

# Public Participation in River Basin Management in Europe

A National Approach and Background Study  
synthesising experiences of 9 European Countries



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“Clearly, everything is connected. But because everything **is** connected, it is beyond our capacity to manipulate variables comprehensively. Because everything is interconnected, the whole environmental problem is beyond our capacity to control in one unified policy”.

C. Lindblom (1973)



## **Preface**

There is a great deal of knowledge and experience of public participation (PP) in river basin management planning (RBMP) enshrined within the histories of the individual European nation states. This has been captured and presented within the context of the nine ‘national approach and background reports of PP in RBMP’ in Europe (Deliverable 5, produced in 2003) focusing on the European countries of: Belgium, France, Germany, Italy, Hungary, the Netherlands, Spain, Switzerland and the UK. Respectively, each report presents deep insights into the national public participatory experiences and traditions, and the influences of institutional, legal, cultural and geographical/physical factors upon RBMP. Collectively, the reports have provided a basis for understanding the different cultural and historical trends of PP in RBMP that exist across Europe. Furthermore, they highlight necessary conditions for social learning and provide important considerations for the implementation of the WFD. Applying such knowledge and experience is fundamental for identifying clearer paths towards integrated and participatory RBMP in the long term.

This report provides a synthesis of these nine different national studies. It organises and highlights common features and cultural differences as well as other important considerations presented within the nine studies. It is expected that the insights communicated within this report will be a useful aid for the case studies, and will provide important points to include within the guidance handbook of the HarmoniCOP project.

Finally, the authors of this synthesis report are particularly grateful to all the participants of work package 4 who have provided contributions, assistance and ideas throughout its production.

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July 2004



## Background and approach

The Synthesis Report forms the second part of work package 4 of the HarmoniCOP project. The first part, Deliverable 5, comprised of nine national approaches and background studies providing a detailed overview of the knowledge of and experiences with public participation (PP) in the nine different European countries participating in the HarmoniCOP project. This second part, Deliverable 6, forms a synthesis document analysing commonalities and differences between the countries based on the information provided by the nine individual national reports.

### Why study national approaches?

A knowledge and understanding of the strengths and weaknesses of past national experiences is critical for providing a basis from which new experiences can be evaluated. Without such knowledge our study will be limited and may prove to be nothing more than an overview of each approach, providing no real insight or understanding. Public participation in any study area is to a large extent constrained by historical and other factors, which will generally determine any future public participation work initiated in that area. In other words, current processes are conditioned by past experience. Therefore any detail that can be acquired from past experience should serve to enrich the current process.

### Approach to national studies

The national reports were able to explore specific influencing factors including institutional, legal, cultural, geographical and physical aspects. These factors were used to create a standard ‘terms of references’, upon which the contents of the reports were structured. This helped to ensure consistency between, and allow comparability for the national reports – particularly important for the preparation of the synthesis report. Furthermore this enabled the report to evaluate lessons learnt and develop practical criteria for evaluating participatory RBMP. Although the purpose of the terms of reference were to produce standard guidelines with which each National Approach was able to follow, it was appreciated that a certain degree of flexibility was needed within the contextual boundaries of each study, to allow for consideration of different cultural dynamics, such as political structure; decision-making processes; the value of specific river basins to citizens; etc... Additionally, comparing and analysing national experiences also has a very practical purpose. Many European river basins are transboundary, and this means that a lot of international co-operation will be needed, also concerning PP. Developing co-operation will be helped greatly by increased knowledge of the different national PP approaches and by increased understanding of their differences.

The nine national institutes responsible for each respective national report are listed in table 1 below.

**Table 1: Coordinating institutes for the national reports**

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#### COUNTRY (COORDINATING) INSTITUTE

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1. France - LATTES-ENPC
  2. Germany - Ecologic
  3. Spain University of Alcalá de Henares
  4. Switzerland - Colenco Power Engineering Ltd
  5. Netherlands - RBA Centre Delft University of Technology
  6. Italy - University of Udine
  7. U.K. - Flood Hazard Research Centre, Middlesex University
  8. Hungary - Budapest University of Technology and Economics
  9. Belgium - COPP, Katholieke Universiteit Leuven
- 

### Synthesis Report

This report aims to synthesise and evaluate the nine national reports. Drawing together the experiences from each participating region, the report will serve as an overview of the use of participatory processes in RBM and also a useful source of knowledge for other work packages, especially work packages 5 and 7.



## **List of Acronyms – (and associated countries where relevant)**

<b>EA</b>	Environment Agency, UK
<b>CAMS</b>	Catchment Abstraction Management Strategy, UK
<b>CEE</b>	Central and Eastern Europe, Hungary
<b>CLE</b>	Local Water Commissions, France
<b>CMP</b>	Catchment Management Plan, UK
<b>CIS</b>	Common Implementation Strategy
<b>Defra</b>	Department for the Environment, Food and Rural Affairs, UK
<b>DSS</b>	Decision Support Systems
<b>EU</b>	European Union
<b>GDR</b>	German Democratic Republic, Germany
<b>GIS</b>	Geographic Information Systems
<b>GWP</b>	Global Water Partnership, Hungary
<b>ICPE</b>	International Commission for the Protection of the Elbe, Germany
<b>ICPR</b>	International Commission for the Protection of the Rhine, Germany
<b>IC-Tools</b>	Information and Communication Tools
<b>LA21</b>	Local Agenda 21
<b>LaN</b>	Landesbüro der Naturschutzverbände, Germany
<b>LAWA</b>	Länderarbeitsgemeinschaft Wasser, Germany
<b>LEAP</b>	Local Environment Agency Plan, UK
<b>LENS</b>	Livelihood Research New Style, Belgium
<b>LTV</b>	Long Term Vision Scheldt Estuary project, the Netherlands
<b>NGO</b>	Non-Governmental Organisation
<b>NRA</b>	National Rivers Authority, UK
<b>NRW</b>	Nordrhein-Westfalen (North Rhine-Westphalia), Germany
<b>PLGN</b>	Plan Loire Grandeur Nature, France
<b>PP</b>	Public Participation
<b>RBA</b>	River Basin Authority, Spain
<b>RBM</b>	River Basin Management
<b>RBMP</b>	River Basin Management Plan/Planning
<b>REC</b>	Regional Environmental Centre, Hungary
<b>SAGE</b>	Schémas d'Aménagement et de Gestion des Eaux, France
<b>SDAGE</b>	Schémas Directeurs d'Aménagement et de Gestion des Eaux, France
<b>SEA</b>	Strategic Environmental Assessment
<b>SL</b>	Social Learning
<b>WFD</b>	Water Framework Directive
<b>WMA</b>	Water Management Associations, Hungary
<b>WRM</b>	Water Resource Management



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# 1 Introduction

The historical setting in which the national experiences of Public Participation (PP) in River Basin Management Planning (RBMP) have evolved cannot simply be attributed to a common list of past events - rather the contrary. Europe, like any other global region, is not uniform in character. Its' political and economic history has evolved dramatically over the years but has done so in different forms. Europe is enriched with strikingly different qualities amongst its various regions and communities. However, this may set challenges to the way in which Europe is heading today – towards that of a politically and economically united and unified Europe. And with Europe set to expand further into the east over the coming years, these striking differences will only proliferate and will serve only to further challenge this identity.

Each country in Europe has developed in its own fashion, has its own experiences to learn from, has responded differently to the common environmental challenges that it has been confronted with, and has its own objectives and visions for the future. Yet this varied set of nations form part of a growing Europe and share a common set of challenges. Any romantic connotations this new *unified* Europe may have upon some, it should still be regarded within the light of its *realities* and *abilities*, rather than upon a set of *ideals*. But more importantly upon the opportunities it can offer in terms of developing its *shared* knowledge based upon the strengths of the histories of each individual region. This report will attempt to do just this - to highlight its common experiences, but also its individual strengths, in the context of PP in RBMP.

Given such circumstances it would be futile to discuss such issues for the region as a whole, as the differences are too marked. The same is true for taking the traditional approach by describing each country in turn as this has already been done in deliverable 5. Thus, in order to constructively deal with the breadth of information collected within the various reports of deliverable 5 this report aims to capture and present the main factors or lessons learnt and discuss them under common and key *themes* - this report is structured as such. Hence this report could be used as a tool to aid further development in communicating clearer instructions or guidance for improved PP in RBMP. In light of the Water Framework Directive (WFD) it is important that any policy, law or initiative that aims to support its implementation is more 'in-tune' and considerate of the varying cultures and histories that have served to define Europe as it is today. This can then help in the longer term by aiding better PP in RBMP in the *new* European states.

The 'participatory culture' in Europe cannot be defined by a single collection of characteristics common to all its constituting regions - nor, should it be. The very nature of Europe is that of a myriad of very different cultures, traditions and histories. As such, a 'European' analysis of any sort needs to comprehend this from its very core. For this reason, this report aims to strive beyond its purpose of being, as its name suggests, a mere synthesis of different experiences in Europe. Instead it also aims to be used as a tool for understanding where the main challenges and opportunities exist when considering wider implementation of PP in RBMP within Europe, such as required through the WFD. Given the various different cultures and experiences, the ability of WFD as a single policy to instruct all regions, will also be questioned in this report. Also, considerations and recommendations to aid the directives more effective implementation, will be provided.

Before we can begin to discuss some of the main themes that emerged from the national report studies it is important to introduce key considerations upon which our discussions are based.

## The Cultural Context

In order to appropriately categorise and evaluate the breadth of information we have, it is necessary to do so within a context that helps to explain and address the particular experiences and knowledge we have collected. Our main category for analysis within the HarmoniCOP project is the 'nation state' and as such this report synthesises European experiences based upon this categorisation. 'Nation',

through *Western European* ideologies, has been defined as a 'political community, of individual citizens enjoying equal rights by virtue of their permanent attachment to the given state's territory' (Amato and Batt 1999). However, Hofstede (1991) stresses that when we discuss culture it should, strictly speaking, be considered in the context of *societies* rather than *nations*. This is particularly important as each society or group has its own (sub)culture. Inhabitants of one country do not *necessarily* form one group with its own culture. Also, other groups such as local groups, disciplines, organisations, etc... also possess such a (sub)culture

'Culture' as defined by Hofstede (1991) refers to patterns of emotion, thought and action that members of a specific group, such as a nation, have in common. To frame this more specifically Hofstede created a type of cultural labelling that could be used to categorise and understand individual behaviour. Such a categorisation of cultural behaviour provides us with a lens through which we are able to better understand the reasons for individuals to act the way they do. Although this report does not aim to apply this, or any other cultural theory for that matter, in any detail, the point to appreciate here is the importance of a 'cultural focus' when considering RBMP at multiple levels within and between countries. The various cultural influences that have determined the national policies for RBM and PP will become more apparent within the individual sections of this report.

To conclude, the purpose of this report is to lay a foundation for creating improved understanding necessary for delivering a single unified, European-wide policy - the WFD, more successfully. Such an objective requires co-operation among nations hence it is important that our focus attempts to draw upon these broader national *cultural* trends and (sub)cultures that have, and continue to either distinguish, or unite nations.

## **Public Participation - an analytical debate**

PP lies at the heart of this report and the HarmoniCOP project as a whole, it is thus important to understand the significance of its origin and ultimately the purpose of its focus within the project. It is also important that we clarify exactly what we mean by PP.

The need for better recognition and incorporation of PP in official policy guidelines and planning processes has proliferated from greater awareness of the need to improve decision-making processes. But more than this, it also aims to achieve greater ownership by the public of decisions that are made. The Aarhus convention<sup>1</sup> of 1998 brought official recognition to this need regarding all environmental matters and provides the necessary legal basis through which to achieve PP on an international level such as establishing certain PP requirements for decision-making. But, whether what the convention proposes can effectively be adopted as is intended in a multi-cultural Europe, is questionable. More to the point one may question whether it would be more fruitful to address the issue through policy developed at a *national* level that is more considerate of the specific requirements, sensitivities and experiences of each individual country given their varying cultural characteristics. This report seeks to address the cultural characteristics in light of the experiences of PP across Europe.

Furthermore it is first important to discuss the contentions and uncertainties scientists and policy makers face when addressing PP at all scales. More specifically, in this report it is important that we confront the issues that surround the common understanding (or lack of) of 'PP'. This is an issue that has been reflected upon by various authors of the different national reports of Deliverable 5 and is addressed for us in more detail in the Inception Report of the HarmoniCOP project (Mostert 2003).

The lack of clarity of the term 'PP' is consequential to how it is interpreted at a policy and practical level. Thus the need to provide a concise understanding of what we are talking about when we refer to PP is paramount to common and proper recognition of the term, and ultimately for the success of its

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<sup>1</sup> The 1998 Aarhus convention on access to information, public participation in decision-making and access to justice in environmental matters

practical implementation. At present the single term 'PP' is commonly used in different settings and literature, but conceals multiple interpretations. Some see it as a means of empowering people and enhancing democracy while others see it as a marketing tool (Mostert 2004). Consequently any policy that seeks to implement PP at varying scale levels will be confronted with the dilemma of providing a clear interpretation of what is meant by PP. With no clear definition there is little chance that such policy can successfully achieve its purpose – or at least to a formal level. In order to adequately respond to this concern it is necessary not merely to address the definition of PP but also to identify its main components.

In the inception report 'public participation' acts as an umbrella term, distinguishing between 'participation by organised stakeholders' and 'participation by unorganised groups (the 'general public')'. The latter acknowledges participants who belong to particular 'groups' that have different views and interests. Further the use of the term unorganised refers to participants who can hold many different views and interests, that are not necessarily 'individual', but influenced by the groups (workplace, family, neighbourhood, audience of specific media etc.) within which they participate. In the national studies the term PP has been used as such. In some cases a more specific definition is provided as to whether the participants were organised or not, thus in this report we will refer to these more specific examples where relevant.

This distinction of PP is often identified as being either *formal* or *informal*. Although there has been, and will continue to be much debate over their definitions, it is important, for the purpose of this report, to make some attempt to clarify what they are generally understood as. In its ultimate form participation is recognised as *decision-making* by the public, where they would assume complete responsibility for some or all of the functions. This type of participation is manifested in the developed world more 'formally' through government i.e. through voting, lobbying and organised demonstrations (Mostert 2004). However participation is also manifested 'informally' and is often more significant in typifying the nature of participation in a country. Many of the experiences as outlined in the national reports recognised 'informal' participation as a key component of what constituted participation in their country.

Furthermore, participation is increasingly moving away from simple forms of consultation where the public have little or no 'active' involvement. Mostert (2004) refers to PP as 'direct involvement of the public in decision-making'. But separates this into being either participation in research, or participation in actual decision-making – the former does not necessarily automatically link with the latter. In this respect Mostert emphasises the need for policy-relevant participatory research to be beneficial for the *public* involved and *not* just for the researchers.

However the specific *conditions* necessary for the various different forms of PP recognised in the reports vary to different degrees. The very nature of participation as an organic, self determined process complicates our ability to compare such experiences. Given this dilemma this report will attempt to explain the varying determining factors that exist for PP. But more specifically how these factors can help us identify clearer paths to follow when determining how best to recognise PP within policy.

## **The Water Framework Directive (WFD) and Public Participation**

Although the Aarhus convention provides the legal basis for implementation of PP, the more recent WFD makes a valiant attempt to propose clear paths for improved PP, and with specific focus upon RBMP. The WFD is the single most important piece of water legislation from the EU to date. But with so much expectation upon the directive and upon its ability as a *single* policy to achieve an overall direction for PP in water management for *all* of Europe, one is left questioning the very means through which it was devised - for its *purpose* does not necessarily equal its *ability*. Nevertheless, this report will make no attempt to critically analyse the strength and detail of the WFD. The ability of the WFD has been scrutinised to a degree within some of the national reports of Deliverable 5. Thus,

Chapter 4 will attempt to organise and present these key issues and messages addressed within the reports. There will also be recommendations based on key lessons learnt from the different conditions and experiences within the nine countries.

It is important that the national experiences are not just accepted at face value but that they are considered in light of the contrasting conditions from which they have emerged. In other words the different kinds of practices in the different contexts require interpretation in terms of those contexts rather than being reduced to a single explanation. Therefore this report has been structured accordingly, drawing upon the main *themes* reflected upon as key, determining forces that have influenced and shaped current PP in European RBMP based of the experiences of nine countries involved in the project.

## **Social Learning**

A relatively new concept, yet rooted within different social science disciplines, ‘social learning’ (SL) takes its place as the main theme in the HarmoniCOP project. It focuses attention upon actual ‘learning’, not only at an individual, but also at a social level. But it is important to appreciate that because it is a new concept, interpretations of SL do vary (see Mostert 2003; Craps 2003). More specifically, the way it is understood by practitioners and project managers varies. Diverse actors use the ‘SL’ label and attribute different meanings to it. Furthermore, historically there is little or no evidence recorded of the experiences of SL. The lack in familiarity has also made it a complicated factor to recognise both within the research community as well as those within competent authorities responsible for constructing PP. Due to these factors the degree to which it has been covered within the national reports varies. Although this report will attempt to gather the reflections and examples of SL as described within individual national experiences, there are obvious limitations as to depth of these discussions.

## 2 Main influencing factors of Public Participation

### 2.1 Historical significance and considerations

Historically public participation has been acknowledged within Europe to varying degrees. What becomes immediately apparent is how PP has not always been recognised in the way that we understand it today. In other words, although various forms of ‘participation’ or stakeholder involvement were evident very early on it was not necessarily recognised in such a formal way. For the purpose of providing a useful overview of the different experiences that demonstrate this diversity it is best to focus our attention upon some of the more interesting and relevant examples.

Although it did not really manifest ‘officially’ until the 20<sup>th</sup> Century, PP was evident in Europe much earlier. More specifically in the Netherlands the founding of the Polder Boards in the 10<sup>th</sup> Century recognised involvement of local landowner organisations. This enabled the active participation of a large number of people in water management. But also in Spain water irrigation associations as a form of water management by users can be traced back to Roman and Arab times. The importance of the role of water management in both the Netherlands and Spain stands out amongst much of the rest of Europe. In the Netherlands almost half of the country is threatened by flooding by either rivers or the sea, and its existence is highly dependent upon its engineering abilities to keep water out through a network of carefully constructed canals and dyke systems. In Spain water scarcity (especially in the Mediterranean and semi-arid areas) made it necessary for landowners to establish collective systems for building water channels and storage infrastructures, for collectively establishing water allocation rules and for managing conflicts. Thus water management plays a prominent role in both Dutch and Spanish history and as such has recognised the importance of stakeholder involvement at a much earlier stage of their evolutions.

As in the Netherlands and Spain, water management has also played a prominent role in German history. PP was also an important part of water management in Germany from as early as the 18<sup>th</sup> Century and was the first policy area to consider the interests of stakeholders.

Although PP did not feature prominently in water management in Europe until the 20<sup>th</sup> Century its existence has still been somewhat sporadic and unrelated; and in many countries has really only become evident over the past few decades. The various reasons that attribute to this prevalence have not always been from a desire for more liberal politics and more integrated management of natural resources. Rather they have been due, in some cases, to financial and practical reasons, and in others as a reactionary response to greater environmental awareness and of the increased threat from flooding or need for water resources. For instance in Germany in the 1970's increased public awareness of the negative effects of river pollution resulted in extensive legislation in the environmental field that served to increase PP creating a more favourable climate for environmental stakeholder groups. This fear of natural environmental disasters was also a prominent factor in the appearance of PP in Switzerland. Here, an increasing public concern towards the impact of flooding was consequential to the formulation and implementation of integrated river management plans that included PP as a key component. In Spain in the early 1900's liberal governments considered water resource development, as being key to economic modernisation. This led to the creation of river basin authorities (RBAs) (from 1929) as associations of economic interests (a form of PP) insuring financial contribution of users towards building infrastructures and to the management and allocation of water resources.

However this is not to say that PP was not valued for its strength in improving policy. From the mid 1960's, for instance, government in the Netherlands placed a lot of attention on PP. However this was often mainly only regarded as a means of improving decision-making and increasing legitimacy. Recognition of PP in Hungary came later, in the 1980's. But in contrast to the Netherlands, PP in 1980's was gaining recognition as an important step towards addressing the growing concerns and

needs of environmental groups and citizens, and ultimately this recognition resulted in their increased involvement in the planning processes.

Nevertheless, in all these cases, increased awareness and attempts made by professional organisations to incorporate more open and inclusive planning and decision-making processes has had more to do with the greater public pressure placed upon them to reform their existing practices, than from an increased awareness and acceptance of the need to encourage democracy and empower individuals.

But there have been other influencing factors that shaped the evolution of PP over the past century. Aside from the more political and institutional changes that have been shaped by war for instance, increased industrialisation, and urbanisation have also played an important role. Furthermore, the PP culture has not been one that has gradually grown but rather one that has experienced ebbs and flows before reaching its current level of recognition. In other words during periods when it appeared to be a prominent part of planning processes greater influencing forces have worked to diminish its development and occasionally even prevented it.

This is clearly illustrated in Spain where, during the post civil war (dictatorship) period, the participative nature of the RBAs created in the early 1900's as 'self-administration' with user participation, was abolished and substituted by non-participatory, *state run* organisations that were used as instruments by central government. Consequently this movement reversed the direction river basin management seemed to be heading towards in Spain at that time. Although participation by users was reinstalled in RBAs, they have still kept the 'Central Government Office' status.

The Italian example reflects a similar challenge. The 'reform' period that began in Italy in 1989 presented an opportunity for dealing with water related issues in a more comprehensive way. Among others things this included a more integrated approach to water policy as well as increasing responsibility for users on financial costs of water policies. However, historically the Italian political attitude of 'top-down politics' whereby 'state' represents the 'public good' has had a strong influence upon policy and decision-making.

These examples highlight the vulnerability that have, and continue to challenge, long-term adoption and integration of PP. More specifically it draws attention upon the less controllable political challenges that can critically and potentially serve to weaken any policy or legislation that aim to operate as levers for enforcing greater PP within planning processes.

It should also be acknowledged that water management has not been the primary influencing sector in recognising PP. In many examples this appears to be quite the opposite, where, for instance water management has been the last sector to acknowledge the need for PP within its planning processes. Historically PP was in some countries recognised most prominently within such sectors as urban and spatial planning and has only been adopted in water management and river management planning in more recent times. Such experiences have been highlighted in several of the national reports and will be discussed in more detail later in this report.

This demonstrates that PP in European RBMP has not simply emerged in response to legislation such as the Aarhus convention and the WFD rather it has existed in the histories, politics and practices of European planning processes for a very long time. Thus, it is essential that these experiences be considered when each country develops a framework for implementation of the WFD.

## **2.2 Existing conditions of governance**

The national reports identify key characteristics and features within their political and policy cultures. These help to explain and identify their RBMP practices within a particular context and setting. The following outlines some of the main features of political influence that have shaped these practices.

But most importantly it highlights the political diversity that exists in Europe and the contrasting policies that influence integrated RMBP.

### **Centralisation vs. decentralisation**

Decision-making power throughout Europe varies and is steered by the political affiliation of each individual country. In order to better understand the variations that exist it is necessary to consider the degree of 'centralization of decision-making' within the individual countries. In other words, it is necessary to examine the differences between countries in their formal arrangements for making different kinds of decisions (IDE, 1981).

Some political theorists believe that in order to create better governance at the local level this can not only occur through assigning greater roles to local communities, but rather that the local population need to be given a role within a wider 'decentralising' process of the country as a whole. Lutz and Linder (2002) claim that the decentralisation process is a necessary process for providing the local communities with the resources required for undertaking their new responsibilities. For countries with a history of a central state, the decentralization process is always going to be difficult to initiate. With this in mind one may also regard decentralized states as having a better performance than centralized states as they provide better conditions for participation at 'all levels' of decision-making, such as enabling increased democracy (grass-roots democracy), enhanced participation of people, and more accountability and responsiveness. Lutz and Linder (2002) regard this as increasing the level of democracy not only at the local level but also at the national level.

Yet along with such optimism come considerable doubts of the value of moving to a decentralized system. Opponents highlight the negative impacts such as poorer performance of local authorities and warn of the destabilising impact that decentralisation can have.

Upon analysis of our reports we can see that the political conditions influencing decision-making varies somewhat within Europe.

#### *Constraints created by centralised systems*

The UK<sup>2</sup> for instance follows a strong centralised system. Within this system direction and control is contained within the confines of central government level leaving very little power at the local level. The nature and scope of local government is decided by central government, and furthermore there are no powers or revenues reserved to local government. According to Lutz and Linder (2002) however, if responsibilities and the control of resources are not handed over to the local level there is simply no *need* for participatory arrangements on that level. The authors of the UK report also recognise that the UK institutions and culture under their current conditions are simply not conducive to the development of PP. Thus, if this is so, then one is left to question whether proper PP as recognised in the WFD is at all possible in such a centralised political system. And if this is the case it is then necessary to know what arrangements can (need) to be made to support PP in the UK and in other countries and regions that adopt a similar political style.

To help us deal with this dilemma it would be useful for us to examine the deeper forces that have influenced such political systems. For instance, there are certain features worth mentioning that constrain the abilities of the UK to easily adopt the structures necessary for PP. For instance the UK remains committed to its legacy of having invented modern democracy and is particularly proud of its *representative democracy*. However, this representative democracy clashes somewhat with the participatory agenda as outlined by the Aarhus convention, and other such strategies. This is largely due to elected representatives, both at the national and local level, claiming legitimacy and thus seeing PP 'in conflict with, or in rival to, their role of representing the public that elected them'. Such complacency illustrates how political attitudes can dominate and constrain the possibilities for new

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<sup>2</sup> Our referencing to the UK is based upon England and Wales only - unless otherwise stated.

styles of decision-making, such as participatory processes, from entering into the political agenda. However, there are additional forces at play in keeping the UK political style centralised. NGO's also play an important role in pushing government to maintain a centralised system rather than adopting for devolution. This is because it is easier for NGO's to lobby and exert their influence upon one central government department.

Moving on we can also see such top-down structure imbedded within the Italian political culture – something we discussed earlier. The dominance the state has upon decision-making in Italy means that it has a strong influence upon the abilities for the decision-making arena to widen, and has ultimately hampered the possibilities of involving a wider audience within this arena. Thus as water policy in Italy still remains very state-led both legally and administratively, this situation has, thus far, prevented adequate PP within the policy process.

To avoid oversimplification it is necessary to use an alternative European example of a currently federal political system such as in Germany, which partly builds on a former centralised system. This reference reflects more specifically upon the legacy of the former East Germany (German Democratic Republic, GDR). Prior to reunification in 1990 the state-society relationships in the former GDR were dominated by a top-down approach in decision-making (centralised). In today's federal Germany, the East German culture, as formed through the 40-year GDR regime, still shows its influence through the low value it assigns to participation, leading ultimately to a low level of PP in water management issues in practice. At present, the former East Germany is facing a much bigger challenge than Western Germany in accommodating the participatory spirit of RBM as required by the WFD, since it lacks the necessary cultural background.

#### *Political approaches more favourable for supporting PP*

So far we have focused largely upon the constraints that the more centralised national political structures have placed upon the implementation of PP. However it is also important to reflect upon the cases that provide political conditions more favourable towards PP, and particularly for better understanding the influence of alternative political cultures.

The Netherlands identify with a political culture that would *appear* to provide more favourable conditions for applying PP, through their liberal political structure. Triggered by their waterboards, the Dutch have developed their so-called 'consensus culture' or 'Polder model'. More specifically, they strongly favour *reaching agreements* and aim for the *prevention of conflicts*, as oppose to authoritative solutions and hierarchical decision-making. Such a decentralised approach to decision-making suggests promising conditions for the wider implementation of PP. One could even expect a participatory culture to flourish in such liberal political values that the Dutch identify with. However, politicians have criticised the Dutch consensus culture in the past and continue to do, in favour of (formal) authority to take decisions.

