



**GUIDANCE ON PUBLIC PARTICIPATION IN RELATION TO THE
WATER FRAMEWORK DIRECTIVE**

**Active involvement,
Consultation, and
Public access to information.**

This document goes with 3 annexes:

- 1: participation techniques;**
- 2: examples of public participation in water management projects;**
- 3: members of the drafting group and other contributors.**

Foreword

The EU Member States, Norway and the European Commission have jointly developed a common strategy for supporting the implementation of the Directive 2000/60/EC establishing a framework for Community action in the field of water policy (the Water Framework Directive). The main aim of this strategy is to allow a coherent and harmonious implementation of this Directive. Focus is on methodological questions related to a common understanding of the technical and scientific implications of the Water Framework Directive.

One of the main short-term objectives of the strategy is the development of non-legally binding and practical guidance documents on various technical issues of the Directive. These guidance documents are targeted to those experts who are directly or indirectly implementing the Water Framework Directive in river basins. The structure, presentation and terminology are therefore adapted to the needs of these experts and formal, legalistic language is avoided wherever possible.

In the context of the above-mentioned strategy, an informal working group dedicated to the issues of public participation of the Water Framework Directive has been set up in October 2001, under working group 2.9 (on the Best practices in river basin management planning). The Netherlands, Spain and the Commission are responsible for the secretariat and animation of the working group that is composed of experts from governmental and non-governmental organisations.

The present guidance document is the outcome of the informal working group on Public Participation. It contains the synthesis of the output of the group activities and discussions that have taken place since October 2001. It builds on the input and feedback from a wide range of experts and stakeholders that have been involved throughout the process of guidance development through meetings, workshops or electronic communication media, without binding them in any way to its content.

We, the water directors of the European Union, Norway, Switzerland and the countries applying for accession to the European Union, have examined and endorsed this guidance during our informal meeting under the Danish Presidency in Copenhagen (21/22 November 2002). We would like to thank the participants of the Working Group and, in particular, the leaders, the Netherlands and Spain, for preparing this high quality document.

We strongly believe that this and other guidance documents developed under the Common Implementation Strategy will play a key role in the process of implementing the Water Framework Directive.

This guidance document is a living document that will need continuous input and improvements as application and experience build up in all countries of the European Union and beyond. We agree, however, that this document will be made publicly available in its current form in order to present it to a wider public as a basis for carrying forward ongoing implementation work.

Moreover, we welcome that several volunteers have committed themselves to test and validate this and other documents in the so-called pilot river basins across Europe during 2003 and 2004 in order to ensure that the guidance is applicable in practice.

We also commit ourselves to assess and decide upon the necessity for reviewing this document following the pilot testing exercises and the first experiences gained in the initial stages of the implementation.

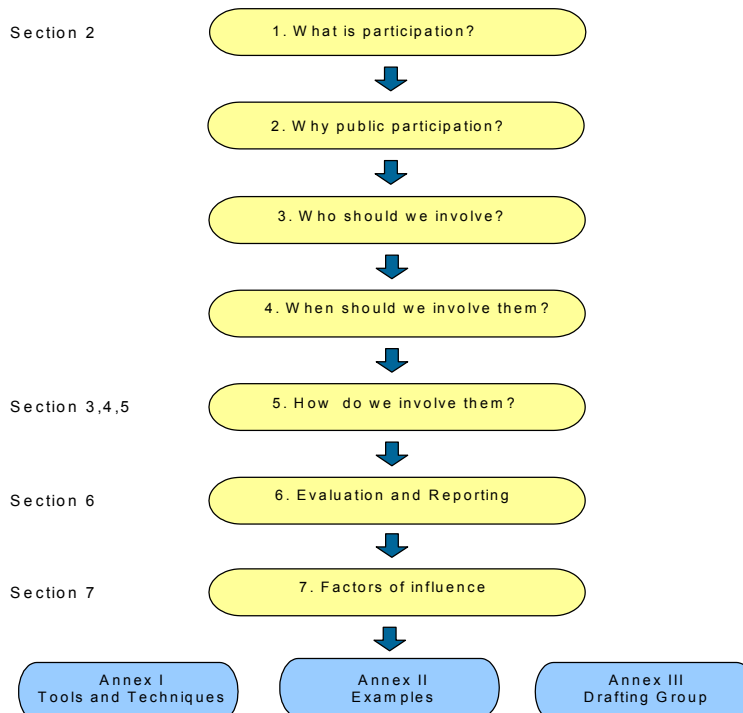
Executive summary

Purpose of this guidance document

This guidance document aims at assisting competent authorities in the Member States and Accession Countries with the implementation of Article 14 of the Water Framework Directive about Public Participation. This document can also benefit stakeholders and general public by informing them about the public participation process, encouraging them to engage in river basin management planning explaining what can be expected and outlining opportunities. This guidance is horizontal guidance since it is of concern to most activities under the Common Implementation Strategy for the Water Framework Directive.

This advisory and non-binding document has been developed by an informal European drafting group of experts and stakeholders under working group 2.9: Best Practices in River Basin Planning in the context of the Common Implementation Strategy for the Water Framework Directive. A list of members of the drafting group and contributing authors can be found in Annex III of this guidance.

What can you find in this document?



This guidance starts with creating a *common understanding* regarding the meaning of public participation in the context of the Water Framework Directive (**Section 2**). Public participation can generally be defined as allowing people to influence the outcome of plans and work-

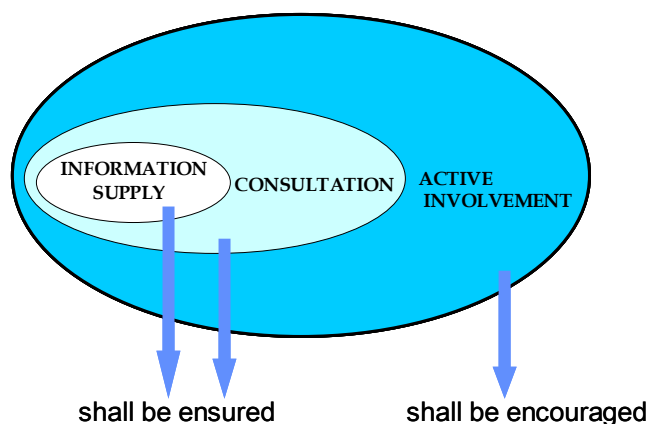
ing processes. It is a means of improving decision-making, to create awareness of environmental issues and to help increase acceptance and commitment towards intended plans. Public participation for the implementation of the Directive is recommended at any stage in the planning process, from the Article 5 requirements to the Programme of Measures and the design of the River Basin Management Plan.

After setting out a common understanding of public participation in the context of the Directive, the guidance gives specific help on how to implement public participation in the different steps of the management process. The general planning steps to be undertaken are indicated in **section 2.8** and elaborated for public participation in **Sections 3, 4 and 5**.

Although the phrase “public participation” does not appear in the Directive, three forms of public participation with an increasing level of involvement are mentioned:

- information supply;
- consultation;
- active involvement.

According to the Directive, the first two are to be ensured, the latter should be encouraged. Although the Directive does not require active involvement, this guidance shows how active involvement can be very useful for reaching the objectives of the Directive. These three forms can be interpreted as being “public participation”, although public participation usually covers a wider range of activities than prescribed by the Directive.



Who should we involve? The Directive is prescriptive in the sense that at least stakeholders (i.e. interested parties) should be involved when dealing with active involvement and also the public when dealing with consultation. Background information should be available at any time for anyone. A stakeholder analysis as described in **Annex I** will help to identify the stakeholders “who have something at stake” in the process and could be involved. A stakeholder will generally have an interest in an issue because he/she or it is either affected or may have some influence.

To avoid disappointing the parties involved it is very important to make clear which form of public participation is dealt with and what the role of those involved is. Also it should be borne in mind that Member States are responsible for the public participation process since they are responsible for achieving the objectives of the Directive. A clear signal should be given that *no blue-print exists for public participation* and that the public participation process should be organized and adapted to national, regional and local circumstances. **Annex I** gives examples of *tools and techniques*, which support the process in a practical way. Ingredi-

ents for organizing a public participation process are given in the main text of this guidance. **Annex II** gives several *examples* of public participation that are related to different scales and different forms of public participation. Collectively, this information should make it possible to design a tailor-made public participation process at any level in the River Basin District.

With regard to *timing* (**Section 2.6 and 2.8**) public participation should be started early in the river basin planning, today rather than tomorrow in order to establish a good public participation process and allow integration of ideas, comments and input from stakeholders along the way. Moreover, early involvement will most likely prevent the competent authority from ending up with a river basin management plan on which no consensus can be achieved by 2009. The Directive mentions the following deadlines concerning consultation (with a repetitive cycle of 6 years for future river basin management plans):

December 2006 at the latest July 2007	Time table and work programme for the production of the plan, including a statement of the consultation measures to be taken; Comments in writing.
December 2007 at the latest July 2008	Interim overview of the significant water management issues identified in the river basin; Comments in writing.
December 2008 at the latest July 2009	Draft copies of the river basin management plan available; Comments in writing.
December 2009 at the latest	Start implementation of the plan.

The *scale* (**Section 2.7**) at which public participation should take place is not pre-determined. At a local scale the effects of management will be felt more directly and more responses from public and (local) stakeholders can be expected. This input can be aggregated to a higher level to take advantage of local knowledge at river basin or river basin district level. Sometimes the focus should be on a wider area than the one where public participation is undertaken, for example when dealing with measures.

In **Section 3** the significance and practical approach of *active involvement* is elaborated in relation to steps in the planning of the implementation of the Directive. Early active involvement for the identification of the River Basin will raise awareness while involvement in characterization of the River Basin District will also help to collect data, information and experiences from stakeholders and to identify conflicts or establish common understanding. For the Programme of Measures active involvement is particularly important since it will most likely improve the effectiveness of the implementation and contribute to delivery in the long term.

Section 4 addresses the *3-step consultation* that is foreseen in the Directive (see also table above), trying to indicate practical issues that need to be dealt with when organizing a consultation process, either a written or oral consultation process. One of the messages here is the need for clarity about who is being consulted and about what issues and the need for concise information or documents, which will be subject to consultation. Examples of tools for supporting the consultation process can be found in Annex I. Processing comments received and using this input for improvement of the River Basin Management Plan requires a good management plan. Finally it is very important to give feedback to participants.

Access to information and background documents should be secured by the competent authorities. **Section 5** addresses questions like what kind of information should be available, in what way and who will be the one maintaining and disseminating this information. As a minimum the background documents should include all the documents that are summarised in the River Basin Management Plan. Usually on-line information like Internet or e-mail and off-line information like meetings are combined to inform stakeholders and public. One suggestion is to create one central information or knowledge centre in a river basin responsible for information management and dissemination.

During the whole process of public participation *iterative reporting and evaluation* are important tools to make the process transparent for participants. Therefore evaluation should be integrated with the public participation process. In **Section 6** indicators are mentioned that will help reporting and evaluation.

Finally the competent authority (who will often be the manager of the process) should be aware of the fact that any form of public participation requires *capacity building and investment* in order to build relations and understanding between different stakeholders. These and other factors which will help enable a learning approach to public participation are explored in **Section 7**.

A well-managed public participation process is not free of costs and demands time and energy, but it will pay off in the end. Public participation is not an end in itself but a tool to achieve the environmental objectives of the Water Framework Directive. Trust, transparency of process and good management of expectations will help to achieve good participation.

Now just do it!

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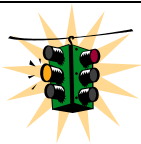
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Annexes:

- 1: Tools and techniques;
- 2: Examples of public participation in water management projects
- 3: Members of the drafting group and other contributors

Introduction - A Guidance Document: What For?



Look out! What you will not find in this guidance document!

The guidance document will not provide you with a manual how to exactly perform public participation in your country.

Why? Political, organisational and cultural contexts vary a lot from one Member State or Accession country to another and will influence methodologies for public participation. Therefore one blueprint for all States is not possible.

This document focuses on the implementation of public participation in the broader context of the development of integrated river basin management plans as required by the Water Framework Directive.

Public participation is a subject that concerns different steps and phases in the implementation of the Directive and applies to most activities under the Common Implementation Strategy. This guidance is therefore a *horizontal* guidance.

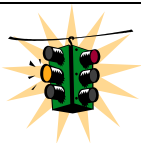
To whom is this guidance document addressed?

Member States and Accession countries

To create a common understanding and provide guidelines and examples of how to make public participation operational in order to improve the decision making process when implementing the Directive in general, and when developing river basin management plans.

Competent authorities of river basin districts

To support and provide guidance in practice on how, when and at which level to involve the public, water users and stakeholders in order to increase transparency and participation in developing river basin management plans.

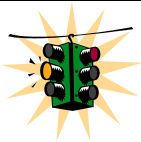


Look out! Target group of the document.

This document aims at guiding **the competent authorities in the Member States and Accession countries** in the implementation of Article 14 of the Water Framework Directive.

Stakeholders

To provide a resource in order to support successful participation in water management and successful input into river basin management plans.



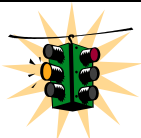
Look out! It also benefits stakeholders and the public! The document:

- explains why stakeholders should engage in river basin management planning and what can be expected by them and the general public: to voice opinions and concerns about future decisions, to ensure that relevant locally-held knowledge finds its way to the right decision platform,
- outlines practical opportunities and approaches for engaging at different levels and at different stages of planning,
- clarifies, that this is a new process and a new form of partnership, which requires patience and mutual trust.

What can you find in this document?

The document

- aims at creating a common understanding with regard to public participation in the Directive and its benefits in order to increase transparency and participation in developing river basin management plans,
- provides guidelines by explaining the requirements of the Directive with regard to the implementation steps and stages of river basin management planning and by analysing the possibilities the Directive offers,
- provides tools, examples and experiences of how to make public participation operational.

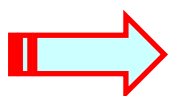


Look Out! The methodology from this EU Guidance Document must be adapted to national, regional and/or local circumstances.

This is an EU guidance document on public participation. It aims to provide general principles and will need to be tailored according to political, organisational, cultural and physical contexts in each Member State and Accession country.

Some Member States have already decided to “translate” this guidance document into a national guidance paper on public participation in the context of the Water Framework Directive.

... And Where?



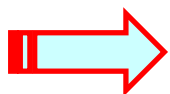
The role of public participation in the Water Framework Directive

Section 2 – What is public participation? Which role for public participation in the Directive? Why bother doing public participation? **Annex I**: Public participation techniques.



Public participation in the planning steps

Section 2 – Public participation in the planning steps. Ensuring coherency with the overall implementation process.



How do we involve them? Tools and techniques for public participation

Section 3 - active involvement of all interested parties. **Section 4** – consultation. **Section 5** - access to information and background documents. What do you need to do? And what do you need to do by 2004? **Annex II** – Examples of public participation in water management projects. **Annex III** – Lists and contacts of the Public Participation group



Reporting the results of public participation

Section 6 – How to report on and evaluate the processes of public participation in River Basin Management? **Section 7** – Developing a learning approach to public participation.

Section 1 – Implementing the Directive: Setting the Scene

This Section introduces you to the overall context for the implementation of the Water Framework Directive and informs you of the initiatives that led to the production of this Guidance Document.

December 2000: A Milestone For Water Policy

A long negotiation process

December 22, 2000, will remain a milestone in the history of water policies in Europe: on that date, the Water Framework Directive (or the Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy) was published in the Official Journal of the European Communities and thereby entered into force!

This Directive is the result of a process of more than five years of discussions and negotiations between a wide range of experts, stakeholders and policy makers. This process has stressed the widespread agreement on key principles of modern water management that form today the foundation of the Water Framework Directive.

The Water Framework Directive: new challenges in EU water policy

What is the purpose of the Directive?

The Directive establishes a framework for the protection of all waters (including inland surface waters, transitional waters, coastal waters and groundwater) which:

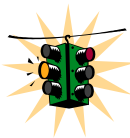
- Prevents further deterioration of, protect and enhance the status of water resources;
- Promotes sustainable water use based on long-term protection of water resources;
- Aims at enhancing protection and improvement of the aquatic environment through specific measures for the progressive reduction of discharges, emissions and losses of priority substances and the cessation or phasing-out of discharges, emissions and losses of the priority hazardous substances;
- Ensures the progressive reduction of pollution of groundwater and prevents its further pollution; and
- Contributes to mitigating the effects of floods and droughts.

...and what is the key objective?

Overall, the Directive aims at achieving good water status for all waters by 2015.

What are the key actions that Member States need to take?

