful consultation is, why it matters, and the core principles that should guide it. Building on this, it sets out FPIC as a rights-based standard and the conditions needed for consent to be voluntary, timely and informed. It then addresses inclusion and gender inequality as cross-cutting factors shaping participation, impacts, and accountability, and summarises the international frameworks that underpin access to information, participation, and remedy. The Paper concludes with practical, role-specific recommendations and further resources.

⁶ OHCHR | Consultation and free, prior and informed consent (FPIC). (n.d.). OHCHR. Available at: <https://www.ohchr.org/en/indigenous-peoples/consultation-and-free-prior-and-informed-consent-fpic>

BOX 1. PROJECT STAGES INCLUDED IN THIS PAPER

1. Mining Sector

- **Project studies and permitting:** pre-feasibility and feasibility studies, ESIA, resettlement and livelihood plans, water and tailings plans, and the associated regulatory approvals.
- **Exploration and licensing:** early-stage geological work, prospecting, and applications for exploration and mining licences, including disclosure of licence areas, overlaps with Indigenous and ethnic community lands, and early engagement with affected communities.
- **Land access and acquisition:** negotiation of land access, compensation, resettlement and community development agreements, with clear records of who is affected, and what grievance routes exist.
- **Mine development and construction:** site preparation, civil works, camps, energy and water connections, and contracts that bring large numbers of workers and contractors into the area. At this stage, community safety, labour influx, gender-based risks and complaints handling must be in place.
- **Operations and logistics:** extraction, processing on site, waste and tailings management, water use, local hiring and procurement, and the movement of ore or concentrate along roads, rail or port facilities tied to the project corridor.
- **Closure and post-closure:** mine closure planning, rehabilitation of land and water, handover of infrastructure, and long-term monitoring where communities can see progress, request information and seek remedy if commitments are not met.

2. Renewable Energy Infrastructure⁷

- **Early project planning and policy engagement:** consultation on proposed renewable energy zones, draft policies, and regional strategies, providing information on project scope, potential locations, and early opportunities for community input.
- **Regulatory and approval stages:** engagement during environmental and planning assessments, and development applications, sharing detailed information on potential environmental, social, and visual impacts, and seeking community feedback.
- **Site selection and design:** consultation on proposed site locations, facility layout, and land access, providing information about land use, easements, community benefits, and potential local impacts.
- **Construction and early works:** information sessions and updates on construction timing, traffic, workforce, safety measures, and mitigation of potential community disruptions.
- **Operation and community liaison:** sharing information on operational performance, local employment, community benefit programs, and mechanisms to raise and resolve grievances.

⁷ Community engagement for renewable energy infrastructure – DCCEEW. (2024, July 19). Dcceew.gov.au. Available at: <https://www.dcceew.gov.au/energy/renewable/community-engagement>

COMMUNITY ENGAGEMENT AND PARTICIPATION AT THE CENTRE OF THE ENERGY TRANSITION

Global demand for “critical” or “transition” minerals is surging as wind and solar energy, electricity networks, and electric mobility scale up. Minerals such as lithium, cobalt, rare-earth elements, nickel and copper are essential inputs for batteries, solar panels, wind turbines and the grids that connect them. This demand is expected to grow several-fold by 2040.⁸ This expansion will reshape local realities in resource-rich areas and intensify pressure on land, water and community decision-making.

The energy transition presents both risks and opportunities for the mining and renewable energy infrastructure sectors. As highlighted in previous research reports from [Transparency International's Accountable Mining Programme](#), such as our [Global transition, local transformations](#), and [What does the energy transition mean for the mining sector?](#),⁹ the rapid scale-up of renewables and rising demand for critical minerals are introducing new governance, environmental, human rights and social challenges. They are also compounding existing challenges related to land access, benefit-sharing and accountability.

Large-scale renewable energy infrastructure can require significant land and water, may overlap with Indigenous and other land-connected peoples' territories, and can disrupt livelihoods where consultation is weak, rushed, or not grounded in accessible information.¹⁰ At the same time, where civic space is protected and participation

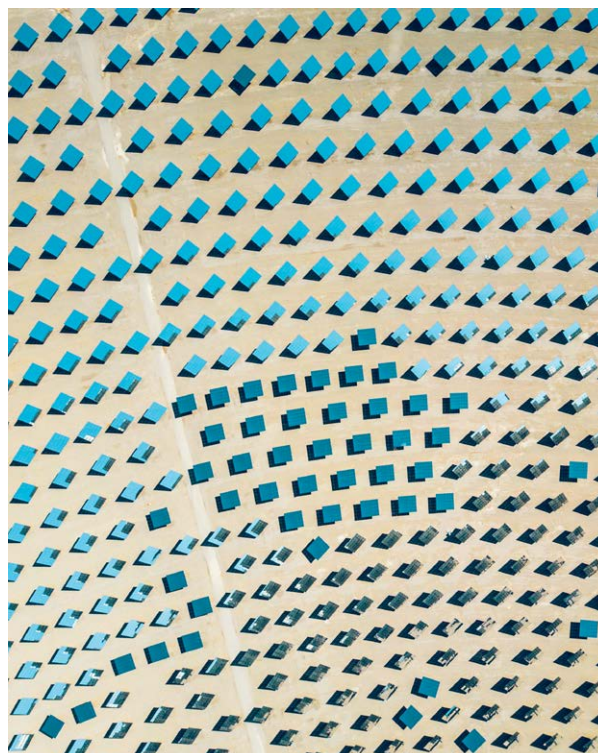


Photo: Aerial view of solar thermal mirrors. Source: Mlenny, Getty Images.

is meaningful, these projects can support locally defined development outcomes and strengthen trust and accountability across the renewable energy value chain.¹¹

8 International Energy Agency (IEA) (2021) The Role of Critical Minerals in Clean Energy Transitions. Paris: IEA (World Energy Outlook Special Report; revised version March 2022). Available at: <https://www.iea.org/reports/the-role-of-critical-minerals-in-clean-energy-transitions> (Accessed: 20 October 2025).

9 Carballo, A.E. et al. (2025) “Global Transition, Local Transformation: Governance Challenges for the Energy Transition at the Sites of Extraction.” Transparency International's Accountable Mining Programme. Available at: https://mining.transparency.org.au/wp-content/uploads/2025/03/TIA_Critical-Minerals-Global-Report_Web_12-March.pdf; Carballo, A.E. and Sahla, S. (2022) “What does the energy transition mean for the mining sector?” Melbourne, Australia: Transparency International's Accountable Mining Programme. Available at: https://transparency.org.au/wp-content/uploads/2024/07/Report_Critical-Minerals_web_compressed.pdf

10 Owen, J.R. et al. (2022) “Energy transition minerals and their intersection with land-connected peoples,” *Nature Sustainability*, 6(2), pp. 203–211. Available at: <https://doi.org/10.1038/s41893-022-00994-6>.

11 Carballo, A. et al (2025) Global transition, local transformations, Transparency International Australia. Available at: <https://mining.transparency.org.au/global-transition-local-transformations/> (Accessed: 20 October 2025).

A just transition requires stronger governance across the entire supply chain, grounded in transparency and accountability. Above all, it depends on genuine and meaningful engagement with local communities to safeguard the social and environmental interests of both current and future generations.¹² This section outlines principles and practical steps that prioritise community participation in decision-making. In particular, it aims to ensure that choices made are transparent, accountable and just.

THE IMPORTANCE OF MEANINGFUL COMMUNITY ENGAGEMENT AND PARTICIPATION

As the UN Secretary General-led Panel on Critical Energy Transition Minerals underscored in its September 2024 report, human rights must be at the core of all mineral value chains.¹³ In this paper, we refer to human rights in practical governance terms: they are realised or undermined through laws, approvals, oversight arrangements, transparency requirements, and access to remedy. This matters for the renewable energy value chain because constraints on civic space, limited access to information, and rushed or procedural consultation processes increase the likelihood of harm, reduces accountability, and limits affected people's ability to influence decisions that shape land use, livelihoods, and benefit-sharing.

