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| **UNITED NATIONS**  **ECONOMIC**  **COMMISSION FOR EUROPE** |  | **WORLD HEALTH ORGANIZATION**  **REGIONAL OFFICE FOR EUROPE** |

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| **Meeting of the Parties to the Protocol on Water and Health to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes** |  |
| **Working Group on Water and Health** Sixth meeting  Geneva, 3-4 July 2013  **Item 6 of the provisional agenda** |  |

Information paper 9

**Guide on Public Participation**

**under the Protocol on Water and Health**

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# Acronyms

EECCA Eastern Europe, the Caucasus and Central Asia

EU European Union

ICPDR International Commission for the Protection of the Danube River

NGO Non-Governmental organization

OSCE Organisation for Security and Co-operation in Europe

UNECE United Nations Economic Commission for Europe

WECF Women in Europe for a Common Future

WFD Water Framework Directive

WHO World Health Organization

**GLOSSARY[[1]](#footnote-1)**

**„The public“**

means one or more natural or legal persons, and, in accordance with national legislation or practice, their associations, organizations or groups;

**„Public authority“**

means:

(a) Government at national, regional and other levels;

(b) Natural or legal persons performing public administrative functions under national law, including specific duties, activities or services in relation to the environment, public health, sanitation, water management or water supply;

(c) Any other natural or legal persons having public responsibilities or functions, or providing public services, under the protocol of a body or person falling within subparagraphs (a) or (b) above;

(d) The institutions of any regional economic integration organization referred to in article 21 which is a Party.

This definition does not include bodies or institutions acting in a judicial or legislative capacity;

**„Local“**

refers to all relevant levels of territorial unit below the level of the State;

**„Water-management plan“**

means a plan for the development, management, protection and/or use of the water within a territorial area or groundwater aquifer, including the protection of the associated ecosystems;

**„Transboundary waters“**

means any surface or ground waters which mark, cross or a located on boundaries between two or more States; wherever transboundary waters flow directly into the sea, these transboundary waters end at a straight line across their respective mouths between points on the low-water line of their banks.

# Foreword

The Protocol on Water and Health[[2]](#footnote-2) puts great emphasis on access to information and

public participation, recognising public involvement as a vital prerequisite for successfulimplementation of its provisions. Up until now, the experiences of different Parties have shown that ensuring public participation within the remit of the Protocol is often challenging mostly due to a lack of understanding of the process and its individual steps.

Programme area 7 “public awareness, access to information and public participation” of the programme of work for 2011 to 2013[[3]](#footnote-3) adopted at the Second Session of the Meeting of the Parties to the Protocol on Water and Health in November 2010 foresees to *“develop mechanism/manual/recommendations for involving the public in consultations and decision-making processes under the Protocol”*.

With the financial support of Norway, the consistent support and assistance of Romania as well as the continuous work of Women in Europe for a Common Future (WECF) and the intense and valuable input of an expert drafting group this guide has been developed to be presented for adoption at the Third Session of the Meeting of the Parties to the Protocol in November 2013. The cooperation between the UNECE Aarhus Convention’s Task Force on Public Participation in Decision-Making[[4]](#footnote-4), the Protocol, Romania and WECF resulting in a jointly organised event in June 2012 on issues regarding public participation in environmental decision-making with a special focus on decision-making on water and health-related matters also proved to be very fruitful for the development of this guide.

# Executive Summary

Ensuring public participation within the implementation of the Protocol’s key provisions, such as the setting of targets and target dates, the development of water-management plans and the reporting exercise as well as in the framework of the international cooperation, is a challenge. Reasons lie within the lack of awareness of the public’s rights and of the public authorities’ obligations regarding public participation as well as the lack of national legal frameworks and cross-sectoral cooperation. Furthermore, factors such as the general political reluctance to engage the public, the lack of access to information and budgetary restraints account for the difficulties in running effective public participation processes.

The guide describes general institutional arrangements in section B) which are decisive for an effective public participation process: the enabling national framework, including the legal, administrative and economic sphere, the raising of awareness of water, environmental and health issues, the identification of a broad group of stakeholders and the balanced set-up of a coordination mechanism and the practical provisions, such as costs, time and human resources needed for the process.

Section C of the guide examines different steps required to run the public participation process under selected key provisions of the Protocol, such as the setting of targets and target dates (article 6.2) and the development of water-management plans (article 6.5). The first step of analysing the country situation and collecting key information in order to identify the priority issues has to be participatory and open for the public. The obligation of the public authorities to inform the public encompasses not only the notification about the process, but also the provision of all information necessary for the participation. At this stage NGOs can play an important role in transferring relevant information. Questions of how to make information available - at no charge for inspection and in a barrier-free environment - as well as when to do this are of a practical nature, however, decisive for the outcome of the process. The setting of time frames has to follow a flexible approach: factors, such as the nature and complexity of the issue at stake as well as potential environmental events might indeed influence the time required for the process. Without taking the views and outcomes of such a process into account, the efforts of running a public participation process are futile. Therefore, all input received needs to be evaluated carefully and has to be reflected in a transparent and traceable way in the final decision.

Other provisions of the Protocol related to the reporting of Parties, the international coordination and the Compliance Committee incorporating participatory elements, such as joint bodies between Riparian States, are also presented.

All sections contain practical experiences in the form of case studies from different Parties to the Protocol as well as from other regional instruments. Furthermore, different tools of public participation are highlighted within all sections of the guide. In a separate tool box (D) all main tools are collected and described in detail, listed according to the steps they might be used for: (i) Tools to identify stakeholders; (ii) tools to notify; (iii) tools to inform; (iv) tools to consult; (v) tools to take into due account.

# Introduction

The objective of this guide is to assist Parties[[5]](#footnote-5) to the Protocol to comply with their obligations related to ensuring public participation in the implementation of the Protocol. The guide primarily aims at public authorities in order to guide them in exercising their obligations related to public participation, in particular to establish targets and target dates in accordance with article 6 (develop programmes of measures) and article 7 (assess progress). The guide shall also advise Parties in the implementation of articles 9 (public awareness) and 10 (public information) and assist Signatories and non-Parties to raise awareness and ensure public information. Furthermore, the guide addresses members of the public, non-governmental organisations (NGOs) and representatives of civil society to provide them with the means and the knowledge to exercise their rights and obligations related to public participation under the Protocol.