- To identify the individual river basins lying within their national territory and assign them to individual River Basin Districts (RBDs) and identify competent authorities by 2003 ([Article 3](#), [Article 24](#));
- To characterise river basin districts in terms of pressures, impacts and economics of water uses, including a register of protected areas lying within the river basin district, by 2004 ([Article 5](#), [Article 6](#), [Annex II](#), [Annex III](#));
- To carry out, jointly and together with the European Commission, the intercalibration of the ecological status classification systems by 2006 ([Article 2 \(22\)](#), [Annex V](#));
- To make operational the monitoring networks by 2006 ([Article 8](#));
- Based on sound monitoring and the analysis of the characteristics of the river basin, to identify by 2009 a programme of measures for achieving the environmental objectives of the Water Framework Directive cost-effectively ([Article 11](#), [Annex III](#));
- To produce and publish River Basin Management Plans (RBMPs) for each RBD including the designation of heavily modified water bodies, by 2009 ([Article 13](#), [Article 4.3](#));
- To implement water pricing policies that enhance the sustainability of water resources by 2010 ([Article 9](#));
- To make the measures of the programme operational by 2012 ([Article 11](#));
- To implement the programmes of measures and achieve the environmental objectives by 2015 ([Article 4](#));

**Look Out!**

Member States may not always reach good water status for all water bodies of a river basin district by 2015, for reasons of technical feasibility, disproportionate costs or natural conditions. Under such conditions that will be specifically explained in the RBMPs, the Water Framework Directive offers the possibility to Member States to engage into two further six- year cycles of planning and implementation of measures.

Changing the management process – information, consultation and participation

[Article 14](#) of the Directive specifies that Member States shall encourage the active involvement of all interested parties in the implementation of the Directive and development of river basin management plans. Also, Member States will inform and consult the public, including users, in particular for:

- The timetable and work programme for the production of river basin management plans and the role of consultation at the latest by 2006;
- The overview of the significant water management issues in the river basin at the latest by 2007;
- The draft river basin management plan, at the latest by 2008.

Wetlands

Wetland ecosystems are ecologically and functionally parts of the water environment, with potentially an important role to play in helping to achieve sustainable river basin management. The Water Framework Directive does not set environmental objectives for wetlands. However, wetlands that are dependent on groundwater bodies, form part of a surface water body, or are Protected Areas, will benefit from WFD obligations to protect and restore the status of water. Relevant definitions are developed in CIS horizontal guidance documents water bodies and further considered in guidance on wetlands.

Pressures on wetlands (for example physical modification or pollution) can result in impacts on the ecological status of water bodies. Measures to manage such pressures may therefore need to be considered as part of river basin management plans, where they are necessary to meet the environmental objectives of the Directive.

Wetland creation and enhancement can in appropriate circumstances offer sustainable, cost-effective and socially acceptable mechanisms for helping to achieve the environmental objectives of the Directive. In particular, wetlands can help to abate pollution impacts, contribute to mitigating the effects of droughts and floods, help to achieve sustainable coastal management and to promote groundwater recharge. The relevance of wetlands within programmes of measures is examined further in a separate horizontal guidance paper on wetlands."

Integration: a key concept underlying the Water Framework Directive

The central concept to the Water Framework Directive is the concept of *integration* that is seen as key to the management of water protection within the river basin district:

- **Integration of environmental objectives**, combining quality, ecological and quantity objectives for protecting highly valuable aquatic ecosystems and ensuring a general good status of other waters;
- **Integration of all water resources**, combining fresh surface water and groundwater bodies, wetlands, coastal water resources **at the river basin scale**;
- **Integration of all water uses, functions and values** into a common policy framework, i.e. investigating water for the environment, water for health and human consumption, water for economic sectors, transport, leisure, water as a social good;
- **Integration of disciplines, analyses and expertise**, combining hydrology, hydraulics, ecology, chemistry, soil sciences, technology engineering and economics to assess current pressures and impacts on water resources and identify measures for achieving the environmental objectives of the Directive in the most cost-effective manner;
- **Integration of water legislation into a common and coherent framework**. The requirements of some old water legislation (e.g. the Fish water Directive) have been reformulated in the Water Framework Directive to meet modern ecological thinking. After a transitional period, these old Directives will be repealed. Other pieces of legislation (e.g. the Nitrates Directive and the Urban Wastewater Treatment Directive) must be co-ordinated in river basin management plans where they form the basis of the programmes of measures;
- **Integration of all significant management and ecological aspects** relevant to sustainable river basin planning including those which are beyond the scope of the Water Framework Directive such as flood protection and prevention;
- **Integration of a wide range of measures, including pricing and economic and financial instruments, in a common management approach** for achieving the environmental objectives of the Directive. Programmes of measures are defined in **River Basin Management Plans** developed for each river basin district;
- **Integration of stakeholders and the civil society in decision making**, by promoting transparency and information to the public, and by offering an unique opportunity for involving stakeholders in the development of river basin management plans;
- **Integration of different decision-making levels that influence water resources and water status**, be local, regional or national, for an effective management of all waters;
- **Integration of water management from different Member States**, for river basins shared by several countries, existing and/or future Member States of the European Union.

WHAT IS BEING DONE TO SUPPORT IMPLEMENTATION?

Activities to support the implementation of the Water Framework Directive are under way in both Member States and in countries candidate for accession to the European Union. Examples of activities include consultation of the public, development of national guidance, pilot activities for testing specific elements of the Directive or the overall planning process, discussions on the institutional framework or launching of research programmes dedicated to the Water Framework Directive.

May 2001 – Sweden: Member States, Norway and the European Commission agreed a Common Implementation Strategy

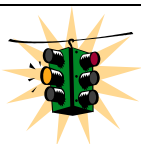
The main objective of this strategy is to provide support to the implementation of the Water Framework Directive by developing coherent and common understanding and guidance on key elements of this Directive. Key principles in this common strategy include sharing information and experiences, developing common methodologies and approaches, involving experts from candidate countries and involving stakeholders from the water community.

In the context of this common implementation strategy, a series of working groups and joint activities have been launched for the development and testing of non-legally binding guidance (see [Annex I](#)). A strategic co-ordination group oversees these working groups and reports directly to the water directors of the European Union and Commission that play the role of overall decision body for the Common Implementation Strategy.

The 2.9 Working Group and drafting group on public participation

A drafting group has been created under working group 2.9 Best Practices in River Basin Planning for dealing specifically with public participation. The main short-term objective of this drafting group was the development of a non-legally binding and practical guidance for supporting the integration of public participation in the implementation of the Water Framework Directive. The members of the drafting group are policy makers, technical experts and stakeholders from European Union Member States and international NGO's (unfortunately no candidate countries to the European Union were involved).

To ensure an adequate input and feedback during the guidance development phase from a wider audience, and to evaluate earlier versions of the guidance document, national consultation rounds have been organized by several Member States. The drafting group has organised an international workshop.



Look out! You can contact the experts involved in the public participation activities

The list of the members of the drafting group with full contact details can be found in [Annex III](#). If you need input into your own activities, contact a member from the group in your country. If you want more information on specific examples of public participation in water management projects, you can also contact directly the persons in charge of carrying out these studies.

Developing the guidance document: an interactive process

Within a very short time period, a number of experts and stakeholders have been involved at varying degrees in the development of this Guidance Document. The process for their involvement has included the following activities:

- *Three workshops of the experts and stakeholder members of the drafting group;*
- *Some Member States organized national consultation rounds to collect comments on the draft guidance version 1.1 (270802);*
- *Organisation of an international workshop to present and discuss the activities and output of the drafting group with not previously involved experts and stakeholders. To discuss the comments of the national consultation rounds (October 2002 – Amsterdam, the Netherlands);*
- *Interactions with experts from other working groups of the Common Implementation Strategy, via the members of the drafting group on a national basis.*

Annex III provides the names of the members of this drafting group and of other contributors, and a list of activities of the Drafting Group.

Follow up activities

The activities of the working group dedicated to public participation will not stop with the endorsement of this guidance by the Water Directors in Copenhagen (November 2002). The coming about of this guidance allowed setting up a whole network of experts from several Member States. This network will still continue to follow the implementation of the guidance and contribute to integrating public participation in the decision making process. Thus, several future activities are been already identified as follows, but other developments could appear in later stages.

From the beginning of 2003 to 2005, the guidance documents produced by the different working groups under the Common Implementation Strategy will be tested in a range of pilot river basins through the European Community, to assess the practicability of all the guidance documents and the coherence between them. The issues related to 2004 steps will be tested first (2003-2004), the issues related to later steps being tested afterwards. The so-called « horizontal guidances », will be tested in all the pilot river basins in the first phase. This guidance on public participation is likely to be tested as such. To help the pilot river basins to test the guidance on public participation, a specific and more practical format will be elaborated. This format-document will provide a pragmatic approach to the issues that the pilot river basins have to take care of with respect to public participation; it will be prepared for the end of 2002 in co-operation with the working group on Pilot River Basin Testing.

It has to be underlined that the testing exercise will involve a range of stakeholders (and also the general public in certain cases) in the pilot river basins. It will provide the basis for a concrete testing of tools proposed in Annex 1 and for readjustment of these if necessary.

Section 2 – Introduction to Public Participation in River Basin Management

2.1 The Public Participation provisions of the Directive

Public participation plays a key role in the Water Framework Directive. This section discusses the different provisions of the Directive. The box below gives the relevant text from the Directive Of these texts Article 14 plays a leading role.

Preamble 14

(14) *The success of this Directive relies on close cooperation and coherent action at Community, Member State and local level as well as on information, consultation and involvement of the public, including users.*

Preamble 46

(46) *To ensure the participation of the general public including users of water in the establishment and updating of river basin management plans, it is necessary to provide proper information of planned measures and to report on progress with their implementation with a view to the involvement of the general public before final decisions on the necessary measures are adopted.*

Article 14

Public information and consultation

1. *Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the production, review and updating of the river basin management plans. Member States shall ensure that, for each river basin district, they publish and make available for comments to the public, including users:*

- (a) *a timetable and work programme for the production of the plan, including a statement of the consultation measures to be taken, at least three years before the beginning of the period to which the plan refers;*
- (b) *an interim overview of the significant water management issues identified in the river basin, at least two years before the beginning of the period to which the plan refers;*
- (c) *draft copies of the river basin management plan, at least one year before the beginning of the period to which the plan refers.*

On request, access shall be given to background documents and information used for the development of the draft river basin management plan.

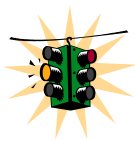
2. *Member States shall allow at least six months to comment in writing on those documents in order to allow active involvement and consultation.*

3. *Paragraphs 1 and 2 shall apply equally to updated river basin management plans.*

(this box continues to the next page)

Annex VII
RIVER BASIN MANAGEMENT PLANS

- A. *River basin management plans shall cover the following elements:*
- ...
9. *a summary of the public information and consultation measures taken, their results and the changes to the plan made as a consequence;*
11. *the contact points and procedures for obtaining the background documentation and information referred to in Article 14(1), and in particular details of the control measures adopted in accordance with Article 11(3)(g) and 11(3)(i) and of the actual monitoring data gathered in accordance with Article 8 and Annex V.*



Look Out! Public Participation in relation to the Directive

As indicated by the title, this guidance elaborates public participation in relation to the Directive and with the corresponding prescriptions. Public participation in general is however a process of which no blueprint exists and which needs to be designed according to the needs with the available means and tools. For the benefit of the results it can be wise to look further than minimum requirements.

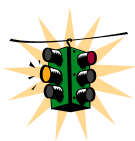
Preamble 14 highlights the fact that public participation will contribute to the overall success of the Directive. Preamble 46 emphasises the importance of informing the general public well in order to ensure or rather facilitate their participation in the planning process. According to Annex VII, the river basin management plan should tell where and how background information can be obtained. This plan should moreover summarise the public participation measures taken and should evaluate their results and the impact on the plan.

The key public participation provision of the Directive is article 14. This article prescribes three main forms of public participation:

- Active Involvement in all aspects of the implementation of the Directive, especially – but not limited to – the planning process
- Consultation in three steps of the planning process
- Access to background information

The Member States have to *encourage* active involvement and *ensure* consultation and access to background information.

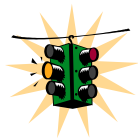
It may be clear from for instance preamble 14 that active involvement is not the same as consultation. Consultation means that the public can react to plans and proposals developed by the authorities. Active involvement, however, means that stakeholders actively participate in the planning process by discussing issues and contributing to their solution. Essential to active involvement is the potential for participants to influence the process. It does not necessarily imply that they also become responsible for water management.



Look Out! The Directive requires more than consultation

In addition active involvement in all aspects of the implementation of the Directive has to be encouraged. Moreover, access has to be given to background information.

Beside the Directive there are other requirements on public participation in other EU legislation, especially in the Directive on Strategic Environmental Impact Assessment (Directive 2001/42/EC). The relationship of the Directive to the SEIA Directive is quite complex and has to be clarified with regard to the programme of measures and the River Basin Management Plan.



Look Out! Public Participation is not only required for the river basin management plan

The programme of measures and individual measures are probably even more important.

The Box below gives an overview (glossary) of the main terms used in the Water Framework Directive and in this guidance. The different forms of public participation will be discussed in more detail in section 2.2, and the different types of public in section 2.4.

Public participation

Allowing the public to influence the outcome of plans and working processes. Used in this guidance as a container concept covering all forms of participation in decision-making. The Water Framework Directive does not use the term.

Public (or "general public")

"One or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organisations or groups" (SEIA Directive (2001/42/EC), Aarhus convention art. 2(4))

Interested party (or "stakeholder")

Any person, group or organisation with an interest or "stake" in an issue, either because they will be directly affected or because they may have some influence on its outcome. "Interested party" also includes members of the public who are not yet aware that they will be affected (in practice most individual citizens and many small NGOs and companies).

NGO

Non-governmental organisation

Broad public

Members of the public with only a limited interest in the issue concerned and limited influence on its outcome. Collectively, their interest and influence may be significant.

Consultation

Lowest level of public participation if we consider information supply as being the foundation. The government makes documents available for written comments, organises a public hearing or actively seeks the comments and opinions of the public through for instance surveys and interviews. "Consultation" in art. 14 of the Directive refers to written consultations only. Preamble 14 and 46 and Annex VII refer to consultation in general.

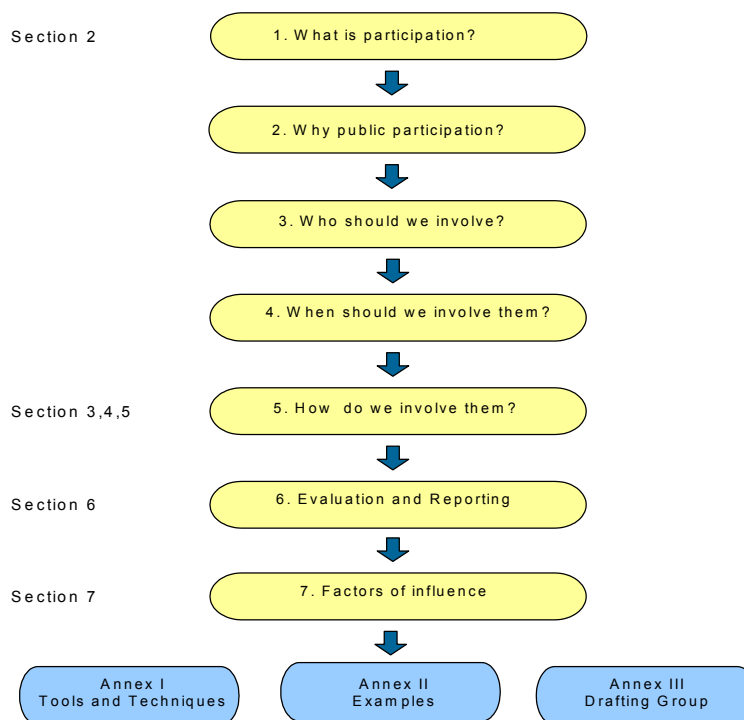
Active involvement

A higher level of participation than consultation. Active involvement implies that stakeholders are invited to contribute actively to the planning process by discussing issues and contributing to their solution.

RBMP

River basin management plan, required by Article 13 of the Directive.

Before discussing active involvement, consultation and information supply in the planning process, guidance will be given on some key participation questions, which all those involved in organising participation, need to consider:

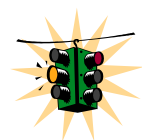


What, Why, Who, When, How questions, addressed in Sections 2-5

2.2 What is public participation?

Public participation can generally be defined as allowing people to influence the outcome of plans and working processes. However, there are different levels of influence.

The foundation for any form of public participation is **information supply** to the public. Strictly speaking, the Directive only requires access to background information and no active dissemination of information. The latter is, however, essential to make the prescribed consultation and active involvement work, as is also mentioned in preamble 46.



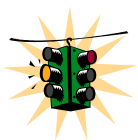
Look Out! Public Participation covers a wider range of activities than prescribed by the Directive.

The Directive requires active involvement, consultation and access to information. More may be useful to reach the objective of the Directive (preamble 14).

The first level of real participation is **consultation**. Administrative bodies consult people and interested parties (stakeholders) to learn from their knowledge, perceptions, experiences and ideas. Consultation is used to gather information or opinions from those involved to develop solutions based on this knowledge. Reports, scenarios or plans are presented and people are asked to comment. The process does not concede any share in decision-making, and professionals are under no formal obligation to take on board people's views.

