

Public Participation in the Elbe Basin

Case study report produced under Work Package 5



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Executive Summary / Main Findings

This case study is one of nine national studies carried out in HarmoniCOP. In this German case, the Elbe basin was chosen as one of 10 German river basin districts because the area has a quite complex institutional context including 10 federal states and 4 national states of which two are accession countries. This case study involves real time participation (RT2) involving organised stakeholders within the Elbe Basin at different scales, focussing on boundary management in 3 different sub cases. The PP activities at different levels can be seen in relation to the competences and types of decisions to be taken at each level. In this study, the following four levels are identified: international level, German national level, federal level (“Bundesländer”) and regional level. Summarizing the institutional context in which river basin management takes place in the Elbe basin, it can be stated that the decision making structure in Germany is highly complex for both authorities and stakeholders. The different levels of decision making, the competition between different governmental bodies and the diversity of non-government interests are the challenges for implementation of the WFD implementation, let alone the participatory aspects of it. In water management the competent authorities already strongly rely on the cooperation with authorities from other levels or technical departments. The WFD involves even more complex structures as the hydrological borders of the (sub-) basins are introduced as reference. The intention of the WFD was here to reduce the misfit between the administrative and hydrological scales. However, water management links also to other policy fields which are not (yet) organised along the hydrological units. This leads to higher cooperation demands for the involved authorities making the interplay among them more difficult.

Competent authorities as well as other stakeholders and their representatives have to face the challenge of quite some adaptations making learning processes within and among them very important for a successful implementation.

In terms of social learning it can be stated that a structured approach towards PP is very important for success especially as the concept of multi-party cooperation has so far been dominated by bilateral cooperation. The stakeholders as well as the authorities probably have to get used to this approach. The established fora and board in Thuringia (one of the 3 sub-cases) are a good example here.

To get the parties more involved into the concept of multi-party cooperation, it is very important to have focused discussions. The problem here is that the participants are used to being informed by the water authorities which confines the exchange – even in multiparty meetings- to a bilateral exchange between the water authority and one specific stakeholder group. A division of tasks may help to overcome this tradition of the expert-technical culture and to up expertise in the forum. The challenge here already will probably be for the facilitators to present ideas without suggestive background allowing open discussion to take place.

The authorities must also be confident that PP will not have negatively interfere with the decision making process. Especially in the Elbe basin, the members of the AG WFD are strongly aware of the sensitive state of a newly developed cooperation in their group between the different nations. The fear was expressed that stakeholder involvement may reduce the confidentiality and therefore may have a bad impact on the potential for open discussions where also unpopular or intermediate solutions may be elaborated.

In general, IC tools are considered as an important tool to provide information in a very classical way (internet, presentations, newsletters). The provision of information is a major point in building trust between stakeholders and water authorities. In Thuringia, the information provision is part of a whole process- with the result that the people feel informed and are able to find the necessary information. At international and national level as well as in Brandenburg there is less information provided and the access is not always transparent. Therefore, the provision of information does not support the building of trust.

To make PP a success, the role of stakeholders in the process and the fate of their input have to be clearly defined and agreed upon. This is then an incentive for them to participate despite resource constraints. Otherwise there is a clear danger that resources are wasted and social capital is destroyed in fruitless processes without supporting the implementation of the WFD.

1 Introduction and Approach

The WFD requires participation of interested parties, including organised stakeholders. One basic assumption of HarmoniCOP is that in multi-party decision and consulting processes as implied by the WFD social learning¹ is essential. Social learning is more than just learning by the imitation of others. Learning together to manage together has also to do with changes in individual perceptions and collective attitudes, beliefs, skills, capacities, and actions in and among the counterparts. HarmoniCOP aims to improve the understanding of social learning in participation processes including the role of information and communication tools (IC Tools) (HarmoniCOP, 2003).

These different perspectives have to be brought together during the implementation process of the WFD. Thus, advisory boards or forums are increasingly chosen as method to inform about and later also to negotiate river basin management plans and programs of measures. To promote exchange and discussion, those boards allow only a limited number of participants. Hence, participation takes place at the level of representatives of stakeholder groups. These representatives have not only to take their position in the process itself but also have to manage the interface between the process and the organisation(s) (=boundary management).

This case study on public participation (PP) was undertaken in the Elbe basin and it represents one of 10 river basin districts under the WFD. This basin has a quite complex institutional context including 10 federal states, 4 national states where two of them are accession countries. As a real-time participating case study (RT2) on the beginning of different PP processes or their preparations, the involvement of organised stakeholders in the Elbe on different scales is studied with special focus on boundary management in three different sub-cases. This enables PP activities occurring at different levels to be seen in relation to the competences and types of decisions to be taken at each level. In this study, the following four levels are identified: international level, German national level, federal state level and regional level. The three sub-cases are focusing on different levels.

Sub-case 1 focuses on both the **international level and on the German national level** where mainly frame giving, strategical competences are placed. The activities at both levels can be seen as complementary and are still in their infancy. Thus, these two levels have been studied together in the first case sub-case. This first sub-case mainly analyses the role of the diverse institutional settings, including the stakeholders' structure in the Elbe basin in regards to its potential for multiparty collaboration as social learning orientated PP. For this first sub-case, the activities of the working group for the implementation of the WFD (AG WFD) at the International Commission of the protection of the Elbe (IKSE) were studied between March 2003 and June 2004 involving the analysis of meeting minutes as well as interviews with selected representatives of the working group. Also, a workshop was organised by the USF for the AG WFD to find out about the potential of PP at international level. This first sub-case also provides a context for the other sub-cases studied.

The other two sub-cases focus on the federal states as they are the main power in German water management.

Sub-case 2 involves a newly set up PP process at the regional and federal state level **in Thuringia** has been studied, focusing on the first year of the regional Unstrut-Leine-Forum where stakeholders and authorities together laid the foundation for a long term institution for consultation.

¹ Definition of Social Learning in HarmoniCOP: "Social learning refers to the growing capacity of social entities to perform common tasks related with a river basin. It is both a process and an outcome. One has also to know the context in which it takes place and how the outcomes of social learning may affect this context. The mutual tuning by the actors between the social and the physical system, is the essence of the process. In this IC-tools may play a major role."

The first two sub-cases were carried out by Ilke Borowski, Institute for Environmental Systems Research, University of Osnabrueck.

Sub-case 3: The **Brandenburg case** is mainly based on interviews with several actors in water management and aims to identify how currently existing stakeholder structures might be used to support and enhance PP in future. The information is based on research funded by the Berlin Centre of Competence for Water and published by Kranz et al. 2004.

After providing information about the ecological, socio-economic and institutional context of the Elbe basin (Section 2), this report summarises the results of all sub-cases. Detailed presentation of each sub-case can be found in Annex 3-5.

2 Context

2.1 Environmental context

The Elbe River basin covers an area of 148,268 km² including parts of the Czech Republic, Germany, Poland and Austria. Approximately 66 % of the drainage basin area is located in Germany (96,932 km²), and 33 % in the Czech Republic (50,176 km²). Less than 1% of the basin lies in Poland and Austria. The source of the Elbe is in the Krkonose mountains (Riesengebirge) in the Czech Republic at an elevation of about 1400 m. With its length of 1091.5 km, the river flows at most with very small gradient, discharging into the North Sea.

The tags with the acronyms are placed in the leading federal state. TEL: Tideelbe (lead: Schleswig-Holstein); MEL: Mittlere Elbe (lead: Sachsen-Anhalt); HAV: Havel (lead: Brandenburg); MES: Mulde-Elbe-Schwarze Elster (lead: Sachsen); SAL: Saale (lead: Sachsen-Anhalt);



Figure 1: The Elbe basin showing the 5 German coordination areas (coloured) and the federal states' borders (thin red lines)

The river and its basin have played a major role in the development of the area. However, there are a number of key environmental pressures which impact upon quality including agriculture, industry, settlement and shipping. While the discussion on shipping, flood protection and waste water management gains at some time considerable public attention, the interview partners did not identify one most of these pressures as being most significant.

The effects on the water status can be linked to these uses (Table 1) which leads to the identification of specific stakeholders (see next section).

Table 1: Uses in the Elbe basin affected by water characteristics.

U= Use worsens state of respective water characteristic. S=needs certain characteristic and suffers from negative state.

Uses affected by... or affecting....	Nutrient Load	Chemical Pollution	Water Quantity	Morphology	Ecological Quality
Agriculture	U	S/U	U		U
Drinking water supply	S	S	U/S		S
Settlement (Domestic Effluent, use of wetlands)	U			S	U
Recreational Use	(S)		S		S/U
Shipping			U/S	U	U
Industrial Use (e.g. process water, discharge)		U	U/S		U
Power production			U/S	U	U
Habitats/ Ecological Use, also of Northern Sea as receiving water	S	S	S	S	S

2.2 Institutional context

This section gives information on the governance system in the Elbe basin and presents the formal decision making levels. Further, the stakeholders beyond the competent authorities are introduced.

With the WFD, there are now 3 hydrological (Elbe basin, coordination areas, working areas), 5 traditional administrative levels (international, national, federal state, district, local) and one new level (FGG Elbe= Flussgebietsgemeinschaft Elbe) which is a combination of the administrative and the hydrological approach. For the Elbe basin, Figure 2 (p. 5) shows the linkages between international and national decision making level among these authorities.

The AG WFD prepares recommendations which are approved by the International Coordination Group (Ministries' meeting). The different delegations are representing the different national levels. German River Basin: The FGG Elbe (Flussgebietsgemeinschaft Elbe) is built by the federal states and the federal Ministry of Environment. The Coordination Council consists of the coordination areas represented by the leading federal states. The leading states are indicated by the highlighted squares. For the regional level see the figures for Thuringia and Brandenburg in Section 3.

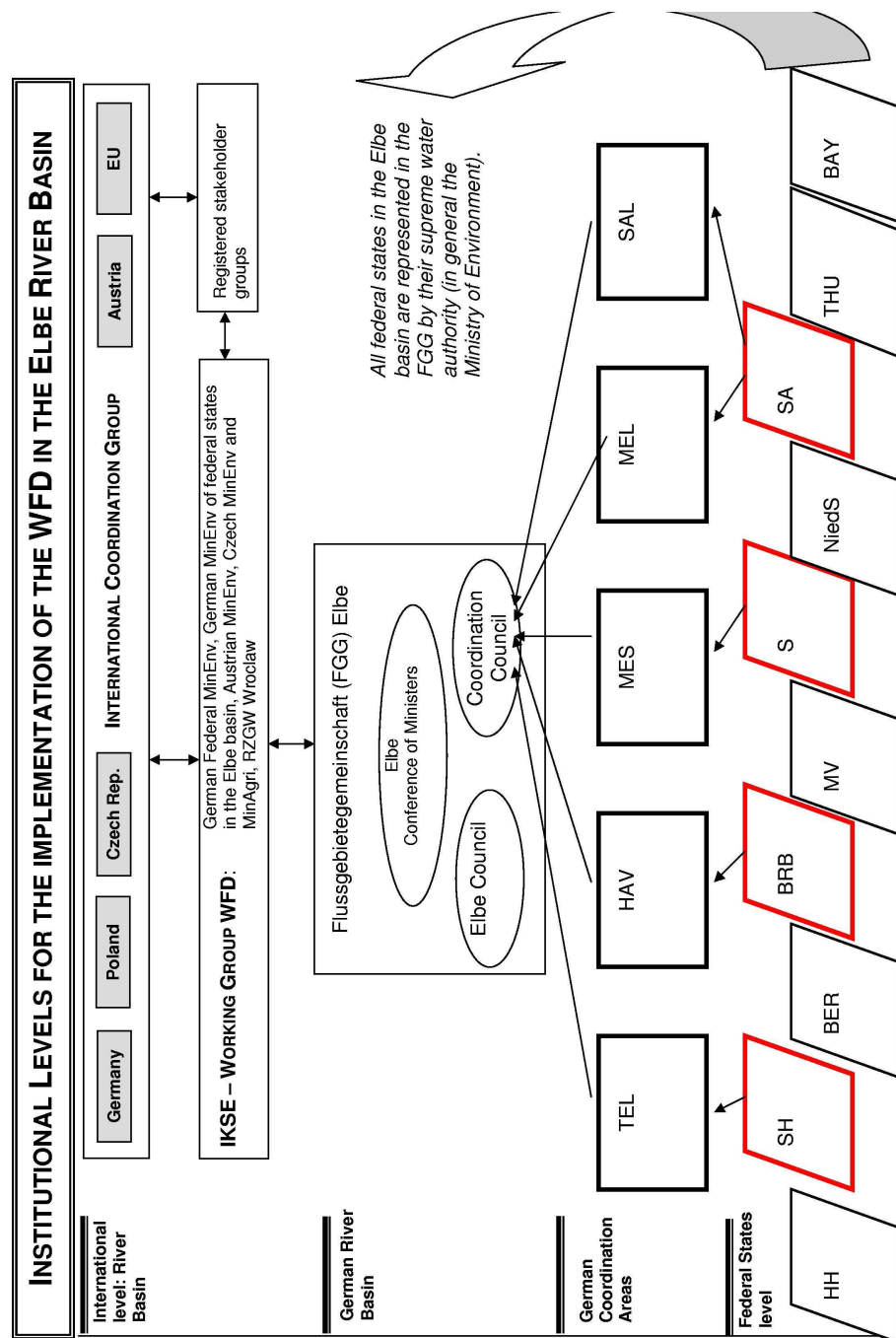
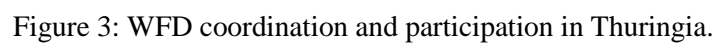


Figure 2: Decision making levels in the Elbe basin linked to the hydrological units of the basin. International level

For the purpose of this study, the following differentiation is made:

1. **International level:** In this context, the international level is set equal with basin level. It includes all nation states and the European Commission as main parties. International activities including not all Elbe states are not addressed here, as bilateral treaties (e.g. the treaty for border waters between CR and D) are considered not to be relevant for the implementation process. The international agreements have to be implemented into national law before they are binding. Still, international recommendation are setting the frame for the general direction of water management which is often linked to strong activities, e.g. the design of specific financial support programmes.
2. **German national level:** This level comprises all relevant federal states in the German part of the Elbe basin as well as the Federal Ministry of Environment (BMU). Similar to the international level, the federal authority sets the water policy frame for river basin management. Since March 2004, the FGG Elbe has been introduced to support the technical cooperation among the federal states. The FGG Elbe encompasses also the **co-ordination area level**, which refers to co-ordination area (5 in Germany) according to the five sub-basins of the river. In the co-ordination areas, all concerned federal states of the respective area, represented by their Environment Ministry, are working together to implement the WFD, one Ministry takes the lead in order to co-ordinate the efforts. Theoretically, actors may refer to the lead ministry of the co-ordination area, but practically actors are more related to their relevant federal state.
3. **Federal state level:** The main responsibilities for implementing the WFD lies with the federal states (see (Kampa et al., 2003)). Decisions with direct effect on measures taken in the basin (e.g. support programs for changes in land use, investment programs, identification of priorities in water management, maintenance of waters of 1st order) are taken here. There are 10 different German federal states involved in the Elbe basin having besides the different regional background also different histories because of the different political systems before 1990, another reason for the diverse administrative system. Here the spatial reference is the area of one federal state, e.g. Thuringia or Brandenburg. This level is the strongest in terms of spatial reference and consistency of actors and formal institutions. If an actor is active at a higher level than regional but not for the entire country, their organisational structure usually follows the federal state's borders.
4. **Regional level:** This term is rather vague as the borders of the relevant region vary from actor to actor (and among the federal states as well). In most cases, the regions are a sub-unit of the federal states and defined along the administrative districts. For the participation process in Thuringia, these regions are defined by the working areas of the sub-basins. For the smaller waters (2nd order) the **local level** is competent for implementation (and often also for financing) of measures while the municipalities are the lower water authorities. However, the lower water authorities are often considered a stakeholder rather than a competent authority as they have mainly technical implementation duties. The **local level** refers to the municipality's area. Local actors have in general the strongest personal relation to the discussed problems and their solution. The lower water authorities are situated at the local level, being in charge for a significant part of the expected measures.