This connection of governance rights is critical when projects affect Indigenous Peoples and their lands, territories and resources. International standards recognise Indigenous Peoples as distinct rights-holders with collective rights and set clear expectations for participation and decision-making regarding proposed measures and projects that may affect them. In practice, this requires consultation processes that support informed decision-making through representative institutions, are undertaken in good faith, are undertaken at an early enough stage to influence outcomes, and, where applicable, meet FPIC requirements. It also requires that engagement is



Photo: Zanzibar locals read the paper. Source: Mike_Sheridan, iStock.

adequately resourced and accessible, and that project design, commitments, monitoring arrangements, and grievance mechanisms reflect community priorities and can be scrutinised over time.

At the same time, communities living alongside mining and renewable energy infrastructure projects can benefit from the transition, including improved electricity access, as decentralised solutions (such as renewable mini-grids and stand-alone systems) reach areas underserved by national grids.¹⁴ However, evidence from renewable energy siting and land acquisition processes shows that when participation is weak or rushed, and benefit-sharing arrangements are unclear, communities may bear disproportionate social and environmental impacts. Meanwhile, the

12 International Energy Agency (IEA) (2021) The Role of Critical Minerals in Clean Energy Transitions. Paris: IEA (World Energy Outlook Special Report; revised version March 2022). Available at: <https://www.iea.org/reports/the-role-of-critical-minerals-in-clean-energy-transitions> (Accessed: 20 October 2025).

13 UN Secretary-General's Panel on Critical Energy Transition Minerals, Mxakato-Diseko, N. J., & Jørgensen, D. J. (n.d.). RESOURCING THE ENERGY TRANSITION. Available at: https://www.un.org/sites/un2.un.org/files/report_sg_panel_on_critical_energy_transition_minerals_11_sept_2024.pdf (Accessed: 10 October 2025)

14 International Energy Agency (IEA) (2025) World Energy Outlook 2025: Achieving access for all. Available at: <https://www.iea.org/reports/world-energy-outlook-2025/achieving-access-for-all> (Accessed: 14 January 2026)

main economic benefits tend to go to the ultimate beneficial owner and consumers.¹⁵ Research on wind developments in Kenya¹⁶ and Mexico, and on large-scale solar parks in India, documents how top-down planning and contested land access can trigger local grievances, disputes over the distribution of benefits, and, in some cases, displacement and livelihood disruption.^{17 18}

Evidence from a global mapping further underscores the stakes. S&P Global's analysis of 16,810 operating and prospective energy-transition mineral mines finds that 43% per cent are located on or within 10 kilometres of officially recognised Indigenous and local community lands.¹⁹ This underscores why participation, consultation processes and, where applicable, consent requirements are central for governments and industry. The mining industry has a documented record of social and environmental harms, governance risks, and reprisals against environmental defenders.²⁰ A different path is both possible and necessary, one that minimises risks, shares benefits in line with the idea of justice, and enables communities to participate in decisions that affect them.²¹

In practical terms, meaningful participation starts with early, simple, locally accessible information at people's preferred times and places. Consultation steps should be publicly recorded, including agendas, attendees, feedback, and any changes made. Participation must be safe, with no reprisals, include protections for human rights defenders, and be inclusive of women, people with disabilities, and marginalised groups. Consultation processes should be implemented throughout the project lifecycle, giving communities opportunities to share input and revise expectations. When harm occurs, remedies should be clear and

accessible. Communities should be able to use project-level grievance mechanisms and, where issues are not resolved, escalate them to authorities and other accountability pathways, with transparent response times and clear case reports.



Photo: Huelva Copper Mine – Shutterstock

15 Lind, J., Rogei, D. S., Institute of Development Studies, Sussex University, & Supporting Pastoralism and Agriculture in Recurrent and Protracted Crises Research Programme, Carleton University. (2022). Contestation, conflict, and claims-making around the Lake Turkana Wind Power wind farm, northern Kenya. In *International Journal of Qualitative Methods* (Vol. 21, pp. 1–21) [Journal-article]. Available at: <https://www.diiis.dk/files/media/document/jeremy%20lind%20and%20daniel%20rogei-contestation%20conflict%20and%20claims-making%20around%20the%20lake%20turkana%20wind%20power%20windfarm.pdf> (Accessed: 14 January 2026)

16 Ibid

17 Ramirez, J., & Böhm, S. (2021). Transactional Colonialism in Wind Energy Investments: Energy Injustices against Vulnerable People in the Isthmus of Tehuantepec. *Energy Research and Social Science*, 78, Article 102135. Available at: <https://doi.org/10.1016/j.erss.2021.102135>

18 Stock, R., Triggering resistance: Contesting the injustices of solar park development in India, *Energy Research & Social Science*, Volume 86, 2022, 102464, ISSN 2214-6296. Available at: <https://doi.org/10.1016/j.erss.2021.102464>

19 Thomson, B., Ellis, T. and Boeke Burke, E. (2025) Community matters: Mining, local engagement and the race for critical energy transition minerals. S&P Global Ratings, published 15 September 2025. Available at: <https://www.spglobal.com/sustainable1/en/insights/special-editorial/community-matters-mining-local-engagement-and-the-race-for-critical-energy-transition-minerals> (Accessed: 14 November 2025)

20 Ibid

21 Ibid

BOX 2. CONSULTATION CHECKPOINTS FOR GOVERNMENTS AND COMPANIES DURING LICENSING AND APPROVAL PROCESSES

Early consultation during the licensing or approval phase of mining and infrastructure developments shapes the project that follows. It sets expectations, surfaces local knowledge, and identifies risks before approvals are granted or land is allocated. Done well and in line with local laws, environmental, social, and governance (ESG) standards, and by taking measures to ensure Free, Prior, and Informed Consent (FPIC) where relevant, **consultation processes can strengthen consent, improve project design, and reduce conflict throughout the life of a project.** Key stages for consultation are listed below.

- **Land-use decisions:** Government land-use planning and decisions that determine whether land can be used for mining or renewable energy infrastructure, such as zoning, corridor routing, and site designation for solar PV, wind farms, and transmission lines.
- **ESIA processes and decisions:** Consultations led by companies to gather information, inform communities about potential impacts, and co-design plans to mitigate negative impacts.
- **Community development agreements and compensation decisions:** Consultation during agreement-making on land access, including compensation offers, benefit-sharing commitments, and community development agreements, and how these will be documented and followed up.
- **Indigenous land rights and agreements:** Consultation with Indigenous groups to obtain their FPIC before adopting any measures or starting any project activities that may affect them.