The guide provides concrete recommendations about the necessary steps to be taken in order to comply with the provisions of the Protocol regarding public participation, but also suggests tools, measures and steps to go further than the required standards under the Protocol. Wherever possible, the guide makes reference to existing documents and guidance materials, in particular to those published under the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)[[6]](#footnote-6).

# A) The Cornerstones of Public Participation

## 1) Why is public participation necessary?

Principle 10 of the Rio Declaration on Environment and Development[[7]](#footnote-7) adopted in 1992 by 178 governments says: *“Environmental issues are best handled with participation of all concerned citizens, at the relevant level.”* The main human rights treaty[[8]](#footnote-8) dealing with civil and political rights confirms in article 19 the “freedom to seek, receive and impart information”. After the fall of the iron curtain, public participation was identified by governments from the pan-European region as one of seven key elements for the long-term environmental programme for Europe[[9]](#footnote-9). A major stepping stone towards the development of public participation in particular for the region of Eastern Europe, the Caucasus and Central Asia (EECCA) was the adoption of the Aarhus Convention in 1998.

Public participation does not only reflect the needs of those concerned, it creates understanding amongst stakeholders and builds ownership of the decision and thus eases its implementation. It helps creating social inclusion. Furthermore, public participation provides for greater accountability of public authorities and supports good governance. In the long run, it improves outcomes and increases the impact of the implementation of decisions taken in a more sustainable way.

## 2) Core principles of public participation

The Aarhus Convention is the main international agreement promoting the principle of public participation in the pan-European region[[10]](#footnote-10). It grants the public rights and imposes on governments and public authorities obligations concerning access to information, public participation and access to justice (often called its “three pillars”) regarding environmental matters. Public participation, the second pillar of the Aarhus Convention, relies upon the other two pillars for its effectiveness: information, to ensure that the public can participate in an informed fashion, and access to justice, to ensure that participation happens in reality and not just on paper. Parties have to provide for early and effective public participation, when all options are still open, on decisions to permit certain types of activities and during the preparation of plans, programmes and policies relating to the environment. Parties also have to promote effective public participation during the preparation of executive regulations and other generally applicable legally binding rules.

The Chisinau Declaration adopted at the fourth session of the Meeting of the Parties to the Aarhus Convention in 2011, “Rio plus Aarhus — 20 years on: Bearing fruit and looking forward”, mentions openness, transparency, a wide participatory approach and accountability as being key principles and objectives of the Aarhus Convention[[11]](#footnote-11). This corresponds with the principles for public participation identified by stakeholders under the Protocol on Water and Health[[12]](#footnote-12). Common key principles related to public participation are:

1. **Equity and inclusiveness**: reaching out to all stakeholders and offering them equal opportunities to participate;
2. **Accountability and transparency:** employing transparent and democratic mechanisms, publishing results in an understandable and traceable way, opportunity of recourse mechanisms;
3. **Flexibility**: keeping the approach flexible by taking into account different issues, participants, value diversity, linkages into decision-making and time frames;
4. **Effectiveness and speed**: organising the process so that competences, roles and times frames are defined such that they are clear and realistic;
5. **Responsiveness**: process has to follow the stakeholders’ needs and requirements and shall take into account their input.

## 3) An Enabling Environment for Public Participation

For public participation to be effective, there must be an environment which enables truly effective public participation to take place.

Ensuring the right of the public to participate is an obligation of States and their public authorities, including governmental bodies from all sectors, from the local and national levels. Indeed, it is the States’ responsibility to build the legal, administrative and economic framework and to educate and inform the public about their rights[[13]](#footnote-13), and even about their responsibility and moral obligation to participate. This requires transparent and accountable institutions, setting up an adequate legal, regulatory and policy framework. Political, socio-cultural and economic factors inevitably shape this environment. The different historical backgrounds of the States within the pan-European region mean that there are a variety of legal, political and economic traditions, a number of common practices have emerged that are recognised to contribute to an environment that enables effective public participation under the Protocol. It is important to underline that public participation can only be realised when the public takes up its right and participates actively.

# B) Public Participation under the Protocol – General Aspects

## 1) Key Challenges to Ensuring Public Participation under the Protocol

Ensuring effective public participation is a major challenge throughout the pan-European region. The main obstacles to ensuring effective public participation at all levels of decision-making regarding water and health issues include, inter alia[[14]](#footnote-14):

1. **Lack of awareness of the public’s rights and the public authorities’ obligations regarding public participation**[[15]](#footnote-15): The benefits of the process and its positive effect of being cost-effective are often not properly understood by the public authorities involved. Furthermore, the public often do not know of an on-going public participation procedure because of a lack of limited time, language or literacy issues, or limited access to communication tools, such as the internet, or general capacity gaps, due to e.g. discrimination of women or ethnic groups. Sometimes previous bad experiences with public participation processes lead to a negative attitude amongst the public and officials towards public participation.
2. **Lack of appropriate regulatory framework or short time frames**: The lack of a general legal framework providing for effective public participation, often resulting from a lack of political will to create such framework, is an obstacle. In particular, short deadlines for the examination of documents and for submitting opinions and comments often impedes public engagement.
3. **Lack of access to information relevant to the decision-making process**: Non-relevant or incorrect information or the withholding of information due to it “confidentiality” sometimes detain the public to engage.
4. **Lack of political will**: The authorities lack the political willingness to organise public participation as it is deemed to be a complicated and time-consuming process. Most critically, not taking due account of the views of the public in the final outcome of the decision-making leads to frustration and disillusionment for all involved and undermines the whole purpose of the public participation procedure.
5. **Lack of cross-sectoral cooperation**: Cross-sectoral cooperation between different ministries and institutions is a difficult issue and is often exacerbated by high turnover rates of staff within the ministries and subordinated institutions.
6. **Lack of funding**: The difficulty to find funds for public participation processes, and the potentially high cost of running more complex or extensive public participation procedures, is an obstacle[[16]](#footnote-16).

