

Public Participation in River Basin Management in Flanders (Belgium)

Towards More Dynamism

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Index

Index.....	2
1 Introduction to Belgium and Flanders	3
1.1 General Profile.....	3
1.2 Geography and Hydrology	4
1.2.1 General Regional Dynamics.....	4
Topography.....	4
Climate	4
Land use.....	4
1.2.2 Water Bodies	5
Water use.....	5
Water quality	5
1.3 Economic and Socio-Cultural Context	6
1.3.1 Economic Context	6
Industry and services	6
Agriculture and fishing.....	6
Households	7
1.3.2 Socio-Cultural Context.....	7
The publics attitude towards governmental institutions	7
The publics attitude towards water and the environment in general	7
2 Public Participation in Flanders.....	9
2.1 General History and Background of Public Participation in Flanders.....	9
2.2 Institutional Practices and Background of RBM in Flanders	10
2.2.1 Competent Authorities.....	10
Water management authorities	10
Land and waste management authorities.....	14
2.2.2 Other Relevant Authorities.....	15
Research authorities.....	15
Not-for-profit non-governmental organisations	15
Regional advisory councils.....	17
2.3 Towards More Public Participation in Flanders	19
2.3.1 More Public Participation in General	19
E-Government	19
Referenda.....	19
Relevant novelties in the field of district development and spatial planning	19
2.3.2 More Public Participation in RBM.....	21
Changes on the Flemish and local scale	21
Changes on the international scale	27
Use of information and communication tools (IC-Tools) to stimulate PP and SL.....	31
2.4 Effects and impacts of PP.....	32
2.4.1 Substantive effects.....	32
2.4.2 Social-relational effects	33
3 Conclusions	34
3.1 Main Lessons Learned.....	34
3.2 Critical Discussion.....	35
References	36
Annex 1: Competent authorities schematic overview	39

1 Introduction to Belgium and Flanders

1.1 General Profile

Belgium is a small, highly developed country at the crossroads of Western Europe. It is bordered to the north by the Netherlands, to the east by Germany and the Grand Duchy of Luxembourg and to the south and the west by France, the North Sea, and the English Channel. Belgium's history has always been linked to both commercial and cultural exchange, and much of its character is due to its role as the meeting place of Western Europe. Traces of the Austrians, Spanish, French and Dutch (all former 'occupants') can still be seen in its architecture and in the lifestyle of its people. In terms of religion, 75% of the Belgian population is Roman Catholic.

The Flemish and Belgian capital city, Brussels, is officially bi-lingual (although its population of around 1.1 million is 80% French-speaking) and also serves as the capital of the European Union, the site of the headquarters of the European Commission, the Council of Ministers and the European Parliament. Other major international organizations, such as NATO, are also located in Brussels.

There are three communities living in Belgium. The Flemish (55%) live in the north of the country and speak Dutch. The Walloons (33%) live in the south and speak French. Finally, there are about 10% of foreigners living in Belgium, as well as a small community of around 70,000 German-speaking citizens in the extreme east of the country. All in all Belgium has a population of around 10.3 million on a surface area of about 30,500 km², making it the second most densely populated country in Europe with a population density of around 335 inhabitants per km².

Politically, Belgium has been a constitutional parliamentary monarchy since its independence in 1830. However, it has evolved greatly over the last decades. Under the reform of the state, the unitarian state made way for complex three-level structure following a federal model.

At the top level, we now find the Federal State, the Communities and the Regions, all three of which are equal from the legal viewpoint. They are on an equal footing but have powers and responsibilities for different fields. The national government and Parliament are responsible for national defence, foreign policy, overseas aid, justice, law and order, currency, taxation and monetary policy, constitutional revision, economic and monetary union, social security, pensions, public health (shared), employment (shared), communications (shared) and immigration. Regional matters cover everything to do with the territory and its administration. Community matters are those that involve the lives of the people - such as education. In Flanders, the regional government and the community government coincide. The Government of Flanders is thus responsible for a wide range of powers: education; the environment, including housing and town and country planning; the economy, including employment (shared), energy and agriculture; transport and public works; foreign trade (shared); and finance of subordinate authorities.

The next level down is occupied by the provinces, of which there are five in Flanders. They are supervised by all the higher government authorities, in the context of the federal, community or regional powers.

At the bottom level we find the municipalities, which is the level of administration that is closest to the people. There are 308 municipalities in Flanders. Like the provinces, they are under the supervision of the higher authorities. Depending on the powers exercised, they are supervised by the Federal State, the Community or the Region. In general, they are financed and audited by the Regions.

Traditionally, no party is dominant in Flanders. So the governments are usually made up of a coalition.

1.2 Geography and Hydrology

1.2.1 General Regional Dynamics

Topography

Belgium is not only small (about 30,500 km²), but also rather compact: the maximum distance between two points is 280 km. Nevertheless, the geography of Belgium shows it to have three different areas: lower Belgium (up to 100m above sea level), central Belgium (between 100 and 200m above sea level) and upper Belgium (from 200 to over 500m above sea level, with the highest point at 694m). This report will focus on Flanders, which is situated mainly in lower Belgium.

Lower Belgium begins in the west at the North Sea coast, with beaches and dunes that extend in a straight line for 65 km. Inland from the coast lie the "polders". This flat and fertile land used to suffer from flooding by the sea in the past but is now totally dry, thanks to the sluices which protect it from tidal erosion. Between the western polders, the river Leie and the river Scheldt, are the Flemish lowlands, a sandy region that is hilly in places such as the Kemmelberg and the Kluisberg. The Kempen lie in the northeast of the country, where the soil is poor and the landscape comprises conifer woods, heath lands, ponds, marshes, pastures and cornfields.

Behind the Flemish lowlands and the Kempen, gradually rising to the Sambre and Meuse valleys, lies central Belgium, with its low and very fertile clay plateaus. The heavily urbanised Brabant has its own lush green carpet, the forest of Soignes, a forest area and a remnant of the earlier Forest of Cologne, which covered a large part of the country in Roman times. Furthermore, central Belgium boasts Hainaut in the west and Hesbaye in the east, both fertile areas with large farms and extensive fields and pastures.

Upper Belgium, the most sparsely populated and densely wooded part of the country, begins south of the Sambre and the Meuse at the Condroz plateau, a fertile area which is regarded primarily as a tourist attraction on account of the valleys of the Meuse and the Ourthe as well as its historical monuments. Between the Vesder and the Meuse lies the Country of Herve, which due to its rich clay soil is suitable for grazing and cattle rearing. To the south of the Condroz lies the area of Fagnes and Famenne, which, although a poor agricultural region, is well known for its many mysterious caves, the most frequently visited of which being those at Han-sur-Lesse and Remouchamps. Further to the south are the Ardennes, a region alternating between a wooded area with natural beech forests and specially grown fir trees, and plateaus and deep valleys.

Climate

Seasons in Belgium are mild, but the warmest months (July and August) are also the wettest. The average temperature in 2000 was 11.2° Celsius. In the same year, the annual average of precipitation was 852 mm and the annual average of sunshine was 1,392 hours.

Land use

In 2000, 346,103 ha or 11.4% of the Belgian surface was covered by buildings, roads, etc. Land covered by bodies of water is included in this category of "hardened surface", and in 2000 counted for about 12,000 ha. Compared to 1990, the proportion of hardened surface in Belgium has increased with 23% or 63,937 ha in a period of 10 years. More than 40,000 ha of this growth was located in Flanders. When we compare with 1980, we get even higher figures: in 1980 there were only 215,383 ha of hardened land. This means that the proportion of hardened surface in Belgium has risen with 59% in a period of 20 years. (Het Laatste Nieuws, 2001)

More than 1,600,000 ha of the Belgian surface is currently registered as land for agricultural purposes and about 600,000 ha is covered by forests. That's about 1,000 ha less than in 1990 for Flanders and about 1,500 ha less for the Walloon region. Orchards cover about 50,000 ha in Belgium, while parks and public gardens cover about 35,000 ha. About 100,000 ha is classified as wastelands. (Het Laatste Nieuws, 2001)

1.2.2 Water Bodies

There are two main rivers in Flanders: the Meuse (Maas) and the Scheldt. Each of these rises in France, comes to maturity in Belgium and flows out of Flanders into Holland and the Sea beyond. The Scheldt is of special importance to Flanders, since most of its territory falls within the Scheldt river basin: 11,500 km² out of 13,500 km².

Less known is the extensive inland waterway network of small rivers and canals. Most of these are exclusively used for transport purposes. However, more and more riverbanks are being used for recreational purposes such as walking and cycling.

In order to prevent floods and to facilitate their main (perceived) purpose of transporting goods, most rivers in Flanders have been straightened and diked.

Water use

Of all the water that is available in Flanders, over 60% is used. The European average, by comparison, is only 15%. However, the total amount of used water and especially of used surface water is decreasing rapidly. In 2001, an estimated 715 million m³ of water was used in Flanders, or 201 million m³ less than 10 years earlier. 389 million m³ of this was used as drinking water (APS, 2003). In 2000, 37% of the water was used by private households, 44% for industry, and 6% for farming.

About half of the Flemish drinking water is extracted from ground water sources, and the other half from surface water sources. 82% of the drinking water in Flanders has its source within Flanders. The remaining 18% is imported from the Walloon region.

Water quality

The quality of the Flemish surface water has increased significantly in the 1990s. This improvement did not really continue in 2000 and 2001, but in 2002 the water quality increased again. The only exception on this positive trend is the pollution by nitrates, where the averages go up and down around the same value. Nevertheless there is still only very few surface water in Flanders where the physico-chemical water quality is good in all its aspects. In terms of biological quality, a mere 29% of the 966 Flemish measure points currently meets the norms for "good ecological quality" as outlined in the Water Framework Directive. (VMM, 2002)

The situation is worse for the soils of waterways: out of 360 non-navigable and 180 navigable investigated rivers and canals in Flanders, the soil of 29% of the non-navigable and 51% of the navigable were found to be a serious threat to the aquatic environment.

As points for further action, the Flemish Environment Agency VMM (2002) highlights not only the necessity to continue the efforts to gather and treat urban waste water and to take a closer look at the sewer systems, but also – *"and perhaps especially"* – to the increasingly importance of fighting erosion of agricultural land, of redesigning the surface water systems in order to increase their self-cleaning capacity, and of water body soil purification.

1.3 Economic and Socio-Cultural Context

1.3.1 Economic Context

Belgium accounts for only 1% of the EU's total surface area and 2.7% of its population, yet its economic weight within the EU belies these figures. In 2000, the country's gross domestic product (GDP) was EUR 244 billion, or 2.9% of the EU's total GDP. Flanders accounts for roughly 60% of Belgium's GDP.

In 1999, Belgium's GDP could be broken down as follows: agriculture 1.3%, industry 24.7%, private services 53.7% and public services 13.4%. Exports of goods and services accounted for nearly 76.5% of the Belgian GDP in 1999, and imports for nearly 73%. It can thus be said that Belgium has a very open economy. This is even more so for Flanders, that boasts the highest export ratio in the world: EUR 18,500 per capita or 85% of the gross regional product. (By way of comparison, the European average in 1999 was almost 32.2% for exports and nearly 31% for imports.) Even though the share of services in trade relations is growing rapidly, around 70% of Belgian exports and imports still involve goods. A large share of this import and export passes through the Flemish port of Antwerp along the river Scheldt, making it Europe's second largest port (after Rotterdam) and one of the 10 largest in the world. In general, one can say that Flanders ports are the basis of its prosperity. Expressed in ton/km Flanders has the busiest waterways network in the world. Maintaining and keeping the maritime access routes to the ports open is thus of vital importance, given the exceptionally open economy. (AWZ website, 2003)

Industry and services

Industry accounts for only 24.7% of the Belgian GDP, while services account for 67.1%. It should not be overlooked, though, that the majority of service activities in the private sector are very closely linked to industrial activity. This is true of transport, advertising, financial services, engineering and maintenance services. This means that a dynamic industrial sector is crucial to the Belgian economy. Industry in Flanders primarily involves processing, dominated by the chemical and metallurgic sectors. Car assembly comes in a strong third. In 1997, the impact of the industrial sector on the quality of the water in Flemish rivers was limited to about 20% of the total pollution (VMM, 1997). The fact that this impact is relatively small is largely attributable to the obligations for industrial corporations to purify their wastewater.