Spain on the other hand has experienced an on going evolutionary period with increasing decentralisation. Over the past one hundred years a series of different political and economic paradigms have had progressive influence upon institutional arrangements and PP. In particular, through the various political 'stages' (regenerationism/modernism; dictatorship/autarchy; democracy and decentralisation; mercantilisation) the definition of 'stakeholder' has widened. For instance, in the early 20<sup>th</sup> Century, during the Regenerationist period in Spain big scale public led river basin interventions recognised the engagement of a wide selection of users. Users were primarily organised through 'syndicates' (business associations) but there was also representation of other affected parties and others of more general and social interests. During the **Democratisation and Decentralisation period** (after 1978) participation in RBAs opened up even further and became much more active with the emergence of two new types of affected parties: the regions and the ecological groups. This decentralisation process towards the end of the 20<sup>th</sup> Century led to the introduction of new types of influential stakeholders and led also to the creation of regionally managed river basins. David L. Prytherch (Swyngedouw, 1999) described Spain's political decentralisation process as the "*most powerful example of state restructuring and rescaling to be found in Western Europe*". He referred

specifically to the importance of “competition among the regions of Spain” and also on increased competition between regional and central governments. The decentralisation process has challenged the existing governance ‘balance’ and has created a force pushing for ‘rescaling’ water decisions and water management (from basin to region). It has affected who participates and with which role/power in the management processes. It has affected and added complexity to decision-making. Ultimately, the decentralisation process has played an important role in developing a more defined framework through which PP could be better organised and implemented.

It is also important to discern that PP in decision-making at the local level is dependent upon much more than just the decentralisation process itself. It is also highly dependent upon *how* the decentralisation process is undertaken i.e. how the process is structured and how the institutions and the process fit in a given environment and to the political situation in general (Lutz and Linder 2002).

### **Other influencing political cultures and ideologies**

Despite the overarching affiliations towards either centralised or decentralised politics that govern decision-making, there have been other, less obvious forces that have been identified as having an important influence upon the structure of political decision-making.

This is more clearly demonstrated within the UK where there has been considerable **privatisation** over the past decades. This has ultimately resulted in setting a somewhat restrictive political agenda in terms of the consequences this has had upon involving the public into decision-making. Increased privatisation in the UK during the 1980’s and ‘90’s resulted in an increased block towards PP - the *citizen* became the *customer*. Thus when the water industry was privatised the ‘public’ were converted from ‘clients’ of a public service to actual ‘customers’ of profit making companies. Ultimately this redefinition of the ‘citizen’ denied them from having any involvement in the decision-making process.

Privatisation has also been a part of more recent changes in water management in Spain. Since 1995 as part of the liberalisation policies of the new Government, there were some fundamental changes in policy direction. More specifically government ‘deregulation’ policies, a response to the stabilization and convergence requirements of the European Union, took a specific form in the water sector with the creation of specialised public companies (under private law) and the introduction of ‘privatisation’ and ‘commercialisation’ instruments in water management. Deregulation has also meant that the conception of water has evolved, in part, from being a ‘common good’ to a ‘consumer good’ or commodity. As in the UK this has resulted in an increasing redefinition of the citizen from being a ‘user’ of a common resource, to being a ‘customer’. The implications of this in the UK, are that whereas before privatisation access to water was considered a public service where citizens had the ‘right’ to receive an adequate water supply, their new role in the mercantilisation<sup>3</sup> period has meant that access to water supply now come at a cost.

However, it is also important to highlight the internal struggles that seem to exist within individual countries in terms of the contradictory forces at play. Unlike the movement towards increased privatisation as discussed above, such forces lean toward widening decision-making and promote PP. One such force that has been identified as having significant influence is the growing **public awareness** of such issues as the environment and the need for greater accountability in decision-making. Although this could be considered as an indirect force it has still had significant influence upon the political course. This is best demonstrated in the UK where it can be recognised through its recent move towards a more **open government**. The UK’s long-standing culture of secrecy within the political arena has, over the past years, been radically turned around with the Environment Agency

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<sup>3</sup> Mercantilisation is the introduction of markets or market-simulating decision-making techniques, and the participation of private companies and private capital in water management (Bakker, K. 2002)

pushing for greater public awareness and increased involvement of statutory authorities. This was ultimately recognised through official measures such as the Freedom of Information Act.

Other countries such as Germany and Hungary mirror this increased awareness and appreciation for the need to move towards increased PP within their political decision-making arena. Germany for instance has experienced a significant rise in public awareness since the 1980's during which period also saw the start of the German political 'Green' party – further pushing forward the countries environmental agenda. Western Germany in particular provides us with a model of good political recognition of the public voice. This more formally became evident through the numerous grassroots organisations and stakeholder groups that emerged in the 1970's. As a way of exercising their rights as citizens and members of the general public these groups participated in administrative proceedings concerned with planning or the granting of environmentally relevant permissions. This was supported at government level through the Federal Nature Protection Act<sup>4</sup>, which awarded specific participative rights to environmental groups approved by the Federal Environment Ministry<sup>5</sup>.

In Hungary, on the other hand an increased need for PP was a result of its desire to **move away from bureaucracy**. Although this demonstrates Europe's multi-faceted move towards PP, the experiences are not characteristically similar from country to country.

However, political perceptions in Europe towards PP, particularly in the water field, have not always been positive. For example: -

- In Belgium perceptions towards PP and the value it receives by politicians has generally been low. This may well be caused by its current formal and bureaucratic structure.
- In Italy stakeholder representation is still only very indirect - through the ordinary political process, or through a self-organised voice. Most of the consultation is inter-governmental involving only local authorities and other public bodies. It is very rarely open to third party involvement. On the whole PP is still not really recognised in Italy.

## Reflections within a cultural context

Upon reflection, we are presented with a Europe that is comprised of different orientations influenced by the interplay of various forces, practices or **cultures**. Each varies in their ideologies promoting different levels of PP. The differences in culture can be identified in various ways. Hofstede's cultural theory, for instance (as mentioned earlier in the introduction) presents us with one such way. Applying the different cultural 'perspectives' we can better identify the various orientations of each country/region.

### *Power distance*

Those countries associated with a large 'power distance' (the degree to which members of a culture expect and accept (or totally reject) (Mostert 2004), such as the UK would be less inclined to support PP. A possible option for the UK could be to organise PP through local institutions that are closer to people, but their strong centralised system, with no powers or revenues reserved to local government, leave few possibilities for the local level to engage or support PP activities. **Representative democracy** serves only to reinforce this further, as the ideals of this style of democracy work against the participatory agenda. There is also a large power distance within the Italian system preventing opportunities for PP.

The Western German system represents a much smaller power distance. The high political value given to the public voice and through its overall encouragement of PP illustrates its tendency towards of greater balance of power and decision-making.

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<sup>4</sup> In its revised version of April 2002, BGBl. I S. 1193, Gesetz zur Neuregelung des Rechts des Naturschutzes und der Landschaftspflege und zur Anpassung anderer Rechtsvorschriften.

<sup>5</sup> Terms for approval are given in § 59 of the Federal Nature Protection Act.

### *Individualism*

The ‘individualist’ perspective condemns societies based around order and emphasise liberty and self-rule. Within this perspective human beings are considered to be rational self-conscious agents seeking to fulfil their every increasing materialistic needs (van Asselt 2000). Individualist cultures do not consider PP as a means of decision-making.

The movements towards increased privatisation, as experienced in the UK and in Spain, result in less favourable conditions for public involvement in decision-making. This will mean that solutions to environmental problems are increasingly being sought through market mechanisms. In such a system where individual, not group, interests prevail, little value is afforded to the need for group decision-making and consensus.

### *Collectivism*

In contrast to the individualist, the ‘collectivist’ is associated with *dependent* relationships; believes in strong, cohesive groups; and they demand loyalty. In a collectivist system the role of state is dominant in economic system and harmony and consensus are ultimate goals. PP would thus be fully encouraged and applied in such a system. In Europe, although they cannot be considered to be ‘collectivist’ countries, the Western German and Dutch systems, for example, *could* be regarded as having affinities *towards* collectivism on account of certain factors and/practices that exist within their national structure. For instance, in the Netherlands this is recognised through their ‘consensus culture’ and is encouraged with their more *liberal* political values.

Also, in Spain the more pronounced shift towards decentralisation and restructuring of water management has resulted in great changes in decision-making processes. Ultimately greater opportunities for PP are being identified through these changes.

The specific cultural categories presented above provide examples of the types of cultural perspectives that can be applied to help understand the deeper forces at play within and between countries in Europe and the impact this has upon implementation of PP. What our brief analysis importantly identifies is that it is not possible to categorise the countries into conforming to any single perspective. Variations and inconsistencies exist – again – both within and between countries.

## **Conclusion**

In conclusion we can identify clear processes that either encourage or discourage PP in RBMP categorised in the box below:

<i>Encouraging factors:</i>	<i>Discouraging factors:</i>
<ul style="list-style-type: none"><li>• Increased decentralisation of power;</li><li>• Move away from bureaucracy;</li><li>• Move towards a more open government;</li><li>• Good political recognition of the positive value of the public voice;</li><li>• Greater environmental awareness by members of the public;</li><li>• Developing a more consensus based culture;</li><li>• Integrated RBMP.</li></ul>	<ul style="list-style-type: none"><li>• Centralised political and economic systems;</li><li>• Privatisation &amp; commercialisation of the environment;</li><li>• Bureaucratic systems;</li><li>• ‘Representative democracy’ systems (i.e. UK);</li><li>• Political secrecy and poor public access to information.</li></ul>

It is important to highlight that there are additional factors that have not been identified in the table above. For instance, language and other communication factors such as confidentiality of information may also contribute to discouraging PP in RBMP.

One must also be careful when considering the factors listed in the column on the right. Just because they have been listed as ‘discouraging’ factors for PP in RBMP, this is only because they have been

identified as such within the very specific contexts of the particular national experiences. Hence, they should not be regarded as negative forces towards PP in their own right. For instance, the impact of 'privatisation' depends largely upon how it is managed and incorporated into the existing national framework. Thus it may not necessarily prove to be a 'discouraging' factor. This presents a dilemma. But there are naturally other such dilemmas that should be considered equally regarding the factors listed above, these include *representative vs. participative democracy*; *transparency vs. confidentiality*; *bureaucracy vs. need for regulation*; and *decentralised vs. too much influence of local lobbying*.

### **2.3 Attitudes and perceptions towards water management and PP in River Basin Management Planning**

Elaborating upon the last discussion in section 2.2, attitudes and perceptions towards PP have proved to be fundamental in the shaping and development of PP across Europe. They have acted as indirect yet powerful forces on both the formal and informal practices evidenced at different scale levels within the different European countries. As such this section will go into some detail in addressing some of these issues more extensively. To better understand attitudes toward PP in RBMP it is important to first understand attitudes towards PP, water and the environment in general.

#### **Attitudes towards water issues and environmental awareness**

On the whole water has shown to attract a great deal of public attention and importance in most of the study countries. However, this does seem to vary somewhat in the level of public attention it receives. For instance in Belgium water is only really valued by those citizens who live close to or have a specific interest in rivers, largely because of the threat of flooding that they are vulnerable to. Comparatively in France, problems with drought have meant that water has become an area of concern for the wider public, particularly since the early 1990's when France adopted stringent water criteria following a prolonged period of drought. However, this concern has also had a great deal to do with the disclosure of political corruption in the water field. The attention water has received in France has, more than anything else, largely been fuelled by the media and their skewed focus upon corruption and private profits rather than on the environmental policy itself. Ultimately public perceptions on water issues in France have been very controversial and contrasting.

In Spain public perceptions of water and water management are still influenced by the strong and successful public role of water resources development in the last one hundred years. Water resource development was seen very early on as contributing to economic development goals. Economic and population growth since the late 1950's has increased pressure over water resources and have resulted in ever greater competition for water. Consequently this has led to increased public concern and attention. The public generally perceived that water management and the provision of water services in enough quantity and adequate quality was a public obligation. Furthermore that industry, urban areas and irrigation districts all had the 'right' to as much water as they needed, when they needed it. In spite of these strongly held public perceptions that are still there today, there are important changes in public perceptions that are affecting public policy. On the whole the 'environment' has been receiving a far greater level of attention in recent times in Spain. It is increasingly being considered in its own right along with 'legitimate users'. Natural landscapes and resources that were considered 'plentiful' at the beginning of the 20<sup>th</sup> Century, today, are now perceived to be increasingly scarce.

Italian water policy has placed significantly low value upon developing effective water management. The effort, time and resources that the Italian government place upon water management, are mainly invested in policies that deal with emergency situations *after* catastrophic events. However, there is *no* emphasis upon planning policy that provide preparedness strategies for identifying more coordinated approaches to dealing with such emergencies situations *before* such events arise. Thus

with such limited effort devoted to ‘ordinary’ water policy in Italy it consequently suffers, not only from having limited resources, but also from its limited powers and from having very complex and time-consuming decision-making procedures. These factors have served to hinder the creation of a more integrated management framework that Italy has been trying to develop since 1989. These conditions are also unfavourable to the consideration and involvement of stakeholders in decision-making of water policy. Furthermore, this framework for water policy making is hierarchical by nature with a strong dominance of administrative decision-making, leaving comparatively low importance towards users and stakeholders. Here we can see that **the Italian government clearly undervalues the importance of ‘water’** and the repercussions of this has meant that the recognition of stakeholder involvement in decision-making processes related to coordinated water management or pre-planning for emergencies, have subsequently been minimal. Such a ‘piecemeal’ approach to water policy has meant that Italy is far more ‘reactionary’ than it is ‘precautionary’. This may ultimately explain why such an approach has left **little scope for raising public awareness to environmental and water related issues**. And with public access to such information being so weak this may ultimately consequence in a **general lack in public interest on these issues**.

### **Attitudes of authorities towards PP**

Sceptical opinions amongst those in higher levels of the political arena toward PP, is common within different countries of Europe. Those that regard PP as necessary do not always do so for its intrinsic value towards improving decision-making. In Belgium for instance, politicians regard PP, above all else as a means to prevent mass protest against plans, and secondly as a means to obtain information. They rarely see PP as a means to stimulate a process of social learning that can lead to new opportunities of co-operation and social change. This has ultimately meant that decision-making powers in Flanders have resided mainly in the hands of the politicians. The involvement of stakeholders and the general public has consequently, been left to their discretion. Thus, the lapse attitude toward PP amongst the higher level politicians seems to have resulted in its lack of ‘official’ recognition within Flemish policy. In spite of this, the growing desire and need for PP or stakeholder input into decision-making has been prevalent and can be evidenced in the development of PP through ‘unofficial’ means. The unofficial influence of stakeholders towards policy often meant that official PP procedures were undertaken more as a show to legitimise decisions that had already been taken. Regardless of this, the general approach policy makers have taken toward PP in Flanders has been to complicate it with much bureaucracy. Furthermore PP procedures are still very formal, characteristic still of the traditional methods such as hearings and public investigations. This ultimately has resulted in a lack of enthusiasm of the general public towards PP.

Here we are presented with key factors for consideration that not only resound in Belgium, but are prominent across Europe:

- **The dilemma of *representative democracy vs. participatory democracy*. As in the UK representative democracy in Belgium acts as a stumbling block to PP.**
- **There is a clear aversion by politicians to share their power.**
- **PP is valued only for its practical worth i.e. to avoid conflict and to obtain information.**

This trait can also be recognised in Italy. PP in the policy process, at least at an official capacity has been looked upon with suspicion and distrust. This attitude has prevented participation procedures to be cited in formal legislation, and has resulted in institutions, based on participation, being marginalized and often ignored at the national level. Furthermore Italian water policy is very hierarchical and generally not open to participation. This has resulted in decisions at all levels being legitimated only through traditional political channels. Decision processes are thus very formalised and bureaucratised. Stakeholder interaction, where it exists, occurs only informally and not in an

institutionalised way. As a consequence public awareness and access to information to water related issues, are also very weak.

Italian water policy has placed significantly low value upon developing effective water management. The effort, time and resources that the Italian government place upon water management, are mainly invested in policies that deal with emergency situations *after* catastrophic events. However, there is *no* emphasis upon planning policy that provide preparedness strategies for identifying more coordinated approaches to dealing with such emergencies situations *before* such events arise. Thus with such limited effort devoted to ‘ordinary’ water policy in Italy, it consequently suffers not only from having limited resources but also from its limited powers and from having very complex and time-consuming decision-making procedures. These factors have served to hinder the creation of a more integrated management framework that Italy has been trying to develop since 1989. These conditions are also unfavourable to the consideration and involvement of stakeholders in decision-making of water policy. Furthermore, this framework for water policy making is hierarchical by nature with a strong dominance of administrative decision-making, leaving comparatively low importance towards users and stakeholders. Here we can see that the Italian government clearly undervalues the importance of ‘water’ and the repercussions of this has meant that the recognition of stakeholder involvement in decision-making processes related to coordinated water management or pre-planning for emergencies, have subsequently been minimal. Such a ‘piecemeal’ approach to water policy has meant that Italy is far more ‘reactionary’ than it is ‘precautionary’. This may ultimately explain why such an approach has left little scope for raising public awareness to environmental and water related issues. And with public access to such information being so weak this may ultimately be a consequence to a general lack in public interest on these issues.

In the Netherlands, PP is not highly valued amongst certain key individuals at the higher levels of decision making in the environmental sector. More specifically the deputy minister for water management does not believe in having significant involvement of public in the first activities for implementing the WFD, and generally place emphasis upon the authority of government to take final decisions. The consequence is that active involvement has to be organised at the regional and local levels. This lack of adequate acknowledgement of PP at the national level is not only to do with the Dutch governments lapse attitude towards the value of PP in the policy process, as the government *does* favour stakeholder involvement - and at different scales. Rather the real issue resides in the governments’ interpretation of the WFD. They comprehend it as having no real requirement for establishing proper PP procedures or discussion forums at the national level. In practice this has resulted in the replacement of discussion forums for authorities and non-governmental actors, with separate forums. Until recently commissions existed where authorities and stakeholder representatives met to discuss issues and take decisions together. But now this common discussion platform has since been abolished and authorities and stakeholders have been separated. They have been replaced by commissions that are specifically and only for authorities, and also by **advisory commissions that play a purely consultative role**. It should be mentioned here that this touches upon a deeper issue relating more closely to how different countries in Europe have responded to and interpreted the WFD. It also questions how clearly the intentions and requirements of the WFD have been communicated in their guidelines. However this will be discussed in more detail later in this report.

Unenthusiastic attitudes towards PP are however, not only common within the high level ‘political’ arena, but are also rife amongst influential institutions. In the UK, for example, it is not just the government ministry Defra<sup>6</sup>, but also the Environment Agency<sup>7</sup> that strongly support and lean toward and favour the opinions of the *elected* representatives as oppose to favouring the *non-elected*, or public voice. This would also more critically illustrate the simple lack of awareness or clear understanding for the Aarhus convention that exists among UK decision-making institutions. In terms of their land-use planning procedures it is the intention in the UK to make the process much faster and more ‘user friendly’. Yet, this does not necessarily equate to an improvement in methods and

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<sup>6</sup> Defra – Department for the Environment, Food and Rural Affairs.

<sup>7</sup> Environment Agency is the main competent authority for the environment for England and Wales.

opportunities for public participation. Rather, the aim is to *simplify* the process, but, in practise, this would ultimately hinder and restrict the opportunities that stakeholders once had to intervene. This is further encouraged by the fact that there is simply no obligation for planning officers and/or elected councillors to respond to the publics' views on planning decisions.

Finally, regardless of having no legal obligation for PP in the UK, it has still received strong support. Those at high level generally perceive it as preventing long drawn out planning enquiries and contentions and often see it as a way of avoiding public rejection at later stages. It has also been regarded as a means to empower and strengthen communities. These more positive conceptions of stakeholder involvement have been more formally recognised in UK policy guidelines and are discussed in more detail in section 2.4 below.

## **Attitudes of the public towards PP**

'Public' attitudes have also influenced the development of PP in decision-making processes. There is, in some cases, **low regard, a lack of interest and generally low importance by the public and other actors at the 'lower levels' given to PP in RBMP**. This may in some countries, in part, be attributable to the general lack of awareness of the public to water management and environmental problems, and of the issues at stake. In cases such as Italy, this lack of interest could be seen as consequence of the little support and no proper or official recognition at the higher levels of Italian governance of the need for encouraging public awareness on water related issues. Hence, public here can hardly be expected to have strong opinions on such matters, or be interested in participating.

Hungary presents us with an alternative consideration. PP is also not highly valued amongst the Hungarian public. This is largely because it is perceived as a financial liability. The public do not believe that the results achieved from PP can often outweigh the time and cost burden that it incurs. Furthermore, with regards to public perceptions of water and environmental protection, although awareness in this is growing in Hungary, it is still in competition with more pressing public concerns such as economic depression that the country has been subject to. More significantly, participatory activities are perceived with suspicion and have been received by the public with little enthusiasm. Their general lack of interest and reluctance stems less from a lack of awareness of the issues at stake, and more from their associations of such collaborative land-use planning activities to that of 'collectivism'.

In other countries there are concerns that are also largely fuelled by their history and past experiences. This was demonstrated in the case of Szentendre Island, the first land-use planning project where PP played an important role, and which the Ministry of Foreign Affairs of the Netherlands also supported. But here stakeholders were highly suspicious of the involvement of a foreign government. More specifically the farmers involved did not believe that a foreign government could freely and openly provide assistance with no self-interest or hidden-agenda of their own.

This is an issue that is also reflected within the perceptions and attitudes of members of the public in the UK. Although public concern for environmental issues has steadily risen in recent times, as in Hungary their public are generally **more** concerned with socio-economic issues such as health, unemployment, poverty, etc.... Research has proved that ambivalent public attitudes towards *personal action* on environmental matters related to a 'pervasive lack of personal agency' and furthermore 'to a marked lack of trust in institutions responsible for managing the environment'. Here the term 'lack of personal *agency*' refers to the publics' sense that they lacked power or freedom to act upon or use the knowledge provided by scientists or public bodies. Further studies in the UK have also proved that:

- The public lacked trust in environmental information coming from business and government sources that could not easily be verified with their own senses.
- The public lack faith in the willingness of those in business or government to take action.

- The widespread feelings of personal powerlessness in relation to environmental matter expect very local ones.

Nevertheless, in many regions in Europe, the public do see the virtues and relevance in PP and, on the whole, have a high opinion of such processes. The national reports highlight evidence where strong support and belief of PP amongst the public and stakeholder groups have resulted in successful cases. More specifically, where the level of public involvement in various planning and decision-making procedures, etc... has been quite high, whether it be formal, or informal.

In Italy for instance general disregard to formal stakeholder involvement by those at high level has proved to not greatly hinder the degree to which stakeholders have actually been involved. Undeterred by such barriers to join formal decision-making procedures, stakeholder groups in Italy have been able to exert actual and effective power in the policy process through informal channels. However, these specifically refer to *organised* stakeholder groups, and do not include members of the public.

In Germany a general high awareness of environmental issues has been coupled **with good public trust in the authorities to manage the environment**, while in a number of cases stakeholders have been highly valued by authorities also. Long-term interaction with stakeholders in the river basin has aided the creation of increased mutual trust and transparency. Stakeholder groups are being increasingly considered as advisors and are being more regularly consulted on certain issues. But it is important to emphasise here that this has not been the case for all stakeholder groups and this trend has not been reached to the same degree throughout Germany. Thus, one could discern from this that although positive experiences of PP do exist this is still largely *dependent* upon those involved – both upon those at the high level and how they value the wider stakeholder voice, and also upon those from the lower and grassroots level and in their overall trust in the authorities. But as in Italy **the willingness of the ‘general public’ to participate in Germany, is generally low. Also, enthusiasm towards participation is mainly limited to ‘organised stakeholder groups’.**

## Summary

To summarise, it is clear that attitudes and perceptions have played a significant role upon PP in RBMP - not only *between* countries but also *within* countries. Although generalisations can be applied, nation states should be cautious upon characterising themselves with one particular way of thinking or laying claim to having a particular attitude towards the environment and PP. This is primarily because these can vary according to different circumstances, from case to case and from region to region. Such variations are defined in a number of ways and are characterised by circumstance.

The following provide a list of the factors that attitudes towards PP in RBMP are related to:

- Personal experiences that individuals have had with the environment – i.e. strong public role in environmental management vs. no experience at all.
- Resources and time (or lack of) made available for PP processes.
- General willingness to be ‘involved’ and public attitude towards PP.
- Perception of lack of real influence or decision-making power (this may well be a consequence in part of the low value towards PP amongst those in authority). Public sense that they lack power or freedom to act upon or use the knowledge provided by scientists or public bodies. This initiates often a feeling of disempowerment in relation to broader environmental matters.
- Attitudes towards the environment – in comparison to other key sectors.
- Level of interest/awareness in water issues – related to level and type of media attention given to the environment, etc...

- Level of trust in authorities, i.e. lack of trust of institutions responsible for managing the environment; lack in trust in environmental information coming from business and government sources that could not easily be verified with their own knowledge.
- Degree of faith in the willingness of those in business or government to take action; or to be really interested in environmental issues.
- Enthusiasm of those at high level. Level of political and institutional support for environmental issues and PP.
- Outcomes of PP experiences in other fields.
- Financial costs make PP appear not worthy of consideration.
- Perception that water management is a government obligation.

Yet all these factors and individual circumstances should not be seen as *complicating* our overall understanding of how attitudes can determine implementation of PP, rather they should serve to *widen* our consideration of the different possibilities that can contribute to the varying attitudes that exist, and the consequences they have.

## **2.4 Policy support for environmental management and PP**

Policies specifically directed at, or including recognition of PP have only really been implemented in more recent years. Nevertheless, policies directed more specifically at areas of environmental management have existed in Europe over a longer time span, stretching back over the past decades. Since the 1960's a surge in activity from the environmental movement has brought problems of environmental degradation and its social and economic implications to widespread public awareness on an international scale (Fischer 2002). Moreover environmentalism has gained a more central position within the political arena. With increasing awareness and concern surrounding the growing threat to the world's natural resources, a greater urgency has been provoked to deal with this through international co-operation. As nature does not respect national boundaries governments are realising that their efforts to manage nature and the environment must also adopt a similar cross-border dimension. Rivers and river basins in particular, through their very nature, cross borders thus policies to manage them need to be considerate of this. The importance of the need for international co-operation and global partnership in managing the environment has been stressed in such global meetings as the Rio Summit in 1992. In response to such international goals and the move towards valuing the environment as a 'global common' (the responsibility of all), EU policy aims at standardising overall management of the 'environment' and natural resources within Europe. As such nation states are increasingly being challenged to adopt a 'supra-regional perspective' with 'multilateral action' in order to manage their 'commons'. So although policies, historically, have been nationally constructed what we are beginning to see in recent times, supported with the initiation of the EU, is the construction and implementation of international policy at a European level. These recent EU policies will be presented in more detail later in this section. The national reports provide a good insight into some important national and international policy efforts, both past and present that have shaped the present day practices in their respective countries.

### **2.4.1 National policy responses to managing the environment and incorporation of PP**

Evidence suggests that the policy process is often determined by the specific political and cultural legacy of the individual nation state. In section 2.3, we learnt that attitudes and perceptions of those at high levels of decision-making have strong influences upon how policy is actually constructed. Nonetheless, one could attribute the political and cultural basis of a nation state as the underlying force determining such perceptions.

Existing policy initiatives as identified in the national reports, present us with a variety of water planning legislation implemented at the national level. However, some examples were more restrictive in their framework - neither were key stakeholders or actors involved in their construction nor do they include requirements for PP within the policy itself. Nevertheless, although water policies in Europe may not always have considered PP from their onset, there have been cases where policy frameworks have been adapted to incorporate PP at later stages. The following provide brief overviews of some of the national policy responses.

