



REMOC Conference “Water Days”
Session 4: “Key questions of the Water
Framework Directive (II)”

**Public Participation (P2) in the
EU Water Framework Directive
(WFD)**

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1. Aim of the presentation

- Highlight the **importance of P2** in the WFD implementation.
- Explain the **P2 guidance document** and PRB process.
- Focus on the **first steps**.
- Focus on some RBO-relevant **organizational issues**.





2. WFD and P2

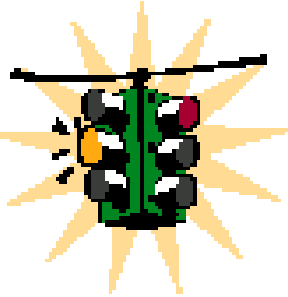
Preamble 14

“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.”

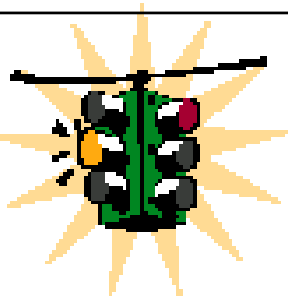




3. Aim of public participation



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.

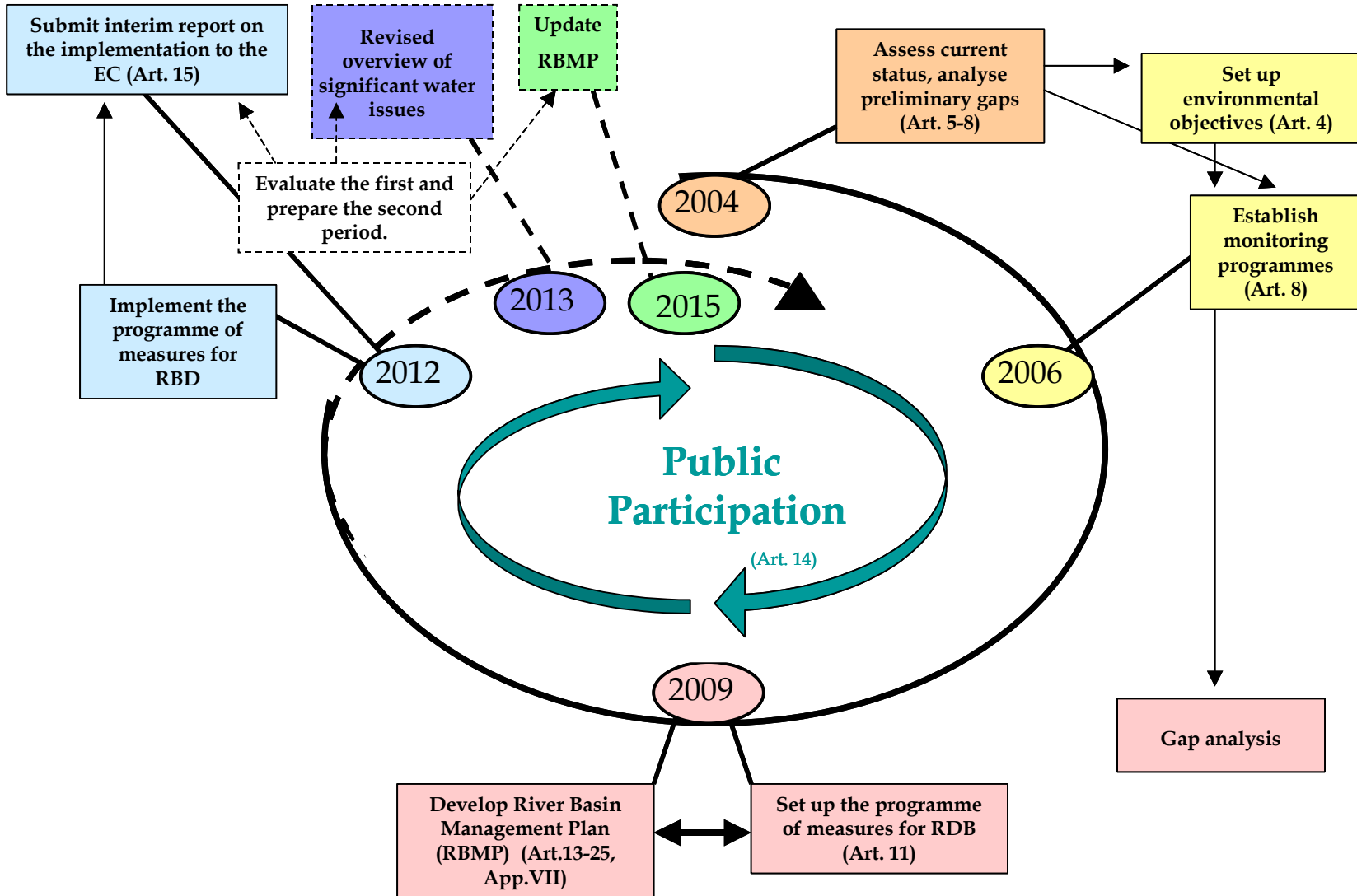


Look Out! Public participation is not necessarily about: *Everybody joining, everybody deciding, always participation, losing control, or achieving consensus at all expense.*





3. Art. 14 in the planning cycle





4. WFD legal basis for P2

Article 14 prescribes three main forms of public participation:

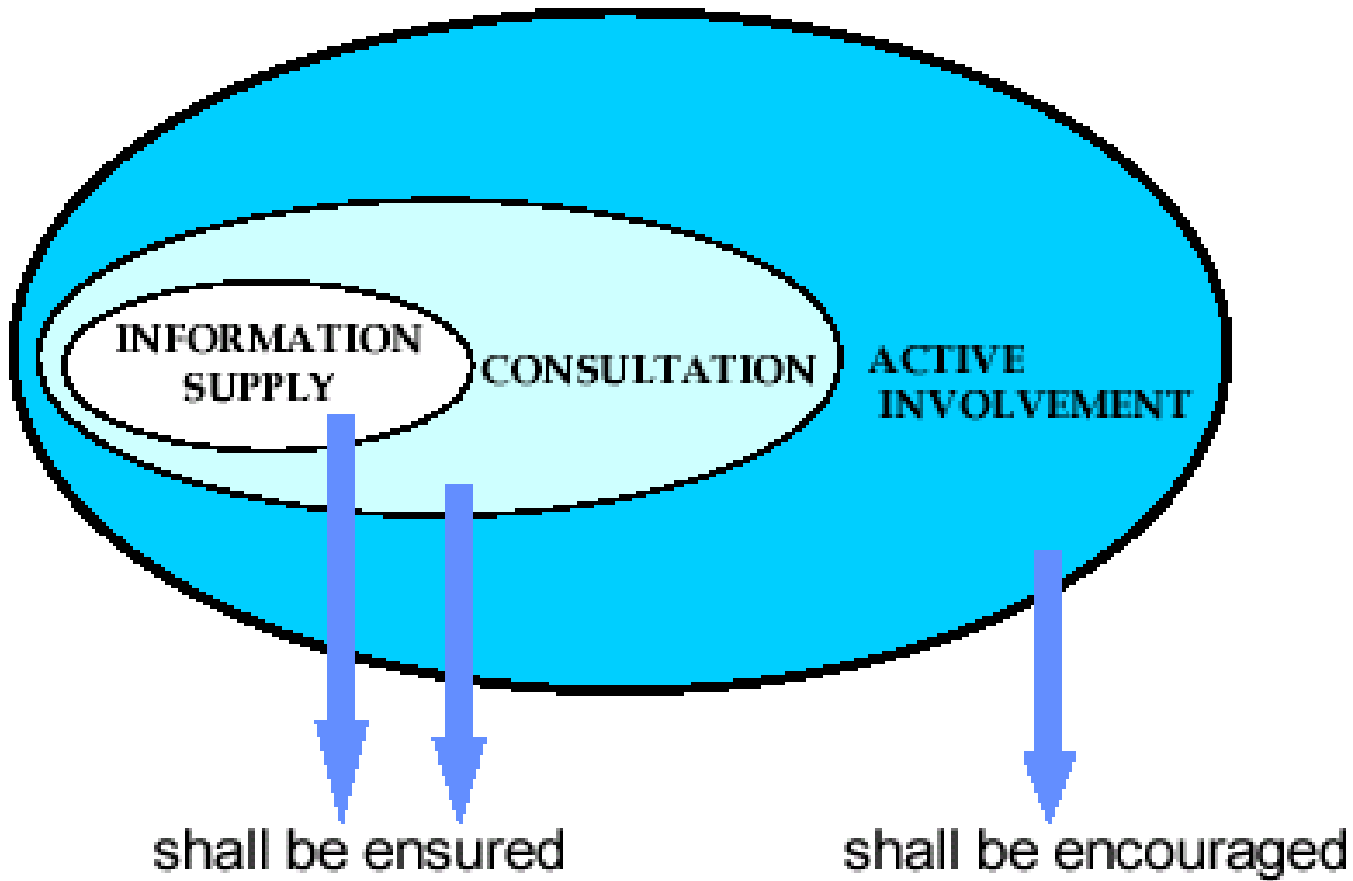
- **Active Involvement** in all aspects of the implementation of the Directive, especially – but not limited to – the planning process
- **Consultation** in three steps of the planning process
- Access to background **information**