The TMLNU plays the central role in coordinating the implementation process, including PP. The regional fora and the advisory board are interlinked through participation of the same stakeholder groups.



The Ministry of Nature Protection, Agriculture and Environment (TMNLU) as supreme water authority implements the WFD. at the operational level of data gathering, developing RBMP's and implementing measures, the tasks and responsibilities are divided among the environmental agencies (Staatliche Umweltämter, SUA), the Thuringia Agency for Environment and Geology (TLUG) and the Thuringia Agency for States' Administration (Landesverwaltungsamt, TLVWA) for waters of 1st order.

The regional level of the administration defined by the four districts of Thuringia is not equal to the regions defined by the working areas of the sub-basins. Figure 4 shows the misfit of the Unstrut-Leine-Basin with the administrative level.

County borders (pink), basin borders (blue), federal state border (red).

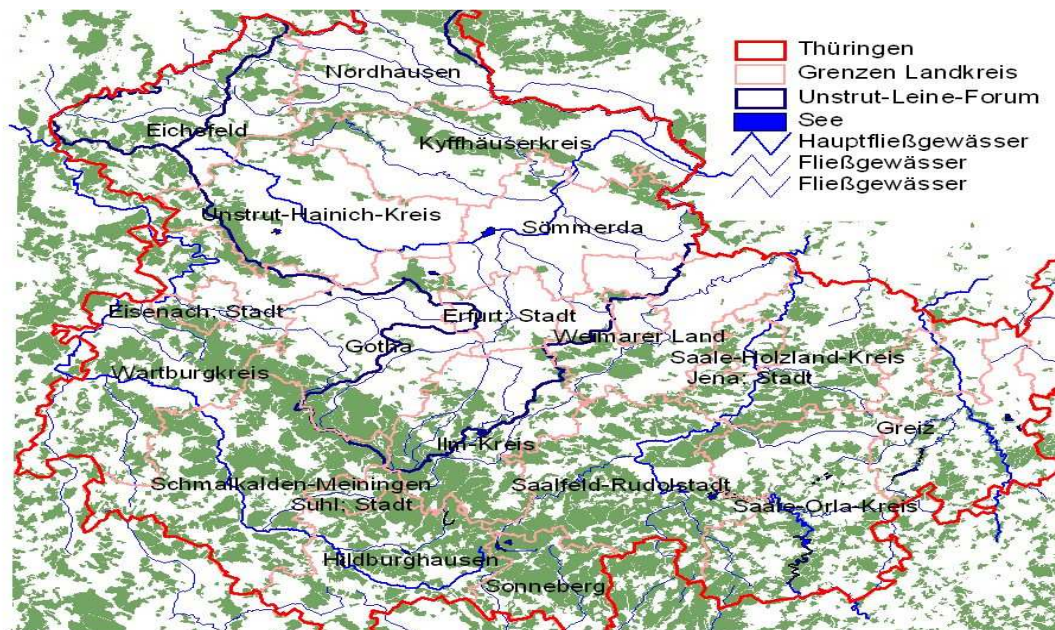


Figure 4: Area of the Unstrut-Leine-Forum (ULF)

Similar to Thuringia, in **Brandenburg (Sub-case 3)**, the Ministry for Agriculture, Environmental Protection and Regional Planning (MLUR) is the supreme water authority and therefore responsible for the implementation of the WFD. It is supported by the higher water authority and the water resource management office (Wasserwirtschaftsamt) which are both based at the State Office for the Environment (LUA). While the MLUR is more responsible for setting the political framework for the implementation and to keep contacts to other Federal states, the FGG as well as the IKSE, the administration bodies in the LUA have to execute the decisions of the ministry which have importance at the Federal states level. Figure 5 provides an overview on the structure for the WFD implementation in Brandenburg.

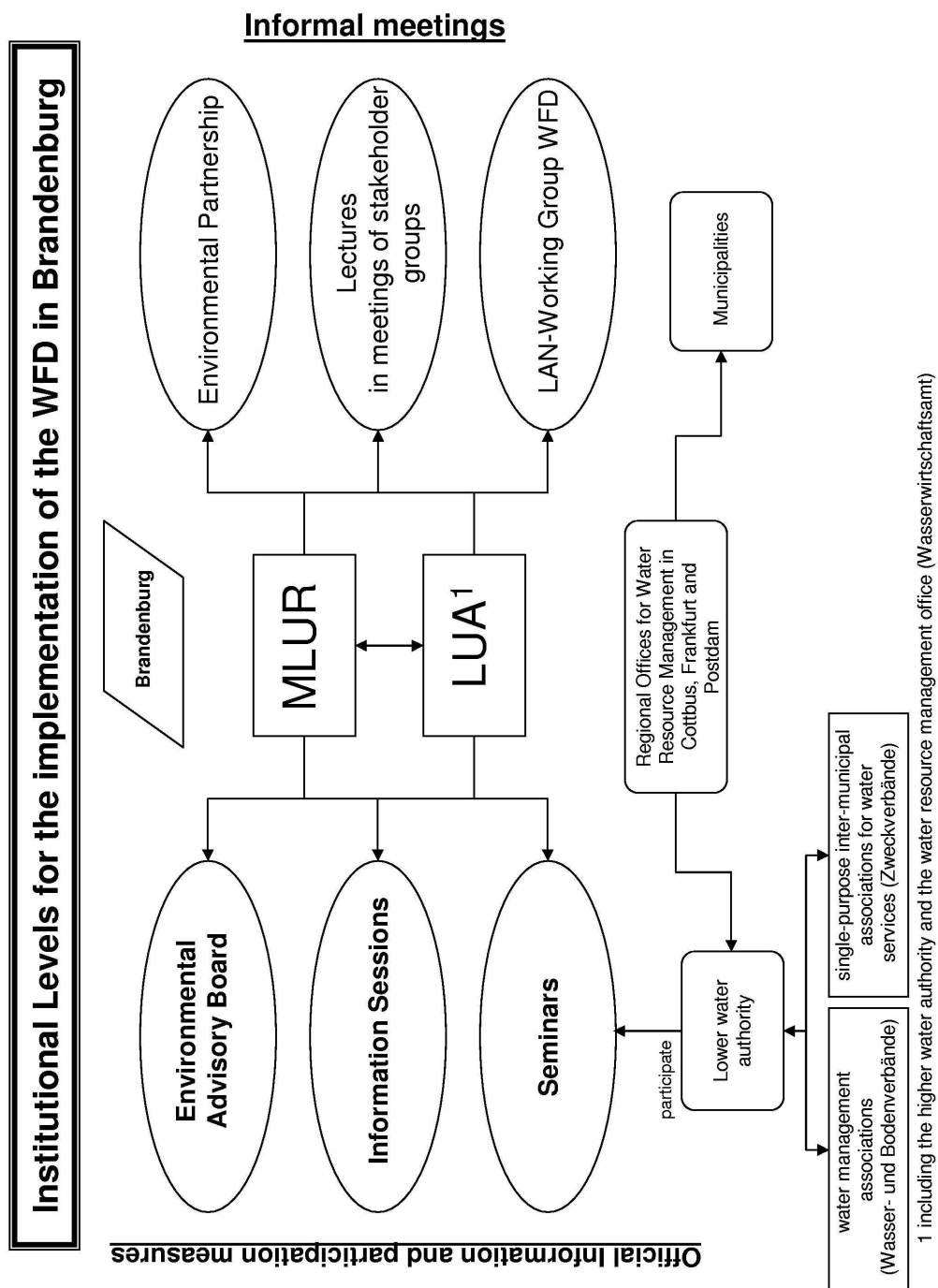


Figure 5: Institutional Levels for the implementation of the WFD in Brandenburg

Next to the competent authorities other authorities have also a stake on water management. In this context, those stakeholders are linked to specific pressures.

Corresponding with the competences of the authorities at the different decision making level, **municipalities and agricultural stakeholders** are organised at all levels, reflecting their dependency on decisions made at all levels. The national and international levels have clear tasks and are consisting of representatives from the lower levels. With the implementation of the WFD, these organisations consider their interests to be strongly affected. The **agricultural stakeholders** are also facing a significant change with the re-organisation of the European subsidies' policy. Involvement in the implementation process associated with the WFD would support the agricultural interest to negotiate the effects of reduced subsidies in the light of an increased burden that might be imposed on them due to the implementation of the WFD. The **municipalities** as lower water authorities expect major influence on their general management as water management measure are expensive and might receive a higher priority with the WFD implementation. The chambers of agriculture want to be involved throughout the process and consider themselves more then "just" an interested party. The agricultural organisations expect that the farmers will experience major cut backs due to the requirements of the WFD.

The German **environmental NGO's** with their good network consider themselves more as watch dogs to ensure the implementation of the WFD than they expect the WFD to be in conflict with their interests. Some of the organisations are even convinced that at least from the national authorities they get support and aim for the same objectives. There are also signs of understanding the authorities' position and a general openness for negotiations.

Figure 6 gives a general overview on the different stakeholder groups and their organisations. More details can be found in the annex.

Considering the management of interactions between the different groups, so far there has been relatively little exchange between the different stakeholders. Most of them have bilateral contact with one or some of the competent authorities, often related to specific issues or projects. The stakeholders know of each other but at national or international level there is very little contact e.g. between industry and environmental organisations..

White forms = governmental authorities, **blue disc** = stakeholder groups; Arrows show connections: drawn through arrows with two heads show regular exchange based on technical cooperation. The one headed arrow shows the pressure put on the municipalities by higher level authorities. The broken arrows show project based cooperation. Agriculture & Industry are groups where both independent and governmental organisations are present at most levels. The environmental NGO's have a broad network on different scales not only with other stakeholders but also within the group. Municipalities are governmental authorities but are strongly dependent on the policy frame set by the competent authorities. The municipalities are, however, expected to be especially responsible for the local implementation of a major part of the measures required under the WFD.

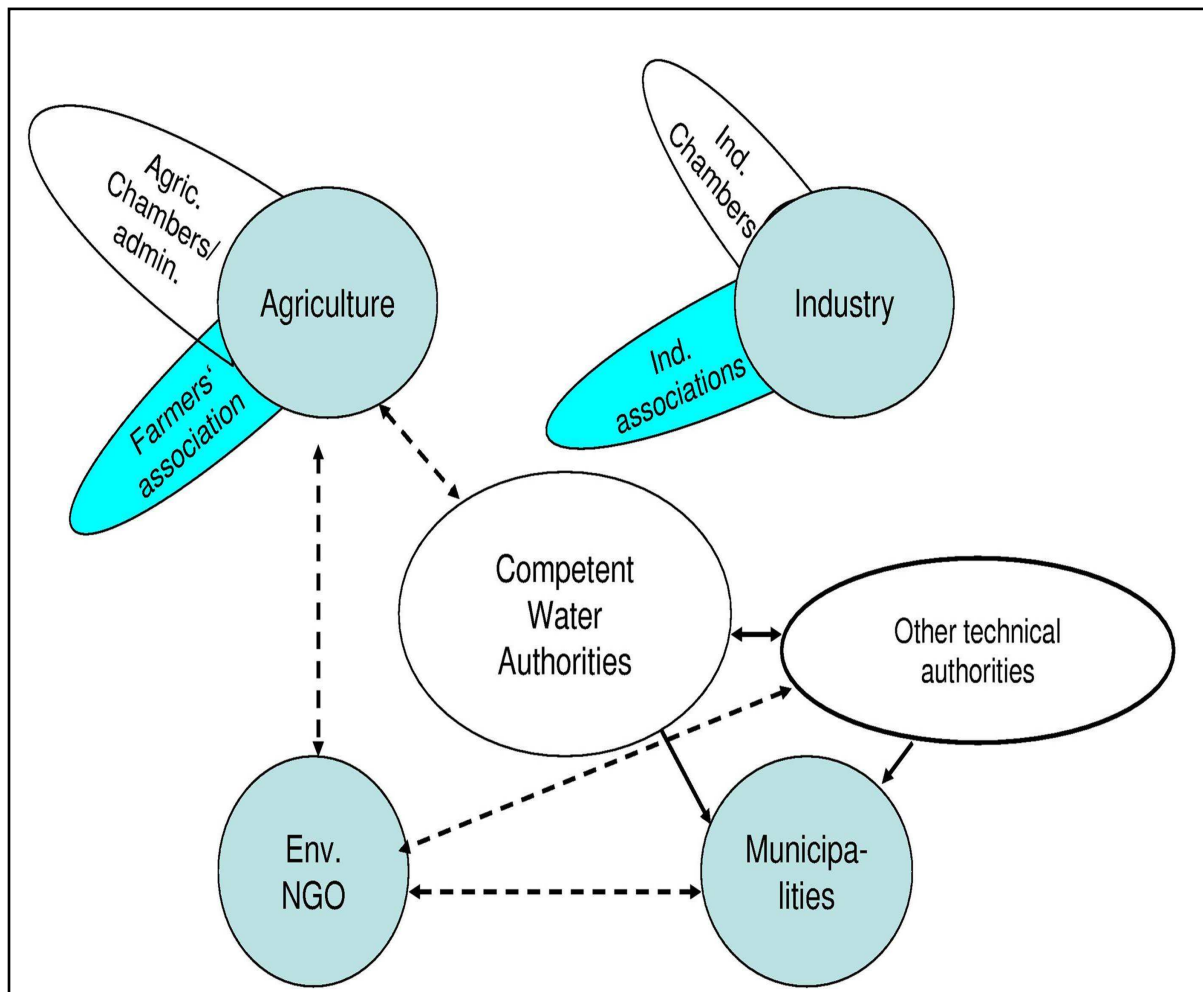


Figure 6: Main stakeholder groups and their organisations (no scale reference)

Summarising the institutional context in which river basin management takes place in the Elbe basin, it can be stated that the decision making structure in Germany is highly complex for both, authorities and stakeholders. The different levels of decision making, the competition between different governmental bodies and the diversity of non-governmental interests increase the challenges of WFD implementation, let alone the participatory aspects of it. In water management the competent authorities already rely strongly on the cooperation with authorities from other levels or technical departments. With the WFD the structure will be even more complex as the hydrological borders of the (sub-) basins are introduced as reference. The intention of the WFD was here to solve the misfit between the administrative and hydrological scales. However, water management links also to other policy fields which are not (yet) organised along the hydrological units. This leads to higher

cooperation demands for the involved authorities making the interplay among them more difficult (see also (Moss, 2001)).