*Spain:* Current water management in Spain is formally defined in its 1985 Water Law (modified in 1999 and 2003). The 1985 Water Law established the need for River Basin Plans (an integrated catchment approach) and ruled that groundwater was public domain incorporating the EU water quality legislation. The Water Law was building on the previous water management legislation stemming much further back in Spanish history. Formal water management legislation efforts were established from as early on as the late 19<sup>th</sup> Century. The 1879 Water Law and the 1883 Irrigation Law referring specifically to all ‘surface water’ and set the basic principles for - the rational use of water, for regulating the existing system of water use concessions (water use rights), for irrigation obligations for water users, and for declaring all surface water as ‘*public domain*’. The 1985 Water Law still did not offer an integrated conception of the relationships between man and nature as well as the environmental goals pursued by water policy. Neither did it address the need to adapt PP arrangements of RBAs to the new environmental issues towards less formalised and more participative democratic arrangements. In fact it was not until the transposition of the WFD in 2003, that a more integrated conception was finally incorporated.

The establishment of the catchment approach and the creation of RBAs since 1929 (with strong user participation), together with the long history of public management of water resources, have collectively shaped public perceptions in Spain. The long and well established government role in basin management and water resource development and planning, means that water is perceived by the public often as a ‘state problem’ – often ‘nobody’s and anybody’s *de facto*’.

During the democratisation and decentralisation period from the late 1970’s indirect PP was reinforced and new interests given a greater role (mainly environmentalists groups and regional governments but also scientific experts). General ‘public’ interests have always remained *indirectly* represented by the public authorities. Direct participation of the citizens in planning processes is mainly through the formal public information and allegation processes. But it is important to acknowledge here also that the changing dynamics of involvement since the beginning of the 1900’s in Spain was asserted through *re-scaling* of water management decisions at River Basin scale. Re-scaling itself demanded new forms of coordination to deal with multi-interests, and to coordinate actions at different scales.

**Active involvement** (mainly of users but also of ‘other interests’) in governing, planning and management bodies of RBAs (mainly in relation to water infrastructure decisions), has evolved over time towards becoming ‘advisory’ and increasingly formalised (in the National and River Basin Councils but also in the managing boards of the RBAs), with majority rules (but aiming at *consensus decisions*) and final decision making power laying with the elected governments appointed authorities. However, **active involvement of Water Users Associations (WUA) as a form of delegated public management/self management of users** (traced back to Roman and Arab times) has continued **to be strong all along and has been key** in the management of the commons in scarcity conditions. WUAs are independent, acting locally, but are also formally a part of RBAs management. They are represented in the participated bodies of the RBAs.

Given the long Spanish history of the strong role of organised stakeholders, the political and institutional changes brought on by the mercantilisation period have been received with resistance from some interest groups who perceive a reduction of their ability to participate (other than as financiers/clients) in some important water decisions. Their concerns surround the significant reduction of many of the decisions of the formal participative nature of water management

institutions. However such concerns mainly come from the more vulnerable stakeholders groups, such as consumer groups and small farmers, as well as from the political left - those who have generally been against the mercantilisation proposals. Other 'stronger' stakeholders such as the main private companies participating in the provision of urban water distribution services are aware of the profits to be made from the new 'business' in water resources development and irrigation water management. They argue that this will help in water conservation, stimulate supply and help modernise the agricultural sector.

Lessons in Spain from participatory experiences in EU funded programs (Leader, Territorial Pacts, Life), from regional governments or NGO led water projects (River Regeneration and Participated Water Forums), from the management of Natural Parks and from Agenda 21 processes, are providing key examples. Examples of the types of participatory water management processes required adopting a new environmental perspective of water management and importantly of models of the new role to be played by Government Authorities.

*Italy:* Similar perceptions as those held in Spain – that of nature regarded as 'state property', have also resonated in Italy. The post-war conception of 'state' in Italy was rooted in the principles of liberalism, as oppose to the corporatist and fascist influences of the first half of the 20<sup>th</sup> Century. As such the state was regarded as representing the 'public good'. Historically Italian policy development has been characterised by an informal process of bargaining and negotiation. This has largely been 'state' led and consequently has had no real involvement of stakeholders. Ultimately private interests or stakes were simply filtered by political parties in a superior concept of 'general interest'. Even in the 1970's and '80's, when planning was seen as an application of 'science' and 'rationality' to the policy process, stakeholder involvement was left only until the implementation stage of the planning process. Ultimately this resulted in many of the plans failing to develop any further than on the paper they were written on. But more crucially these are largely symptoms of Italian water policy being too hierarchical and simply not open to participation.

Until very recently Italian water policy community has had a very weak structure. It was dominated by very fierce and inescapable localism on one side and a technocratic approach to planning on the other, with the 'political' nature of water policy not being fully recognised. On the whole it has offered weak possibilities for PP. For instance its laissez faire approach - only favouring large users (hydropower, etc...), is not conducive to the incorporation of stakeholders. However, the more advanced experiences very clearly show attempts to learn from other policy fields and the introduction, experimentally and informally so far, of the involvement of stakeholders and the construction of consensus through more open decision-making processes.

More recently PP in Italy has been officially recognised through the *Leader* programme which aims to promote integration and sustainable development in rural areas. More importantly its goal is to overturn the traditional top-down decision-making, offering an *ascending, bottom-up* approach where every actor is equally considered. The most significant of these efforts was realised through Local Agenda 21 – discussed later in this section.

*Hungary:* As in Spain legal recognition of water related activities has a long tradition in Hungary also. The first water law dating back to 1885 represented advanced legal instruments in their time, which explains why they remained in force for so long – the second water law was not passed until much later, in 1964. But as in Spain and Italy proper recognition of the need for PP and furthermore for the need for better public access to environmental information did not come into force until 1992, through the Hungarian Act on Environment. This served to oblige all state and municipal agencies to provide access to all kind of information of public interest upon request. But as far as its recognition of PP, it offered little more than to give environmental NGO's legal standing before administrative agencies and courts in environmental cases. Yet further to this, the 1995 Water Management Law,

aimed at harmonising water management with the EU, was paralleled with Act LIII on environmental protection. This was targeted at meeting the goals of sustainable development adopted at the 1992 UNCED<sup>8</sup> and aimed at increasing public initiatives and participation in environmental protection activities.

Though aside from these more *direct* attempts in promoting PP there have also been more *indirect* efforts. For example intensive courses and education modules on PP in water resource planning were introduced in Hungary as early as the late 1980's.

*United Kingdom (UK):* Integrated river management planning in the UK was first, officially recognised at the *catchment* level. *Catchment Management Plans* (CMPs) initiated through a programme implemented at the beginning of the 1990's demonstrated the first commitment towards providing national policy and national guidelines for developing integrated catchment planning in England and Wales. The catchment planning process was intended to create a consistent framework for the co-ordination of the NRA's<sup>9</sup> core functions and to provide a means for the NRA to identify conflicts and problems, assign priorities and set out a programme of action for the management and improvement of each catchment. Furthermore the CMPs aimed to integrate internal functions and external purposes, and communicate with outside bodies and the general public. But the reality was that more effort seemed to have been made on the former rather than the latter. More specifically in many of the early CMPs there was little or no external consultation, apart from with the local authorities and statutory bodies, prior to the production of the consultation draft report of the CMP. Consequently this provided very little time to the external bodies and the general public to put issues on the agenda for consideration in the plan. However, some regions have proved otherwise and have made greater efforts to involve stakeholders and local publics in the CMP process. Nevertheless, what this does demonstrate is the lack of stringent requirements and no clear recognition of the need for PP in the policy process in river management planning within the UK.

Succeeding the NRA, the Environment Agency (EA) needed to create new legislation that remained within the geographical boundaries of the existing catchment but, more importantly, that was relevant to the broader responsibilities of the EA. This legislation was realised through the Local Environment Agency Plans (LEAPs), and served to integrate planning initiatives relevant to all the Agency's responsibilities. Although, similar to the consultation attempts as recognised in the CMPs, the LEAP do make more of an attempt to recognise the need for partnership working for achieving planning and management objectives for the catchments. Although most LEAPs have followed the traditional approach of consultation some have made more inventive attempts of PP such as introducing stakeholder dialogue in the process. On the whole LEAPs demonstrated good practice of early PP engagement.

But overall the LEAPs were not judged as a success either internally or externally. As a consequence they were abandoned and replaced internally by a series of functional plans. LEAPs were seen as being too general for providing useful strategic guidance for any of the Agency's functions.

The most recent approach has been the Catchment Abstraction Management Strategy (CAMS), which aims to provide a consistent and structured approach to *local* water resource management. It is still too early to evaluate the success of the CAMS in terms of their ability to secure a 'buy-in' for the strategies by interested parties. But they still offer promising alternative to past approaches. More specifically they provide the most detailed framework for public consultation and involvement the Agency has ever produced. They provide valuable experience in establishing and working with stakeholder groups within the Agency, and in many ways the CAMS guidance could serve as a model for the WFD process. Nevertheless, CAMS still fail to meet all the requirements set by the WFD for instance their requirements for '**active involvement**' of stakeholders is still relatively weak.

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<sup>8</sup> 1992 'United Nations Conference on Environment and Development', held in Rio de Janeiro, Brazil.

<sup>9</sup> The National Rivers Authority officially transferred its powers to the Environment Agency through the Environment Act of 1995.

The Dutch national report also emphasise the lack recognition for 'active involvement'. In the Netherlands although the benefits of collaboration between governmental and non-governmental actors have been recognised, there is insufficient emphasis in policy for the need for actual *active* involvement. As in the case of the UK report, the authors of the Dutch national report raise concerns of the failure of recognition and proper guidance within the working papers prepared for implementation of the WFD.

*Belgium:* The prevalence and recognition of PP into policy processes as a very recent effort has been a characteristic through many of the study countries of this report. It has not merely been a case of increased realisation of the need for PP in more *integrated* planning procedures but has also been realised through *actual* formal policy efforts – but only really in the past fifteen years. In Belgium, for instance, integrated water management has been realised through the *Flemish Water Policy Plan and the Flemish Environmental Policy Plan* from 2003-2007. The goals of this plan described “increased societal involvement in the sustainable use of water systems...”. But the most recent legislation efforts have been initiated through the Flemish Decree on the Integrated Management of Water, official approval of which was only met in July 2003. The Decree represents official recognition of the requirements of the WFD, spearheading Flanders as being one of the first regions in Europe to have officially implemented it.

*France:* Likewise, in France integrated water planning was only introduced very recently through the 1992 Water Law. This required adapting environmental policy to the institutional decentralisation process then being undertaken in France. However in response to this decentralisation process the authors of the French national report raised particular concerns over the hurdles facing the regional level in satisfactorily achieving PP. They emphasise the dependence of regional level achievements in good PP, upon national level recognition and support.

## **2.4.2 EU and International level**

Aside from the national policies there were also several EU policies that were commonly identified as having a significant influence upon the degree to which PP has been incorporated in individual nation states. The following are some of the main policies identified:

### **Strategic Environmental Assessment (SEA)**

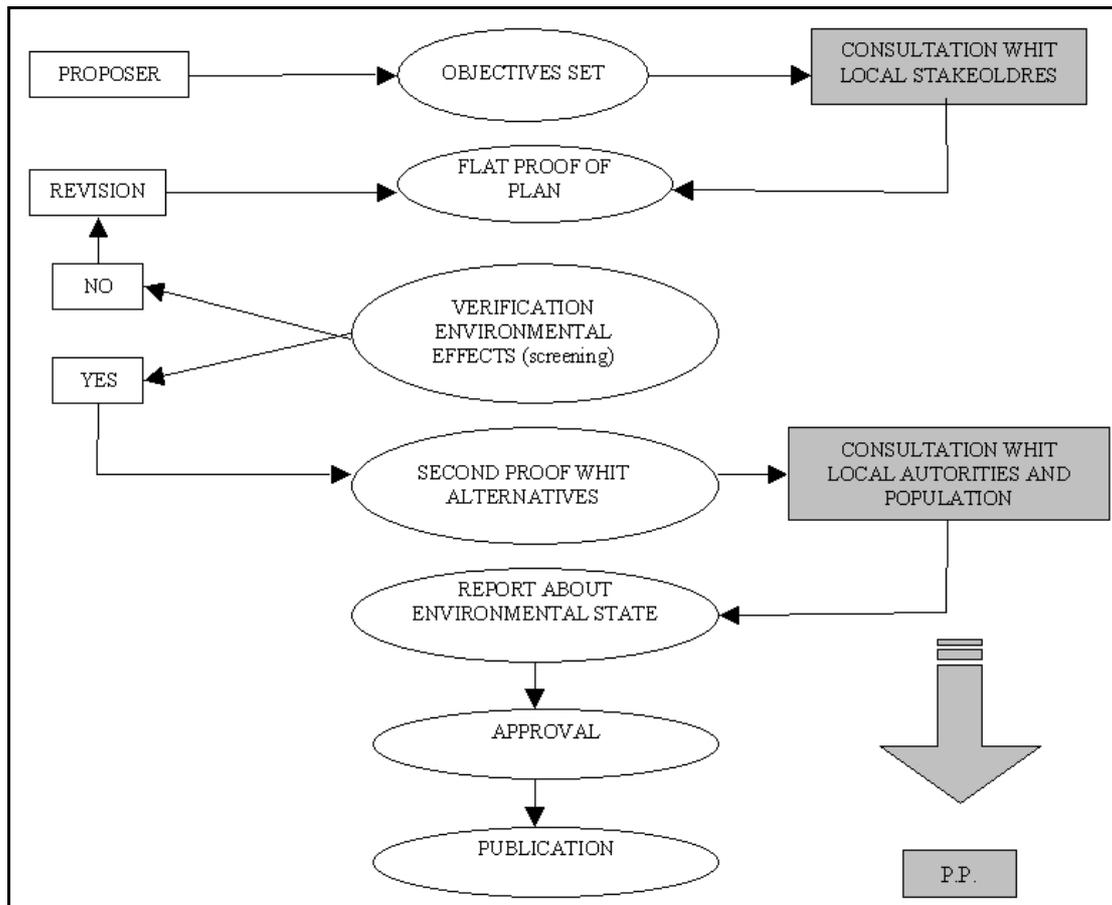
The SEA Directive<sup>10</sup> is to be implemented by all member states till July 2004. It is an instrument that requires an environmental assessment for plans, programs and policies, at the national and regional level. It follows again the input arising from the European level, and already has some application in the legislation of some Regions. All in all, however, SEA has 'represented' the object of studies and public debates much more than it has 'initiated' concrete practice.

Although it is difficult to access the consequences of the SEA as it has still not been fully implemented at this time, challenges facing existing national frameworks in Europe have been foreseen. More specifically the consequences of the SEA have meant rigorous changes in the existing national planning frameworks and extensive adjustments of the legal procurements concerning all plans that do not already prescribe to PP. However, these adjustments are still largely dependent upon the practical framework in the administrative systems. This issue has more specifically been raised in the German report, which stresses that in order to meet the requirements of PP as set by the SEA, German administrative bodies first need to be equipped with sufficient personal and training. Figure 1 illustrates environmental policy procedures on SEA.

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<sup>10</sup> 2001/42/EC

**Figure 1 Environmental policy procedures on Strategic Environmental Assessment**



### Water Framework Directive

Although this will be discussed more thoroughly in chapter 4, it is important to acknowledge the significance of the WFD within this section. The directive is the single most important piece of legislation relating to water management in Europe. Its specific aims include enhancing citizen involvement in dealing with water management issues.

As it is still in its early stages little can be said to its achievements and consequences. Nevertheless planning frameworks and legislation at a national level have invested much time, effort and resources in adjusting and preparing their existing structures to meet the WFD requirements. Nation states have responded by implementing their own national level legislation i.e. Flemish Decree on the Integrated Management of Water (as discussed above); The Water Frame Law implemented at the Federal level in Germany; and the CEE Water Dialogue implemented CEE international level (also discussed above).

### CEE Dialogue on Water for Food and Environment

Although the CEE Dialogue only relates to Hungary from the nine European countries focused upon in this report, and is not strictly a EU initiative, it is still, nevertheless, worth mentioning in this section. Initiated by the Global Water Partnership (GWP)-CEE Region<sup>11</sup>, the proposal for a Dialogue

<sup>11</sup> The GWP-CEE region includes Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, and Slovenia

on Water for Food and the Environment was eventually agreed upon and it was decided that the region give priority to the Dialogue on the regional level. The proposal stated that the agricultural impacts on water status are a major concern across Europe – both in terms of water quantity and quality. It was agreed that the general objective of the Dialogue was for all waters to reach “good status” by 2015 and to ensure the sustainable development of agriculture. Yet, the specific objective was for successful implementation of the EU WFD in the field of agricultural water management through involvement of stakeholders in the planning and implementation process.

Nevertheless, the Hungarian report claims that efforts need to go beyond just looking at current farming practices. They emphasise that true integration of agriculture and environmental objectives requires new approaches and policy instruments such as agri-environment and sustainable rural development, to support and strengthen the long-term implementation of the WFD.

This section has largely been focusing on the various types of policies that have helped support, guide and monitor PP in RBMP. However, also fundamental are the other forms of support. In the case of the CEE Dialogue this was demonstrated through a significant amount of *financial* support that was provided by the ministries in order to help establish and enable the local level dialogue.

## **Local Agenda 21**

An outcome of the 1992 Rio Summit in Brazil was that all local authorities were required to draw up a Local Agenda 21 (LA21) strategy. PP is central to LA21. Its more stringent requirements for PP elevated participation to a new status in local government. It was no longer an optional extra in local policy making. LA21 has facilitated a movement towards more diverse and inventive participatory decision-making, and has, on the whole been very successful in mobilising successful grass-roots activity. Particularly good experiences are reflected in the UK, Spain, Italy, Belgium and Germany reports. Although LA21 incorporates many facets of sustainable development at the local level it does not exclusively focus on water resource management. Furthermore the degree to which efforts to initiate LA21 measures have gone beyond the planning phase varies. Many countries have drawn up LA21 action plans, but not all plans have been realised through actual implementation.

## **Policies measures supporting PP in other sectors**

Although in Germany water management was among the first policy areas where it was deemed necessary to consider affected stakeholder interests (for mill authorisations) – this has definitely not been the case everywhere in Europe. The recognition of PP within policy guidelines has in several cases been recognised in areas other than the environment. In some circumstances the framework for stakeholder involvement in RBMP that we talk of today has often been modelled upon the experiences within other key planning areas such as urban renewal and spatial planning.

A good example of this is identified in the UK. The DETR’s<sup>12</sup> Urban White Paper, published in 2000, outlined the government’s visions for community strategies, neighbourhood renewal and urban regeneration policy. This policy statement identified public and community involvement as being of central importance for ‘urban renaissance’. The paper argues amongst other things, for involvement as being people’s right, as a means to empower and strengthen communities, and to support sustainable change. UK land-use planning policy also has a strong requirement for PP. This was recognised much earlier on - in the Town and Country Planning Act passed in 1968. Here planners were obliged to enable members of the public to take part in the planning process. The reasons for encouraging greater PP in land-use planning was two fold – to enhance the role and standing of planning professionals, and secondly to open up possibilities for groups outside the profession to

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<sup>12</sup> DETR – Department of Environment, Transport and the Regions, UK.

question professionals' and politicians' decision making. However, experiences over the past decades prove that the system is still relatively slow and not 'user friendly'. Although the planning system is currently under review, in order to improve upon its existing procedures, etc.... it is not certain that this will necessarily equate to enhancements in the opportunities and methods for PP. As the overall aim is 'simplification' the consequence could well be restrictions in opportunities for stakeholder involvement. Nevertheless, urban planning has proved to be much more advanced both in its recognition and practice of PP. Comparatively, in the UK water sector, public involvement in planning and management is only recently beginning to be considered.

The Dutch water sector also lags behind other sectors with respect to PP. In spatial planning for instance PP has been practiced for some time. On the whole recognition of the 'public' in decision-making legislation existed much earlier in Dutch history. More specifically the Waterboards Bylaws Act of 1895 and the Land Reclamation Act of 1904 required planning drafts to be put on public display. Since the second half of the 1960's PP received greater acceptance from certain key government agencies such as the Ministry of Housing and Spatial Planning. In spite of this they still emphasised that ultimately government and democratically elected politicians remained responsible for decision-making. They saw PP primarily as a means to obtain information, to improve decision-making and to increase legitimacy. However, in conflict with this, other agencies still wanted to give 'real influence' to the public. These different standpoints demonstrated the government's entanglement between good intentions and the practice of PP during this transition period. Furthermore, such lack in consensus amongst the main government agencies can only serve to complicate proper recognition of PP within actual policy.

Nevertheless, PP in the Netherlands was widely practiced in spatial planning from as early as the 1950's, and by the 1970's PP became commonplace.

## Summary

To summarise it is evident that significant policy efforts have been made to support and guide PP in decision-making processes at all scale levels in Europe. Due to the informal character of past and existing PP practices, the purpose of policy should be regarded as having a very specific role in guiding, developing and sustaining existing practices **not** replacing them. It is important that policy is designed in a way that satisfies these requirements. Otherwise the results could be detrimental such as policies clashing with existing systems, deteriorating relationships, etc...

Although the policies identified in this section have been categorised into *national* and *EU* level it is important to note that in many cases the policies have supported the mobilisation of action at the regional and local level also, as well as setting frameworks for local level policies to implemented by local governments. Although participatory management has existed in certain parts of Europe for centuries, 'widespread' European recognition of the importance of PP has only recently been translated into official policy measures in the past ten – fifteen years, and as such suffers from the usual problems that one would expect from new and innovative methodologies with regards to the way they have been received. More specifically, this new policy direction faces cultural considerations in terms of appreciation of existing practices that for generations have been suited to planning and decision-making in a particular way. Furthermore in many cases the ability to measure the level of success is still relatively weak, with often several attempts having been tried before a more successful policy option has been identified.

There are important differences in the context of PP in European countries. This includes - different degrees of financial and other resources to meet adequate degrees of PP; existing participatory practices acting as a barrier to new styles of PP as required through new policies; public attitudes held by individuals of a particular region or by higher level authorities in a region; existence of participatory frameworks and examples from which to develop upon; lack of adequate public involvement strategy, etc... Often what is not recognised in the need for more indirect support for the policies themselves.

PP education and training may need to be implemented in all areas and levels, such as that undertaken in Hungary since the 1980's. This will facilitate better overall understanding and appreciation of PP processes and should aid proper realisation and implementation of policies supporting it.

Lessons and experiences of PP adopted in sectors other than the environment have offered much to the development of strategies for it within RBMP and continue to do so. This could be built upon further in order to aid in improving or revising existing policy, or for developing new policy. In addition to this past and existing experiences should be communicated more effectively both within and between regions and countries.

## **2.5 Institutional influences, challenges and opportunities**

The national reports identify key institutional influences to PP in RBMP. These refer to both obstacles and opportunities identified in the institutional and governing structures that are responsible for the implementation of PP. On the whole, the reports describe significant challenges and obstacles that can be attributed to past institutional conditions and that continue to hinder progression towards a participatory culture in European RBM. Thus the focus of this section will be to discuss these challenges and obstacles within the context of commonly identified themes, as well as provide reflection upon the more positive experiences. Such experiences will be used to establish recommendations for better practice and understanding of the conditions necessary for effective PP.

### **Complexities of actor involvement in integrated RBM**

Significant obstacles to effective integrated and participatory RBM, is symptomatic of the varying degrees of complexity that exist in different areas of water management. However, complexity has not always proved to be such a limiting factor. In some cases complex systems and institutions have been managed very well while in others complications have proved to be more problematic.

For instance Flemish RBM involves a great many competent authorities. As such it has an extremely complicated distribution of responsibilities. This immediately presents a barrier to those wanting to become more involved, or to have a 'buy-in', in the RBM process. For newcomers it is often difficult to grasp the entire picture of the RBM landscape in Flanders.

In Germany the institutional framework for water management is also very complicated with a large number of actors involved both within the private and public sectors. Germany's hierarchical structure presents complications particularly through its division of administrative powers that create problems for effective communication between levels (*Federal* level - responsible for EU requirements such as the WFD, management of waterways; *Länder* (federal states) level – specific *Länder* water legislation, water management, execution of water regulations; and *Local* level – responsibility of local environment, water services). Although there has been good co-operation so far on general water management issues between the different levels of governance, the administrative framework for WM is strongly shaped at the *Länder* level but with most major decisions being taken from either the local, regional or *Länder* levels. This presents a great challenge for the institutional framework with respect to coordinating integrated catchment management planning over *Länder* boundaries, as well for the purpose of RBM plan development and related PP issues. On the whole, the German structure illustrates complications that can arise through differences *within* individual countries.

France also claims upon having an institutional structure that is not conducive to developing PP. The authors of the French report also refer more specifically to France's traditionally complicated, multi-layered governance structure in water management. Within this the central actors, the water

authorities and basin committees, are accused of providing a structural bias against the intervention of 'new interests'. However this more complicated model has made way for an alternative governing structure that has resulted in new actors being involved within the institutional framework and a structure that can ultimately pave the way for better PP. However, the French report, do claim that evolution to such a 'new' governing structure for water although dependent upon factors at the local and regional scale, can only really be achieved at the *national* scale.

This complex inter-sectoral, multi-scaled nature of RBM is also prevalent in Spain where many institutional actors at different scales (local, regional, national), and from different sectors, as well as different stakeholders are and need to be involved in decisions related to water resource development and management. However, as in France, Spain have responded more successfully by introducing more effective measures to manage multi-scale, multi-stakeholder institutional challenges, more specifically through the development of National, River Basin and sub river basin coordination and management structures and the creation of *coordination commissions*.

Such experiences present clear indications as the extent to which institutional complications can hinder public involvement. One could assume that such complexities are particularly rife during the current transition phase that is taking place in the water sector - that from a more divided, traditional institutional structure to one that is more integrated, innovative and participatory. However, unless they are properly recognised can effective measures be sought to reduce their impact. **Improved communications of experiences and sharing of knowledge across Europe could help manage complex systems where they exist.**

### **Perceptions towards participatory action in PP processes**

The different perceptions of the various actors involved are strongly influenced by general attitudes and perceptions towards the environmental PP but also by the complexities as discussed above. For instance, the more complex planning processes have become, the more actors have perceived them with less enthusiasm, which has made them more reluctant to pursue such paths.

In Belgium the popular public perception of public officers is that they adhere to complex procedures over the simplest of things. Furthermore public confidence in the government is generally low. Yet, aside from this the actual *willingness* of competent authorities for stakeholder involvement in RBMP has been relatively high, the main disadvantage to this being that they realised that they lacked the resources and know-how for properly engaging stakeholders into the process. In the Nete catchment, for instance, enthusiasm and involvement of the public was high but coordinators feared that they would not be able to manage such a large of group of stakeholders. The result was that the coordinators formed two parallel groups and simply had less plenary sessions.

In Spain the cases of Baix Llobregat (Barcelona) and in Mula (Murcia) a move to PP and creation of new self-sustaining organizational formulas has not occurred without difficulties. More specifically changing public perceptions - making them realise 'what was possible', was reported to be the main challenge. Additionally, challenging the 'existing order' and dealing with the conflicting perspectives of many different interest groups was also a significant difficulty. 'Collaborative methods' were applied to aid changing perceptions of those involved and to enlighten them of better solutions available to them. The methods helped in making them reach consensus and realise the commonalities that existed amongst them.

In stark contrast to this, competent authorities in France consider stakeholder involvement with great caution and apprehension. This is largely influenced by civil society appearing divided, ill organised and dependent upon political forces. Ultimately the intervention of stakeholders, or non-governmental actors, is perceived as being illegitimate and democratically problematic.

Hungary is faced with an alternative dilemma. Here public awareness and concerns for water and the environment have often been suppressed by other more pressing public concerns, more specifically the economic depression. However, an institutional mechanism has been established in Hungary to help raise *citizen awareness* of environmental issues and to help engage them more actively in decision-making processes and management of the environment. This came in the form of the **National Environmental Board**, an advisory body of the Government with the specific responsibility to create a broad public and scientific basis for environmental protection. But in Hungary, perceptions as to the *merits* of PP are shared amongst individuals from other key actors. Planners for instance, recognise that in order to be accepted big or complex projects need the support of many groups of stakeholders. It was realised that bureaucratic planning in water resource development was *no longer feasible* and that decision-making was insufficient without adequate PP. What was also stressed was the *early* involvement of stakeholders, involvement from the initial stage of the planning process.