Agriculture and fishing

Agriculture is the most important source (46%) of nitrogen in the Flemish surface water. This may be surprising, since the Belgian primary sector employs only 2% of the total workforce and accounts for merely 1.55% of the Belgian GDP (figures of 1999). The cause of this is linked to the fact that increased production has become a vital goal for farmers. Mechanization, new technologies and scientific agronomic research are making for higher yields. More is being produced on each field. For instance for crops such as cereals, potatoes, sugar beet, flax, hops and tobacco, the area of cultivated land shrunk from 705,000 ha in 1950 to 486,000 ha in 1993 (APS, 2002). Over the same period though, production rose from 7 to 11 million tons. A general evolution in the agricultural sector is the lack of successors for most farmers. In 2001, more than half of the heads of agricultural enterprises (be it small or large) was over 50 and only 15% of them had a probable successor (APS, 2002). As a consequence, small independent farmers are disappearing. However: "biological agriculture" or eco-farming keeps growing, but in 2002 it still accounted for only 0.6% of the total surface used for agriculture (APS, 2002).

Households

In 1997, the impact of households on the quality of the water in Flemish rivers amounted to 80% of the total pollution (VMM, 1997). This dramatically high impact is largely due to the fact that for a long time, only a small part of the Flemish households were connected to a sewer that lead their water to waste water treatment plants. However, over the last years a lot of effort has been done to improve the situation, resulting in 57% of connected households in 2001. Continuing its efforts, the Flemish government aims for an increase to 75% by 2009. For this purpose, the 190 wastewater treatment plants existing in 2001 will be complemented by 50 large-scale wastewater treatment plants and 120 small-scale wastewater treatment plants.

1.3.2 Socio-Cultural Context

The Flemish socio-cultural context poses some serious impediments to public participation in the management of water and the environment in general. Especially because of the publics attitude towards governmental institutions. This could be countered, however, by the publics concern about its natural environment, and its willingness to take actions to protect it. In the paragraphs below we will discuss this in more detail.

The publics attitude towards governmental institutions

The publics attitude towards governmental institutions is expressed very typically in the Flemish phrase that someone “in de politiek gaat” or “goes into politics”: it reflects that the political decision making is widely regarded as something of a different world that is to be avoided as much as possible (Kalk & De Rynck, 2002).

The popular stereotype associated strongest with politicians is probably that they never say what they think and never say anything that makes sense anyway. From public officers it is often said that they adhere to complex procedures for the simplest of things, although their image is changing slowly now that many governmental institutions are being subjected to drastic innovations.

The identification with political parties has decreased rapidly as well (Kalk & De Rynck, 2002), and is reflected in the continuously decreasing number of members in most parties.

The confidence of the Flemish public in its government is very low, and usually respectable institutions such as the judicial authorities are not spared from this (Kalk & De Rynck, 2002).

The publics attitude towards water and the environment in general

Although river basins generally do not play a significant role in people’s feeling of identity, rivers themselves are for some an important factor in their identification with their region. Especially people who live nears the borders of a river or who have hobbies that bring them on or over these borders consider rivers as an important part of their living environment. The same is true for peoples identification with natural reserves and such, but in the latter example this generally does not lead people to identify with a particular river basin or catchment: as long as there is no direct and obvious link with a river, the concept of a river basin or catchment seems too abstract for most to play a significant role in their feeling of identity. In addition, most people are largely unaware of the environmental quality of the water bodies in their vicinity. The closest experience of most people with rivers as such is probably cycling or walking on their dikes, and often this does not teach them a lot about their ecological status.

The level of awareness among floodplain residents of the risks they face has increased over the last decade, due to some floods in various regions. These floods have had a serious negative impact on the people's trust in the competence and commitment of the authorities. As usual, this was countered by an increase in the political attention and goodwill for the protection against floods. In general this has helped the implementation of a more integrated water management policy in Flanders, but in some cases it has also resulted in political pressure to come up with short-term and sometimes less sustainable flood prevention measures.

In the domains of water supply and wastewater collection and treatment, the situation in Flanders is very much the same as in many other EU member states: the general public pays no attention to the systems that they can not see with their own eyes. These systems have been functioning virtually flawless for many years, and thus the people have started to expect nothing less than that. When prices go up, they will wonder why this is happening and probably complain if they haven't received a satisfying explanation.

Very good sources for learning about the public's perception and attitude towards water and are the surveys conducted by the Flemish Administration for Planning and Statistics (APS: "Administratie Planning en Statistiek") in 1996 and 2000.

First of all, these surveys teach us that environmental pollution was perceived as one of the five most important problems of our society by 40% of the Flemish in both 1996 and 2000. To be more precise, it was perceived as the single most important problem by 6.6% of the respondents in 1996 and by 9.2% in 2000. We may conclude that the general public's awareness of and interest for sustainable water management and wider environmental issues is rising.

According to the same surveys, the spreading of dangerous substances in the environment was regarded as the most important form of environmental threat by 20% of the respondents, while the depletion of freshwater sources and the pollution of rivers were both regarded as the most important form of environmental threats by 6% of the respondents.

The APS survey of 1996 also teaches us what factors were perceived as the main causes of the water pollution: "wastewater from the industry" came first (54%), followed by "wastewater of private households" (12%) and "waste of the industry: heavy metals and chemical waste" (10%). Fourth came "overfertilisation" (7%). Fifth came "insecticides and herbicides" (6%) and sixth came "waste of cattle, pig, and poultry farms" (4%).

Next, the APS surveys teach us that in 2000, 38% of the respondents believed that the protection of the environment will result in an increase in the number of jobs (versus 29% in 1996), while only 11% (15% in 1996) believed that the opposite is true. The majority (56% in 1996 and 51% in 2000) believed that there is no influence on the number of jobs. When the same question was asked for the link between protection of the environment and economic welfare, slightly different results are obtained: 20% in 1996 and 25% in 2000 believed that the link is positive, a steady majority of 61% believed that there is no link, and 19% in 1996 and 14% in 2000 believed that the influence is negative. In other words, a growing number of people believe that the protection of the environment will benefit our economy.

Very interestingly, the APS surveys also teach us that half of the respondents in 2000 were prepared to protest against the placement of an environmentally polluting factory in their own area, and 40% was prepared to take part in a protest march for more natural reserves in Flanders.

Finally, the APS surveys teach us that there is a limited but stable societal support for the payment of more environmental taxes: around 29% for "everybody-pays" taxes and 53% for "polluter-pays" taxes.

2 Public Participation in Flanders

2.1 General History and Background of Public Participation in Flanders

In the 70s, the government organised public participation (PP) mainly through public hearings, especially on matters where such a hearing was obliged by law or where the government was facing a lot of opposition. Usually the direct interaction between the government and the stakeholders was centred on a specific plan and did not really extend beyond a one-time meeting of a few hours. Interactions during these meetings were thus often of a rather superficial nature, with little or no real dialogue. This made the PP very much into a one-time opportunity to react on proposed and worked-out plans. Nevertheless these meetings could become very emotional. In particular when the (limited) purpose of a hearing was not clear to the attending people, they could cause a lot of frustration.

In the 80s, citizens were encouraged more and more to participate in the planning process itself. Very often a precise procedure was developed to describe when, how, and to what extent a particular person could participate. Very often this PP was organised by means of workgroups (dealing with a practical problem) or advisory councils (dealing with more abstract issues). The participants of such groups could be representatives of organised stakeholder (SH) groups as well as independent individuals, but the latter have always remained an exception. Since there were organisations in Flanders for almost any SH group, inviting representatives of those groups was usually the most efficient way to organise PP. Besides, independent individuals often lacked the necessary resources to be seriously involved in long term decision making processes.

This way of organising PP was very popular among Flemish policy makers and organised SH groups. Very often, however, the approach was extremely bureaucratic and resulted in a lack of enthusiasm of the general public. In addition, the government was usually the convenor of such groups. Considering this and the fact that there usually was no clear framework to decide on who was a legitimate SH and should thus be included in a particular PP-initiative, the government could more or less choose who was included and who was left out.

During all these years, the PP in Flanders was usually limited to the policy planning and rarely covered the agenda setting, policy-making, execution, or evaluation. Ultimately the politicians took the final decisions and they could choose whether or not to take into account the opinion of the SH groups and the general public. Some moderate exceptions did occur, however. Especially in domains such as urban development where the expertise of the public was recognised quite early already as an added value in the planning process. A Flemish organisation that coordinated many such projects is the Centre for Guidance on Information and Consultation or CIBE (“Centrum voor Informatie- en inspraakBEgeleiding”), created in 1983. In the 80s it coordinated a whole number of small-scale information and consultation projects in different Flemish municipalities and cities; especially related to traffic and revitalisation but also related to municipal information policies and environmental projects.

However, even such exceptional cases with higher forms of PP were limited to projects. Regarding PP on a more long-term basis, the usual practice in Flanders was (and still is, in many fields) one of PP “behind the curtains”; i.e., SHs influencing the policy through unofficial and often one-to-one contacts with the leading people of another SH group. The abovementioned PP procedures were often not more than a show to legitimise decision that had already been taken.

2.2 Institutional Practices and Background of RBM in Flanders

2.2.1 Competent Authorities

In this section we will describe the most important competent authorities in water management in Flanders, highlighting their current role in river basin management issues as well as their current practices of PP. The list of competent authorities is not exhaustive, but it covers all relevant domains for a very large part. The resulting list may seem a bit long and complex, but this is unavoidable: the Flemish RBM sector is known for its complexity, and for newcomers it is often difficult to grasp the entire picture of the Flemish RBM landscape. To facilitate the readers' understanding of the Flemish RBM context, we have included a schematic overview of the most important competent authorities in the annex of this report.

Water management authorities

In this section we will discuss those competent authorities who are directly responsible for something related to water management. All these authorities are also included in the schematic overview (annex).

AWZ – the Waterways and Maritime Affairs Administration

The Waterways and Maritime Affairs Administration (AWZ: “Administratie Waterwegen en Zeewegen”) is responsible for the management and day-to-day administration of the navigable waterways in Flanders. The AWZ describes its customers as the citizens of Flanders (waterway residents, ship masters, shippers, merchant ship owners, recreational owners, etc.) as well as the international community that establishes contact through the seaports and waterway network.

The AWZ policy plan refers to six strategic objectives (AWZ website, 2003):

1. To meaningfully increase the share of inland and coastal shipping in the totality of goods transport.
2. To ensure a socially responsible and economically acceptable safety level against flooding, based on environmental factors and purpose.
3. To reduce the total cost per ton for ships sailing to the Flemish seaports, while their share in the Hamburg/Le Havre range increases.
4. To promote significant increases in the fauna and flora on, in and along the waterways.
5. To develop and secure a vision of the multiple functions of waterways in the zoning plans.
6. To play a strategic role in co-ordinating the management of fresh water reserves in Flanders.

The services of the AWZ thus manifest themselves in four areas (AWZ website, 2003):

1. Development, maintenance, management and operation of the infrastructure.
2. Management of the navigable waterways through pilotage, shoring up work, beaconing and maintaining the depth of the access routes to and from the Flemish seaports.
3. Conservation, nature development, and promotion of water-related recreation.
4. Management of the Flemish fleet and assurance of a permanent maritime rescue and towing service.

AMINAL – the Administration for Environment, Nature, Land and Water Management

The acronym AMINAL stands for “Administratie Milieu,- Natuur-, Land- en Waterbeheer” or Administration for Environment, Nature, Land and Water Management. AMINAL is responsible for the preparation, execution and evaluation of the Flemish environmental policy. As such they cooperate with the local authorities, coordinate scientific research, inn taxes, manage natural reserves, and are active in the field of environmental permits.