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



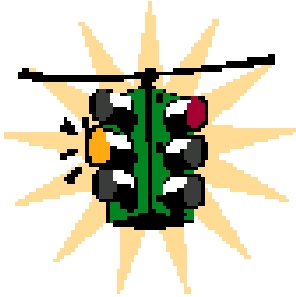


4. Legal basis (2)

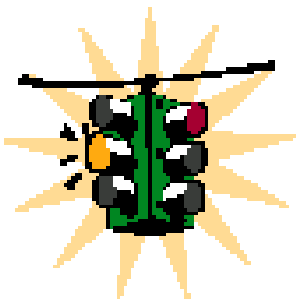




4. Legal basis (3)



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.



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.





5. Implementation Strategy

- **Working Groups**, formed by European Commission, Member States and stakeholders.
- Develop **non-binding guidance** documents based on “good practice” (and additional tools).
- “Guidance on public participation in relation to the WFD” + Annexes.
- Further **testing in Pilot River Basins**.





5.1. Good practice

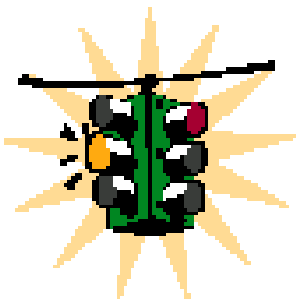
- Recommendations on the **context** (capacity building, organisational changes, political commitment,...).
- **9 participation “steps”** in the planning process.
- **Process** recommendations (early involvement, create ownership, external facilitation, evaluation, ...).





5.2. Guidance on P2: Who?

- Consultation: “the Public”.
- Active involvement: “all interested parties”.
Transparent selection with a set of “common sense” criteria:
 - interest,
 - capacity,
 - level of involvement,
 - scale,
 - social context...



Look Out! Stakeholder Analysis.

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





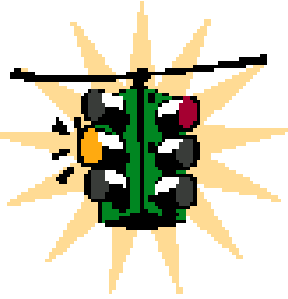
5.2. Stakeholder analysis

1. Define the stage of the process that will be subject to a stakeholder analysis.
2. **Brainstorming session** to identify units.
3. Split up into sub-units/organised in types;
4. Identify a **concrete name** of stakeholder (and address/contact information);
5. **Check the result.**
6. Order by **degree of involvement** of each actor in each stage.
7. Check if there are no **big gaps**;
8. **Use the result!** e.g. for communication.
9. Be very clear with each stakeholder about his **expected role** and involvement;