## The Protocol’s Provisions on Public Participation

Different obligations and opportunities for public participation in decision-making derive from the Protocol. They address Parties as well as other stakeholders, in particular the private and public sectors.

Article 5 (i) of the Protocol establishes the principle of public participation in the application of the Protocol. For example, the Protocol’s general provisions require Parties to “take all appropriate action to **create legal, administrative and economic frameworks** which are stable and enabling and within which the public, private and voluntary sector can each make its contribution to improving water management for the purpose of preventing, controlling and reducing water-related disease” (article 4.5).

Parties committed themselves under the Protocol to the **setting of targets and target dates** and their regular revision. When doing so they “shall make appropriate practical and/or other provisions for public participation, within a transparent and fair framework, and shall ensure that due account is taken of the outcome of the public participation” (article 6.2).

The same approach is to be followed when **developing water-management plans** (article 6.5). In addition, “such plans may be incorporated in other relevant plans, programmes or documents which are being drawn up … provided that they enable the public to see clearly the proposals for achieving the targets … and the respective target dates”.

Parties shall make sure that the public is aware of the issues addressed by the Protocol by taking “steps to enhance the **awareness** of all sectors of the public regarding the importance of … water management and public health (and) the rights and entitlements to water and corresponding obligations” (article 9.1).

The Protocol also reminds the public of the obligations that go hand in hand with its rights and entitlements to water: “their moral obligations to contribute to the protection of the water environment and the conservation of water resources” (article 9.1 (b)).

Parties must publish the results of **evaluations on progress made** (article 7) and to make other **information needed for the implementation** of the Protocol available to the public (article 8. 1 (a) (iii), and article 10). Apart from the obligation to publish specific information, article 10 foresees that Parties “shall take steps … to make available to the public such information as is held by public authorities and is reasonably needed to inform public discussion of: (a) the establishment of targets and of target dates … and the development of water-management plans …; (b) the establishment, improvement or maintenance of surveillance and early-warning systems and contingency plans …; (c) the promotion of public awareness, education, training, research, development and information….”

The public shall also be involved in the **international cooperation**, article 11 to 14, which contains the cooperation on transboundary waters and the development of commonly agreed targets. For the development of joint water-management plans article, 13.1(b) refers to article 6.5(b) for the application of the principle of public participation.

Article 15 of the Protocol on compliance contains a requirement for appropriate public involvement through the right of the public to make **communications to the Compliance Committee.**

Parties are also required to submit regularly summary **reports** of the collected data and on the progress achieved, compiled with the participation of the public, to the secretariat and the Meeting of the Parties (article 7.5).

## 3) The Protocol and Other Relevant International and Regional Instruments

The Protocol on Water and Health is believed to be the first international instrument to have taken the provisions of the Aarhus Convention[[17]](#footnote-17) explicitly into account.

In the pan-European region, the UNECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention)[[18]](#footnote-18) of 1991 incorporates the principle of public participation in its article 2.2. Internationally, the Rio Plus 20 outcome document “The Future We Want”[[19]](#footnote-19) of 2012 reaffirms in para. 43 the significance of public participation and its related principles (access to information and judicial and administrative proceedings) for the promotion of sustainable development.

At the European Union (EU) level, one the main water-related instrument for the region is the Water Framework Directive (WFD). The Directive 2000/60/EC[[20]](#footnote-20) has a similar participatory approach, e.g. article 14 WFD foresees the “active involvement of all interested parties in the implementation of this Directive”. The WFD has an influence on the implementation of the Protocol’s public participation provisions in the EU countries that are Parties to the Protocol. Guidance developed under the WFD may also be helpful reference when implementing the Protocol. For example, the “Guidance Document No.8”[[21]](#footnote-21) offers a theoretical interpretation to Art. 14 WFD, whereas the “HarmoniCOP”[[22]](#footnote-22) provides practical solutions to enhance public involvement.

## 4) The National Framework for Public Participation: What is Needed?

### a) National Legislation

The language of article 4.5 (quoted in B(2) above) makes it clear that a mere declaration by the Party that the Protocol is directly applicable is not enough to create the required stable and enabling legal, administrative and economic frameworks. Likewise, the fact that a Party’s Constitution declares international legal instruments to have direct applicability and to be superior to national law does not relieve that Party from taking appropriate action to ensure the effective implementation of the Protocol. Rather, it is incumbent upon Parties to develop implementing legislation, executive regulations and take other appropriate action to create and maintain stable and enabling legal and administrative frameworks. Possible other appropriate action might include strategies, codes of conduct, and good practice recommendations. Courts and other review bodies must also ensure that legal and administrative frameworks are stable and enabling by, inter alia, applying the law in a clear and consistent manner. Any time relevant new legislation is adopted, care must be taken to ensure that it is consistent with the public participation requirements of the Protocol and with the legal and administrative framework already in place at the national level to implement the Protocol. It should be emphasised, however, that the frameworks to be created should not be limited to legal and administrative only; economic frameworks should also be put in place.

### b) Awareness Raising

Awareness of the Protocol and its participatory approach is a prerequisite to guarantee effective participation of the public in the different steps of the Protocol’s implementation and a better acceptance in the definition of targets, the definition of measures and the implementation and evaluation of progress (see above B(2)). A good example of raising public awareness on the issues of the Protocol is the campaign organised by Serbia in the lead-up to its accession to the Protocol:

CAMPAIGN TO RAISE AWARENESS

Case Study 1

In the months prior to **Serbia’s** accession to the Protocol, Serbia organised a eight month campaign to raise the awareness of its public authorities and its public about the Protocol’s importance and potential benefits.