Their approach is focused on sustainable development. AMINAL makes efforts to integrate the priorities of other policy domains into its own (and vice versa), especially for those domains related to the execution and evaluation of the Flemish environmental policy that are shared with other authorities. Apart from legal and economic instruments, they also invest a lot of time and effort in an effective communication on environmental issues, including sensibilisation and education.

AMINAL is divided into a Directorate-general and eight divisions. Three of these divisions have a serious impact on the Flemish RBM:

1. AMINAL Land is responsible for the safekeeping and improvement of the spatial and ecological quality of the countryside as well as for the protection of the soil quality.
2. AMINAL Nature is responsible for the nature policy in Flanders. First of all, they manage around 60 natural reserves and provide financial support to recognised environmental organisations for them to buy and manage environmentally valuable areas. Second, AMINAL Nature sponsors and supports scientific research in these areas, sometimes resulting in protection plans. Next, they monitor the implementation and enforcement of nature related legislation. Finally, they support local authorities in their nature related policies.
3. AMINAL Water tries to contribute to an optimal state of the ground and surface water for both men and nature. Therefore, AMINAL Water...
 - Works out a vision and actions for the water system (or parts of it). They try to do this in interaction with other policy domains, in order to come to one integrated vision for the Flemish water management.
 - Organises and stimulates the dialogue on integrated water management by the creation of a consultative body for all competent authorities, local stakeholders, and users of the water system.
 - Manages the Flemish “unnavigable waterways of the first category”. This means that they manage those parts of waterways situated within their territory that are not used for navigation but nevertheless have a rather high direct impact on the area. In the whole of Flanders, these (parts of) waterways have a length of 1400 km and a drainage area of over 5000 ha.
 - Stimulates third parties by control, subsidies, and advice. This includes subsidising the polders and wateringen, following-up on plans for sustainable local water management, giving advise regarding ground water extraction, issuing permits for the construction of water management infrastructure alongside the Flemish “unnavigable waterways of the first category,” delineating water extraction zones and protection zones, and the recognition of laboratories for water analysis.

The other AMINAL divisions are: General Environment and Nature Policy (“Algemeen Milieu- en Natuurbeleid”), Woods and Green (“Bos en Groen”), Environmental Permits (“Milieuvergunningen”), Europe and the Environment (“Europa en Milieu”), and Environmental Inspection (“Milieu-inspectie”).

Aquafin

As a utility company established by the Flemish regional government, Aquafin's primary task is the accelerated realisation and operation of the sewage treatment infrastructure in Flanders.

The company's primary activities are:

- Advising on the type of sewerage and treatment works that suits best the need of a particular drainage area.
- Developing standardized process technology to optimise the high-level investment in new wastewater treatment plants, and to control operating costs.
- Obtaining the best conditions for loans and financing related to public/private partnership agreements required to develop wastewater treatment infrastructures.
- Building and operating sewage processing systems in a cost-efficient and environmentally sound way.
- Developing a comprehensive project management tool to ensure that all sewage treatment facilities are delivered on time, within budget and to the required quality.

At the end of 2002, Aquafin was responsible for the operation of 199 wastewater treatment plants, 749 pumping stations and 3,662 km of sewerage. The total capacity of the plants amounts to 4.9 million people equivalent (PE) with nutrient removal. In 2002 3.192 million PE was treated, which is a capacity utilization of 65.2%.

VMM - the Flemish Environment Agency

The Flemish Environment Agency (VMM: “Vlaamse Milieumaatschappij”) is a policy preparing and executing public Flemish institution that was founded in 1990. The VMM’s tasks can be summarised as planning, reporting, collecting, informing, measuring and advising. The VMM is, for instance, responsible for the compilation and publication of the “Flanders Environment and Nature Report – Themes” (MiRa-T: “Milieu- en Natuurrapport Vlaanderen – Thema’s”). This extensive study deals thematically with the various important environmental issues. In referring to indicators, the yearbook describes the evolution of the environmental quality in Flanders and provides information on recent developments, including policy developments. Where possible, it tests the development of indicators with reference to objectives that are approved by the Flemish Government.

In relation to water issues, the VMM first of all continuously investigates the surface water quality, registers who discharges what, and publishes annual reports on these matters. The surface water measuring networks consist of two measuring networks that complement one another: a physico-chemical measuring network and a biological measuring network. Furthermore, research is also done on the bacteriological quality of the bathing water. The wastewater measuring network encompasses two big units: measuring industrial wastewater and measuring influents and effluents of public sewage purification plants.

The status per catchment and a series of measures are processed in the General Water Quality Plans (AWPs: “Algemene Water Plannen”). Next, the VMM uses these reports as a basis when giving advice concerning environmental permits with respect to water. The AWP’s also serve as a basis for the investment programmes drawn up by the VMM for the construction of supra-municipal water treatment infrastructure (collectors to which the (municipal) sewerage systems are connected and treatment plants), as well as for the construction or expansion of municipal sewerage systems and of the small-scale treatment plants. Furthermore, The VMM gives advice in respect of environmental permits, determines the levy on water pollution, and collects this levy from families and companies.

Aside from these water related issues, the VMM equally monitors the quality of ambient air and the ozone levels through a network of air measuring stations, makes inventories of who discharges what into the atmosphere, makes annual reports on them and also gives advice concerning environmental permits with respect to the air.

Finally, the VMM intends to motivate the population, companies and agriculture towards environmentally saving behaviour by means of information, raising the awareness of target groups, and education projects on the environment.

VMW – the Flemish Agency for Drinking Water Provision

The VMW (“Vlaamse Maatschappij voor Watervoorziening”) or Flemish Agency for Drinking Water Provision is one of the five Flemish public utility boards that are responsible for delivering drinking water to the Flemish population. The public utility boards have a monopoly position in this sector, but also strong obligations: they are to deliver drinking water at all times, to anybody who asks for it, of sufficient quality, with enough pressure, and at a price that is socially acceptable, as low as possible, easy to determine, and competitive. The other four public utility boards of the Flemish drinking water sector are the AWW (“Antwerpse Waterwerken” or Antwerp Water Works), the PIDPA (“Provinciale en Intercommunale Drinkwatermaatschappij der Provincie Antwerpen”), the TMVW (“Tussengemeentelijke Maatschappij der Vlaanderen voor Watervoorziening”), and the IWVA (“Intercommunale Waterleidingsmaatschappij van Veurne-Ambacht”). The VMW represents the Flemish drinking water sector in the Flemish Integrated Committee for Consultation on Water (VIWC)

and in the International Scheldt Commission (ISC), while the AWW represents them in the International Meuse Commission (IMC).

The Flemish Polders and Wateringen¹ and the VVPW

The 104 Flemish polders and wateringen are local boards responsible for the protection of their land (a polder and a watering, respectively) against floods, and for creating “a beneficial situation for agriculture and hygiene”. Thus one of their primary concerns is agriculture. Their other concerns are nature conservation, fishing, tourism, drinking water provision, etc. Characterising their nature is the “trits” principle: those who have a special stake in the functioning of the polder board or “watering” are the primary source of finances through payment of a tax, and in turn they get a share of the decision making power.

The majority of the Flemish polder boards and wateringen is a member of the VVPW (“Vereniging van Vlaamse Polders en Wateringen” or Association of Flemish Polders and Wateringen), who represents them wherever they deem necessary and feasible.

The Flemish Provinces and the VVP

The Flemish provinces have the authority to manage the “unnavigable waterways of the second category”. This means that they may manage those parts of waterways situated within their territory that are not so small that their direct impact is only of a very local nature, but that are neither so big that their direct impact is of high importance.

Towards governmental bodies of a higher scale (e.g., the region of Flanders), the stakes of the Flemish provinces are defended by the VVP (“Vereniging van de Vlaamse Provincies” or Association of the Flemish Provinces). Apart from this primary task, the VVP also stresses the distinctive features of the provincial policy level within the internal administration of Flanders; mainly by stimulating the growth of the provinces towards dynamic and recognisable local policy makers.

The Flemish Municipalities and the VVSG

The Flemish municipalities have the authority to manage the municipal sewers as well as the “unnavigable waterways of the third category”. The latter means that they may manage those parts of waterways situated within their territory that are so small that their direct impact is only of a very local nature. In practice, however, it sometimes happens that a municipality leaves this job to AMINAL Water.

The representative umbrella organisation of the Flemish municipalities is the VVSG (“Vereniging van Vlaamse Steden en Gemeenten” or Association of Flemish Cities and Municipalities). The first aim of the VVSG is to promote strong local authorities. Therefore, it develops and supports initiatives which enhance the quality of local policy, both through increasing the scope of municipal policy-making and through refining local democracy. The VVSG gives advice to its members and organises seminars for councillors and municipal employees. It distributes information to the local authorities via various new media, periodicals, books, and a documentation service. The VVSG also negotiates on behalf of the municipal employers with the trade unions and the higher authorities. Furthermore, it defends the interests of the local authorities when institutions and other authorities address local policy matters.

¹ There is no translation for the Flemish word “watering”. Fortunately enough it is easy to explain: a watering is almost the same as a polder. Both words refer at the same time to (1) an area that needs constant protection against flooding because of its location below the surrounding water level and (2) the public boards who are in charge of this protection. The most important distinction is that polder refers to an area that is situated in a zone that was once “conquered” on the sea (or a river that is affected by the tides of the sea) by means of dikes, while watering refers to areas that are located in other zones.

Land and waste management authorities

The competent authorities described below are not responsible for an aspect of water management, but rather for an aspect of land management or waste management that is of high importance for the Flemish RBM.

AROHM – the Administration for Spatial Planning, Housing, Monuments and Landscapes

The name of the Administration for Spatial Planning, Housing, Monuments and Landscapes (AROHM: “Administratie Ruimtelijke Ordening, Huisvesting, Monumenten en Landschappen”) describes perfectly well what it is responsible for. Among others, they issue construction permits and draw up a region-wide spatial planning report (“Structuurplan Vlaanderen”, cf. paragraph 2.3.1 – More Public Participation in General).

OVAM – the Public Waste Agency of Flanders

OVAM stands for “Openbare Afvalstoffenmaatschappij voor het Vlaams Gewest” or Public Waste Agency of Flanders. OVAM is responsible for waste management and soil purification in Flanders. It is a public Flemish Institution, established in 1981 to cover waste management and prevention, waste removal, and soil purification. In 1995, Flanders got a more specific legislation on soil purification: the soil purification decree. The Flemish Minister of Environment is responsible for waste management in Flanders. OVAM works out and implements its policy. The soil purification decree provides the Flemish government with a powerful instrument to fight historical as well as recent soil pollution. One of its objectives is to remediate historical soil pollution within a period of 40 years. The soil purification decree equally offers a range of possibilities to prevent new soil pollution or to remediate right away.

VLM – the Flemish Land Agency

Open space is so scarce in Flanders that it has to be treated very sparingly. This is the task of the Flemish Land Agency (VLM: “Vlaamse Landmaatschappij”), a public institution with a decentralised organisation. In addition to a central directorate in Brussels, there are four provincial divisions carrying out VLM assignments in the different Flemish provinces. The VLM projects aim “to make possible the sustainable, viable development of man in harmony with his environment.”