In the Netherlands the LTV<sup>13</sup> project demonstrated how involvement procedures and stakeholder selection were dependent largely upon the perception of the organisers for the need for additional expertise. The ‘expert-bias’ was clearly illustrated by one of the interviewees in the project who stated that ‘knowledge about an area can only be professional’, implying that ‘professional’ inhabitants or farmers do not have the relevant ecological knowledge about their area. Such examples as experienced in the LTV project demonstrate the challenges that come from such deep-rooted and long-established beliefs amongst the actors involved in such planning processes.

Upon reflection of our experiences, as discussed above one clear challenge seems to be the need for all actors, including competent authorities and stakeholders alike, to arrive at a common understanding of the role and usefulness of PP. Furthermore challenges are usually more acute where the public simply lack trust in institutions. In the UK for example they lack trust in environmental information coming from government and scientific sources - a response largely attributable to their confusion over environmental issues. Such negative preconceptions of competent authorities and of PP should not be ignored but confronted where possible. Yet, as was illustrated in Spain this may not necessarily be possible simply in words and theory. In order to effectively convince or persuade individuals the best solution is likely to be in ‘practice’ itself, as **individuals are often only convinced through actual experience**. Finally, achieving more effective PP will require **challenging existing institutional norms and belief systems** - it will need a **change in the way individuals value one another**.

## **Resources, knowledge and experience**

A common factor amongst projects that have had weak experiences to PP was the **lack in resources and ‘know how’** necessary for effective realisation of PP in the planning process. As with application of any new methodology or tool the correct resources are essential. But more importantly so is the *acknowledgement* and *acceptance* of the need for such resources. Nevertheless there is still much knowledge and experience that could be more effectively used to guide better PP in RBMP, if communicated properly and effectively.

This is best illustrated through the UK experience as previously discussed in section 2.4. In the UK despite the many factors that discouraged public involvement in decision-making particular interest in PP that has come to prominence over the past thirty years, has developed in certain areas of social policy and administration. Ultimately, the government has responded to this by establishing a policy framework and guidance for PP for those at regional and local level to put into practise. Although much of this guidance was drawn up in sectors other than water, this is still a very large body of relevant UK experience and guidance that can and should be drawn upon by river basin managers.

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<sup>13</sup> LTV is an abbreviation for the Long Term Vision Scheldt Estuary project undertaken in partnership between the Netherlands and Flanders.

The UK report also discusses additional resources needed for achieving effective PP. Particular emphasis is placed on the increased demand in *skilled* personnel. However, the UK's Environment Agency (EA) would find this to be particularly difficult as the Agency already has a problem in recruiting and retaining staff thus the additional personnel required for PP would be a major concern. This concern has also been highlighted in Spain where government officials and offices are, for the most, not trained to handle participatory processes. The Spanish authorities also find training particularly difficult to 'fit-in' as they are already consumed with other responsibilities and deadlines required of them in order to meet the WFD. PP preparation and implementation is extremely time and resource consuming thus without proper recognition of these necessary conditions within participatory framework policies those responsible for its implementation may ultimately struggle. Similar experiences are identified in Belgium and this demonstrates that on the whole it is not always a lack in willingness of planning officers or others responsible for RBMP projects, which prevents proper 'take up' of PP in RBM. Rather it is the perceptions of PP that such officers have – that of it being very time consuming, expensive and simply that officers lack the knowledge and experience to confidently and effectively undertake forms of PP in their projects.

The Swiss report makes specific recommendations for what is required to meet these resource demands. They suggest PP needs additional time invested from the very *early preparatory* stage of a RBM project. Specific reference is made to *identification of stakeholders, setting up of efficient information dissemination systems* and having *organisational set up*.

Additional recommendations from the Swiss report include the requirement for more *qualified consultants* and *external advisors* than used for traditional planning approaches. Of particular importance is the need for *adequate finances* to cover the costs entailed through the increased numbers of actors involved in such processes.

Earlier Germany was given as an example in terms of the variations in conditions and experiences that can exist *within* countries. Germany is also illustrative of differences between *Länder* (federal states of Germany) in terms of the resources or *provisions* they have necessary for participation - this included financial resources. During formulation of the water management framework plans<sup>14</sup>, although most *Länder* had necessary provision for the involvement of interested parties, some *Länder* had no relevant provision for participation at all. However, this has been recognised and new provision for PP will come into force with the amendments of the *Länder Water Acts*<sup>15</sup>.

It is also worth mentioning the importance for stakeholder groups themselves to be properly equipped with adequate and sufficient resources to enable them to effectively participate in decision-making and planning processes. In Spain newly emerging groups such as consumer protection groups and ecologist groups have repeatedly claimed that they need resources both to build the necessary capacity and to participate effectively. This is a factor that can often be underestimated but is essential to enable grassroots organisations and groups to be able to mobilise themselves and function effectively.

So far emphasis has primarily been upon the benefits and importance of public participatory *experience* and *knowledge* with regards to its acceptance and effective implementation in RBMP. Contrary to this Germany presents us with an alternative consideration. Even long after the reunification of East with West Germany, the former still very much lacks in PP experience. Following its forty year regime of the former GDR the public is still very pre-disposed to low

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<sup>14</sup> The water management framework plan, or Wasserwirtschaftlicher Rahmenplan, is one of the water-planning instruments that have been revoked by the latest (7<sup>th</sup>) amendment of the Federal Water Act transposing the WFD. The water management framework plan was to be prepared for river basins and urban areas, or parts of them.

<sup>15</sup> Amendments of the *Länder Water Acts* followed the 7<sup>th</sup> amendment of the Federal Water Act of 2002 transposing the WFD.

participation. But while in West Germany a significant and possible ‘overload’ of participatory activity could well result in ‘participation fatigue’, the East, in contrast, provides a general public that is fresh and new to such experiences and thus possibly more susceptible and open to the idea of engaging in participatory processes and practices. The lack of well-established, participatory groups may also provide more scope for developing new and innovative groups and initiatives.

But on the whole in terms of resource allocation, PP will require considerable resources from the state, NGO’s and environmental organisations. Unfortunately this has been missed in both the WFD and the CIS<sup>16</sup> guidance as neither gives any specific indication as to how best to provide and allocate resources to support participation activities for effective development of RBM plans.

## **PP governance**

In section 2.2 we discussed how different political cultures of nation states create varying yet broad underlying forces either *for* or *against* PP. For the purpose of this section it would be good to revisit this discussion but focus upon specific characteristics of different **governance** and **administrative structures** that have been identified as presenting either challenges or opportunities for achieving effective PP.

Inconsistencies exist within European experiences of PP implementation. On the one hand there are cases that complain of PP being too formal, while on the other hand, others complain that there is a ‘lack’ in formal requirements for PP. Both experiences are regarded as obstacles to achieving effective PP. Regarding the former, Flemish RBMP is seen as being rather formal and bureaucratic. Although steps have been taken to move beyond the *traditional* methods of PP (such as hearings and public investigations), the authors of the Flemish report suggest that more needs to be done. More specifically they suggest that current practices could benefit from a **more dynamic and process oriented approach**. The latter has been specifically highlighted in the Italian report. As discussed earlier stakeholder participation in the policy process has been traditionally looked upon with suspicion and distrust thus preventing it from being either formally cited in legislation, or given an important role. This has resulted in marginalized and a general disregard of stakeholder groups. These cases clearly indicate the inconsistent political and administrative framework that challenges standard PP policy from being implemented across Europe.

With this in mind it is important to reflect upon the particularities of the French governance system. The French report indicates that the governance system is *rigid* and not susceptible to new policies, like the ‘environment’, which would challenge the accustomed ‘norms and comforts’ of the existing system. The existing system being that which refers to a local bargaining process and interplay between the central State civil servants and local elected representatives. So both having leverage on the other, thus both parties able to obtain independence from both the general public and central government. Therefore, such a system is threatened by and ultimately acts as a barrier to ‘new policies’ that offer opportunities for *breakdown of power, open bargaining* and *collective learning processes*.

German water management also faces restrictions, as it is the individual *Länder*, and not the federal government, that decide upon its structure and substance. More crucially, hardly any genuine RBM institutions exist to effectively support RBM, apart from some associations that are responsible for the operational management of specific river basins, such as the Ruhr association (in a highly industrialised area). Thus, Germany’s formal structure in water management cannot integrate or adopt new RBM policies (of the WFD) without some re-orientation.

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<sup>16</sup> Common Implementation Strategy (CIS) of the European Commission and the Member States provides "technical" guidance on the implementation of the Water framework Directive. Several guidance documents have been drafted in the framework of the CIS, including one on PP.

Keeping this in mind another key issue when considering governance structures is the diversities that can exist *within* countries such as was discussed earlier in relation to the differences between *Länder* in Germany. Cultural as well as languages differences are examples of how invisible barriers can equate to often contrasting governance systems and institutional make-up within countries and regions. This can consequently make the consideration for policy much more complicated. This is evident to varying degrees within most, if not all, of the nine countries discussed in this report. Yet it is particularly prominent in Switzerland where cultural ideas are associated with their five national languages and different cultural backgrounds.

In France informal experiences of PP in the Loire case-study through the form of public demonstrations, have served to widen the cultural gap between the civic movement and the governance structure, hindering discussions and negotiations. The public struggle has consequently been conducted *outside* the institutional framework usually on the streets. Although such forms of PP are very powerful means for citizens to express their opinions, unless they result in citizens gaining access to decision-making and evolve towards more inclusive and cooperative relations, they will remain obstacles to *social learning*. This is important as it illustrates that institutional design in any governing system in any country needs to take into account the forms and characteristics of PP that country in order to cater for the cultural context.

Finally the German report remarks on it ‘not being possible or appropriate to speak of applying a uniform/consistent national approach to PP in terms of the WFD’. Yet given the inconsistencies and deep-rooted cultural differences that exist within national institutional and administrative systems, this remark should be considered in terms of Europe as a whole – **it is not possible nor appropriate to have a uniform *European* approach to PP in terms of integrated RBMP and the WFD.**

It is also important to reflect upon the more positive experiences where conditions have been more fertile and have generated more opportunities for PP. More notably this can be seen in Switzerland where the Federal Government enacts laws and rules aimed at rational use and protection of water resources. Through the existing legal basis a full consultative process *precedes* authorization of an application to build new infrastructure - thus public interest predominates. Furthermore during the legal concession process, the Canton<sup>17</sup> authority takes care of the public interest by making sure that they are not in contradiction with the application.

There are also opportunities created through the evolution of the Italian administrative system. Although there has been and continues to be a tension between *centralism* and *localism*. While on the one hand policy and financial resources still remain largely in the control of the central state, there is still a move towards greater ‘participation’. However, this is really only in order to involve *different layers of public administration* for the purpose of creating institutions in which local authorities can have some voice. At the local level this has indeed opened opportunities for stakeholder involvement. Furthermore although there is no strict application here of the definitions of PP as defined by the Aarhus convention, they do still provide roots upon which PP can evolve and be understood.

Cross-border/ international experiences - In order to achieve effective integrated RBMP it is fruitful if existing knowledge, experiences and institutional frameworks are used to the fullest rather than merely focusing on gaps in knowledge. This may include developing existing stakeholder groups or using experiences from past projects, successful or not, for constructing new methodologies etc... In the Netherlands for example, given that it is located in the Delta of several international rivers the international level is very important for Dutch water management. Hence the Netherlands is a member of several river basin commissions.

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<sup>17</sup> Switzerland is a confederation of 23 Cantons (States).

## **Institutional Co-operation**

The Hungarian report draws specific attention to the benefits of good working relations between institutions at a national and at an international level. They emphasise the tradition in Hungary of good relationships between the institutions of public water administration and the national and international professional and scientific organisations. For instance the Hungarian Hydrological Society, members of which are representatives of the international water management organisations and who meet annually and invite one another to their events. The international water management organisations also provide assistance in inter-governmental co-operation by identifying and analysing problems, and promoting the avoidance, alleviation and solution of conflicts. Furthermore they can also be attributed to accelerating European integration and harmonization. Such as through accelerating participation of professional and scientific fields into the activities of the EU member states thus enabling lengthy procedures and official channels of international politics to be bypassed.

Such corporation has been supported through a variety of 'support organisations' that aid PP activities in environmental issues. In Hungary the Regional Environmental Centre (REC) in Szentendre runs a Public Participation Programme with the aim to support and facilitate access to information, PP in environmental decision-making and access to justice in environmental matters through capacity building, networking, legal and policy analysis and assistance to various stakeholders.

But cultural differences can serve to hinder co-operation on an international basis. For instance in the LTV project - an international project undertaken jointly by the Netherlands and Flanders, significant cultural differences were identified in management style, decision-making and consultation cultures, etc.... that led to complication and conflicting interests. Such conflicting interests only served to complicate and stifle progress in the project and consequently much of what was envisaged and planned failed to be realised as intended. On the whole although the LTV has provided some promising results such as the greater appreciation by both parties of the cultural differences that exist, there is also the opinion that co-operation between the researchers *did not* improve substantially. It was suggested in interviews held after the completion of the project that researchers may not like to work with others holding different viewpoints on the Scheldt Estuary. But perhaps this should *not* be expected of them anyway as enforced collaboration could reduce debate and inhibit scientific excellence and debate in the longer term. This demonstrates is the importance of not taking co-operation for granted. The complications and often clash in cultural procedures and practices, as illustrated in the LTV project, are perhaps reminiscent of factors that cannot and should not always be changed. Instead, flexibility in the processes adopted for implementing stakeholder involvement could be built in at the planning stage.

### 3 Experiences of Public Participation

This chapter will analyse the experiences of PP of the different countries, a) reflect these experiences in terms of the various forms used for involving the public and methods applied, b) provide an in depth account of experiences specific to RBM and c) communicate the strengths of the more positive experiences of PP, and reflect upon the more problematic and unsuccessful experiences.

#### 3.1 Overview of experiences and methods used

As discussed in section 2.1, PP experiences have featured within various decision-making processes across Europe. For instance Spain's particularly long legacy in participatory planning in local water management evolved in the very early 20<sup>th</sup> Century, as did PP in Italy. In Germany PP was a part of water management (on the issue of mill authorisations) from as early as the 18<sup>th</sup> Century. However, it was not until the 1970's that PP intensified also in the context of administrative procedures. But, these experiences have been far from consistent and varied enormously from country to country and case-study to case-study.

In Belgium for instance, PP in the 1970's was organised by the government through the form of **public hearings**. Especially on matters where law obliged such a hearing or where the government was facing a lot of opposition. These hearings were fairly limited in what they could offer to stakeholders, usually not extending beyond a one-time meeting of just a few hours. The limitations and lack of time given to stakeholders during these meetings caused a great deal of frustration. In the 1980's a greater effort was made at encouraging stakeholder involvement in planning processes. Very often this was organised through **workgroups or advisory councils**. Although 'independent individuals' were involved they remained an exception - largely because they often lacked the necessary resources to be seriously involved in long-term decision-making processes. Therefore involvement has largely targeted the wide collection of '**organised stakeholder groups**' who were regarded as representing the wider public. As these processes were shrouded in bureaucracy this resulted was a general lack in enthusiasm from the general public. Furthermore, **the government was usually the convener of such groups**. As there was simply no clear framework to help define who the legitimate stakeholders were and thus who should be included in a particular PP initiative, **the government could, more or less, choose who was included and who was left out**.

In general, PP in Flanders was (and still is) very much '**behind the curtains**'. Stakeholders influenced policy through unofficial channels and through one-to-one contact with leading people of another stakeholder group. Thus PP procedures were often not more than a 'show' to legitimise decisions that had already been taken.

In Italy even through the nature of PP has been largely voluntary and informal, of these early experiences there have been some worthy of mentioning originated in the 1970's. More specifically 1970's represented a starting point for a more 'sensitive' process of reform, which was evident within the urban planning system, through *urban development plans*. But, as the urban development plans were constrained by guidelines and general principles for spatial development that arose from upper level planning decisions, it meant the whole process was based upon a very complex nature of territorial planning instruments. Furthermore stakeholder involvement was only really envisaged at the *latter stages* of the process.

Stakeholder participation featured more prominently in the early 1990's, particularly in more recent years, with increased emphasis upon bringing stakeholders into the planning process. Nevertheless, the experiences, as highlighted in previous chapters have largely been associated with sectors other than the water sector. For instance, land-use planning in the UK, Italy & Hungary, and spatial planning in the Netherlands are just some of the examples from which RBM can learn.

Yet although such a prominent collection of experiences exists in Europe, significant variations still exist. In the Urban Community Initiative programme and in Italian participatory experiences, PP was only featured at the **implementation stage** and **NOT** in the preparation or deliberation stage. In Switzerland with the raising of Luzzone Dam stakeholder input was brought in very late, once the plan was already completed thus leaving little time for conceptual changes. *On the other hand*, other countries displayed more promising experiences where stakeholders were involved much earlier. In the Netherlands, for instance, recent shifts towards increased levels of participatory policy-making have been realised in such processes as environmental impact assessment and project planning. This has involved stakeholders being invited to express their views on the problems and proposed solutions. The move towards a participatory trend in the Netherlands has primarily been to improve public acceptance and implementation of decisions. Consequent to this has been *new forms* of participatory policymaking aimed at involving citizens in the early stages of policy development to enable stakeholders to have input in the **problem definition stages of policy development** process and **the development and appraisal of alternatives**. Such interactive policy development experiments have included **community management projects, user panels, urban conferences, tribunals, public forums, environmental conferences, scenario workshops, citizens' panels, etc...**

But the Netherlands provides us with a good example of variations that exist *within* countries in terms of the uptake of PP practices. For instance there are cases where emphasis was only put upon involving influential stakeholders rather than on involving the general public. For example in the *Scheldt Estuary/LTV* international project the only form of stakeholder involvement was through consultation. More diverse measures were not employed which ultimately reduced the potential for social learning. In contrast to this the *ABC Delfland* project demonstrates a variety of methods such as workshops, scorecard techniques, etc... that help gain public trust and support. The national level *Meer Visie* (More Visual) project also applied a variety of interactive tools for involving stakeholders. The use of a computer tool helped find out how actors would react to 'concept' versions of integral visions. Role-games were also used, and questionnaires were used to enable actor analysis. This aided in a process to encourage participants to learn more about each other, which ultimately helped to reduce possible conflicts as well as conflicting interests. On the whole the Netherlands does seem to be moving towards more *interactive policy development*.

Given this Dutch example it is easy to see how such contrasting practices within countries can provide a complicated basis upon which more standard modes of practice can be enforced. With individual circumstances effecting practices within each of these projects it is first necessary to develop a greater understanding of these circumstances. The following sections of this chapter will take a deeper look into examples and case-studies to do just this.

But the recent more dynamic, innovative and interactive participatory experiences have been supported and facilitated through such policies as Local Agenda 21 (LA 21). In the UK the governments DETR report has provided clearer and stronger guidance for PP moving away from the traditional methods such as consultation documents, opinion polls and public meetings towards more recently developed innovative and interactive methods such as panels, citizens juries and interactive websites. Belgium can also boast more innovative methods largely introduced through the framework of LA21. Such methods include *e-government*; *DIP – Goal-oriented intervention planning* which relied largely upon *visualisation*; *LENS – Livelihood Research New Style* – a method to help understand how citizens perceive their daily living environment and what options they see to improve its quality; etc... LA21 has also had successful influences in *Karlsruhe* where local initiatives have helped engage citizens in sustainable water management.

This more 'active' style of involvement has been prevalent in Spain also. In Spain's Navarra region the creation of joint working groups (supported by Structural Funds) have enabled high levels of participation. Also, within the Rural Development Program, creation of 'local action groups' enabled actors to identify and contribute to the diagnosis of problems in agriculture and forestry. These processes have been key in identifying 'unintended effects' early in the policy process. In fact the Spanish report provide some general and very interesting reflections of these 'new' experiences in

participatory water management. They see them as enabling actors to see the ‘bigger picture’ rather than being stuck upon their traditional and common conceptions of what solutions are and should be. However, what they also realise is that these experiences by their very nature are ‘new’ and as such are generally less ‘mature’ thus making it difficult to assess their impact. They are ‘often’ more ambitious and less concrete in their objectives than experienced before. More significantly the protagonists at these events report of important relational outcomes, changing perceptions and relationships with government. They also were able to report of improved working relationships and increased practical collaboration between consumer and ecologist groups and governmental offices.

But aside from these more successful and promising experiences active involvement still remains random and irregular in the different policy fields throughout Europe. Local conditions and histories are responsible for the particularities of each individual case-study. Priorities and past experiences often provide unwelcome conditions for these types of innovative and exploratory participatory methods. Thus in many cases there is still little or no active involvement. According to the requirements of the WFD for active involvement, the Dutch track record proves to be relatively poor, particularly in water management. Furthermore, there has been no active participation in the preparation and analysis of the WFD either.

Finally there are also additional considerations that were recognised by some of the reports, such as stakeholder access to decision-making processes. Often difficult, due to the complexities of the methodologies adopted, the more practical needs of the stakeholders can often be overlooked and not catered for hence leaving them feeling neglected and not prepared to participate. Furthermore, there needs to be a strong degree of communication between case-studies and project of the different experiences and methodologies applied at all scale levels. **Without effective communication to pass-on lessons learnt, and to improve on particular methodologies based on the experiences of others, much time and resources can potentially be wasted.** A good attempt to encourage better communication was created in the Netherlands in the 1970’s. ‘The Central Point of PP’ in the Netherlands that existed from 1972 to 1988 provided a central information centre to help facilitate exchange of experiences of PP.

To conclude the general picture is one in which Europe has been making promising steps to more innovative and active forms of PP, opening up greater possibilities for more involvement, dynamic decision-making and policy development. Nevertheless there is still a lack in consistency, support and even resources to deliver some of the more resource rich methodologies. Furthermore, although certain styles and practices of PP in RBMP *may* be popular within a particular country or region, **from the research undertaken it was not possible to discern ‘a typical approach to PP within any given country’.** Variations do exist between cases within the same country/region. These variations will become clearer in the discussions of the *positive* and *negative* experiences of PP presented later in sections 3.3.1 and 3.3.2. The box below summarises the key points.

**Key points of section 3.1:**

- PP has existed in Europe for centuries. But has intensified only in the last few decades of the 20<sup>th</sup> Century.
- PP has largely targeted ‘organised stakeholder groups’ not always the members of the public.
- PP has often been voluntary and informal. Stakeholder influence upon policy has been through ‘unofficial’ channels.
- PP has largely been prevalent in sectors other than water such as land-use planning.
- PP experiences are still inconsistent and vary greatly both within and between countries. In some experiences PP has not been brought in the early conception stages, only in the latter stages such as at project implementation stages. While in other countries involvement begins much earlier such as in the project planning stages; and use of new forms of participatory policymaking including interactive policy development are being initiated.
- Local Agenda 21 initiatives (where applied) have facilitated dynamic, innovative and interactive

- participatory experiences. But, again, the uptake of Local Agenda 21 has been inconsistent.
- Active involvement still remains random and irregular, and is determined by priorities and past experiences.
  - Effective means and attempts of communication have not been established to enable the necessary levels of communication for preparing and implementing such PP methodologies successfully.

### 3.2 Public Participation in RBMP

This section will provide an introduction into the general approaches of individual countries of PP in RBMP - which will be discussed in more depth in later sections of this chapter within the categories of ‘good’ and ‘bad’ experiences. In section 2.5 we addressed the key complexities facing PP in RBMP in Europe. Thus, this section will also provide more in depth discussions of various ways in which individual countries have attempted to deal with the complexities within their national structures.

#### 3.2.1 Appearance and organisation of PP in RBMP

The transition towards improved RBM in Europe has, and is, proving to be a movement fraught with complications. Unlike other sectors, rivers, through their very nature, concern a much wider area and as such any river management policy needs to contend with a greater variety of obstacles.

As already acknowledged, PP in RBMP has really only become prevalent in recent years – mainly from the 1990’s onwards. This has been in response to various different factors specific to the influencing forces of each individual region or country. In the UK the uptake of PP in RBMP has largely been in response to the EAs’ recognition of the positive value of participatory involvement. Any earlier opportunities for public involvement would have had to grapple with the UK’s general political and institutional mentality of ‘secrecy’, which also targeted matters relating to flood risk areas. The important change in direction in UK river management policy came in the 1990’s when the EA finally recognised the need to promote public awareness and self help among those at risk and enabled this through the publication of indicative flood plain maps on the internet. However, opportunities for PP have since faced complications in the UK. Commercial sensitivity created through privatisation of the water supply and waste services has meant a reduction in the amount of information made available to the public from these sources.

There have been other more urgent problems that the nation states have sought to solve through PP. In Belgium the Flemish Water Policy Plan (2003-2007), served to promote integrated policy management and provided a major starting point for more PP in the Flemish RBMP process. The main focus for this was not only the environment, but also spatial planning, recreation and prevention of floods also. Swiss management of floods also reflects an increased importance given to PP in RBMP. More specifically the scope of river basin projects reflected the *publics desire* to reconcile flood control works within the environmental requirements.

Nevertheless, in Italy the recognition of PP in environmental policy (which included water policies) has, over the past fifteen years, experienced an extraordinary development of ‘voluntary agreements’ that mostly occur outside the official policy framework, through autonomous actions of policymakers that were not explicitly foreseen or codified. The gradual and thus somewhat *hidden way* that PP gained importance was due to several other reasons including the crisis of the welfare state and the search for new and more transparent ways to redistribute costs and benefits among social actors; privatisation of water service operators and adoption of business-oriented approach to the provision of water services; and growing autonomy of the local institutions. But, regardless of this, the application of PP in Italian water policies has come relatively late, compared to that in other sectors. One could

attribute this to what was mentioned earlier in section 2.4.1, that of the *weak structure* of the water policy community. The conflict between ‘localism’, on the one side, and the technocratic approach to planning on the other, results in weak possibilities for incorporating PP. Thus, Italy’s best way forward could be to build upon their most recent successes. More specifically, through their attempts to learn from other parallel policy fields, and by introducing more *open* decision-making processes.

Additionally, **stakeholder influence**, in varying degrees, has also played an important role in shaping the application of PP in water policy. In Italy, as acknowledged before, stakeholders have been able to exert their power into the policy process through informal channels, or through extreme and violent manifestations of disagreement. However, this has not always been the case, particularly where the culture of citizens has not resembled powerful action characteristic as that of the Italian public. In Belgium for instance, conditions exist which serve to prevent stakeholders from being able to be more actively involved in RBM. The RBMP structure till now has separated the competent authorities from the stakeholder groups. Ultimately this hinders possibilities for interaction and active involvement of stakeholders, reducing the stakeholder role to that of a mere passive sounding board, rather than being treated as resourceful and legitimate partners. A more promising opportunity has been set up in the form of a project that aims to stimulate more dynamic water management on a catchment scale, in particular to ensure that catchment management plans are drawn up with the involvement of all actors.

In the Netherlands PP at the national level is organised through advisory boards, or negotiation fora, with representatives from national NGOs and other agencies. In the water sector in most waterboards it has been the landowners and farmers who were still dominant in Board and General Assembly. These waterboard members see the waterboard, with its system of interest group representation, as a form of PP in itself, making other more dynamic forms of PP (as practiced in other sectors such as in Housing and Spatial Planning) as superfluous. Ultimately, this has left no room for the opinion of the general public on water management issues.

From the above descriptions we can see that the road to more integrated and participatory RBMP in Europe cannot be attributed to one primary force, but rather **has emerged from varied factors unique to each individual country**. As the strength of these experiences varies quite considerably, what this shows us is that the transition to having a ‘successful’ participatory RBM framework in each country will neither be instantaneous nor simple. In each case the process appears to be taking *incremental* steps towards reaching their more comprehensive approach to participatory RBM. However, this should not be condemned, as it is both necessary and important to consider the cultural qualities of each individual country and region in policy construction. The box below highlights the key points from this section.