Competent authorities as well as other stakeholders and their representatives have to face the challenge of quite some adaptations making learning processes within and among them very important for a successful implementation.

On the positive side there are no completely new actors expected with the WFD. The most prominent conflict will probably be around the agricultural use in the basin. On regional scale also settlements are expected to be in conflict with the objectives of the WFD. The stakeholders linked to those uses are in general directly financially affected. For the industrial pressure the representatives so far appear quite relaxed as they don't see a clear threat besides the potential of additional reporting duties. Finally, the environmental NGOs, having a good network also including the competent water authorities, have also linkages to most other stakeholder groups- mostly on joint project base.

2.3 Socio-economic political context

Nearly 25 million inhabitants are living in the Elbe River Basin, three quarters of them living in Germany, one quarter in the Czech Republic. The Czech Republic, Poland and Germany have experienced considerable political changes during the last two decades from socialistic to democratic regimes.

These developments are strongly linked to strong industrial breakdowns on the former GDR area, including a continuing decrease of population. The economic situation is still considered to be poor especially in the federal states of the GDR like Brandenburg or Thuringia. E.g. Brandenburg is primarily a rural State with a low population density. The current economic trend is negative since it is strongly influenced by the socioeconomic changes which followed the re-unification of East with West Germany in 1990. Before re-unification, the economy in Brandenburg was based on industry and agriculture. After re-unification, the economy has been re-oriented towards public and private provision of services, e.g. in the field of tourism. The unemployment rate in Brandenburg is high.

3 Description of the PP process – three spotlights on the Elbe basin

Due to the very diverse institutional settings in the Elbe basin on the different scales and decision making levels, PP is very heterogeneous both in objectives and forms. As a real-time participating case study (RT2) on the beginning of different PP processes or their preparations, the involvement of organised stakeholders in the Elbe on different scales has been studied with special focus on boundary management in three different sub-cases. This way the PP activities at different levels can be seen in relation to the competences and types of decisions to be taken at each level. In this study, the following four levels are identified: international level, German national level, federal state level and regional level. The three sub-cases are focusing on different levels.

The first sub-case focuses on both the international level and on the German national level where mainly frame giving, strategical competences are placed. The other two sub-cases focus on the federal states as they are the most powerful actors in German water management. Each federal state has specific institutional and socio-economic characteristics. Brandenburg has been studied from the perspective how existing structures can support PP. In Thuringia, the focus was put on a regional forum which has been newly established for the WFD implementation.

The first two subcases were carried out by the Institute of Environmental Systems Research at the University of Osnabrueck. In the third sub-case, the information is based on research funded by the Berlin Centre of Competence for Water and published by Kranz et al. 2004.

In this section the results of all sub-cases will be summarised. For a detailed description on each sub-case please check 3-5.

3.1 Activities / Phases

In most parts of the Elbe basin PP is still in its preparatory phase setting the stage for PP after 2006. **At international level**, a newsletter was planned. Since 2003 the working groups of the IKSE have been opened for stakeholders as observers. This offer stretched the resources from the NGO quite strongly and have been so far only considered by the environmental NGO. To get a more structured approach towards PP, in March 2004, the researcher was asked to organise a one-day workshop to assess potential and option for PP at international level. Besides the members of the AG WFD the stakeholder organisations were also invited. One representative of the agriculture and one of the environmental NGO's has taken part.

At national level, there are no public participation activities for the German Elbe basin. The general feeling among the competent authorities is that participation should take place at the level where decisions are made. The German national level with the FGG as the “competent authority” has literally no decision making power but gives mainly technical guidance for the cooperation between the German states. Another reason why there is so far not much effort put into national involvement of organised stakeholders are that the authorities don't want PP at both international and national level and therefore wait how the activities at international level develop.

In Brandenburg, public participation activities are also at their beginning. They have so far aimed, first, at an exchange of information between authorities, stakeholders and the general public and, second, at preparatory consultations with selected stakeholders. These activities aim to serve as a basis for the formation of a public participation process until 2006 (a key requirement of Article 14 of the WFD). So far discussions concern the entire state of Brandenburg. A regionalisation of effort is yet to begin although the initiation of regional fora at the level of the responsible regional authorities in Cottbus, Frankfurt/Oder and Potsdam is currently being considered. The organising body for public participation in the context of the WFD in Brandenburg is the State Ministry of Agriculture, Environmental Protection and Spatial Planning (MLUR) in collaboration with the State Office for the

Environment (LUA). Considerable momentum has been created by the environmental NGOs and other stakeholders by demanding further information as well as involvement. For example, the interactive meeting in December 2003 on the issue of stakeholder involvement for the WFD between authorities and environmental NGOs took place upon pressure of the environmental groups.

In **Thuringia**, the Ministry of Nature Protection, Agriculture and Environment in Thuringia (TMLNU) has already introduced a strategy for PP already in 2002 (Anonymous, 2002; Diening, 2003). involving use of regional fora. For this study, the regional forum for the Unstrut-Leine-Basin (ULF) has been observed during its first year. The intention of the regional fora are to involve the interested parties from the beginning as later it is expected that the WFD requires solutions for complex and complicated problems. They shall also improve the regional network between authorities and stakeholders. The fora have got consulting competences and are expected to give statements/ comments to specific issues during the implementation process. During the first meetings, in each forum pilot measures were prioritised. These pilot measures were proposed by the public and then pre-selected on specific and accepted criteria by the SUA's.

3.2 IC Tools

In HarmoniCOP, an IC-tool is defined as a material artefact, device or software, that can be seen and/or touched, and which facilitates interaction between stakeholders through two way communication processes. An IC-tool can be computer-based or not. IC-tools are seen as facilitating mechanism to support the social learning dimension of Public Participation in river basin management (RBM). ((Maurel, 2003).

At all levels, IC tools are mainly used for information provision.

At **international level**,— reflecting the quite tight budget of the IKSE- some basic information can be found on a very simple internet site. There are no plans to publish recent information like the minutes from the different working groups on the internet site as this is considered contradictory towards the cooperation process in the groups. A regular newsletter is planned for providing overall information to the interested public.

At **German national level**, the federal states together with the national government have implemented a joint platform: the internet site WasserBLicK (Bund-Laender-Informations- und Kommunikationsplattform; www.wasserblick.net) on the implementation of the WFD across Germany. This site serves both as communication platform for the exchange between the authorities and as platform to inform the public. Therefore, the site is managed with different levels of confidentiality that allows the different users (mainly the federal states but also NGO) to provide information for selected audiences. The extent to which this site is used for information provision is very diverse. For example, Thuringia uses the platform to provide the minutes of the fora and the advisory boards while in other federal states there are also existing independent sites for the WFD. Due to the technical problems with the different levels of confidentiality, a lot of information is not directly approachable as higher levels are declared confidential. Nevertheless, most information can be approached directly through the sites' search engine. But this is not commonly known to all interested parties and not indicated on the site itself.

At **state level in Thuringia**, a broad variety of tools are applied: internet based information for the broad public and for stakeholders, newsletter, GIS-based maps (will be available on CD for all participants of the fora). Beyond that, also low technology tools to support discussions at meetings are applied (flipchart, cards, ...). The main IC Tools used during the **regional process** in the ULF were the internet as a means to distribute information. During the meetings beamer-supported presentations were provided (Power Point). At the meetings, low technology tools to facilitate discussion were used (flipchart to document discussion points, to illustrate complex problems or for voting). At the 3rd meeting, a new tool was introduced: So called click-maps which will be GIS-based maps showing so

far information on the status of the water bodies. It is planned to make those maps downloadable from the internet.

In **Brandenburg**, leaflets, brochures as well as the internet have been used by the State Ministry for the Environment (MLUR).

3.3 Outcomes

In terms of relational outcomes, in all sub-cases an improvement of the communication between authorities and the different stakeholders can be stated. Considering the communication between the different stakeholder groups only in Thuringia developments can be observed. Especially in Thuringia the participants feel also better informed and involved.

Tangible outcomes can only be named in the Thuringia process were recommendations for pilot measures have been provided and are taken into consideration. At international level, as result of the workshop in March 2004, the AG WFD has decided that the information of the general public should be supported with a regular newsletter. Also, linked to the publication of the report 2005, an information event is planned including a special forum for stakeholders to comment. For organised stakeholders, the implementation of an advisory board at international level is also considered.

3.4 Feedback

Explicit feedback mechanisms have been only observed in Thuringia. The recommendations of the UFL are forwarded to the advisory board in Thuringia and to the water authorities. The recommendations of the ULF are not binding for the advisory board or the TMNLU. The results of the advisory board are reported back to the fora. On the other hand, the forum is supposed to serve as a discussion and negotiation platform between the different stakeholders. If the formal feedback mechanisms did not work some participants also have threatened openly to use different lobbying structures in case they are not satisfied with the results of the ULF.

4 Analysis of the Process

4.1 Framing/reframing

Framing relates to a basic fact in social learning: *“A problem domain, like for example the integrated management of a specific river basin, is not just out there in the natural world. It is a meaning category used by social actors, like water companies, ecological activists or governmental bodies, calling for an intervention in a situation that they perceive as a threat or as an opportunity. (...) Different social actors tend to acknowledge and highlight different aspects of reality as problematic, because of their specific experiences, and their frames to make sense of these experiences.”* (HarmoniCOP, 2003). Based on observation and interviews with specific actors, the PP activities are interpreted. Frames include the perception of the issue itself (What is the problem?), the specific interest (How am I/ is my organisation involved specifically? What solution is mandatory from my perspective?) and the mission (What is my goal beyond the actual problem?) (see also (Dewulf, 2004)). In general, a major part of social learning in groups is to tune the different frames from different actors to find a common base for developing solutions.

The results show that the positive attitude towards PP during the implementation process on the authorities site can be linked to the existence of a structured in approach.

On all levels, the frame of the **competent water authorities** is dominated by the pressure for a successful implementation of the WFD which means firstly in accordance with the minimum requirements of the WFD to avoid legal punishment by the EU. PP is only considered relevant if it decreases the number of conflicts. The effort linked to PP is very prominent. The trust in its effectiveness among the water authorities is not always given which is reflected in the diverse forms of PP throughout the basin. Especially **in Brandenburg** the limited resources have increased the reluctance towards PP. However, comparative data indicates that throughout the implementation process authorities gained an increasing understanding for the necessity of public participation. Also there was a higher acceptance of and interest in participatory approaches.

The water authorities **in Thuringia** see the WFD as chance for their work in water management to be enhanced. In comparison with the first sub-case, the authorities expressed a stronger concern that (accidentally) not involved stakeholders may provoke difficulties in later phases of the WFD implementation as they see a significant conflict potential due to the requirements of the WFD. The strong interest of TMNLU and the SUA's in establishing a good dialogue with the other stakeholders is motivated by both the importance of the different stakeholders for realizing the measures and the formal involvement of “all interested parties” to reduce later complaints about lack of involvement early in the process. They are convinced that successful public participation will lead also to better compromises and in addition to that help the efficient use of resources during implementation.

The **frames of the stakeholders** though depend more strongly on their interest and the form of organisations than on the process itself. In general, stakeholders in the Elbe basin perceive the WFD as a new, unfamiliar European directive the implications of which can not really be assessed at this time and the requirements of which are so far unknown. There is a diffuse notion that the WFD might be misused by the supreme water authorities to introduce measures on the expense of the lower water authorities or the farmers.

The **agricultural chambers** as governmental authorities have high technical knowledge and a strong interest for agricultural issue. They feel threatened by the WFD.

The **environmental NGO's** consider the WFD as a chance for environmental protection.

At **international level**, the activities from the IKSE are not considered fully transparent and the information of the IKSE seems not to reach the different stakeholders. The activities of the IKSE are watched with a mixture of surprise, disbelief and also mistrust.

In **Brandenburg** the environmental NGOs perceive the WFD also as an opportunity to demand a stronger involvement of civil society in water management. They furthermore understand it as a clear mandate to represent the interest of the general public when it comes to nature and water resources protection.

In **Thuringia**, those stakeholder groups which feel threatened by the WFD show a strong awareness during the meetings and pose technical and formal questions. The representatives of these groups (agriculture, municipalities) and also of the groups which sympathise with them are also very aware of the limited competences of the ULF.

During discussions, it became clear that all involved stakeholders do not only see their benefit from the forum but are strongly aware of the efforts it takes for them to participate. The worries were expressed that the ULF might only be a cosmetical participation process wasting everybody's time. This is also reflected in the reluctance to get engaged into discussions which might have no outcome and that the meetings should be as short as possible. Some of the stakeholders keep their observing position acknowledging the process as very positive.

4.2 Basic role of assumptions / definition of roles

Different functions and positions have to be considered in relation to an initiative in which multiple parties are involved: leading, facilitating, contributing to the (technical) content, supporting (in a political, financial, moral way), and even resisting has to be considered as a possibility (as a response to an awareness of exclusion). 'Leading' means giving a certain direction to an initiative. In general this function is related to a hierarchical structure and conferred on a top-down basis. Multiparty initiatives imply (more) horizontal structuring, hence alternative concepts of leadership ("distributed", "joined up", "shared", etc.) are required. Leadership functions in general tend to emphasise the content of the tasks and the procedures. However, especially in multiparty initiatives relational processes (building trust, fostering direct interaction, managing conflict, dealing with institutional rivalries, exclusions, etc.) may be of crucial importance for the success of the initiative. Because a collaborative context may lead to the expression of conflicts, the facilitation function becomes even more important.

In all sub-cases, the supreme water authority had the formal lead for the activities.

At international level, the formal chair of the AG WFD lies with the German Federal Ministry for Environment. The spokesman of the German delegation is the representative of the Thuringia Ministry for Environment who did promote the idea of PP at international level most strongly. As all federal states are also represented at the AG WFD meetings, the German delegation is significantly bigger than the other delegations. The second biggest delegation is the Czech which regularly expresses concern with regards to limited resources. The Austrian representative and the Polish delegation are focusing more on observing. Both nations cover only very small fractions of the basin.

For the process in Thuringia, the ULF has been organised by two agencies, the SUA Erfurt (which is the competent authority for the Unstrut basin) and the SUA Sondershausen (which is the competent authority for Northern Thuringia). The facilitation alternates between the two agencies while the place of the meetings rotates between all members involved. The organisers are taking care of establishing ground rules for cooperation (e.g. long term commitment of participants), providing information and leading the discussion.