The Ministry of Natural Resources, Mining and Spatial Planning invited relevant government officials, local authorities, experts, educational institutions, NGOs and the media to take part in various events at the regional and local level, including workshops, round tables and focus group discussions. It was intended that those taking part would in turn inform the general public and raise wider awareness about the importance of water management, in particular about health related issues. NGOs were perceived as an important link between the authorities and the public and their participation in these meetings was key for a successful awareness raising campaign. Their participation fostered the willingness of the public to participate in the subsequent process of implementing the Protocol. All relevant information was provided on the Ministry’s website and personal contact between stakeholders and staff of the focal point for the Protocol at the Ministry was facilitated by e-mail correspondence.

The involvement of stakeholders from different sectors, such as health, environment, agriculture and forestry, helped to establish a plan for the promotion of the Protocol on the national level, including a detailed time schedule and a list of activities.

The main challenges encountered were the difficulty to overcome the different viewpoints of the various sectors working on water management and the lack of communication between them.

### c) Identification of Stakeholders and Set-up of Coordination Mechanisms

The main stakeholders concerned with the implementation of the Protocol have to be identified, including those from the public. The relevant stakeholders may depend on both the decision to be subject to the public participation and the level at which public participation is organised, e.g. local, regional or national.

The main stakeholders may include, inter alia[[23]](#footnote-23):

1. Relevant public authorities at national, regional and local (urban and rural) levels, especially those responsible for water, environment, agriculture, health, finance, tourism, economy and foreign affairs. In order to receive strong political support, it is crucial to get many national ministries involved;
2. Different institutions, committees and working groups dealing with the environment, water resources and health;
3. Academia and other research institutions;
4. Private associations, such as services providers in the field of water supply and sanitation and water users’ associations;
5. Civil society, such as environmental and health NGOs;
6. The public who may be affected or who may have an interest in the decision
7. Marginalised groups, which are not easily to approach or where organisational structures are not known.

It is important to identify the public, including interested NGOs, in order to involve them into the decision-making process. For this purpose, one needs, inter alia, to attract stakeholders who are aware of the country situation and are working on water resource management and/or monitoring of water, water supply and sanitation issues as well as on environmental issues and healthcare. The challenge to reach out to marginalised groups may require the involvement of specialised NGOs or civil society groups. The outreach to e.g. indigenous people, women and children or disabled persons is more successful if a specialised NGO who is knowledgeable about the specific needs and enjoys the confidence of these groups is involved. It is helpful in building bridges between decision-makers and the public, and improves the quality of the decision-making process as well as it fosters the sustainability of results.

In defining the “public”, one should:

1. Ensure equal opportunities of all stakeholders to express their opinion and provide input and take care that nobody captures the process thus preventing other voices from being heard;
2. Find a balance between stakeholders holding specific knowledge and technical expertise (specialists) and the broader public (non-specialists);
3. Plan for the involvement of the public at different complementary levels (local, regional and national), as well as cross-sectoral;
4. Pay special attention to include minorities and marginalised groups[[24]](#footnote-24), e.g. ethnic minorities, women, disabled persons, etc.

Article 6.5 (a) of the Protocol requires that Parties *“establish national or local arrangements for coordination between the competent authorities”*. The objective of these coordination mechanisms is to unite the efforts of all interested parties (stakeholders) in developing targets and target dates in accordance with the Protocol. When setting up a coordination body, existing networks or working groups can be used, or new ones can be created. In any case, the country’s specific institutional set-up has to be taken into consideration. A balance of representatives from different stakeholders groups within a coordination mechanism, well organized, provides a solid basis for a fair and effective participatory process.

To ensure the sustainability and efficiency of the coordination mechanism several criteria are necessary. They are enumerated in the Protocol’s Guidelines on the Setting of Targets, Evaluation of Progress and Reporting[[25]](#footnote-25).

COORDINATION MECHANISMS

Case Study 2

**Hungary**[[26]](#footnote-26) has undertaken a good example of cross-sectoral cooperation which is required for the implementation of the Protocol. The government established a technical committee (Special Committee on water and health under auspices of the Inter-ministerial Committee on Public Health) to assist the ministers in meeting their commitments. The committee included a wide pool of experts allowing it to cover all fields of the Protocol (e.g. from ministries and government agencies for public health, environment and water management, local and regional development, economy and transport, agriculture, industry and national development, as well as a representative of the Prime Minister’s office, of the regions and municipalities, of relevant associations of waterworks, sewerage works, pools and spas, of tourism, of environmental NGOs and other interest groups). Even though the committee was of a technical nature, it had a clear political mandate. Resources were secured for its work and it was linked to other governmental programmes and plans under the Protocol. It was established as an official body with its own constitution and terms of references that were formally approved by the responsible minister. However, it was flexible enough to make use of external experts and to exchange information with other bodies (e.g. scientific committees whose work was relevant for setting and implementing targets under the Protocol).

Case Study 3

In **Ukraine**, the Inter-agency Working Group was established for the implementation of the Protocol by the order of the Ministry of Ecology and Natural Resources in 2006. It consists of representatives of ministries and state committees, NGOs, research organisations and river basin management authorities. NGOs have equal standing with the other members of the Working Group: they participate in the discussion, express their views and have the right to vote within this body. A well-functioning coordination mechanism can help to advance the process of public participation. The composition of the body is very important, since selecting its members from a wide group of stakeholders may have an influence on the outcomes of the public participation process. A coordination body consisting of representatives of different sectors and groups has the advantage of encompassing a broad knowledge basis on the issue at stake and on existing expertise and networks, as well as on where to find further relevant information/expertise. Therefore, its set-up can help to achieve a broad compilation of stakeholder involvement. However, including marginalised groups and securing the representativeness of participants is often complex. Governance and a fair and clear distribution of tasks and responsibilities within the coordination mechanism are important for the smooth running of the public participation process.