In this guidance two types of consultation are distinguished: written consultation and oral consultation. Written consultation is the minimum requirement as stated in Article 14(1) i.e. “to publish and make available for comments to the public, including users”. Oral consultation is more active and stakeholders have possibilities to have a dialogue or discussion with the competent authorities.

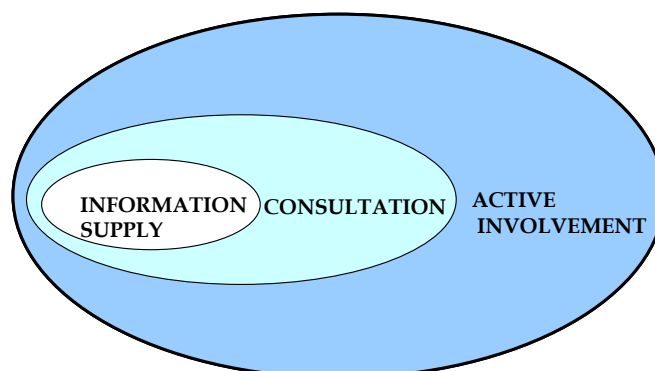
A higher level of participation is **participation in the development and implementation of plans**. Interested parties participate actively in the planning process by discussing issues and contributing to their solution. Still higher levels of participation are **shared decision-making** and **self-determination**. Shared decision-making implies that interested parties not only participate actively in the planning process, but also become partly responsible for the outcome. E.g. water use sectors could be represented in river basin organisations. Self-determination implies that (parts of) water management are handed over to the interested parties, e.g. by establishing water users' associations. Encouraging the first should be considered the core requirement for **active involvement**, the latter two forms are not specifically required by the Directive but may often be considered as best practice.



Look Out! Management of Expectations

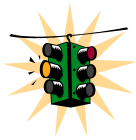
In order to avoid disappointment, it is very important to make clear towards the public which form of public participation they are dealing with and which role they play. During and after the process feedback should be given to the stakeholders and public.

The different levels of participation are not mutually exclusive. They build on each other: consultation implies information supply and active involvement implies consultation. Moreover, different levels can be useful at different stages. The choice of level depends on aspects like: the timing of public participation and the stage of the planning process, the (political and historical) context for public participation, available resources, objectives or benefits of public participation and the stakeholders identified to be involved.



Illustration

Public participation can start with a stakeholder analysis using interviews with selected persons, be followed by public debate where the population is consulted on the identification of significant water management issues, be followed by a consultation of water users representatives (professionals, associations). More examples will be provided in section 3 and 4.

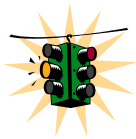


Look Out! Public participation is not necessarily about:

Everybody joining: be selective with actors, do a stakeholder analysis;
everybody deciding: make clear what everybody's responsibilities are;
losing control: participation cannot work if the outcome is completely predetermined, yet organize it well;
achieving consensus at all expense: make clear that it will be impossible to satisfy all wishes hundred percent. Participation will help to explain decisions as they occur and promote ownership of the outcome arrived at.

2.3 Why public participation?

Initially of course to comply with the Directive and to achieve environmental goals and other benefits. Besides these requirements of the Directive it is good to emphasise the fundamental rationale for undertaking public participation, which is to ensure the effective implementation and achievement of the environmental objectives of water management (good status in 2015).



Look Out! Public participation is a means to improve decision-making

Public participation is not an objective in itself. Public participation helps to define the rationale, framework, outcomes and validity of decision-making processes.

The main purpose of public participation is to improve decision-making, by ensuring that decisions are soundly based on shared knowledges, experiences and scientific evidence, that decisions are influenced by the views and experience of those affected by them, that innovative and creative options are considered and that new arrangements are workable, and acceptable to the public.

Key potential benefits that can result from public participation are (which are not mutually exclusive):

- increasing public awareness of environmental issues as well as the environmental situation in the related river basin district and local catchment;
- making use of knowledge, experience and initiatives of the different stakeholders and thus improving the quality of plans, measures and river basin management;
- public acceptance, commitment and support with regard to decision taking processes;
- more transparent and more creative decision making;
- less litigation, misunderstandings, fewer delays and more effective implementation;
- social learning and experience—if participation results in constructive dialogue with all relevant parties involved then the various publics, government and experts can learn from each other's "water awareness".

Through participation, long term, widely acceptable solutions for river basin planning can be arrived at. This can avoid potential conflicts, problems of management and costs in the long term.

Wise Use of Floodplains project, EU Life Environment (see Annex II)

The WUF Project took place in Somerset, South West England, where it facilitated a creative and positive dialogue on the future management of flood events in the catchment of River

Parrett. The aim was to encourage the wise use of water resources in river catchments to benefit people, their livelihoods and their environment. All stakeholders with an interest in the management of water resources in the Parret Catchment were welcomed.

In this project participation has resulted in the following benefits [1]:

- helped identify long-term sustainable solutions for people, their livelihoods and environment
- built up ownership and trust
- was an investment as it involved early identification of issues and consensus-building
- raised awareness of catchment management issues
- provided a means of accessing local knowledge and expertise

2.4 Who should we involve?

The Directive uses different terms to refer to the public. With respect to consultation and access to background information simply the term **public** is used. This term is not defined in the Directive, but art. 2(d) of the SEIA Directive (2001/42/EC) gives a definition, which is also applicable to the Directive: *“One or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organisations or groups”*. Article 2(4) of the Aarhus convention contains the same definition. In preamble 14 and 46 the Directive also uses the phrases "public, including users" and "general public" respectively without any difference in meaning.

Concerning active involvement the term **interested party** is used. Interested party can be interpreted as meaning any person, group or organisation with an interest or “stake” in an issue either because they will be affected or may have some influence on its outcome. This also includes members of the public who are not yet aware that they will be affected (in practice most individual citizens and many small NGOs and companies). This guidance will use the term **stakeholder** as synonymous with “interested party”.

For practical reasons it is impossible to actively involve all potential stakeholders on all issues. A selection will have to be made. This selection can be based on the following factors:

- the relation of the stakeholder to the water management issues concerned;
- the scale and context at which they usually act, who they represent;
- their involvement, being governor; user/victim/stakeholder; expert and executer of measures;
- their capacity for engagement;
- the political, social, "environmental" context.

Different stakeholders can make different contributions. Some stakeholders can contribute primarily by means of their ideas and the information they possess. Others may have more direct interests such as land or property that may be directly affected. In many cases organisations can represent the individual stakeholders. For every phase of the project the role of the different stakeholders should be reviewed. Some will be more affected by others, represent a larger party, be more active, or have more (financial) resources or knowledge. Some stakeholders may be more difficult to handle than others, but that shall not influence their identification as stakeholders.

Annex I presents a technique for selecting the relevant stakeholders with a so-called **stakeholder analysis**. This will enable you to prioritise which stakeholders are vital to an issue in

a specific phase of the project. Note that in order to ensure transparency and trust, it is important to be able to justify why the final set of stakeholders has been prioritised.

The box below illustrates a typology of possible stakeholders involved in water management. It makes no assumptions about their relative importance.

Professionals – public and private sector organisations, professional voluntary groups and professional NGOs (social, economic and environmental). This also includes statutory agencies, conservation groups, business, industry, insurance groups and academia.

Authorities, elected people - government departments, statutory agencies, municipalities, local authorities

Local Groups- non-professional organised entities operating at a local level. It usefully breaks down into:

Communities centred on place – attachment centred on place, which includes groups like residents associations and local councils.

Communities centred on interest – e.g. farmers’ groups, fishermen, birdwatchers.

Individual citizens, farmers and companies representing themselves. Key individual land-owners for example or local individual residents.

A typology of possible stakeholders

An illustration of governing bodies in Spanish River Basin districts

According the Spanish Water Act and the Regulation on Water Public Administration and Planning (Royal Decree 927/1988), different decision bodies are “governing and managing the river basin districts”.

The *Government Board* proposes the plan of activities of the institution, its annual budget and, in general, it is in charge of every matter regarding the direction of the river basin district. At least, one third of its members must be representatives of the water users. Representatives of the regional and central administrations form the other two thirds.

The Law also establishes the so called “decision bodies on participation regime” as the *Management Boards*.

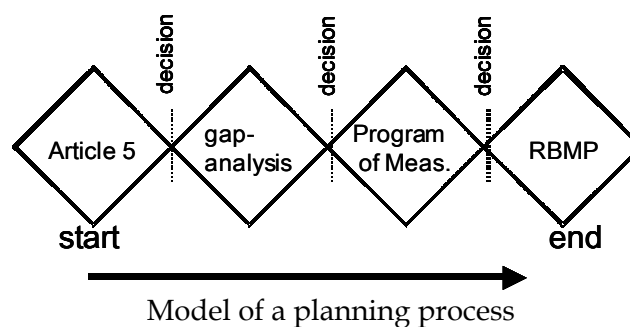
The *Management Boards* have to coordinate the management of the different water structures in the sub basins usually defined as “management systems”. Actually, they coordinate the water sharing in the basin solving conflicts between users. Members of the Management Boards are users with water rights described in the so called “Waters Register” and include representatives for every town, municipality or company in charge of water supply utilities, representatives of irrigation communities, industrial users and hydropower companies. The totality of the Management Boards according the law is grouped in the so-called “Users assembly”. (this example is not presented in Annex II)

2.5 When should we involve them?

This question is divisible into two issues, firstly the matter of timing with regard to the process, secondly the actual necessity to embark on public participation, i.e. is the energy to organize the participation proportionate to the results?

Firstly **timing**. It is important to clearly define the stages of the process and every stage requires a review of the “why” and “who” question. The role and involvement of the stakeholder can differ from stage to stage. When to involve the stakeholders in the process de-

depends on a number of factors. The objective of the project, the history and political setting, but also scale and the kind of stakeholders influence the timing of public participation. Also the stakeholder-analysis (see Annex I) will help to make this more transparent.



One may say that the stakeholders should be involved as early as possible, before decisions are taken. Only then the authorities are able to benefit optimally from their insight, experience and knowledge and allow maximum involvement, influence and ultimate acceptance of eventual decisions. It is never *too* early. When involving stakeholders at a very early stage in the process it should be made perfectly clear to the stakeholder what his role is and how his contribution will be handled. Otherwise do not involve them. For example when organising public participation during a reconnaissance study (to identify the sense of urgency of problems and to decide to invest in it or not), you must communicate in advance that the result of this study can be that the foreseen project will not be carried out. The fact is that people will spend energy and time on discussing issues, while the politicians may still decide not to invest in it.

Thus, the degree of participation of stakeholders in the early phases may be different from those in the later phases. Ultimately, timing of public participation has to be assessed on a case-by-case basis. It should be explained to participants how their involvement will be used to avoid false expectations (management of expectations!).

Secondly the **concept of proportionality** with regard to participation. When is the energy (human resources, money) that is put into the process proportionate to the outcome? There is a need to balance costs in terms of time and money and potential benefits. This is relevant for both the organizer of the process and the participants. This will have to be evaluated on a case-by-case basis depending on the form of participation you intend to use and circumstantial factors. Expert judgement and common sense will be your tools to perform a kind of risk analysis for proportionality.

Some questions that might help to consider the proportionality of your specific process are given below:

- In which stage of the process do you want to apply public participation?
- What is the specific problem in this stage and what are the expected activities (refinement of problem definition)?
- Is the outcome of this stage still flexible and open-minded or determined and fixed?
- At what scale do you plan to work?
- What form of participation are you planning to use?
- Which stakeholders are to be involved?
- What are your boundary conditions regarding:
 - a) human resources
 - b) finances
 - c) time

- What is the political context like with regard to your process (pro/contra/neutral)?
- What is the actual acceptance level towards public participation processes?
- Who will decide in the end?
- Who will be involved from your own organization in what way?
- Are there ongoing process/research of the same nature?
- How are you going to communicate? (See also annex I on communication tools)
- What results are to be expected? Is it likely that involvement of stakeholders can positively influence the results?
- What do you want to achieve with public participation?
 - ownership of problem by third parties
 - commitment of other parties
 - innovative solutions
 - acceptance of measures to be taken
 - raising awareness

Public and stakeholders should be aware that participation in the planning process will cost both time and money, like administrative cost for the NGO's, stakeholders and the use of consultants etc.

Illustration from running spatial planning in Sweden

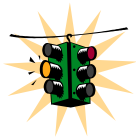
Consultation with the public on overall plans and detailed plans is compulsory in Sweden. Consultation and information are important procedures to realize the plans and to prevent appeal against the plans. Example from one of the municipalities in Sweden shows that up to 25% of the costs and time to produce such a plan, mentioned above, fall on consultation and information just to prevent appeal against the plan and to "get everybody on the train". This may seem expensive, but appeal against the plans may delay the realization of the plans to high costs of those involved both authorities and the publics.

In Sweden, no formal costs of the participation process fall on the users – except the time they use for the process.

2.6 The scope and timing of public participation

Note that the Directive tells us that Member States *shall encourage* active involvement and *shall ensure* consultation. In the first case Member States have to make a clear effort to promote and facilitate active involvement, in the second case consultation is an obligation, which has to be performed.

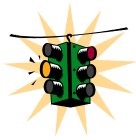
Furthermore the Directive gives no clear boundaries when it comes to the extent of these forms of public participation. This guidance elaborates the range of possibilities between **minimum requirements** and **best practices** for each topic. It is up to the competent authority, which will – as a representative of the Member State – commission the public participation process, to decide which possibilities will be used in the public participation process. This choice is dependent of several factors such as the available financial means, the scale of the project, the cultural context, the effect on the environment and not in the least the political context. At the same time it should be emphasized that a competent authority should not fear a 'wider' form of public participation: the benefits with regard to improved decision making and the acceptance of the public of (unpopular) measures to be taken can be considerable. Moreover for compliance with the Directive the competent authority is dependent on the willingness of the public to participate in the (consultation) process.



Look Out! The Member State is responsible

It should be borne in mind that the member state- and in practice most likely the appointed competent authority – is the final responsible body for achieving the objectives of the Directive. For the public participation process it means that only the member state (competent authority) can decide if it will stay in charge of final decisions or share its responsibility with stakeholders. Of course all without prejudice to the obligations of the Directive.

Article 14(1) 1st sentence deals with the encouragement of *active involvement of all interested parties* in the whole implementation process of the Directive. The success of this involvement will certainly not be met solely via the 3-phased information and consultation procedure pursuant to Article 14(1) 2nd sentence of the Directive ((a) timetable and work programme, (b) interim overview, (c) draft copies). The river basin management plan is to a large extent a summary and justification of all the choices and involvement of the public that has taken place earlier. Starting public participation only in 2006 will not work if the public has not been involved in making these choices. To ensure transparency and acceptance public participation has to start as soon as possible. Besides, the 3-phased procedure of 14(1)(a, b, c) will be successful only if the previous steps of information supply, awareness raising and consultation have been performed before.



Look Out! Timing

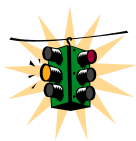
Start public participation as soon as possible and do not wait until 2006.

The timetable for public participation and the steps of the planning process receive attention in section 2.8. How the three forms of public participation can be applied with regard to the steps of the **planning process** will be further explained in the coming sections 3, 4 and 5. Firstly the scale issue in relation to public participation will be addressed in this section.

2.7 The scale issue

The implementation of the Directive will require activities at many different scales: river basin district, river basin, sub basin, water body, national level, national part of an international river basin district, regional and local government level, etc. An important issue is at which scale public participation should be organised.

It follows from article 14 of the Directive that active involvement should be encouraged at all scales where activities take place to implement the Directive. Not only the area where the activities will be implemented should be considered, but the whole area where their impact may be felt. Consultation is required in the planning process for the river basin management plan and therefore at the scale of the river basin district or the national parts of an international river basin district.



Look Out! Do not forget the impacted area and people!

When organising public participation on a specific issue, do not focus exclusively on the area where measures may be taken. Consider the whole area that may be impacted.

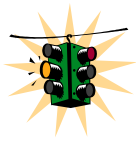
A public participation requirement at a specific scale does not mean that public participation should actually be organised at that scale. There are good reasons for organising public participation at lower scales. At the local scale the effects of management will be felt most directly and more responses from especially local stakeholders can be expected if public participation is organised at this scale. If for instance in a river basin district just one meeting is held, issues can only be discussed at a general level only and participants would have to travel large distances. Instead, several regional or local public participation meetings could be held, organised either by the competent authority for the whole district or by regional water managers. Of course, the staff requirements and costs would need to be considered.

A possible approach for the scale issue in public participation consists of five steps:

1. Determine which issues should be addressed at which level
The competent authorities in each river basin district should, together with the main stakeholders, define and analyse the main issues and their geographical scale. In large international river basin districts international co-ordination will be needed. If it is agreed that an issue should be addressed at for instance the regional level, a similar exercise could be held at the regional level to determine which aspects of the pertinent issue can be addressed at the local level. On top of the geographical scale of the issue, the existing institutional structure needs to be taken into account too, in particular the allocation of tasks and competences.
2. Determine what types of publics can make what types of contribution and what type of public participation is most appropriate for the publics and possible contributions concerned
As discussed, different publics may make different contributions in different phases.
3. Organise public participation as close to the public concerned as possible, given budgetary and staffing constraints
4. Communicate the (first) results as soon as possible across different scales and between relevant units at the same scale
Much local information and many local concerns and solutions will need to be incorporated, in an aggregated form, in the river basin management plan for the river basin district ("scaling up"). Issues that play at a higher scale should be communicated to and discussed with the local level ("scaling down"). Local information, concerns and solutions may also need to be communicated to upstream and downstream areas and to neighbouring areas outside of the basin (horizontal communication).
5. Report on follow-up not only in the river basin management plan, but also at the level where public participation was organised.
In the river basin management plan many details that are of concern for the regional or local level may be lost. The input of the participants needs to be recognised.