In Brandenburg, the role of the initiator and designer of the participation activities has been formally taken over at the State level by the State Ministry for the Environment (MLUR).

The formal role attributed to the stakeholder groups in most PP processes is that of consulting. **At all levels**, the role stakeholders would like to take can be described as controlling the activities of the water authorities. They share a general distrust that developments in river basin management might not be communicated and the different stakes might be neglected. However, the different stakeholder groups claim different degrees of involvement.

The agricultural chambers would like to be considered not only an interested party but want to be involved strongly through the different federal states. This position can also be found in the other sub-cases where agricultural representatives are among those strongly pointing out problems and questions.

The German environmental NGO's with their good national and international network consider themselves more as watch dogs to ensure the implementation of the WFD than they expect the WFD to be in conflict with their interests. Especially in Brandenburg, the environmental NGO have taken the role of informal initiators of participation. There are also signs of understanding the authorities' position and a general openness for negotiations.

4.3 Boundary management

Boundary management is crucial for the efficiency of fora and advisory or working groups in the larger context. Those groups are platforms for a social learning process between and within organised stakeholder groups. The transfer of learning processes beyond e.g. advisory boards and fora is strongly depending on how the individual representatives interact among each other, how they exchange information, also with the groups they represent. It is also important to transfer experiences from the groups on decision making, negotiation and learning from the representatives to their own interest group as well as to the other stakeholder groups. The WP2 report states (HarmoniCOP, 2003)., that "in a loosely coupled system as RBM boundary management is very relevant as the traditional boundaries of hierarchy, function, location, structure, role, task and time are often not available. (...) Managing the boundaries can help the stakeholders to make sense of their experience and to reduce complexity. If the boundary around the multiparty group is firm enough, this enables the representatives to develop a collective identity based on common interests."

In terms of internal boundary management, hierarchical structures within a stakeholder group where the different levels have clear tasks may ease the communication between the different levels: here procedures help to automate information exchange e.g. sending around minutes. Within the different stakeholder groups the information will be probably passed on, as all organisations have a clear representation orientated structure which includes forwarding of written information. The extent to which actual learning experiences will be passed on depends strongly on the individual representatives.

In Thuringia, e.g. the representatives of the water supplier in the ULF represents only one company where 3 persons are directly linked to WFD issues. On the other hand the ULF-representatives of the farmers or of the municipalities have a number of organisations to represent whose main task is not directly linked to water management. The information and experiences from the ULF have to be passed on to more partners. The Thuringia supreme water authorities report in general good exchange with the competent officers. With the other stakeholders, for the SUA's, the main expectation towards the ULF is the chance to improve and exchange the regional network. Next to the ULF the pilot measures are expected to be more effective in terms of improving cooperation also between the different stakeholders as the work is on a specific project and with a smaller number of participants. Between the different stakeholder groups a direct exchange leading to a visible and openly expressed development in attitudes has merely taken place so far in the ULF's discussion. This is indicated due

to common and anxiously expected stereotyping which provokes aggressive answers between different participants. In those situations, the SUA's as facilitator call for rational discussions.

In Brandenburg, legitimate stakeholders in river basin management in Brandenburg have a viable interest in water management, which is mostly based on a professional interest. This is the case for the Farmers' association as well as the association of business actors. Both are professional organisations with considerable experience in interest lobbying and a dedicated members base. They are active on the national as well as the state, regional and local level. Farmers have been very active in the past voicing their concerns in relation to the WFD implementation. They mostly refer to potential burdens imposed on the farmers and continue to highlight the connections between the WFD and CAP reform.

Business representation was relatively receptive to WFD issues. Speakers from the authorities have been invited to speak about the WFD at the annual meetings of the 'environmental partnership', a joint platform of Brandenburg businesses and environmental authorities.

Summarising all three sub-cases, the interaction between the different groups so far has been limited with little exchange between the different stakeholders. Most of them have bilateral contact with one or some of the competent authorities, often related to specific issues or projects. The stakeholders know of each other but there are at national or international level very little contacts e.g. between industry and environmental organisations.

The environmental NGO's has a very well developed network at national level which might be a bit extended for the Elbe basin. The different authorities have procedures to pass on information. In terms of passing on the learning and negotiation processes those procedures will not be sufficient if they are limited to the official minutes and outcomes of the meeting.

4.4 Evolution of interests, functions and strategies

When participants learn to understand each other's perspective, this social learning includes also an evolution of interests, function and strategies of the participants. As here direct exchange and joint objective are mandatory, this can only be observed where meetings with all stakeholders have taken place regularly.

In Thuringia, a major part of the forum consists of information provision as directed by the TMLNU. The SUA's are always working on the balance between information provision and consultation approaches. However, in terms of social learning there are typical ambivalent characteristics in this new started PP process. One example is that the ambivalence between the participants being representatives and being individuals: persons involved are representing organisations but that the organisations are supposed to show consistent participation and to send the same representative all the time. This way it is tried to de- personalize and de- emotionalize the discussions while at the same time the importance of the individuals in the negotiation process is acknowledged. This principle is strongly supported by the SUA's though does not prevent changes in the group as some stakeholders do/can not follow it. Also, some stakeholder groups don't agree with the composition of the forum having only one representative for each group. Arguments against it are the need for a second opinion from the same group to discuss about the ULF or that those stakeholders which may be more strongly affected by the WFD should have a stronger voice in decision and discussion. They don't see the benefits from small groups for discussions.

In Brandenburg the approach of the WFD competent authority towards public participation was mostly put on information of the various stakeholder groups. The State Environment Ministry (MLUR) as the organiser of several events is well aware of this fact. To this end, the MLUR made use of already existing fora to inform various stakeholder groups, such as farmers, business actors,

members of the environmental council. In addition, the MLUR organised a major information event for the general public in May 2004.

The next steps considered to further the efforts with respect to public participation in Brandenburg include setting up regional fora at the level of the regional authorities in Cottbus, Potsdam and Frankfurt/Oder.

4.5 Critical events (turning points) analysis

The density of critical events or turning points within a process increases significantly where only irregular meetings are taking place and it is unclear how and if the subject is discussed the next time. **At international level**, e.g., PP has been primarily discussed in context with this case study. Therefore, meetings organised by the researcher seem to have a strong influence on the discussion which changed direction both after the workshop for the AG WFD and after the stakeholder meeting.

In Thuringia, the most critical event so far has been the voting on the pilot measures. After the voting it was obvious that the organisers were quite surprised by the results and did not agree entirely with them. Thus, they forwarded the four best placed proposals (only two measures will be realised) to the advisory board and planned to extend the vote. Two participants also expressed their disapproval: one was not convinced that the chosen measure would be relevant in terms of the WFD (new argument as beforehand the forum agreed that this was a criterion ensured to be met through the pre-selection process). The other comment stressed a criterion identified in the former discussion that it should have been a basic criterion not to choose those pilot measures which are linked to waters of first order (the responsibility of the supreme water authorities). The general atmosphere after the voting was rather emotional. The meeting closed after asking for comments.

4.6 Mechanisms that foster Social Learning

Though a progressive PP approach is mandatory for a successful implementation of the WFD, PP always has to be designed in a way that not only the stakeholders develop trust in the process but that also already existing cooperation between the authorities will not be negatively affected. In the Elbe basin, this will be quite a challenge which can be significantly supported by a strong improvement in information provision towards public and stakeholders. The Ministry of Environment **in Thuringia** has taken the chance and successfully established a concept and new structures for participation designed to accompany the whole implementation process of the WFD. This will allow organised stakeholders to be involved in the implementation process through separate forums at federal state level and at regional level, demanding also from the stakeholders a working system for exchange between the different organisations. The PP structures aim clearly to meet the WFD objective of a collaborative planning procedure for river basin management. The competent authorities have provided a clear structure, trying to manage the expectations properly. The number of participants were limited in order to allow intensive discussion. The general attitude from the involved parties is quite positive. Considering the early state of the process it is no surprise that signs for social learning are still small.

In Brandenburg, one of the main formal structures already used for information and some consultation is the environmental advisory committee to the State Environment Ministry (MLUR) which has existed for a couple of years. This committee might provide an adequate forum for the further discussion of issues related to river basin management. Its relatively established status will have a positive effect on the efficiency and thoroughness with which issues can be addressed. Furthermore, the Working Group on the WFD in Brandenburg, which was set up by environmental NGOs to co-ordinate efforts with respect to the WFD implementation, will provide training and education to members and thus add greatly to social learning in subsequent steps.

To get the parties more involved into the concept of multi-party cooperation, it is probably very important to have more frequent and focused discussions. The problem here is that the participants are used to be informed in a little stimulating way. It might help if maybe the tasks are more divided between the stakeholders to build up expertise in the forum. E.g. groundwater issues could be assigned to a specific person who keeps an eye on the developments and reports to the forum regularly. Another option would be to deliver the information in form of short 2-pages reports before the ULF and design the presentation there then more inter-active, more discussion based. Those options have to be discussed and agreed upon in the forum itself. The challenge here already will probably be on the one hand for the facilitators to present ideas without suggestive background allowing open discussion to take place. On the other hand the stakeholders probably have to get used to this approach as well as to get more personally involved. The established advisory boards for the pilot measure will also definitely support the multi-stakeholder approach as those groups will be significantly smaller.

4.7 Barriers to Social Learning

For a successful participation at the strategical levels in the Elbe basin it is essential that first, all involved authorities should be clearly in favour of such a dialogue. The second step is to agree on the aim and the form of the dialogue and thirdly, the partners for this dialogue should be clearly identified (stakeholder analysis). In the Elbe basin, there is quite a diversity of opinions among the federal states and the international partners whether PP includes this dialogue and whether PP is already necessary at this phase of the process. At international level, this diversity feeds back in the activities so far taken by the IKSE. E.g. the opening of the working groups and the invitation of the stakeholders to the workshop on PP: Both offers include the danger of disturbing the sensitive atmosphere of international negotiations which are relatively young and fragile. At the same time, the offer may not be taken adequately by the stakeholders as it asks a lot of efforts in terms of expertise, time and travel resources from them when there is no clear concept how their inputs might be respected.

Another barrier on both, the international and the national level, is the lack of a structured stakeholder analyses in the Elbe basin so far. There is no unambiguous information how the organisations involved on international level have got onto the list for invited information. Also, only agriculture, industry and environmental NGO's have been identified as main stakeholders. As a result of this, the list of organisations consists of both, regional and national/ international active organisations. There are no clear criteria which stakeholders could take place and how they should represent themselves or what is expected from them (what qualifications should they have?). At German national level, there are activities to revise this list.

The cooperation efforts required among the authorities are already stretching the capacities of the involved partners. The international cooperation in the Elbe basin is characterised by the strong motivation for successful implementation combined with the flowing process of transition in the Czech Republic. The two minor partners, Austria and Poland, low-key in influencing the process.

In this context and at this stage, PP is often considered not mandatory. Also, the experience with participation has been so far connected to LA21-activities² at very local level or the tradition planning procedures for measures and plans which in general only require written consultation at regional level. On national or federal state level, institutionalised, personal contact with stakeholders has taken place as part of the oral consultation during the adoption of the legislation. Bilateral exchange in contrast is often part of the daily work and personal contacts to specific stakeholder groups are considered as most valuable for understanding and developing solutions. For multi-party negotiation processes, the officers working for the competent authorities are not used to have non-governmental

² LA 21= Local agenda

stakeholders involved. They are also reluctant because they fear activities of stakeholders to activate their interest groups and the broad public during the negotiation process. There also has to be trust on the authorities' side that PP will not negatively interfere with decision making. Especially in the Elbe basin, the members of the AG WFD are strongly aware of the sensitive state of a newly developed cooperation in their group between the different nations. The fear was expressed that stakeholder involvement may reduce the confidentiality and therefore may have a bad impact on the potential for open discussions where also unpopular or intermediate solutions may be elaborated. There have been strong objections in making the working group minutes available to general public. On this issue, the competent authorities seem to have an ambivalent frame to involving stakeholders to participate at their meetings: They are also not really convinced that stakeholders may be interested in participating in the AG WFD as the issues so far discussed/ decided on concerning the WFD are rather technical issues like forms of data/ data gathering or the outline of the joint report (Borowski, 2004; IKSE, 2004).

The benefit from the stakeholders' side is so far expected to be low. There is an awareness that valuable input from stakeholders is strongly linked to their resource and that most stakeholders' resources are quite low. Neither time nor travel costs can be covered by the IKSE or the competent authorities, let alone the required capacity building or educational measures the representatives need. The IKSE don't want to put special effort into information editing for stakeholders because of the authorities' lacking resources. They miss the feedback from the stakeholders side. Finally, there has been no decision on how to use the potential input if there still were some.

4.8 Specific role of IC Tools

In general, IC tools are considered important to provide information in a very classical way (internet, presentations, newsletters). The provision of information at all is a major point in building trust between stakeholders and water authorities. In Thuringia, the information provision is part of a whole process- with the result that the people feel informed and able to find the necessary information. at international and national level as well as in Brandenburg there is less information provided and the access is not always transparent. Therefore, the provision of information does not support the building of trust.

5 General Reflections

5.1 Theoretical framework

Concept of Social Learning

The conceptual framework of HarmoniCOP for Social Learning was new and unusual for the actors involved. However, most of the main factors for social learning had already been recognised and acknowledged as being significant for public participation. They agreed on the need for social learning. On the researcher's side there are doubts whether it make sense to analyse processes very detailed using the social learning concept if the processes are very fragile in terms of trust. It was felt that the transparency of insecurities or of objections between the parties asks a lot of self esteem from each individual and does not help always to change perspectives as it is necessary for social learning. For example, if one stakeholder considers the other incompetent and the study on social learning reports it, this "secondary" transparency will not impress both stakeholders. It might, however, help, if the stakeholders really specify their concerns in discussions – beyond general stereotyping. The Social Learning dimensions were underlying the observation and interview templates of the researchers. The questions posed by the researchers were never considered by the actors as irrelevant.

Importance of stakeholder involvement

All direct contact persons were already interested from the beginning in a participatory approach, although they were extremely cautious to put it into practice. Those actors interested in stakeholder involvement strengthened their conviction about the importance of it and could generate lessons about how to put it in practice.

Sustainability paradigm

At international and national level, sustainability was an underlying paradigm. At regional level this paradigm was explicitly mentioned by the authorities as guidance for the actions.

For the authorities, sustainability is about long term stability of solutions.

However, other stakeholder did – if at all- only refer to it with a considerable amount of scepticism because the term was considered as being politically abused without having a tangible background.

IC-tools and Social Learning

Tools were generally inserted in the process to provide information. Complex, computer-based tools like models were in general considered as too expensive. Internet sites were utilised to store a lot of information connected to the process. GIS based tools are also considered to be extremely helpful here.

There is a big gap in the current practice in the application of IC tools and the range of tools and their possible roles identified in the project working group on IC tools. Hence there were few opportunities to study the role of IC tools in supporting relational practices linking social involvement of the actors with content management.