VLM fulfils five tasks within the borders of the Flemish Region:

- Land-use planning: land-use projects have been carried out since the early 1990s. The aim of these projects is to bring together the various claims on open space in a coordinated way. Structural land-use plans offer integrated and sustainable development opportunities to all functions within a given area (farming, environment, nature, landscape, recreation, cultural history, etc.).
- Land consolidation: the primary aim of land consolidation is to streamline agricultural economics; areas which are used mainly for farming are divided up in such a way that farmers are able to work more efficiently.
- Nature: this assignment was recently attributed to the VLM by the Flemish Government. It is still in full development. The main goals are (1) the protection, development, control and repair of nature and the natural environment; (2) the preservation or the repair of the environmental quality necessary to achieve this; and (3) the creation of a social basis as broad as possible.
- The Manure Bank: the "Manure Bank" was set up in order to combat over-fertilisation of farmlands. Among others things the Manure Bank stimulates demand for animal manure, mediates in the trade in manure and provides a safety net for manure surpluses that cannot be

sold immediately. The Manure Bank also collects levies, pays out compensation and provides information in relation to the manure problem.

- GIS-Flanders: in 1995, this coordinating system was set up within the VLM in order to make the digital geographical information on Flanders more accessible and easier to exchange between all concerned (cf. paragraph 2.3.2 – Use of information and communication tools to stimulate PP).

2.2.2 Other Relevant Authorities

Research authorities

The Flemish research authorities described in this section are often consulted in the frame of integrated river basin management. They are well respected and thus have a relatively high impact on the Flemish river basin management.

IN - the Institute for Nature Conservation

The Institute for Nature Conservation or IN (“Instituut voor Natuurbehoud”) is a scientific institute of the Flemish Community that is occupied with matters of nature conservation. Already anticipated in 1973 in the Act on Nature Conservation, the decision to set it up was taken in 1985. On 1 March 1986 the activities were effectively started. The IN is responsible for “carrying out all suitable scientific studies, investigations and operations in connection with nature conservation, especially with the aim of working out means of action and scientific criteria for carrying out a nature conservation policy; for this end it is to assemble all useful documentation, undertake necessary studies and investigations, direct enquiries into and take care of the transmission of the knowledge acquired to the competent authorities.”

IBW - the Institute of Forestry and Game Management

The Institute of Forestry and Game Management (IBW: “Instituut voor Bosbouw en Wildbeheer”) is occupied with scientific research and scientific services concerning greenery, forests, fauna, fish stock and their management. The IBW was founded by a Flemish Government Decree in 1991 as a scientific research institute, incorporating the former Government Poplar Research Station and the former Government Station for Silvicultural and Hydrobiological Research. Today’s scientific research focuses on forests, fish stock and fauna. Research topics are identified in response to questions from the forestry, inland fishery, nature conservation and hunting sectors, as well as from other research institutions. Other research is carried out in support of regional and European policy making. Results of research activities are disseminated through articles in national and international journals, participation in seminars and meetings, organisation of study tours, excursions, advice, etcetera, as well as through its own publications: scientific reports, an annual activity report and the periodical “Mededelingen”.

Not-for-profit non-governmental organisations

In this section we will describe four not-for-profit non-governmental organisations that have a very significant impact on the Flemish river basin management. These four NGOs also have a direct link with the regional advisory councils that we will discuss in the following section.

BBL – the League for a Better Environment

The League for a Better Environment (BBL: “Bond Beter Leefmilieu”) was established in 1971 and is a federation of more than 125 Flemish environmental NGOs. As such, it consists of national member organisations (e.g., Greenpeace and WWF), regional member organisations, and advisory (mostly local grassroots) NGOs. The BBL is member of the European Environmental Bureau (EEB) and the Foundation for Environmental Education in Europe (FEEE), and it works closely together with Friends of the Earth Europe (FOEE) and Earth Day International.

The BBL’s primary goal is to protect the environment, including not only conservation but also development and restructuring as well as environmental sensitisation and education. They try to achieve the above-mentioned goal by:

1. stimulating the cooperation between large organisations and local grassroots organisations;
2. representing the Flemish environmental movement;
3. political lobbying;
4. influencing the public opinion and specific target groups through the dissemination of information by the mass media;
5. closely following up and studying environmental problems;
6. and by creating networks.

“Democracy and the Environment” is one of the seven work fields of the BBL. And in this regard, their view coincides very well with the WFD: for a sustainable development, they consider it not only necessary to integrate different policy domains and to have a long-term perspective, but also to have a broad PP of target groups in the decision making on societal issues (BBL website, 2003). In this frame, the BBL also calls for the Flemish government to not only focus on the development of information and communication technology but also to invest in the development of interactive methods of communication and decision making. In this context, the BBL also refers to Local Agenda 21 projects as important means to reach PP on a local level.

BB – the Farmers League

The Farmers League or BB (“Beroepswerking van Boerenbond”) is by far the largest and most important Flemish non-governmental organisation to represent the agricultural sector. It has over 200 active local divisions as well as around 180 regional structures where farmers and market gardeners can meet with people of the same profession. The BB concentrates on defending the stakes of its members through studies, advise to policy makers, political representation, partaking in consultative bodies, and actions. Furthermore they also organise training courses, workshops, and pilot projects. Finally, they also provide their members with services related to administration, take-overs, etc.

Natuurpunt

Natuurpunt is a Flemish not-for-profit NGO with over 48,000 members. They want more nature and better nature, but also aim to open up natural reserves for the general public (to enjoy them, to study them, or to help with the management).

WWF Belgium

WWF is a global organization acting through a network of local offices and associates in over 40 countries. The Belgian branch of WWF was founded in 1966 (i.e., five years after the creation of the WWF). They carry out practical field projects and scientific research, advise local and national governments on environmental policy, promote environmental education, and raise the public awareness of environmental issues.

Regional advisory councils

In this section we will discuss two regional advisory councils that are of major importance for river basin management in Flanders: the MiNa-Council and the SERV. Their importance is clearly reflected in the fact that the representatives of their members (incl. not-for-profit NGOs) are paid by the Flemish government for the work that they do in these councils.

MiNa-Raad – the MiNa-Council

The MiNa-Council (MiNa-Raad: “Milieu- en Natuurraad van Vlaanderen”, i.e. the Flemish environmental and nature council) advises the Flemish Government and the Flemish Parliament about all matters related to the environment and nature conservation. Since 1995, this is interpreted very broadly and includes themes such as sustainable development, spatial planning, infrastructure, etc. The advices of the MiNa-Council are not binding for the policy makers: they can choose whether to follow the advice or not. However the MiNa-Council has a lot of influence on the decisions and its advice is not often neglected. The MiNa-Council can act on the request of the Flemish government or parliament or on its own initiative. And in a significant number of cases, the Flemish government is even obliged to ask the MiNa-Council for its advice.

Apart from giving advice, the MiNa-Council also functions as an important consultative body, since it gathers a lot of influential representatives of both the environmental and the socio-economic components of the Flemish society. To be precise, the MiNa-Council has 24 members with voting power and seven expert members without voting power. The president and vice-president are appointed by the Flemish government and each of them has one vote. Because of the focus on nature and the environment, twelve members stem from Flemish not-for-profit NGOs with a clear environmental profile. Six of these are representatives of the BBL. The other six are representatives from BBL members such as WWF Belgium and Natuurpunt. The socio-economic partners have six representatives in the MiNa-Council, who are being nominated by the member organisations of the Socio-Economic Council of Flanders (SERV: “Sociaal-Economische Raad van Vlaanderen”). Three of these are nominated by the three representative Flemish trade unions (the ABVV or “Algemeen Belgisch Vakverbond”, the ACLVB or “Algemene Centrale der Liberale Vakbonden van België”, and the ACV or “Algemeen Christelijk Vakverbond”). The three other representatives are nominated by the three largest representative Flemish employers' associations: the Union of Self-Employed Entrepreneurs (UNIZO: “Unie van Zelfstandige Ondernemers”), the Flemish Economic League (VEV: “Vlaams Economisch Verbond”), and the already mentioned Farmers League (BB). The last four places with voting power are for representatives of the four “green sector councils”: the Flemish High Council for Nature Conservation (VHRN: “Vlaamse Hoge Raad voor Natuurbehoud”), the Flemish High Council for Woods (VHB: “Vlaamse Hoge Bosraad”), the Flemish High Council for Hunting (VHJ: “Vlaamse Hoge Jachtraad”) and the Flemish High Council for Angling (VHRR: “Vlaamse Hoge Raad voor de Riviervisserij”). The input of these councils is mostly technical and sector specific. They represent the associations and experts who are concerned with or make direct use of natural resources. The seven expert members without voting power stem from the VVSG, the VVP, and the Flemish Council for Scientific Policy (VRWB: “Vlaamse Raad voor Wetenschapsbeleid”).

SERV – the Social and Economic Council of Flanders

The Social and Economic Council of Flanders (SERV: “Sociaal-Economische Raad van Vlaanderen”) is the consultative body of the Flemish social partners. It is composed of ten delegates of the representative Flemish trade unions (ABVV, ACLVB and ACV) and ten delegates of the representative Flemish employers' associations (the BB, UNIZO, VEV, and VCSPO). All these organisations have been mentioned already since they have a representative in the MiNa-Council, with the exception of the

VCSPPO. The VCSPPO is the Flemish Confederation of Social Profit Enterprises (“Vlaamse Confederatie van Social Profit Ondernemingen”) and has no representative in the MiNa-Council.

The SERV provides its members with the forum for mutual consultation and for a joint exploration and elaboration of views on legislation with regard to social and economic matters in Flanders. Thus the important issues that the SERV is handling include industrial and infrastructural policy, regional development, the labour market, education and training, transport and traffic, the environment, etc.

Just like the MiNa-Council, the SERV can act on its own initiative or at the request of the Flemish Parliament, the Flemish Government or one of its members, and the Flemish Government is obliged to seek the advice of the SERV on every draft decree relating to social and economic matters.

In their standing orders the SERV partners have agreed that every recommendation must be adopted unanimously, i.e. there must be a consensus. This implies that, if one of the social partners disagrees, no recommendation can be issued. In that case, the Flemish Government is informed in writing of the different opinions. Contrary to the SERV recommendations, these opinions are not published: i.e. they are not mailed to the individual members of the Flemish Parliament nor to other executive officials, and no press release is issued.

2.3 Towards More Public Participation in Flanders

In Flanders, as in many other European regions, more and more innovative initiatives are adopted in order to increase PP in public decision-making. Below we will discuss the most important of these evolutions. We will first do this for the increase in attention for PP outside of the water management field. The fields of district development and spatial planning will play an important illustrating role in this section. Second, we will focus on the evolutions in the field of water management.

2.3.1 More Public Participation in General

This paragraph is largely based on the work of Smeets (2003). She described three indications of an evolution towards more PP: e-government, referenda, and novelties in the field of district development and spatial planning.

E-Government

Over the last years, both the Flemish and the Belgian government have started to seriously invest in e-government. Exemplary for this evolution is the launch of portal websites such as www.belgium.be and www.vlaanderen.be (English, but a more limited version: www.flanders.be). However the interactive parts of these portals are still for a large part under construction, and thus their potential to stimulate PP is currently still limited to providing the general public with access to information that was previously not or hardly accessible.

Referenda

It is only since 1995 that the Flemish municipalities are allowed to organise referenda among their citizens. The initiative for a referendum can come from the communal council or from the citizens themselves if there are enough (10%) supporters. The purpose of such a referendum must not be to let the citizens take a decision themselves, but to consult with them. After the referendum, the municipality's council must take a decision.

An important limit on the use of referenda in Flanders is that binding referenda are not allowed by the Belgian constitution, although there is some political controversy on the future of this issue. A second limit on the use of these referenda follows from the referenda's scale: since the referenda can be organised only on a municipality level, the topics of the referenda must also fit into the powers of the municipality. However, the Flemish government has expressed its intention to draw up a regulation for regional referenda as well. Because of the Belgian constitution these referenda should also be consultative in nature, but the Flemish government has expressed its intention to respect the results of its referenda and to act upon them.

Relevant novelties in the field of district development and spatial planning

Below we will describe some innovative methods for planning and policy making in the field of district development. The uprising, development, and use of these methods can be situated largely in the frame of the so-called Local Agenda 21 that calls for a larger public involvement in the discussions on sustainable development.