### Key points of section 3.2.1:

The uptake of PP in RBMP varies greatly from country to country and for many different reasons:

*UK*

- PP in RBMP influenced largely by how it is valued by the EA.
- Privatisation of water supply has constrained information availability.

*Italy*

- PP formed through **voluntary agreements** that occur outside official policy framework.
- Stakeholders have been able to exert their influence through **informal channels**, or through extreme and violent manifestations.

*Belgium*

- **Water Policy Plan** (2003-2007) served to promote integrated policy management including basis for PP in Flemish RBMP process.
- RBMP structure separates competent authorities from stakeholder groups hindering possibilities for interaction and involvement.

*The Netherlands*

- PP at national level organised through advisory boards, or negotiation fora with representatives from national NGOs and others agencies.
- **Interest group representation** leaves no possibilities for opinion of general public.

### 3.2.2 Scaling participatory RBMP

The issue of scale is fundamentally important within the realms of RBMP in Europe. RBM is a complex system and so is scale dependent. The multi-scale issues exerted from the need to *integrate* RBM within and between nation states are relevant at the *spatial* scale. In this report river management is examined at a variety of scales. As a consequence, it is also necessary to consider cross-scale dynamics in order to gain a better perspective of the different experiences and the issues that have been addressed.

The difference in country size amongst the nine study countries of this report means that the priorities and concerns of each country vary to a large degree. For instance the concerns surrounding the management of a small river system contrast significantly to those of a river delta. From the nine reports we learn that river management in each country differs considerably through their varying administrative and political systems. As such the way in which rivers are managed at each of the scale levels also varies considerably.

Additional to geographical scales, there are also organisational scales to consider. These can be defined within central authorities i.e. 'lower, medium and higher levels of government'; and between different levels of authority i.e. 'local, regional, national'. There are others types of organisational scales also, that can be divided into 'individuals, associations, union of associations'; or 'individual, department, organisation'.

It is important that WFD is considerate of, or suited to cater for the different arrangements of scale that exist within each country. As the degree of power and decision-making authority amongst actors of similar a level will vary from one country to the next. Furthermore, which actors are included at each level may also vary. The WFD and other European policy should aim to adapt to these different styles rather than seek to standardise them.

In Germany and Spain the scale level is particularly significant as scale levels vary considerably from the local authority level to the larger Federal/National level. As administrative power (for different types of responsibilities) remains within these different scales of governance, water management and related PP activities are also kept within these scale levels. In Spain early development of a RBA administration is a specific case in a highly decentralised state. The RBAs have to operate in co-operation with other scales of government (with in many cases full responsibilities in environmental

issues related to water management). Although in Germany for each level there is generally good accessibility to authorities for actors to present their concerns, this varies at different scale levels. The higher the level the more organised the actors need to be in order to be effective and be *heard*. The local and regional actors find it more difficult to be involved in RBM processes (as required by the WFD). Ultimately, this has resulted in the local level actors being uncertain or unaware of the WFD requirements. On the whole they are not able to gain a broad perspective on water management issues. In Spain the ability of actors to participate on water management issues varies between the region and local government but generally PP is better organised at River Basin scale through the participatory bodies of the RBAs. Still this participation has focused on infrastructure planning and management.

The shift towards greater participation from the 1990's onwards, also referred to as the 'interactive era', has witnessed the advent of PP at all scale levels, from the very high levels of administration to the very local grassroots level. New forms of participatory policymaking aimed at involving citizens in policy development have increasingly been identified and applied in all these levels. There are good examples where high level PP has been supported such as through the *SDAGE* (*Schémas Directeurs d'Aménagement et de Gestion des Eaux*) in France. The SDAGEs were developed at the State level and have been led by the water authorities.

Water resource management (WRM) is different at every level. In order to overcome the complications that this places upon WRM and in order to facilitate better cross-level understanding necessary for integrated management of river systems, improved communication and dialogue between actors at all levels is necessary. Such concerns, nonetheless, are mainly typical of large, decentralised countries such as Germany, Spain and Hungary where many scale levels exist. Initiation of a dialogue process has been recognised within the framework of the *Dialogue on Water for Food and Environmental Security* process of the CEE region. Discussed within the context of the Hungarian report, the Dialogue included a cross-sectoral dialogue process among stakeholders from the regional, national and river basin levels. This process identified as open, clear, transparent and inclusive primarily centres on national level dialogues, complimented by Central and East European (CEE) regional and river basin level dialogues, in order to exchange information and address issues that directly affect users. Although the local level is not directly recognised within this, special efforts are then made to connect to the local level, where the key challenge is to involve the real users of water services.

In contrast, river management issues in smaller, or highly centralised countries usually do not stretch across so many different layers. In Flanders, for instance, water management is concentrated primarily within three scales: the international, catchment and local. Although the Flemish Decree on the Integrated Management of Water has been most influential within all these scales, it is widely regarded in Flanders that the catchment scale is the most practical scale for RBM policy. The sub-catchment level is regarded to be too local and the basin scale too large.

## **Localisation**

In contrast to the higher level recognition of PP what is more worthy to distinguish is the general trend towards increased 'localisation' that has been experienced across Europe. The Netherlands specifically emphasise that interactive policy making at the local level became even more prominent than at the national level. Following a past in which the faith and legitimacy attributed to local authorities had gradually lapsed, these new forms of interactive policy making provided opportunities to re-connect politics and the citizen.

Elsewhere, greater opportunities for PP in RBM at the local level, have also been identified through the transition to more dynamic styles in water management. In Belgium for instance the local level has been categorised into roughly one hundred sub-catchments – small enough to ensure local involvement while also large enough to enable meaningful local water management. The sub-

catchment management plans are specifically aimed at sustainable local water management and authorities recognise that in order to successfully reach this goal, extra attention needs to be paid to increase societal support for water related measures and projects. The outcome of this has been agreement between the Flemish Regional Government, the provinces and the municipalities, for the establishment of better communication and participation policy that are integrated with other communication and participation initiatives.

In France attempts to achieve integrated water planning resulted in the creation of a two-level approach. The SDAGE (as mentioned above) and the *SAGE* (*Schémas d'Aménagement et de Gestion des Eaux*) systems became the main planning tool in water management. Complimenting one another, the SDAGE were developed at the state level, and the SAGE developed at the local level. Since 1992's water law 81 Local Water Commissions (CLEs) have been established in France to produce the SAGE documents. Although they have been evenly distributed throughout France, the degree to which they have developed varies. For instance the SAGE are more advanced in areas where the Water authority maintains a more voluntary based policy approach and where there are already river contracts under way. Nevertheless SAGE systems represent a *new* distribution of power at the local level with next to no cases in which the State takes exclusive action. Although it is still too early to gauge the real effects of SAGE measures, there are still clear indications that many factors serve to challenge the pace of implementation. More specifically, increased technical complexity obstacles to collective negotiation, and the *incremental* nature of changes taking place.

After 1990 a growth in bottom-up grass-roots activities was influenced from a general transformation of the environmental movement. Although participation processes were not initiated by authorities at the local level people still became interested and engaged in issues of their local water resources. There were also effective citizen initiatives established in the field of water resource management, such as in Germany (for instance, on the issue of motor boat traffic on Lake Müggelsee in East Berlin). Specifically in PP processes in Germany, it appears that the regional and local actors have proved more valuable contact partners for the authorities than national actors. This is mainly due to the valuable knowledge and access to local data that these local actors can provide.

## **Interaction and co-operation**

Interaction and co-operation as a means to communicate experiences, to share knowledge between scales levels is necessary in order to achieve effective integrated RBM and to enable social learning. With the national reports interaction has been highlighted for these reasons. In France the integration of new actors into projects was seen as one method of creating a link between the local and the regional level and helped to find adequate and effective translation of concerns between the two levels. This is an important point – the different **terminologies** used at different levels and the barriers and confusion this can often cause in enabling interaction and communication. Early interaction between levels can help overcome this but it is usually more effective for all actors at all levels to agree to adopt one standard terminology or *language* for the issues at which they are commonly referring to.

In Switzerland **transfer of information** is facilitated through the *Inter-cantonal Commissions*. The type of works being implemented in the framework of the same RBM project may greatly vary between Cantons. Policy options towards use and protection of water resources as well as hydraulic works may also change significantly between Cantons depending on the ruling political parties. The inter-cantonal commission is thus responsible for transferring information to, as well as taking decisions at the relevant cantonal parliamentary level. Furthermore the integration of PP in the large-scale projects is expected to greatly facilitate this process.

Interaction and communication within Switzerland has also been supported and required through official policy. The 1991 *Federal Law on protection of waters* established the requirement for Cantons to collaborate with the Federal and neighbouring Canton authorities. But there was also recognition of the need for Canton situated at national boundaries to collaborate with authorities of

the border regions of the neighbouring countries in relation to measures taken that may impact beyond the national boundary.

On the whole our discussion does show that multi-scale issues prove to be a challenge for achieving integrated RBMP. But understanding and dealing with scale issues through improved communication and interaction procedures, and through involvement of and collaboration between actors from very early stages of the process, is key in improving the overall outcomes of river management projects at different scale levels.

### **3.3 Good experiences and problems in Public Participation in RBMP**

The examples and case-studies of actual PP in RBMP presented in the national reports provide us a broad collection of experiences from which we are able to better position our current knowledge and understanding of the issues addressed so far. In order to properly distinguish between the more positive experiences and the less successful, the experiences will be presented in two parts: the first concentrating on some of the more successful experiences and case-studies where good methodologies have been applied; the second part presents some of the weaker and perhaps more problematic issues and includes some detailed case-study examples of less successful experiences. Categorized within themes based upon some of the points we have already highlighted in this report, each case will attempt to provide explanations for each of the outcomes.

#### **3.3.1 Good experiences and examples of PP in RBMP**

##### **Conditions for PP**

Successful PP should not be regarded as inevitable. Often it has been conditional, dependent or encouraged by specific factors. The following cases illustrate this more clearly:

***The River Brent Improvement Project, UK*** – this is a river *rehabilitation* project undertaken by the local authority together with the Environment Agency. A major impetus for the project was the availability of external funding from the London Waterway's Partnership, who with strategic partners from the public private and voluntary sectors, had successfully bid for Single Regeneration Budget Funding from central government for projects to promote economic and social regeneration focused on London's waterways. The projects focus upon the government's commitment to sustainability and Agenda 21 meant that there was an emphasis on the importance of involving local people. The strengths of the project were created from ensuring involvement of stakeholders into the very *early* phases of the project. Various activities and consultation methodologies, more flexibly oriented than what the usual traditional methodologies were able to offer, were employed in order to engage members of the local community and businesses. These included less *active* approaches such as community questionnaires, and very active based approaches such as 'Planning for Real' and community festival events for raising awareness of the main issues.

However, local residents did express scepticism towards the project. They were not convinced that the local authority could, in fact, implement and maintain such a scheme particularly as they had been so neglectful of the riverside in the past. But refuting such scepticism and concerns expressed by residents, the project was (on the contrary) successfully implemented.

**Key lessons:**

- The key to implementation of the Brent river restoration project was largely a result of the dynamic approach adopted including a **variety of unique and attractive methodologies to actively** involve as many people as possible.
- The organisers' ability to secure sufficient funding was also an important component in terms of providing the necessary **resources** required for such an approach.

***The Maros River Basin Management Plan, Hungary*** – This RBMP, focusing on the Maros river in Hungary, involved all interested parties from the very first stages of the planning procedure and during the public meeting enabled a two-way communication. The main strengths of the project were:

- In order to overcome the problems of consulting the public with such as large and diverse planning unit, the process of public consultation was strategically divided into 3 consultations, each in different micro-regions. This division helped overcome distances, different water management problems and different hydrological characteristics;
- The process of the meetings has two main phases: a) 'the information phase' – informing the public about the details, aims, etc... of the RBMP process; and b) the dialogue process – enabling dialogue with the public, in which the professionals, the decision-makers, environmental groups and public could exchange their ideas, proposals and opinions related to river basin;
- Following completion of the planning process, the stakeholders received a brief version of the plans and were informed where they could access the more detailed plans as well as all planning documents. This enabled stakeholders to check if their opinion was considered or not.

The main results and outcomes of this process were:

- The relations of the interested parties were enhanced and developed;
- A two-way communication process was established – enabling consensus between stakeholders and eventual agreement of the RBMP by all parties.

**Key lessons:**

Preparation of the consultations is very important because:

- Inadequate preparation and dialogue could cause conflicts, and set back the overall planning process;
- Well prepared PP procedure can achieve a broad consensus among the interested parties.

***Linth 2000 flood protection program, Switzerland*** – Initiated in early 2002 and now at the subproject preparation stage the project include renovation of the hydraulic structure for flood control constructed during the last two hundred years. As with the approach adopted with the Brent river project (described above), one of the key principles of the Linth project is ensuring participation between the various stakeholders **from the conceptual phase of the project**. Their involvement has been structured through participatory planning with stakeholders involved at the high level, from competent departments of the four Cantons involved in the project; and at the local level, through associations of stakeholders including ecological groups, farmer associations as well as various professional corporations. The main concerns of the stakeholders have been to find technically and ecologically compatible solutions for various components in relation to the flood plain.

***The 3d River Rhone project, Switzerland*** – Also in Switzerland, this project has been to ensure safety against floods and to re-establish and reinforce the biological functions *and* the socio-economic legacies that normally take place along the river. As with the Linth project this project also include incorporation of a participatory approach from the conceptual phases. This was done in three ways:

- By taking into account the needs and approaches of the various stakeholders;
- By taking this through to the realization of the various components of the project;
- And then in the long term by ensuring a **participatory project performance monitoring system**.

The examples above familiarises us with some of the positive experiences in Europe where PP has been pro-actively initiated in projects that have generally resulted in more successful outcomes. The experiences draw attention to key conditions that project managers need to pay attention to in order to reap more favourable outcomes for all involved.

Aside from focusing merely upon case-study or project examples it is also important to highlight other conditions that have had a strong influence upon more successful experiences of PP. In Germany certain institutions have been established, known as *Landesbüro für Naturschutzverbände (LaN)* (State Office of Nature Protection Groups) both in the Land (federal state) of North Rhine-Westphalia (NRW) in the Rhine Basin and in the Land of Brandenburg in the Elbe Basin. The LaN aim at co-ordinating the positions of NGOs in order to submit common input and comments to the authorities. More specifically, the LaN in NRW provides an access route to more balanced stakeholder input. In response to positive experience from the co-operation of authorities and LaN stakeholders, the LaN has established itself as a sought-after expert being consulted in earlier phases of policy and planning. Clearly, the achievements of the LaN are distinguished. They communicate key messages, notably, the importance of coordination mechanisms for water and river management activities. Such mechanisms are important for co-ordinating and bringing common positions of stakeholders to the authorities. The result has been the creditability this has given to the LaN by the authorities. Authorities are now consulting the LaN even informally before they undertake the formal consultation process, in order to avoid unnecessary obstacles during the formal process. Ultimately this shows a strong indication for greater involvement in water management issues within this sort of *involvement framework* in the long term.

Consideration of institutions such as the LaN also in a formal context of PP provides a framework that acknowledges the sensitivities of participatory involvement, and steps towards greater *institutional recognition of PP*. Institutional recognition of PP has also been key within the water users associations established in Spain.

Historically water users associations (WUA) have been given the status to administer and take public decisions at a local level. Yet they have also been given the powers to participate in decision-making at river basin level. The *Baix Llobregat* WUA in particular was created in 1976 as a response to the alarm created by the lowering of the water table and the salinisation problems as a result of over-abstractions in the aquifer. In its early years the Baix Liobregat WUA faced difficulties in attracting users during its early years. But this changed due to the creditable efforts of the few members that did exist. More specifically, various publicity campaigns in order to raise awareness to the salinisation problems contributed to the adoption of a more *proactive attitude* by the municipalities and the main industries. The El Prat municipality and later the WUA itself, considered public awareness key to obtaining support for the protection of the aquifer. Their efforts in widening participation and in raising public awareness to the issues has given them the necessary technical legitimacy and support and has ultimately lead to changes in policy decisions affecting the aquifer.

Key outcomes from this experience have been:

- Lessons from the experience in Baix Llobregat fed back into the formal Governance system and was incorporated in the amendments of the Water Law of 1985;
- This innovative strategy of a groundwater/aquifer users association led to changes in the regulations in relation to the creation of users rather than irrigation associations. Ultimately it was made compulsory for them to deal with the ‘tragedy of the commons’ type of situations in overexploited aquifers.

In the case of the *Loire river management in France*, the effects of PP and SL were constrained and limited by the governance structure. But in contrast to this, the actual effects of the pressure exerted

from the public themselves produced positive incentives for institutional SL. To examine this more closely the case refers to the period from since the 1990's when *new* stakeholders whom claim that successful PP is determined by:

- The capacity to mobilise constituencies and gain credibility in the public sphere;
- And by the aptitude to form alliances through PP *inside* the institutions and then get access to decision making processes.

This case provides us with a good example where efforts for enhancing and strengthening PP have come from the actual stakeholders themselves. This was realised through various ways:

- The stakeholders emphasizing the importance of the autonomy and of the strength of participants to give PP its full meaning;
- One method applied by the new environmental actors in the Loire was to organise themselves in coalition, between local and regional associations, which enabled them to speak for the whole river - from source to the estuary. This was supported by their continued efforts to inform and mobilise the concerned population, to collect petitions, and organise protests, etc...
- Stakeholders made specific efforts to develop new skills so to use their external creditability inside the governing structure and to be able to intervene in concrete decision-making. This involved finding allies in the water management institution, and developing political skills, which also meant that they needed to abandon any political *leanings* they may have had.

Such forms of *social learning* triggered a 'cultural evolution' in which the Loire case-study represented an 'emerging' governing structure, moving away from the 'traditional' structure of post-war times. This new structure led to the insertion of new actors in the institutional framework and in a transformation of the content of policies. Furthermore it allowed for better PP. The Loire study ultimately highlights the importance of institutionalising PP in order for SL to be effectively achieved.

## Communication and openness

PP experiences can also be framed according to how effective they are communicated. More specifically the knowledge gained from them, general experiences, aims and objectives, etc... Creditable attempts of communication and openness in processes have existed in many cases and this section will briefly refer to some of these.

Referring back to our previous example of the Loire river valley, this provides us with an interesting case in which the relationship between the actors supporting the dam project in the valley, and the stakeholders opposing the dam, evolved from that of *conflict* to *co-operation*. This was largely achieved through an agreement, the *Plan Loire Grandeur Nature* (PLGN), which was signed between these actors in 1994. The agreement included cancellation of the controversial dam but more constructively provided a basis upon which exchange and negotiations are now taken.

### Key lessons:

This example demonstrates how even after a period of major conflict over plans, improved communication networks can be established between opposing parties. It also demonstrates that often official signed agreements help formalise this process.

But communication is more widely supported in France through the SDAGE. The formal SDAGE aims at **opening the consultation to the largest number of participants** and to re-enlist non-recognised but central participants. The SDAGE process is more oriented toward a large PP, the exchange of information and the elaboration of a shared vision.

Spain can also boast good experiences where open processes have been integrated in the planning stages of formal water management plans.

- For instance the recent preparation of the National Water Plan included within it preparation of the **White Book for Water**. The book incorporated a first diagnosis of the water problems in Spain, the different perspectives on water and the possible management options. To enable this, preparation of the book was undertaken through an ‘open process’, with a variety of experts involved.
- An open process was also incorporated within the context of the 2001/2003 Participative Forum on water management of the Spanish Balearic Islands. Water scarcity is a historic feature in the background of economic development in the Balearic Islands and consequently is the source of much conflict in the context of water use rights. Thus in 2001 the regional government of the Islands initiated an open process of consensus building over the development of a sustainable water policy for the Islands. They saw this as the only way to progress in building social consensus between different stakeholders. As such the outcome of the project was a ‘Declaration’ reflecting an agreement of the five main orientations for a sustainable water policy for the Islands. Amongst these included recognition of the need to build upon real participation of stakeholders in decision-making. Furthermore the process profits from additional efforts towards *openness* such as having clear media presence through the whole process. Ultimately the creation of a forum for interaction between traditionally confronting agents was also perceived as a major process outcome as it enabled realisation of consensus points. Participants also appreciated being finally listened to - being perceived by the government as potential leaders, providers of information and facilitators, as oppose to merely being involved for the purpose of PR.

These positive experiences in Spain should be considered in light of their particular strengths in PP.

**The following highlight just some key factors that support open PP in Spanish:**

- Its long history of PP explicitly in water management at river basin scale.
- Experience of PP at many levels.
- Existence of experience in dealing in participative forums with complex issues including interdependence, inter-allocation and uncertainty issues.
- Well established organised stakeholders (mainly users) with advocacy tradition and co-operative management with government at different scales.
- Important tradition and experience in consideration of the importance of consensus decisions;
- Increasing experience to draw upon, with explicit focus on relational practices in the context of Agenda 21 and new experiences in PP.

Although these factors do not necessarily equate to more *open* and interactive PP processes they would definitely serve to support them.

The Linth 2000 project in Switzerland consisted of well thought through measures for communication. More specifically a ‘framework information project’ was developed identifying: **communication groups** (regional interest, groups of interest, public with particular interests and media); and **means of communication** (information leaflets and brochures, information bulletins, homepage, formal information sessions, targeted information meetings, use of media, long term monitoring, school information material, open days and visits). Further to this the Linth project also made good use of IC Tools to stimulate involvement. In particular ‘two-way communication’ was applied through organised meetings with interest groups at the conception stage.

In Germany, an interesting structure has been developed in the context of a long-term project on the riparian zones of the River Spree (Spreevald). This has involved, in this case, construction of a

*stakeholder-internal co-operative and consultative structure* as well as the setting up of thematic and local working groups (in the context of the association and the advisory committee), which have been initiated through a so-called moderation process. The cooperative structure aims to secure good information exchange and co-operation. But additionally the moderation process offers the opportunity of mediation in conflict situations and maintains focus on the initial project objectives through continuous feedback mechanisms. On the whole this structure encourages and facilitates a good flow of information between the main actors and interested parties involved and is fundamental in enabling effective resolution of conflicts.

But Germany also offers examples where less direct, though more effective means of communication have been employed for raising awareness to issues related to the river. In particular the *Living Elbe* educational programme, ‘*Schools for a living Elbe*’, should be highlighted. Such initiatives have created a framework for involvement based on changing the fundamental relationship of the public with their river basin.

## **Active involvement**

With increased awareness of the benefits and purpose enhanced methodologies of PP bring, comes greater attention and regard now to the *style* of PP employed. Increased familiarity and experimentation with different *types* of participatory activities has resulted in many practitioners and project managers realising the importance of employing more ‘active’ forms of participation. Again this has been highlighted within the national reports in more detail.

The *Fox Barrier project* in York, UK was the first large scheme in York where everyone with an interest in or who would be affected by it, was consulted before construction began. The consultation began in 1983 and was a result of petitioning and campaigning of local residents for flood defences following flood events in 1978 and 1982. In order to involve the local residents some were even personally consulted about the positioning of individual floodgates to protect their properties and the landscaping of their gardens. Additional to this, public meetings, letters and leaflets, and exhibitions all constituted to form a consultation process that was undertaken over prolonged period of time. The original plans were presented and approved by the local authority and local people in 1983. However, the plans subsequently provoked an outcry from local residents who were dissatisfied with the lack of consultation that they received and who generally opposed the new site of the floodgates and control room, which they considered would damage a historic walkway. The reaction of the local residents was that some of the more qualified amongst them submitted new plans and the site of the barrier was moved upstream in a manner that satisfied all parties. Construction of the project eventually began in 1986. Although the organisers did not intend active involvement to this extent, what this case does demonstrate is the importance, usefulness and need for actively involving stakeholders from the very beginning of the planning process. If this had happened in the Fox Barrier case there would have been more agreement by all actors of the initial barrier plans.

In Germany active involvement has been recognised, to varying degrees within the context of different case studies and at different scales. On the international level, a movement in this direction has been made within the management of the Rhine Basin in the context of the International Commission for the Protection of the Rhine (ICPR). Additionally on a regional level, interesting approaches have been applied in the Rhine Basin beyond the standard, traditional forms of consultation efforts, such as information events and leafleting. For instance, the water management associations (*Wasserverbände*) in NRW have applied a strategy that combines tangible experience for the interested public with information about the river basins. In order to ‘actively’ involve citizens in the RBM process they realised that it was necessary to go beyond mere provision of information. The public relations representative of the water management association *Wupperverband* emphasised that it is always more efficient to *visualise* the problem in order to actively involve citizens into the process. As such the *Wupperverband* offers trips to dams and sewage treatment plants to provide

practical experience for the interested public. Furthermore the *Wupperverband* also organises regular **water symposia for the organised public** where issues related to the sustainable management of river basins are discussed with representatives from stakeholder groups. The events go beyond merely providing information, as they more crucially provide a platform for relevant groups to meet and get to know one another. As such this creates the necessary basis for trust, as well as working relationships necessary for a further involvement.

In spite of this, general experiences in the Rhine Basin are still geared toward the nature of information provision and stakeholders only really take on a *reactive* role to plans that have already been set. Nevertheless there are cases such as in the LaN in NRW (mentioned earlier in section 3.3.1) where opportunities for involvement arise through active lobbying as well as through participation in policy processes. Additionally, there is experience with the so-called **round tables** that are organised by the regional environment authority in the city of Krefeld. The goal of these events was to draft a concept for sustainable wetland management together with the affected stakeholders. Thus through this involvement activity, input from many different groups was collected which ultimately contributed to the creation of a widely accepted management plan. More recently, following the advent of the WFD other remarkable involvement processes are being introduced in the Rhine Basin such as the establishment of steering committees and working groups at *Länder* and regional levels, which also include relevant stakeholder groups.

## **PP experiences categorised through scale**

It is useful to categorise the good examples of PP identified in the national reports into various scale levels in order to capture the depth of experiences that exist in Europe. Already in this section we covered the River Basin level within the context of the Rhine Basin as discussed above. Although other examples exist across Europe the Rhine example is sufficient to illustrate the capabilities for good PP at the Basin level. Thus the remainder of this section will focus upon the experiences of the international, regional and local level.

### *International level*

*ICPR*: Within our discussion of the Rhine Basin above, the international role of this European basin could also be identified through the ICPR. The ICPR was founded in 1950 through an agreement between Luxemburg, France, the Netherlands, Germany and Switzerland and was the first in its kind. It was set up primarily as an international supranational body to co-ordinate national efforts in tackling the issues to be solved regarding mitigating river pollution in the Rhine Basin. Although it possesses no legislative powers, it is in charge of drafting general policy statements affecting various RBM issues, which then need to be integrated into national programmes and legislation. The ICPR is a good example of an international RBM commission that values the importance of stakeholder involvement, as it also serves as a forum offering various NGOs the opportunity for information and consultation. The ICPR is required to exchange information with relevant NGOs, take their positions into account when making decisions, and inform the organisations about the decisions.

*LTV*: The Long term vision Scheldt Estuary (LTV) is a technical document that resulted from the Dutch/Flemish project organisation. Commissioned by ministries from both countries, the Technical Scheldt Commission (TSC) gave the instruction to start the preparation of the LTV in January 1999. Although there were considerable differences that hindered participation such as differences in decision making cultures and lack of transparency, considerable effort was devoted to successfully creating a process that respected these differences and dealt with them effectively. Sensitising participatory procedures resulted in the process managers opting for an 'informal' participation process to enable flexibility in approaches adopted in both countries. Flexibility was also incorporated into the selection process, which was the responsibility of the individual members of the project team. However, this did not take effect as all those involved had hoped. Some attribute this

largely to the lack in supervision of the informal participation process. On the whole, despite its weaknesses, the LTV has brought parties closer together and has received support both by the central governmental organisations and at the local level through local governmental and societal support. Furthermore in February 2001 an agreement was reached between the ministers of both countries, to co-operate on the Scheldt Estuary based on the LTV.