In this approach the initiative comes from the competent authority at the district scale. In addition, public participation initiatives can be taken at lower scales and then be "scaled up." River basin management can benefit if there remains room for experimentation.

In principle any level of public participation can be organised at any scale, even at the international river basin district scale. Nowadays many stakeholders are represented by larger international organisations, which is an advantage for the public participation process at large scales. The main issue is to find, for each Directive issue the right combination of scale, stakeholders, public participation levels and methods. Stakeholder analysis (Annex I) can be very helpful for this.



Look Out! Stakeholder Analysis (see annex I)

Stakeholder analysis will help you to prepare for public participation at any scale.

The four boxes below give examples of public participation at the local scale and at the national and international river basin district scale. The first example shows, first, that public participation can be organised at the local level while still keeping the process manageable, and secondly, that it is possible to involve the broad public actively. The second, third and fourth example show that also at the national and the international river basin district level active involvement is possible. Annex II gives many more examples of all types of public participation at all scales (see especially the matrix).

Active Involvement of the broad public at the local scale

The Fens Floodplain Project – East of England (Wise Use of Floodplains Project) (see annex II)

In the Fenlands in Eastern England the Wise Use of Floodplains project, as well as talking to stakeholders and organisations at a strategic level across the floodplain, wanted to talk to local people. In view of budget constraints, the views of communities in two representative villages within the 4,000-km² river basin were sampled. A range of local people was involved from school students to adults and retired people. They were invited to make any proposal they wished about making the floodplain more sustainable. A method called “planning for floodplains” was developed. This involved local people putting symbols onto a map based model to indicate the floodplain restoration projects they wanted. 200 different proposals were made in each village (2% of the population). Results of local community involvement were then compared with the views of other stakeholders obtained through other participation techniques (e.g. river basin level workshops, seminars) to assess how well the public proposals matched those of key organisations. The results supported proposals for floodplain restoration from an existing catchment wide project called “Wet Fens for the Future”.

The local involvement showed that even just sampling participation in 2 villages in the sub-region can produce useful data to confirm existing proposals or to assess whether it is worth investing in a larger scale participation process.

Active involvement and consultation of stakeholders at the national river basin districts scale

The SDAGE projects, France (see annex II)

For each of the 10 French large river basins, a management plan has been produced according to the 1992 French Water Act, called SDAGE. In a modified form they will become the river basin management plan according to the Directive. The so-called Basin Committee is responsible for their initial elaboration. This Committee is composed of the representatives of all stakeholders and users in the River Basin District (about 100 members):

- 1/3 local elected officials (i.e. mayors, local communities)
- 1/3 users, consumers, NGOs
- 1/3 representatives of the State

The Basin Committee defines the management plan (SDAGE) and co-ordinates the coherence between SAGE Projects (management plans at the sub-basin/local scale). It arbitrates water conflicts, decides on the taxes to be paid by the users and defines action programmes. The SDAGE document was made available to the general public only after its approval, but this will have to change.

Each Basin Committee created a Planning Commission and several Geographic Commissions (implanted at a more local level) in which a number of debates and meetings took place. Hundreds of

interested parties were able to voice their opinions in the meetings of these geographic commissions. For example in the Rhone-Mediterranean-Corsica (RMC) Basin, the stakeholders were consulted through 10 geographic commissions, 6 technical committees and 7 socio-professional committees. Besides, the SDAGE Project was submitted to the associations by way of a specific dialogue. 1500 written comments from stakeholders and the general public were received.

National Water Council, Spain

According the Spanish Water Act and the Regulation on Water Public Administration and Planning (Royal Decree 927/1988), the National Water Council ("Consejo Nacional del Agua"), is the highest advisory body on water issues at national level. Three types of members compose the Council: Regular, designated and elected. The first group is formed by "positions" instead specific persons (i.e. the Water Director), the second is formed by appointed representatives that are members of the Council for a non limited period of time and the last one includes members that has to be elected every four years.

Regular members are:

- Chairpersons of the different river basin districts (12).
- Directors of different Ministries with responsibilities regarding water as Environment, Agriculture, Economy and so on (For instance, the Water Director) (8).

Designated members are:

- Designated representatives of different Ministries with responsibilities regarding water as Environment, Agriculture, Economy and so on (11)
- Representatives of each one of the Regional administrations (17)
- One representative of the Federation of Municipalities
- One representative of the irrigation users communities
- One representative of the hydro power companies
- One representative of the water supply companies
- One representative of the Commerce Chambers
- Three representatives of the farmers
- Two representatives from the limnology field
- Three representatives of ecological NGOs
- Three representatives from the University and the research field
- One expert in irrigation techniques (appointed by the Agricultural Ministry)

Elected members are:

- Elected representatives of the regional administrations that belong to the water river basin district councils (12).
- Elected representatives of the water users that belong to the water river basin district councils (12)

According the Law, the National Water Council shall discuss and approve or refuse among others, the following¹ issues:

- The National Hydrological Plan, prior to their consideration by the Government and the Parliament.
- The River Basin Districts Water plans prior to their consideration by the government.
- Projects of regulation to be implemented in the entire Spanish territory affecting the hydraulic public domain.
- Projects and sectorial plans on agriculture, territory, energy or industry if they are considered as being of "general interest" and affect the water planning or the water uses.
- All the issues affecting to more than two River basin districts.

¹ The National Water Council is an advisory body, so, its decisions are not legally binding. However, in practice, there is no record of one decision of the Council that has not been endorsed by the Government

It should be taken into account that this situation needs to be assessed and, consequently modified, following the objectives and legal consequences of the Directive.
(this example cannot be found in Annex II)

Active involvement of stakeholders, consultation and access to information at the international river basin district level

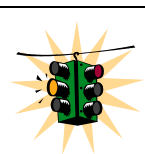
Danube River Commission / Danube Environment Forum (see annex II)

Planning of the Danube River basin 'occurs' at a range of levels from sub-catchment/communities to international commissions. Participation of stakeholders happens in different ways at different levels in the overall process. The cascade of approaches to public participation from working with communities directly at one level to ensuring that representative organisations are involved at an international level is a good illustration of how public participation can mean different things at different levels but should have a common set of principles of transparency of process and inclusion.

The co-ordinating body for the international aspects of the Directive in the Danube basin is the International Commission for the Protection of the Danube River (ICPDR). ICPDR is promoting public participation in the planning process, through financial support to the ICPDR Information System, including the Danube Watch, as well as operating networks such as the Danube Environmental Forum (DEF), MLIM and AEWS.

Several large international NGOs have observer status in the ICPDR. They can participate in the meetings of the ICPDR, but they have no voting rights and its working groups. They provide significant input to the work of the Commission (for example in the establishment of an Ecological Expert Group). Through their networks, they provide small (national and local) NGOs with direct or indirect access to the international arena.

Key to managing the scale issue in river basin management is communication and co-ordination across scales and between units at the same scale (e.g. upstream and downstream countries or regions). This is facilitated very much by building up formal and especially informal networks across scales and between units at the same scale. Staff members of one competent authority could attend meetings organised by the other relevant competent authorities and vice versa. Moreover, the establishment of a central clearinghouse in each river basin district for public participation could be considered for exchanging the results of and experiences with public participation. Note that public participation at the international river basin district level encourages the participation process at lower scales within the district. In basins where different languages are spoken sufficient funds for translating the most important documents need to be made available.



Look Out! Keep each other informed across scales

Keep each other informed about all public participation processes going on in one river basin district, by formal means but especially informally. Sufficient funds for translating the most important documents need to be made available.

2.8 How do we involve them?

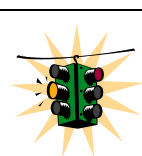
The timetable, which is linked to the program cycle of the Directive, as described in section 3 is another determining factor in timing public participation. The different planning steps provide different possibilities for public participation. The Directive defines a number of phases and deadlines for its implementation, shown below (enumeration is not exhaustive).

STEP 1 By end of 2003	Framework Identification of River Basin Districts Assignment of the Competent Authorities Transposition of the Directive into national legislation
STEP 2 By end of 2004	Characterization and Analysis (Art.4) Characterization of the river basin district, review of the environmental impact of human activity and economic analysis of water use. Assessment of the likelihood that surface water bodies within the river basin district will fail to meet the environmental quality objectives set for the bodies under Article 4 ('gap analysis' Annex II (1.5)).
STEP 3 By end of 2006	Planning for establishing programs of measures and outline of river basin management plans Further characterisation for those bodies identified by the gap analysis as being at risk, in order to optimise the monitoring programme and the programme of measures. Monitoring programmes start For Public information and consultation about the RBMP, MS make available for comments a timetable and work programme for the production of the RBMP (MS shall allow at least six months to comment on those documents).
STEP 4 2007	For Public information and consultation about the RBMP, MS make available for comments an overview of the most important water management issues within the RBD (MS shall allow at least six months to comment on those documents).
STEP 5 2008	For Public information and consultation about the RBMP, MS make available for comments a draft copy of River Basin Management Plan (MS shall allow at least six months to comment on those documents).
STEP 6 2009	Final River Basin Management Plan published Programmes of measures shall be established.
STEP 7 2012	Implementation Programmes of measures implemented
STEP 8 2015	Evaluation and updating, derogations Good water status achieved? Objectives for Protected Areas achieved? Establishing and publishing the next plans and programs Derogations
STEP 9 2027	Final deadline for achieving objectives, following 2 6-year prolongations

In the next sections the guidance will describe how the three different degrees of participation can be organised in the different planning steps

- active involvement (section 3)
- 3-step consultation (section 4)
- information supply (section 5)

As stated many times before, every process of consultation or active involvement is unique and depending on context and circumstances. Section 7 will help you to reflect on the public participation in your situation.



Look Out! Remember communication

The backbone of public participation is two-way communication between the competent authorities, the participants and all other interested parties. Transfer of information between different planning steps is essential. Tools which support communication and interaction such as public meetings, interviews, workshops, websites, etc. are described in Annex I.

Section 3 – Active involvement of all interested parties in the Planning process of the Directive

“Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the production, review and updating of the river basin management plans.” (Article 14.1, 1st sentence).

3.1 Introduction to active involvement

The purpose of the participatory requirements of Article 14, including active involvement, is to support the effective implementation of the Directive. While this has particular focus on the production, review and updating of the River Basin Management Plans, the encouragement of active involvement of stakeholders in the wider implementation of the Directive also needs to be considered. The potential benefits of greater stakeholder can be summarised as follows:

- RBMPs are likely to be more successful through achievement of “buy-in” to their objectives and delivery by promoting “ownership”, acceptability and the co-operation of relevant stakeholders.
- Decision-making is likely to be more efficient through earlier identification and, where possible, resolution of conflicts.
- Solutions are likely to be more sustainable and equitable through the input of a wider range of knowledge and perspectives.
- In the longer term, relationships between competent authorities and stakeholders are likely to be strengthened.

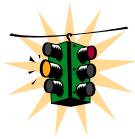
Although “active involvement” has not been defined in the Directive, it implies that stakeholders are invited to contribute actively to the process and thus play a role in advising the competent authorities as described in the spectrum of participation presented in 2.2.

It is important to note that there is no single correct approach to the organisation of active involvement. It will require a tailor made process which is context specific. This makes it difficult to be prescriptive in terms of defining an active involvement process. One possible solution would be for the competent authorities to develop a strategy to adapt the common understanding, outlined in section 2, to the national, River Basin District and local context. In order to secure greater acceptance of the consultation and involvement process amongst stakeholders, the strategy should be published early in the process of implementation.

The ideal for active involvement is inclusiveness but, in practice, the notion of involvement of being open to everyone who has a stake, usually needs to be qualified by “as appropriate” to the particular context due to imposed constraints such as the Directive timetable, technical complexity, and limits on influence etc. Understanding, establishing and communicating clear boundaries for active involvement in the strategy will help keep stakeholder expectations realistic.

Given the above points, this section presents the broad principles of active involvement: why, what, who and how stakeholders should be involved in the different steps of Directive cycle outlined in 2.8.

It is important that this section is read in conjunction with the guidance documents produced by the other Working Groups in the Common Implementation Strategy.



Look Out! Active Involvement is not a voluntary exercise

In the first place since Article 14 '*shall encourage*' implies that Member States have to make a clear effort to promote and facilitate active involvement. In the second place since the River Basin Management Plan (Annex VII, element 9) shall give account of the measures taken to inform and consult the public and the changes of the plan that followed from this involvement. In the third place since Preamble 46 tells us "*provide information.... with a view to the involvement of the general public before final decisions on the necessary measures are adopted*".

3.2 Active involvement in the program cycle of the Directive

STEP 1	Framework
By end of 2003	Identification of River Basin Districts Assignment of the Competent Authorities Transposition of the Directive into national legislation

Why, what and who?

Active involvement in this step will help raise awareness of the introduction of the Directive and the early decisions that will establish the competent authority and spatial outline of the River Basin Districts.

Active involvement in this step is unlikely to be significant, and public participation will be characterised by information supply and consultation via existing national procedures. Input should be sought from as wide a range of stakeholders as can be reached.

How?

By communication planning (see annex I) and using the existing national procedures.

Consultation on the Directive Annexes 2 and 5, UK environment agencies (see Annex II)

The technical annexes of the Directive are complex and not easily understood or interpreted. They do, however, provide the basis and instruction as to how the water environment will be assessed, monitored and classified. These tasks inform Objective setting, the development of Programmes of Measures and regulatory regimes. As such it is important that, as far as possible, the principles being adopted, or being considered for adoption, are understood and supported by the range of stakeholders, authorities and organisations potentially affected by these assessment or related activities.

In the summer of 2002 the UK environment agencies issued public consultation documents on "The Guiding Principles on the Technical Requirements of the Water Framework Directive".

The objectives of this exercise were to:

- *Allow stakeholders to input their priorities and concerns as to how technical annex interpretation might affect them*
- *Allow stakeholders to comment on proposed WFD technical interpretations and principles*
- *Provide a framework by which a range of public bodies across the UK could input to the development of a common interpretation and understanding of Directive requirements.*

A number of key lessons are summarised below:

- *It is possible to develop and provide participative opportunities associated with WFD technical processes and issues.*
- *Attempt to involve stakeholders in such issues and processes are appreciated by them and deliver benefits to prospective competent authorities in terms of both transparency and trust and through the valuable and insightful contributions made by stakeholders.*
- *The collaborative working of agencies and public bodies in both Scotland and England and Wales is beneficial in increasing national understanding and co-working relationships.*
- *Similarly the reciprocal involvement of SEPA, EA and EHS in each others drafting processes increased UK wide shared understanding while providing reassurance to stakeholders that common interpretations were being applied and proposed.*

STEP 2 By end of 2004	Characterization and Analysis (Art.4) Characterization of the river basin district, review of the environmental impact of human activity and economic analysis of water use. Assessment of the likelihood that surface water bodies within the river basin district will fail to meet the environmental quality objectives set for the bodies under Article 4 ('gap analysis' Annex II (1.5)).
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Why, what and who?

Active involvement in the characterisation and analysis step will be useful to:

- Raise awareness of the process of characterisation and analysis
- Collect data, information and views of a range of stakeholders
- Identify issues and where possible resolve conflicts and manage expectations

The characterisation and analysis step can be broken down into a number of distinct processes. The delivery of these processes, and ultimately the RBMP which they lead to, will stand a greater chance of success with the involvement of key stakeholders. Some specific detail is offered below for each process.

Review of pressures and impacts: This review forms one of the foundations of RBMP and helps determine which water bodies are likely to be at risk of not reaching ecological status by 2015 (or later) because of the pressures on them. The purpose of stakeholder involvement would be to help determine the pressures and impacts on water bodies and provide input to the identification of waters most at risk.

Economic Analysis: This process will help *a)* set up a trend scenario which predicts the socio-economic trends for the future, which is essential for the "gap analysis", and *b)* evaluate current levels of cost recovery and *c)* analyse the cost-effectiveness of measures between 2004 and 2009. Stakeholder involvement will help to determine *a)*, *b)* and *c)*. Secondly, involvement is also important since good ownership could mean also better financial support (either directly by the public or by political pressure).

Classification and objective setting: In this process a start has to be made with the definition of the **status of the water bodies** on the basis of the characterization of water bodies within the River Basin Districts required by Annex II and V. Also **environmental quality objectives** have to be set. When setting the environmental objectives, it is most important to have good ownership of local people, but it has to be guided carefully as capacity building is indispensable (interpretation of guidance documents). There is risk of failure of objectives of the Directive by "overriding" economic issues (e.g. clean hydropower and navigation), but there is

also a big chance to create awareness and to win the pro-environmental sections of society. This involvement should be organized from bottom (small basin or even water body) to basin districts and whole basin.

