

## WATER FRAMEWORK DIRECTIVE IMPLEMENTATION IN THE BLACK SEA BASIN: LESSONS LEARNT IN PUBLIC PARTICIPATION

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### Abstract

In many European Union (EU) countries consultancy companies have taken a leading role in developing the framework and institutions needed for implementing the Water Framework Directive (WFD) and related legislation through 'Technical Assistance' Projects. The focus of this paper is an ex-post evaluation of the public participation activities in three such technical assistance projects all located within the Black Sea Basin. Two projects focused on the implementation of the WFD in an EU pre-accession country, namely Romania. The other project was located in non-EU accession countries of the former Soviet Union where the approximation of EU directives or the drafting of new water laws along WFD principles was used as an instrument to help protect the Black Sea from pollution. The paper concludes that from project experience the use of local level pilot projects is very valuable at engaging stakeholders and that the use of highly prescribed public consultation schemes were not practical in the Black Sea basin but more flexible and ad hoc approaches had a very positive effect on the social learning process.

**Keywords:** *Public Participation Ex-post Evaluation Civil Society Water Framework Directive*

### 1. INTRODUCTION

The objective of this paper is to reflect on the public participation activities carried out during three technical assistance projects designed to assist pre-accession and non-EU countries in implementing or approximating the EU Water Framework Directive (WFD). An ex-post evaluation of the activities and the lessons learnt was conducted along with a literature review of lessons learnt in other river basins.

As of March 2010 only 11 of the 28 EEA Countries have established River Basin Management Plans (RBMPs) (European

Commission, 2010a). Of the 17 countries who have not established their RBMPs, 10 had not completed their public consultation process before the December 2009 deadline (European Commission, 2010b). This suggests that member states may have had significant difficulties, either practical or institutional, in implementing the necessary steps needed to develop their RBMPs. The public participation process is one of the most time consuming steps in implementing the WFD but these delays may reflect a deficit in institutional capacity to conduct effective public participation.

This paper presents a summary of the public participation approaches and lessons learnt from three WFD projects. The study looks specifically at the role of 'Technical Assistance' or consultancy teams who help competent authorities and governments to implement the WFD and related legislation. They often have different levels of responsibility in the public participation process which is reflected in this study. These projects also provided revealing lessons regarding the relatively new role of public participation in water management in former soviet countries. Utilizing anecdotal experiences of project participants and project documents, an overview was gained of the methodologies applied and their drawbacks and advantages. The main factors assessed included: a) Roles of the Consultants b) the form of the public participation activities c) lessons learnt from participants and organizers.

## 2. BACKGROUND

The requirement for public participation in environmental decision making was first initiated at the United Nations Conference on Environment and Development in 1992. The resulting Rio Declaration of 27 principles of sustainable development was drafted in order to guide future development. Principle 10 stated (United Nations, 1992):

"Environmental issues are best handled with the participation of all concerned citizens, at the relevant level.... States shall facilitate and encourage public awareness and participation by making information widely available.... " This came in the same year that the International Conference on Water and the Environment in Dublin, Ireland published 'Principles' of sustainable water resources management (United Nations,

1992). The second principle states that "Water development and management should be based on a participatory approach, involving users, planners and policy-makers at all levels".

The requirement for public participation in environmental decision making was further strengthened at the 1998 UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, commonly known as the Aarhus Convention, which entered into force on 30 October 2001 (UNECE, 2000). It was subsequently ratified by the European Union and applied to a number of EU Directives on the Environment including in Article 14 of the Water Framework Directive (Directive 2000/60/EC). Interestingly Article 14 of the WFD makes no mention of the term 'public participation' (European Commission, 2003). It states that "Member States shall ensure that, for each river basin district, they publish and make available for comments to the public" and "Member States shall encourage the active involvement of all interested parties in the implementation of this Directive". Therefore the provision of information to the public and allowing the public to respond are required by the WFD. Active 'involvement' of interested parties (or stakeholders) must be encouraged (European Commission, 2003) by the competent authority but may not necessarily occur. Also 'involvement' does not necessarily infer co-decision making.