### *Regional level*

*SDAGE, France:* Provided by the 1992 Law in France, the SDAGE (*Schémas Directeurs d'Aménagement et de Gestion des Eaux*) plays a pivotal role in the French water policy at the regional level. There are in total six SDAGE and each are 'prospective documents' i.e. official documents of reference for water policy actors and are intended to serve as a framework for future discussion, more than as a precise agenda. In actuality the SDAGE offers more a synthesis of existing water legislation, applied to regional situations, than new rules and standards. Reflecting upon the Loire case-study the SDAGE here was regarded as an attempt to re-enlist non-recognised but central participants. Formally the SDAGE aims at opening the consultation to the largest number of participants, consulting organisations or groups represented in the Basin Committee from local authorities to environmental associations or businesses. In the SDAGE process is more oriented toward 'large' PP, the exchange of information and the elaboration of a shared vision. To conclude, the more than ten years experience of the SDAGE process, has provided for a good basis upon which to implement the WFD.

*ABC Delfland, the Netherlands:* ABC Delfland is project of the Waterboard Delfland<sup>18</sup>, and is at both the regional and local level. The focus of the project is upon the upgrading and extension of the Delfland Boezem, the main drainage system of the waterboard. The goal of the ABC Delfland project is 'to achieve a construction of the water system and manage the water system of Delfland in such a way that a societal sound safety level is achieved against acceptable (societal) costs'. As the goal was not merely to look for technical solutions but also for 'spatial solutions', this meant that the Waterboard were dependent upon the land-use planning authorities (municipalities and the province) and on the land users themselves (inhabitants, farmers).

The Waterboard included PP throughout the process. They outlined their reasons as being:

- To capture the *knowledge* of the inhabitants about the functioning of the system. Although they have a great deal of historical knowledge as well as ideas for possible solutions, the Waterboard were still aware that their opinions were biased and consequently they paid a lot of attention to educate the inhabitants about the functioning of the entire water system.
- By informing and involving third parties the Waterboard was able to attain co-operation and speed and increase legitimacy. Particularly when this served to prevent lengthy appeal procedures.
- The complexity of the water surplus problems went beyond the capability of the waterboards to be able to manage themselves with their limited technical knowledge. Thus co-operation with others was regarded as necessary.

The Waterboard opted for an 'open' approach to avoid other actors from starting an appeal procedure. The entire process was constructively divided in two phases. In general the involvement procedure in both phases were well thought through and initiated. It included a variety of methodologies such as interviews, workshops, organised meetings with specific stakeholder groups and several bilateral discussion meetings with municipalities and neighbouring waterboards. However, these methodologies were more *traditional* than *active* in their approach and this consequently meant that SL was negligible. Nevertheless the 'openness' of the process was consistent throughout with as many as seven information meetings held inviting both the inhabitants along and the media to publicise the developments.

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<sup>18</sup> Waterboard Delfland is one of 37 waterboards in the Netherlands (mergers have taken place). Waterboards in the Netherlands are responsible for water quality and water quantity management at a regional scale.

As a result of such an intense and well thought through and applied involvement procedure the outcomes of the process were successful. There were only two appeals in total. But more importantly there was more local and public knowledge used rather than the technical, specialised knowledge.

### *Local level*

*Zaragoza, Spain:* The project in Zaragoza is an example of a local group taking responsibility for an initiative of promoting water saving in an urban area. Although not directly looking at RBM it is still a good example of a 'grass roots' initiative, and is unusual by nature due to its promotion of individual and group responsibility through actual 'engagement' of public actors. The main outcomes included: dissemination of knowledge about the possible water saving actions; education programmes on water saving targeting primary and secondary schools; involvement of 150 organisations (end users) in the project; and more than 140 companies distributing water saving technologies participated also. And the strategies for action included water savings audit to companies; comprehensive information campaigns to economic actors; engaging the local suppliers of water saving technologies; a general education campaign including an explanation of the need to have prices that reflect the value of water. On the whole the project was considered innovative, and important financial support helped it in achieving high levels of involvement. More specifically the local group established a series of actions that included different levels of involvement of different local actors, local and regional institutions, economic and social groups and citizens.

*Dalmsholte,, the Netherlands:* Aside from the ABC Delfland project as already discussed above, the Dalmsholte also provides us with another interesting local level initiative based in the Netherlands. As with the Zaragoza case-study, the Dalmsholte case focused on local water management, but more specifically on research about 'communication and participation' in local water management. Focusing on a new design principle that the waterboard decided to apply for the construction of the water system, it was decided that the actual implementation of this required further discussion. Workshops were organised in order to facilitate communication between the waterboard and the farmers (the main land users). Constructive *visual* maps were used to aid effective involvement of the farmers and help them to more actively engage in problem analysis. Ultimately the workshops served to increase support from the stakeholders, for future measures taken by the waterboard. But they also helped the farmers in better understanding the new design principle, and by enabling them to express their ideas about water management. Interestingly, during the process a great deal of learning took place amongst the organisers. At first only the solution was discussed – the new design principle – but the farmers did not accept this. Later, the problem that the principle was supposed to solve was discussed as well, and this worked much better for increasing support and understanding. On the whole the farmers did appreciate their involvement and all said that they would come again to such a workshop in the future.

*Local Agenda 21:* An outcome of the 1992 Rio Summit, LA21 where initiated has provided an important framework at the local level in Europe, through which exciting, interesting and valuable experiences have and are continuing to manifest. Within Europe LA21 initiatives have been implemented but to varying degrees. LA21 has been particularly strongly implemented in the UK, Italy and Spain where numerous grassroots and informal activities have been supported and promoted through the guise of this formal strategy. Ultimately LA21 has provided a basis upon which local level informal initiatives have been able to gain wider recognition and as such has been able to elevate the local voice, and generate local interest within planning procedures that would otherwise appear alien to local citizens. The lack of consistency in terms of the uptake of LA21 across Europe does, however, question its overall power as a policy tool.

In conclusion, the positive experiences we have been able to reflect upon in this section communicate opportunities from which future participatory involvement can be built upon. Nevertheless, it is

important to consider each case-study on an individual basis, evaluating their outcomes in light of the specific strengths and key factors upon which they have been dependent.

### **3.3.2 Problems experienced and causes for poor PP in RBMP**

Composite to the experiences addressed in the previous section this section will concentrate upon some of the more *negative*, or rather, *less successful* experiences discussed within the national reports. In this way one is able to gain clearer insight into the obstacles facing PP in RBMP within Europe. And, as was possible with the overview of the successful cases, better understand how the factors that contribute to this *vary* from case-to-case. The issues addressed in this section highlight specific weaknesses that appear within the processes of individual RBM case-studies, rather than reflect upon entire case-studies. In this way we are able to pick out the specific factors that are often overlooked in the planning phase, and factors that have proven are proven obstacles to achieving effective PP. Furthermore it is important to place specific factors within a deeper context cultural or administrative (for instance) of the country with which it relates to. This way we are able to address, or gain a better understanding of the underlying causes for the problems or obstacles facing PP.

#### **Resources constraints**

Earlier we discussed the importance of projects being well resourced in term of finances, time, expertise, etc... in order to provide the necessary support often required for undertaking participatory processes.

*Germany*: This concern was highlighted within the German national report. More specifically differences in administrative and financial capacity partly account for the degree of inconsistency in terms of the level and intensity of PP between *Länder*. In the Elbe Basin, the main obstacles to the use of several technological tools, such as Decision Support Systems (DSSs), lie in the lack of skilled personnel, time and financial resources. But, more generally, in terms of resources and effort to address the participatory requirements required of the WFD, some *Länder* have taken a more proactive approach than others. For instance in the Rhine Basin, NRW has been more active with participatory involvement to the extent that it has published the first guideline document for PP and the WFD in Germany (specific for NRW). Many other *Länder* have still not considered the issues in depth with information only really provided through flyers. Similarly within the Elbe Basin, the Land of Thuringia has been much more active and open with the public in the process of the WFD, while others have been less active. The main reasons considered for these differences are the variations in financial and personnel capacities of the respective *Länder* administration, their priorities as well as their differing prior experience with participatory processes.

*Scaldit, Belgium (France/The Netherlands)*: Similarly, resource restrictions seem to be a reoccurring concern within case-studies in Belgium. Poor participation has, in the past, been attributed to the individuals themselves lacking the necessary resources needed to be properly involved. However more recently within the international Scaldit project the fundamental impediment to PP has been regarded as lack in financial support. Although this is clearly acknowledged by the Flemish Scaldit project partners, it is regarded as a matter that is out of their hands, a problem that they do not have the means to deal with. Furthermore the partners felt that they already had much to deal with in terms of the quantity and diversity of participants involved and as a consequence felt unable to take on any further work. This in itself presents a problem, as it suggests that the Flemish project partners in Scaldit were understaffed or simply lacked the experience in being able to deal with the demands of large-scale participatory involvement. However these complications seemed to be intensified from the 'international' nature of the Scaldit project. One of the preliminary conclusions drawn by project partners is that organising PP on an international basin level is especially difficult. This is 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. What this ultimately means is that PP at this level requires *special attention* and *tailor-made efforts* to stimulate PP. Practitioners or project managers who have little or no experience in PP cannot be expected to possess such ‘know-how’ on organising and managing stakeholder involvement. Thus resource deficiency in this context specifically refers to a lack in specialist participatory *knowledge* and *expertise*.

But these issues are part of a wider collection of symptoms in Flanders that point to a general deficiency that exists at a deeper level. More specifically, deficiency within the central authorities, in terms of ‘their’ lack in resources and skills, and in the lack of opportunities they provide, to increase local processes of involvement and participation.

*LTV, the Netherlands/Belgium:* Resource restrictions in the international LTV project were realised through time constraints. Time pressure in the project was experienced due to the two year time limit that it was given. According to one of the stakeholders interviewed within the project this time schedule was the primary reason that a more open participation process was not adopted. Thus in order to adapt to the time limitations, the project management were required to make restrictions within their participatory process approach. More specifically they were forced to limit the number of parties that they invited, as the more participants there were involved, the more time demanding this would be.

To conclude, these few examples together with the discussions earlier in the report highlighting the high resource demands of participatory processes convey the disregard afforded by those responsible to the RBMP process. More specifically it highlights their apparent lack in awareness of the need for sufficient allocation of time, finances, expertise, training, etc... required for properly incorporating PP into the RBMP process.

## **Constraints of RBMP process**

There have been numerous constraints to PP that have been identified within the existing RBMP frameworks in Europe. Although one could say that constraints are composite to the movement towards participatory RBMP (i.e. the more stakeholders involved in a planning process the more complexities and constraints to implementation will result), it is important that they are properly addressed in order to raise awareness amongst those responsible for management of RBM projects. However it is also important that river management policy supports measures to address and overcome such constraints.

*Limitations of existing participatory frameworks:* In many countries participatory frameworks have successfully been established over the years, serving to support and promote PP. However constraints are particularly felt in cases where they provide limited impact or where their structure is restrained by tradition making them too restrictive or inflexible to properly support more dynamic forms of PP.

In Spain formal consideration and articulation of PP in RBMP is accredited through well-established participatory bodies. They ensure consultation and participation as a means to increase the ability implementation and accountability of decision-making. Furthermore, intrinsic to these bodies are established rules for consensus building. However they are still very **heavily regulated** participatory processes. This is to insure a framework is created in which it is made clear to the participating stakeholders how their opinions/positions are considered in relation to those of the government. However the limitations asserted through regulation means that this neither provides opportunities for open discussion beyond the agenda set by the government, nor does it apply enough weight for participation of non-productive interests. But on the whole, the Spanish system may need some reforms in lights of the WFD for a number of reasons:

- Advisory bodies are overloaded with participants, although this helps to ensure ‘inclusiveness’ it also makes it difficult for generating ‘open discussions’ - necessary for increasing ‘ownership’ of the new (‘ecological’) policy focus.

- This new focus, introduced through the WFD requires a proactive approach increasing ownership, and of creating alliances with/between existing and new stakeholders and would require providing wide information to the public of the benefits of the new approach. Unfortunately the Spanish PP system does not provide evidence for the need to go beyond PP in the planning process as is required. More specifically it fails to provide possibilities to move towards PP in the *management* and *implementation* of the program of actions so to ensure co-designing and co-implementation; but also to enable implementation, efficiency in government, ‘ownership’ of decision-making and actions on the ground.
- Public access to RBM decisions, information and processes varies according to the types of decisions to be made and the type of stakeholder i.e. *organised* stakeholders are given a great role, leaving little emphasis upon the support afforded to *new* stakeholders – such new stakeholders being fundamental in the collaborative forums of implementation of the ‘new’ policies of the WFD.

Basin committees in France provided the first and most visible forms of PP at the river basin scale. However their potential effectiveness is restricted for several reasons:

- The Basin committee members meet only twice a year giving them little time to create productive interactions. Further to this *stakeholder perception* of these meetings is negative. They do not value them as opportunities for members of the public to be heard, rather as an occasions where only a few people talk. The consequences of this are that the members who attend rarely communicate the information discussed at the meeting back to their respective organisations, groups or constituencies.
- The geographical commissions also suffer in a similar way as the basin committee. Although they involve stakeholders, they assume a somewhat unofficial status. This means that they remain distant from the actual operational level, which ultimately hinders participatory activity.

*Restrictions of governance structures:* The underlying basis determining how participatory structures perform is the *governance structure*. In section 2.5 we briefly discussed the obstacles that more complex governing structures assert upon implementation of PP. It is important, at this point to revisit that discussion.

Often, and for obvious reasons, it is the governing structure that plays a stronger role upon PP than any other internal structure. Such governing structures are constrained by the traditional cultures of governance that may not have been open to evolving forms of involvement processes and over time may also have become burdened with ever increasing bureaucracy stifling opportunities to open up to new participatory policy measures.

In France, for instance the dominant form of PP is strongly determined by the governance structure, which usually resists to external pressure for change. This ultimately limits the potential for SL and policy changes. This is more clearly illustrated in the **Loire** region. Until the evolution between 1986-1994, the main PP tool in the Loire, the Basin Committee, appeared oriented towards specific policy choices, determined by its past, and was primarily interested in funding economic development projects related to water, more specifically in dam construction. Thus the governance structure, which included PP institutions, had a bias towards participants with a technical background. This resulted in the adoption of measures and policies that failed to reflect the local level realities. Many members, including the mayor and elected representatives, regret the lack of explanation concerning water policy measures, and actions that do not address or connect to the socio-economic and local realities they know. Among the environmentalists and users associations, the Water agency is regarded as a ‘world of engineers’ speaking only of ‘technical’ issues that have no relation to with social or political objectives. Ultimately the ‘technical discourse’ bias heightens the level of knowledge required of stakeholders to understand what water management is about in the Loire, which consequently, and more seriously, *discourages active participation*.

The issues discussed above address fundamental driving forces that restrict PP in RBMP. They exist at a deep political or administrative level rooted in the cultural practices defined by the management

structure of each respective region. To open these structures to the opportunities, and demands, of dynamic participatory processes, significant changes in how decisions are made are required. But most of all, those responsible need to be aware of *what* adjustments need to be made within management structures and planning processes necessary for satisfying the requirements of participatory processes. Existing structures are still very restrictive towards involving all stakeholders and ensuring that all perspectives and voices are heard equally.

### **Poor stakeholders consideration**

Poor PP, low public enthusiasm towards involvement in decision-making, poor project outcomes and public rejection of proposed schemes are some of the symptoms associated with less successful RBMP. However these are all typically symptomatic of cases where stakeholders have been neglected or where their involvement and needs have not been given proper consideration. To a certain degree this is only to be expected, particularly as PP to experts, practitioners, project managers, and stakeholders alike, in many cases is still a fairly new concept. Knowing what to consider when organising PP or simply understanding how stakeholders fit into the development of a new scheme, for instance, touches upon unfamiliar grounds for many project managers. As such participatory processes are not always approached properly or strategically, and this can very often have negative repercussions. The specific concerns addressed in the remainder of this section highlight some of the experiences across Europe that reflects this well.

The discussion in section 2.3 on *attitudes* and *opinions* towards PP are fundamental to understanding the reasons for poor consideration of stakeholders. More specifically this discussion highlighted the dismissive attitudes amongst those at higher levels of administration towards PP and the impact this can have upon ‘when’ in a planning process stakeholders are involved.

*Barriers facing involvement of stakeholders:* in Flanders, PP in the **Scaldit project** has still only really been undertaken through the regional advisory councils and the participation of smaller stakeholder groups has been limited mainly to participation in workshops. This has largely been attributed to projects still remaining too *theoretical/scientific* in the initial stages to make involvement *appealing*, or *interesting* enough for most stakeholders to participate. Although this is expected to change over the coming years as the theoretical work comes to an end, what this does raise, as a point of concern, particularly in light of the arguments ‘for’ early involvement of stakeholders, is the necessity to create planning processes to be as interesting and appealing as possible in order to attract stakeholders in at the crucial conception phases of the process.

In Spain, on the other hand, despite positive experiences of participatory involvement in planning processes in Agenda 21, structural fund programs and the management of natural parks, there is still a concern over the *low consideration* given to inputs that PP can provide in the ‘technical’ phases of policy and preparation phases of water planning processes or to the ability of the general public to participate. This is largely due to the PP model in Spain, where stakeholders participate through regulated bodies or according to law imposing very tight deadlines for citizen consultation processes. Formal allegations are considered mainly in the context of the approval of a legal document. The type of PP for the non-organised public that does exist is largely in the form of consultation with little opportunity for joint interaction or co-designing. This is reflective, in part, of the urban land-use planning framework it still bears resemblance to the way in which the National Water Council manages PP.

Earlier in this section we reflected upon Frances’ restrictive Governing structure with their participatory forum, the Basin Committee, only meeting twice a year limiting opportunities for stakeholders to properly interact. For the purpose of this discussion what this also conveys is the neglect of stakeholder interest.

This has also been felt in the case of the Lower Colne in the UK. In 1987 Thames Water commissioned a planning consultancy to undertake a large scale public consultation exercise on the

Lower Colne Flood Study. The programme was unusual in that it employed special resources and consultants with expertise to engage with the public. But on a critical level it was considered 'unusual' for flood defence engineers to be expected to mount public consultations without receiving any special training or resources to assist them. This resulted in the insufficient consideration to stakeholders in the initial consultation stages in various ways:

- The consultation was based on a 'preferred outline scheme' developed and described by Thames Water's engineers, rather than on 'range of options' or on an 'open discussion'. Although this was a common approach at the time what it meant was that the public only had a very limited opportunity to input into the scheme development.
- Secondly PP in the scheme, and in other schemes of the time, was primarily undertaken at the later stages of its development process, rather than from its inception.
- Also the main consultation commonly consisted of a once-only programme and public consultation was not undertaken on a continuing basis.
- Finally, the consultation programmes commonly used traditional mechanisms providing only limited opportunities for interaction between the scheme 'promoters' and public and other stakeholders.

These factors contributed to stakeholders feeling disillusioned in the ability of their 'voice' to be heard equally alongside more powerful or well connected landowners who were considered to have a greater influence. These concerns were voiced in surveys initiated after the scheme was undertaken.

Similarly in **Catalonia** in Spain, there is fundamental failure to recognise PP within the context of the main legislative water law. Although clear objectives are identified referring to "co-responsibility, transparency, information and participation of the general public and of end users", there is no specific mention of participation in the objectives of water planning or in the plans and programs developing these objectives. The only possibility of participation is through the procedure called "public information" by which any person can present written objections to one or several provisions of the plans. This legal procedure is common in the Catalan and Spanish legal and administrative systems but it only allows participation in a very limited manner and only at the *end* of the planning process.

This is caused by categorisation of stakeholders into three distinct groups - 'users', 'socio-economic interests' and 'the general public' - and the contrasting degrees of influence attributed to each category. This categorisation is applied in all of Spain. The 'users' hold rights to water and have the legal capacity to intervene in the decision-making process. Other stakeholders are represented in consultative bodies that do not have any executive powers.

In contrast to the relative successes of the Dutch *ABC Delfland* project, there were also concerns voiced by stakeholders in relation to efforts made towards public involvement. Although there was good engagement of stakeholders throughout the project, this was still largely at a 'consultation' level, for the general public no more than that of information provision. Consultation in this case still worked because there was agreement on the nature of the problem – water logging. The lack of public involvement within the conception phases of the process was attributed to the general opinion of those within the Waterboard that they have sufficient expertise and knowledge to undertake this task *without* the complications that the involvement of stakeholders may bring in. Furthermore the Waterboard chose not to involve members of the general public and to simply concentrate on using stakeholder involvement and support.

In conclusion, there are two fundamental contexts within which our experiences of weaker PP in RBMP can be best understood – the 'institutional' context and the 'cultural' context. The former refers to the more restrictive forms of RBMP and governance structures that exist in Europe and the barriers these assert upon developing dynamic PP methodologies. The latter refers to weak considerations of stakeholders recognised through the attitudes and actions (or lack of) of those in higher levels when they fail to appreciate the demands of PP. This can occur due to the lack in guidance necessary for recognising, supporting and encourage PP at all levels, and identified by the

general attitudes and feedback received from the stakeholders and general public themselves. Obviously there are many reasons that constitute negative or less successful experiences of PP in RBMP, each vary and are determined by the particularities of each respective case. Although general comparisons can be assumed and applied to better understand and improve our knowledge for future use, one should appreciate the differences with the cultural context.

### 3.4 Experiences of Social learning and IC Tools

#### 3.4.1 Social learning

So far the concept of social learning (SL) has been referred to within the context of other issues. This chapter will widen these discussions into a more in-depth consideration of the experiences of SL reflected upon in the case studies of the national reports. As SL does not necessarily imply successful or constructive experiences of participatory involvement, it is thus important to identify the experiences according to a range of possible outcomes. Therefore this section will reflect upon both the barriers to SL and the conditions necessary to achieve good SL.

#### Good experiences and conditions that has influence SL

SL is not a process intrinsic to all participatory projects. Quite the opposite it is dependent upon certain factors and measured according to the degree to which it is experienced as well as ‘what’ SL is taking place. Hence, within our analysis of good experiences of SL it is important to distinguish key conditions necessary for its realisation. These vary and although specific to the context of each case-study, enable us to better understand how SL is achieved under different circumstances.

Within the context of the experiences in France it has been noted that SL is dependent upon a collection of factors working in combination. Principally, **public participation** is regarded as a fundamental for creating a SL process. This in turn will help to promote policy change. But, PP, and the good will of participants, cannot be expected to achieve SL in itself. To illustrate this clearly, two key conditions are identified:

- Firstly, a *local basis* of PP is necessary. SL is properly achieved only when rooted in a specific territory, which gives tangibility to the abstract notions of water management. This is the case even at a regional scale, and it is thus important to establish links between the local and regional level by, for instance, integrating new actors and to find adequate and effective translation of concerns between the two levels.
- Secondly, it is necessary to have an **open discussion** on the measurement tools, the diagnostic, and on the technical matters, to enable the elaboration of a shared vision. This is an important first step, requiring a strong investment from all participants to adjust methodologies, instruments, frames of interpretation, etc.... There is a danger if this discussion remains purely within the ‘technical’ sphere that the agreement will remain one-sided, and that it can become threatened by a conflict in the ‘real situation’.

The various successes of PP as a ‘vehicle for SL’ can be attributed to conditions set by the *emerging governing structure* that came about from major opposition against policies supported by the *traditional governing structure*. This traditional structure of the post-WWII period in France provided a bias *towards* the dominance of water authorities and basin committees, and *against* the intervention of ‘new interests’, thus limiting opportunities for PP. In response to this, the emerging governing structure offered the insertion of new actors into the institutional framework, as well as a transformation of the content of policies. Ultimately this evolution of the governing structure has allowed for better PP, encouraged by specific efforts towards new actors and the general public.

Similarly in Spain, SL is best understood within the context of ‘successive governance systems’. The Spanish report describes such systems, or conceptual spaces as evolving, self-made, natural conditions, with stakeholder interaction occurring *within*. They refer to them as ‘external’ changing dominant ideologies i.e. *the globalisation process, the decentralisation of government, the increasing valuation of environmental qualities by the population, the liberalization policies and, finally, the changes in the European context (WFD and sustainability debates)*. These *contexts* determine, to varying degrees of SL, both the way decisions are made and the relationship between the actors. The interactions between the changing dominant ideologies are external to the water sector. Attempts to cope and adapt to them by the different groups of the water community help us to better understand the kinds of pressures the water sector is under in order to proceed with further change, and in achieving SL. More specifically the kind of influences SL has upon the performance of ‘internal’ forces such as *influences upon PP, the appearance of new actors, the positions of actors and their power, and the ways they interact in the process of problem solving*.

But SL is enabled through more subtle forces than governing systems. For instance in Germany SL has been enabled through ‘organised stakeholder groups’. Such groups have played a vital role in mobilising and reaching out to the general public through several campaigns. But more crucially, as these groups usually have better access to the general public than government officials, their campaigns have been more efficient. Through their activities at a more local level, they were able to effect changes in the awareness of the general public. Thus, in some cases, this has also led to a better and deeper understanding of the issues related to water management, as well as decisions made by government authorities. And furthermore, of complex matters such as those related to the WFD. The outcome of this has meant that stakeholders have been able to make valuable contributions in participation processes, thus contributing to the overall success of certain policies.

The German study also raise credence upon the value of **policies** that support interactions and active involvement – thus acting as catalysts for SL. The emerging activities of the LA21 policy for instance, provide structures in Germany that can facilitate SL and can also enable the necessary levels of engagement in order to reach sustainable involvement dynamics in the future.

Activities such as the ‘Living Elbe’ (including the education programme ‘Schools for a living Elbe’) have aimed at helping the public to get to know the rivers and develop a relationship with them. These initiatives create a framework for involvement based on changing the fundamental relationship of the public towards their river basin, and consequently their concept of their role within the basin.

Authorities in Germany, likewise, are also undergoing a process of SL themselves. As in some cases they are increasingly recognising the value of ‘early’ participation with key actors such as NGOs. Ultimately this has facilitated **mutual trust** and **acceptance** that common goals can be achieved through working on common issues with more of the main affected or interested parties.

Mutual trust has been regarded key to enabling SL and is particularly conditional to cases where the interplay among the actors involved has taken place over a relatively long time. In such cases one can discern an increase in mutual trust and process transparency, such as in the German example of the involvement of the LaN - the joint institution of NGOs – in NRW. But mutual trust was also achieved at the international level in the Commission for the Protection of the Rhine (ICPR). Long-term interaction with key stakeholders in the river basin enabled trust and transparency, which were considered important in both raising efficiency of the participatory processes as well as the better integration of all possible aspects and positions. This has largely been attributed to the heightened awareness of government officials of the specific concerns voiced by the groups. Such concerns can then more constructively be integrated into the decision-making and planning processes at an earlier stage. Furthermore, increased trust and transparency has resulted in some stakeholder groups being increasingly considered as advisors, thus being more regularly consulted and even being involved in the drafting of political guidelines.

On the whole, although such promising examples are evident, they still only exist within the context of specific examples and cannot be claimed at the national level.

In the Dutch report the generation of 'trust' has also been recognised as a prerequisite for SL. The two year long international LTV project, focusing on the Scheldt estuary, allowed for sufficient time to generate trust between the Dutch and Flemish partners of the project. More specifically both the Flemish and Dutch specialists have learned about cooperating, about the intentions of the other, their knowledge, and about their cultural differences. This trust has been regarded as the basis for any future co-operation in the Scheldt estuary.

Referring to the requirements for SL as outlined in work package 2, the Dutch report acknowledged three key prerequisites that projects need to achieve:

- Firstly, that people first need to realise that they are interdependent and have to organise themselves around the issue(s) at stake. This is necessary in order to start learning.
- Secondly, in order to actually learn, participants should start interacting – exchange information, discuss, negotiate, etc... and in addition, such interactions should be based on reflexivity, reciprocity and respect of diversity. Furthermore the report acknowledged that this needs the participants to reflect not only on the best means to reach their goals but also on the goals themselves and on their relations.
- Thus, the third prerequisite for SL implies that participants need to acknowledge that the other participants may have different interests, views and information.