Gap analysis: When the current water status and envisaged environmental quality objectives are set, the **gap analysis** can be performed. The first gap analysis is to be performed before the end of 2004, for the purpose of the first RBD characterisation, in order to define the water bodies being at risk of failing to meet the objectives of the Directive for 2015. This first gap analysis will be based mostly on expert judgements and currently available data and information. After 2004, this first gap analysis will be refined on the basis of new data, among them the results from monitoring programmes (operational after end 2006). This new information will be used to update the RBD characterisation to be included in the river basin management plan (Annex 7). Involve key-stakeholders in the identification of gaps and set up of trend scenarios. In the case of gaps, this makes them aware of a need for change, and it will help to get their input in the identification of appropriate measures (next step).

Designation of Heavily Modified Water Bodies: Like gap analysis, the designation of heavily modified water bodies is a two step process, with a provisional designation by 2004 and a final designation by 2008. The purpose of stakeholder involvement would be to support the identification of heavily modified water bodies (HMWB), resolve conflicts and contribute to the acceptance of HMWB designation.

The most important stakeholders to be considered at this strategic level of dialogue will be those who can really contribute to delivering solutions (e.g. other government bodies, water companies, wastewater treatment companies), those who have technical expertise and are 'representative' of a particular constituency (e.g. NGOs, research community) and those who pay for action (consumers).

How?

When considering the different processes, active involvement may be undertaken at national, River Basin District and local levels. Involvement at the national level would predominantly be with national government, industry bodies, consumer bodies, national NGOs and technical and academic experts. At the River Basin District and local level, involvement would tend to be with representatives of regional and local government and stakeholders with an interest in a specific River Basin District, river basin or water body.

At each of these levels it may be useful to organise involvement using the following methods:

- Bilateral meetings
- Steering groups
- Advisory groups

Possible activities for active involvement are:

- 1 "Process Start Up" meeting/workshop(s) with key-stakeholders to discuss:
 - The objectives
 - The working process (how to reach the objectives) and decide on their role
 - The preconditions (Terms Of Reference) for their involvement
 - Availability and relevance of existing data
 - Communication plan
- 2 Inventory of knowledge and perceptions on

- The description of the surface waters and groundwater bodies; what are the major issues (problems)?

This can be done through workshops, interviews, panels and fieldtrips with stakeholders.

- 3 Analysis and structuring, decision making on characterization
- 4 Information supply to all relevant stakeholders

River Basin Management Plan Maas/sub-basin Niers, (see Annex II)

Pilot project with regard to Article 14 (North Rhine-Westphalia, one of the 16 German Lander)

In the three Niers fora: Municipalities, districts, water companies, water associations, chambers of agriculture, forest authorities, nature conservation NGO's, biological planning units, the Netherlands authorities and stakeholders (all of the relevant region), have been consulted. In round tables with 30 – 40 persons per forum the following activities took place: Information supply, discussion, distribution of relevant materials, exchange of experience, involvement with regard to data collection.

Integrated reconnaissance study on the River Basins of the Rhine and Waal (see Annex II)

Objective:

To give advice to the national government on possible scenario's for future water management

The open interactive process has the following elements:

- a close cooperation with other governmental organisations. In steering committees, the 2 provinces, municipalities, the regional office of PW, VROM and LNV as well as the water boards are represented. They are responsible for the decision making and the advise to the government on further policies. (Before only the regional office of the Ministry developed such studies and gave advise)
- an expert group (of government staff (and representatives of NGO's)
- (in a later phase) "working groups" of experts per theme:
 - ◊ water flow, use and land use
 - ◊ juridical and governmental issues
 - ◊ communication
- open communication; from the start the project team showed a positive attitude towards interviews, questions by stakeholders and took care to produce clear reports, and leaflets to inform about the progress and results
- symposia (IVB). The IVB project has organised two symposia. One for the governors and the other one for NGOs and interested citizens. The aim was to explain about results of the screening study so far, to create understanding and support and to seek reactions and advise on the proposed measures.
- information evenings for the general public with a (DVD) film putting water management in a historical perspective, bringing interests together under the flag of security and illustrating all proposed measures and its consequences.
- The objective is to inform people, provide them the knowledge they need, generate understanding for the necessity and gain insight on the different perceptions and ideas people have. What are the consequences of these measures for the user, inhabitants and local governors?
- "Kitchen table" conferences with the ministry and farmers in the area to discuss possible measures
- Consultation rounds (interviews) among the parties involved on how to proceed.

STEP 3 By end of 2006	<p>Planning for establishing programmes of measures and outline of river basin management plans</p> <p>Further gap characterisation for those bodies identified by the gap analysis as being at risk, in order to optimise the monitoring programme and the programme of measures.</p> <p>Monitoring programmes start.</p> <p>For Public information and consultation about the RBMP, MS make available for comments a timetable and work programme for the production of the RBMP (MS shall allow at least six months to comment on those documents).</p>
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NB: The Directive requires consultation and active information supply for the phases from 2006-2009. These subjects are discussed in more detail in section 4 respectively 5.

Why, what and who?

This step is mainly focussed on planning the potential measures which may be used to achieve the objectives set for different water bodies, and to determine which options would be feasible and effective. Active involvement will help determine stakeholders' views on the potential options, and to elicit other possibilities to be screened which in turn would help determine the final measures selected. The programme of measures should be co-ordinated with other water and land- use planning processes and funding mechanisms. This may have significant financial benefits, in addition to improving effectiveness of the implementation. Also the SEIA directive refers to plans and programmes of measures (see 2.1 and 2.4).

The examples on the SDAGE project in France (see 2.7 and annex II) do also illustrate this step.

The most important stakeholders to be considered at this step will be those who can really contribute to delivering the Programme of Measures (e.g. other government bodies, water companies, wastewater treatment companies etc), those who have technical expertise and are 'representative' of a particular constituency (e.g. NGOs, research community) and those who pay for action (consumers).

How?

When considering the different measures, active involvement may be undertaken at national, River Basin District and local levels. Involvement at the national level would predominantly be with national government, industry bodies, consumer bodies, national NGOs and technical and academic experts. At the River Basin District and local level, involvement would tend to be with representatives of regional and local government and stakeholders with an interest in a specific River Basin District, river basin or water body.

At each of these levels it may be useful organise involvement using the following methods:

- Bilateral meetings
- Steering groups
- Advisory groups

The IIVR project, The Netherlands (see annex II)

The project has chosen for a cooperative style in which the different authorities and nongovernmental organisations (NGO) (and interest groups) work together and have an equal say in the final outcome. The interaction is organised through:

- a steering committee formed by governors of the different government authorities. They gave direction to the process and take decisions. The steering committee is supported by the initiative-group.
- an initiative group. This groups of experts, government employees en members of NGO's, dis-

cussed the content of the planning process.

- consultations of citizens and interest groups. In addition, several sessions are organised during a period of two years to consult citizens and interest groups and give them a chance to share their problem perception and generate ideas.

STEP 4 2007	For Public information and consultation about the RBMP, MS make available for comments an overview of the most important water management issues within the RBD (MS shall allow at least six months to comment on those documents).
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See Section 4 and 5.

STEP 5 2008	For Public information and consultation about the RBMP, MS make available for comments a draft copy of River Basin Management Plan (MS shall allow at least six months to comment on those documents).
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See Section 4 and 5.

STEP 6 2009	Final River Basin Management Plan published Programmes of measures shall be established.
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See Section 4 and 5 with respect to the publication of the RBMP

Why, what and who?

This step is mainly focussed on establishing the Programme of Measures, which will be used to achieve the objectives, set for different water bodies. As stakeholders will implement or be affected by some of the measures, active involvement in this step will help gain commitment to the delivery of the Programme of Measures.

The most important stakeholders to consider at this step will be those who can really contribute to delivering the Programme of Measures (e.g. other government bodies, water companies, wastewater treatment companies, farmers etc) and those who pay for action (consumers).

How?

When establishing the different measures, active involvement may be undertaken at national, River Basin District and local levels. Involvement at the national level would predominantly be with national government, industry bodies and consumer bodies. At the River Basin District and local level, involvement would tend to be with representatives of regional and local government and stakeholders with a role in delivery of the Programme of Measures.

At each of these levels it may be useful organise involvement using the following methods:

- Bilateral meetings
- Steering groups
- Advisory groups
- Workshops and meetings to generate solutions and define measures

Erne Sustainable Wetlands Project (see annex II)

In the Erne catchment (cross border Northern Ireland and Ireland) covering over 4,000square km's) the aim was to produce a model for agreeing a vision for management of the river basin (catchment). Active involvement with a range of stakeholders and range of methods was tried at different geographic levels. It was found that people generally related better to the more local scale.

Methods included questionnaires, community mapping and workshops. Everyone living within the river basin was considered as a potential stakeholder and active involvement was encouraged by a participatory approach of holding workshops open to the public and any interested organisation and going out into public places like town centres.

STEP 7	Implementation
2012	Programmes of measures implemented

Why, what and who?

This step is concerned with the implementation of the Programme of Measures. Active involvement in this step will help to maintain the awareness of the measures and contribute to their sustained delivery.

The most important stakeholders to consider at this step will be those who are contributing to the delivery of the Programme of Measures (e.g. other government bodies and industry sectors etc).

How?

When implementing the Programme of Measures, active involvement may be undertaken at national, River Basin District and local levels. Involvement at the national level would predominantly be with national government and industry bodies. At the River Basin District and local level, involvement would tend to be with representatives of regional and local government and stakeholders with a role in delivery of the Programme of Measures.

At each of these levels it may be useful to organise involvement using the following methods:

- Bilateral meetings
- Steering groups
- Consultation methodologies

River Tyreså project, Sweden (see annex II)

Public participation to restore and develop a River basin.

A steering group was set up consisting of politicians from the municipalities. Working groups were formed of representatives of municipalities, county board and from the water users (total 11 persons). The working group has close contact with the sport fishing associations, house-owners associations and many other associations within the catchment area. After the first introductory meeting some interest/issue groups were established: recreation/outdoor life, local history and eutrophication. The working groups have regular meetings once a month with these groups. The public participated also through panel debates. The outcome was a list of measures being implemented resulting in a.o. The establishing of walking paths, improved quality of the surface water, protection of an ecological park.

STEP 8	Evaluation and updating, derogations
2015	Good water status achieved? Objectives for Protected Areas achieved? Establishing and publishing the next plans and programs Derogations

Why, what and who?

This step is concerned with the achievement of the objectives. Active involvement in this step will be useful to raise awareness of the achievement of the objectives and facilitate the understanding of the effectiveness of the Programme of Measures.

The most important stakeholders to consider will be those who can really contribute to delivering the Programme of Measures (e.g. other government bodies, water companies, wastewater treatment companies, farmers etc), those who have technical expertise and are “representative” of a particular constituency (e.g. NGOs, academics etc) and those that pay for action (consumers).

How?

When considering the achievement of the objectives, active involvement may be undertaken at national, River Basin District and local levels. Involvement at the national level would predominantly be with national government, industry and consumer bodies, national NGOs and technical experts. At the River Basin District and local level, involvement would tend to be with representatives of regional and local government and stakeholders with an interest in a specific River Basin District, river basin or water body.

At each of these levels it may be useful to organise involvement using the following methods:

- Bilateral meetings
- Steering groups
- Consultation methodologies

The Emå River, Sweden (see annex II)

Catchment area of 4 500 km².

Objectives public participation

- To contribute to sustainable development by encouraging commitment and support from local people as regards restoration of the area and other environmental measures
- To use knowledge and experience from NGO's and other stakeholders
- To avoid new and, if possible, solve old conflicts.

Municipalities, county administrative boards, NGO's, etc., cooperated in different working groups from 1994 onwards (from 1997 there were 8 groups). Different associations took part in these working groups such as the Emå River Council, farmers associations, owners of fishing waters, angling associations, local history associations, nature conservation associations, municipalities and tourism enterprises.

Public participation is achieved by holding seminars, information meetings and hearings, circulating documents (e.g. objective documents) for comments, forming working groups (those in the group bring information back to their organisation and vice versa) and distributing newsletters, etc. Minutes from the various meetings were taken and distributed.

West country River Trust (WRT), UK (see annex II)

The objective of the project is:

- To raise awareness
- To use the knowledge and experience of stakeholders for the sustainable development of river catchment areas
- To improve water quality through comprehensive involvement of farmers

Participation has largely focused on farmers and key regional stakeholders (e.g. statutory environment agencies, the local water company, other NGOs). The WRT works both as a leader and facilitator in the region to effect change through the development and delivery of action. For instance, WRT has recently used WWF-UK funding to bring together key regional stakeholders in a workshop to begin

the process of agreeing a long-term vision for the landscape of the southwest. The workshop has been followed by a questionnaire exercise, which asks stakeholders to identify their priorities for rural land-use. Hence knowledge on local issues, resources in terms of active participation and commitment and willingness to imply changes in their production practices to ensure environmental quality is gained.

The Tubaek stream, Denmark (see annex II)

The key to the constructive dialogue was:

Public meetings were organised through the farmers union and that meetings took place at the farm - the "kitchen-table model"

Negotiation and signing of voluntary agreements on water management has taken place.

STEP 9 2027	Final deadline for achieving objectives, following 2 6-year prolongations
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The six-year programme cycle will remain, including public participation as described before.

Section 4 - Consultation

4.1 Introduction to consultation

Consultation aims at learning from comments, perceptions, experiences and ideas of stakeholders. Unlike active involvement, consultation is only possible after completion of draft plans and other documents, and during the preparation of these documents. Moreover, it is a less intensive form of public participation. Yet, whereas active involvement often is necessarily somewhat selective, consultation allows everybody who is interested to become involved in decision-making. It is a useful complement to active involvement and can function as a kind of check on active involvement, to see if all interests, points of views were represented.

According to Article 14 consultation concerns the following requirements and timetable for consultation (with a repetitive cycle of 6 years for future river basin management plans):

December 2006 (at the latest)	Time table and work programme for the production of the plan, including a statement of the consultation measures to be taken;
July 2007	Comments in writing.
December 2007 (at the latest)	Interim overview of the significant water management issues identified in the river basin;
July 2008	Comments in writing.
December 2008 (at the latest)	Draft copies of the river basin management plan available;
July 2009	Comments in writing.
December 2009 (at the latest)	Start implementation of the plan.

Thus consultation refers to:

- publishing,
- making available for comments,
- *for the public*, which is a wider range than stakeholders only.

Further on in this chapter the three required consultation phases are discussed separately and something will be said about the timing of consultation.

The Directive specifies that public comments must be provided in writing, e.g. either in paper form, by mail, or via e-mail. Additionally however, other ways of consultation can be considered (oral consultation). So basically, there are two different forms of consultation:

1. *Written consultation*, where people are asked to comment in writing on the proposed analysis or measures (this can include the use of internet).
2. *Oral or active consultation*, where the consult is sought in interviews, workshops or conferences. During these meetings major issues are presented and the invited stakeholders are asked (in small groups) to give their perception, knowledge and ideas on the specific issues (Annex I gives an example of such a workshop). They can also be consulted on the development of measures through questions like: "how to solve these issues?" or "how to proceed with our working process"

Written consultation is regarded as a minimum requirement for implementation of the Directive, oral consultation as best practice. However combinations of these two are often applied.

Code of practice on written consultation for the Directive:

- 1 Timing for the organization of consultation, apart from the dates mentioned by Article 14, should be built into the planning process for a policy or service from the start;
- 2 It should be clear who is being consulted, about what questions, in what timescale and for what purpose, the consultation process is open to anyone;
- 3 the documents which are subject to consultation (timetable, work programme, significant water management issues, draft copy of river basin management plan) should be as simple and concise as possible (including a summary of 2 pages of the main questions it seeks views on), some summaries for a broader audience should be prepared;
- 4 the documents should be made widely available, with the fullest use of electronic means and effectively drawn to the attention of all interested groups and individuals;
- 5 Anyone with an interest has six months respond to the documents;
- 6 Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken;
- 7 Departments should monitor and evaluate consultations, designating a consultation coordinator who will ensure the lessons are disseminated.

4.2 Management of comments

Management of information and comments is important with consultation. There are several available tools for informing the public and at the same time asking them to comment on the plans: fact sheets, newsletters, Internet, brochures, advertisements, articles in magazines, columns in newspapers, exhibitions, open house, info evenings and TV/radio (see description of communication tools in Annex I). The whole area that is potentially affected by the river basin management plan should be covered for example by display in city halls, libraries, local newspapers and actively sent to stakeholders or anybody that is likely to have an interest. Once the information is published you should be prepared to get responses and to act.

4.2.1 Where to collect responses?

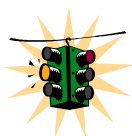
Point 7 in the box above also refers to the question of where comments should be received. For the management plan as a whole, they could be collected centrally, by an (inter)national co-ordination agency, or non-centrally, by the authorities displaying the plan. The Directive contains no provisions regarding collection and processing of comments received from the public.