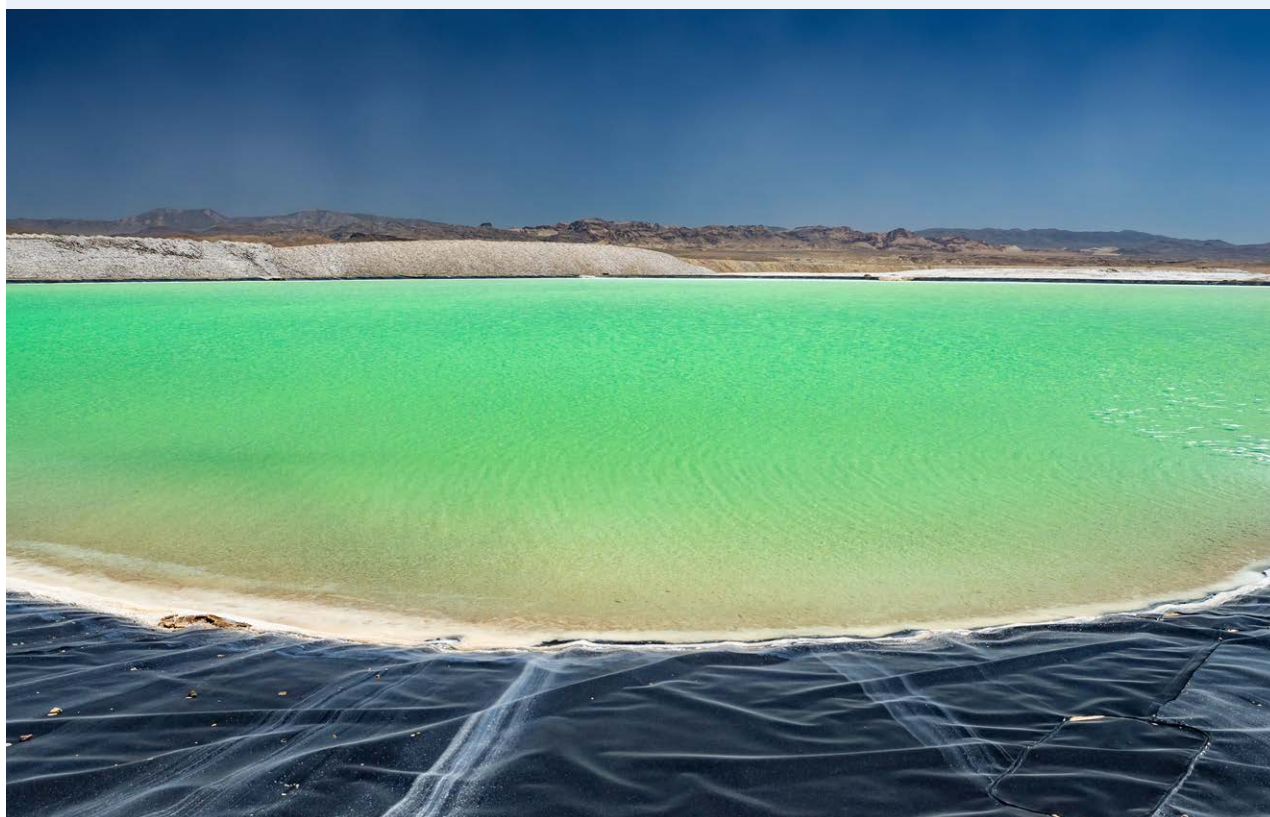


Photo: Lithium evaporation pools, Silver Peak Mine, Nevada, USA – Shutterstock

PRINCIPLES OF COMMUNITY CONSULTATION

A good consultation is never a tick-box exercise. It is a set of practices and principles that help people understand what is planned, improve shared understanding of opportunities and risks and genuinely influence decisions. Effective community consultations improve outcomes for all stakeholders. The principles below translate that idea into day-to-day work for communities, governments, businesses and investors.

- **Transparency:** Consultation and negotiation should be open to affected communities and other stakeholders. Key project documents and decision points (including ESIA, ESMP summaries, maps, timelines and material changes) should be publicly available in usable and accessible formats. Where agreements are made, such as contracts, benefit-sharing commitments, and land access arrangements, disclosure should be the default to enable stakeholders to track obligations over time.²²
- **Place-based and culturally informed:** Consultation must recognise the diversity of communities, including Indigenous Peoples, their governance systems, cultural practices, and worldview to land, sea and water. Information should be timely, relevant, and accessible (including language and format), and processes should be designed to reflect how different groups within the community participate and make decisions.²³
- **Clear process:** A credible consultation process has clear minimum standards for content, timing, participants and methods. Requirements should be publicly accessible and understandable, and the scope of participation and any consent should be clearly defined, including which decisions are open

to influence and how feedback will be considered and responded to.²⁴

- **Early and regular engagement:** Consultation should start early, when project options remain adaptable, and continue through the project lifecycle. Engagement that begins only once designs are finalised, or approvals are imminent, tends to reduce consultation to information-sharing rather than to influence. Early engagement creates space for two-way exchange and for communities to shape risks, impacts, mitigation measures, and benefit-sharing expectations, improving potential outcomes for all stakeholders.²⁵
- **Continuous and documented participation:** Community engagement is not a single event. It should run throughout the project cycle and use multiple formats (for example, small-group discussions, open hearings, public forums, surveys) across multiple locations so that everyone can access and participate in ways that suit them. Participation should be documented and visible at key decision points (especially licensing and approvals), including records of what was raised and what changed. Where project plans change in material ways, engagement and any prior understandings should be revisited with affected people.²⁶
- **Informed consent and FPIC:** When consultation is early, continuous, and practical, communities are better able to understand what is proposed and its implications for land, water, and livelihoods, and to express views on an informed basis. For Indigenous Peoples, FPIC sets the standard for clear information, time to deliberate, culturally appropriate decision-making, and freedom from pressure. These standards also provide a useful model for engagement with other communities.²⁷

22 OECD (2023) OECD Guidelines for Multinational Enterprises on Responsible Business Conduct. Paris: OECD Publishing. Available at: https://www.oecd.org/content/dam/oecd/en/publications/reports/2023/06/oecd-guidelines-for-multinational-enterprises-on-responsible-business-conduct_a0b49990/81f92357-en.pdf

23 OECD (2017) OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector. Paris: OECD Publishing. Available at: https://www.oecd.org/en/publications/oecd-due-diligence-guidance-for-meaningful-stakeholder-engagement-in-the-extractive-sector_9789264252462-en.html

24 World Bank (2018) ESF Guidance Note 10: Stakeholder Engagement and Information Disclosure. World Bank Environmental and Social Framework. Available at: <https://thedocs.worldbank.org/en/doc/837721522762050108-0290022018/original/ESFFramework.pdf#page=111&zoom=80>

25 Ibid

26 Ibid

27 World Bank (2018) ESF Guidance Note 7: Indigenous Peoples/Sub-Saharan African Historically Underserved Traditional Local Communities. World Bank Environmental and Social Framework. Available at: <https://thedocs.worldbank.org/en/doc/837721522762050108-0290022018/original/ESFFramework.pdf#page=111&zoom=80> (Accessed: 20 January 2026)

- **Inclusive:** Consultation must be designed so women and other marginalised groups, including youth, the elderly, people with disabilities and economically disadvantaged people, can participate safely and influence outcomes. This includes removing practical barriers to participation (such as timing, transport and childcare), providing information in accessible formats and appropriate languages, and ensuring that consultation processes do not default to male-dominated and privileged leadership structures.

Evidence from Transparency International Australia's Accountable Mining Programme shows that women's views and needs are often not adequately considered in mining consultations, despite gender-differentiated impacts. Strengthening women's voice and agency improves accountability and can reduce corruption risks in decision-making. Participation data should be collected, documented with consideration to confidentiality and safety, publicly reported. Deidentified, published participation data should be disaggregated for gender, age, disability, ethnicity and other relevant social inclusion parameters.²⁸

WHAT MAKES GOOD COMMUNITY CONSULTATION

The principles in this section provide a practical standard for planning, approvals, and the implementation of consultation processes. By implementing these principles, community consultation and engagement processes can:

- provide opportunities for affected communities to express their endorsement or opposition to the project and, if endorsed, make relevant contributions and give input into the design of the project;

- manage community expectations about mining and renewable energy infrastructure projects and community agreements, which helps to build trust between communities, governments, and companies;
- offer an opportunity to document the different impacts of the project on women and men, and to create a platform for co-developing practical mitigation strategies;
- improve coordination and integration among stakeholders such that individual stakeholders' roles and rights are clearly defined; and
- design appropriate communications, consultation and remediation mechanisms that ensure women, men and young people can freely express their opinions and that are responsive to stakeholders' questions, needs, grievances, and concerns.