Implementing public participation can be hindered by the definition and understanding of the term itself. 'Public' participation is much more difficult to encapsulate than 'stakeholder' participation where any person or entity that has a 'stake' or interest in the resource, policy or measures being discussed can be involved

(European Commission, 2003). 'Public' participation is much broader and suggests the involvement of not only actively interested parties but also the general public who may not be conscious of their stake in the issue. In most cases project teams and 'competent authorities' accept that participation is voluntary and that the wider general public will probably not actively participate and the European Commission (2003) clarified this in Guidance Document 8 by stating that where the WFD (article 14) refers to "active involvement of all interested parties" this should be interpreted as all 'stakeholders' not the general public. Similarly it is accepted that a much broader definition of 'public' should be used to include all stakeholders where possible. The 'participation' aspect falls into three categories: 1. Informing, 2. Consulting, 3. Participatory Decision Making (or in the WFD case 'active involvement'). Most participation falls into the first two categories which informs policy makers and river basin planning teams. But often the lowest scale of EU water planning is the river basin which is often too large for the localised concerns of the general public or civil society. This can result in frustrated participation, low participation or a lack of stakeholder interaction. These issues of spatial compatibility between stakeholders has been described at length by Borowski *et al* (2008) and showed that the problem can be successfully addressed. It has also been shown that people can drop out of the public participation process with no reason given (Videira *et al*, 2009). It has been argued that this decline in participation could be attributed to a dissatisfaction with the process or when participants attend on a voluntary basis and the time and monetary costs become too high (Videira *et al*, 2009).

Public participation in river basin management is a relatively new activity when compared to Participatory Rural Appraisal (PRA), Participatory Learning and Action (PLA) or similar collaborative exercises that have been practiced for many years. Participatory tools, which borrow concepts from PRA, PLA and Social Learning (Harrison *et al*, 2001. Craps, 2003), have been developed over the last ten years to fill the requirement created by the introduction of the WFD and the broader Integrated River Basin Management (IRBM) concept. In addition to incorporating participatory research methods these tools commonly embrace the use to conceptual catchment models, water allocation models, GIS and river basin conceptualization methods to simulate stakeholder discussions (Borowski & Hare. 2007. Videira *et al*, 2009. Antunes *et al*, 2009. Haase & Bohn, 2007. Hirsch *et al*, 2007).

### 3. METHODOLOGY

A major obstacle in the ex-post evaluation of three projects of differing aims and approaches is compounded by the fact that none of the projects were designed with the eventual intention of conducting an ex-post evaluation. The three projects implemented different approaches to public participation with different reporting styles and with the consultancy teams having different responsibilities in the public participation activities. There was also a relatively long lag time between the completion of the first project and the last project which negated the common use of participant questionnaires to assess the impact of the consultation activities (Videira *et al*, 2009). The methodology used for the evaluation focused on a four stage qualitative study. The first stage was to gather all written reports, minutes and agendas of meetings and other informal documents. Most

of these documents were publicly available at the time of the project but have since been archived. The second stage was a detailed review of the literature to determine the public participation approach used, the target group of stakeholders, the events held, the stated achievements of the public participation and to determine what information is missing from the written reports. The third stage was to contact the facilitators and the public participation organisers of the three projects in order to fill the information gaps and obtain the personal ex-post opinions of these facilitators. The fourth stage was to group the common lessons and develop recommendations.

#### 4. THE CASE STUDIES

The three projects were all aimed at implementing different parts of the WFD and related EU Directives in Eastern Europe.

##### *Implementation of the Water Framework Directive in Romania (WAFDIP)*

The European Commission funded project had the objective to support the implementation of the EU WFD in Romania from November 2003 to September 2005. The work has to be carried out in two pilot river basins, the Somes and the Arges, and the results and methodologies disseminated so that they can be used in other river basins in Romania. The project had to produce 18 outputs all of which were related to different requirements in the WFD (Arcadis Euroconsult. 2005a). These 18 outputs were broken down into 31 separate reports or guidance documents. Only one of these guidance documents focused on public participation (Arcadis Euroconsult. 2005b) whilst the other 30 documents covered issues such as river basin definition, classification and characteristics, heavily

modified water bodies, 'good status', biological and chemical monitoring and other technical aspects of the WFD.

The public participation guidance was based on the approach used by the French Ministry of Ecology and Sustainable Development (Arcadis Euroconsult. 2005b). The objective of the report was to guide those people in the competent authority responsible for organizing the information dissemination, public consultation and participation in the river basin management planning. The secondary objective was to develop a 'common platform' on which tools and procedures could be harmonized across river basin districts.