Comments regarding international management plans can be collected on a national basis, at defined locations. Once collected, comments must be sent immediately to the authorities concerned, in the interest of speedy assessment. Where comments are well founded, the relevant results (such as adaptation of measures plans, etc.) should be collected on a national basis, for the river basin district, and then forwarded to the international agency (if existing) that co-ordinates or facilitates the preparation of an international management plan. In administrative areas that cross boundaries – such as those along the upper Rhine or the Moselle/Saar area – and thus will require sub-plans, co-ordinated processing of comments regarding the relevant areas/sub-plans, by authorities co-operating within the relevant ar-

eas, would be a useful way of reducing co-ordination overhead at the international coordination agency.

4.2.2 How to analyse the comments?

Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken. It is important that the authority of the area in question is able to respond to the comments and be responsive to the public/stakeholders. They need to be informed on the arguments for decisions taken and the final outcome of the planning process. Also, it should be ensured, that the authority that displays the plan, or the authority that collects comments, is able to forward, to the co-ordination unit and/or the relevant regionally competent authority, comments that refer to parts of the river basin district for which the authority does not have regional competence. When many comments are received it is advisable to categorize the comments. Subsequently the answers, motivations and decisions can be prepared per category in one surveyable document and returned to the public/stakeholder.

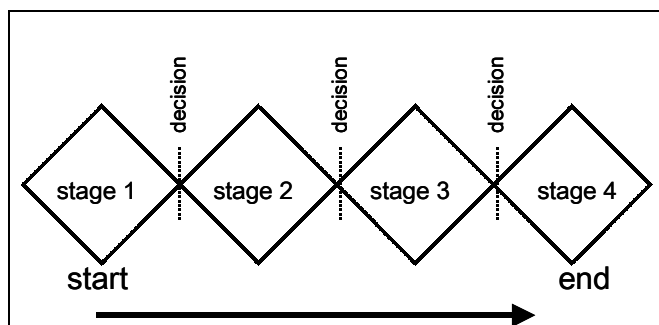


Look Out! Feed-back

It is important to give feedback to the participants of the consultation. The feedback should contain a motivation and be returned in a reasonable time frame. Remember that in future these consultations need to be organized every 6 years. 'Cherish' the participants: you will need them again!

4.3 How to organize consultation

Dealing with organization there is the need for a well-organized tailor-made design, using the earlier mentioned planning process diagram:



- | | |
|---------|---|
| Stage 1 | Starting stage: TOR for your project, indicate clearly the boundary conditions; |
| Stage 2 | Exploring stage: diverge and explore all possibilities/ideas; |
| Stage 3 | Ranking stage: converge and cluster/prioritise the possibilities, make a decision and agreements on further activities; |
| Stage 4 | Implementation and information. |

More practically:

- Stage 1 "Process Start Up" meeting/workshop(s) with these groups or groups of key-stakeholders to discuss:
 - The objectives for consultation;
 - The working process (how to reach the objectives of art. 14) and decide on their role;

- The preconditions (Terms Of Reference) for their involvement;
- Availability and relevance of existing data;
- Communication plan;
- Stage 2 Inventory of knowledge and perceptions on:
 - The description of the information to be consulted upon; what are the major issues?
 - Timing of this supply of information; is the time schedule of the Directive practical? Refine the time schedule
 - Who are we going to consult?
 - How are we dealing with the responses; management of information?
 - What tools do we have at our disposal for communication?
 - How do we give feedback;
- Stage 3 Analysis and structuring, decision making on consultation;
- Stage 4 Information supply to all relevant stakeholders.

4.4 Consultation on the timetable and work program (art 14 (1) a)

What tasks to be done?

By the end of 2006 at the latest, the public must be informed and consulted about the timetable and the work programme for production of the management plan and about the planned consultation measures.

How to organise the consultation?

The way consultation is organised depends to a large extent on the geographic scale of management plans.

At river basin level and Sub-basin level, both written and oral consultations can be organized. The relevant stakeholders and public in the river basin district should be given an overview of the planned plan-production steps (data collection, assessment, definition of objectives, decision regarding measures) and of the participating authorities and agencies (who is responsible for doing what, and by when). If necessary, information about other options should be provided; for example, regional informational events regarding the Directive could be held. With such overview information, the interested stakeholders and public become aware when they can raise their concerns and proposals.

The public that is consulted does not necessarily have to live in the river basin district concerned, a measure within the district may have effects on areas that are not assigned to the river basin district in question (e.g. adjacent coastal areas, groundwater aquifers). Persons, groups and organisations in these areas also fall under the definition of "public" and consequently they too have to be consulted. Practically this means that at a very early stage the area that may be affected has to be determined and that in the whole area (also if outside of the river basin district) the documents mentioned in Article 14 should be published and made available for comments.

At the international river basin district level a useful approach for the written consultation would be to publish internationally prepared papers, all with very similar wording, throughout the river basin district. A form of international co-ordination is needed on making the timetable and work programme including the proposed public participation measures. On the other hand, it is not clear whether such papers will be available on the international level at the time in question. But since only a first general overview is being provided,

extensive co-ordination will probably not be required. The data regarding the competent authorities, and a timetable, must be available for all river basin districts by 2006.

Alternatively, the Member States would have to take action independently from each other. In any case, certain content of this information level (such as who does the international co-ordination, who works internationally in support of whom) should be provided in standardised form. Consequently, the relevant discussion on the EU level and in the international river district commissions must be awaited.

Article 14 (1) 2nd sentence, "*Member States shall ensure that, for each river basin district, they publish and make available for comments to the public, including users:*"

The information and documents mentioned in Article 14(1) a) through 14(1) c) must be published and made available. The Directive does not specify what type of publication is required, but we can refer to the Code of practice on written consultation (see 4.1).

In discussions in Brussels, the Commission has repeatedly called attention to the Internet, which some Member States have already been using successfully even for larger planning projects. The Internet offers a good opportunity to describe and present transposition of the Directive, which is a complex process, in an understandable way. Using the Internet some questions have to be answered, e.g. the rate of the target audience with a connection to the Internet, whether additional paper versions have to be made available to the part of the public without access to the Internet, if personnel would have to be assigned to guide through a management plan, if internet access of appropriate authorities could be used by the public.

4.5 Consultation on "significant water management issues"

What tasks need to be done?

In the second consultation step, a preliminary overview of the important water management issues for the relevant river basin district and for its river basin(s) (the Directive's use of these terms in Article 14 is not standardised) is to be published by the end of 2007 at the latest. The important issues for the river basin district can be derived from:

- the analysis of the water-quality inventory that is to be completed by the end of 2004;
- the subsequent discussion regarding definition of objectives (taking into account the exceptions provided by the Directive);
- the necessary measures;
- the perceptions, knowledge and experience of the relevant stakeholders.

By the end of 2007, a relatively homogeneous assessment of the key requirements for action should be available throughout the entire river basin district. By this point, assessments should no longer differ, since otherwise any co-ordinated approach would be endangered.

How to organise the consultation?

The examples in the boxes hereafter show different forms of consultation at different geographic scales:

(Inter)national and district level

The International Commission for the Protection of the Danube River (ICPDR) is the co-ordinating body for international aspects of the Directive's implementation. ICPDR is promoting public participation in the planning process, through financial support to the ICPDR Information System, including the Danube Watch, as well as operating networks such as the Danube Environmental Forum (DEF), MLIM and AEWS. NGO observers attend the ICPDR meetings, and provide significant input to the work of the Commission (for example in the establishment of an Ecological Expert Group). Stakeholders are observers to the Commission, which implies full participation, no voting rights.

River Basin level

Water management Plan of the municipality of Örebro, Sweden (see Annex II)

The objective of the consultation is to fulfil the demands about public participation of the Swedish planning and building act concerning consultation in the development of comprehensive plans. A working group and a steering group consisting of a civil servants implement the work. A total of about 70 different authorities and organisations upstream the catchment areas and within the borders of the municipality have been consulted on a draft plan during a seminar and information meetings. The working and steering group acknowledged their opinions and comments. The adjusted document was sent for a new round of consultations. Farmer- and water protection associations and the university were also involved

4.6 Consultation on River Basin Management Plans

What tasks need to be done?

The centrally important third phase of public information and consultation will begin at the latest at the end of 2008: publication of draft versions of the management plans. The content requirements for plans are described in Annex VII. Such plans, especially those for the larger river basin districts, are likely to consist of extensive documents with maps. At this point, these documents must already be nationally and internationally harmonised, to the maximum possible extent, so that they will clearly show what co-ordinated water management is planned.

How to consult?

National scale

A useful approach could be for the national or international co-ordination unit responsible for the river basin district overall to compile these papers and then provide them to the affected states.

River Basin scale

Consultation on the River Basin Water Plans, Spain

In Spain the development of Water Plans in the river basin districts is made by "Water Councils".

According the Spanish Water Act and the Regulation on Water Public Administration and Planning (Royal Decree 927/1988), the Water Council in each river basin districts has the duty of discussing and proposing the river basin plan to be approved by the Government. At least, one third of the total number of the Water Council members has to be of the representatives of the users.

A river basin Plan in Spain includes, among others, the following contents:

- Water resources assessment
- Water demands evaluation
- Criteria for water uses priorities
- Water resources allocation for current and future uses
- Basic water quality requirements
- Measurements for groundwater protection
- Water infrastructures needs.

4.7 Timing of consultation and international coordination

Article 14 (2) "*Member States shall allow at least six months to comment in writing on those documents in order to allow active involvement and consultation*"

For each of the above-described consultation steps, the public must be allowed a period of at least 6 months to comment in writing about the relevant documents. This period is probably reasonable but the over-all time schedule is tight, since results of consultations have to be incorporated within relevant papers, in harmonised form, for the entire river basin district. Especially with regard to consultation regarding draft versions of the management plans, the question arises of how the workload is to be managed. Therefore some consultation steps might be initiated earlier than the final deadlines specified by the Directive. This could save time that would then be available for later work. Therefore, an internationally co-ordinated approach is required, if co-ordinated results are to be presented.

Article 14 (1) requires that the public be consulted regarding the management plan for the entire river basin. This brings up the question of how such consultation should be internationally co-ordinated.

Harmonisation of the timetable plays a central role in this context. In light of the tight deadlines for transposition of the Directive, and the close succession in which the various consultation phases take place, international co-ordination regarding a parallel approach – if at all possible – would seem necessary. Suitable procedures for this should be approved by the relevant international bodies.

Furthermore, the question of what documents must be submitted, a question already mentioned above must also be considered. The key issue in this connection is what an international management plan should look like. Some international river basin district commissions are currently discussing the structure of a management plan for a river basin district. There is concern that too little time will be available to produce such a complex work, especially if it is to be logical and coherent.

Section 5 – Access to information and background documents

Access to information and to background documents covers two aspects:

- Sufficient “Information supply” in the different implementation steps
- Access to background documents and information according to Article 14 (1)

5.1 Sufficient “Information supply” in the different implementation steps

In the whole implementation process sufficient information is necessary to enable active involvement of stakeholders and the public in general. The following section will describe how this can be organized.

Sufficient refers to:

- The different stakeholders and the public
- The kind of information (progress in the planning process, results and outcome of analysis, proposed measures and plans, arguments in decision making,)
- The way information is being provided (in a understandable and easy way, with e.g. announcements where to find information if required). For the public in general, the Internet, brochures and television spots are useful means. The organized stakeholders will most probably get all the relevant information in the steering groups or committees established.

The following examples illustrate how the information supply can be organized. You often see a combination of “on-line” information supply through Internet and mail and off-line meetings and conferences to inform the public of the output of the planning process. Objectives like awareness rising, promoting changes or just to inform people influence the final selection of tools. The availability of budget resources often determines the final choice.

Alcobendas-city, Spain (see annex II)

The objective of the project is to raise awareness of the population, local authorities and SME’s in Alcobendas, a Madrid suburb, on water consumption. A comprehensive package of activities has been implemented, including:

- Exchanging technical and scientific information to encourage the introduction of effective water-saving technologies and programs and water demand management
- Promoting new regulations
- Stimulating the water-saving technology market
- Promoting changes in the productive sectors
- Increasing public awareness of the need to participate actively in saving water
- Offering an example of the introduction of effective water saving measures in new homes
- Publicising the results and methodology so that they can be adapted to other towns.

Activities included press conference, calls and visits by media-rep’s, TV reports on water-saving systems, interviews radio stations, and publishing of articles.

Information letters for the implementation of the Directive in Thuringia, Germany (see annex II)

The objective is to make the persons or organisations interested in water management issues acquainted with the objectives and necessary steps of the Directive and to express their ideas and proposals. At the moment the information letters (six pages) are published twice or three times a year (available in printed form or via internet. At the end of the letters a contact person is named (phone

and email) The until now huge demand for the information letters encouraged the Thuringian Environment Ministry to expand this approach in the future. The information letters and the contact to the ministry should be used also as platform with regard to other Thuringian ministries and to other of the 16 German Lander. The information should become intensified and specified, e.g. by information on special issues.

The National Commission for Public Debate, France

A wide range of methods and tools is applied to inform the public

- **“supporting dossier”**: provided by the project leader, gives to the public the necessary information to participate - general description of the objectives and the main characteristics of the project, estimation of the economic and social stakes, identifications of the main environmental impacts and evaluation of the economic and social costs of the project - (for example, for the TGV Rhin-Rhône project, 6000 were distributed)
- **“information letters of the debate”** or “lettres du débat: to inform the public on the debate, mobilize it regularly to participate and communicate information on the evolution of the debate ” (for the TGV Rhin-Rhône project: 2 700 000 were distributed)
- **public meetings** (TGV Rhin-Rhône project: 10 in different cities)
- **Internet web site**: to have information on the project and the organization of the public debate (for the TGV Rhin-Rhône project: 6500 visits, 70 per day)
- **Visits** to the headquarters of the specific commission to consult more detailed documents on the project
- **Question-answer system** (TGV Rhin-Rhône project: 2000 questions received)
- **Prepaid cards**: distributed with the information letters, to ask for further information.
- **mail**: for sending remarks, opinions or thoughts.
- **toll-free number**: to ask for information and questions
- **E-mail**: from the Internet web site, to ask questions and consult all the answers already given
- **“contributions”**: mails received at the commission which showed one particular and developed position (TGV Rhin-Rhône project: 85)
- **“stakeholders book”**: selection of some of the observations from the public were published in so-called “stakeholders books” (“cahiers d’acteurs”) and distributed (TGV Rhin-Rhône project: 10 books in total)
- **press** (example, for the TGV Rhin-Rhône project: 163 articles published in the regional press, 26 in the national press and 10 press meetings in the 10 cities where the public meetings took place)

For more information, see Annex 2.

5.2 Access to background documents and information according to Article 14 (1)

Article 14 (1) "c) request, access shall be given to background documents and information used for the development of the draft river basin management plan."

As a minimum the background documents should include all the documents that are summarised in the river basin management plan (Annex VII). The Article 14 sentence above is referring to an additional right to information, a right that must be exercised via special application. The Directive does not specify to whom such application must be made. There may be one central information- and knowledge centre in a river basin and a national and/or regional centres can be considered (in case of an international river basin). At least these centres should have access to background documents or information. The set-up of these centres and the procedures for providing access to information has to be decided on (see Annex VII

A. 11) in the river basins. Background documents can be provided in the form of inventories of pressures and impacts on water bodies or details with regard to the programs of measures or more detailed information on implementation levels under the river basin district level (the public will ask "What consequences will the river basin management plan have for myself or my water uses?"). The Directive does not specify how quickly a request for information should be answered, but taking the Aarhus convention as a reference, one month could be advised.

The possibility of also placing background documents on Internet, and of making relevant reference, should also be considered. This will be a rather small effort, as relevant files have to be prepared anyway for inventories under the Directive.

The Municipality of Örebro's water management plan, Sweden (see Annex II)

Objectives Public participation

To fulfil the requirements for public participation under the Swedish Planning and Building Act of 1987 concerning consultation in the development of overall plans. A working group and steering group consisting of civil servants have been implementing the project.

A total of about 70 different authorities and organisations upstream of the catchment area and within the municipality's borders have been consulted on a draft plan. Their opinions and comments were acknowledged by the working and steering groups. The adjusted document was circulated again for consultation.

Those involved included farming and water conservation associations along with Örebro University.

Consultation was effected by organising seminars, information meetings and hearings and by circulating proposed land use plans for consideration by the parties involved.

The access that must be provided to background materials and information could be seen in connection with the Environmental Information Directive, its transposition into national law and the Aarhus Convention. The Aarhus Convention caused an amendment of the Environmental Information Directive (Directive 90/313/EC) and national laws will have to be harmonised with this amendment by the end of 2006. The materials and information referred to in the framework of Article 14 (1) 3rd sentence are all environmental information within the meaning of the information Directive (both definitions are extensive in scope and also include, for example, measures that could have an impact on environmental media).

For this reason, transposition of Article 14 (1) 3rd sentence could employ a cross-reference to national environmental information law and its procedures.