To achieve this effectively, platforms for engagement and dialogue that foster mutual respect and trust must be designed, along with support systems and transparent follow-through and feedback processes. There must also be robust communication channels that provide clear, accurate information accessible to women and men of varying capacities.²⁹

28 Fallon, A. (2021). Advancing Gender Equality to Combat Corruption in Mining: Stories from Transparency International's work supporting women to demand a more accountable mining sector. Transparency International Australia, Accountable Mining Programme. Available at: <https://mining.transparency.org.au/publications/advancing-gender-equality-to-combat-corruption-in-mining/>

29 Erdiaw-Kwasie, M.O. and Caripis, L. (2021) "Stronger Community Voices: Addressing Corruption Risks in Community Consultation in Mining." Transparency International Australia. Available at: https://mining.transparency.org.au/wp-content/uploads/2021/04/TIA_CommunityConsultationBriefingPaper_vF_web.pdf

RISKS IN COMMUNITY CONSULTATION PROCESSES

In the rush to secure the minerals and infrastructure required to meet climate and renewable energy commitments, governments, industry and communities are under growing pressure to move faster, often simultaneously. Policy settings are increasingly oriented toward acceleration, including fiscal incentives, critical minerals strategies and streamlined permitting and environmental review processes across multiple jurisdictions.³⁰

In response to these pressures, many governments are introducing streamlining and “fast-track” mechanisms to shorten approval timeframes for strategic energy and renewable infrastructure projects.³¹ This can narrow the practical space for due diligence and meaningful community participation unless transparency and consultation safeguards are maintained.

However, when “speed” is pursued by shortening or relaxing procedural steps, the practical space for due diligence, ESIA quality assurance and meaningful community participation can narrow, particularly where consultation depends on the disclosure of key documents, opportunities to deliberate, and independent oversight. Where regulatory capacity is already stretched, rapid policy shifts and investment surges can also heighten integrity vulnerabilities in licensing and land access.³²

Recent evidence also indicates that when accountability and meaningful participation are weakened, particularly when FPIC requirements are not respected, the likelihood of community conflict, litigation, and project disruption increases, with implications for costs, timelines, and social acceptance.³³ Conversely, robust engagement processes, transparent disclosure of project information and commitments, and credible grievance mechanisms are associated with lower-conflict risk and more predictable delivery, supporting projects to proceed on fairer and more stable terms.³⁴

The global demand for minerals used in renewable energy technologies is a key driver behind this policy shift. The IEA’s Critical Minerals Policy Tracker illustrates the scale and pace of change: since its launch in November 2022, the tracker has expanded from 25 countries and 200 policies, to over 35 countries and more than 450 policies, including growing attention to measures aimed at reducing environmental, social and governance impacts across critical mineral supply chains.³⁵

30 International Energy Agency (IEA) (2025) Critical Minerals Policy Tracker- Data Tools. Last updated 21 May 2025. Available at: <https://www.iea.org/data-and-statistics/data-tools/critical-minerals-policy-tracker> (Accessed: 19 January 2026)

31 Supreme Court of the Philippines (2025) SC Upholds EO on Energy Project Approval; Denies Environmental Protection Order. 15 April 2025. Available at: <https://sc.judiciary.gov.ph/sc-upholds-eo-on-energy-project-approval-denies-environmental-protection-order/> (Accessed: 20 January 2026)

32 UN Secretary-General’s Panel on Critical Energy Transition Minerals (2024) Resourcing the Energy Transition - Principles to Guide Critical Energy Transition Minerals Towards Equity and Justice. Available at: https://www.un.org/sites/un2.un.org/files/report_sg_panel_on_critical_energy_transition_minerals_11_sept_2024.pdf.

33 Thomson, B., Ellis, T. and Boeke Burke, E. (2025) Community matters: Mining, local engagement and the race for critical energy transition minerals. S&P Global Ratings, published 15 September 2025. Available at: <https://www.spglobal.com/sustainable1/en/insights/special-editorial/community-matters-mining-local-engagement-and-the-race-for-critical-energy-transition-minerals> (Accessed: 14 November 2025)

34 Office of the High Commissioner for Human Rights (OHCHR) (2011) Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework. Available at: https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf (Accessed: 20 January 2026).

35 International Energy Agency (IEA) (2025) Critical Minerals Policy Tracker – Data Tools. Last updated 21 May 2025. Available at: <https://www.iea.org/data-and-statistics/data-tools/critical-minerals-policy-tracker> (Accessed: 20 January 2026).

BOX 3. FAST-TRACKING APPROVALS: POLICY EXAMPLE FOR STRATEGIC PROJECTS

In 2017, the Philippine Government issued Executive Order (EO) No. 30 to streamline approvals for designated Energy Projects of National Significance (EPNS).³⁶ The reform created a central coordinating body, the Energy Investment Coordinating Council (EICC), and introduced standard processing rules intended to reduce delays caused by sequential permitting across agencies. In practice, the EO emphasises (i) parallel processing of permits through a “presumption of prior approval”, (ii) fixed timeframes for agencies to act on complete applications (commonly 30 working days), and (iii) automatic approval where the deadline lapses without action.

In April 2025, the Supreme Court upheld the EO 30³⁷ implementing guidelines and clarified that the “presumption of prior approval” is **not a licence to skip safeguards; it is intended to allow permits to be processed simultaneously rather than in strict sequence**. The Court also indicated that the guidelines operate as minimum procedural standards and do not displace other applicable legal requirements.

Where approval timelines are compressed, the practical space for early disclosure, ESIA consultation, independent review, and community deliberation can narrow, especially in projects located on or near community lands, and particularly within Indigenous Peoples’ ancestral domains. In the Philippines, the Indigenous Peoples’ Rights Act requires a “certification precondition” based on FPIC before government agencies grant concessions, leases or similar authorisations affecting ancestral domains. The core risk is that fixed administrative clocks can collide with the time communities need to understand information, seek advice, deliberate internally, and apply community-defined protocols, turning consultation into a procedural step rather than a meaningful process.

Where expedited approvals are used, agencies and proponents should disclose plain-language information early (maps, impacts, decision points, timelines) and keep an auditable public record of commitments and changes; align permitting schedules with consultation and FPIC requirements, including realistic time for community decision-making; and retain integrity safeguards (documented reasons for decisions, conflict-of-interest controls, and clear escalation and complaint pathways) so that “speed” does not replace due process.

Fast-tracking is a tool, not an end in itself. Where governments compress approval timelines for renewable energy, transmission or critical-minerals projects, they should do so alongside minimum safeguards that protect participation and integrity: early disclosure in plain language (including maps, impacts, options and decision points); realistic consultation schedules that reflect community availability and where relevant FPIC protocols; a public record showing who was consulted, what was raised, and what changed; and documented conflict-of-interest controls and escalation pathways so that discretion does not displace due process.

36 Executive Order No. 30. (2017). Lawphil.net. Available at: https://lawphil.net/executive/execord/EO2017/EO_30_2017.html (Accessed: 10 October 2025)

37 Supreme Court of the Philippines (2025) SC Upholds EO on Energy Project Approval; Denies Environmental Protection Order. 15 April 2025. Available at: <https://sc.judiciary.gov.ph/sc-upholds-EO-on-energy-project-approval-denies-environmental-protection-order/> (Accessed: 10 October 2025)

CORRUPTION RISKS DURING COMMUNITY CONSULTATION

Corruption risks in consultation processes increase when transparency, accountability, and gender-inclusive participation are weak. When these basics are missing, consultation loses credibility and decisions lack social licence. The problem is often worse where governments fast-track major projects, further eroding safeguards in resource communities. Without transparent decision-making and inclusive oversight, processes such as land acquisition, compensation, and contract awards become vulnerable to manipulation and misuse.

In this Paper, corruption is the abuse of entrusted power for private gain, recognising that risks can arise across the approvals ecosystem and are not limited to public officials. In community consultation, corruption and manipulation can take practical forms that directly distort participation and outcomes. These include influencing consultation or FPIC processes through gifts or benefits to selected representatives; avoiding consultation obligations through bribery or weak enforcement; relying on fraudulently obtained “signatures” or deliberately misleading information to demonstrate community support; and providing information in ways people cannot use (for example, technical language, large volumes of paper, or foreign language), sometimes described as “zombie transparency”. Consultation can also be carried out in bad faith through late notice, inaccessible venues, tokenistic engagement, or falsified participation records.