5.2 Case study results

Consequences of Social Learning in terms of institutional change and decision making:

There have been so far no consequences in the Elbe basin due to the results of the case study. However, the activities at international level was strongly influenced by the research activities as they were a reason to discuss PP.

Concrete Social Learning results of this initiative:

The main result in this case study was that social learning needs time and actual meetings for exchange. The actors involved in the study supported the importance of the social learning. However, during the presentation of the case study results at a stakeholder meeting in September 2004 in Magdeburg the participants but missed specific instructions from the case how to do good public participation (see SH workshop report on the HarmoniCOP-website www.harmonicop.info).

Cultures of PP

Public Participation in the Elbe basin is mostly restricted to informing. The officers of the water authorities not always accept the necessity to negotiate their priorities with other organised stakeholders since on short term perspective the effort conflicts strongly with the restrictions on available resources. The long term effectiveness of PP is not considered proven. Nevertheless, if water authorities are convinced that active involvement leads to better solutions and management plans they will find the necessary resources.

Main potentialities and pitfalls:

The results of this study show clearly that a structured approach including a transparent role of all stakeholders is significantly supporting social learning processes. However, the lack of experience in multiparty collaboration also among the authorities provoke a strong reluctance towards PP. Especially where it is necessary to transfer clear messages as to why other stakeholders should be involved and what is expected from them, e.g. what kind of technical competence do they need to participate in the AG WFD meetings. If stakeholders received a clear role in the process and if the fate of their input was well defined this would be an incentive for them to participate despite resource constraints.

5.3 Generalization potential

Helpful for WFD implementation

The concept of social learning in general is considered helpful for the implementation of PP. The practical relevance however is more seen where the concept has been transferred into specific requirements and practical recommendations for successful participation.

Representative for national problems

The situation observed in the Elbe basin is typical for Germany concerning the diversity of institutions and of approaches to PP.

Relevance for other policies

In the study the harmonisation of water management with other areas as agricultural policy or spatial planning has been expressed. However, no initiative has been taken to discuss these issues in a social learning setting with all stakeholders at the same time. Bilateral negotiations are still being favoured.

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Annex 1 Main water uses in the Elbe basin

As described in the WP4 report ((Kampa et al., 2003)), the water quality of the Elbe has improved continuously since re-unification. On the whole, water quality in flowing waters in the new federal states (former GDR) is still lower than in the old federal states (former FRG) of the river basin (BMU, 2001b). The last report of the Wassergütestelle Elbe (Bergemann et al., 2004) summarizes the main problems as concerning the oxygen concentration (caused by increased pollution due the flood in summer 2002 or by increased secondary pollution), and specific pollutants coming mainly from contaminated soils/ old land fills. Also salts play regionally a role in water quality (Saale – basin). IKSE goals for drinking water supply, fishery and agricultural irrigation are not fully met, as is not the quality goal for protection of aquatic communities and for agricultural use of sediments of the Elbe river (IKSE, 2003).

In addition to the bad condition of the physical-chemical state, the ecological status is affected in terms of fish and other organisms' migration by the quite limited continuity due to dams etc.. (Reincke, 2002) states that the limitations of fish diversity as well as of the morphology criteria may reduce in a lot of areas the chance for the good ecological status.

Settlements

The impacts of settlements comes mainly from effluent discharge into surface waters. While in the old federal states the standard of the domestic effluent treatment was quite high, the reunification of Germany also requested much improvement in this sector in the former GDR Federal states, resulting in high investments made in the last years into the construction and improvement of treatment plants and infrastructure. Following the reports on the implementation of the Aktionsprogramm Elbe (IKSE, 2003), the pollution caused by domestic effluent was strongly reduced by the construction and improvement of a number of sewage treatment plants in the Czech Republic and Germany.

Due to the extensive measure in the last years, the pressure from the domestic discharges has decreased. The domestic effluent is not considered the most relevant pressure concerning ammonium loads or nutrients in general (Bergemann et al., 2004). Still, sewage management is always linked to major investments at the local level and may cause strong political conflicts as part of the costs have to be covered by the citizens connected to the (new) sewage system. Also, due to the requirements of the EC guideline on Urban Waste Water Directive (Council Directive **91/271/EEC**) the pressure on the Elbe basin by domestic effluent were significantly reduced.

In the WFD implementation process the implementation of the EC guideline on Urban Waste Water Directive (Council Directive **91/271/EEC**) has to be integrated which includes in some areas further investment into the sewage system. This may cause strong conflicts at local/ regional level. In average, about 93% of the inhabitants in Germany are connected to central sewage treatment plants. **Thuringia** has the lowest rate of inhabitants connected to central sewage treatment plants in Germany (63% 2001, (Bundesamt, 2004). On one hand, the major efforts taken during the last years (reduction of 19% of the non-connected inhabitants and improvement of the quality of the effluent treatment for all existing plants) is considered to be responsible for the improvement of the water quality in the last 12 years from 16% to 66% of the waters having the water quality class of 2 or better (Ministerium für Landwirtschaft, 2002). On the other hand, centralised treatment plants may not always be the most efficient system in regions with low population densities and/or decreasing overall population. The province of Brandenburg for example has the highest water prices in the whole of Germany since the high maintenance costs for centralised treatment plants with considerable over-capacities are distributed among a shrinking population.

Sewage treatment in **Brandenburg** is organised as follows: there are two different types of sewage treatment systems. Firstly, the centralised collection of waste water in the canalisation with the

ensuing treatment in a central sewage plant and secondly the treatment of waste water in decentralised small sewage plants on-site. Even if to date already 78% of households are connected to the canalisation and the central sewage plants, the latter option is still very typical for the rural areas of Brandenburg.³ Between 1991 and 2002, a great effort was undertaken to connect as much households as possible to central sewage treatment. In this period, nearly 900 million Euro subsidies were spent to support measures of sewage treatment. About 870 million Euro went into measures for central treatment plant and canalisation and about 16,8 Euro were spent for small decentralised treatment plants.⁴

Besides the effluent discharge, in the context of flood management, settlements in (former) wetland areas were also under discussion.

Agriculture:

In all German Federal states which are partly or completely in the Elbe basin, the agricultural sector plays an important role. Agriculture puts pressure on water quality because of pesticides, nutrients (fertilizer) and erosion. About 2/3 of the nitrogen load and 55% of the phosphorus load into surface water are agricultural borne (including the groundwater path). Also the major fraction of the pesticides are assigned to agricultural practices. (Barion, 2003).

The last report of the IKSE (IKSE, 2003) summarizes diverse activities to support best practices in agricultural use and handling of pesticides and fertilizers. It states also that the effect of these measures won't be visible before long and still that the reduction of diffuse agricultural pollution needs more efforts.

In **Thuringia** about 54% of the area covered by the Elbe basin (~10.482 km²) are under agricultural use. In the Unstrut-Leine region, all groundwater bodies "at risk" (16 of 21) are influenced by agricultural land use.

83% of **Brandenburg** (24.969 km²) belong to the Elbe basin. Of the total area, 1,005 km² (3,41%) are water surfaces, 14,657 km² (49,72%) are agricultural land and 10,295 km² (34,93%) are forests. The remaining 11,94 % are areas of infrastructure, buildings and recreational areas.

Industrial Pressures including Shipping, Mining and Power Production:

Effluents polluting the rivers water are coming mainly from the industrial industry. In the Elbe basin, there has been a lot of efforts on improvement of the industrial waste water treatment, resulting, together with the decline or changes in the production, in a significantly better water quality. Still, industrial point sources are still relevant for the water and sediment quality ((IKSE, 2003). In addition, contaminated soils and landfills cause toxical pollution.

Water coming from former mining places is in some case a pressure because of its quality. Salts are identified mainly in the Saale basin, originating from former mining places or from the soda and rock salt industry (Bergemann et al., 2004).

Also, water not coming any more from mining places put on quantity issues(e.g. the decrease in water flow in the Spree due to closing of mining in the Lausitz).

³ Froböse, G.; Rietz, V. (2003) Wie weiter in der dezentralen Abwasserbehandlung im Land Brandenburg? in Ratgeber Abwasserbehandlung, VDBG.

⁴ Land Brandenburg MLUR (Ed.) (2004) Kommunale Abwasserbeseitigung im Land Brandenburg Lagebericht 2003, download: http://www.mlur.brandenburg.de/w/k_abwas.pdf, on August, 19th 2004.

For the continuity of river habitats, shipping and power production are the main pressures. Shipping has also a major impact on the morphological structure of the river bed. The maintenance and extension of water ways lead to a decrease of the ecological habitats (straightening of river bed or indeepening of the water ways) as well as it affects the continuity of the river habitats. Also, there is discussion on the economic and ecologic effects of the water traffic itself, facing decreasing total transportation loads and older cargo ships.

Annex 2 Stakeholder groups in the Elbe basins besides the competent water authorities

Based on Table 1 in Section 2 stakeholders from agriculture, industry and environmental NGOs are considered as the most important groups in the Elbe basin. Their actors are described in this section. However, the description is not exclusive as other stakeholder groups, such as tourism, organisations of real estate owners, water suppliers are not included. In order to identify differences and similarities with respect to boundary management at the different levels, this study concentrates on the stakeholder organisations which are active at all levels. In addition, municipalities and stakeholders from the shipping sector are included. Local governments face considerable challenges as they are responsible for the implementation of the major share of measures on the ground. Shipping is considered as it features the stakeholders, which have, besides the competent authorities, the strongest legal leverage in river basin management..

Agricultural Stakeholders

In general, one can distinguish the chambers of agriculture and the farmer associations as the main organisations representing the agricultural interests.

The chambers of agriculture are authorities which are often embedded in the governmental organisations as technical authorities. In the Elbe basins, only 4 out of 10 federal states⁵ have chambers of agriculture. The other federal states are integrating the tasks of the chambers into the agricultural administrations, e.g. in Thuringia the agricultural administration has two levels: the TMLNU and 11 agricultural agencies which scopes are formed along the county-borders, summarizing most times two county-areas to one agency. As representatives for agriculture the chambers are generally considered as strong partners since

at federal level, the federal association of the chambers (Verband der Landwirtschaftskammern = VLK) claims to coordinate the technical collaboration between all federal chambers and the agricultural administrations in federal states with no chambers. Besides the secretary – whose domicile is in the building of the federal farmer's association- the VLK supports several technical committees on specific issues consisting of representatives of the different chambers. With respect to water issues, the technical committee on federal culture, agricultural structure, land use planning and environment (Fachausschuss für Landeskultur, Agrarstruktur, Raumordnung und Umweltschutz = LARU) deals with the implementation of the WFD. The committee supports exchange and agreements between the members. In terms of representing agricultural interests at federal level (e.g. consultation procedures concerning the amendment of specific laws), the chair or a member of the committee is representing the agreed position. At European level, the VLK is also active in the European Confederation of Agriculture (CEA) (see www.vlk.de).

The farmer associations represent more than 90% of the farmers in Germany. The associations have local organisations which are then combined into federal associations. The federal associations are then represented at national level through the German Farmers' Association (Deutscher Bauernverband e.V.).

Both, the chambers and the farmer's association have a strong position in terms of sustaining agricultural use of land. In general, the farmers' association are considered to be more active in public while the chambers as part of the governmental administrations act through the governmental

⁵ Schleswig-Holstein, Berlin, Lower-Saxony, Hamburg

structure. The VLK is on the list of stakeholders which are to be informed about the annual meeting of the IKSE.

Industry

The chemical industry and the mining industry are responsible for considerable stresses and pressures on water quality. Power generation affects the continuity of the river habitat and also the quantitative management of water resources. Specifically these industrial sectors are characterised by relatively large companies and plants (e.g. Vattenfall or Spolchemie).

All companies registered in Germany, with the exception of handicraft businesses, the free professions and farms, are required by law to join a chamber to represent their interest as well as to ensure the quality of training and education in trade and industry. The 81 democratic, regional chambers for industry and trade are joined in an umbrella organisation, the national industrial & trade chamber (Deutsche Industrie- und Handelskammertag = DIHK). Thus, the DIHK represents more than three million entrepreneurs. (Internet Site: www.ihk.de, 23.08.04). With respect to the WFD, in 2002 the DIHK published a position paper demanding further harmonization of the implementation process by shifting the competences to the national government. They also expressed their concerns that too many data could be required during the implementation process. As a mediator/ facilitator between Czech and German companies the German-Czech-Industrial & Trade Chamber (DTIHK) have acted since 1993. This chamber is linked to the DIHK and one of the stakeholders invited regularly by the IKSE. DIHK, DTIHK and the Czech trade chamber are part of the organisations which have been informed so far by the IKSE. Also, the environmental section of the Hamburger trade chamber is part of the list. However, they are considered an environmental organisation.

Besides those legally required self-administration through the chambers, there are also independent associations for industry, often related to a specific industrial sector, e.g. chemical industry. At the national level, the Federal Association of German Industry (Bundesverband der deutschen Industrie = BDI) encompasses all 16 organisations at the federal level. Those associations are representing the interests of their members. The independent industrial associations have not been involved so far in the implementation process. Instead, individual representatives of regional companies have been integrated in Thuringia.

Shipping/ Water ways

The federal water ways (waterways) are assigned to the Federal Ministry of Traffic, Construction and Housing. The administration of waterways in the Elbe basin is mostly supervised by the Waters- & Shipping Administration (East) (WSD-OST), although some channels are also part of the middle region (Elbe – Seiten -Kanal). The main interest of the administration is to maintain and expand the traffic capacities of the federal waterways in order to promote economical growth. Thus, the recent limitations to the reconstruction of the Elbe is mainly considered as hindrance to the constant and reliable passage on the Elbe river and its tributaries (see internet site of the federal waterways- and shipping administration www.wsd.de) throughout the year. In the tradition of competition between environmental interests and the stake of traffic infrastructure, the waters' and shipping administration is a strong stakeholder as it represents strong federal competences and interests. It acts also at federal state level with the main river basin management competences. So far, the interaction with respect to WFD implementation has been very slow.

Municipalities

Despite the fact that the municipalities also have competences as lower water authorities they can be considered as stakeholders as they also expected to be significantly affected by the measures in the context of WFD implementation. Municipalities have three different umbrella organisations: for the counties, for the towns and cities and another, which represents the cities exclusively. The first two are active at regional and federal state level in the PP activities in Thuringia.

Environmental NGO

The environmental NGO's (eNGO) with an interest in river basin management in the Elbe basin are numerous and diverse but quite well connected through different inter-organisational working groups on water both on national as at federal state level. Beside those working groups most of the eNGO are represented in the German Nature Protection Association (Deutscher Naturschutz Ring). Also, there are two organisations which have deputies throughout the land (Naturschutz Bund (NABU) and Bund für Umwelt- und Naturschutz Deutschland (BUND) active in the German Elbe basin as well as two also acknowledged international organisation (World Wildlife Fund (WWF) and Greenpeace e.V.). With regard to the Elbe basin, there is the River Network "Living Elbe" which is supported by the German Environmental Aide (DUH) and aiming for the Elbe basin acknowledged as a cultural world heritage by the UNESCO. This list is not comprehensive. There are a wide range of locally active initiatives like the more than 20 year old, Hamburg based "Foerderkreis Rettet die Elbe". As probably most prominent organisation in the context of the WFD, the national organisation Grüne Liga e.V. organising with the financial support of the federal government capacity building measures for eNGO's in Germany. The Grüne Liga also coordinates various networking activities concerning water among the German eNGO.