The Centre for Guidance on Information and Consultation (CIBE) and the participatory design of spatial structure plans

A Flemish directive of 24 July 1996 obliges every Flemish municipality and province to draw up plans (“ruimtelijke structuurplannen”) that outline the desired spatial structure and serve as an important policy framework for future spatial developments. Just like the WFD, this directive includes a limited obligation of information and participation of the public. In this context, the CIBE (cf. paragraph 2.1 – General History and Background of Public Participation in Flanders) developed a method with three central elements: delineating the issues, sound communication, and adequately informing the SHs. The CIBE approach further distinguishes between seven levels:

1. Central: representatives of the municipality’s political leaders, civil servants of the municipality, external experts, governmental bodies, and the province.
2. Wider: members of the municipality council, experts, and representatives of organised citizen groups.
3. Organised: a Planning Group (external experts who draw up the spatial structure plan) and advisory councils.
4. Open: for all those interested.
5. Political: the municipality council.
6. Trans-boundary: together with neighbouring cities and municipalities.
7. Interactions with higher administrative levels: the province or the Flemish Community.

This participative approach of drawing up spatial structure plans was used in several municipalities. For instance in Izegem, where the CIBE organised a lot of PP from the beginning until the end of the planning process and their efforts were rewarded accordingly: Wijnants (2000) reported that the citizens evaluated the process as positive and interesting.

DIP - Goal-oriented Intervention Planning

The DIP (“Doelgerichte InterventiePlanning”) analysis and planning method relies on visualisation as a means to facilitate PP. It consists of three phases. In the preparation phase, the convenors or facilitators define the issue at hand, and decide who must be involved in the process group. In the analysis phase, a moderator guides this group through the process of drawing a “problem tree” that outlines the causes and consequences related to the earlier defined issue. This problem tree is then translated into a “goals tree” that consist of several clusters of objectives that are subsequently rank-ordered in terms of their priority. In the planning phase, an “intervention logic” is built up that outlines in more detail how and when actions will be taken.

After many years of problems with one of its districts and fruitless attempts to solve them, the Flemish municipality of Kuregem turned to the DIP method. Their evaluation was very positive, although the costs for the municipality were relatively high.

LENS – Livelihood Research New Style

The LENS-method (“Leefbaarheidsonderzoek Nieuwe Stijl”) was developed in the Netherlands by Fransien Attema. Its purpose is to check how citizens perceive their daily environment and what options they see to improve its quality. The method consists of a one-year research enacted in four phases: a preparation phase, an inventarisation phase, a discussion phase, and a construction phase. In Flanders, this method was used several times since 1995 for social urban development projects (“sociale vernieuwingsprojecten”) in the city of Ghent.

Planning-for-Real

The central idea of this method is that visualisation is a crucial component of district development planning. Therefore this method involves the use of a model made of cardboard, plastic, or wood, on which the citizens can show what they mean. By using this cardboard model, the citizens can avoid talking to a large public. In addition, informal discussions are encouraged while confrontations are avoided. Moreover, the consultation process is made as pleasant as possible for all those involved. For instance, informal contacts between the citizens and the civil servants are encouraged. Among the innovative aspects of this method are the model that is built by volunteers from the district, and a “stock-taking” of the skills, experiences, and knowledge of the residents.

This method was used for the first time in Dalmamock, Glasgow. Within Flanders, this method has been applied by the RISO (“Regionaal Instituut voor Samenlevingsopbouw” or Regional Institute for Society Building) in the municipality of Beersel. A very similar approach (“Wijkontwikkeling”) was used for the first time (1997) in Heusden Zolder and is actually the result of the integration of the Planning-for-Real method and the Dutch “Deventer wijkaanpak” or Deventer district approach.

SIF – the Social Impulse Fund

The Flemish SIF (“Sociaal Impuls Fonds”) was created in 1996. It is an important policy tool that advocates an inclusive and collaborative bottom-up approach. It aims to generate concrete results by drawing together funds from multiple sources and by fostering a variety of SH networks. These annually evaluated networks are meant to increase the quality of life through the increase of involvement and communication of the citizens of a district.

An exemplary SIF network was created on 1 January 2000 in Maasmechelen. The aim of this particular network was to involve the inhabitants of a problematic town district in the process of improving the (perception of) services, safety, traffic, and communication in their district, and so far it has received two positive evaluations.

2.3.2 More Public Participation in RBM

Over the years, Flemish river basin managers have learned the merits of PP and an integrated approach to RBMP. Such an approach is being implemented since the early 90s, when the first river basin committees were created. These committees were set up in the first place to facilitate the communication among civil servants, and in the second place to facilitate the communication between civil servants and other SHs. This evolution towards more and “higher forms” of PP has had profound effects on the RBMP practices. Not only within Flanders, but also on the international scale. Of course, many of these changes must be situated in the context of international developments such as the WFD.

Changes on the Flemish and local scale

The Flemish Integrated Committee for Consultation on Water

In May 1996, the VIWC or Flemish Integrated Committee for Consultation on Water (“Vlaams Integraal Wateroverleg Comité”) was created as “a platform for consultation and exchange of information between all relevant actors in the domain of water policy and management” (VIWC website, 2003). However, its members consist purely of governmental competent authorities and consultation platforms: the AWZ, AMINAL, AROHM, VMM, VMW, VVP, VVPW, and VVSG. Societal SH groups are kept out of this influential body.

Nevertheless the creation of the VIWC was an important step forward for PP in the Flemish integrated water management. First of all, from the very beginning until today, the tasks of the VIWC were very much related to the organisation of catchment consultation structures and the implementation of the RBMP process. (The VIWC not only formulates proposals, but also plays an important role in the

operationalisation of these endeavours.) Furthermore, the VIWC tasks equally include spreading information and sensibilisation related to the principles of integrated water management, guidance in implementing the WFD, etc.

Since 1998, as a result of the continued effort of the VIWC as well as other organisations, each of the 11 Flemish catchments had its own integrated committee of civil servants. These committees constitute formal and informal networks through which content and process knowledge is exchanged, and this has probably facilitated the creation of another stepping stone of the Flemish progress towards an integrated water management: the Flemish Water Policy Plan.

The Flemish Water Policy Plan and the Flemish Environmental Policy Plan 2003-2007

The Flemish Water Policy Plan (“Waterbeleidsplan Vlaanderen”) was published in November 2001. It describes the Flemish integrated water policy from 2002 until 2006 and indicates what was necessary in other policy domains to come to an integrated water management. It contains a concrete action programme and is based in part on a common exercise of water managers and users to formulate a long-term vision (goals for the future) in relation to the Flemish water systems. As such, the Flemish Water Policy Plan has been a major starting point for more PP in the Flemish RBMP process. Especially because the goals described in it include “the increase of societal involvement in the sustainable use of water systems through a target group policy, consultation, active involvement, and sensibilisation” (Waterbeleidsplan Vlaanderen, 2001, “subdoelstelling” 1.3).

The plan goes on to describe this in more detail and to connect three actions to this goal.

A first action (1.3.1) is “*to develop the target group policy by using target group managers*” in which target group manager refers to a person who facilitates the discussion between the policy makers and the target group. They are the contact persons for their target group and pass on information from the target group to the policy makers and vice versa. It is thereby encouraging to see that the plan not only refers to the involvement of organised SH groups, but also of the general public.

A second action (1.3.3) is “*to sensibilise the policy makers, the target groups, and the general public.*” The importance of this is illustrated in the plan by referring to the necessary public acceptance of principles such as “the polluter pays” and to its impact on the realisation of projects that are tailor-made for specific target groups such as the industry, agriculture, municipalities, households, etc. The plan mentions three mechanisms as essential to accomplish this sensibilisation: a better communication on cause-and-effect relations, the government as an example of good practices, and PP in the decision making as a means to stimulate personal involvement and commitment.

A third action (1.3.2) is “*to organise a societal evaluation in order to create public support (...).*” Here the plan refers explicitly to the WFD obligation “*to submit the draft RBMPs to a public investigation.*” However it continues to say that this public investigation (“openbaar onderzoek”) would be held in the frame of a public consultation on a more general plan: the Flemish Environmental Policy Plan 2003-2007 (“Milieubeleidsplan 2003-2007”). This plan describes the general lines of the entire environmental policy in Flanders until 2007. Its approval by the Flemish government on 19 September 2003 is a major achievement of AMINAL. Especially since it came into being only after a long-lasting consultation of all parties concerned; among others through a large-scale public investigation in which municipalities, provinces, citizens, private companies, and all kinds of organisations were asked for their recommendations and comments.

However, by not submitting the Flemish Water Policy Plan to a direct public investigation but rather to do this indirectly through the more general Environmental Policy Plan, the societal evaluation was much less precise. The Environmental Policy Plan does not describe the water policy in an equally detailed way as the Water Policy Plan, and some actions described in the Water Policy Plan do not even

fit into the actual environmental policy. This is explicitly recognised in the Flemish Water Policy Plan (Waterbeleidsplan Vlaanderen, 2001). The reason stated in the Water Policy Plan for not submitting it to a direct public investigation, is the fear of placing too many demands upon the public. However this fear should not generate major drawbacks on the quality and extent of the PP in the RBMP process. As an alternative for a direct public investigation, the Water Policy Plan mentions the idea to draw up a key points memorandum (“krachtlijnennota”) of the next Water Policy Plan and to subsequently submit this for consultation to the MiNa-Council and the SERV or even to the Flemish Parliament. Such a memorandum could contain, so continues the Water Policy Plan, not only key points related to the environment but also key points related to, for instance, spatial planning, prevention of floods, recreation, etc.

The Flemish Decree on the Integrated Management of Water

Last but not least among the official mile stones in the Flemish evolution towards an integrated approach of water management with more PP comes the Decree on the Integrated Management of Water (“Decreet betreffende het Integraal Waterbeleid”). With the official approval of this decree by the Flemish Parliament in July 2003, Flanders is one of the first regions in Europe to have legally implemented the WFD.

The Flemish Decree on the Integrated Management of Water aims to reach a sustainable use and management of water, and describes the organisation of integrated water management as well as the RBMP process that is coupled to this organisation. Amongst others, it replaces the VIWC as coordinating body for the integrated management of water in Flanders by a Coordination Commission Integrated Water Policy or CIW (“Coördinatiecommissie Integraal Waterbeleid”) with a secretariat in the VMM. The members of this CIW still need to be appointed, but most probably the result will be very similar to the VIWC.

Three scales are distinguished in the decree: the international scale with river basin management plans (“stroomgebiedbeheersplannen”), the Flemish scale with river catchment management plans (“bekkenbeheersplannen”), and the local scale with river sub-catchment management plans (“deelbekkenbeheersplannen”). The further focus of the decree is firstly on the Flemish (catchment) scale, and secondly on the local (sub-catchment) scale. The river catchment management plans will be the most important policy tools, but input from the other scales is possible.

The decree has been most influential for the Flemish (catchment) scale and the local (sub-catchment) scale, but also on the international (basin) scale. The catchment scale is widely regarded as the most practical scale for the Flemish RBM policy, since the sub-catchment scale is much too local and the basin scale is much too large. We will therefore first discuss the impact of the Flemish decree on the Flemish scale, before continuing with the impact on the local scale and the changes on the international scale.

The Flemish scale

The Flemish Decree on the Integrated Management of Water divides Flanders into 11 administrative² RBM units that generally correspond with the catchments of side-rivers of the Scheldt and the Meuse. It also dictates that for each of these catchments an annual catchment management plan should be drawn up that contains, among others, all relevant policy plans of the competent authorities.

² The subdivision in administrative RBM units is limited to the territory of Flanders. Strictly speaking from a water system perspective, however, most of the catchments are situated partly in France, the Netherlands, or the Walloon Region.

According to the decree, the catchment management plans will be drawn up by catchment secretariats (“bekkenssecretariaten”) that will be composed of civil servants active in water policy making and administration (i.e., the institutional members of the VIWC), a catchment coordinator (“bekkencoördinator”), and someone responsible for the planning (“planningsverantwoordelijke”). The members of each catchment secretariat will also act as advisers on technical issues. Thematic working groups can provide input into this planning process.