A recent TI Australia case study from Indonesia³⁸ illustrates how these risks can arise in a fast-moving transition-mineral context. The study notes that public participation in critical decision-making around land acquisition and industrial development remains minimal. It reports that community organisers who raise concerns about environmental degradation or land seizures have faced criminalisation and repression by police and security forces. It also records widespread community concerns around the Indonesia Weda Bay Industrial Park (IWIP),

BOX 4. SIGNS OF CORRUPTION IN COMMUNITY CONSULTATION

Corruption in community consultation is more likely to occur when:

- consultation and agreement-making occur only with local elites in opaque and non-transparent ways, excluding women and men of the affected community from participating;
- accountability is weak because the rules and requirements for consultation are unclear;
- transparency is low because critical information about project plans and impacts is unavailable or not provided in accessible forms;
- agreements between communities and the company are not available to community members, limiting oversight and the ability to hold companies and leaders to account.

including reports of shortcomings in consultation, police accompanying company staff during land negotiations, and unfair compensation.

These risks are relevant across the energy transition value chain, where consultation is manipulated or treated as a procedural formality, communities have fewer opportunities to access information, participate safely, and influence project design, mitigation measures, and agreements.

³⁸ Transparency International Australia, Smelters and Strategic Parks: China's role in Indonesia's nickel value chain (Indonesia case study). Available at: https://mining.transparency.org.au/wp-content/uploads/2025/10/TIA_Indonesia_Case_Study_202510_ENG.pdf

FREE, PRIOR, AND INFORMED CONSENT

Free, Prior and Informed Consent (FPIC) is the right of Indigenous peoples and ethnic communities to provide or withhold consent in relation to projects that will affect their lives, as established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the International Labour Organization (ILO) Convention.³⁹ FPIC should be recognised and upheld as a continuous process throughout the full project lifecycle, from early planning and licensing through implementation, monitoring, and closure, rather than treated as a one-off consultation step.

Governments have a duty to ensure that Indigenous and First Nations Peoples have access to accurate, relevant, and meaningful information about the potential environmental and social impacts of mining and infrastructure projects that will affect them. People affected across critical energy-transition mineral value chains and linked renewable energy infrastructure, including Indigenous Peoples and ethnic communities, need timely, usable information before decisions are taken or work begins, and engagement must be free of pressure or manipulation.⁴⁰

For Indigenous Peoples, consent can be determined through their own laws, institutions and procedures. FPIC only works when all groups, women and men, can participate fully in decision-making.⁴¹ Conducting a FPIC consultation and engaging early are crucial in addressing the often unequal power dynamics between major project proponents and Indigenous Peoples, as well as ethnic communities.⁴² FPIC goes beyond simply receiving communication from the government or a company and obtaining community

signatures—it involves practical, equitable, and meaningful participation that upholds the right to self-determined choices, including the pursuit of social, cultural, and economic development on community-defined terms.⁴³

Although FPIC is well established in extractive contexts, it is equally relevant to renewable-energy projects, especially large-scale developments on Indigenous or community lands. Applying FPIC to renewable infrastructure helps ensure that climate action does not come at the expense of community rights.



Photo: Indigenous communities of the Salinas Grandes protest against lithium mining on their territory. Credit: Felix Malte Dorn, Shutterstock.

39 Caripis, L. (2021) *Three Government Actions for Meaningful Community Engagement and Effective ESIs in Mining*, Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development. Available at: <https://www.igfmining.org/government-actions-community-engagement-effective-esias/> (Accessed: May 13, 2025).

40 Erdiaw-Kwasie, M.O. and Caripis, L. (2021) "Stronger Community Voices: Addressing Corruption Risks in Community Consultation in Mining." Transparency International Australia. Available at: https://mining.transparency.org.au/wp-content/uploads/2021/04/TIA_CommunityConsultationBriefingPaper_vF_web.pdf.

41 Ibid

42 Australian Council of Superannuation Investors (2021) "Company Engagement with First Nations People: A research report on the relationships between companies and First Nations people." Available at: <https://acsi.org.au/wp-content/uploads/2021/12/Company-Engagement-with-First-Nations-People.Dec21final.pdf>.

43 Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) (2020) *AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research*. Available at: <https://aiatsis.gov.au/sites/default/files/2022-02/aiatsis-code-ethics-jan22.pdf>.

BOX 5. FPIC AND MEANINGFUL PARTICIPATION IN MINING AND RENEWABLE ENERGY INFRASTRUCTURE PROJECTS

As transition mineral and renewable energy projects expand and develop, a fair process is non-negotiable. FPIC anchors decisions when Indigenous Peoples are affected; its core steps include providing clear information, allowing sufficient time for consideration, and making decisions without pressure, which are good practices for all affected communities.

Prior to initiating engagement with the communities, companies are required to:

- publish and communicate an early information pack with clear summaries, maps, timelines, translations if needed, and a single public timeline for mine and linked infrastructure;
- include cultural-heritage standards in board papers and term sheets. Make “no harm to cultural heritage” a condition for finance and procurement. In Australia, the Dhawura Ngilan Business and Investor Initiative has provided clear guidelines on this issue.⁴⁴

During engagement, make inclusive and genuine participation count:

- adhere to FPIC principles where applicable and review indigenous and ethnic laws applicable in the country; acknowledge that consent may be withheld or conditioned; reassess consent if the scope or location changes;
- use accessible formats like small groups, open hearings, surveys, and coordinate around care and seasonal work; offer independent facilitation where trust is low;
- protect civic space through a no-reprisal policy; permit private submissions for sensitive issues;
- align project commitments with community-defined territorial plans (cultural priorities, decent work, and land and water stewardship). For example, in Colombia, many Indigenous authorities develop Planes de Vida (Life Plans), and Afro-descendant community councils develop Ethno-development Plans as locally defined, long-term instruments for territorial development and governance. Aligning consultation outcomes and project commitments to these plans helps ensure that engagement reflects community priorities rather than external project timelines.⁴⁵

Follow through after signing the commitments:

- include commitments in meeting minutes and contracts that specify timelines, budgets, and responsible areas within the company. Make agreements and conditions easily accessible in a single location for both communities and the company, and inform employees working in the area about the commitments;
- activate a simple grievance path with time limits and public reporting on outcomes.

Roles and quick checks to stay on track with FPIC commitments:

- governments and regulators must clearly inform communities, local authorities, and companies about FPIC requirements, what the law demands, how to comply, what data must be disclosed, and how licence conditions will be set and updated. If these requirements are not met, do not use fast-track pathways;
- mining and contractors should budget for translation, interpretation, transport, childcare, and facilitation;
- indigenous and ethnic communities must receive clear FPIC information, human rights, timelines, and documents, and join meetings with full access; they should contribute local knowledge on water, safety, and culture, and request women-only youth sessions or other separate sessions when needed.

⁴⁴ In Australia, a great resource is the Dhawura Ngilan Business and Investor Initiative (2024) *Dhawura Ngilan (Remembering Country): A Vision for Aboriginal and Torres Strait Islander Heritage. A Guide for Business and Investors*. Available at: <https://culturalheritage.org.au/business-investor-guides/>.

⁴⁵ “Territorial life plans” are collective strategic planning instruments developed by communities and Indigenous peoples to define their own development, worldview and future. <https://www.mininterior.gov.co/direccion-de-asuntos-indigenas-rom-y-minorias/planes-de-vida/>

GENDER INEQUALITY AND COMMUNITY PARTICIPATION

Entrenched gender inequalities can restrict women's access to resources, decision-making and adaptive strategies, resulting in women being more vulnerable to some risks associated with energy projects (such as gender-based violence), and being less able to enjoy the benefits of projects (including employment), leaving them disproportionately negatively affected by mining and energy projects.⁴⁶ These structural barriers also shape who is heard in consultation processes and who can access information, remedies and benefits when projects are planned, approved and implemented.

Gender matters because impacts and benefits are rarely distributed evenly between men and women. TI Australia's Accountable Mining Programme documents how women's views and needs are often not adequately considered in mining consultations.⁴⁷

The same work notes that women in remote and rural areas are often disadvantaged by unequal power relations, limited control over economic resources and historical discrimination, and that corruption can exacerbate inequalities that already exist.⁴⁸

A related Accountable Mining Programme briefing paper on mining licensing reinforces that tackling gender inequality is relevant to anti-corruption efforts because exclusion from information and decision-making reduces community oversight and can increase vulnerability to manipulation in approvals and consultation processes.⁴⁹



TI-Kenya facilitated community engagement in Kwale.
Source: TI-Kenya

These dynamics are not limited to mining. Similar risks can arise in renewable energy infrastructure and transmission corridors where land access and compensation processes intersect with unequal tenure security and barriers to women's participation. In practice, the integrity of consultation and who is able to participate meaningfully shape whether project decisions account for gender-differentiated impacts and whether communities can hold duty-bearers to account.