### d) Cost, Time and Human Resources

A well-planned public participation process has more advantages than it bears financial burdens for the public authorities. However, engaging the public in an environmental decision-making process has a cost, in order to facilitate public participation and to ensure equal access to information and consultation. Costs, inter alia, include the costs of human resources to design and run the public participation procedure, including when the responsible public authority conducts the procedure itself or if it entrusts it to another agency. Planning well for each step of the public participation process helps guaranteeing better forecasting and budgeting. It can be helpful to seek external funding to provide financial support for certain costs related to public participation process. An appropriate budget, adapted to the object and the scope of the consultation, may include:

1. Hiring a consultation process expert if necessary;
2. First notice through the media (add, radio, TV channel…)
3. Paying the travel costs for participants;
4. Providing all relevant information: research and collecting of data/information, drafting, editing, publishing, disseminating, technical means and interpretation/translation;
5. Providing all means necessary for consultation: housing for the public hearings, meals, financial compensation for experts, etc.;
6. Reviewing all comments, information, analyses, opinions, etc. received and taking due account of the outcomes of the public participation in the final decision;
7. Publishing the final decision;
8. Possible review of decision, potential to challenge a decision.

COSTS OF PUBLIC PARTICIPATION

Case Study 4

In **Ukraine[[27]](#footnote-27),** environmental NGOs organised the public participation process around the target setting process. The Ukraine National Environmental NGO “MAMA-86” financially supported by the Women for Water Partnership (WfWP) and the Water Supply and Sanitation Collaborative Council (WSSCC) initiated this activity. In 2009, 4 regional seminars and conferences were held with the participation of about 250 persons in total. Once a first set of draft targets was developed in 2010, public consultations, including hearings, were organised to involve the public on the draft national targets. The draft document was disseminated electronically together with a notification on the consultation process. Around 300 hard copies were distributed, at conferences as well as by mail. Later, a two days hearing, open to the public, took place in Kiev with about 40 representatives of stakeholders from all parts of Ukraine. The total cost of the process was about 10.000 Euros.

Case Study 5

During the target setting process in **Moldova,** the Ministry of Environment together with the Ministry of Health established a working group (coordination mechanism), which was set up as an open body. Parallel to the meetings of the working group, three local hearings were held with NGOs and other stakeholders in different parts of the country (central, north and south). The process was funded by the Swiss Agency for Development and Cooperation as well as the UNECE. Approximately 120 participants attended in total, including scientists, teachers, physicians, individuals and the media. The agenda was set according to the respective local situation and related problems. The cost of each hearing was less than US $1500. Each meeting was well prepared including the distribution of information material. In the follow-up, comments submitted orally or by e-mail were collected and fed into the process.

Case Study 6

In 2009, in **France**, the city of Paris launched a two day consensus conference on the topic of the future of the raw water network. (More information is available in case study 11 – Consensus conference). The consulation was planned with sufficient time and an adequate budget; it took 6 months and cost around 10.000 Euros to plan and implement the conference

Organizing and implementing a public consultation might be a long process. It should be carefully planned in advance, considering all relevant steps, to ensure reaching the expected outcomes.

TIME NEEDED FOR THE INVOLVEMENT OF THE PUBLIC

Case Study 7

In **Hungary,** a strategy for public participation was developed in 2006/2007 and it was applied during the preparation of the first River Basin Management Plan (RBMP) within the framework of the WFD. Four major interest groups were defined: (1) Central and local governments; (2) NGOs; (3) Water users; (4) Professionals. All were represented in water management councils with the mandate to supervise the planning process. In 2009, written and verbal consultations were held on the draft RBMP. An official website ([www.vizeink.hu](http://www.vizeink.hu)) allowed for submitting written comments. In total 3800 comments were submitted, considered and documented in the final RBMP. The process took 3 years and was an unprecedented exercise for Hungary, resulting in an improved plan and increased awareness amongst the stakeholders.

### e) Key Issues

1. The main challenges to ensuring public participation under the Protocol are the lack of awareness of the public authorities’ obligations and the public’s rights regarding public participation, the lack of national legal frameworks, the lack of access to information regarding the decision-making process, the lack of political will, the lack of cross-sectoral cooperation and the lack of funding.
2. Public participation has to be applied when implementing the main Protocol’s provisions: the setting of targets and target dates (article 6.2), the development of water-management plans (article 6.5), international cooperation (articles 11 to 14) and reporting (article 7.5).
3. Relevant regional and international instruments are the Aarhus Convention, the Espoo Convention, the Water Framework Directive and the Rio Plus 20 outcome document “The Future We Want”.
4. Striking the balance between specialists and non-specialists, between stakeholders coming from different levels (from local to national) and from different sectors is key for the involvement of a broad set of stakeholders when establishing the coordination mechanism.
5. Stakeholders’ identification requires ensuring equal opportunities for all stakeholders to participate in the decision-making process and providing for special measures to include minorities and marginalised groups.
6. Costs, time and human resources are important factors to take into consideration before planning a public participation process.

# C) Public Participation under Specific Provisions of the Protocol

## Target Setting (Article 6.2) and Water-Management Plan Development (Article 6.5)

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| TARGET SETTING |
| According to article 6.2, in order to achieve the objectives of the Protocol, Parties shall “establish and publish national and/or local targets for the standards and levels of performance that need to be achieved or maintained for a high level of protection against water-related disease” in a number of areas, e.g. the quality of drinking water supplied (see list of areas concerned under article 6.2 (a) – (n)). Action plans should be prepared in order to guarantee the implementation of the established targets. |

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| WATER-MANAGEMENT PLANS |
| Article 6.5 (b) of the Protocol stipulates that “In order to promote the achievement of the targets referred to in paragraph 2 of this article, the Parties shall each develop water management plans” in transboundary, national and/or local contexts Such plans can be independent documents, but can also be part of other documents for implementation by the country. The development of any other type of document for the implementation of the Protocol , e.g. action plan for the implementation of the set targets, should follow the same public participation procedure |

The implementation procedures under the Protocol for both target setting and the related action plan and water management plans follow the logical framework laid down in the Guidelines on the Setting of Targets, Evaluation of Progress and Reporting[[28]](#footnote-28) developed under the Task Force on Target Setting and Reporting.