Each catchment secretariats will be complemented by a catchment administration group (“bekkenbestuur”) composed of representatives of different policy levels (municipalities, cities, provinces, regions and waterships) and responsible for submitting the water management plan to the Minister.

Finally, as the decree explicitly referred to information and involvement in the decision making process as being of vital importance to have a real impact on the environment, a catchment council (“bekkenraad”) is to be installed for each catchment. These councils will consist of representatives of all SH groups, and act in an advisory role.

The RBM structure as outlined in the Flemish Decree on the Integrated Management of Water and described above was not fully implemented yet when this report was finalised. At the moment, the RBMP structure is thus still as follows:

Each of the 11 Flemish catchments has a catchment committee (“bekkencomité”), a civil servants working group (“ambtenarenwerkgroep”), and a plenary assembly (“plenaire vergadering”). The catchment committees are composed of representatives of all policy levels active in the catchment, and they are responsible for approving the dossiers. The civil servants working groups are chaired by a catchment coordinator (“bekkencoördinator”) and composed of representatives of the institutional members of the VIWC and representatives of the VLM. They are responsible for the preparation of the dossiers before they are submitted to the catchment committees. The plenary assemblies (“plenaire vergaderingen”) have an advisory role and are composed of representatives from the water policy sector as well as SH groups. In 2002, a public officer was appointed for each of the eleven catchments with the responsibility to draw up a water management plan.

Both of these structures have in common that they separate the competent authorities from the SH groups, and thus risk to hinder an intensive interaction and an active involvement of the SHs. By the separation of public officers and societal SHs, the function of the latter is reduced to a mere passive sounding board, and they are not treated as resourceful and legitimate partners. In more general terms, PP is organised as an addition to and not as an integral part of decision-making: SHs are treated as a group that can be added to the competent authorities in a parallel structure without real linkages to the other levels, instead of putting them around the same table. More opportunities for interaction between SHs and public officers are surely possible (De Groot et al., 2001).

Most of the current impact of the decree is to be situated in the process of drawing up water management plans; and in particular the characterisation of the river basin districts, the sectoral analysis, and the assessment of impacts and pressures. In this regard, a project was set up (“project dynamiseren bekkenwerking”) to stimulate a more dynamic water management on catchment scale. AMINAL Water coordinates the project, but there is a strong link with the VMM and other institutional SHs.

One of the aims of the project is to ensure that the water management plans will be drawn up in time and through a tested methodology. For this reason, the Flemish government has decided to differentiate three categories of catchments. First of all comes the “pilot catchment” of the Nete, with the end of 2003 as deadline for a catchment management plan. Second come the “test catchments” of the Dender and IJzer with the end of 2004 as deadline. Third come the eight remaining catchments, with the end of 2006 as deadline. By setting a more strict timing for the pilot and test catchments and by drawing up a handbook based upon their experiences, the other catchments are enabled to learn from them. To make up for the extra workload that resulted from their strict time schedules, slightly larger catchment teams

were set up in the pilot and test catchments. As a result, the RBMP process in the Nete catchment is being finalised as we write this report.

Another aim of the project is to ensure that the catchment management plans are drawn up with the involvement of all actors. In the pilot catchment of the Nete River, PP was organised mainly through three working groups of about 20 people who each met around 10 times for half a day. The abovementioned CIBE (cf. paragraphs 2.1 – General History and Background of Public Participation in Flanders – and 2.3.1 – More Public Participation in General) supported the project communication, but this was mostly limited to advice and did not consist of large-scale actions.

The willingness of the competent authorities to let non-governmental SHs participate in the RBMP process was quite high, but they often felt that they didn't have enough time and skills/expertise to implement procedures with a lot of potential in terms of PP and social learning.

The sectoral analysis phase of the RBMP process proved to be much more important for the PP in the RBMP process. It included not only a stakeholder analysis, but also a thorough analysis of their stakes based upon information that they partly provide themselves. The following sectors were distinguished:

- provision of drinking water and water in general;
- agriculture and horticulture;
- housing;
- tourism & recreation;
- transport & transport infrastructure;
- industry & commerce;
- reclamations;
- fishing;
- energy;
- nature, wood, & landscape;
- environmental protection infrastructure;
- water control & security.

In the pilot catchment of the Nete, the sectoral analysis proved to be very valuable because it resulted in a network of people who later on became very valuable partners because of their knowledge of the catchment. After all, a sectoral analysis as it is currently applied in Flanders implies the exchange of knowledge in two directions: from the water managers to the SHs and from the SHs to the water managers. A related conclusion drawn from the first experiences in the Nete catchments was that the use of questionnaires to analyse stakes created frustrations among the SHs because of the lack of opportunities to raise / stress / work out particular issues that were of major concern to them.

The interest of all SH groups, with the exception of the municipalities³, was moderate but high enough at the beginning of the RBMP process, and rose gradually over time. Their increasing interest became apparent not only in terms of the number of SHs present at the work group meetings, but also in terms of the kind of people they delegated to the meetings: these came from gradually higher and higher levels of authority within their respective SH group.

The rising interest of SHs to participate in the process was motivating for the people involved, but on the other hand it also created doubts among some of the coordinators on whether PP would remain feasible. Some of them feared that with the higher number of people involved, the process would become too difficult to manage. To tackle this issue, the Nete catchment group opted for having more parallel meetings (with one sector at a time) and less plenary meetings (with representatives of all sectors).

³ The municipalities rarely showed up when they were given the opportunity to participate in the RBMP process. However their lack of involvement was not experienced as problematic by the process coordinators, since they expected the municipalities to exert their influence mainly through the sub-catchment management plans that will be drafted later and will subsequently become part of the catchment management plans.

It may thus be concluded that the decree has had a major impact on the Flemish RBMP process and its openness for PP in particular. One may also expect a lot of impact of the decree through its creation of a so-called “watertoets” or water test. This water test must assure that all relevant authorities take into account the effects on the water system when they issue a permit or approve a plan or programme. Possible harmful effects should thus be minimised by refusing a permit or approval, by laying down extra conditions, or by a demand for modification or compensation. Furthermore, this water test could and should also be used by local authorities; for instance in the frame of issuing environmental permits or building permits.

The local scale

On the local scale, the Flemish Government has chosen to delineate around one hundred so-called sub-catchments (“deelbekkens”). With an average size of about four to five municipalities, each of these sub-catchments is meant to be a hydrographical unit that is, on one hand small enough to ensure local involvement, and on the other hand large enough to enable a meaningful local water management. De delineation in sub-catchments is based on the hydrography, and with participation of local and regional water managers.

In fact, the local organisation of integrated water management had been arranged already to a large extent by a 2002-2004 cooperation agreement (“samenwerkingsovereenkomst”) between the Flemish Regional Government, the provinces, and the municipalities. This agreement arranged a joint effort between the provinces, the municipalities, and possibly also Polders and/or Wateringen, to draw up sustainable local waterplans (“DuLo-waterplannen” or “duurzame lokale waterplannen”). The Flemish Decree on the Integrated Management of Water confirmed this agreement, but some of the concepts were henceforth called by a different name. The sustainable local waterplans became sub-catchment management plans (“deelbekkenbeheerplannen”), and the cooperation group was given the name of a watership (“waterschap”).

These waterships not only have the responsibility to draw up the sub-catchment management plans, but can also be responsible for the integrated management of unnavigable waterways, the public sewers, drinking water, etc. The secretariat of the waterships will be organised by the provinces. Their task is to prepare and call together meetings, to coordinate and follow-up the tasks of the watership, and to prepare the draw up of the sub-catchment management plans.

The sub-catchment management plans are meant – just like the former sustainable local water plans – as action plans, and must facilitate projects and measures that transcend local boundaries. Next, they must also provide all citizens and SH groups with answers to their questions on the local water system and the role they can play in it. A sub-catchment management plan has seven aims, and all of them are meant to lead to a sustainable local water management:

1. Maximum retention (infiltration, storage and delayed drainage) of rain water
2. Decontamination of wastewater discharges
3. Protection and improvement of the quality of sewer and wastewater treatment infrastructure
4. Prevention and reduction of diffuse pollution
5. Prevention and reduction of erosion and sediments transport to waterways
6. Quantitative, qualitative, and ecologically sustainable waterways management
7. Sustainable use of (drinking) water

The content of sub-catchment management plans must be coordinated with the spatial planning policy as well as several other plans for the area in casu:

- Catchment plans;
- Woods and forests management plans;
- Landscapes management plans;
- Natural reserves management plans;

- Strategic land development plans and land development project plans;
- Land consolidation plans;
- Strategic nature management plans; and
- Nature development project plans.

The representation of SH groups will be organised through provincial and municipal advisory councils. The authorities involved recognise that in order to reach sustainable local water management, extra attention must be paid to the increase of the societal support for water related measures and projects. This was already reflected in the cooperation agreement between the Flemish Regional Government, the provinces, and the municipalities, in that it calls for specific communication plans and programmes in order to set up a communication and participation policy that is in line and integrated with other communication and participation initiatives. The societal sectors that are usually recognised as legitimate SHs are the same as those in the case of the Flemish (catchment) scale.

In addition to the abovementioned institutional and policy changes, there are also a number of relevant NGO initiatives worth mentioning in this context.

The first of these is the “Vlaams Waterfront” or Flemish Water Front project. In cooperation with some ten regional NGOs, the League for a Better Environment (BBL) has initiated this project in order to motivate NGOs for participating in drafting the sub-catchment management plans and in order to support them in doing this. The project wishes to be an open network through which projects on the terrain are supported by the exchange of results, expertise, and experience.

A second NGO initiative worth mentioning is GREEN Belgium, which is part of the worldwide “Global Rivers Environmental Education Network” and has been working since 1997. Their activities consist of promoting sustainable development, water issues, education and PP. Through educational projects that are mainly aimed at groups of youngsters, GREEN Belgium aims to foster “enlightened attitudes and policies” towards sustainable water management. As such, they pay attention to the rational use of water and prevention of water pollution as well as to greater PP. The “think global, act local” slogan of GREEN Belgium is symbolised in its logo, which pictures the world held within a drop of water.

Changes on the international scale

For both the Scheldt and Meuse, an international RBM commission was created (1995) and officially installed (March 1998): the International Commission for the Protection of the Scheldt River (ICBS: “Internationale Commissie voor de Bescherming van de Schelde”) and the International Commission for the Protection of the Meuse River (ICBM: “Internationale Commissie voor de Bescherming van de Maas”). For both commissions, agreements have been signed (November 2001) with all the other regions and nations that the rivers flow through to draw up one common river basin management plan and to intensify the cooperation in general. In December 2002, the names of the ICBS and ICBM were changed into International Scheldt Commission (ISC: “Internationale Scheldecommissie”) and International Meuse Commission (IMC: “Internationale Maascommissie”) respectively. Also, their fields of application have been extended to the surface water, the groundwater and the coastal water throughout the river basin, and is no longer restricted to the main river.

These commissions are “*not independent authorities, but rather platforms where representatives from the different member states meet, exchange information, co-ordinate monitoring and research, and prepare new policy*” (Dutch HarmoniCOP WP4 report, 2003). Nevertheless, the decisions that are taken unanimously by the plenary assemblies of these commissions have to be implemented by the competent authorities of the different countries. The commissions as such meet once a year, but their permanent work groups and temporary project groups meet more often and prepare the commission meetings. The presidency of the commissions rotates among its members. NGOs participate with the status of observers.

From the side of Flanders, the activities of the ISC and the IMC are observed by AMINAL, by the AWZ, the VMM, the MiNa-Council, the Institute for Nature Conservation, and a representative organisation of the drinking water sector: the VMW for the ISC and the AWW (Antwerp Water Works) for the IMC.