##### *Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies in Romania*

This project was initiated in January 2006 and ran till December 2007. The project funded by the Dutch Government was aimed at assisting the competent authority, the Banat Water Directorate of the Ministry of Environment and Water Management - National Administration "Apele Române", in the successful implementation of the EU WFD. The specific purpose of the project was to strengthen the capacity of the National Administration "Apele Române" to develop and test the cost-effectiveness of programmes of measures for Heavily Modified Water Bodies (Arcadis Euroconsult, 2006). This activity is specifically designed to assist in meeting Article 4.3 of the EU WFD on heavily modified water bodies (European Commission, 2001). In addition to strengthening skills and competencies at the competent authority to prioritize measures, the project also intended to prepare a set of guidelines and recommendations and a

programme of measures for Heavily Modified Water Bodies. The project also included the expected result “improved coordination between public and private parties regarding exchange of information and implementation of measures” (Arcadis Euroconsult, 2007d). This public consultation component is a vital and compulsory process to ensure the successful implementation of the programme of measures.

#### *Environmental Collaboration on the Black Sea*

The Environmental Collaboration on the Black Sea (ECBSea) project, funded through the EU Technical Assistance to the Commonwealth of Independent States (TACIS) instrument had the overall objective to prevent and reduce the input of pollutants through river discharges or direct discharges into the sea and by the sustainable management and protection of the natural resources in the Black Sea basin (ECBSea, 2007a). To achieve this, the project had several geographically and thematically diverse tracks that ran from 2007 to 2009. Firstly there was the region wide work on drafting amendments to the ‘Convention on the Protection of the Black Sea against Pollution’, better known as the Bucharest Convention (ECBSea, 2007a). Secondly, there was work on drafting legislation, regulations and management guidelines on water management (Georgia and Moldova), Integrated Coastal Zone Management (Ukraine and Georgia) and Marine Protected Areas (regional) and thirdly, there were three pilot projects: Integrated Coastal Zone Management (Georgia), Marine Protected Areas (Ukraine) and supporting civil society (regional). It is primarily the water management activities and the related public consultation work that are dealt with here as well as the regional pilot project on supporting civil society.

Moldova’s role in the environmental protection of the Black Sea is primarily due to its location in the Dniester River Basin (ECBSea, 2009k). During the Soviet era the Dniester River Basin was managed as a single entity. After the collapse of the Soviet Union the Republic of Moldova and Ukraine took responsibility for their respective parts of the basin and as a result many water management processes fell into stagnation which impacted negatively on the environmental status of the river (ECBSea, 2009k). As a result Moldova has committed to convergence with EU environmental legislation which in part will lead to a reduction in pollution discharges into the Black Sea. The ECBSea Project, after consultations with the water management and policy development authorities, started activities with the primary focus on developing legislation and regulations necessary to converge with selected EU water related directives. The project team set up working groups to coordinate, steer and support the convergence work (ECBSea, 2008a). These working groups included international and national experts, government officials and water managers and civil society. In the case of the pilot projects they also included local community representatives. This use of stakeholder supported working groups ensured both consultation and active involvement. Moreover documents produced by the project, such as draft regulations, legislation and guidelines, were publicly presented to stakeholders and the media to garner further comments (ECBSea, 2008b, ECBSea, 2008d, ECBSea, 2009a, ECBSea, 2009b and ECBSea, 2009c). The major outputs of the Moldovan working group were (ECBSea, 2009f): Convergence plans for the Water Framework Directive, the Urban Waste Water Treatment Directive and the Nitrates Directive; Draft Regulation on Surface Water Protection; Draft

Regulation on Identification, Delimitation and Classification of Water Bodies and; Regulatory Impact Assessments for the Regulation on Identification, Delimitation and Classification of Water Bodies.

Similar to the work in Moldova the legislative work in Georgia was focused on improving the water related legislation and regulations by converging existing national legislation with the EU water acquis. Due to political and time constraints the project developed a Convergence Plan (ECBSea, 2009f) which laid out the principles and guidance for convergence of four water management directives (ECBSea, 2009f): Water Framework Directive; Flood Risks Directive; Bathing Water Directive and Urban Wastewater Treatment Directive. The convergence plan (ECBSea, 2009h) lays out how Georgia can move towards Integrated River Basin Management planning as well as the actual implementation of measures needed to protect Georgia's water resources. The Convergence Plan (or 'Road Map') (ECBSea, 2009h) and a 'concept' water law (ECBSea, 2009j) were publicly presented to the key stakeholders in September 2009.