These were achieved within the LTV project. More exactly, the people participating in the LTV did learn about the means for reaching a specific goal, and also reflected on the goals themselves as well as on their relations. New scientific insights were shared and different objectives debated. With such diverse opinions and different perspectives on the problem and its possible resolution, problems and misunderstandings did arise. Nevertheless, discussion and resolution of these problems resulted in respect for the diversity that existed, and to acknowledgement of differences. This ultimately allowed trust and further co-operation.

On the whole, SL is increasingly being associated with certain conditions and methodologies of PP. Factors such as governance structure, trust, openness, transparency and other prerequisites can certainly help open the doors to SL. Yet they cannot ensure it will be achieved at a successful level, or even achieved at all. Furthermore, with increased experimentation and exploration of new techniques to enhance stakeholder involvement such as the employment of more 'active' participatory processes, SL should be enabled to *evolve* throughout the project duration, and achieved at all levels by all those involved

## **Obstacles to social learning**

Challenges to SL have also been identified in different contexts within Europe. The experiences seem to imply unfamiliarity with the concept and the value accredited to it by project managers and those in higher levels of authority. This is also strongly linked with their overall value towards PP, or lack of in this case. In Flanders for instance, PP is only introduced for the purpose of generating advice, not decisions. Those in higher levels of the political arena are generally sceptical towards PP and do not immediately see it for its value towards improving decision-making. Hence, such individuals rarely see PP as a means to stimulate a process of SL that can lead to new opportunities for co-operation and social change. This may have a lot to do with lack of experience, and skills, as well as general lack in foresight amongst those responsible, of the opportunities PP can render. Communicating experiences can help to overcome these gaps in knowledge.

Lack in effective communication has also proved to be an obstacle to SL in Spain. This is explicitly identified within the cases of Baix Llobregat (Barcelona) and in Mula (Murcia), mentioned earlier in the report. Both cases were successful in the way they were able to achieve multi-scale systems of collaboration with others scales of administration and other agents. But also, that they were able to establish a process that incorporated feedback at the end to the governance system. This established

and helped to reinforce new organisational structures and new agents. However, a less clear outcome has been the extent to which lessons about the ‘quality of relational practices’ in PP in both experiences have been explicitly ‘learnt’. The community of practice at all levels is dominated by the ‘technical professions’, mainly concerned with ‘solving the problems, thus no real emphasis is placed upon relational practices. The consequence is that the **lessons are embedded in the personal experience of the leaders/facilitators but do not become more widely/shared or considered.**

Informal PP styles can often exist within the institutional framework, often by-passing the official PP frameworks. Although such practices can prove very effective and powerful, they can serve to hamper any opportunities for SL. As with the Loire case-study in France for instance, informal forms of PP here have proved to be powerful means for citizens to express themselves yet unless they evolve toward more institutional forms can also be an obstacle to SL. However, taking account of this form of PP should be an important objective for the institutional design in such cultural contexts.

Further obstacles are also identified within the French report. Namely the constraints presented by the governance structure upon PP. As discussed earlier in section 3.3.1, the dominant form of PP in France is strongly determined by the governing structure – which usually resist to external pressure for change. These restraints asserted upon the participatory decision-making and planning processes meant that some participants and/or issues were excluded.

This was also the case in the Dutch/Flemish LTV project. The project as a whole proved to be innovative in its approach mainly as it brought the competent authorities closer together. Yet, in spite of this, it still failed to achieve real participation as some stakeholders were excluded from the project. Thus the SL effects remained limited to a restricted group of experts and public officers. It would even appear that ‘certain’ plans could only be made because ‘certain’ stakeholders were excluded. Additionally many of the stakeholders who were included – such as local authorities, provinces and environmental organisations – were not ‘actively’ involved but merely informed. Such exclusions and biases usually mean that SL is constrained to the interests of the few and limited groups involved.

Such limited SL experiences as described above are symptomatic of processes that are constrained by ‘traditional’ systems that are typical of the approach of that particular region, nation or culture. The limitations onset by sticking to traditional or well-accustomed styles of planning or decision-making can often stifle progress and be restrictive upon the degree of societal learning. In the Dutch ABC Delfland project, SL was not achieved to its full capacity due to the process lacking in innovation and use of effective methods to entice stakeholders. There was little evidence of more active forms of involvement and the forms of involvement that were employed were really only one-way.

### **3.4.2 Use and experiences of IC-tools**

Our discussions so far address the growing tide towards wider application of PP into formal decision-making arenas across Europe. This increased attention that PP is receiving and the demands and expectations that go along with this has begun to place emphasis upon the *style* and *qualities* of the processes used. In the previous section we discussed the SL expectations that are creeping into analysis of PP methodologies. In order to enhance the SL outcomes and the overall success of participatory processes diverse tools and methodologies are increasingly being considered and applied. But moreover this is also to respond to other demands. The work package 3 (Maurel 2003) report refer to such demand created by - increased attention upon information design, storage and retrieval; and from the need to enhance communication between stakeholders in ways that are relevant for them and that allows collective learning. Furthermore the report stresses that PP is highly time-consuming due to the increasing number of interactions and difficulties to combine expert and non-expert knowledge. Thus for this reason effective communication is all the more essential.

As the work package 3 report highlights, IC-tools, as a facilitating mechanism, present real opportunities to take up the communication challenge, but they also form serious risks if they are not

mastered in a proper way. To avoid these situations or at least to understand the gap between the production and the actual application of IC-tools in RBM, the potential and the limits of these tools have to be evaluated in order to be able to answer practical questions. These questions were more thoroughly analysed in the work package 3 report, as such it is not the intentions of this synthesis report to provide a detailed analysis of IC-tools. Nevertheless, this section will provide a brief overview of the issues relating to the application of IC-tools in European RBMP based upon the very limited experiences acknowledged in the national country reports. They are presented in two sections – the first focusing on the more successful experiences, and the second part will address the main problems encountered and associated with IC-tools.

## Successful and interesting experiences of IC-Tools

Specific examples where visual forms of IC-tools have enhanced engagement of stakeholders have been experienced in the *Baix Llobregat* case in Spain and in the *Linth 2000* and the *Rhone 3* projects in Switzerland. The former involved engagement of different types of agents in participatory processes related to local water management. Here, the difficulties associated with ‘seeing’ or visualising the problems in the ‘aquifer’ made it necessary to engage the support of the RBA and a scientific research centre. They assisted by providing ‘evidence’ with maps and other simulation tools of the salinisation and over-exploitation problem and their evolution. Furthermore, there was engagement generally of the local population through conferences, the local press and even demonstrations. All these were important ‘tools’ to increase visibility and support for the actions and for increasing awareness of shared problems. Ultimately this helped in the process of changing the commonly held perspectives as to what ought to be done in terms of the best water management option. More specifically ‘interaction forums’ allowed bigger pictures to emerge for everyone. These pictures were still different but the participants found that they had much more in common than they expected. Also there were themes that almost everyone could agree upon, if not then at least on their relative importance.

These interaction forums provided ‘non-threatening’ environments, where participants felt that their standpoint or opinion could become known and therefore have the potential to be influential. However, these new experiences, such as the interaction forum, are still relatively less ‘mature’ and hence it is difficult to assess their impact. The use of IC-tools has played a specific role, not only in the context of helping actors to come to a common understanding of existing problems but also in sharing common visions of future options. In the case of the *Baix Llobregat* the use of IC-tools through maps and simulation models helped everyone to understand the problem, monitor results of control actions taken, and helped provide feedback between the social and the natural system on which all the actors depended.

Both the *Linth 2000* and the pilot project *Sierre (Rhone 3)* project made particularly good use of IC-tools for facilitating ‘two-way’ communication processes. In the *Linth 2000* project this consisted of organised meetings with interest groups at the conception stage of the project. Also in the *Linth 2000* a **framework information project** has been developed. The main components of this included ‘means of communication’ (information leaflets and brochures, information bulletins, homepage, formal information sessions, targeted information meetings, use of media, long term monitoring, school information material, open days and visits), and ‘communication groups’ (regional interest, groups of interest, public with particular interests and media).

In the *Sierre* pilot project ‘two way’ meetings with representatives of interest groups have been adopted for: i) scoping; ii) validation and prioritisation of the objectives and iii) confrontation of the objectives with the existing masterplans for land-use. But more unique in the *Sierre* project is the distribution of cameras to interested representatives more acquainted with photography rather than written comments, to express their participatory opinion at the conceptual level of the subproject. The stakeholders, assembled by interest groups, express their point of view through organised posters and public hearing sessions. Additionally the *Rhone 3* project maintains a website in both French and German and publishes a journal that is sent free of charge to individuals. There is also consideration of having an interactive dialog box.

But elsewhere in Switzerland the use of more exploratory and dynamic IC-tools is common. For instance, in the Alpine Rhone project preparation framework, specific information programs including guided excursions are included in the educational system and addressed to scholars and students in age from 10 to 18, in order to raise awareness among the young generation to RBM related problems.

Germany offers good examples of the use of 'soft tools'. More specifically, round tables have been used at the local level such as in the city of Krefeld in the state of NRW. In this example, a round table was organised by the regional environment authority and proved to be successful in the drafting of a concept for sustainable wetland management together with the affected stakeholders. Through this involvement activity, it was possible to obtain the input from many different groups and thus create a widely accepted management plan.

Other interactive methods for participation, either initiated for the purposes of the WFD or that existed beforehand, *include regional fora, advisory committees, river basin advisory boards* mainly targeting the informed and organised public, rather than the general public.

Finally the Dutch national level project, the 'Meer Visie' (More Vision), was established to help create an integral vision for the IJsselmeer area for a period till 2030. The IJsselmeer area is the biggest fresh water reservoir in Europe known for its popular recreational qualities. Thus planning for the future of the area required the involvement of all its users and actors with an interest. The project organisation organised one big workshop inviting all actors. The workshop involved the use of maps and role-playing that required participants to construct their own visions through the use of an electronical map using existing maps.

The outcomes of the role-play were made available in the support tool 'Meer Visie'. The consultation also benefited from collecting feedback from the participants to learn more about process and access its overall success. This required participants to fill in a questionnaire. Based upon this an actor analysis was made. The main conclusion of this analysis was that during the role-play game, the participants learned about each other, decreasing both possible conflicts and conflicting interests. The learning resulted in an increased understanding of each other's position – and important determining factor for supporting the integral vision.

Follow-up showed that the visions of the different subgroups have been used in the making of the 'Integral Vision IJsselmeergebied 2030'. However the high demands of this workshop in terms of time, money, resources, and energy as well as from the sheer complexity of creating an integral vision with the involvement of so many stakeholders, several research institutes were required to intensively prepare for the workshop.

To summarise, there are clearly many types of IC-tools that are increasingly being applied and that exist within various different RBMP processes across Europe. They have served to improve communication between participants, create a feeling of ownership amongst all those involved, and generally enhance involvement. Furthermore they have helped in overcoming obstacles created by conflicting interests and provided opportunities to establish consensus.

## **Limitations and problems encountered through the use of IC-Tools**

During the HarmoniCOP work package 4 discussion meetings the individual authors of the national reports generally seemed to agree that there was generally little application of IC-tools in RBMP projects across Europe. Thus, because of this, little information on the experiences of IC-tools could be gathered to present within their reports. The existence of IC-tools in European RBMP was sporadic and very random. This made it particularly difficult to access and compare the degree of success of the individual experiences. Furthermore, where IC-tools were applied it was very often the first time they had been properly used thus unfamiliarity of the project organisers to such tools made it more difficult to access their outcome. This unfamiliarity has been a basis for some of the problems associated with IC-tools that are more explicitly discussed in the following section.

‘Unfamiliarity’, as described above is often the reason for little consideration of the requirements and demands of applying IC-tools. Such low consideration at the project planning stages often results in a lack of time, financial resources, etc... being built into the project itself to enable sufficient application of the tools used.

In Germany these issues were realised in the Elbe River Basin project, which was unable to use Decision Support Systems (DSS) primarily because of the lack in skilled personnel, time and financial resources.

Furthermore, the use of **one-way internet sites** have been commonly applied such as in the ‘Living Elbe’ initiative. At a higher level an **internet forum** has been established to serve as an information and communication platform between the federal and the *Länder* level and thereby to support the implementation of the WFD.

However, the potential of the internet to inform the public on issues of water and river basin management is considered to have been so far limited. In the example of the *Havelbündnis* association, for instance, personal presence and face-to-face contact are still the most important and indispensable means of information and exchange between environmental NGOs and should remain so. Tools such as e-mailing lists and internet pages are important, but only able to target a certain type of public. There are, for instance, many stakeholder representatives who do not use e-mail or internet pages for their information and participation in networking activities.

In conclusion, through gradual and wider application of IC-tools, familiarity towards it is growing. This in turn facilitates a deeper understanding of the opportunities it can offer in many areas of RBMP by all involved. As participation does not necessarily mean ‘good’ participation, there is increased concern as to the *quality* of participatory process. Thus IC-tools are increasingly valued for their ability to enhance the quality of participatory processes. They are not only valued as an aid for SL amongst those involved, but are also considered as means to enhance and secure long-term involvement of key actors into RBMP. Lack in the effective take-up of IC-tools reflects less upon the value it can offer to planning processes, than it does upon the lack in acknowledgement within existing policy, to effectively support it.

## 4 Considerations and recommendations

### 4.1 Considerations for the WFD

The inception report identified key points for clarification, development and/or improvement in the way the WFD has incorporated PP requirements. Although it is not necessary to reiterate these, this section will list some key considerations noted from individual national experiences, which can build upon them. More specifically, this section will organise the main issues addressed within the national reports that provide key considerations for implementation of the WFD. The following discussion will present key factors as expressed by the authors of the specific reports including:

- The existing areas of concern associated with the WFD;
- The strengths within particular countries from which the WFD can build upon;
- Areas that are regarded as opportunities created by the WFD.

Some of the reports have also made key recommendations with regards to the WFD. Some of these recommendations are stated within this section, but more explicit recommendations in relation to the WFD, will be addressed in section 4.2.

### Factors of concern associated with WFD

1. Lack in guidelines for implementation of WFD
  - No clear guidelines for the WFD - The WFD guidance fails to give any specific indication as to how best provide and allocate resources to support participation activities leading towards development of the RBM Plans. Insufficient resources may appear as a major factor hampering effective involvement of the public in implementing the Directive.
  - At the local level in Germany, the main actors are uncertain or unaware about the requirements of the WFD and, furthermore, do not have the broad perspective of water management issues.
  - Similarly in Italy, there have been many recent acts mentioning PP as a requirement for planning (anticipating the implementation of the WFD). However, this provision has still not been implemented nor transferred into proper guidelines.
  - The UK report also remarks on the lack of focus afforded to the process of implementing the WFD. Furthermore, this probably reflects the low priority it has compared to other issues in the UK, such as the economy.
  - In the Netherlands, lack in proper guidelines of PP at the national level has resulted in the government interpreting the WFD in their own way. They interpret it as having no real requirement for establishing proper PP procedures or discussion forums at the national level. In practice this has resulted in the replacement of discussion forums for authorities and non-governmental actors, with separate forums. Until recently commissions existed where authorities and stakeholder representatives met to discuss issues and take decisions together. But now this common discussion platform has since been abolished and authorities and stakeholders have been separated. They have been replaced by commissions that are specifically and only for authorities, and also by advisory commissions that play a purely consultative role.

Furthermore, there are also several administrative working groups that exist in the Netherlands in order to prepare implementation of the WFD. However, no working groups deal with PP. The Dutch draft 'Implementation Act European Water Framework Directive' only regulates consultation and does not mention active involvement explicitly. Although the Handbook on 'Implementing the WFD' sets out a clear framework, clarifying the role of national and regional level organisations, it clearly states that they **only have to be informed and do not have to be actively involved**.

These points bring to the surface the more critical concern relating to how different countries in Europe have responded to and interpreted the WFD. It also questions how clearly the intentions and requirements of the WFD have been communicated, drawing attention to the lack in sufficient guidelines.

## 2. Need to create wider ownership of WFD implementation

- This was a concern cited in the UK report in which the authors specifically expressed their concerns in relation to the Environment Agency being the primary competent authority responsible for implementation of the WFD in England and Wales. The authors are particularly apprehensive of this as from international experience catchment management only works if all the critical stakeholders have bought into the process so that it is *their* plan.
- In the Netherlands, the deputy minister for water management does not believe in having significant involvement of public in the first activities for implementing the WFD, and generally place emphasis upon the authority of government to take final decisions. Active involvement has to be organised at the regional and local levels.
- In Germany, despite promising efforts to initiate the participatory processes in accordance with the WFD, there have been only a few instances where the public was actively involved in the development of plans to the extent required by the WFD. Considerable improvements can still be achieved with respect to the implementation of the WFD over the coming years.

These failures in recognition of the importance of involving public at early stages of planning processes could well be symptomatic of the lack in guidelines or clear requirements within the WFD policy itself, or simply of the unfamiliarity of involvement procedures by those responsible. Thus the efforts should reside in challenging a culture that fails to see the value in including the opinions of the public and other non-experts, into the official decision-making arena.

Furthermore, additional factors may need to be considered such as strengths or weakness of national structures – and identifying any barriers that may exist that inhibit the implementation ability of PP. Also, as discussed earlier, negative *attitudes* of the public and authorities towards PP in environmental management also need to be addressed if the WFD is to be properly acknowledged and widely accepted by all relevant actor groups.

## **Strengths identified within existing national structures**

The following factors refer to particular areas which support implementation of the WFD. They identify opportunities that exist to help achieve the requirements of the WFD.

### 1. Policy support

- The CEE Dialogue (including Hungary) serves to support successful implementation of the WFD in the field of agricultural water management through involvement of stakeholders in the planning and implementation process.
- Integrated water management has been realised through the *Flemish Water Policy Plan and the Flemish Environmental Policy Plan* from 2003-2007. The goals of this plan include “increased societal involvement in the sustainable use of water systems...”. But the most recent legislation efforts have been initiated through the Flemish Decree on the Integrated Management of Water, only officially approved in July 2003. The Decree represents official recognition of the requirements of the WFD.
- In Germany some *Länder* have followed a more pro-active approach in issues of PP than others. For instance, NRW has been intensively occupied with the issue. It has published the first guideline document for PP and the WFD in Germany. In this case progress is linked to a quite favourable climate for PP in NRW. This can partly be attributed to the political structure being dominated for a long time by a Social Democratic - Green coalition. PP in NRW has long taken place by involving well-established stakeholder groups and relying on

them to reach out to the public. With the introduction of the WFD, these efforts are now being re-emphasised and structured.

## 2. Institutional and structural support

- In France the SDAGE plays a pivotal role in the French water policy at the regional level. The SDAGE process is more oriented toward large PP, the exchange of information and the elaboration of a shared vision. The more than ten years experience of the SDAGE process in France, has provided the river basin level water authorities a good basis upon which to implement the WFD.
- The German example of the *Landesbüro für Naturschutzverbände* (LaN), a joint institution of NGOs, in North Rhine-Westphalia (NRW) illustrates positive efforts made with co-operation of authorities and stakeholders in the context of formal processes. In some cases this has enabled early consultation of stakeholders in policy and planning processes. Sometimes even informally before formal consultation. The LaN has established itself as sought-after experts in the area of water management. The example of the LaN in NRW (and also in Brandenburg) also showed that co-ordination mechanisms are of great importance for water and river management activities. These mechanisms are effective in coordinating and bringing common positions of stakeholders to the authorities. In this way, they have been able to provide a valuable input into formal processes. This shows a strong indication for greater involvement in water management issues in the future, within this sort of involvement framework. But more relevantly, these mechanisms provide good support through which the measures required by the WFD can be incorporated.
- In Spain the provisions for participation in the Spanish River Basin Planning and Management system comply to a large extent, formally, with the requirements of the WFD. There is a long history of PP explicitly in water management at River Basin scale. There is experience at many different levels; existence of organised forums to articulate multi-scale and multi-stakeholder PP in RBM including mixed commissions and Water Councils; and also there are well-established, organised stakeholders with advocacy tradition and co-operative management with government at different scales. Furthermore, the current Spanish PP system provides evidence for the need to go beyond PP in the planning process as is required by the WFD. This is necessary for providing possibilities to move towards PP in the management and implementation of the program of actions so to ensure co-designing and co-implementation, efficiency in government, 'ownership' of decision-making and actions on the ground.  
There are possibilities of building on these systems of PP and on the well-organised participative forums; building on the experience of integrated river basin Planning that has required the coordination of different sectoral Ministries and different scales of administration. This has been articulated in multi-scale commissions and multi-stakeholder forums.

## Opportunities created by WFD

There are various measures that will need to be taken in order to meet the requirements of the WFD. These will provide opportunities to introduce new and dynamic ideas into RBMP. They would also provide the necessary impetus for identifying gaps in existing management systems and organizational structures that currently act as obstacles for improved participatory processes and SL. For instance the Catchment Management Plans (CMPs) in the UK fail to establish requirements for 'active involvement'. The WFD, on the other hand, has a strong emphasis upon this requirement identifying gaps within the existing CMPs.

Similarly in Germany, in relation to IC-tools, the implementation of the WFD is expected to endorse more interactive internet portals. These will be set up to facilitate the communication and co-ordination of larger networks of organisations active on the issues of the Directive.

Since the entry into force of the WFD, many new involvement processes have been initiated at all levels of river basin management in Germany. So far, there has generally been a strong focus on informing the general public and raising awareness. Further collaboration has been undertaken with the organised public showing promising signs that there is motivation for working together in developing workable RBMPs. Nevertheless, there are a number of significant administrative, political, and practical issues that need to be addressed before effective involvement of all affected stakeholders can reach its full potential.

## Conclusion

It is important to conclude section 4.1 with one final consideration. There is a rich diversity of PP experiences that exist in Europe – varying in quality and quantity. Thus **it not yet possible to discern a ‘typical approach to PP within any given country’**, particularly as variations do exist between cases within the same country/region. This should not be regarded as a negative factor. Nor should it be the objective of a country or region to achieve a ‘typical approach to PP’ as this will undermine the cultural differences that exist.

## 4.2 Recommendations

This section presents the main recommendations that are directly communicated from the individual authors of the national reports. It also includes messages specifically identified by us, the authors of the synthesis report, which we considered to be worthy of including within the recommendations.

### Requirements for PP

#### *Resource allocation:*

- A key message coming from most reports is the need for closer attention upon **better and adequate resource allocation**. This is both in terms of within policy recognition, and in project preparation. Resources in the form of finances, knowledge and skills in participatory processes, time, personnel, materials and equipment, venue etc... are often overlooked or taken for granted in participatory planning exercises. But this can often be the shortfall of many a project.
- Education and training of PP - this needs to be implemented at all areas and levels particularly given to those who come into contact with members of the public. This will ultimately facilitate in better overall understanding and appreciation of PP processes and should aid proper realisation and implementation of policies supporting PP.
- Sufficient allocation of resources to actual stakeholder groups is necessary in order to help support their capacity to survive. Without effective support they will not be able to perform or actively engage in planning procedures. Furthermore, support will also help ensure greater mobilisation of such groups as well as the ability to invite new stakeholders, establish alliances and widen their network.

#### *IC-tools:*

- **IC-tools should be considered and applied appropriately**. Often misuse of such tools can lead to further complications and waste of (limited) resources. In all cases time needs to be taken in investigating the most appropriate types of IC-tools needed for the project. In some cases it may not be necessary to use IC-tools - face-to-face contact may well be the most effective means of communicating with stakeholders, as was the case with the *Havelbündnis* association in Germany.
- Furthermore, it is also important for project organisers to be more open to possibilities for using more **dynamic forms of IC-tools**. This is to encourage more active forms of stakeholder involvement.

## PP Process organisation & approach

### *Use of existing structures and networks:*

- It is important to make **use of existing participatory** (and other) networks and structures within RBMP. It is often the case that new structures are established in response to new policy initiatives. However, this is usually a waste of time and resources. It can be more appropriate and useful to use the contacts, structures and knowledge that already exist. This is particularly important for achieving long-term PP. The Belgian report specifically states that on-going PP depends on retaining existing levels of PP achieved in current projects. Considering this the Spanish report states the following:
  - Identify possibilities of building on the experience of integrated river basin Planning;
  - Make use of existing stakeholder groups and built-up participatory knowledge;
  - Identify possibilities of building on the existing system of PP and organised participative forums (where they exist);

### *Recognition of public:*

- Fear of placing too many demands upon the public should not inhibit efforts to initiate PP when constructing policy. For this reason, the construction of the Flemish Water Policy Plan involved little more than an indirect and generalised public investigation. Consequently this failed to enable a precise societal evaluation of policy plans. To achieve this PP **should be sought at all stages of policy development**.
- Organised stakeholders are often given a greater role (and in cases, access to information) and this poses questions about the need to provide better information, financial resources and support for the newer stakeholders who are fundamental in the collaborative forums of implementation of the ‘new’ policies of the WFD.

### *Importance of tailor-made PP:*

- At the international level it is necessary to **pay special attention and prescribe tailor-made efforts to stimulate PP**. This is because organising PP at an international basin level is found particularly 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.
- As in Switzerland, at a regional and local level different application methodologies should be used in order to better suit specific local requirements.

### *Early involvement of stakeholders:*

- Identified in most reports, the importance for initiating PP at the early phases of planning processes is paramount for achieving greater ownership of entire process and outcomes. Furthermore, it helps to ensure approval of decisions made and avoidance of negative effects during implementation phase by wider stakeholders groups and other affected parties. However, many involved in the RBMP process are still inclined toward limiting PP to information gathering at the beginning of the process and asking for comments on more or less finalised plans at the end of the process. Nevertheless, PP is more effective when it has been initiated early enough in the process and when participants are actively involved during all phases of the process.

### *Move away from traditional approaches of PP in RBMP:*

- The formality and bureaucracy of PP approaches has been identified as suppressing the overall performance of participatory RBMP. Reduced forms of involvement, often constrained by the lack in foresight or ability to move beyond traditional PP practice, creates limited opportunities for stakeholders to have any significant influence in the RBM process. It is important that improved efforts are made to move away from this, and to **move towards more dynamic/process-oriented approaches to participatory RBMP**.

- The Hungarian report claims that efforts need to go beyond just looking at current farming practices. It emphasises that true integration of agriculture and environmental objectives requires new approaches and policy instruments such as agri-environment and sustainable rural development, to support and strengthen the long-term implementation of the WFD.

#### *Improved opportunities for Social Learning:*

- In order to raise levels of SL, increased exploration and application of **new techniques, methodologies and tools to enhance stakeholder involvement** in planning processes is needed. This includes the employment of more ‘**active**’ participatory processes. In relation to RBMP these activities may include river walks, education programmes and other active forms of involvement that can target individuals not just at the local community level but at all levels of organisation and governance.
- It is necessary to generate **mutual trust** amongst stakeholders in order to encourage SL.

### **RBMP and the WFD**

#### *Need to prepare guidelines for implementation of WFD:*

- The Hungarian report identified specific obstacles in the Dialogue process on the implementation of the WFD including:
  - The difficulties in reaching a common understanding of the provisions of the WFD (in Hungary this was specifically regarding rural water management);
  - The difficulties of simplifying the professional terms and provisions of WFD, making them understandable for 'non-professionals', but also professional participants of the Dialogue processes.

In order to overcome these and other obstacles they first need to be identified, as has been done via the Dialogue process in Hungary. But also strategic procedures **need to be initiated specifically aimed at overcoming problems facing implementation of the WFD**. In Hungary, for instance, the Dialogue process aimed at developing ‘do’s and don’ts’ in agricultural water management. It also recognised the need to **prepare guidelines to aid the WFD implementation**.