Section 6 – Evaluation, Reporting results of active involvement, public information and consultation measures

Annex VII of the Directive requires that the river basin management plans cover “a summary of the public information and consultation measures taken, their results and the changes to the plan made as a consequence” (Annex VII.9) and “the contact points and procedures for obtaining background documentation and information referred to in Article 14(1) (...)” (Annex VII.11)

This requirement serves the information of the Commission in its role as “Guardian of the Directive”, but can also be used as a tool to improve public participation in the next planning cycle. In that case, reporting is used in an evaluative manner, introducing a learning process. In this section, both reporting and evaluation are treated.

6.1 Reporting

Why, what, who

The Directive, as pointed out above, requires reporting on the public participation process. Reporting brings transparency into the public participation process, and gives feedback to the participants on what has happened with their comments. With respect to that, more than an *ex post* tool for supervision of the Commission over the Competent Authority, reporting is a tool for involving the public. Reporting therefore, should not only be directed at the Commission, but emphatically also to the participants involved before. It deserves consideration to report not only at the end of a participative process, but also during the process after participative activities (direct feedback).

As stated in the requirements of the Directive, the whole process of participation should be described; from the way information is made accessible for stakeholders and the public, to the effect of the participation process on the River Basin Management Plan.

How

The requirement from Annex VII, element 9 can be fulfilled by drafting a table with the measures taken and techniques used, the responses received from what sectors, and the implications of the responses for the River Basin Management Plan.

It is recommended to take into account the reporting aspects on forehand, when designing a public participation process (this also has to do with ‘management of expectations’; what do people expect to happen with their comments?).

It also is recommended to add quality indicators to the report, like:

- ‘facts and figures’, description of the public participation plan (objectives and methods, who did you contact and why, how many reached, how many reactions etc.);
- measuring of ‘customer satisfaction’ (how do participants judge the information supplied, the possibility to react, the actions following from their participation?);
- comments per sector (did every sector react; implies stakeholder analysis);
- proportion between resources for public participation and resources for the rest of the planning process.

The SDAGE projects, Reporting in the Adour Garonne Basin, France (see Annex II)

For each of the 10 French large river basins, a management plan has been produced according to the 1992 French Water Act, called SDAGE. In a modified form they will become the river basin management plan according to the Directive. The so-called Basin Committee is responsible for their initial elaboration. This Committee is composed of the representatives of all stakeholders and users in the River Basin District (about 100 members):

- 1/3 local elected officials (i.e. mayors, local communities)
- 1/3 users, consumers, NGOs
- 1/3 representatives of the State

The Basin Committee defines the management plan (SDAGE) and co-ordinates the coherence between SAGE Projects (management plans at the sub-basin/local scale). After three consultation rounds with 600 stakeholders and 1000 civil servants, a proposal for a river basin management plan for Adour Garonne Basin was finalized. The proposal was put out to a wider public for comments during 50 public meetings and finalized afterwards into a SDAGE, a river basin management plan, for the Adour Garonne Basin.

Reporting

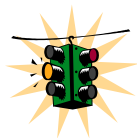
- The comments of the first three consultation rounds are reported in a “registry of comments” which is publicly available;
- Three documents will be published: the final river basin management plan (110 pages), an executive summary (25 pages) and a 4 pages leaflet. The information will be available on a website and can be downloaded from there. Background information is available on demand;
- Every year the Operation Board (under the Basin Committee) publishes an annual report including an executive summary and an informative leaflet, describing the progress of implementation of the plan.
- The SDAGE was made available to the *general* public only after its approval.

6.2 Evaluation

Why, what, who

Evaluation can improve the quality of the public participation process. Evaluation has been defined as “a process of assessment which identifies and analyses the nature and impact of processes and programmes” (Interact 2001). The essential purpose of evaluation in the context of participatory processes is therefore to assess what they have achieved. Achievement can be assessed against both qualitative and quantitative criteria. And evaluation can examine how particular participation methodologies worked and if they worked well or not. In this way, those involved can assess the “worth” of the exercise, and how things may or may not be done differently in the future. It is vital from many viewpoints that an evaluation is carried out. Not only from the viewpoint of participants who have invested time and effort but also from the viewpoint of the organisers and (if different people) those that have funded a process.

In an ideal situation both competent authority (the organizer of the participation) and participants are involved in the evaluation. Not only to hear from the opinions of participants and stakeholders, but also to include them into the learning process. Further, it is recommended to draft evaluation from the start into the design of the public participation process. On the one hand, objectives should be drawn up in clear terms that actually can be evaluated, and on the other hand, evaluative steps can be build into the participative process in order to ‘keep track of the process’ and introduce improvements on the way.



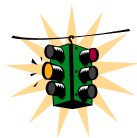
Look Out! Evaluation should not be an afterthought

The needs of evaluation should be built into the design of the participation process from the beginning

How

First: take into account the evaluation aspect when designing a public participation process. This already starts with explicit objectives (preferably quantified), together with timetables for their achievement, included to provide benchmarks against which progress may be assessed. The use of a common framework for evaluation can help ease of comparison where participation has occurred in several places within a river basin.

Outcomes are one of the hardest areas to assess and often outcomes can develop over time and it was too early to evaluate them fully. Outcomes can also be tangible in terms of hard outputs or intangible in terms of process and both are valid reasons for doing participation.



Look Out! Evaluate on the basis of the objectives

It will be essential to evaluate public participation against set objectives and review it as the process progresses and plans and programmes are written

A quick evaluation sheet for specific events can be useful and an evaluation form could include questions like:

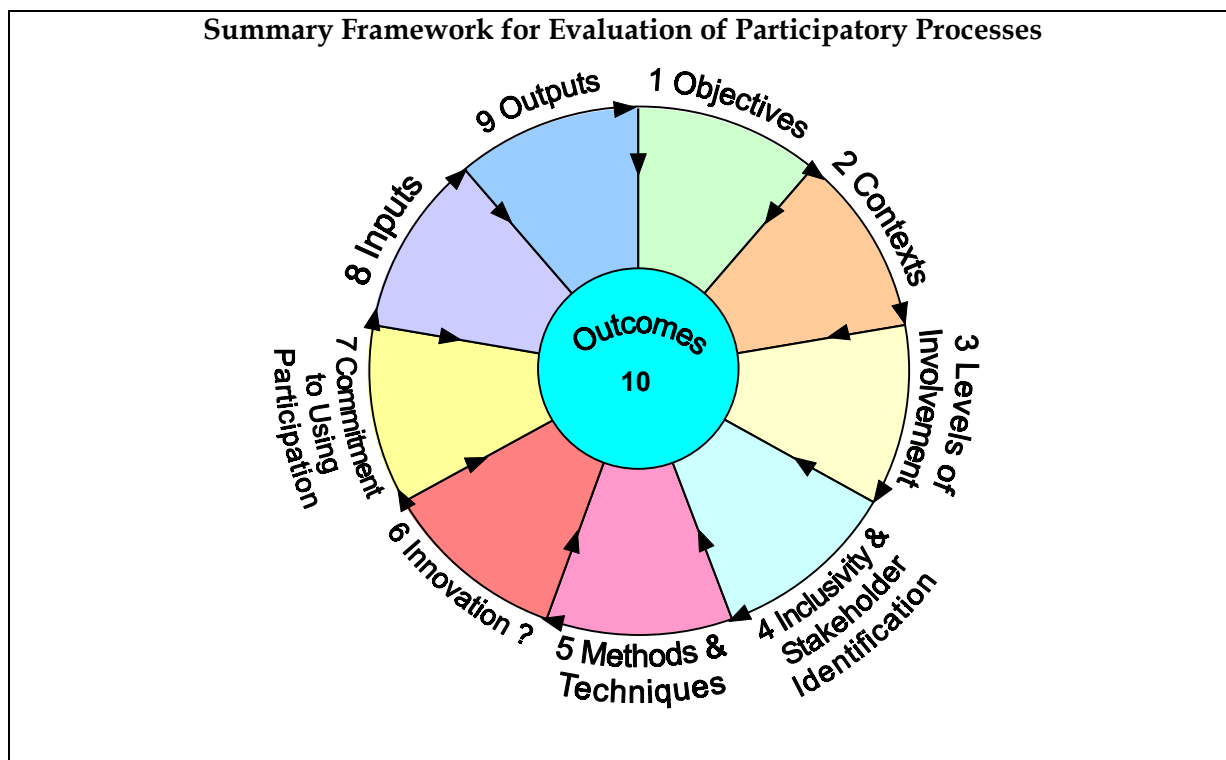
- Your role/how did you become involved
- What do you think were the aims of the activity
- What effect has your contribution made
- What effect has the activity had on (physical environment, local economy, local organisations)
- Was the activity worthwhile
- Ideas for improvements
- Advice to others holding similar events.

As with most of the issues surrounding participation, there is no right or wrong way to conduct evaluation and the key is to be as inclusive and flexible as possible.

A Framework for evaluation of participation

The following is one suggested basic summary sequential 10-point framework within which to approach the evaluation of the use of various participatory processes within a project or planning process.

Essentially this framework aims to evaluate both the participation 'process itself and the impacts of that process'. It is an adaptation for the EU Wise Use project of work done by Interact – (see references to this guidance). The user would consider the headings for evaluation starting at 1 – the objectives of the participation and work round through headings 2- 10 culminating in consideration of number 10: the outcome of the participation – that is what was really achieved. Based on evaluation public participation processes and methods may then need to be reviewed.



Evaluation principles:

Principle: Try and incorporate time and resources for evaluation of participatory processes into the decision making process itself.

Principle: Carry out evaluation where possible throughout a process, not just once it is completed so processes can be revised and reviewed.

Principle: Make evaluation as inclusive as possible by involving a range of stakeholders (e.g. funders, project staff, participants)

Principle: Use evaluation frameworks where appropriate but also be flexible and allow for other, perhaps less formal evaluation methods.

Principle: Be aware that evaluation will reveal tangible results (e.g. product orientated) as well as intangible ones (process orientated).

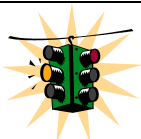
Section 7 – Developing a Learning Approach to Public Participation;

A key to success

The previous sections have shown the importance of public participation in the implementation of the Directive. This section aims to stimulate the reader to contemplate an intended public participation processes. Several factors are highlighted which should be considered for the benefit of the public participation process, but are not prescribed by the Directive. The factors mentioned here could sometimes make the difference between success and failure. Although the text of the Directive does not explicitly require an active participatory approach, the implementation of the Water Framework Directive should be done **together**. The future will also require a more inter-sectoral approach and a broader view on water management, crossing established boundaries and watersheds.

A willingness to improve, trust, transparency and a positive attitude to the process of implementing the Directive in conjunction with other stakeholders and members of the public is essential for success. Each can learn much from the others. Such a learning approach has increasingly gained attention in, for example, larger commercial companies, which, on the one hand, have to constantly adjust to new expectations and demands of the market, while on the other hand, have to re-organise themselves and adjust their capacities accordingly. Active involvement of the public is indeed comparable to such a situation and subsequently calls for a more dynamic approach to participation and self-understanding among water management authorities.

While many examples have been used to illustrate practical ways in which participation can be undertaken, this guidance cannot hope to encompass the variety of situations, which will be encountered over the next decade or more, as the Directive is implemented. Yet it will be necessary for competent authorities and other stakeholders to be able to respond to these challenges in a way, which is consistent with the spirit of the guidance.



Look out! A dynamic and learning approach will pay off in the future

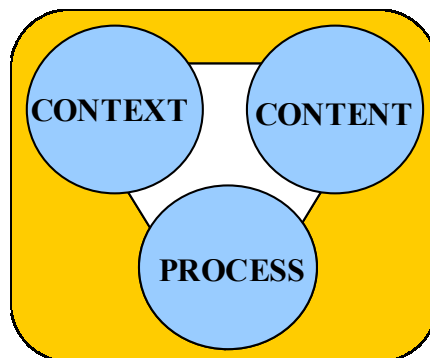
All, public, stakeholders and competent authorities, at any level, will benefit from increased communication, accumulation of knowledge and sharing of each other's experiences. Lessons learnt in the past will be valuable input for the future.

This section draws attention to the factors, which underpin a learning approach to participation with three aims in mind. First, to *raise awareness* amongst competent authorities and other stakeholders that there is a need to develop approaches to public participation, which are tailored to local conditions (here 'local' even means the customs and traditions of an international River Basin District). Second, to enable the competent authorities to review and assess their own and others' *current approaches* to public participation. Finally, to enable the competent authorities and other stakeholders to begin to develop a *learning approach* to public participation.

A learning approach means that competent authorities and other stakeholders collectively take responsibility for creating the necessary conditions so that public participation becomes

a way of learning about each others perspectives, views and knowledges, thereby providing the basis for negotiation between stakeholders about how best to implement the Directive.

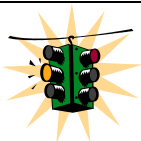
The following sections illustrate some of the factors, which competent authorities will need to be aware of to assess and inform their own current practices and provide a basis for developing new approaches to public participation in the future. These factors can be grouped under the headings 'context', 'process' and 'content'. Each is explained in turn.



Factors influencing the public participation process grouped in three main groups

7.1 Context factors

Context refers to the **existing conditions or circumstances** in which the approach to public participation is being developed, since there will always be a 'history' of environmental management before the implementation of the Directive. It is impossible to describe the context of public participation in advance since there will be considerable variations between member states, over time, at different locations and scales and so on. However, the context can significantly influence public participation in terms of process design, content of discussions and outputs. In some instances the context may mean that it is inappropriate to initiate public participation without some change in existing relations between stakeholders. It is therefore necessary to be aware of the starting conditions if processes of public participation are to be successful.



Look out! Existing conditions 'set the scene' for public participation

These conditions evolve from a historical and local context regarding:

- political culture of decision-making
- culture of stakeholder involvement
- organisational or institutional practices
- budget and resources
- history of previous attempts to engage stakeholders
- environmental conditions
- the scale of the project

The strength of a good process is **to recognise the context** in which public participation is being developed and to realise that it may require competent authorities and other stakeholders to accept the need for some or all of the following **changes**:

7.1.1 changes in attitude of public authorities to the environment and other stakeholders;

7.1.2 organisational changes;

- 7.1.3 political commitment and resource allocation;
- 7.1.4 capacity building and representation of stakeholders;
- 7.1.5 reaching beyond stakeholders to individual citizens and enterprises;
- 7.1.6 demonstration projects to build trust and to learn from experiences.

These factors are explained in more detail.

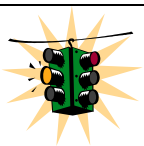
7.1.1 Change in attitude: stakeholders as partners in water management

Many government authorities have realised that the “command-control” resource management systems prevalent in the 1960s and 1970s have had some significant environmental consequences. Sharing the management of natural resources with the people that depend upon them for their livelihood, can help to make their management more sustainable, more efficient, less expensive, and more socially acceptable.

This shift means that the competent authorities may have to change their own organisational perspectives on the value of involving stakeholders in the process of decision-making and implementation. Dominating behaviour by authorities may inhibit participation, while an attitude where authorities realise they need to listen to knowledge, insight and solutions of their partners (stakeholders) in order to be able to provide high quality RBM plans encourages it. For those in powerful positions to adopt a non-dominating, learning attitude may even entail personal change amongst staff. This implies that water managers need to be technical experts *and* process managers. Adopting an attitude, which begins by defining water problems as human problems rather than technical issues, is a good way to begin to appreciate perspectives of other stakeholders.

As a simple way of revealing current attitudes to public participation, we invite reflections on the following questions:

- why does your organisation (want to) engage in public participation?
- how is this achieved?
- with what results?
- to what extent have either the process or outcomes changed you or your organisation in any way?



Look out! Listen and be open minded

Public participation will not be successful if competent authorities and stakeholders do not respect, listen and learn from the views and perspectives of each other so that over time they become partners in the implementation of the Directive.

7.1.2 Organizational changes

Since public participation often requires a different working approach by competent authorities, it follows that a number of organisational changes may also be necessary. At the most basic, it may be necessary for the competent authority to

- **review its current organisational structure** to determine the level and focus of public participation at present and the extent to which its current organisational structure encourages or constrains public participation in decision-making;

- **review the skills, experience and competencies of staff** to assess whether the competent authority either currently has the competency to engage in processes of public participation or whether it may need additional training.
- **review the current budget and resources allocated to public participation.**

The need for an organisational review of competent authorities and the findings of the review will vary across the different member states. A review should really be considered since it is often too easy and too simplistic for one organisation to assume that it is *other* stakeholders that need to change when there is conflict. Equally, a review will encourage the competent authorities to determine training needs for staff that may have limited experience of public participation.