During the last decades those organisation built up expertise and have experience to move within a diverse field of other groups with a similar stake. Most of them have similar problems in terms of limited resources but since they are more used to this then other stakeholders they have learnt to deal with it and how to open other different sources for support. Thus, they have a well developed network between the different groups, trying to coordinate positions and activities through e-mailing lists and meetings.

The German environmental organisations which are on the mailing list of the IKSE are quite diverse. The 12 different German organisations cover the range described above.

Annex 3 5: Description of Sub-cases

Annex 3 : 1st Sub-case: How to involve the public at strategical levels? (by Ilke Borowski, Institute for Environmental Systems Research, University of Osnabrueck)

The international and the German national level in the Elbe basin have strong strategic meaning as they are setting the water policy frame including goals for the implementation and planning of major financial programmes. In general no specific decisions are made on the final implementation of measures.

Informing stakeholders and the broad public about the implementation of the WFD as well as improving identification of all actors with the Elbe basin are named by interview partners as aims of PP activities concerning the whole Elbe basin. The most important objective is to create acceptance for future measures through an increase of transparency.

However, the PP activities in the Elbe basin are still in its infants. Thus, this sub-case analyses the role of the diverse institutional and stakeholder setting in the Elbe basin for its potential for multiparty collaboration as social learning orientated PP. The sub-case serves time also as context where the other sub-cases have to be seen in.

Description of public participation at international level: A slow development towards more then informing the public

Activities at international/ national level

Since 2003, the former separated annual meeting organised by the IKSE for NGO's in the Elbe basin has been integrated into the annual plenary meetings of the IKSE. Representatives of different stakeholder groups (industry, agriculture, environmental NGO) have been invited to participate as observers directly in the annual meeting of the IKSE.

With the meeting in 2003, the working groups of the IKSE were also opened to different stakeholder groups (environmental NGO from D and CZ, agriculture and industry) which have been invited to delegate observes to participate in the meetings. However, the response to this offer is quite slow. About 6 months after the given deadline, the environmental NGO from Germany were the first group which named representatives.

To get a more structured approach towards PP at international level, in March 2004, the researcher was asked to organise a one-day workshop to assess potential and option for PP at international level. Besides the members of the AG WFD the stakeholder organisations were also invited. One representative of the agriculture and one of the environmental NGO's has taken part.

The activities of the IKSE should also be seen in context of the financial background. In general, the resources reserved for PP are quite small.

At national level, there are no public participation activities for the German Elbe basin. The general feeling among the competent authorities is that participation should take place at the level where the interest of the different stakeholder group can also be respected. As the German national level with the FGG as the "competent authority" has literally no decision making power but gives mainly technical guidance for the cooperation between the German states. Another reason why there is so far not much effort put into national involvement of organised stakeholders are the activities at international.

IC Tools

At international level, mainly tools for information provision are expected to be applied. As a start – and reflecting the quite tight budget of the IKSE- some basic information can be found on a very basic internet site. There are no plans to publish recent information like the minutes from the different working groups on the internet site as this is considered contradictory towards the cooperation process in the groups. A regular newsletter is planned for providing overall information to the interested public.

At German national level, the federal states together with the national government have implemented a joint platform: the internet site WasserBLicK (Bund-Länder-Informationen- und Kommunikationsplattform; www.wasserblick.net) on the implementation of the WFD in whole Germany. This site serves both as communication platform for the exchange between the authorities and as platform to inform the public. Therefore, the site is managed with different levels of confidentiality that allows the different users (mainly the federal states but also NGO) to provide information to only selected audience. The extent to which this site is used for information provision is very diverse. E.g. Thuringia uses the forum to provide the minutes of the fora and the advisory boards while in other federal states they are also existing independent sites for the WFD. Due to the technical problems with the different levels of confidentiality, a lot of information is not directly approachable as higher levels are declared confidential. Nevertheless, most information can be approached directly through the sites' search engine. But this is not commonly known to all interested parties and not indicated on the site itself.

Outcomes

As result of the workshop in March 2004, the AG WFD has decided that the information of the general public should be supported with a regular newsletter. Also, linked to the publication of the report 2005, an information event is planned including a special forum for stakeholders to comment. For organised stakeholders, the implementation of an advisory board at international level is also planned.

Feedback

Clear feedback mechanisms which allow the outcomes of the process to be introduced into the context again have not been observed.

Analysis of the 1st Sub-case:

Framing/ Reframing

Within this sub-case the main frame of the competent water authorities is dominated by the pressure for a successful implementation which means firstly in accordance with the minimum requirements of the WFD to avoid legal punishment by the EU. PP is only considered relevant if it decreases the number of conflicts. The effort linked to PP is very prominent. The trust in its effectiveness among the water authorities is not always given which is reflected in the diverse forms of PP throughout the basin.

Other stakeholders have diverse frames depending on their interest and the form of organisations. The agricultural chambers as governmental authorities have high technical knowledge and a strong interest for agricultural issue. They feel threatened by the WFD.

The environmental NGO's consider the WFD as a chance for environmental protection.

Still, the activities from the IKSE are not considered fully transparent and the information of the IKSE seems not to reach the different stakeholders. The activities of the IKSE are watched with a

mixture of surprise, disbelief and also mistrust. In addition to that the offered participation in the working groups stretched the resources from the NGO quite strongly.

Basic role of assumptions/ Definition of roles

The formal chair of the AG WFD lies with the German Federal Ministry for Environment. The spokesman of the German delegation is the representative of the Thuringia Ministry for Environment. As all federal states are also represented at the AG WFD meetings, the German delegation is significantly bigger than the other delegations. The second biggest delegation is the Czech which regularly expresses concern with regards to limited resources. The Austrian representative and the Polish delegation are focusing more on observing. Both nations cover only very small fractions of the basin.

The invited stakeholders are representing agriculture, environment and industry. All stakeholders have a common distrust towards the competent water authorities that developments in river basin management might not be communicated and the different stakes might be neglected. However, the different stakeholder groups claim different degrees of involvement.

The agricultural chambers would like to be considered not only an interested party but want to be involved strongly by the different federal states.

The German environmental NGO's with their good network consider themselves more as watch dogs to ensure the implementation of the WFD than they expect the WFD to be in conflict with their interests. Some of the organisations are even convinced that at least from the national authorities they get support and aim for the same objectives. There are also signs of understanding the authorities' position and a general openness for negotiations.

Boundary Management

In terms of internal boundary management, hierarchical structures within a stakeholder group where the different levels have clear tasks may ease the communication between the different levels: here procedures help to automate information exchange e.g. sending around minutes. Within the different stakeholder groups and the information will be probably passed on, as all organisations have a clear representation orientated structure except the environmental NGO's. The environmental NGO's, however, has a very well developed network at national level which might be a bit extended for the Elbe basin. As well the different authorities have procedures to pass on information. In terms of passing on the learning and negotiation processes those procedures will not be sufficient if they are limited to the official minutes and outcomes of the meeting. To pass on changes in positions and developing positions, the representatives had to comment also the official outcomes. In general, this happens more easily where regular meetings within the organisations are taking place or a culture of intensive discussion (e.g. via e-mail as common among the environmental NGO's).

Considering the management between the different groups, so far there has been relatively little exchange between the different stakeholders. Most of them have bilateral contact with one or some of the competent authorities, often related to specific issues or projects. The stakeholders know of each other but there are at national or international level very little contacts e.g. between industry and environmental organisations.

Evolution of interest, functions and strategies

This has not been observed.

Critical Events (turning points) analysis

It has been observed that the activities of this case study might have an impact as the discussion changed direction both after the workshop for the AG WFD and after the stakeholder meeting.

Mechanisms that foster Social Learning

For a successful participation at the strategical levels in the Elbe basin it is essential that first, all involved authorities should be clearly in favour of such a dialogue. The second step is to agree on the aim and the form of the dialogue and thirdly, the partners for this dialogue should be clearly identified (stakeholder analysis). In the Elbe basin, there is quite a diversity of opinions among the federal states and the international partners whether PP includes this dialogue and whether PP is already necessary at this stage of time. This diversity shows in the activities so far taken by the IKSE. E.g. the opening of the working groups and the invitation of the stakeholders to the workshop on PP: Both offers include the danger of disturbing the sensitive atmosphere of international negotiations which are relatively young and fragile. At the same time, the offer may not be taken adequately by the stakeholders as it asks a lot of efforts in terms of expertise, time and travel resources from them when there is no clear concept how their inputs might be respected.

Therefore, for the planned advisory board it is mandatory that the aim and the form should be clearly defined and communicated. Although the strategical levels are always considered in the Elbe basin as levels with only little specific decision making competence, those levels are setting the frame for potential financial programmes, for the general focus of river basin management and the background for other decisions. Thus, the stakeholders have high interest in participating at those levels. They will probably be less enthusiastic if their role is not clear and the involvement is reduced to a (rather resource-intensive) information provision approach.

Though a progressive PP is mandatory for a successful implementation, PP always has to be designed in a way that not only the stakeholders develop trust into the process but also already existing cooperation between the authorities will not be negatively affected. In the Elbe basin, this will be quite a challenge which can be significantly supported by a strong improvement in information provision towards public and stakeholders.

Barriers to Social Learning

At both, the international and the national level, there has been no structured stakeholder analyses in the Elbe basin by the IKSE so far. There is no unambiguous information how the organisations involved at international level have got onto the list for invited information. Also, only agriculture, industry and environmental NGO's have been identified as main stakeholders. As a result of this, the list of organisations consists of both, regional and national/ international active organisations. There are no clear criteria which stakeholders could take place and how they should represent themselves or what is expected from them (what qualifications should they have?). At German national level, there are activities to revise this list.

The cooperation efforts required among the authorities are already stretching the capacities of the involved partners. The international cooperation in the Elbe basin is characterised by the strong motivation for successful implementation combined with the flowing process of transition in the Czech Republic. The two minor partners, Austria and Poland, low-key in influencing the process.

In this context and at this stage, PP is often considered not mandatory. Also, the experience with participation has been so far connected to LA21-activities⁶ at very local level or the tradition planning procedures for measures and plans which in general only require written consultation at regional level. At national or federal state level, institutionalised, personal contact with stakeholders has been

⁶ LA 21= Local agenda

taken place as part of the oral consultation during the adoption of the legislation. Bilateral exchange in contrast is often part of the daily work and personal contacts to specific stakeholder groups are considered as most valuable for understanding and developing solutions. For multi-party negotiation processes, the officers working for the competent authorities are not used to have non-governmental stakeholders involved. They are also reluctant because they fear activities of stakeholders to activate their interest groups and the broad public during the negotiation process. Especially in the Elbe basin, the members of the AG WFD are strongly aware of the sensitive state of a newly developed cooperation in their group between the different nations. The fear was expressed that stakeholder involvement may reduce the confidentiality and therefore may have a bad impact on the potential for open discussions where also unpopular or intermediate solutions may be elaborated. There have been strong objections in making the working group minutes in general public. On this issue, the competent authorities seem to have an ambivalent frame to involving stakeholders to participate at their meetings: They are also not really convinced that stakeholders may be interested in participating in the AG WFD as the issues so far discussed/ decided on concerning the WFD are rather technical issues like forms of data/ data gathering or the outline of the joint report (Borowski, 2004; IKSE, 2004).

The benefit from the stakeholders' side is so far expected to be low. There is an awareness that valuable input from stakeholders is strongly linked to their resource and that most stakeholders' resources are quite low. Neither time nor travel costs can be covered by the IKSE or the competent authorities, let alone the required capacity building or educational measures the representatives need. The IKSE don't want to put special effort into information editing for stakeholders because of the authorities' lacking resources. They miss the feedback from the stakeholders side. Finally, there has been no decision on how to use the potential input if there still were some.

Specific Role of IC tools

The base for all PP is sufficient information provision. The information so far available from the website by the IKSE is mainly coming from former years while e.g. new reports are neither available nor announced on the website. Information concerning the implementation in the Elbe basin is also available at the German Wasserblick (see above), though the technical problems here also make insider knowledge necessary to find the required information. This in turn might increase the feeling of missing transparency. The planned newsletter by the IKSE will help here a lot and will be probably essential in disseminating information.

Annex 4 2nd Sub-case: The Unstrut Leine Forum in Thuringia (by Ilke Borowski, Institute for Environmental Systems Research, University of Osnabrueck)

This 2nd sub-cases analyses the first three meetings of the **Unstrut-Leine-Forum (ULF) in Thuringia**.

Description of the process in the ULF

In Thuringia, the Ministry of Nature Protection, Agriculture and Environment in Thuringia (TMLNU) has shown strong interest in starting as early as possible a discussion process with the relevant stakeholders in order to establish a common base for future potentially necessary compromises (Anonymous, 2002; Diening, 2003). Thus, the PP process has started already in 2001 as there was the first issue from the newsletter released- about a year before the approval of the Thuringia decree for the implementation of the WFD and was one of the first federal states actively addressing and implementing public participation. Also, although claiming to realize the technical implementation within the existing administrative structure, they have set up a new structure for participation, addressing especially the organised stakeholders.

At federal state level of Thuringia, the concept for public participation consists out of regularly published information (printed and electronic newsletter (Informationsbrief) and an advisory board where governmental and non-governmental stakeholders are participating. The regional level for PP in Thuringia blends the working areas of the different basins in Thuringia with the intermediate governing districts: Three fora were established in the four administrative regions of the state: the Saale- Weiße Elster forum, the Werra-Main forum and the Unstrut- Leine-Forum (ULF) which includes representatives from two working areas and two districts (see Table 2).

	Thuringia	Norththuringia	Middlethuringia	Other
		3140 km ²	2300 km ²	
Leine Basin	440 km ² (7 %)	440 km ² (7 %)	0 %	6086 km ² (93%) (Lower Saxony)
Unstrut Basin	5000 km ² (79%)	2700 km ² (42%)	2300 km ² (36%)	1343 km ² (11 %) (Saxony)

Table 2: Area of different basins in the different districts of the Unstrut-Leine-Forum.

Numbers estimated based on (TLS, 2004; TLUG, 2001). Percentages assess the fraction of relevant basin.

The represented stakeholder groups are the same at both levels except that no representatives from the TMLNU are involved in the ULF but one representative from the supreme water authority of the neighbour federal state Saxony (see Figure 3, p. 7).