Two major events were held to gather stakeholders from government authorities, the Permanent Secretariat of the Black Sea Commission and civil society. They are both useful examples of the benefits of public consultation in engaging local people and civil society to generate support, expectations and motivate others to act. The first event was the Regional NGO conference held in Kiev in March 2009 and the other was the final wrap-up conference held in Istanbul in October 2009.

## 5. RESULTS

The review of the project documents and the interviews of key project actors revealed specific information about the problems and issues related to conducting public participation in post-soviet countries as well as the role of 'technical assistance' consultants. From the reference list alone one clear result is that there are a considerable number of public participation related documents from the ECBSea Project, less from the 'Heavily Modified Water Bodies' Project and even fewer from the WAFDIP project. This difference in quantities of project documents reflects the variation in responsibilities held by the project implementation teams. The project team was fully responsible for organizing and facilitating the Public Participation process on the ECBSea Project, less so in the 'Heavily Modified Water Bodies' Project and WAFDIP project where the project team trained the competent authority in public participation but had no formal role in organizing and facilitating public participation. This is reflected in the ECBSea project's progress reports which have considerably more space in the report dedicated to public participation activities (ECBSea, 2007b, 2008a, 2008c, 2009a and 2009b) when compared to the progress reports of the two earlier projects (Arcadis Euroconsult, 2006a, 2006b, 2006c, 2006d, 2007a, 2007b and 2007c)

### *Implementation of the Water Framework Directive in Romania (WAFDIP)*

The project team leader (Warren, S. Personal Communication, 2010) noted that the participation approach proposed in the guidance document was that of the French River Basin Authorities (or SDAGE in French). This guidance was very complex and the competent authority

did not use the document in practice. He also stated that with good facilitation the public and stakeholders will participate even in former Soviet countries where there is little history of public participation. The main caveat is that the public need to understand the issues and as such easy-to-read information is needed to inform the public of the technical issues, otherwise the public participation process can be difficult. On the WAFDIP project the responsibilities of the technical assistance team were limited to the development of a guidance document and promoting public participation. As a result there is very limited documented information on the public participation activities themselves.

*Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies in Romania*

From the report on the public participation activities there appeared to be strong progress in public participation but there were statements that clearly reflect the unique situation in post-soviet Romania (Arcadis Euroconsult, 2007d). Firstly, there are quotes that reflect the lack of experience in public consultation and poor information sharing, both for government institutions and for the public. For example the ‘Technical Director’ of the Banat River Basin Committee was recorded as stating “one has to realise that till recently people and institutions in Romania were not used that [sic] their opinions were being asked...” (Arcadis Euroconsult, 2007d). Additionally the Director of the Timis Water Management Unit was quoted as saying “... there is hardly any cooperation between institutions that should work together. The perspectives are different, so information is difficult to share..... Improvement of the information flow between

institutions is needed” (Arcadis Euroconsult, 2007d). The Managing Director of the Environment Protection Agency stated that “...people do not understand the technical language used in this type of project. With respect to public participation the information has to be presented in a comprehensible way” and “The environmental agency has a lot of experience with public debates, but often it turns out that people just see the consequences of measures after implementation and then they are still unpleasantly surprised” (Arcadis Euroconsult, 2007d).

There is general consensus amongst the participants that broad support from stakeholders is important and most stakeholders explicitly stated their willingness to cooperate on the project (Arcadis Euroconsult, 2007d). Clearly, like with many projects, their priorities varied depending on their area of interest, whether it was agriculture, flood control, water quality, economic development, nature, etc. It should be noted that in these meetings representatives of the general public were present but there is no information in the available documents which shed light on their opinion of the public participation. Similarly, during a consultation workshop the WFD Explorer Decision Support System was used to demonstrate the effect of measures proposed by workshop members (Arcadis Euroconsult, 2007d). Unfortunately there is no reflection on the use of this tool from the workshop participants.

*Environmental Collaboration on the Black Sea*

The review of project technical reports, steering committee minutes and progress reports shows that unlike the two previous projects, no pre-designed public consultation approach was

used. The project instead employed three simple concepts 'involvement', 'support' and 'flexibility' (ECBSea, 2007a). Also unlike the previous two projects the Technical Assistance team had the primary responsibility for organizing, facilitating and recording the public consultation processes rather than just guiding the process.