The process of public participation may also affect the organisation's practices. These may require the competent authority to ensure some or all of the following become part of the organisations 'way of doing things':

- **making the results of the planning process more open-ended** (depending on new insights, knowledge, ideas for solutions). Active involvement is characterised by more open-ended processes. Active involvement is by its nature more uncertain and unpredictable in terms of content, scale, financial cost and time;
- **a flexible approach to the contributions of stakeholders.** The timing and tempo of stakeholder involvement may change throughout the process. The competent authority may have to make allowances for this;
- **a flexible approach to financial planning.** As decisions are made in partnership with other stakeholders, there will need to be some provision for open budgets (i.e. not earmarked to certain measures before hand);
- **retaining a local rather than organisational perspective.** Public authorities working within a certain sector and or institution inevitably orientate towards their own obligations and objectives and the delivery of these become the key concern. It is important to ensure that the local, broader context is not forgotten. 'Local' in this sense are also the habits and traditions within an international River Basin District;

The challenge of all types of organisations will be to handle these changes. Changes in procedures and structures take their time. However, in the meantime the change in attitude and skills of the motivated employees, actively supported and resourced by senior level management, will help in finding "room for change" within the existing organisational and institutional context.

7.1.3 Political commitment

The starting point for embarking on a participatory approach is a commitment at political level. This commitment has to be based on an understanding and awareness of the new obligations and why active involvement is not only beneficial but also necessary in order to deliver the anticipated water quality objectives as a significant part of promoting sustainable development.

In this regard, political representatives need to be aware of the following:

- The aims of public participation in relation to the development and implementation of the directive;

- The nature of participation, its implications and whether it compliments or replaces previous practices;
- The potential of stakeholders' contribution to water management;
- The need for political commitment to the process *and* the outcome;
- The role and timing of formal decision-making in the process and hence the particular contribution of political representatives;
- Means to reach beyond organisations and institutions to individual citizens;
- Possible consequences of the process. For example will changes in water pricing be more or less acceptable as a result of public participation in the decision-making process?
- Water management is no longer the sole responsibility of government authorities. Network organisations are needed in which government organisations work together with NGO's, business enterprises, interest groups, and experts (universities).
- The commitment from the politicians needs to be transformed into concrete resource allocation ensuring sufficient staff, budget, mandate, ambitious public participation objectives and internal training.

The **Danube River Basin** takes up approx 1/3 of the surface of Europe. Within this scale, linking local and international levels constitute a major challenge. The international cooperation takes place within the framework of the Danube River Commission ICPDR). (see **Annex II**)

Stakeholders e.g. NGOs can apply for observer status to the Commission, which implies full participation, no voting rights. A large number of smaller (national and local) NGOs are connected with this through co-operation platforms, notably the Danube Environment Forum (Assembly of NGOs), and other networks such as the Global Water Partnership CEE. The GEF-financed Danube Regional Project supports the Danube Environment Forum (DEF) by financial means, hereby enabling the NGO-participation in practise.

DEF is an NGO platform with combined local and regional structure, established in 1999 to promote NGO participation in government fora, programmes and initiatives. Within this context, the NGOs have been able to contribute e.g. as follows: facilitating dialogue on trans-boundary River Basin Planning, participating in the establishment of ICPDR Expert Group on River Basin Management and WFD Implementation, development of Issue Paper on WFD and Public Participation, ensuring NGO and public participation in the Danube River management and co-ordination through DEF, providing concrete, local cases for the ICDPR discussions.

7.1.4 Capacity building and representation of stakeholders

To take the steps from some degree of "consultation" towards "active involvement", whatever shape it may take, will be a challenge for the competent authorities and other stakeholders. As noted above, an organisational review will help identify whether those involved (whether the competent authority or any other stakeholder) in the process have sufficient capacity to engage in public participation. The capacity to engage could be dependent on resources, availability of experienced and qualified staff, their knowledge of the situation (e.g. what happens down-stream) and the extent to which those involved are willing to acknowledge the potential for change in the management of the water issues under consideration. This will mean that participants will have to be willing to take co-responsibility for decisions, which emerge from the participation process.

Providing stakeholders with improved access to information and decision-making, will also oblige them to take shared responsibility for utilising their networks and communication channels. Their members and associates should be made aware of some of the implications of

the Directive and possible consequences of its implementation, for example about the Programme of Measures.

For example, business sectors that are further involved in the decision-making, and are eventually presented with demonstration projects aiming to identify appropriate water management solutions, will have an obligation to inform their members and encourage them to adopt a new approach to water use. For companies, an analysis of their situation and interests with regard to water management could include questions on the following issues:

- Current water use
- Current pollution levels/recent pollution permits
- Current measures to reduce/prevent pollution or other pressures
- Relative cost levels on water use and wastewater services
- Current incentives / legislative framework for water use
- Degree of subsidises in the production process
- Experiences with EMA / code of conduct / good agricultural practices
- Awareness level and knowledge of the river basin, particularly down stream.

Equally, NGOs usually have intermittent problems financing their work programmes. Often they depend on various funding schemes offered by national or international donors. These schemes will become particularly relevant in situations where the competent authorities request participation in water management bodies. This problem is particularly relevant for local NGOs and regional branches of national NGOs, being less experienced and having less resource than the central offices, with often only voluntary members.

It will be up to the competent authority to determine how its own organisational approach to public participation can help other stakeholders overcome some of these and similar problems to build the capacity among a wide range of stakeholders to progress the issues. In some cases it may be appropriate for the competent authorities to provide, for example, secretariat support to stakeholder networks, to make information widely available and perhaps to offer training events on specific aspects of the Directive. Equally, the possibility of stakeholders informing and providing 'training' to the competent authority should not be discounted. Capacity building will be a two-way process.

7.1.5 Reaching beyond organisations to the individual citizens and companies

A significant part of a participation strategy should be prioritised to consider reaching beyond organisations and institutions to individual citizens. A large part of the water use as well as water pollution is generated at the level of single households, dispersed settlements, individual companies and agricultural units.

Reaching beyond organisations to individual citizens and companies is crucial for water management, due to the large share of water use and water pollution held by individual households, dispersed settlements, small and medium enterprises and small agricultural units.

7.1.6 Demonstration projects to build trust and to learn from experiences

Demonstration projects will help evaluate and demonstrate the success of public participation in the water management sector and offer the potential for all stakeholders to learn from practical experience. Competent authorities should be encouraged to initiate such projects. These projects could have a wide range of aims:

- Through a “don’t talk about it - show it”-approach, to convince target groups to embark on new, different practices with regard to active involvement
- To create win-win situations: active involvement gives stakeholders the possibility to influence the implementation process with regard to their interests, while the competent authorities will achieve a more widely accepted implementation.

Reducing water consumption in the Graphic Sector, Denmark (see Annex II)

The objectives are:

- To involve stakeholders in the set-up and implementation of demonstration activities
- To make them “ambassadors” of the new water consumption practices, by showing results and its impact on sustainable water consumption

Danish Environmental Protection Agency unit for cleaner production, consultancy company, selected companies from the Graphics Sector, Graphics Business Sector Association were involved comprehensively throughout the entire process shaping the improvements within the daily activities of the companies and testing new equipment, supported economically by the project. With rather limited funding schemes, demonstration activities can successfully be conducted, with the results being extracted for later inclusion in revision of environmental regulation of the sector’s environmental impact. Demonstration of concrete opportunities and providing of win-win examples allows for a new business paradigm to spread. Further, through this co-operation the Competent Authorities also gets input on how to establish a feasible planning and incentives framework.

7.2 Process Factors

‘Process’ refers to **the ways in which stakeholders participate** in the implementation of the directive. This is not limited just to the ‘delivery’ of the directive, but includes the process in which stakeholders engage with each other to negotiate on issues of concern, possible actions and to determine how implementation can be best achieved. Experience has often shown that the quality of the process determines whether wider support for actions and measures is forthcoming.

The quality of the process is dependent on the principles which inform its design. It cannot be overstated that **trust and transparency** are fundamental to mobilising stakeholders to engage with each other and to take on shared responsibility beyond their own immediate interests. The difference between being partners in water management and opponents often rests on a lack of a trust, suspicion of hidden agendas and lack of a co-operative climate for creative solutions. The participation process should encourage:

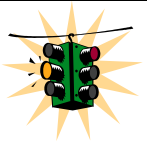
- Trust
- Openness
- Transparency
- Honesty
- Respect
- Inclusion
- Positiveness.

Translating these principles and using them for the design of a participation process is not always easy, since there are many stakeholders, new situations emerging and many aspects of process which need to be considered. However, practical experience suggests that a number of common factors, relating to process design and performance, are key issues for con-

sideration by competent authorities and other stakeholders. In summary, **processes for public participation should be characterised by some or all of the following:**

- 7.2.1 Early involvement of people in setting the terms of reference;
- 7.2.2 Developing co-ownership of the process design;
- 7.2.3 Opportunities for learning between stakeholders;
- 7.2.4 Mutual respect;
- 7.2.5 Flexible and 'open' process;
- 7.2.6 Iterative and continuous evaluation;
- 7.2.7 Independent facilitation;
- 7.2.8 Ongoing.

The above list does not include specific recommendations as to *how* to enable opportunities for learning, for example. This is because there is no one method which will work for all in all situations.



Look out! Challenges in the process

The challenge for the competent authority is to take these factors into account while developing and organising the process of public participation in conjunction with other stakeholders.

7.2.1 Early involvement in setting the terms of reference

This is an important consideration and should not be overlooked by competent authorities since one of the most common causes of problems in participation occurs when stakeholders feel excluded from the aims and design of the process. Involving stakeholders in setting the terms of reference can help to build trust and establish dialogue between different interest groups from the outset. The terms of references for the process might include agreement about the following:

- objectives of the process;
- the general scope of the process;
- the range of stakeholders who are likely to be interested;
- expectations of those involved;
- communication protocols;
- financial resources and allocation;
- organisational support and contributions as required;
- timescale and timetabling; and
- the contribution of the process and its outputs to formal decision making.

It is important to remember that the terms of reference can be modified as conditions change, the process gets underway or as new stakeholders are involved for example. This is particularly true of the process objectives, scope and participants.

7.2.2 Developing co-ownership of process design

As with setting the terms of reference, it is important that competent authorities explore with other stakeholders how best to proceed with public participation since there is no single design for participation which will suit every situation. A process based on co-development and co-ownership is likely to build trust, attract greater support from stakeholders and create a mutual willingness to make the process a success. Co-ownership also tends to ensure that the process is more suited to its purpose and maximises the skills and capacities of those

involved. It will therefore be necessary for competent authorities to guard against presenting a pre-determined approach without an equal opportunity for participants to contribute to the process design.

7.2.3 Opportunities for learning between stakeholders

The design of the process should help to create opportunities for learning between stakeholders. This goes beyond simply presenting information (such as a lecture or presentation), which tends to be one-way rather than two-way communication. Instead, the design of the process should seek to encourage active dialogue between participants. In some instances, simply the act of bringing people together for the first time results in new insights about the different perspectives, aims, successes and problems of each other's work. This can develop into regular meetings of stakeholders to help establish new partnerships and help alleviate problems before they arise. While dialogue to develop understanding and enable learning between stakeholders is important, the process has to be more than a 'talking shop'. Experience and research suggests that stakeholders are highly motivated by achieving results 'on the ground'.

7.2.4 Mutual Respect

In many instances, stakeholders are not always in agreement with each other and differences of interest and opinions can often be entrenched. The process should encourage stakeholders to respect each other's views. Independent facilitation is often useful in these instances. For some, including competent authorities, this will not be easy to accept particularly if previous encounters have been marked with hostility and strong disagreement. Nonetheless, a learning approach to public participation will only succeed if there is an explicit acknowledgment of difference *and* a commitment to exploring the nature of that difference to identify possible common ground and agreement on how to proceed. The differences are often expressed in a variety of ways such as: disagreement about what the problem is (the identification of the problem); the kinds of information which are considered acceptable (scientific and non-scientific); and ways to proceed and the likely consequences of particular causes of action. The competent authority is likely to be in a central position here and should work to ensure that the invitation to participate and the process of participating builds a sense of mutual respect among all stakeholders by valuing the diversity of interests, views and opinions.

7.2.5 Flexible and 'open' process

This design factor is an important reminder that all stages of the process cannot be pre-determined. A flexible approach to process design is more able to accommodate change and learning as stakeholders engage with each other over time. Equally, an 'open' process is part of building trust between stakeholders. If the process is too rigid and constrains discussion then stakeholders are likely to withdraw support. In agreeing to participate, all stakeholders, including competent authorities, are under an obligation to listen and take note of others concerns. This may mean altering the process design over time.

7.2.6 Iteration and continuous evaluation

Iteration is about inviting participants to review the process, to reflect on what they have achieved so far and whether changes are needed to either process or content. It is part of the continuous evaluation of the process so that learning is incorporated into the process *immediately* and can inform current (rather than just future) ideas, negotiations and so on. This can be very effective, for example, where a new understanding emerges between stakeholders (such as a redefinition of the problem) and shifts the basis of participation onto a new level. Building continuous evaluation into a process can be as simple as identifying time for reflec-

tion at any stage – this creates a space in which participants can review what has occurred. The important point is that evaluation is not only just about an ex-post assessment or an evaluation of the outputs. It should be an on-going process.

7.2.7 Independent facilitation

This design factor is not always appropriate since some types of participation are not facilitated. However, independent facilitators can be particularly beneficial when relations between stakeholders are difficult and there is a lack of trust or respect between participants. Using a neutral third party can also help avoid concerns that the competent authority might dominate debates and agendas. Allied to this, it may be necessary for meetings to be held on ‘neutral’ territory. In any event, consider rotating the location of regular meetings between the different participants. This can keep ideas ‘fresh’ and new insights and understanding can be gained just by visiting offices of different stakeholders.

7.2.8 Ongoing

While large-scale one-off events have their place in participation, too often they either fail to have a lasting impact on the issues or they fail to generate large-scale ownership and commitment to act. Experience suggests that smaller scale, *ongoing* processes tend to provide more opportunities for stakeholders to establish trust and understanding between each other and are more likely to generate long term momentum. It also ensures that stakeholders who cannot make one particular meeting because of time pressures are not excluded, as they would be if the meeting was simply one-off.

7.3 Content Factors

Many of the **factors relating to content** are closely linked to the design of the process to the extent that many experienced practitioners of public participation often pay more attention to getting the process ‘right’ in the knowledge that the ‘content’ tends to follow naturally. As with other parts of this guidance, it is impossible to be specific about the content of participatory processes. Even so, it is likely that the following factors will be important at some stage in the process:

- 7.3.1 Valuing diversity of knowledges;
- 7.3.2 Evidence, proof and uncertainty;
- 7.3.3 Reporting and communication.

7.3.1 Valuing diversity of knowledges

As more stakeholders are involved, so the diversity of their experiences, views and knowledge is likely to increase. It is important to be aware of, and value, the different types of knowledge which stakeholders draw upon. These might include, for example, scientific expertise, and situated non-expert knowledges – often from stakeholders who live and work in the locality. It is important to realise that expert *and* non-expert knowledges can contribute to a better understanding of the root causes of the problem and lead to a more informed and relevant plan of action. Experience in the water resource sector has shown that generic ‘expert’ solutions have often been inappropriate for local conditions and have had unintended negative effects. Many of these could have been avoided if scientific expertise had been combined with local knowledge and experience. This is not least likely to be case with regard to defining the reference conditions, where knowledge on historic conditions - being equally

distributed with authorities and other parts of society - may turn out to be of crucial importance, e.g. previous physical appearances of rivers and wetlands.

7.3.2 Evidence, Proof and Uncertainty

While valuing diversity is important, it can also create problems for determining what is accepted as 'evidence and proof'. Some stakeholders may insist that only 'scientific' evidence is acceptable as the basis of the decision-making process. Others might want to fill in gaps or qualify this information with their own personal experiences and observations. However, there will be many occasions where no scientific information is available or where considerable uncertainty exists either about the resource base of the consequences or of intended courses of action. There is no easy answer how to proceed under these conditions. However, if the process design is robust, then debates over uncertainty can be aired and decisions taken with this in mind. We suggest that competent authority should try to ensure that decisions are based on all the available evidence by accepting that non-scientific information can be a legitimate form of knowledge about the environment and can be used to compliment and inform expert opinion. In conditions of uncertainty, it will be necessary for the degree of uncertainty to be made explicit.

7.3.3 Reporting and communication

Non-technical summaries, which reflect the perceptions of the stakeholders and the broad public, are important in the reporting of the process. This also includes providing non-technical summaries of the RBD analysis for the local catchment situation. Thus, local stakeholders will be able to identify themselves with specific situations.

7.4 Conclusion

The preamble of the Water Framework Directive includes a very clear statement: active public involvement is most likely the key to success with regard to achieving the desired water quality objectives. This statement reflects several years of accumulated European water management experiences. In simple words: the water users and water polluters need to be turned into part of the solution, not being left outside the considerations as part of the problem. This Guidance has presented a range of recommendations on how to ensure active involvement. It is important, however, to take into account that no blueprint solutions can be provided. Each River Basin District has to find its own way to handle this, taking into account the prevailing cultural, socio-economic, democratic and administrative traditions. Careful planning, e.g. stakeholder analysis, is a particular recommendation, but each competent authority has to accept that a dynamic and learning process based on "trial and error" is the challenge to embark on. Experience show, however, that given sufficient time, it will pay off in the long run.