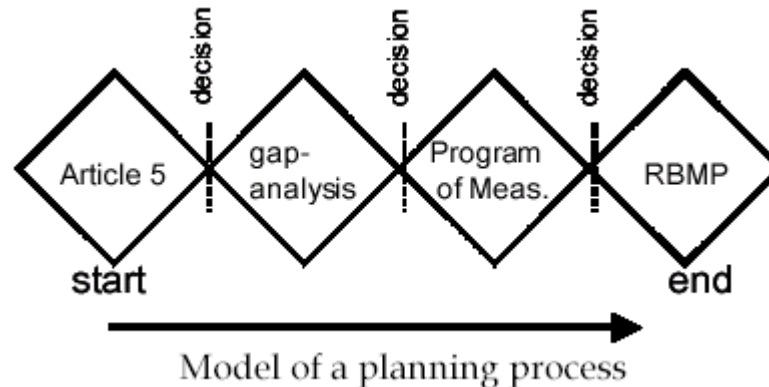




5.2. Guidance on P2: when?



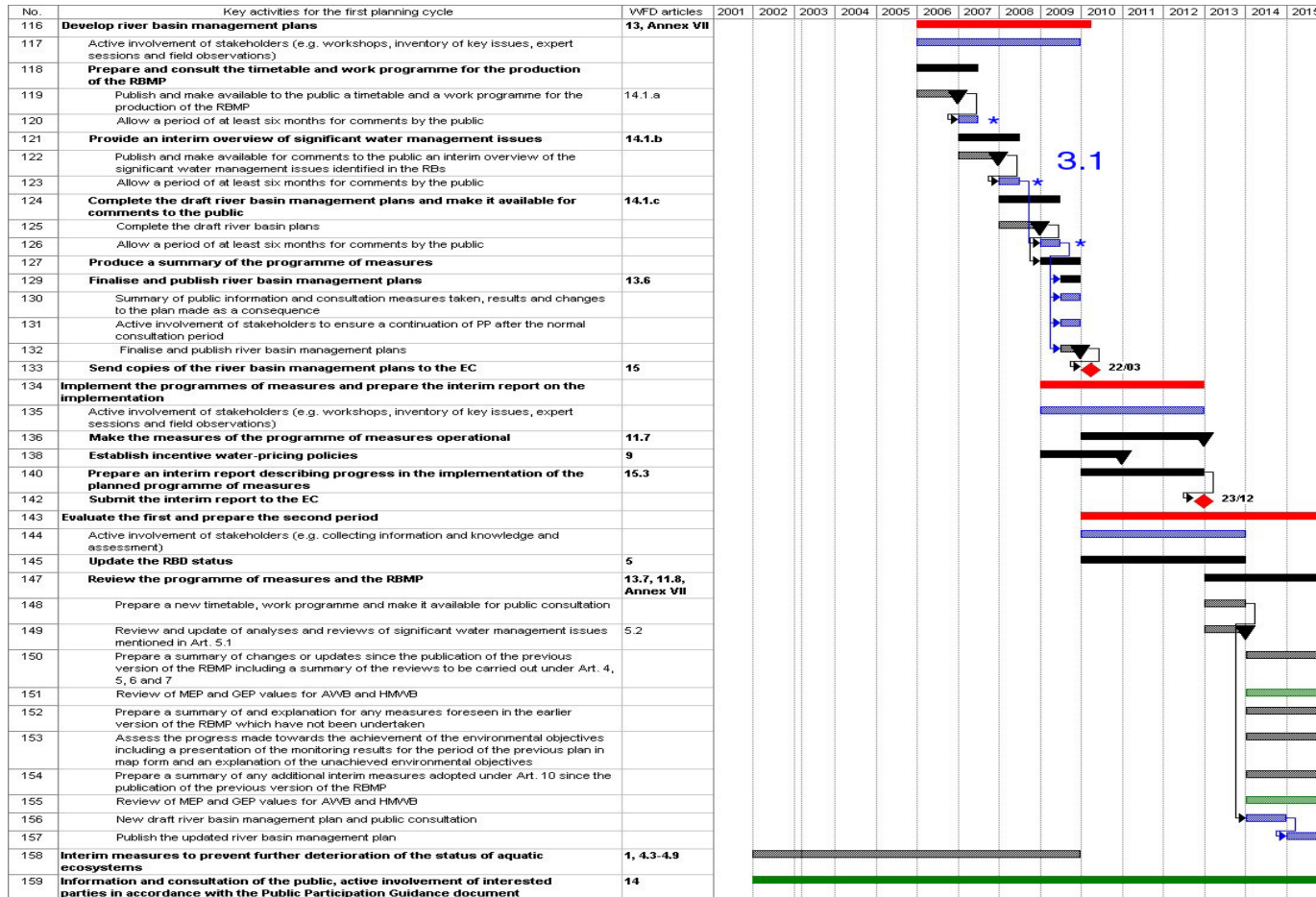
- **Look Out! Timing.** Start public participation as soon as possible and do not wait until 2006.
- Proportionality (mutual C/B analysis).
- Case by case levels and criteria.





5.4. Planning process coherence

- P2 included in planning flowcharts of “Guidance on the Planning process”.