The project employed the 'informing' and 'consultation' requirements of the WFD as well as encouraging 'involvement'. This was achieved through the use of a project website which was regularly updated with project outputs and event notifications. The project also recognized that many stakeholders either do not have internet access or that stakeholders may not be aware of the project. With this in mind public outreach events were also regularly held as well as regular use of regional, national and local press (television, radio and printed media).

The Regional NGO conference facilitated and funded by the project but organized by members of civil society produced valuable information, both implicit and explicit, on public participation. It acted as a forum for civil society to discuss issues facing the environmental protection of the Black Sea and its catchment and had participants from Turkey, Romania, Ukraine, Moldova and Georgia. The main aim of the meeting was for representatives of civil society organizations to discuss and formulate a common statement to be presented at the meeting of the signatory parties to the Bucharest Convention. The common statement was to be used to lobby for changes to the convention. The subsequent presentation of the statement may or may not have influenced the representatives of the signatory parties but it is important to note that all but one of the signatory parties approved the amendments to the Bucharest Convention. It was

also the first opportunity that civil society had to make such a presentation to their respective governments (ECBSea, 2009x). The benefits and lessons of the NGO meeting are of more practical relevance. The opportunity for civil society and decision-makers to sit in the same room is often rare and it allowed for a frank exchange between parties who may not normally get to share a platform. The opportunity allowed members of civil society to express concerns and opinions. Some based on clear empirical basis and others on misunderstandings. In turn decision-makers were able to give clarifications and assure concerns. One telling example raised by a member of civil society was that the Black Sea Commission was not transparent despite publishing minutes of their meetings ((ECBSea, 2009e). He stated that parts of these meetings were held in *camera* which he argued was contrary to the principle of transparency. The representatives of the Black Sea Commission and the members of the Black Sea Commission were not previously aware that this was a public concern and clarified that the in *camera* sessions were only used to discuss permanent secretariat financial and personnel issues and deemed inappropriate for publication. This highlighted that civil society does scrutinise publicly available documents and any perceived lack of transparency in decision-making is viewed with suspicion. The project documentation showed that a strong public participation approach can turn civil society into a valuable supporter of change in the water sector. This evidential change from positions of opposition to ones of support can be seen in quotes such as that from the First Deputy Minister for Environmental Protection in Ukraine: "This was the first TACIS project that had not been criticized by Ukrainian NGOs due to its policy of openness and transparency. The project provided free



access to information including project's documents [sic] applying all types of public outreach tools and activities. It was particularly exciting to see the work done with stakeholders and civil society." (ECBSea, 2009d). One of the primary benefits of the regional approach both at decision-making level and at public participation level was the cross-border sharing of ideas and experiences (ECBSea, 2009g). This sharing led to a greater level of common understanding and cooperation which was clearly expressed by participants (ECBSea, 2009e). This was especially evident in two local level pilot projects. Although neither was related to river basin management their results are never the less relevant. The first was the development of a Marine Protected Area on the coast of Ukraine while the second was the creation of a sustainable development plan for a coastal village in Georgia. The first resulted in the creation of Ukraine's first Marine Protected Area and was widely applauded by national and local stakeholders (ECBSea, 2009i) the second was enthusiastically presented by local residents to regional stakeholders, including EU and national government ministers, at the final project conference (ECBSea, 2009g). The sharing of experiences from these collaborative processes seemed to inspire and inform the wider stakeholder community beyond the spatial boundaries of the pilot projects (ECBSea, 2009g).

One of the most important results from the literature review was the implicit reference to indicators of a 'Social Learning' process. This is especially reflected in the minutes of steering committee meetings and participatory meetings of the ECBSea project where participants were quoted as stating that the strengthened relations between stakeholders, sharing of knowledge and experiences, the realisation of a common interest and the common will to implement plans was one

of the most important outcomes (ECBSea, 2009c., ECBSea, 2009d., ECBSea, 2009f and ECBSea, 2009g).