46 UN Women (2025) Explainer: How gender inequality and climate change are interconnected (21 April 2025). Available at <https://www.unwomen.org/en/articles/explainer/how-gender-inequality-and-climate-change-are-interconnected>

47 Fallon, A. (2021). Advancing Gender Equality to Combat Corruption in Mining: Stories from Transparency International's work supporting women to demand a more accountable mining sector. Transparency International Australia, Accountable Mining Programme. Available at: <https://mining.transparency.org.au/publications/advancing-gender-equality-to-combat-corruption-in-mining/>

48 Ibid

49 Transparency International Australia (2021). Why tackling gender inequality is key to addressing corruption in the mining licensing process. Available at: https://mining.transparency.org.au/wp-content/uploads/2021/03/TIA_GenderBriefingPaper_vF.pdf

BOX 6. PRACTICAL STEPS TO SUPPORT WOMEN'S PARTICIPATION

Gender-responsive consultation requires deliberate design choices:

- Companies should remove participation barriers; ensure safe participation; diversify consultation channels; and document how women's inputs influenced decisions.
- Government and regulators should set minimum participation requirements; recognise women's customary leadership and land rights; require gender-disaggregated participation reporting; enforce compliance.
- Civil society should support rights awareness and accompaniment; provide safe reporting channels; help women organise and engage decision-makers.



Members of Hattang community. Source: Corruption Watch Community Engagement in Newcastle, Kwa-Zulu Natal, South Africa

INTERNATIONAL FRAMEWORKS

Meaningful community consultation is grounded in internationally recognised rights to participate in public life and to shape decisions that affect people's lives and environments. States have obligations to protect these rights through human rights law and, in many jurisdictions, through regional environmental democracy instruments that establish procedural guarantees for access to information, public participation, and access to justice.

Effective, inclusive participation also depends on related protected rights and freedoms, including equality and non-discrimination, freedom of opinion and expression, and freedom of peaceful assembly and association.

In parallel, companies have an independent responsibility to respect human rights, including rights related to participation and remedy under the UN Guiding Principles on Business and Human Rights (UNGPs).⁵⁰

UN Declaration on the Rights of Indigenous Peoples (UNDRIP)

The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the UN General Assembly in 2007. It is not a treaty and does not operate through "signatories"; rather, it is an authoritative international standard that affirms minimum norms for the survival, dignity, and well-being of Indigenous Peoples, including their rights to self-determination, lands, territories, and resources, and to participate in decisions that affect them.⁵¹

UNDRIP also establishes expectations regarding FPIC for measures and projects affecting Indigenous lands, territories or resources. In practical terms, FPIC requires early engagement, accessible information, adequate time for communities to deliberate through customary institutions, and decision-making free from coercion. Where FPIC applies in national law or

is required by financiers or standards, consent must be treated as a process (not a one-off meeting), and communities must be able to withhold consent.

UN Guiding Principles on Business and Human Rights

The UNGPs, endorsed by the UN Human Rights Council in 2011, set the global standard for preventing and addressing business-related human rights harm through the "Protect, Respect and Remedy" framework: the state duty to protect human rights, the corporate responsibility to respect human rights through human rights due diligence, and access to remedy for affected people.⁵²

For mining and renewable energy infrastructure, the UNGPs are directly relevant to consultation quality because they require companies to identify and address risks to people (including risks linked to participation, exclusion, intimidation, and ineffective grievance pathways) and to enable remedy where harm occurs.

Aarhus Convention (UNECE)

The Aarhus Convention is the leading international agreement on environmental democracy in the UNECE region. It was adopted in 1998, entered into force in 2001, and establishes three core "pillars": access to environmental information, public participation in environmental decision-making, and access to justice.⁵³

Aarhus is particularly relevant because it requires that participation be early and timely, that the public has a genuine opportunity to influence decisions, and that authorities provide clear reasons and explanations, supporting transparency around how input was considered. It also includes protections against penalisation or harassment for those exercising participation rights, which is an important safeguard in contexts where civic space is contested.

50 UN Guiding Principles on Business and Human Rights (UNGPs). Available at: https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

51 United Nations (2007) United Nations Declaration on the Rights of Indigenous Peoples. Available at: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf.

52 Office of the United Nations High Commissioner for Human Rights (2011) Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework. New York & Geneva: United Nations. Available at: https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

53 United Nations Economic Commission for Europe (UNECE) (1998) Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention). Aarhus, Denmark. Available at: <https://unece.org/DAM/env/pp/documents/cep43e.pdf>

UN Escazú Agreement

The Escazú Agreement (the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean) was adopted in 2018 and entered into force in 2021. It reflects and builds on Aarhus-type principles, while responding to regional governance and civic space realities, including the need for

plain-language disclosure and culturally appropriate participation approaches.⁵⁴ Escazú is also notable for its explicit provisions on the protection of human rights defenders in environmental matters, requiring Parties to provide a safe and enabling environment for defenders to act without threats, restrictions, or insecurity and to take measures to prevent and sanction attacks and intimidation.

BOX 7. BEST PRACTICE EXAMPLES FROM AROUND THE WORLD

The examples below are included to illustrate different leverage points for improving community consultation in mining and renewable energy infrastructure: (1) embedding participation requirements in procurement and approvals, (2) using culturally responsive engagement frameworks, (3) enabling benefit-sharing and local stakes, (4) strengthening grievance and remedy pathways, (5) supporting community capacity to participate, and (6) using deliberative methods where decisions are complex or contested. They are not presented as one-size-fits-all models; they show how participation and accountability can be “hard-wired” into policy or project practice.

Chile, Citizen participation and Indigenous consultation in the Environmental Impact Assessment Service

Chile’s environmental assessment system (SEIA) includes a citizen participation process in project approvals. In the Environmental Impact Assessment (EIA), communities can access project information, submit observations, and receive responses. For projects likely to impact Indigenous groups, SEIA also offers an Indigenous consultation process.⁵⁵

Denmark, Community co-ownership in wind

Denmark’s renewable energy policy framework includes requirements for developers of onshore wind projects to offer a minimum share of ownership for sale to local residents (commonly referred to as the 20 per cent offer requirement under Denmark’s 2008 Renewable Energy/Promotion of Renewable Energy framework). By formalising ownership at a local level, this model creates acceptance by aligning incentives and making benefit-sharing tangible.⁵⁶

Continued >

54 United Nations Economic Commission for Latin America and the Caribbean (ECLAC) (2018) *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement)*. Escazú, Costa Rica: United Nations. Available at: <https://repositorio.cepal.org/handle/11362/43583>.

55 Portal de Participación Ciudadana y Consulta Indígena. (2024, June 3). SEA Chile. Available at: <https://www.sea.gob.cl/participacion-ciudadana-y-consulta-indigena>

56 IEA (2023) Denmark community ownership of renewables – Policies, IEA. Available at: <https://www.iea.org/policies/17800-denmark-community-ownership-of-renewables>.