5.5. First steps for P2

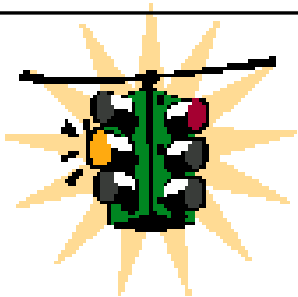
	2002	2003	2004	2005	2006	2007	2008
Provide WFD information via existing structures							
AI in WFD legal transposition							
Develop strategy for stakeholder identification							
Design P2 procedures							
AI in the Analysis of RBD characteristics							
AI in Review of pressures/ impacts							
AI in identification of AWB & HMWB							
AI in economic analysis							
Information of public on results of RBD analysis							
AI in intercalibration exercise							
AI in establishment of the monitoring programme							
AI in gap analysis							
AI in the set up of programme of measures							
Information of public and interested stakeholders							





5.6. Consultation for RBMP

- 2006: time table & work programme
- 2007: overview over significant water management issues
- 2008: draft copies of river basin management plan

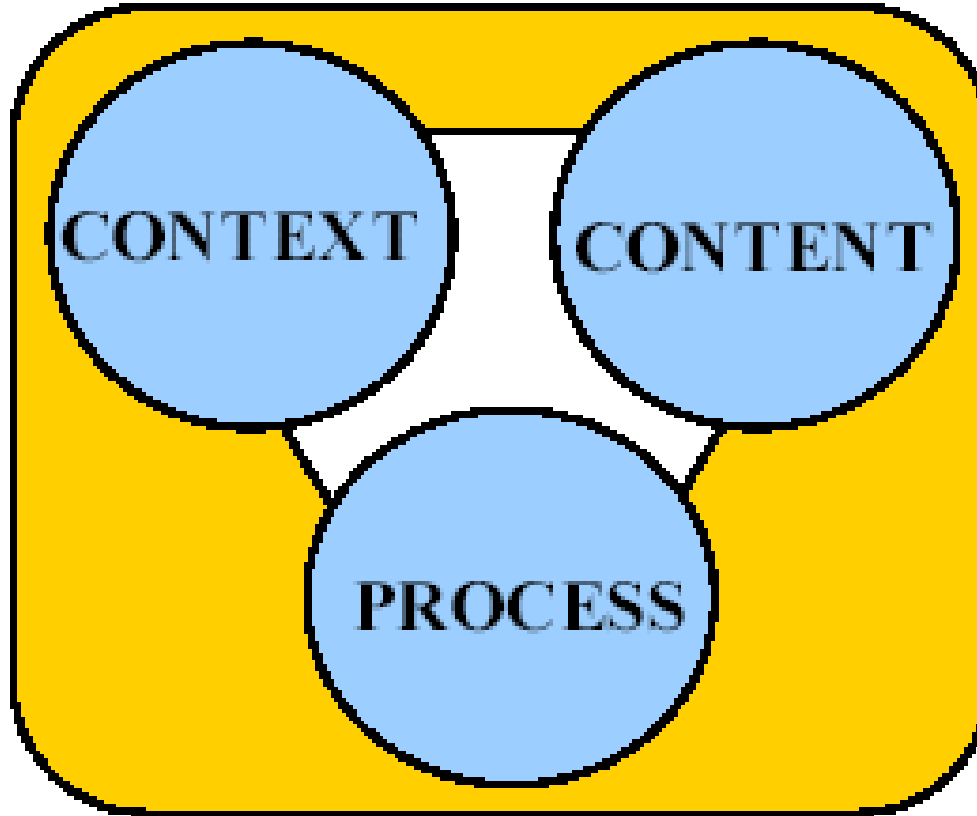


There are timing problems!
Start now!



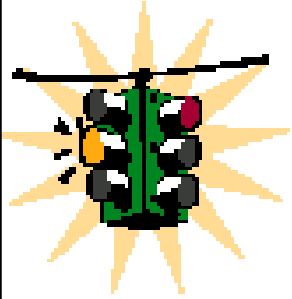


5.7. Context factors





5.8. Context factors



Look out! Existing conditions ‘set the scene’ for public participation:

- 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





5.9. RBO practices + changes

- review its current organisational **structure**
- review the **skills, experience and competencies of staff**
- review the current **budget and resources allocated** to public participation.