## 6. DISCUSSION

The results showed that in the ECBSea project the Working Groups for national level activities had only national level stakeholders and the local level pilot projects included local residents as stakeholders. This reflects the oft repeated argument that involvement of the general public at national and regional level is impractical and that they are already represented through elected representatives and interest groups (Craps, 2003) in this case politicians and civil society. It also reflects the findings of Borowski *et al* (2008) that public participation at national or regional level will favour national or regional organizations while local organizations and the general public will be more engaged at smaller scales. Furthermore, the European Commission Guidance Document 8 (European Commission, 2003) states that the best stakeholders to engage are not only those with knowledge and decision-making responsibilities but also those people who have to live with the problems and bear the costs of the solutions. It could be argued that the relative success of the local scale ECBSea pilot projects gives some validity to this statement. The pilot projects on the ECBSea Project worked with local communities on local issues thus generating a great deal of stakeholder support (ECBSea, 2009i and 2009j) this is not dissimilar from findings of other river basin management evaluations (Mostert *et al*, 2007) where local level stakeholders can focus on concrete concerns and initiatives. Arguably, this would not have occurred to the same extent had the pilot project worked at a larger scale which may have dis-enfranchised

local stakeholders. This would reflect the findings of Borowski et al (2008) on the relevance of matching project spatial scales to the appropriate stakeholders. Although these pilot projects related to Integrated Coastal Zone Management and Marine Protected Areas such an approach could be transferred to river basin management and WFD implementation. A pilot project could be used as a 'social learning' exercise, whereby stakeholders engage and discuss local issues related to river basin management. Therefore public interest will be higher with a greater opportunity to engage stakeholders thus generating ownership. As described by Mostert, *et al* (2007) no single actor has all the required information and competencies therefore the collaboration would allow knowledge sharing and the development of a common understanding. The main challenge would be to ensure that a network of local pilot projects could be coordinated or up-scaled to ensure true basin wide management as defined under IRBM principles.

The process of 'social learning' is a time consuming activity but is important for developing strong relationships between stakeholders who can learn from each others' viewpoints and experience and generate a common understanding. This is part of the 'Social Learning in River Basin Management' concept discussed both in the 'Heavily Modified Water Bodies' project, the HarmoniCOP project (Craps *et al*, 2003) and practiced in the ECBSea Project (though not explicitly described). The concept of 'Social Learning' could be encapsulated as "learning together by doing together" (Craps *et al*, 2003) as demonstrated by the Working Group meetings and other stakeholder workshops in the ECBSea project and the 'Heavily Modified Water Bodies' Project. The advantage of this approach is

that the consultation maybe very time consuming but once consensus is reached the implementation is relatively smooth and well supported by the stakeholders who developed the plan (Ridder *et al*, 2005).

The role of technical assistance teams in implementing the public participation aspects of the WFD is dependent on the level of responsibility laid out in their 'terms of reference'. The WAFDIP project was only responsible for 'promoting' public participation, whereas the 'Heavily Modified Water Bodies' Project was actively involved in the public participation process albeit on a limited scale. The ECBSea project team was fully responsible for organizing and conducting the public participation which ranged from 'informing', 'consulting' to 'active participation'. As a result there was a comprehensive and co-coordinated reporting system with all documents and minutes of meetings freely available through a project website. The major negative side is that public participation activities are very time consuming in terms of organizing, advertising, preparing materials and then post-activity reporting. Although the value of detailed minutes of public participation meetings should not be underestimated. The literature review showed that such minutes are more valuable, for instance, than project reports for ex-post evaluations. It could also be argued that the openness of having publicly available minutes of meetings allowed stakeholders to check whether their comments and suggestions were properly recorded.

Another lesson from the literature review is that documentation from these Technical Assistance projects rarely reflects on specific lessons learnt and the pros and cons of the public participation approaches and therefore forms a

knowledge gap for consultants. They are generally concise documents and reflect specific activities, achievements and failures without real critical assessment. As such they are not particularly useful documents for evaluating the approaches and activities used in public participation.

## 7. CONCLUSIONS

From the three case studies it could be argued that public participation can be very successful, when seen as more of a 'Social Learning' process with an organic and flexible nature, rather than as a predefined schedule of activities that meet preset project criteria. It has been shown by others that the Social Learning process can be applied successfully (Mostert et al, 2007; Ison and Watson, 2007; Kumler and Lemos, 2008; Pahl-Wostl et al, 2007). The use of pilot projects would allow the development of an ad-hoc local level approach where methods of public participation could be trialed, stakeholder support generated and 'quick wins' achieved. It could be argued that this approach will allow the development of locally suitable approaches which can be up-scaled, often with local level stakeholders bringing knowledge of the process to regional and national stakeholder fora.