France, Citizens' Convention on Climate, a deliberative model for climate and energy transition policy

France's Citizens' Convention on Climate was created after the gilets jaunes (Yellow Vest) protests and convened 150 randomly selected citizens, designed to reflect a cross-section of the population. The Convention worked over roughly ten months (2019–2020) through structured learning and facilitated deliberation, and produced 149 proposals aimed at reducing France's greenhouse gas emissions by at least 40 per cent by 2030 (compared with 1990) "in a spirit of social justice".⁵⁷

This is included here not as a mining or project-level case, but as a participation design model relevant to energy transition decisions that are technically complex and politically contested. Its best-practice elements are the combination of (i) time and structured learning (citizens are supported to understand trade-offs), (ii) transparent outputs (proposals and supporting rationale were published), and (iii) an explicit response pathway, including a public commitment that proposals would be transmitted "without filter" via referendum, parliamentary vote, or regulatory action (even if the precise meaning and follow-through became contested in practice).⁵⁸

Kenya, Lake Turkana Wind grievance practice

Lake Turkana Wind Power Consortium (LTWF) publicly sets out multiple channels for submitting grievances (including a downloadable grievance form and submission by email, in person, or by post). Best-practice elements, such as multiple access points and a clear submission process, can reduce practical barriers, support predictability, and provide a foundation for documented follow-up, core features of credible remedy pathways in large infrastructure projects.^{59 60}

Australia, New South Wales (NSW), merit before value in renewable infrastructure procurement

Under NSW electricity infrastructure tenders, proponents are assessed against merit criteria that include community engagement, shared benefits and land-use considerations, as well as regional economic development and deliverability. This approach makes participation and benefit-sharing a visible part of project selection rather than an afterthought. A complementary NSW policy instrument, the Ministerial First Nations Guidelines under the Electricity Infrastructure Roadmap, sets expectations for respectful engagement with Aboriginal communities and provides practical guidance on participation plans and options, including co-ownership and benefit sharing. Here, engagement expectations are built into tender design and supported by public guidance, strengthening predictability and accountability.⁶¹

57 Site officiel de la Convention Citoyenne pour le Climat. (2019). Convention Citoyenne Pour Le Climat. Available at: <https://www.conventioncitoyennepourleclimat.fr/>

58 KNOCA - Knowledge Network On Climate Assemblies. (2025). Kno.ca.eu. Available at <https://www.kno.ca.eu/>

59 World Bank (2011) "Updated Environmental and Social Impact Assessment Summary: Lake Turkana Wind Power Project, Kenya." Available at: <https://documents1.worldbank.org/curated/en/654521468284364937/pdf/E29100v20EA0P10veSummary0Nov1102011.pdf>

60 UPDATED ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT SUMMARY Lake Turkana Wind Power Project Kenya E2910 v2. (2011). Available at: <https://documents1.worldbank.org/curated/en/654521468284364937/pdf/E29100v20EA0P10veSummary0Nov1102011.pdf>

61 First Nations Guidelines. (n.d.). NSW Climate and Energy Action. Available at: <https://www.energy.nsw.gov.au/nsw-plans-and-progress/major-state-projects/electricity-infrastructure-roadmap/first-nations>

South Africa, REIPPPP: embedding community benefit-sharing and local ownership in renewable energy procurement

South Africa's Renewable Energy Independent Power Producer Procurement Programme (REIPPPP) hard-wires community-related commitments into competitive procurement by scoring projects partly on "economic development" promises, including local community development, local ownership, and related requirements tied to project areas. These commitments are then carried into project implementation through formal reporting and compliance arrangements, including verification through independent monitoring of economic development obligations. Here, participation and benefit-sharing are treated as procurement conditions with structured monitoring, rather than being left to late-stage negotiation or voluntary practice.⁶²

New Zealand, Te Arawhiti Māori Engagement Framework

New Zealand has established a government-wide framework and guidance for engaging with Māori, designed to help agencies determine whom to engage, how to design an engagement strategy, and how to engage effectively. This clear, public framework supports early, culturally grounded engagement and greater consistency across agencies and projects, which is directly relevant where consultation obligations involve Indigenous rights and governance.⁶³

Scotland, Planning Aid Scotland

Planning Aid Scotland (PAS) provides a free, impartial advice service to help communities understand planning issues and how to engage effectively in planning processes. PAS also supports community capacity-building, including assistance that enables communities to develop plans and participate more confidently. With independent, publicly supported advice and capacity-building the quality of participation is strengthened and information asymmetries are reduced before and during consultation.⁶⁴

62 Adams, A. (2025, August 9). Opinion Piece | Embedding Social Performance in South Africa's Transmission Procurement: Building on REIPPPP's Legacy – Inspire Excellence. Inspire Excellence. Available at: <https://inspire-excellence.net/embedding-social-performance-in-south-africas-transmission-procurement-building-on-reipppps-legacy/>

63 Te Puni Kōkiri: Ministry of Māori Development (2025) Guidelines for engagement with Māori. Available at: <https://www.tpk.govt.nz/pages/download/pages-3011-A/Guidelines-for-engagement-with-Maori.pdf>.

64 Planning Aid Scotland (no date) Advice. Available at: <https://www.pas.org.uk/advice/>

RECOMMENDATIONS

As a signatory organisation, Transparency International Australia endorses these recommendations developed by a coalition of civil society organisations that bring together more than 230 Indigenous Peoples, unions and labour activists, and climate, environmental justice, child rights, and human rights organisations.⁶⁵ The recommendations were developed to guide the UN Secretary-General's Panel on Critical Energy Transition Minerals, and describe how a transformative approach to transition minerals can contribute to a more just global energy system.

While these recommendations draw heavily on experiences in the mining sector, the same principles apply to renewable energy infrastructure projects, inclusive participation, transparent governance, and fair distribution of benefits.⁶⁶

FOR GOVERNMENTS

1. Establish and enforce clear requirements for meaningful community engagement. Set out when and how companies must engage communities on ESIA and impact plans, how this links to land access and, where applicable, FPIC. Participation must reflect the whole community, with active inclusion of women and marginalised groups. Regulators need resources to monitor and sanction non-compliance.⁶⁷
2. Ensure renewable-energy projects (generation, storage, transmission) meet the same consultation, transparency and FPIC standards used in the extractives sector so the shift to clean energy is both environmentally sustainable and socially just.⁶⁸
3. Listen to and enable affected communities, including women and disadvantaged minorities, to engage early and meaningfully in consultation processes, ensuring trade-off options are negotiated fairly.⁶⁹
4. Legal frameworks and national measures that align with international standards are necessary to prevent and combat corruption risks related to consultations.⁷⁰
5. Strong human rights guidelines should support approval and consultation rules, and streamlining or fast-tracking processes should not result in reduced effective participation or inconsistencies with international standards.

FOR COMPANIES

1. Use established safeguards for consultation and land access, and follow the World Bank Environmental and Social Framework (ESF) and IFC Performance Standards for concrete requirements on engagement, compensation, and FPIC, where applicable, in renewable-energy projects.⁷¹
2. Protect Indigenous Peoples' rights to self-determination and FPIC before licensing, extraction and processing, consistent with UNDRIP and ILO 169.⁷²
3. Raise due diligence standards and ensure operators and affiliates meet strong human-rights, Indigenous-rights, environmental and governance standards, including rigorous ESIA, human-rights

65 Climate Action Network International (2024) "Civil Society Recommendations for the United Nations Secretary-General's Panel on Critical Energy Transition Minerals," Climate Action Network International. Available at: <https://climatenetwork.org/resource/civil-society-recommendations-for-the-united-nations-secretary-generals-panel-on-critical-energy-transition-minerals/>

66 Ibid

67 Erdiaw-Kwasie, M.O. and Caripis, L. (2021) "Stronger Community Voices: Addressing Corruption Risks in Community Consultation in Mining," Transparency International Australia. Available at: https://mining.transparency.org.au/wp-content/uploads/2021/04/TIA_CommunityConsultationBriefingPaper_vF_web.pdf.

68 Ibid

69 Ibid

70 Business & Human Rights Resource Centre (2025) "Renewable Energy and Human Rights Benchmark 2025." Available at: https://media.business-humanrights.org/media/documents/2025_Renewable_Energy_Benchmark.pdf.