- In the Netherlands the lack of proper guidelines for implementation of the WFD have resulted in conflicting desires for fulfilling the participatory requirements it requires. The provinces, waterboards and local municipalities have increased responsibilities with the onset of the WFD. Yet they have not received adequate guidance on its implementation. Although a manual does exist it is very weak. For instance, some in the Dutch RBMP process still fail to acknowledge ‘active involvement’, whereas others do not envisage PP within the RBMP framework for some years. The authors of the Dutch report state that the WFD is also not clear on the scope of PP. It provides narrow definitions that leave the scope very much open.
- In respect to these issues the need for **more clarity of the requirements of the WFD** has been recognised in the Netherlands, more specifically the creation of clear guidelines.
- Likewise, in Germany the national guidelines document does not provide detailed provisions with respect to PP. The *Länder* have been given room to interpret the CIS guidance and the LAWA guidance directly to inform their own state strategy on public participation. In this context, there are significant differences in the regional approaches taken by individual *Länder*. The 16 *Länder* implement the WFD, including the public participation requirements, setting their own emphasis and priorities.
- WFD need to be made applicable to those at all scales. In some countries the sheer size of some river basin boundaries are just too large to be of interest or concern to the local level. These include the *Länder* in Germany and the Catchments level in the UK. The local level municipalities need to play a greater role in decision-making concerning the WFD.
- **Guidelines to support ‘informal PP’** are still lacking in many countries. As informal PP has comprised much of the participatory experiences across Europe to date, there needs to be better recognition of this within policy. It can also be supported through better allocation of resources

and guidelines specifically constructed for the (often) organic and unstructured nature of such processes.

- There needs to be consideration of the varying administration and financial capacities that exist between regions, both nationally and internationally. This will have an impact upon resource allocation and will also determine the overall capacities for each region in achieving participatory RBMP.

*Improved communication, collaboration and knowledge sharing:*

- To reach the ambitious objectives of the WFD **different water sectors need to collaborate and share responsibilities** of the different water use sectors. **Efforts for better inter-agency communication and co-operation should be made.**
- There needs to be **more formal requirements for communication and interaction between different scale levels** both nationally and internationally.
- Further to the minimal requirements for PP as stated in the WFD there are no additional legal requirements for PP in WFD. Nevertheless, they are required if the ambitious goals of the WFD are to be met, and for ensuring the success of the directive. Examples include written consultation in other phases, oral consultations, sharing decision-making with the public and active dissemination of information. PP is needed for the various components involved in implementing the WFD including classification of river basins, setting environmental objectives, deciding on the use of derogations, developing measures etc.
- The *new focus* that the WFD brings about requires a pro-active approach of increasing ownership and of creating alliances with/between existing and new stakeholders. Furthermore, also required is the wide provision of information to the public of the benefits of the new approach.
- The PP system needs to go beyond PP in the planning process and move towards PP in management and implementation of the program of actions, ensuring co-designing and co-implementation.
- **Monitoring and feedback mechanisms are key to better analysing and understanding the strengths and weaknesses of any participatory RBMP process.** This is also important for better understanding and meeting the expectations of the stakeholders and participants and can help in ensuring long term involvement of stakeholders.
- Lessons and experiences of PP adopted in sectors other than the environment need to be researched. These lessons have offered much to the development of PP strategies in RBMP and continue to do so. This could be built upon further in order to aid in improving or revising existing policy, or for developing new policy. In addition to this **past and existing experiences should be communicated more effectively both within and between regions and countries.**

## **Fundamental considerations**

PP is more an instrument than it is a driver of change. Thus PP in RBMP can only be achieved by incorporating it into existing political, institutional and cultural systems within each country. It is important to make a link between PP and political decision-making. In France, for instance, this can be achieved by linking together *participatory democracy* with the existing *representative democracy* structure. It is also important to draw upon the (successful) experiences, established stakeholders groups and participatory structures that already exist within the individual European countries.

## 5 Conclusions

Much has been learnt in this European synthesis of PP experiences in RBMP. It has showed us that different histories of PP are not just identified by country, but also by region. They are characterised by contrasting politics and cultures that have evolved over the years to form very individual experiences from region to region. The varying characteristics of each region both identify opportunities and present challenges for participatory RBMP.

The purpose of the national reports was to create a basis of knowledge of the individual histories and background of PP in RBMP of the nine participating countries of the HarmoniCOP project. Nevertheless they have *also* proved to be crucial *aids* in identifying key lessons from the experiences of PP, and considerations for the implementation of the WFD. The key points included in this report not only point to common concerns or experiences that several countries have identified, but also reflect upon special characteristics and factors unique to individual circumstances relevant only to a particular country or region. What this communicates is the importance for PP policy to account for the differences that exist within Europe - policies that can be adapted or sensitised to suit the cultures and circumstances of each individual region.

Furthermore, considering the nine reports as a whole, the collective message seems to place strong emphasis upon the 'quality' of PP. Going beyond traditional and often less interactive involvement procedures, there is increased realisation amongst river basin managers, for the need to generate fruitful conditions for SL within participatory processes. Increased awareness of the benefits that more 'active' forms of PP, and that early stakeholder engagement has upon raising the level of SL, is drawing attention upon the whole approach towards PP. Although this awareness has become more prolific in recent years, there is much that can be learnt from the richness of past European experiences. More specifically, Europe's history is comprised of experiences of PP and policies that should be given proper consideration and, where possible, built upon - not ignored - if the WFD is at all to succeed.

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## **Appendix: National report summaries**

Including summaries of the  
Work Package 4: Deliverable 5/National Reports from five of the nine  
European countries participating in the HarmoniCOP project: -

Belgium, Germany, Hungary, The Netherlands and Spain

(Summaries from France, Italy, Switzerland,  
and the UK have not been submitted)

## **Belgium - “Towards More Dynamism”**

By Edward Van Rossen, Marc Craps and Silvia Prins

### **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 decisions that had already been taken. It is 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.

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.

## 2. Critical Discussion

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 co-operation 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.

## Germany - "From borders to natural boundaries"

By Eleftheria Kampa, Nicole Kranz, Wenke Hansen

In the Federal Republic of Germany, relatively high environmental awareness, combined with good trust of authorities to manage environmental issues, constitutes a good basis for increased public participation in water management in view of the Water Framework Directive (WFD) requirements. However, the overall willingness to participate on behalf of the general public is fairly low, since participation is usually entrusted to organised stakeholder groups.

With respect to the recent political history of Germany, the 'East-West' perspective has had a marked influence on public participation up to now. In former West Germany, there has been a long tradition of public participation and participating groups are already fairly well established. The East German culture, as formed through the 40-year regime of the former German Democratic Republic, still shows its effects today via a pre-disposition of the public for low participation. It is encouraging, though, that the very lack of experience with public participation might also be an opportunity for motivating the general public in the former East to engage in participatory processes more easily.

The institutional and administrative framework of water management in Germany is complex, with a large number of actors involved. Most importantly, it is strongly shaped according to the federal structure of the country, consisting of 16 federal states, or *Länder*. The overall institutional framework for water protection, planning, and management is characterised by three primary levels of authority in addition to the European Union: Federal Republic, *Länder*, and municipalities. Water policy is one area where the authority of the *Länder* is most pronounced, while the potential for public participation stems from German water law, particularly the *Länder* Water Acts.

The institutional framework thus presents a great challenge for co-ordinating integrated catchment management planning across *Länder* boundaries, and for organising public participation according to the WFD. So far, public participation activities have essentially been kept within the distinct administrative levels and have been organised mainly at the regional and local level. The lack of interaction between levels poses a challenge in view of the WFD management requirements following the natural boundaries of river basins. At the local level, the main actors are so far uncertain or unaware about the requirements of the WFD and do not have the broad perspective of water management issues. In other words, the higher up the level, the more organised the groups have to be in order to be effective, and the more difficult the involvement of local and regional actors, such as NGOs, is.

Concerning the type of public involved, participation has largely been influenced by the involvement and the activities of organised stakeholder groups, especially those which hold an important position in water management, such as water management associations (*Wasserverbände*). These associations, which in some cases function on a river basin level, in some *Länder* serve as an important link between the public (organised and general) and the authorities. The water and soil associations (*Wasser- und Bodenverbände*) hold similarly important positions in other *Länder*.

All in all, organised stakeholder groups, but also environmental NGOs and other types of organisations, fulfil several decisive roles in determining the outcome of participation processes in Germany. This is due to the fact that procedures in the context of formal planning consultations and active involvement initiatives are mostly geared towards these groups rather than the general public. Furthermore, organised groups are usually in a better position to follow these processes more consistently and over a longer period of time.

In many cases, formal consultation procedures, as required by legislation within planning processes, have so far appeared ineffective because they have only offered opportunities for limited participation. Consultation takes place at a late stage in the planning procedure, and therefore only a limited number of issues are open for discussion and modification by the interested stakeholders. It is thereby recommended that involvement starts as early as possible in future participation processes.

Active involvement within planning development is unusual, and thus presents a major challenge to integrated catchment management planning. Despite their limitations, formal consultation procedures have in some cases provided an access route to more balanced stakeholder input, including NGOs. There is increasing indication that because of positive experience made with co-operation of authorities and stakeholders in the context of formal processes, stakeholders are now in some cases being consulted in earlier phases of policy and planning processes, even before formal consultation begins.

Informal participatory processes, not required by legislation but initiated by public authorities, have been important especially for the general public. Involvement of the general public has taken place mainly as awareness-raising on the local level as initiated by motivated actors such as local environment authorities and within Local Agenda 21 processes. NGOs are key actors involved in informal participation processes, also because of the bottom-up pressure they exercise on authorities in order to initiate further participatory processes. Apart from informal processes initiated by authorities, the involvement of the public has in some cases been in the hands of important organised stakeholders, such as the water management associations. These are valuable stakeholders for the authorities and often are in a better position to reach out to the general public.

Social learning has not been explicitly considered or included in participation strategies so far. However, signs of social learning taking place are obvious in some cases. In certain long-term processes of interplay among organised stakeholders and authorities, an increase in mutual trust and process transparency was expressed with officials becoming aware of the specific concerns voiced by stakeholder groups. This increase in trust has allowed for more dialogue and interaction to be integrated in the decision-making and planning processes at an earlier stage. Still this could only be observed in specific examples and cannot be claimed at the national level.

Organised stakeholder groups have been key actors in issues of social learning, as they have played a vital role in mobilising and reaching out to the general public through several campaigns. Since these groups usually have better access to the general public on a more local level than government officials, their campaigns have been more efficient.

German authorities are likewise undergoing a process of social learning. In some cases, they are increasingly recognising the value of participation of key actors such as NGOs at an early stage. There has been development of mutual respect and acceptance that common goals can be achieved through working on common issues with more of the main affected or interested parties.

Finally, it has been observed that, since its entry into force, the WFD has served as an incentive for several new participatory processes at all levels of the river basin. There are promising signs that there is motivation to collaborate towards developing workable river basin management plans. In this context, there are significant differences in the regional approaches taken by the individual *Länder*, which implement the WFD setting their own priorities. In some *Länder*, interaction with different stakeholder groups representing also policy fields other than water is actively sought after. Other *Länder* have not gone yet beyond presentation and information following a reactive rather than proactive approach. Reasons for such differences can be sought in the administrative and financial capacities of water administrations in the different *Länder*, as well as their prior experience with participatory processes for water and river management issues.

To conclude, it is not possible to speak of a uniform/consistent German national approach to public participation in terms of the WFD. This report has shown that there is a lot of *Länder*-internal activity in the direction of public participation, also initiated prior to the WFD. Nevertheless, there are still important administrative, political and practical issues that need to be addressed before effective involvement of all affected stakeholders can reach its full potential. These include the challenge of a co-ordinated basin-wide approach to participation and integrated catchment management planning beyond *Länder* borders, as well as the issue of resource capacity of parties to be involved in the participation processes (authorities, NGOs and other organised stakeholders, as well as the general public).

## **Hungary - “Towards Win-Win Solutions”**

By Prof. Istvan Ijjas and Krisztina M. Botond

### **1. General introduction**

Hungary is located in Central Europe, in the Carpathian Basin. The territory of the country is 93.030 square kilometres, covering about 1% of Europe. The country forms part of the Danube catchment area. As the definition of the Water Framework Directive, the Danube River Basin was identified as a river basin district, so now the overall territory of Hungary is part of an international RBD.

Hungary is a typical down-stream country, the 95% of the surface waters originate from abroad. The boundary water agreements with all neighbouring countries play an essential role in the Hungarian water management.

The particularities of geography and climate have resulted in particular hydrological conditions in Hungary. Water always played a decisive role in the life of the inhabitants, which prompted the early development of a hydrographic observation and data processing network.

Several kind of water uses stress the Hungarian waters (public water supply, public waste disposal, industry, agriculture, hydropower, navigation, professional fishing and fish-farming, dredging and mining). The water resources available almost everywhere in Hungary are large enough to meet the water demands. The majority of the problems and difficulties encountered in meeting the needs of society for water are associated with quality.

### **2. Legal basis of the Public Participation**

Legal regulation of water related activities have long traditions in Hungary. The first water law entered into force in 1885, the second in 1964, while the third in 1996.

The importance of the Public Participation is mentioned in almost all Hungarian laws and directive as in the general laws, like the Constitution. Access to environmental information and public participation in environmental decision-making are basic principles laid down in the Hungarian Act on Environment.

The citizens have the right of calling into life non-governmental organizations in the domains of water management and environmental protection on a professional basis (the Hungarian Hydrological Society) and on local-regional basis, often related to a particular water body (the lakes Velence and Balaton, the Ráckeve-Soroksár Danube Arm, etc.).

The environmentalist groups have considerable influence on the public and the successive local governments in Hungary. Some environmentalist organizations have played unquestionably important roles in protecting the aquatic environment and ecosystems. One of the most important NGOs in Hungary is the Regional Environmental Centre. In 1994 a Manual was developed by them for the NGOs to collect the principles and methods of how to plan and fulfil and effective lobby procedure. This Manual can be free downloaded from the REC website and the Hungarian version was elaborated too.

Important public forums of the population, the self-governments and the farmers are the water management associations (WMAs) covering the entire area of the country. The members of the 76 WMAs are the locally interested self-governments and farmers.

### **3. RBMP and PP in Hungary**

Hungary has a long tradition in water management planning. For planning purposes, 33 river sub-catchment area districts were identified in 1996 by the Ministry of Transport and Water Management. Half of these districts are situated totally within Hungary, the other half are transboundary of character.

On the basis of the guidelines elaborated in 1997, 7 river basin management plans were completed. This Guidelines required two-step consultation process. According to the Hungarian Guideline, it was required to organise first an interim meeting with the involved authorities and institutions and later open-meetings were organised with the representatives of the broad public. The elaborated RBMPs met great part of the requirements of the WFD, both in taking as a basis the river basins and in mentioning the importance of the public participation. In the planning process of all 7 river basins was elaborated public participation, and in great percent it could be mentioned as successful. The participants, mostly the representatives of the self-governments and other public institutions, recognized the importance of these plans, and facilitated the process with their knowledge.

According to the geographical location of Hungary, the international RBMPs have an important role. There are a lot of bilateral elaborated and ongoing planning processes, but the most complex is the Danube River Pollution Reduction Programme (DRPRP) and the Strategic Action Plan (SAP) for the Danube River Basin. This plan presents a group of hot spots and projects and measures that respond to identify pollution and transboundary effects in the Danube River Basin and the Black Sea. The list of projects for the pollution reduction has been agreed within the countries as well as in the sub-basin areas and in the whole basin area.

An important ongoing public participation project is the Dialogue on the Implementation of the WFD in the Agricultural Sector. This Dialogue process has three levels: the global, the CEE and the national level. The general objective of the Dialogues meets the objective of the WFD – to achieve the good status of the waters by 2015. The specific objective is the successful implementation of the EU WFD in the field of agricultural water management by involving all stakeholders to the planning and execution process. The members of the consortium of the Hungarian Dialogue are the two Ministries responsible for water issues (Ministry of Agriculture and Rural Development and the Ministry of Environment and Water), the WWF Hungary, the ICID Hungarian National Committee, the National Union of Water Management Associations and the 72 Water Management Association. The Dialogue is supported by the Budapest University of Technology and Economics and the Hungarian Hydrological Society.

## **The Netherlands - “(Not) everybody's business”**

By Bert Enserink, Dille Kamps and Eric Mostert

### *Development*

Public participation (PP) in Dutch water management is the result of both practical exigencies and ideology. It started some one thousand years ago when the local landowners started to drain the low-lying marshy parts of the country and improve flood protection. These activities created new drainage and flood protection problems and soon larger-scale infrastructural works became necessary. To oversee their construction and management, regional waterboards and local polder boards were established. These consisted of the landowners themselves, since only the collectivity of the landowners had the means and the interest to take on this huge task.

In the 19<sup>th</sup> Century, the period of high liberalism, government introduced some limited consultation requirements were introduced as a means for citizens to protect their (property) rights.

In the 1960's and 1970's, PP got a new impetus as part of the movement towards more democracy. Some interesting experiments high level PP took place and later PP requirements were written down in different laws. PP was most notable in the field of spatial planning; water management lagged behind.

Around 1980 there was a general crisis in Dutch PP. The economy was in a dip, PP was seen as hindering investments, and most PP at the time was not very effective anyway. The experiments were cancelled and the formally required PP was limited to consultation in a late phase. At PP meetings either nobody showed up or many showed up but only to protest– the only reasonable thing they could do.

In the 1990s new forms of PP started to develop, called "open planning" or "interactive decision-making". The public started to be involved actively in decision-making from an early phase onwards in order to prevent opposition and delays in the implementation phase and improve the quality of the decisions. With a little delay, these ideas also gained ground in the water management sector.

### *Recent experiences*

To obtain a better view on the state of the art in PP, four cases were studied in some detail:

- The Long-term vision (LTV) for the Dutch-Flemish Scheldt Estuary
- ABC Delfland: reducing water logging and flooding in the area around Delft)
- Dalmsholte: setting the target ground- and surface water level in a small rural area
- Meer Visie: developing an integrated vision for the IJsselmeer, the biggest Dutch lake

In the LTV case the participants involved did learn a lot about the issues at stake, and the relations between The Netherlands and Flanders were good. However, the issues had been defined in a restrictive way, excluding some issues that would be important for implementing the LTV. Partly as a result of this, many stakeholders, such as local authorities and environmental NGOs, were not actively involved but only informed.

The ABC-Delfland case is an example of successful consultation but not of active involvement. The waterboard in the area first made an inventory of all issues related to drainage and flood protection of the area. Interviews were held, mostly with representatives from local authorities because of their key role in implementing solutions with spatial planning repercussions. Moreover, a workshop was held. Next the waterboard developed ten alternatives. These were subsequently discussed in three workshops: one with the board members of the waterboard, one with representatives from the municipalities, and one with the other stakeholders. This division clearly limited the possibilities for discussions between and joint learning by these different groups. In addition, seven information meetings were organised for everybody interested, which were well-attended. The waterboard took

the reactions into account in the final ABC-Delfland plan, and only two appeals were lodged against the plan.

In the Dalmsholte case two workshops were organised, the first one with the local farmers and the second one, two weeks later, with the same farmers and board members of the waterboard. The purpose of the workshops was to inform the farmers about the approach chosen, to use the knowledge of the farmers and to increase support for future measures by the waterboard. Although the farmers did appreciate that they were heard, no agreement with the waterboard was reached and they doubted that their input would be taken into account.

In the Meer Visie case one workshop was organised with all stakeholder groups. The purpose was to find out the reactions to the concept integrated vision for Lake IJssel and generate support for the final version of the vision. At the workshop a role-play was played and a questionnaire was filled in, on the basis of which a stakeholder analysis was made. The role-play resulted in increased understanding of each other's position and reduced the potential for conflicts.

Looking at these four cases and also considering other experiences in The Netherlands, the conclusion must be that several (or even "many") examples of effective PP exist, but PP is usually limited. There are some examples of real "co-production" exist, often initiated not by government but by the stakeholders themselves, but they are rare. Nearly all PP efforts focus on the organised stakeholders. Sometimes information is given to the "general public", during the formal PP organised in a late phase they may send in comments, but they are usually not actively involved.

#### *Implementing the Water Framework Directive*

Like all EU member states, The Netherlands are now busy implementing the European Water Framework Directive. Until now, stakeholders have not been involved much in this, but recently stakeholder advisory boards have been formed at the national level and the river basin district level. In the past platforms existed where both the authorities and stakeholders could discuss management together, but these have been abolished in order to "clarify responsibilities" and prevent endless discussions. Much emphasis is put on informing the public and on achieving acceptance of or even support for government policy; less emphasis is put on listening to the public or on sharing responsibility for the implementation.

However, the implementation of the "active participation" requirement of the Water Framework Directive has not yet crystallised completely. In some regions there is a real wish to involve the public or at least the organised stakeholders more actively, and especially at the local level this is also happening in some places. The main problem for many is how to organise active involvement and how to keep the number of participants manageable.

## Spain - “Reflecting changes in external and self-created context”

By Josefina Maestu

**Political and economic ideologies have impacted PP in water policy** in Spain over the last one hundred years; this explain the levels and kinds of public participation which each of the different stages sustained. It is the changes in the external context over time which have been shaping who participates and how. Fragments of earlier ideologies and management approaches can be found in the positions, which are taken up by different interest groups today and in the attitudes and practices of the River Basin Planning and Management agencies. PP has played and plays an important role all along as “instrument” and **apparently less as “driver” of change.**

Users initially “gave themselves” the opportunity to be involved (as co-founders). Up-scaling of interventions in the early 20<sup>th</sup> Century made it necessary to incorporate “organized users” through syndicates and other associations of economic or social interests, rather than individual users affected by specific projects. The RBAs later have promoted this involvement and the collective representation of users as “financial” contributors towards building necessary “collective” infrastructures. As direct contributors and interested parties the presence of users went beyond financial support and extended to management of infrastructures where allocation decisions are taken and controlling the building decision process to insure low costs. The complex intersectoral multi-scale nature of River Basin planning has also led in Spain to development of specific coordination commissions. There are, in some cases, some formulas of coordination mainly of “administrations” but also, in cases, including other stakeholders. Inclusion of stakeholders is more common in specific single issue coordination such as the regional price commissions.

Early on, RBM has built on and integrated the existing model of **the water user associations (dating back to Roman and Arab times)**. The reasons for involvement have been, among others, the need to “facilitate” government intervention through “intermediate organized structures” that could act both as interlocutors with many individual farmers and **as implementers and part of the executive arm of policy**. This led to the WUA having an important role and although their role in RBAs participated bodies today is advisory, they have co-decision-making and decision-making power, through juries and administrative decisions at local level. This is supported by the River Basin Authorities. As “public entities” they assume administrative powers of enforcement (with the tutelage of the RBAs). The participation and decision rules inside the associations are well established in tradition and formal statutes (and subject to oversight of the RBAs).

The involvement of stakeholders representing “socio-economic interests” or “general interests” (in addition to existing users) was justified very early on, where projects had social objectives or in new colonization projects with no users yet. The consideration of social objectives and the implications of actions for sectoral Departments and Ministries have meant the involvement of stakeholders such as regional administrations (in parallel to the decentralization process) and sectoral departments of Central Government Ministries. **Participation of the public is then always “indirect” and made operational though government agencies or by casting them as “members of stakeholders groups”**. There has been a **very slow and limited incorporation of ecologist representation and other consumer protection associations**, as part of the socio-economic interests, and this only in planning advisory bodies in the National and River Basin Water Councils.

The level of involvement has varied from consultation, discussion, and information with some level of co-decision-making in the RBWC to co-designing and **co-decision-making (active involvement) in the management commissions of the RBAs and in/by the users associations**. Over time, decision-making rules in RBAs have been regulated and it includes provisions today where the role of stakeholders in decision making at RBM scale is mainly advisory. This is related to considerations that it is the governments’ responsibility to be involved in decision-making. Decisions or agreements in the participating bodies can then be overruled often by the Basin President or the Commissar. Still

there is a tacit understanding that this procedure should be avoided and that consensus/majority votes (considering minority votes) should be the basis of decisions in the context of RBAs. This is especially the case in those Basin Commissions where decisions affect directly beneficiaries (water allocation or RBA taxes) and where, of course, “consensus” will improve the possibility of solutions being accepted as positive.

The issues at stake have **prevented public participation in “regulatory” functions** of the River Basin Authorities in Spain. In general there is no PP either in organizations providing urban water services (local water distribution, sewage and wastewater treatment) when these are provided through a specialized public or private company. There are some **concerns and dilemmas** confronted by different governmental bodies about PP. They need to decide where the **legitimacy of decision resides within the system of Parliamentary Democracy**; with the elected national and local governments or with specialized participating forums, and what implications do the different answers have for PP practices in river basin authorities? The advisory role of these bodies, their composition (with an important presence of public or appointed officials) and the relational practices where majority vote rules, reflect these concerns. Still it is important to note that consensus decisions are pursued and otherwise quality and minority votes considered in decision-making and in allegations. This is specially the case in management commissions such as the dam commissions and other river basin advisory bodies where RBAs Presidents try to avoid overruling decisions of participatory bodies. There are also dilemmas where government and river basin managers **see their role as “integrative” and, considering wider goals of spatial balance and equity**, and where decisions clearly affect specific regions and/or some representatives of specialized groups. Existing decision-making rules facilitate that governmental decisions prevail but this model also affects relationships and the ability of RBAs to work in the day-to-day management and governing decisions. The consideration of minority votes and the thorough considerations and analysis of responses to draft plans has not always led to consensus decisions at the end of the process. There are also concerns about **the confidentiality of some information and procedures** carried out by government and how much this can be subject to PP. This is an issue especially relevant where the WFD is increasing the level of transparency of information on issues such as polluters and economic analysis (cost recovery and economic importance of water uses).

There has been some **cross-learning between different policy fields**. Some of the “public information” and formal response procedures in River Basin Planning (in the context of the Water Councils) has parallels with the procedure of public information and the consideration of allegations in urban land-use plans, which is generalized in all municipalities and has a long standing tradition. The more recent PP experiences in the context of Urban, Agenda 21 and some of the structural fund programs (Leader, Territorial Pacts and Equal) has not so clearly filtered into the Public Participation processes in River Basin Authorities (or at National level).

*The multiplication of new PP experiences shows an increasing interest in PP away from main formal decision-making forums and drawing in part from PP experiences in other fields. The new experiences are “often” more ambitious and less concrete in their objectives aiming at confronting and making explicit existing problem frames of different actors as well as observing how some overlap and even fit together. The protagonists at these events report important relational outcomes, changing perceptions and relationships with government, because of being heard (beyond elections), as was not the case before. They are experiences of open government and enhancing democracy. They report improved working relationships and increased practical collaboration between consumer and ecologist groups and governmental offices. Perhaps a most important lesson relates to the generation of models of the possible additional “public administration” role in RBM as conveners and as facilitators and less as Chairman’s and proposers of specific “solutions” to be accepted or rejected by other stakeholders.*

The extent to which lessons about the “quality of relational practices” are explicitly “learnt” is an open question. In the context of a community of practice that at all levels is dominated by the “technical professions”, mainly concerned with “solving the problems, lessons are embedded in the

personal experience of the leaders/facilitators but do not become more widely/shared or considered. The consequence is that framing decisions as 'technical' makes them undiscussable and if relational practices are not considered creating adversarial and win-lose situations can endanger the possibilities of moving towards coordinated and consensual policy change which is necessary to implement the WFD, and contributes to questioning the legitimacy of existing long standing participating bodies and hence to destroying social capital.

The implementability of the river basin plans of the WFD, aiming to preventing deterioration and to restoration of ecological water quality, would depend critically of the active participation of the local and river basin organised stakeholders and the water community, but also the general civil society. This requires in Spain moving away from the general perceptions of the state (or other competent authorities) having to solve all problems and take all initiatives in water management (and where debates are focused on state actions or lack of action) and change towards development of greater civil society and personal individual responsibility for the status of water in river basins.