One of the primary lessons learnt was that the highly prescriptive public consultation systems adopted directly from countries with a strong record on IRBM were found to be inflexible and difficult to implement by those unfamiliar with them. This was certainly the case with the WAFDIP project, where adoption of public participation was limited. It was also found that more ad hoc approaches to public consultation are often of greater practical use and more flexible in the context of technical assistance projects. This

was proven in the geographically and thematically diverse ECBSea project. In all cases public participation and especially the engagement of civil society has proven to provide vital support for implementing change in IRBM.

Another important lesson is that when Technical Assistance teams do not hold primary responsibility for public participation it is clearly more important that the mentoring and guidance of the competent authority should include the continual evaluation of those activities. This should include the conscientious recording of meeting minutes and subsequent publication. This clear transparency and information sharing was shown by the ECBSea project to be very valued by stakeholders. On the other hand when a Technical Assistance team does have primary responsibility for public participation they should ensure that sufficient resources and capable (preferably local staff) are employed to conduct these activities.

## 8. REFERENCIAS BIBLIOGRÁFICAS

Antunes, P., Kallisb, G., Videira, N. & Santosa, R. (2009): Participation and evaluation for sustainable river basin governance. *Ecological Economics* 68. Page 931 – 939. Elsevier.

Arcadis Euroconsult (2005a): Implementation of the New Water Framework Directive on Pilot Basins (WAFDIP) – Draft Final Report. Technical Report, WAFDIP Project, Romania.

Arcadis Euroconsult (2005b): 'Guidelines on public participation: Implementation of the New Water Framework Directive on pilot basins (WAFDIP)'. Technical Report, WAFDIP Project, Romania.

Arcadis Euroconsult (2006a): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Inception Report 2006. Romania.

Arcadis Euroconsult (2006b): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Quarterly Report 1 (1 April - 30 June 2006), Romania.

Arcadis Euroconsult (2006c): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Quarterly Report 2 (1 July - 30 Sep 2006), Romania.

Arcadis Euroconsult (2006d): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Quarterly Report 3 (1 Oct - 31 Dec 2006), Romania.

Arcadis Euroconsult (2007a): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Quarterly Report 4 (1 Jan - 30 Mar 2007), Romania.

Arcadis Euroconsult (2007b): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Quarterly Report 5 (1 April - 30 June 2007), Romania.

Arcadis Euroconsult (2007c): Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies through cost-efficiency analysis, in order to reach the environment objectives required by the Water Framework Directive 2000/60/EC – Quarterly Report 6 (1 July - 30 Sept 2007), Romania.

Arcadis Euroconsult (2007d): Result 4: Improved coordination between public and private parties regarding exchange of information and implementation of measures. Technical Report - Establishing priorities for the measures to rehabilitate Heavily Modified Water Bodies in Romania Project. Romania.

Borowski, I. & Hare, H. (2007): 'Exploring the Gap Between Water Managers and Researchers: Difficulties of Model-Based Tools to Support Practical Water Management'. *Water Resources Management* (2007) 21:1049–1074, Springer Science.

Borowski, I., J. Le Bourhis, C. Pahl-Wostl, and B. Barraqué. (2008): Spatial misfit in participatory river basin management: effects on social learning. a comparative analysis of German and French case studies. *Ecology and Society* 13(1): 7.

Craps, M. Ed. (2003): *Social Learning in River Basin Management*. HarmoniCOP WP2 Reference Document December 2003