71 International Finance Corporation (2012) "Performance Standards on Environmental and Social Sustainability." Available at: <https://www.ifc.org/content/dam/ifc/doc/2010/2012-ifc-performance-standards-en.pdf>

72 Climate Action Network International (2024) "Civil Society Recommendations for the United Nations Secretary-General's Panel on Critical Energy Transition Minerals," Climate Action Network International. Available at: <https://climatenetwork.org/resource/civil-society-recommendations-for-the-united-nations-secretary-generals-panel-on-critical-energy-transition-minerals/>

and environmental due diligence, and risk-based anti-corruption controls.⁷³

4. Guarantee access to remedy and provide timely remedy and legal assistance for Indigenous Peoples, local communities and workers through effective state-based and judicial processes and company grievance mechanisms, with cross-border cooperation where needed.⁷⁴
5. Publish ESIA and management plans in original and accessible formats. Published information should include licensing, impact assessments, benefit sharing, independent monitoring provisions, and funded decommissioning, closure and repurposing plans. Where needed, fund independent technical advice for communities so they can interpret materials and respond meaningfully.⁷⁵
6. Ensure safe, inclusive participation throughout the entire lifecycle.⁷⁶
7. Disclose financial details and transactions through access-to-information laws, requiring the disclosure of licences, contracts, partnership and trade agreements, beneficial ownership, volumes and costs, audits, project-level payments to governments, project economics, and country-by-country tax reporting.⁷⁷
8. Advance gender equality, promoting women's safe participation in decision-making, addressing gender-based violence and sexual exploitation, and ensuring access to information.
9. Adopt local-content policies that create decent jobs, skills and business opportunities for local people,

and implement them to distribute benefits fairly, and keep corruption and nepotism out.⁷⁸

Note: Align project commitments with the community's Indigenous Life Plan (Territorial Life Plan), cultural priorities, decent work, and land–water stewardship, ensuring that site-level actions support Indigenous- and region-led futures.

FOR CIVIL SOCIETY ORGANISATIONS

1. Provide technical support, legal orientation and help navigate grievance pathways; use IGF ESIA engagement guidance to track performance and publish a simple public scorecard.⁷⁹
2. Build working ties with government, companies and international bodies to push systemic reforms in responsible mining and renewable-infrastructure governance.⁸⁰
3. Identify and document key corruption risks in community consultations with government and companies, so communities and oversight actors can target monitoring and follow-up where risks are most acute.
4. Strengthen community capacity to interpret technical information and negotiate (including ESIA materials and community agreements) to reduce information asymmetries and address power imbalances within communities and between communities and project proponents.
5. Support women's voice and agency in consultation processes, including by backing grassroots women's organisations, providing training, and

73 Ibid

74 Ibid

75 OECD (2022) OECD Guidelines for Citizen Participation Processes. OECD Publishing (OECD Public Governance Reviews). Available at: <https://doi.org/10.1787/f765caf6-en>.

76 UN Secretary-General's Panel on Critical Energy Transition Minerals (2024) *Resourcing the Energy Transition - Principles to Guide Critical Energy Transition Minerals Towards Equity and Justice*. Available at: https://www.un.org/sites/un2.un.org/files/report_sg_panel_on_critical_energy_transition_minerals_11_sept_2024.pdf

77 Ibid

78 Climate Action Network International (2024) "Civil Society Recommendations for the United Nations Secretary-General's Panel on Critical Energy Transition Minerals," *Climate Action Network International*. Available at: <https://climatenetwork.org/resource/civil-society-recommendations-for-the-united-nations-secretary-generals-panel-on-critical-energy-transition-minerals/>

79 Transparency International Australia. (n.d.). Government actions: Community engagement effective ESIA's. Available at: <https://mining.transparency.org.au/government-actions-community-engagement-effective-esias/>

80 Climate Action Network International (2024) "Civil Society Recommendations for the United Nations Secretary-General's Panel on Critical Energy Transition Minerals," *Climate Action Network International*. Available at: <https://climatenetwork.org/resource/civil-society-recommendations-for-the-united-nations-secretary-generals-panel-on-critical-energy-transition-minerals/>

developing accessible educational materials that enable meaningful participation.

6. Provide technical advice to the government on the need to set and enforce clear consultation and FPIC requirements, particularly where regulatory changes or fast-tracking measures risk weakening participation safeguards.
7. Engage with companies to communicate the barriers communities face and the practical steps companies can take to run fair, meaningful, and inclusive engagement processes that are resistant to manipulation and abuse.

TI Australia tools including [MACRA](#) and [ICRAT](#) can be used by civil society organisations and communities to support these efforts in taking on some of the recommendations above.

FURTHER USEFUL RESOURCES FOR COMMUNITIES

The resources below provide further accessible guidance, case evidence and community-oriented approaches that can help strengthen preparedness, participation and accountability in both mining and renewable energy infrastructure contexts. They include (i) practical FPIC guidance designed for Indigenous leaders, (ii) analysis of community participation challenges in the energy transition, (iii) evidence on how corruption can undermine rights and development outcomes in the mining sector, and (iv) Indigenous-led perspectives on strengthening governance and participation in mining regions. In addition, TI Australia Accountable Mining Programme [website](#) hosts a wide range of tools and publications drawn from our global network, reflecting lessons on how communities can build leverage, access information and engage effectively with decision-makers⁸¹:

- **Have Your Say: A Community Guide to Mining and Energy Consultation in Victoria**. Transparency International Australia's Accountable Mining Programme (AMP) (2026). This Toolkit helps community and civil society organisations in Victoria, Australia, understand how mining proposals are approved, their rights, and how to have their say effectively, using plain language, quick actions, and links to resources.⁸²
- **'Securing Indigenous Peoples' Right to Self-determination: A Guide on Free, Prior and Informed Consent'**. Cultural Survival and First Peoples Worldwide (2023) This is illustrated, practical guidance for Indigenous leaders: understand FPIC;

prepare before any approach; negotiate; plan next steps after decisions consent given, refused or conditional.⁸³

- **'Engaging communities in a just transition'**. Extractive Industries Transparency Initiative-EITI (2023). This report explores how the energy transition is impacting community livelihoods and the obstacles that communities face in accessing and using data and dialogue platforms. It seeks to strengthen the EITI's role in ensuring that community priorities are better taken into account in public debate and decision-making on the energy transition.⁸⁴
- **Digging into the Problem: How corruption facilitates socioenvironmental, human rights, and Indigenous Peoples' rights harms in the mining sector**. Business & Human Rights Resource Centre et al. (2025) A joint report highlighting how corruption in the mining sector directly undermines equity and inclusion by diverting revenues and social benefits from those who need them most.⁸⁵
- **Indigenous-led Pathways for Sustainable Futures in Mining Regions** OECD (2024) 'Indigenous Call to Action.' highlights that mining increasingly occurs on Indigenous territories and calls for alignment of mining laws with FPIC principles and for Indigenous land rights and participation.⁸⁶

81 Transparency International Australia (no date) "Community and environmental impact - Accountable Mining." Available at: <https://mining.transparency.org.au/community-environment/>

82 Transparency International Australia's Accountable Mining Programme (AMP) (2026) "Have Your Say: A Community Guide to Mining and Energy Consultation in Victoria." Available at: <https://mining.transparency.org.au/have-your-say-a-community-guide-to-mining-and-energy-consultation-in-victoria>

83 Cultural Survival and First Peoples Worldwide (2023) "Securing Indigenous Peoples' Right to Self-determination: A Guide on Free, Prior and Informed Consent." Available at: https://www.sirgecoalition.org/s/FPIC-guide-sm_compressed.pdf

84 Extractive Industries Transparency Initiative (2023) *Engaging communities in a just transition*. Available at: https://eiti.org/sites/default/files/2023-10/EITI_Report_Engaging%20communities%20in%20a%20just%20transition.pdf

85 Business & Human Rights Resource Centre et al. (2025) *Digging into the Problem: How corruption facilitates socioenvironmental, human rights, and Indigenous Peoples' rights harms in the mining sector*. Available at: <https://resourcegovernance.org/sites/default/files/2025-02/Digging-into-the-Problem.pdf>

86 OECD (2024) "Indigenous Call to Action: Indigenous-led Pathways for Sustainable Futures in Mining Regions." Available at: <https://www.oecd.org/content/dam/oecd/en/topics/policy-sub-issues/mining-regions-and-cities/indigenous-led-pathways-for-sustainable-futures-in-mining-regions.pdf>