In addition to the ISC and the IMC, there are also transboundary committees for the four catchments that are shared with the Netherlands: the Mark catchment, the Dommel catchment, the “Thornerbeek en Voer” catchment, and the “Kreken en Polders” catchment. These smaller transboundary catchment committees meet at least twice a year under an alternating presidency of Flanders and the Netherlands. Their functioning is coordinated by the Dutch-Flemish Integrated Water Management Committee (NVIWO: “Nederlands-Vlaams Integraal Wateroverleg”).

For the management of the Scheldt estuary, there is also a Technical Scheldt Commission (TSC: “Technische Schelde Commissie”). In the remainder of this section we will only discuss in more detail the TSC, the ISC, and some relevant projects in the Scheldt river basin: the LTV project, the ProSes initiative, and the Scaldit project. The Flemish involvement in the Maas river basin does not require a separate discussion, since the IMC is very similar⁴ to the ISC. In addition, one should not forget that around 85% of the surface of Flanders is part of the Scheldt river basin.

The International Scheldt Commission (ISC)

The ISC is comprised of the authorities of France, the Netherlands, Federal Belgium, the Walloon Region, the Brussels Capital Region, and the Flemish Region. Since the end of 2001, its most important task is the transnational coordination of the WFD implementation in the Scheldt River Basin District. The commission and its workgroups thus aim for the improvement of the water quality, the restoration of (aquatic) ecosystems, and a sustainable management of water.

The Technical Scheldt Commission (TSC)

The TSC was installed in 1948 by the Netherlands and Belgium. The task of the TSC is to advise and carry out research on technical problems concerning navigation on the Scheldt estuary (e.g. dredging, deepening and expansion), and it has a significant influence on all political decisions regarding the Scheldt estuary.

The LTV project

The LTV project (LTV = “Lange Termijn Visie” or Long Term Vision) was set up by the governments of Flanders and the Netherlands in the frame of the Technical Scheldt Commission (TSC), who aimed to develop a joint long term vision on the management of the Scheldt estuary. It is discussed in great detail in the Dutch WP4 report, so we will discuss it only briefly in our report. Besides, our discussion is largely based on the Dutch WP4 report.

The result of the LTV project was innovative mainly in that it has brought the competent authorities closer together. However, a real participation process was not achieved: some SHs were not included in the project, and thus the social learning effects were limited to a restricted group of experts and public officers. According to our Dutch counterparts, it even seems that certain plans could only be made

⁴ The only large difference between the IMC and the ISC is that the IMC membership is more diverse. In addition to the ISC partners (France, the Netherlands, Federal Belgium and the three Belgian Regions), the IMC is also comprised of the authorities of Germany and Luxembourg.

because certain SHs were excluded. In addition, many of the SHs who were officially included – such as local authorities, provinces and environmental organizations – were in fact not actively involved but merely informed. In general, the LTV strategy for PP was limited to public hearings where the outcomes of the project were presented in the traditional D-A-D style: decide – announce – defend. It is therefore not surprising that the signs of resistance against the plans became apparent when the Strategic Impact Assessment started.

ProSes

After the LTV was finished, the Dutch and Flemish governments decided to work together on the follow up of the LTV. In March 2002, they took the initiative to create a Project directorate (“Procesdirectie”) to coordinate the work on a development plan (“Ontwikkelingsschets”) of the Scheldt estuary. In short: ProSes. Three themes are central pillars for this draft development plan: the safety of the region (i.e., protection against floods), accessibility of the Flemish and Dutch port along the Scheldt (i.e. mainly the port of Antwerp), and the protection and development of the nature in the area.

The unique aspect of this initiative lies in the fact that joint (i.e., international) project headquarters were established in Bergen op Zoom (The Netherlands).

Consultation plays an important role in the ProSes, and it is organised through two separate advisory bodies. Consultation with governmental SHs (regional and local authorities) is organised through a governmental council, and consultation with non-governmental SHs (NGOs, port authorities, etc.) is organised through a stakeholders council. Their involvement runs from the start (problem definition) until the end (conclusions) of the process. Research initiatives – another methodological pillar of the ProSes – are being taken after joint fact-finding and consultation with SHs. In practice, however, PP in the management of the Scheldt remained very limited. It is especially the Scaldit project (that we will discuss in the next paragraph) that has started changing this situation.

The Scaldit project

Scaldit is an international cooperation project running from 1 January 2003 to 31 December 2005 in the frame of the International Scheldt Commission (ISC). It is coordinated by the VMM, and the project partnership includes all relevant competent authorities for the implementation of the WFD in France, the three Belgian Regions, and the Netherlands.

Scaldit aims to investigate the feasibility of the guidance documents that the European Union has provided in connection with the Common Implementation Strategy (CIS) and to translate these in a practical transnational handbook. At the same time, the Scaldit project partners want to lay the basis for the development of an international integrated water management plan for the Scheldt River Basin District. The main focus of the project is on the Scheldt river basin and on the added river basins with a transnational character such as the IJzer, but the project partners have engaged themselves to apply the developed methodologies in connection with national works also in other river basins. Thus the Scaldit project is in effect of relevance for the entire Scheldt river basin district.

The project takes as its starting-point the characterisation of the river basin district. To this end, there are three kinds of analysis on the programme (Scaldit website, 2003):

1. An analysis of the river basin district's characteristics
2. An analysis of the pressure from and impact of human activities on the status of the ground and surface water
3. An economic analysis of water consumption.

The action programme for the Scaldit project is constructed around five themes (Scaldit website, 2003):

1. Characterisations of the river basin district
2. Data and information management
3. Water management and spatial planning
4. Communication and public participation
5. Up to the international river basin management plan

None of the outcome documents of Scaldit fall under the WFD guidelines for obligatory public participation. But nevertheless the project partners decided to actively involve NGOs and stakeholders in the implementation process of the WFD and the Scaldit project. The communication between the Scaldit project partners and other SHs happens mainly through a general Scaldit brochure, the Scaldit website, and the three-monthly newsletter “Scaldixit” that is sent to around 1300 people (Van Peteghem, 2003; data from 1 December 2003). Of these 1300 people, one half is from governmental institutions and the other half is from non-governmental SH groups such as advisory committees (14%), research institutes (11%), Eco NGOs (7%), the press (7%), the water industry (4%), the industry (3%), etc.

Organised SH groups can participate in the Scaldit project in two ways. First, through its working groups: SHs can apply (and are informed that they can apply) with the Scaldit project partners to be included in the eleven thematic project groups and to participate in their workshops. Second, three large interaction moments are foreseen:

1. A project launch event in Lille (France) on 1 July 2003, attended by around 200 people.
2. An interim seminar in March 2004.
3. The closing of the project in 2005, consisting of presentations in the larger cities along the Scheldt and a closing event in Antwerp.

In practice, the Flemish PP in the Scaldit project still happens mainly through the SERV and MiNa regional advisory councils and the BBL. Participation by smaller SH groups is limited mostly to participation in workshops. During such a recent workshop that was attended by some SH groups, it was concluded that the Scaldit project is still working on a too theoretical/scientific level to make PP really interesting for most of the SHs (e.g. the industry). The Scaldit project partners expect this to change over the next year, when most of their theoretical work will be finished, and thus expect more PP in 2005.

Another factor hindering the participation of many SHs is the lack of financial support for their involvement and related expenses (e.g. travel expenses). The Scaldit project partners are not inclined to change this, however. Not only because they do not have the necessary means for it, but also because they already have to deal with a significant number and diversity of participants and they do not want to add to this. Besides, most NGOs already receive more general financial support from their respective governments.

In consultation with the project partners and the ISC it was decided to restructure the ISC so that it can be used as a platform for the follow-up of the project and for the decision making on the Scaldit project. The new ISC structure includes the different Scaldit project parts in order to “*ensure that the project is implemented properly by all parties in accordance with the recognised procedure and with everyone’s consent*” (Scaldit brochure, 2003).

One of the preliminary conclusions drawn by the Scaldit project partners is that organising PP on an international basin level is especially difficult due to the combination of a high number of SHs in the area with a low number of SHs whose area of activities coincides with the international basin. This means that this level requires special attention and tailor-made efforts to stimulate PP.

Last but not least: considering the high impact of the Scaldit project on the Flemish PP practices on the international scale and in the ISC in particular, the Flemish Scaldit project partner rightly indicated that

plans must be made for the continuation of the PP efforts after the end of the Scaldit project in December 2005.

Use of information and communication tools (IC-Tools) to stimulate PP and SL

Many information and communication tools are being used in the Flemish RBM context to stimulate public participation and social learning, but few of these are used in such a way that they meet the HarmoniCOP WP3 criterium of two-way communication⁵.

For instance, websites are often used to spread information among SHs, but we haven't found many examples in which they were used to gather information or feedback. The same is true for brochures, newsletters, etc. When we asked people why they didn't use their tools to facilitate a two-way interaction between the SHs, they were invariably surprised by the idea, and often promised to consider it in the future.

Maps probably fit the requirements set by WP3 (Maurel, 2003) most often. It is not hard to find cases in which they were used as a basis for discussions because of their capacity to focus a discussion and to enable an easier grasp of the complexity of a water system. However we have not been able to gather any concrete and interesting data about such cases. Partly because it was not our primary focus, but also because the people involved in some possibly interesting cases had not paid any particular attention to the impact of such a use of maps on the RBMP process. Maybe this means that the use of maps to support interaction among different SH groups is often done without too much consideration, but we feel that it is still too early to draw that conclusion.

Other possible exceptions, although these depend on the flexibility of one's interpretation of two-way communication, concern information centres with annex websites: GIS-Flanders, Waterloket, and Scheldenet.

The GIS-Flanders system was set up in 1995 within the VLM in order to make the digital geographical information on Flanders more accessible and easier to exchange between all concerned by combining several databases and putting them online. Two-way communication is possible in a limited way: users have the option to check the information in the system and to suggest corrections by sending an email to the administrators. Considering that the system is not easy to use, however, it may not be surprising that such feedback is not received very often.

The Flemish so-called "waterloket" is an information centre for matters related to the sustainable use of water. It was created in 2002 by the VMM and AMINAL Water in cooperation with the VVSG and a not-for-profit NGO. Their activities consist of gathering relevant information (from sources incl. SHs), organising the information per target group (households, industry, agriculture, municipalities), and to subsequently spread this information through their website and a free telephone number.

Scheldenet is a web-based information centre on the Scheldt estuary. It spreads information to all interested parties on matters such as the deepening of the Scheldt, natural reserves along the Scheldt, and the economic importance of the Scheldt. Its aim is to increase the public's involvement in the Scheldt River. However, its only means of allowing for two-way communication is a part of its website that invites the visitors to send them questions and comments.

⁵ Within the HarmoniCOP WP3 (Maurel, 2003) an information and communication tool is defined as a material artefact, device or software, that can be seen and/or touched, and which is used in a participatory process to facilitate social learning. It supports interaction between stakeholders through two-way communication processes, and its use can be controlled directly by the stakeholders or through a facilitator. Such a tool can be computer-based or not.

2.4 Effects and impacts of PP

For an evaluation of the impact of public participation on the international (basin) scale, it is still too early. For the ISC, some instruments and means have been created but the PP process as such hasn't started yet. The SHs are not yet active enough for effective evaluation of their impact on the RBMP process to be done. For the IMC, the situation is similar in that there are also opportunities for SHs to participate. However, there are no workshops and there is no communication as in Scaldit.

For an evaluation of the impact of the new PP opportunities on the local (sub-catchment) scale it is also still too early, since these opportunities haven't been worked out yet. An evaluation of the old procedures, on the other hand, would not be very valuable considering that they will be changed soon and did not facilitate much PP anyway.

Therefore we will focus on the effects and impacts on the Flemish (catchment) scale. With regards to this level, we can already rely on the experiences gained recently in the pilot catchment of the Nete, where the WFD implementation process is being finalised as we write this report. In addition, we can also rely on some past experiences with more informal cases of PP in the planning process on the catchment scale. Besides, as mentioned above this scale is widely regarded in Flanders as the practically most relevant scale for the Flemish RBMP practices. An evaluation on this scale should thus be most relevant.