### a) Baseline Analysis

One main aim of a baseline analysis is to assess the situation (legal framework and status of water, health and environment related issues) in the respective country and to determine the spheres where relevant knowledge on the issues of the Protocol is available and where there is a need for capacity building. It is a snapshot of the situation at a specific moment and it provides information for further planning, the design of a programme or project and the setting of relevant targets designed according to identified priorities. Therefore, it is a prerequisite for any identification of problems and issues as well as for raising awareness amongst experts and the public in order to involve them in the discussion and the decision-making process. Useful participatory tools can be public hearings, public opinion surveys, expert panels, interviews with key persons of a community, workshops, round tables and focus groups (see tool box under D).

An interesting experience on a baseline analysis and the identification of stakeholders is a case from France:

SITUATION ANALYSIS

Case Study 8

In 2011, the city of Paris, **France,** organised several workshops enabling citizens to participate in the formulation of the city’s water policy.

Participants in these working groups were volunteers. They formed the “Parisian Observatory for Water” (*Observatoire parisien de l’eau*), a body created by the city as a citizens’ observatory, composed of consumers and environmental NGOs, local committees, social landlords, business, elected local representatives, experts and organisations involved in the governance of water. Its aim was to provide information on water issues and to organise public consultations in order to achieve a more equitable and transparent water management.

The workshops were divided into three sessions. At the first meeting, participants received information on the governance of water; they were later invited to identify which subjects were the most important according to them, and which they wanted to work on.

One weakness of this initiative was that the members of the Observatory did not include representatives from all groups of the local population. Participants volunteered to take part in the Observatory because of their strong prior interest in the subject, and since they had already received information through the Observatory meetings. Input from marginalised groups could not be obtained since it was difficult for them to get involved on a voluntary basis. Nevertheless, this initiative permitted to identify the most pressing issues and ensured that the water policies presented in the final outcome document responded to the needs of parts of the local population. This was possible because the public was able to choose the subjects they were interested in and had a platform to voice them.

### b) Notification and Sharing Relevant Information about the Process, the Drafting of the Targets and the Development of the Water-Management Plans

Access to all relevant information is a prerequisite of effective public participation. According to article 10.1 (a) of the Protocol, access to information has to be provided within the process of setting targets and target dates and of developing water-management plans under article 6.2. Article 10.3 of the Protocol stipulates that information provision is necessary for the process of reviewing the targets under article 7.4. “*All relevant information*” means both all relevant information on the process of participation (notification) as well as all information necessary for the participation. The notification should include a description of the public participation procedure with time frames and contact details of the responsible body. It also should be highlighted how the comments on the documents regarding the target setting and the water-management plans should be submitted, e.g. in submitting written proposals, orally or electronically etc. The information shared should be clear, well-prepared and easily understandable[[29]](#footnote-29).

NOTIFYING THE PUBLIC

Case Study 9

In **Armenia,** public notice is a necessary condition for all types of water use permits (regarding drinking water, irrigation, industrial use and for the construction of hydropower stations) according to the Republic of Armenia governmental decree 217 – N dated 7.3.2003. The public notice developed by the authority responsible for water resource management and protection is a document which includes information for stakeholders about the impact of the proposed activity. At least 1000 printed copies of the public notice have to be published and disseminated to physical and legal persons. The public notice shall include an introduction of the decision regarding the proposed activity and a brief description of its possible effects. Furthermore, it shall clarify where information about the proposed activity can be consulted, where written comments can be submitted as well as how they should be drafted. Dates and locations of public hearings shall be published in the public notice as well.

It is the responsibility of the public authorities to provide the information. However, NGOs can be of assistance in transferring information (see above case study 4 in Ukraine). NGOs can also make available innovative tools in providing information and in assessing how the information is shared with the public by public authorities (see below case study 10in Moldova).

QUESTIONNAIRE ON INFORMATION SHARING

Case Study 10

Before the target-setting process was started in **Moldova**, the NGO Eco-Tiras started an information campaign in 2008/2009 by disseminating a questionnaire to members of the public (about 45 NGOs) in order to analyse the situation regarding the knowledge of the Protocol amongst the population. The assumption that the information provided by the public authorities was not sufficient proved to be correct. Results were collected and provided to the public authorities who took the issues into consideration when planning public hearings etc. Furthermore, the conclusion was drawn that a clearing house mechanism was needed in order to efficiently cooperate with the public. One target that was set under the Protocol is the establishment of a clearing house mechanism, which is about to be created by the National Centre of Public Health.

The questionnaire contained the following questions:

1. Are you familiar with the Protocol on Water and Health?

2. If yes, where did you receive information on the Protocol from? (Health institutions, Ministry of the Environment, the media, NGOs, international organisations, others)

3. How do you rate the level of information that you received from public authorities?

4. Would you like to know more about the Protocol and its promotion in Moldova?

5. Do you think that NGOs should be presented in the working group on setting targets within the framework of the Protocol?

6. Would you like to participate in informational hearings related to the implementation of the Protocol in Moldova?

7. What kind of information about the Protocol would you like to receive in such a hearing?

(General information on the Protocol, information on the development of targets and target dates, information on the implementation process in Moldova, information on experiences of other countries, information on the participation of the public within the Protocol’s implementation, information on access to information, other)

Applying the questionnaire resulted in:

1. Knowing about the awareness of the Protocol of NGOs and the public;

2. Priorities of the public and their inclusion into the agenda of future meetings/hearing with the public;

3. Showing the efficiency of the sharing of information by the ministries;

4. Determining the circle of interested and competent stakeholders.

Article 10.3 of the Protocol also provides guidance on *how* the sharing of information shall be organized:

*“At all reasonable times for inspection free of charge”*

A best practice is to provide the information so that it can always be accessed free of charge, e.g. through a website. However, the internet is not available to all groups of civil society; it is often the people living most remote (e.g. in rural areas) and marginalised groups who do not have internet access. Therefore, other means might have to be chosen as well to address specific groups, e.g. mass media, notice boards or public meetings (see for more details the tool box under D).