The intention of the regional fora is to involve the interested parties from the beginning as later it is expected that the WFD requires solutions for complex and complicated problems. The fora are intended to serve as an information platform for the participants giving the Ministry of Environment

the chance to ensure the information of the interested parties. They shall also improve the regional network between authorities and stakeholders.

The ULF has got consulting competences and are expected to give statements/ comments to specific issues during the implementation process. If voting within the fora is required bare majority will specify the fora's position. However, differencing votes are to be documented including comments.

Activities/ Phases

The regional fora were implemented in Autumn 2003. The kick-off event for public participation in the Unstrut-Leine-basins took place in September 2003 with the actors from the region (about 120 participants). At this meeting the implementation strategy as well as the concept for PP was introduced. The members of the Unstrut-Leine Forum (ULF) were introduced by names. The event was almost presentation only with only slow discussion including very specific questions on certain water problems. The ULF had its first meeting in December 2003. During the period of the case study, three meetings were held.

At the first meeting the introduction and discussion of internal procedures and terms, including the communication of the task and the aim of the ULF, was the first chance for discussion. Positions of participants were invited, discussed and accepted.

Also at the first meeting, the first topic where the group had to find a common position was introduced: With the aim to test and improve the joint implementation with involved authorities, associations and users of complex, interdisciplinary measures, the TMLNU initiated a program for pilot measures (TMLNU, 2004). At the first forum's meetings, the participants were informed that they (and every other interested party) could apply at the TMLNU for a measure. This process will be described in detail in the box as it is a closed process which had taken place during the first two meetings. At the third meeting, the interconnection –especially regarding time lines- between the implementation process and spatial planning was introduced. This process will further be discussed in the upcoming meetings.

Box 1: Prioritizing Pilot Measures

At the first forum's meetings, the participants were informed that they (and every other interested party) could apply at the TMLNU for a measure. Although the TMLNU kept the final decision competence, the regional fora and the federal advisory board were consulted which measure to choose. For the Unstrut-Leine-region, 19 proposals were counted. Before consulting them in the ULF, the SUA dismissed 13 of them due to formal aspects (10), time line of implementation or because that the issue was already covered in other proposals. On the last 6 proposal (3 for the Northern region and 3 for the Mid-Thuringia region, all for the Unstrut basin) information were given to the ULF members three week before the 2nd meeting to give them the chance for preparation. At the 2nd meeting, one hour was taken to give a short introduction on background for the pre-selection and to discuss the criteria of the participants for the later choices of preference. After lunch, the 6 proposals were introduced by a rapporteur (a trainee of the SUA) who had explicitly no further connection to the whole selection process. Each participant except the representatives of the federal authorities (SUA, TMLNU) was then invited to put three stickers to the two favoritised measures in order to achieve a ranking of all 6 measures from the forum. The first two measures were planned to be forwarded to the TMLNU as recommendations of the forum to be implemented. After the selection process, comments were invited.

The highest prioritised proposal applied for a measure at a small stream in the Northern region, containing a sewage treatment plant for the riparian municipality and restoration activities of the stream.

The second best proposal applied for a measure focusing on the connectivity of the river habitats of a stream of 1st order in the Mid-Thuringia region.

In the advisory board, from all fora the highest prioritised proposal were agreed upon. 9 other proposals were subsequently discussed and ranked, leading to the approval of another ULF-proposal which was ranked at third position by the ULF.

In order to maintain a structure which enables discussions among all members, the number of participants is limited to a maximum of 20-25 persons. Still, members of the forum are organisations not persons. This is expected to de-personalize the discussion in terms of emotional involvement. Also, the idea is to have as least as possible changes among the participating persons as it is assumed to have better discussion when people know each other. All representatives are asked to come as continuously as possible even though the fora are planned to accompany the whole implementation process, facing a cooperation of at least 12 years. At the ULF, this point was several times stressed as individual organisations showed up each time with a different representative.

IC Tools

On state level in Thuringia, IC tools are mainly used to provide information. In this regard, a broad variety of tools are applied: internet based information for the broad public and for stakeholders, newsletter, GIS-based maps (will available on CD for all participants of the fora). Beyond that, also low technology tools to support discussions at meetings are applied (flipchart, cards,).

The main IC Tools used during the regional process in the ULF were the internet as a means to distribute information. During the meetings beamer-supported presentations were given (Power Point). At the meetings, low technology tools to facilitate discussion were used (flipchart to document discussion points, to illustrate complex problems or for voting).

At the 3rd meeting, a new tool was introduced: So called click-maps which will be GIS-based maps showing so far information on the status of the water bodies. It is planned to make those maps downloadable from the internet.

Outcomes

During the first meetings the recommendation on the pilot measures was the most tangible (see Box 1). Another outcome might be the increased knowledge of the participants concerning the WFD. However, questions at the meetings show that the content of the presentations was not always fully understood. In terms of relational outcomes, it is also important that the different representatives have made contacts, especially with the SUA's.

The PP process in Thuringia can be seen as good example in Germany for integrating the organised stakeholders into the WFD implementation process. The PP activities will develop over time and probably significantly influence not only the decision making process but linked with it also the improve network between the different stakeholders.

Feedback

The recommendations of the UFL are forwarded to the advisory board in Thuringia and to the water authorities. The recommendations of the ULF are not binding for the advisory board or the TMNLU. On the other hand, the forum is supposed to serve a discussion and negotiation platform between the different stakeholders. If the formal feedback mechanisms did not work some participants also have threatened openly to use different lobbying structures in case they are not satisfied with the results of the ULF.

Analysis of 2nd Sub-case

Framing/ Reframing

Corresponding with the stronger involvement of different stakeholder groups in the implementation of measures – and thus the RBMP as their pre-requisites – the different roles and the linked frames from authority and stakeholders' groups are more clearly. As in the 1st sub-case the authorities have a strong interest in successful implementation of the WFD. In contrast to the authorities at national/ international level, they also point out the WFD as chance for their work in water management. In comparison with the 1st sub-case, the authorities expressed a stronger concern that (accidentally) not involved stakeholders may provoke difficulties in later phases of the WFD implementation as they see a significant conflict potential due to the requirements of the WFD. Therefore, the strong interest of TMNLU and the SUA's in establishing a good dialogue with the other stakeholders is motivated by both the importance of the different stakeholders for realizing the measures and the formal involvement of "all interested parties" to reduce later complaints about missing involvement. They are convinced that successful public participation will lead also to better compromises and in addition to that help the efficient use of resources during implementation.

From the perspective of the other stakeholders, the WFD is a new, unfamiliar European directive which implications can not really be assessed at this time and which requirements are so far unknown. There is a diffuse notion that the WFD might be misused by the supreme water authorities to introduce measures on the expense of the lower water authorities or the farmers. Those stakeholder groups show a strong awareness during the meetings and pose technical and formal questions. The representatives of these groups and also of the groups which sympathize with them are also very aware of the limited competences of the ULF.

During discussions, it became clear that the stakeholders do not only see there benefit from the forum but are strongly aware of the efforts it takes for them to participate. The worries were expressed that the ULF might only be a cosmetrical participation process wasting everybody's time. This is also reflected in the reluctance to get engaged into discussions which might have no outcome and that the meetings should be as short as possible. Some of the stakeholders keep their observing position acknowledging the process as very positive.

Basic role of assumptions/ definition of roles

The ULF is organised by two agencies, the SUA Erfurt (which is the competent authority for the Unstrut basin) and the SUA Sondershausen (which is the competent authority for Northern Thuringia). The facilitation alternates between the two agencies while the place of the meetings rotates between all members involved. The organisers are taking care of establishing ground rules for cooperation (e.g. long term commitment of participants), providing information and leading the discussion.

All participants are aware of the competences and aims of the ULF. The participants have reported also that interesting issues were discussed and that the meetings helped to better understand the different parties. They feel well involved.

While the decision on the involved groups was taken by the TMNLU, the representatives were selected from the members of the stakeholder groups themselves. The same groups involved in the fora are represented at state level in the advisory board.

For the ULF, the members have to represent two basins and two districts. The member organisations in the Unstrut – Leine Forum are not equally balanced in these respects but are dominated by representatives from the northern region and from the Unstrut basin. The composition of the participants could be interpreted as biased towards the Northern region and the Unstrut basin. This may have been caused by the coincidence of personnel changes one of the agencies with an already

well established network in the Northern region. This increases the importance of good boundary management between the representatives in the forum and the represented organisations.

From the different interests, especially the representatives from agriculture and from municipalities are having stronger positions in pointing out questions.

Boundary management

Again, as in the 1st sub-case the lack of experience in multi-party cooperation shows also in Thuringia. Concerning the management of boundaries between different organisations of the same stakeholder group, the Thuringia supreme water authorities report in general good exchange with the competent officers. With the other stakeholders, for the SUA's, the main expectation towards the ULF is the chance to improve and exchange the regional network. Next to the ULF the pilot measures are expected to be more effective in terms of improving cooperation as the work is on a specific project and with a smaller number of participants.

The participants of the ULF representing stakeholder groups with different structures. E.g. the representatives of the water supplier represents only one company where 3 persons are directly linked to WFD issues. On the other hand the representatives of the farmers or of the municipalities have a number of organisations to represent which main task is not directly linked to water management. The information and experiences from the ULF have to be passed on to more partners. If negotiation or voting is required, the representatives are supposed to act in the interest of all organisations represented in their stakeholder group- including two districts and two basins. To transfer the results and experiences from the ULF into the region and this way to improve the success of the PP process, the boundary management is crucial. At the same time not yet common to all organisations in the stakeholder groups. The small number of reported exchange between the representatives and the organisations in contrast to bilateral approaches to the authorities might indicate some lack here. Still, the result of the first voting (see Box 1) shows that the participants don't reflect only their specific organisations' view.

Between the different stakeholder groups a direct exchange leading to expressed development in attitudes has merely taken place so far in the ULF's discussion. This is indicated due to common and anxiously expected stereotyping which provokes aggressive answers between different participants. In those situations, the SUA's as facilitator call for rational discussions.

Evolution of interests, function and strategies

As a major part of the forum lies consists of information provision as directed by the TMLNU, the SUA's are always working on the balance between information provision and consultation approaches. However, in terms of social learning there are typical ambivalent characteristics in this new started PP process. One example is that the ambivalence between the participants being representatives and being individuals: persons involved are representing organisations but that the organisations are supposed to show consistent participation and to send the same representative all the time. This way it is tried to de- personalize and de- emotionalize the discussions while at the same time the importance of the individuals in the negotiation process is acknowledged. This principle strongly supported by the SUA's though does not prevent changes in the group as some stakeholders do/can not follow it. Also, some stakeholder groups don't agree with the composition of the forum having only one person for each group. Arguments against it are the need for a second opinion from the same group to discuss about the ULF or that those stakeholders which may be more strongly affected by the WFD should have a stronger voice in decision and discussion.

Critical events (turning points) analysis

The most critical event so far has been the voting on the pilot measures. After the voting it was obvious that the organisers were quite surprised by the results and did not agree entirely with them.

Thus, they forwarded the four best placed proposals to the advisory board and planned to extend the vote. Two participants also expressed their disapproval: one was not convinced that the chosen measure would be relevant in terms of the WFD (new argument as beforehand the forum agreed that this was a criteria ensured to be met through the pre-selection process). The other comment stressed a criteria identified in the former discussion that it should have been a basic criteria not to choose those pilot measures which are linked to waters of 1st order (the responsibility of the supreme water authorities). The general atmosphere after the voting was rather emotional. The meeting closed after asking for comments.

Mechanisms that foster social learning

The Ministry of Environment in Thuringia has taken the chance and successfully established a concept and new structures for participation designed to accompany the whole implementation process of the WFD. This way, organised stakeholders are involved in the implementation process through separate forums at federal state level and at regional level, demanding also from the stakeholders a working system for exchange between the different organisations. The PP structures aim clearly to meet the WFD objective of a collaborative planning procedure for river basin management. The competent authorities have provided a clear structure, trying to manage the expectations properly. The number of participants were limited in order to allow intensive discussion. The general attitude from the involved parties is quite positive. Considering the early state of the process it is no surprise that signs for social learning are still small.

Barriers to social learning

To get the parties more involved into the concept of multi-party cooperation, it is probably very important to have more and focused discussions. The problem here is that the participants are used to be informed in a little stimulating way. It might help if maybe the tasks are more divided between the stakeholders to build up expertise in the forum. E.g. groundwater issues could be assigned to a specific person who keeps an eye on the developments and reports to the forum regularly. Another option would be to deliver the information in form of short 2-pages reports before the ULF and design the presentation there then more inter-active, more discussion based. Those options have to be discussed and agreed upon in the forum itself. The challenge here already will probably be on the one hand for the facilitators to present ideas without suggestive background allowing open discussion to take place. On the other hand the stakeholders probably have to get used to this approach as well as to get more personally involved. The established advisory boards for the pilot measure will also definitely support the multi-stakeholder approach as those groups will be significantly smaller.

Specific Role of IC tools

The major part of the meetings are covered by information provision on the state of the implementation of the WFD in Thuringia/ the Unstrut-Leine-basins through presentations. The presentations are provided by the TMLNU and presented by the organisers. Although, there are only little signs in the meetings that these presentations transfer information successfully (almost no questions, repeated complaints about too technical expression), all participants have expressed their agreement with the form and content of those presentations and have considered them very important and well understandable in the feedback questionnaire. This might be consistent with the most dominant task of the ULF for all participants, to get informed about the WFD- implementation in Thuringia.

Annex 5: 3rd Sub-case: Brandenburg on its way to public participation (by Nicole Kranz und Eleftheria Kampa (Ecologic - Institute for International and European Environmental Policy))

This sub-case concerns public participation in river basin management in the State of Brandenburg. The participation process is analysed in its preparation phase. The scale of focus is regional and the levels of public participation discussed are primarily information and to some limited extent consultation.

The focus of the sub-case on Brandenburg is the relationship of authorities with environmental organisations and other stakeholder groups in the context of implementing the WFD.

The information presented here is largely based on previous research in the State of Brandenburg funded by the Berlin Centre of Competence for Water (KompetenzZentrum Wasser Berlin) and published by Kranz et al. (2003).

Environmental context

The main pressures on the water resources of Brandenburg can be briefly described as follows:

- water quality problems due to diffuse pollution from agricultural sources,
- water quality problems due to discharges of municipal wastewater,
- imbalances in water regime due to heavy open pit brown coal mining activities,
- intense morphological alterations of surface waters, and
- pressures from activities linked to tourism.

Institutional context

The State Environment Ministry (MLUR) is responsible for the definition of and compliance with the legal framework for water management. The State Office for Environment (LUA) takes over the operational duties and responsibilities in water management.

Brandenburg is, together with other Federal States, part of the co-ordination area of the basin of the River Havel (Koordinierungsraum Havel). In order to structure the necessary work for the purpose of the Water Framework Directive implementation, the Elbe river basin has been divided into five coordination areas: Tideelbe, Mittellelbe-Elde, Mulde-Elbe-Schwarze Elster, Havel und Saale. For each of these, one Federal State (*Bundesland*) is responsible for carrying out the necessary tasks. With regard to the Havel coordination area, Brandenburg will co-ordinate the work of the States (*Bundesländer*) involved in the Havel river basin.