A detailed comparison with the effects and impact of PP in sectors other than RBM seems not very relevant either, since most conclusions are either the same as those for the RBM context, or to be attributed to differences in the context.

2.4.1 Substantive effects

In general, leading figures (coordinators, researchers, etc.) of RBMP efforts where PP was actively used (i.e., repeated two-way communication in several phases of the RBMP process) reported that they thought that the resulting management plan was significantly of a better quality. Of course they could really compare the plan with another plan that was developed in the same circumstances except for its lack of PP, but still they could compare the result with management plans they had worked on in the past as well as evaluate the input from the SHs during the RBMP process.

Based on these experiences, they generally concluded that the PP had resulted in a management plan that was based on more and better information, and that this information has been interpreted more correctly or at least in a more realistic way. They therefore assumed that the plans that were developed in a more participatory way, would result in more effective and efficient future actions that would in turn lead to more sustainable results. Some also reported more innovative solutions that were probably due to the PP in the RBMP process.

Invariably, the more participatory character of the planning process resulted also in a much more iterative process than what usually happened when the traditional planning approach was followed. Many phases of the planning process were repeated more than once to incorporate new information or a new perspective. Unfortunately enough, this also resulted in a higher workload for the coordinators and thus also in a higher financial cost.

2.4.2 Social-relational effects

Those involved in the RBMP process in the Nete catchment report that through the participation of different SHs, mutual understanding and respect have grown in the course of the planning process. In line with this as well as the above, they expect that the implementation of some action measures will happen in a smoother way.

The mutual understanding that has grown does not only cover the characteristics of each SH, but also the legitimacy of each SHs stakes. Henceforth, the perceived fairness of the RBMP and its outcomes would probably have been lower when there hadn't been any interaction between the SHs.

The potential for long term involvement of SHs was generally estimated as very high, although dependent on the way in which future RBMP process would be tackled. If PP would suddenly no longer be possible to the same extent as before, it was thought unlikely that the SHs would remain equally motivated and collaborative in their involvement in the RBMP process.

3 Conclusions

3.1 Main Lessons Learned

More and more innovative initiatives are taken for more public participation and for “higher forms” of public participation in public decision-making. The fields of district development and spatial planning have long played a leading role in this regard. The RBMP field has changed a lot as well and has a lot of potential. Many of these changes are taking place in the frame of international developments and agreements such as Local Agenda 21 and the WFD, but regardless of these external factors the Flemish river basin managers have started to learn for themselves the merits of public participation and an integrated approach to RBMP.

However, public participation in Flanders and also in RBMP is usually still limited to the policy planning and rarely covers the agenda setting, policy-making, execution, or evaluation. In addition, the usual public participation practice in Flanders is one of public participation “behind the curtains”; i.e., stakeholders influencing the policy through unofficial and often one-to-one contacts with the leading people of another stakeholder group. In this context, public participation procedures are often not more than a show to legitimise decision that had already been taken. It is therefore important for the new initiatives in the field of RBMP to overcome this limitation and to go beyond it.

The fact that a project was set up to stimulate a more dynamic water management on catchment scale is encouraging in this regard, but efforts should be made to assure that this aim can be reached. Although the willingness of the competent authorities to let non-governmental stakeholders participate in the RBMP process may be quite high, they also need enough time and skills/expertise to implement procedures with a lot of potential in terms of public participation and social learning.

Otherwise the distance between public officers and societal stakeholder groups will hinder an intensive interaction and an active involvement of the stakeholders. The function of the latter would be reduced to a mere passive sounding board, and they would not be treated as resourceful and legitimate partners.

Another conclusion is that the extent of public participation initiatives is sometimes obviously inadequate. This is the case for the Flemish Water Policy Plan, as is explicitly recognised in the plan itself. By not submitting the Flemish Water Policy Plan to a direct public investigation but rather to do this indirectly through the more general Environmental Policy Plan, the societal evaluation was much less precise. The reason stated in the Water Policy Plan for not submitting it to a direct public investigation, is the fear of placing too many demands upon the public. However this fear should not generate such major drawbacks on the quality and extent of the public participation in the RBMP process.

From the recent experiences with public participation in RBMP, some preliminary conclusions with regard to the procedures can also be drawn. For instance, an important conclusion is that a thorough sectoral analysis with input from the stakeholders themselves is very valuable because it results in a network of people who can later on become valuable partners because of their knowledge of the area.

The international level seems to require special attention and tailor-made efforts to stimulate public participation, since organising public participation on an international basin level is found especially difficult due to the combination of a high number of stakeholders in the area with a low number of stakeholders whose area of activities coincides with the international basin.

The evaluation of the impact of public participation in RBMP is overall very positive: the resulting plans are evaluated as being of a significantly better quality, mutual understanding and respect grow in the course of the planning process, and the implementation of action measures is expected to happen in a smoother way. On the other hand, it must be noted that the more iterative nature of the participatory RBMP process also often resulted in a higher workload for the coordinators and thus also in a higher financial cost.

3.2 Critical Discussion

In this last section, we will present some general conclusions from a critical evaluation of the current practices in Flanders against the background of the HarmoniCOP project and its conceptualisations of social learning and public participation.

First of all, we have the impression that most people involved in the RBMP process and especially those “out in the field” are really interested in promoting high forms of public participation with active involvement of stakeholders in the entire process. Some, however, are inclined to limit public participation to information gathering in the beginning of the process and asking for comments on more or less finalised plans at the end of the process. When the latter approach is followed, this is bound to have negative effects during the implementation phase. Public participation is more effective when it has been initiated early enough in the process and when the participants are truly involved during all the phases of the process. When stakeholders may only reflect on finalised plans, participation is limited to consultation and the contribution of a diversity of stakeholders is excluded.

With even less exceptions, one can say that public participation in Flanders is only introduced in so far that it generates advice, not decisions. Ultimately the politicians take the final decisions and they can choose whether or not to take into account the opinion of the stakeholder groups and the general public. The politicians (and public officers) seem to regard public participation primarily as a means to prevent massive post-hoc protest against plans. In the second place they seem to regard public participation as a means to obtain information, and only in the third place as a means to improve decision-making and its legitimacy. They rarely see public participation as a means to stimulate a process of social learning that can lead to new opportunities of cooperation and social change.

Another critical comment on the Flemish public participation practices is that the operationalisation of public participation in the Flemish RBMP process is still rather formal and bureaucratic. Significant efforts have been made to take public participation several steps further than the traditionally used methods for public participation (such as hearings and public investigations), but the current practices could benefit from a more dynamic and process oriented approach.

This fits into a more general trend: central authorities usually lack the skills and/or the opportunities to increase local processes of involvement and participation, and thus it is not surprising that they often rely on legal regulations and procedural guidelines to coordinate what could be a dynamic process of social change. The results of such a formal approach will most likely not surpass the formal objectives. For social learning and societal changes to occur, a lot of time and energy must be invested in truly involving the stakeholders and in stimulating their active participation.

We feel that the public participation process in the Flemish RBMP would benefit from more attention for involvement and active participation. Such attention could be stimulated, for instance, by the explicit allocation of funds for facilitation of constructive interactions between the different stakeholder groups. A facilitator could be involved, with the responsibility to stimulate active involvement of and social learning by all stakeholder groups.

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ii. Websites

AMINAL – Administration for Environment, Nature, Land and Water Management: www.mina.be

AquaFin: www.aquafin.be

AROHM – Administratie Spatial Planning, Housing, Monuments and Landscapes: www.ruimtelijkeordering.be

AWZ – Waterways and Maritime Affairs Administration: www.awz.be

BB – Farmers League: www.boerenbond.be

BBL – League for a Better Environment: www.bondbeterleefmilieu.be

CIBE: www.cibe-cvo.be

DIP – Goal-oriented Intervention Planning: www.thuisindestad.be/html/buurt/bewoners/dip.html

GREEN Belgium: www.greenbelgium.org

IBW – Institute of Forestry and Game Management: www.ibw.vlaanderen.be

IMC – International Meuse Commission: www.meuse-maas.be

IN – Institute for Nature Conservation: www.instnat.be

ISC – International Scheldt Commission: www.isc-cie.com

LENS – Livelihood Research New Style: www.thuisindestad.be/html/buurt/bewoners/lens.html

MiNa-Council: www.minaraad.be

Natuurpunt: www.natuurpunt.be

OVAM – Public Waste Agency of Flanders: www.ovam.be

Planning-for-Real: www.thuisindestad.be/html/buurt/bewoners/real.html

Project “dynamisering bekkenwerking”: www.bekkenwerking.be

ProSes: www.proses.nl

Scaldit: www.scaldit.org

Scheldenet: www.scheldenet.nl

SERV – Social and Economic Council of Flanders: www.serv.be

SIF – Social Impulse Fund: <http://aba.ewbl.vlaanderen.be/SIF.htm>

VIWC – Flemish Integrated Committee for Consultation on Water: www.viwc.be

VLM – Flemish Land Agency: www.vlm.be

VMM – Flemish Environment Agency: www.vmm.be

VMW – Flemish Agency for Drinking Water Provision: www.vmw.be

VVP – Association of the Flemish Provinces: www.vlaamseprovincies.be

VVPW – Association of Flemish Polders and Wateringen: www.vvpw.be

VVSG – Association of Flemish Cities and Municipalities: www.vvsg.be

Waterloket: www.waterloketvlaanderen.be

WWF Belgium: www.wwf.be

iii. Interviewees

Bogaerts, Johan (AMINAL – Administration for Environment, Nature, Land and Water Management)

D’Hondt, Didier (AMINAL – Administration for Environment, Nature, Land and Water Management)

De Becker, Piet (IN – Institute for Nature Conservation)

De Neut, Jef (City Administration of Leuven)

De Weer, Sophie (VMM – Flemish Environment Agency)

Desutter, Renaat (Ecolas)

Devroede, Marie-Paule (AMINAL – Administration for Environment, Nature, Land and Water Management)

Gevers, Kristien (AMINAL – Administration for Environment, Nature, Land and Water Management)

Larivière, Justin (AMINAL – Administration for Environment, Nature, Land and Water Management)

Swartenbroekx, Patrick (Aquafin)

Tobback, Louis (Mayor of the City of Leuven)

Van Peteghem, Michiel (VMM – Flemish Environment Agency)

Vandenabeele, Joke (University of Antwerp)

Verhallen, Annemiek (University of Wageningen)

Weiler, Philippe (WWF Belgium)

Annex 1: Competent authorities schematic overview

Competent authorities in water quantity matters:

- Groundwater: AMINAL Water*
- Navigable waterways: AWZ, the Waterways and Maritime Affairs Administration
- Unnavigable waterways of the 1st category: AMINAL Water*
- Unnavigable waterways of the 2nd category: the provinces (umbrella organisation: VVP)
- Unnavigable waterways of the 3rd category: the municipalities (umbrella organisation: VVSG)
- Polders and wateringen: polders and wateringen (umbrella organisation: VVPW)

Competent authorities in water quality matters:

- Groundwater: AMINAL Water*
- Surface water & water body soils: VMM, the Flemish Environment Agency.
- Polders and wateringen: polders and wateringen (umbrella organisation: VVPW)

Competent authorities in drinking water matters:

- Officially: the municipalities.
- In practice: five public utility boards (VMW, AWW, PIDPA, TMVW, IWVA).

Competent authorities in water treatment matters:

- Centralisation of the wastewater in the home: the individual citizens.
- Installing the sewerage in the street: the municipalities.
- Drawing up investment programmes: VMM, the Flemish Environment Agency.
- Constructing and managing the supramunicipal purification infrastructure: Aquafin.

*: “AMINAL Water” is the Water division of the Administration for Environment, Nature, Land and Water Management (AMINAL)