One example is the organisation of a consensus conference in France:

CONSENSUS CONFERENCE

Case Study 11 (see related case study 6)

In 2009, in **France,** the city of Paris launched a consensus conference on the topic of the future of the raw water network. The purpose of the conference was to determine the relevance of keeping a double water supply network. Paris had two different networks, one for the supply of drinking water and the second for the supply of (non-drinking) water for other purposes (e.g. cleaning of streets, watering of public gardens, supplying rivers and lakes in public parks, etc.).

The issue was technical. However, economic, cultural and environmental dimensions were equally important in the decision-making process. Therefore, the jury was composed of different members of the public, according to their interest in water issues and their professional backgrounds: journalists, architects, historians, representatives of business and environmental NGOs, members of local committees, city planners, students, etc. The aim of the conference was to gain recommendations on the city’s policy.

Different experts made presentations to the 14 members of the jury on issues, such as techniques, sanitation, environment, economy, history and culture. A written summary of the research results was presented. Furthermore, an online discussion group was created, enabling jury members to post messages and ask questions, and to communicate with each other. The second day of the conference was dedicated to the jury’s deliberations and the presentation of its recommendations. The debate was facilitated by a professional moderator.

Although the studies mainly advocated for the abolishment of the raw water network, because of a lack of investments in previous years and a decrease in the consumption of water, only a minority of the jury supported this opinion. Most of them thought that a double water network was an opportunity to diversify water supplies and thus would benefit the water quality in a long term. They recommended that the city should maintain it and modernise the service by seeking new uses and new sources of non-drinking water (e.g. river water, rain and grey water, etc.). Once economic and technical studies confirmed the possibility to keep and modernise the network, the municipal officials’ votes followed the citizens’ recommendation. The raw water network was maintained active.

Results and main challenges:

1. This citizens’ consultation raised the interest on the issue by engaging the public. The decision to keep the network was shared by the majority of the population. The integration of cultural, historical, social and environmental elements helped in finding a holistic solution.

2. The consultation provided the stakeholders with the opportunity to understand a technical subject, which had been up until then only covered by the city’s engineers.

3. The provision of information and capacity building were essential to achieve the expected results.

If it is written information held by the public authorities, it should be displayed at reasonable times and the inspection of the information in the public authorities’ premises should be free of charge. This means that the premises need to be open during the week beyond normal office hours to enable people who work during normal office hours to come and visit the respective public authority.

*Article 10.3 of the Protocol specifies that the public authority “shall provide members of the public with reasonable facilities for obtaining from the Parties, on payment of reasonable charges, copies of such information.”*

The information has to be made available for the public in a barrier-free environment and the public needs to have the possibility to make copies of the information for a reasonable charge.

Any new information coming up during the process has to be made available. The draft targets and target dates or the draft water management plan have to be regularly updated based on the public’s comments and proposals and repeatedly provided (repeated information).

The information might be shared by different ways in order to reach the wider possible public (cf. case study 12 from Finland below)

MEANS OF SHARING INFORMATION

Case Study 12

In **Finland[[30]](#footnote-30)**, information was easily available for the public in different ways, such as leaflets, newspapers and the internet. The public had the opportunity to make proposals and comments on the implementation of the bathing water legislation and especially on the list of bathing areas.

In order to enhance the knowledge about private water supply systems and water quality in wells, numerous guidebooks, leaflets, brochures have been published and posted on the websites.

### c) The Involvement of the Public

The active involvement of the public itself starts with the notification about the process and providing the relevant information (see above (b)).

Setting time frames should be done according to national legislation. However, a flexible approach is advantageously taking into consideration “factors such as the nature, complexity, size and potential environmental effects of the proposed”[[31]](#footnote-31) targets and/or activities within a water-management plan.

Guidance from other areas:

- A period of approximately **six weeks** for the public to inspect the documentation and prepare itself for the public inquiry and a further **45 days** for the public to submit comments, information, analyses or opinions relevant to the proposed activity (the construction of a waste incinerator) could be considered as reasonable time-frames[[32]](#footnote-32) under the principles of the Aarhus Convention.

- Time frames for consultation of the public on environmental reports under the proposed amendment of Directive 2011/92/EU are suggested to be **not shorter than 30 days or not longer than 60 days** (Article 6 (7))[[33]](#footnote-33).

Different forms of consultation are available and possible (see tool box under D). Common practices are public consultations (oral and/or written), including online consultations. The case studies below provide experiences from several countries as to how to practically implement public consultation:

CONSULTATION ON DIFFERENT LEVELS

Case Study 13

The **Hungarian** National River Basin Management Plan was approved on 5 May 2010. The process of involving the public began in 2006 with the elaboration of a strategy and methodology for the public participation on local, regional and national levels (see above).

In the first phase, a consultation was held about the work programme of the water management planning process. 62 written contributions from trade associations (e.g. water suppliers etc.) and NGOs as well as individuals were received. As a result, a ministerial decree on the Water Management Councils (2007) was issued.

In the second phase, the public was invited to comment on the local water management sub-unit levels and on a concept paper regarding the major issues of water management at the national river basin level as well as on the four sub-catchment areas. Around 60 written comments were submitted. At the same time, the public debate on the programme of measures proceeded.

Broad and easy access to information was provided via a dedicated website [www.vizeink.hu](http://www.vizeink.hu) (meaning our waters) where all relevant materials of each consultation phase and with regard to each planning unit (regional entities based on drainage areas) were posted. Furthermore, an information campaign via electronic and printed media was organised and national and regional press conferences were held.

In the process of the public consultation, four main tools were used:

- written consultations (posted on the above mentioned website);

- regional forums were held in all sub-units inviting all relevant public authorities and the representatives of civil society organisation (e.g. agriculture, forestry, municipality, fisheries, thermal waters, etc.);

- 25 consultations were arranged with the participation of more than 1000 persons representing more than 700 organisations. More than 1500 notes or questions were submitted and replied to (orally or in writing);

- water management councils were established (on the national, sub-catchment and management sub-unit level) with the participation of most of the dedicated stakeholders.