- ECBSea (2007a): Inception Report. 12 July 2007. Kyiv, Ukraine.
- ECBSea (2007b): Progress Report 1. 29 Sept 2007. Kyiv, Ukraine.
- ECBSea (2008a): Progress Report 2. 18 April 2008. Kyiv, Ukraine.
- ECBSea (2008b): Consultations on Concepts and Draft Regulations with Key Stakeholders, Republic of Moldova. 22 May 2008, Chisinau, Moldova.
- ECBSea (2008c): Progress Report 3. 20 Nov 2008. Kyiv, Ukraine.
- ECBSea (2008d): Third meeting of the Legal and Institutional Working Group - 11 December 2008. Chisinau, Moldova.
- ECBSea (2009a): Progress Report 4. 8 May 2009. Kyiv, Ukraine.
- ECBSea (2009b): Progress Report 5. 6 Nov 2009. Kyiv, Ukraine.
- ECBSea (2009c): Minutes of the Third Steering Committee Meeting. Kyiv, Ukraine.
- ECBSea (2009d): Minutes of the Fourth Steering Committee Meeting. Kyiv, Ukraine.
- ECBSea (2009e): Minutes of the Regional NGO Workshop. Kyiv, Ukraine.
- ECBSea (2009f): Minutes of the Fifth Steering Committee Meeting. Istanbul, Turkey.
- ECBSea (2009g): Minutes of the Final Wrap-up Conference. Istanbul, Turkey.
- ECBSea (2009h): Water Sector Convergence Plan for Georgia. Tbilisi, Georgia.
- ECBSea (2009i): Tskhaltsminda Integrated Coastal Zone Management Strategy. Tbilisi, Georgia.
- ECBSea (2009j): Concept for New Framework Water Law of Georgia. Tbilisi, Georgia.
- ECBSea (2009k): Saving the Black Sea together. October 2009, Kyiv, Ukraine.
- ECBSea (2009l): Preliminary Management Plan for the Small Phyllophora Field Marine Protected Area, Karkinitzky Bay, Ukraine.
- European Commission (2001). 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. Amended 16th December 2001. Office for Official Publications of the European Communities, Brussels.
- European Commission (2003): Common Implementation Strategy for the Water Framework Directive (2000/60/EC) Guidance document No. 8. Public Participation in relation to the Water Framework Directive. Office for Official Publications of the European Communities, Brussels.
- European Commission (2010a): Accessed on 13th March 2010.  
[http://ec.europa.eu/environment/water/participation/map\\_mc/map.htm](http://ec.europa.eu/environment/water/participation/map_mc/map.htm)
- European Commission (2010b): Accessed on 13th March 2010.  
[http://ec.europa.eu/environment/water/participation/map\\_mc/map\\_12\\_09.htm](http://ec.europa.eu/environment/water/participation/map_mc/map_12_09.htm)
- Haase, D., Bohn, C. 2007: Midterm reporting on progress on the stakeholder processes in the Tisza

basin. Deliverable 3.5.4 of the NeWater project. Leipzig, UFZ.

Harrison, A., Schmidt, G., Avis, C. & Hauser, R. (2001): 'WWF's preliminary comments on Public Participation in the context of the Water Framework Directive and Integrated River Basin Management'. WWF European Freshwater Programme, Denmark.

Hirsch, D., Schlueter, M. & Borovikovskaya, S. (2007): NeWater WB 3 Report – Amudarya Case Study: Stakeholder participation process in the Amudarya River Basin (Mid-term report). NeWater Project.

Ison, R., and Watson, D. (2007): Illuminating the possibilities for social learning in the management of Scotland's water. *Ecology and Society* 12(1): 21.

Kumler, L. M., and Lemos, M. C. (2008): Managing waters of the Paraíba do Sul river basin, Brazil: a case study in institutional change and social learning. *Ecology and Society* 13(2): 22.

Mostert, E., C. Pahl-Wostl, Y. Rees, B. Searle, D. Tàbara, and J. Tippett. (2007): Social learning in European river-basin management: barriers and fostering mechanisms from 10 river basins. *Ecology and Society* 12(1): 19.

Pahl-Wostl, C., J. Sendzimir, P. Jeffrey, J. Aerts, G. Berkamp, and K. Cross. (2007): Managing change toward adaptive water management through social learning. *Ecology and Society* 12(2)

Ridder, D., Mostert, E, and Wolters., H. A. (2005): "Learning together to manage together – Improving participation in water management", Harmonising Collaborative Planning (HarmoniCOP), University of Osnabruck, Germany, 2005.

United Nations (1992): Report of the United Nations Conference on Environment and Development (Rio de Janeiro, 3-14 June 1992) - Annex I Rio Declaration on Environment and Development. New York.

United Nations (1992): The Dublin Statement on Water and Sustainable Development (Adopted January 31, 1992 in Dublin, Ireland at the International Conference on Water and the Environment) Accessed on 20<sup>th</sup> November 2010: <http://www.un-documents.net/h2o-dub.htm>

UNECE (2000): The Aarhus Convention: An implementation guide. United Nations Publication.

Videira, N., Antunes, P. & Santos, R. (2009): Scoping river basin management issues with participatory modelling: The Baixo Guadiana experience. *Ecological Economics* 68. Page 965 – 978. Elsevier.