Brandenburg and the neighbouring State of Berlin, which share the basin of the River Havel, develop common land use planning objectives in the context of the land development programme. For water management issues, there is no common planning defined yet. However, in the context of the WFD implementation the two States work closely together within the group for the Havel Basin coordination area.

Socio-economic political context

Brandenburg is primarily a rural State with low population density. The current economic trend is negative since it is strongly influenced by the socioeconomic changes which followed the re-unification of East with West Germany in 1990. Before re-unification, the economy in Brandenburg was based on industry and agriculture. After re-unification, the economy has been re-oriented towards public and private provision of services, e.g. in the field of tourism. The unemployment rate in Brandenburg is high.

Description of the PP process

Activities/phases

In Brandenburg, public participation activities are at their beginning. They have so far aimed, first, at an exchange of information between authorities, stakeholders and the general public and, second, at preparatory consultations with selected stakeholders. These activities aim to serve as a basis for the formation of a public participation process until 2006.

So far discussions concern the entire state of Brandenburg. A regionalisation of effort hasn't started yet. However, the initiation of regional fora at the level of the responsible regional authorities in Cottbus, Frankfurt/Oder and Potsdam is currently being considered.

The organising body for public participation in the context of the WFD in Brandenburg is the State Ministry of Agriculture, Environmental Protection and Spatial Planning (MLUR) in collaboration with the State Office for the Environment (LUA). Considerable momentum has been created by the environmental NGOs and other stakeholders by demanding further information as well as involvement.

Information and consultation

Information and consultation have taken place in the context of a pre-existing environmental committee established to advise the State Environment Ministry (MLUR). It is considered to extend and formalise the role of the above-mentioned environmental advisory committee for the WFD implementation involving also the WFD Working Group of the environmental NGOs of Brandenburg in its discussions. The WFD Working Group of the environmental NGOs meets every other months in Potsdam. Representatives of various environmental NGOs discuss issues related to WFD implementation in Brandenburg. They also participate in training sessions with representatives from the authorities.

The Environment Advisory Committee to the State Environment Ministry meets 4 times a year and the following participate:

- State Environment Ministry (competent authority for the WFD),
- Environmental organisations,
- Association of farmers,
- Association of industry,
- Trade unions,
- Churches.

The Committee is used to discuss general environmental issues, as well as to address aspects of the WFD implementation.

Information and consultation has also taken place in a interactive meeting on the issue of stakeholder involvement for the WFD with authorities and a few environmental NGOs as participants (Dec 2003). This information exchange meeting took place upon pressure of the environmental groups.

In the interactive meeting on stakeholder involvement in the WFD (Dec 2003), the following participated:

- State Office for the Environment
- State Ministry for Agriculture, Environment and Spatial Planning
- Environmental organisations (NABU Brandenburg, Grüne Liga, Naturfreunde Brandenburg) combined in WFD Working Group of environmental NGOs in Brandenburg.

Through these processes the authorities have established contacts with environmental NGOs in Brandenburg. These processes have not been directly observed in the context of the sub-case but they have been evaluated through interviews with relevant stakeholders.

Information

On the level of information, several events have taken place on the issues of the WFD targeted both at the broad public and specific interest groups. The State Environment Ministry (MLUR) as the planning and the State Environment Office (LUA) as the executing entity have established a yearly information event on the implementation of the WFD for lower administrative levels. In addition, the authorities became active in presenting important issues of the WFD to representatives from interested stakeholder groups, such as farmers, business as well as water suppliers.

The yearly information events on the WFD by the State Office for Environment (LUA) are open to the public. The participants are among others:

- Environmental organisations
- Lower water authorities
- Lower nature protection authorities
- Water and soil associations

There has also been an open large information event in May 2004 organised by the State Environment Ministry (MLUR) as the first official information event. Participants included members of the general public, organised stakeholders as well as the authorities.

The researchers of this sub-case on Brandenburg participated in the second meeting of the WFD Working Group of Brandenburg environmental NGOs and also in the first official information event of the State Ministry of the Environment (MLUR), which was held in May 2004.

IC Tools

For the purpose of information supply, the IC tools of leaflets, brochures as well as the internet have been used by the State Ministry for the Environment (MLUR).

Some limited consultation has taken place in the context of formal structures such as the Environmental Advisory Board committee to the State Environment Ministry as well as in a more informal context as in the interactive meeting on the issue of stakeholder involvement with authorities and a few environmental NGOs as participants (Dec 2003).

Outcomes

The communication among the environmental NGOs and the authorities has improved following the training events organised on request by the NGOs. The communication between farmers' and business associations and the authorities on issues related to the WFD has been integrated in already existing fora, such as the environmental partnership of business actors, the congregation of water management associations,

As a result of the public participation activities that have taken place so far, representatives of the State Environment Ministry have become well aware of their interdependency with and the relevance of other stakeholder groups. On the other hand, stakeholder groups themselves are not necessarily aware of these structures and interdependencies. If at all they are mostly communicating through the Environment Ministry and not directly with each other.

Feedback

No feedback mechanisms were observed.

Analysis of 3rd Sub-case

Framing/reframing

From the perspective of the water authorities, implementing the Water Framework Directive poses a big challenge. Staff resources are usually limited, requirements are demanding and in some cases expertise and knowledge is lacking. Thus initially, public participation was often considered an additional burden and therefore often neglected. This can also be related to the tendency to only consider the tasks that need to be performed at that moment without looking further ahead in the implementation process and the requirements and implications to come. As an example, the authorities concentrated most their efforts on the status analysis for the 2005 report without giving much thought to the implications of lacking stakeholder involvement in this phase for the following implementation steps. Another shortfall are inadequate or lacking feedback loops between stakeholders and authorities. According to representatives of the State Environment Ministry (MLUR), time and space for reflection during the participatory processes so far has been very limited. In some cases the MLUR has no means to find out about the effect or outcome of their activities. This has to a large extent prevented reflection on current strategies and practices with respect to public participation on the side of the authorities. However, comparative data indicates that throughout the implementation process authorities gained an increasing understanding for the necessity of public participation. Also there was a higher acceptance of and interest in participatory approaches.

As regards stakeholders, the process is still in its initial stage any many of the relevant actors are mostly follow the Ministry for in their definition of the problem. Still, one can clearly identify different framing patterns with some organisations.

As for the environment NGOs, they definitely consider the WFD and its provision as an opportunity to demand a stronger involvement of civil society in water management. They furthermore understand it as a clear mandate to represent the interest of the general public when it comes to nature and water resources protection. On the other hand NGOs are equally faced with resource limitations and need to devise strategies for the future on how to effectively make use of all opportunities offered to them to participate.

Farmers have been very persistent in voicing their concerns with respect to WFD implementation. The mostly revolve around compensation payments for measures they need to undertake to achieve the good status in water bodies. Thus, farmer are only likely to react and get further involved if their economic interest is directly impacted. This observation is likely to hold true with respect to other professional interest groups, such as business actors for example.

Water management associations on the other hand are increasingly discovering the WFD not only as an additional responsibility but also as an opportunity to reach out to their specific stakeholders in a more direct and comprehensive way.

Basic role assumptions/definition of roles

The role of the initiator and designer of the participation activities has been formally taken over on the State level by the State Ministry for the Environment (MLUR).

Nevertheless, the role of the environmental groups as initiators of participation themselves should not be underestimated. The interactive meeting in December 2003 on the issue of stakeholder involvement for the WFD between authorities and environmental NGOs took place upon pressure of the environmental groups.

The definition of a stakeholder group in the context of public participation in river basin management in Brandenburg is relatively broad: any group with a stake or a vested interest in issues related to river basin management is considered a stakeholder group. Also, all stakeholder groups widely agree on the relevant stakeholder groups with respect to sustainable water resource management in Brandenburg. These include environmental NGOs, farmers, businesses and their associations, home and land owners, tourism, administration from different areas and at different levels, water management associations (Wasser- und Bodenverbände), and waste water treatment associations (Abwasserzweckverbände).

Stakeholder involvement is required to a certain extent by law within planning procedures. Therefore, many approaches for involving stakeholders in river basin management is based on planning procedures.

Another important path for stakeholders to exert pressure is via providing insider information on various aspects of the planning process. Expert input of stakeholders is well respected among authorities.

The WFD has provided the grounds for drafting a new State Water Law in Brandenburg, which was adopted in June 2004. The State Water Law requires the involvement of the public as foreseen by the WFD, thus leaving ample room for own interpretation and reaction.

Boundary management

Relations and networks among stakeholders and actors in Brandenburg already exist and can be distinguished into formal and informal structures. The main formal structures include the:

- Environmental Advisory Committee to the State Environment Ministry
- Coordination Office of Nature Protection Groups in Brandenburg (Landesbüro anerkannter Naturschutzverbände, Brandenburg)
- Association of farmers
- Association of business actors

- Water management associations

The main informal affinities which server for the exchange between stakeholders are the:

- Committee of the Water Management associations for farmers and foresters
- WFD Working Group of environmental NGOs

Legitimate stakeholders in river basin management in Brandenburg have a viable interest in water management, which is mostly based on a professional interest. This is the case for the Farmers' association as well as the association of business actors. Both are professional organisations with considerable experience in interest lobbying and a dedicated members base. They are active on the national as well as the state, regional and local level. Farmers are represented by two associations. Farmers have been very active in the past voicing their concerns in relation to the WFD implementation. They mostly refer to potential burdens imposed on the farmers and continue to highlight the connections between the WFD and CAP reform.

Business representation was relatively receptive to WFD issues. Speakers from the authorities have been invited to speak about the WFD at the annual meetings of the 'environmental partnership', a joint platform of Brandenburg businesses and environmental authorities.

While environmental NGOs do not advocate a professional interest, they are considered to represent broad public interest. All major German environmental NGO also have state representations in Brandenburg, such as the NABU, the BUND and the Grüne Liga. These and other organisations have set up a common co-ordination office to align activities with respect to public participation in planning procedures. The co-ordination office also served as a platform for setting up a common working group on WFD implementation in Brandenburg. This working group convenes on a monthly basis to discuss issues pertinent to the NGO in the WFD implementation process as well as co-ordinate training session with representatives from state authorities. The working group has been very proactive in demanding more involvement of non-state actors in the implementation process. So far, WFD-related work is mostly done by a few interested individuals in the NGO. Problems exist in reaching out to a broad member base. Concerns exist with respect to the tasks required by the WFD when it comes to commenting on plans and programmes after 2006. Authorities usually consider representatives of NGOs as well informed about the implementation process and turn to them for obtaining additional information on the river basins.

Water management associations are professionally run organisations responsible for the maintenance of water bodies of second order. They are associations of several municipalities and act on a regulatory mandate. In this position they are faced with the challenge of integrating the many interests of the municipalities they represent as well as requirements imposed by state regulation. However, this also puts them in a unique position to mediate between numerous land and water users on issues related to WFD implementation. So far, only a few Water management associations have started to integrate WFD aspects in their daily operations. However, those are actively offering their services and knowledge to state authorities.

Evolution of interests, functions and strategies

In the approach of the WFD competent authority in Brandenburg towards public participation, emphasis in the first years of implementation was mostly put on information of the various stakeholder groups. The State Environment Ministry (MLUR) as the organiser of several events is well aware of this fact. To this end, the MLUR made use of already existing fora to inform various stakeholder groups, such as farmers, business actors, members of the environmental council. In addition, the MLUR organised a major information event for the general public in May 2004.

The next steps considered to further the efforts with respect to public participation in Brandenburg include setting up regional fora at the level of the regional authorities in Cottbus, Potsdam and Frankfurt/Oder.

Critical points analysis

So far the approach towards involving the public has been rather reactive on the side of the Environment Ministry. While the requirements made by the WFD were met for the most parts, the tasks lying ahead will constitute a major challenge. It certainly needs to be acknowledged that budgetary constraints apply, however, the authorities in Brandenburg can also rely on a very proactive base of environmental NGOs, which bears potential for creative solutions.

Another critical factor in the current relationships among stakeholders is the relatively informal character of the communication. While information about the WFD is taking place in official fora, much of the other interaction among stakeholders and with authorities is based on personal contact. Data shows that in many cases personal contacts were considered as very important by representatives of environment NGOs for bringing their issues forward. This rather bilateral character of communication might prove a downside when it facilitates a multi-party process as public participation process as required by the WFD. Creating further connections among different stakeholder groups thus might prove to be essential.

Mechanisms that foster social learning

One of the main formal structures already used for information and some consultation is the environmental advisory committee to the State Environment Ministry (MLUR) which has existed for a couple of years. This committee might provide an adequate forum for the further discussion of issues related to river basin management. Its relatively established status will have a positive effect on the efficiency and thoroughness with which issues can be addressed.

Furthermore, the Working Group on the WFD, which was set up by environmental NGOs to co-ordinate efforts with respect to the WFD implementation, will provide training and education to members and thus add greatly to social learning in following steps.

On a more regional level an increasing exchange of information is taking place between water management associations, nature protection groups and other relevant water users.

Regarding learning effects, face-to-face interaction of NGOs with authorities has been identified as the most important and most effective mode of communication by representatives from environmental NGOs.

Regarding higher levels of coordination and networking between organisations, the aggregation and co-ordination of stakeholders groups and organisations is only slowly starting at the moment.

Problems of social learning

So far public participation is mostly managed by the State Environment Ministry (MLUR) at the State level. The next challenge will comprise a regionalisation of these efforts. A strategy in this respect has not been started yet. However, setting up regional fora at the level of the regional authorities in Cottbus, Frankfurt/Oder and Potsdam is being considered as a possible approach. Problems for regionalisation mostly arise from the fact that representatives at the local authorities are not very active in acquiring information themselves and disseminating it to the public, thus foregoing the chance to influence participatory processes at that level.

Social learning may, thus, be affected negatively by the existing lack of co-operations of the lower administrative levels. These show a rather reactive behaviour rather than proactively seeking information.

Furthermore, farmers are interested in the participation process to the extent that they receive compensation payment for any measures they have to take and appear to be relatively resistant to change and measures otherwise.

Social learning may also be hindered by information flow obstacles. The information event in May 2004 was intended to provide information about river basin management as well as the status report to be completed by the end of 2004 to the broad public. Additionally, it was meant to provide an incentive for the media to publish about water and river basin management in general. So far though, media coverage on these issues has been relatively limited.

The information which is being gathered in the context of the 2004 status report due by the end of 2004 will be made available to the public at no cost. Nevertheless, access to information throughout the collection process is difficult for stakeholder groups. Although, the information might not be confidential, it is hard to locate and be accessed by external stakeholder groups.

Specific role of IC tools

The potential of IC Tools has not been used to its fullest potential yet. So far activities in this respect have included a web-page on issues related to WFD implementation as well as a brochure containing general information about key aspects of the WFD.