- making the results of the planning process **more open-ended**
- a **flexible approach** to the contributions of stakeholders.
- flexible approach to **financial planning**.
- retaining a **local** rather than organisational **perspective**.



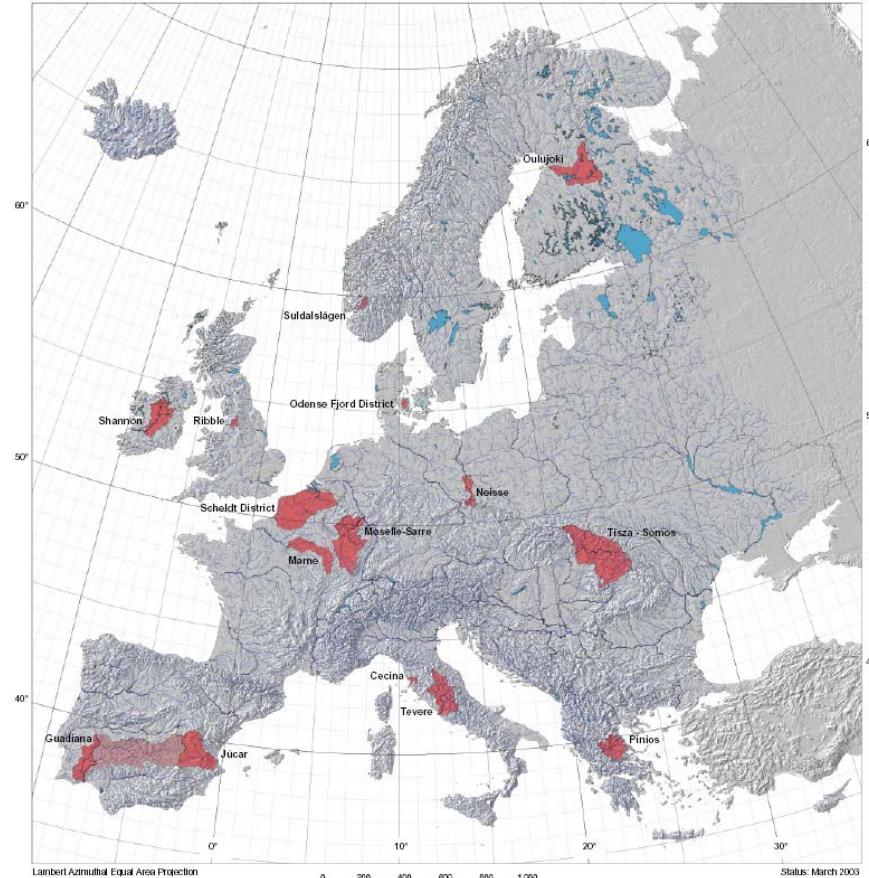


6.1. PRB testing exercise

- Reality check overall Europe.

OVERVIEW ON THE GUIDANCE DOCUMENTS TESTED BY PILOT RIVER BASINS (Status: 26 August 2003)

GUIDANCES													
RIVER BASIN	Water Bodies	IMPRESS	HMWB	REFCOND	COAST	Inter calibration	WATECO	Monitoring	Ground Water	Public Participation	Planning Process	GIS	Wetlands
ODENSE FJORD													?
OULUJOKI													?
MOSELLE-SARRE													?
MARNE													?
NEIJSSE													?
SOMOS													?
SCHELDT													?
PINIOS													?
SHANNON													?
GUADIANA													?
JUCAR													?
TEVERE													?
CECINA													?
SULDALSVASSDRAGET													?
RIBBLE													?



Data derived from the CCM pan-European River and Catchment Database
 Prepared by JRC-IES-EuroLandscape-CCM





6.1. PRB testing exercise

- First results.
- **Testing** of guidance vs. “**business as usual**” approach: often inadequate responses to ToR
- **Level and timing of involvement** of stakeholders / public
- Real life vs. **virtual testing**
- **Unidirectional** information flow vs. involvement (eg. Websites).
- **Transnational** coordination





7. P2 in practice: upcoming challenges

- **(Historical) conflicts RBO vs. e-NGOs** re current water infrastructure projects (SNHP, etc.).
- **Complexity** of WFD is a difficulty for P2 (transboundary, deadlines, technical data vs. P2, PRB = virtual exercise, ...).
- **P2 is key to success.**