After finalising the management plans, all commissions and councils met to discuss and approve the plans. According to the provisions of the decree, the resolutions and proposals of these bodies were integrated by a bottom-up approach, and were codified. The participation of the public has not been limited to the preparatory phase, but it is also foreseen for the detailed planning, implementing the programme of measures and the revision every six years.

IMPLEMENTING THE WFD IN ROMANIA

Case Study 14

When the WFD was implemented in **Romania** the public was engaged at different levels through the 11 River Basin Committees (consultative bodies). The process was based on guidelines which were developed at the national level following the Common Implementation Strategy of the WFD and the Public Participation Strategy for the Danube River Basin District.

According to the International Commission for the Protection of the Danube River (ICPDR) Operational Plan (2005-2010),the Ministry of Environment and Forests and the National Administration “Apele Romane” organised public hearings (focussing on a specific target group of stakeholders, depending on the issue under discussion) at national and at the respective river basin administrative levels. In addition, information material, such as leaflets, brochures, DVDs and questionnaires were developed and disseminated to all participants.

At the national level, 70 meetings were organised in the process of establishing the River Basin Management Plans (RBMP). About 2400 representatives of relevant stakeholders participated; 1819 questionnaires regarding the RBMP were distributed to the main stakeholders and water users and around 550 were returned completed. Out of 270 proposals and comments received, around 200 were taken into consideration leading to an improvement of the RBMPs.

Main lessons learnt:

1. Better results can be achieved during a process of public consultation if the number of interest groups is expanded according to the specific thematic problems;

2. The tools used in the public participation process need to be adequate in order to engage specific target groups;

3. Non-technical language is needed when addressing the general public;

4. Close contact between the decision-makers and key stakeholders, NGOs and the broad public is important during the entire cycle of definition of the Plans;

5. Adequate financial resources should be secured for the promotion of the process via local/regional and national media.

The outcomes of this process were taken into account when defining the targets under the Protocol.

A potential challenge for an effective public participation procedure may be that the public shows low interest to participate. Another challenge may be that certain participants may attempt to hamper, disturb or delay the process. Such challenges may be due to a lack of trust by those stakeholders in the public authorities or possibly due to social problems between different groups of stakeholders or, in isolated cases, because of the individual’s own personal behaviour. The HarmoniCOP[[34]](#footnote-34) provides useful guidance on how to deal with such problems arising during the public participation process.

### d) Taking the Outcomes of Public Participation into Account and Publishing of Final Documents

Taking into due account the outcomes of public participation is a binding legal requirement[[35]](#footnote-35). The different comments, views and suggestions have to be taken into account in order to make a real difference within the decision-making process[[36]](#footnote-36). This has to be planned for once the involvement of all stakeholders has been concluded. It is the responsibility of the competent public authority to do this in a non-discriminatory and fair way.

Some countries have developed guidance on what “taking into due account” means in practice. For example:

In 2008, Austria’s Council of Ministers adopted Standards on Public Participation to assist government officials, which, inter alia, state that “‘Take into account’ means that you review the different arguments brought forward in the consultation from the technical point of view, if necessary discuss them with the participants, evaluate them in a traceable way, and then let them become part of the considerations on the drafting of your policy, your plan, your programme, or your legal instrument.”[[37]](#footnote-37)

The process of setting targets in Ukraine offers a good example of taking the outcomes of public participation into account in the definition of the national targets (cf case study 15 below).

TAKING INTO ACCOUNT

Case Study 15

In the second phase of the public consultation of the draft national targets in **Ukraine,** public hearings were held on 20 and 21 October 2010 in Kiev. Representatives from the Ukrainian-Norwegian project, the Ministry of Ecology and Natural Resources of Ukraine, the Ministry of Health, other executive bodies and NGOs took part in the event, including 11 representatives from the authorities, 17 representatives from NGOs and media and representatives from 14 Ukrainian cities. Different comments and amendments to the draft were presented and discussed during the event. Further consultations and the collection of comments were completed by 10 November 2010. As a result of this process, the environmental NGO “MAMA-86”[[38]](#footnote-38) received 23 written submissions with numerous comments and amendments from stakeholders, including responsible ministries and authorities at different levels, experts and NGOs. “MAMA-86” prepared a comparative table to the draft document including all comments and provided it to the drafting group (the Inter-agency Working Group, cf case study 3) responsible for finalising the target setting process. Consequently, the majority of the amendments suggested were taken into consideration during three meetings of the Inter-agency Working Group and included in the final version of the 15 national targets.

How to publish the set targets and the target dates or a water-management plan is up to the Parties and their national legislation. However, minimum requirements should be met. The “Draft Aarhus Recommendations on Public Participation in Decision-Making” foresee that “the public is promptly informed of the decision and how they may access the text of the decision together with the reasons and considerations on which it is based”[[39]](#footnote-39). At the moment, the Parties usually publish them on an official website and/or the official gazette. Sometimes, the print media is used for dissemination. Another form can be the information through a dedicated meeting (see the case study 16 from France below):

ORAL INFORMATION

Case Study 16 (see also case study 8 for background information)

The case study 8 from **France** highlighted the need to provide feedback to all involve stakeholders in order to properly finalise a participatory exercise. Therefore, after the city’s water policy had been drafted, a last meeting was set up to inform participants of those recommendations that had been taken into account, and the reasons why others had not been.

### e) Key Issues

1. Assessing the country situation by collecting key information and identifying priority issues is a prerequisite for initialising a public participation process.
2. The provision of information lies within the responsibility of the public authorities. However, assisting NGOs can play an important role in transferring relevant information.
3. The provision of “all relevant information” includes the notification about the process of public participation as well as all information necessary for the participation, including new information coming up during the process.
4. Information has to be available for inspection in a barrier-free environment, free of charge and at reasonable times.
5. The setting of time frames for the public involvement should follow a flexible approach, taking into consideration such “factors as the nature, complexity, size and potential environmental effects”[[40]](#footnote-40) of the proposed targets and/or activities planned for within a water-management plan.
6. Taking into account the views and comments received from the stakeholders is a legal obligation within every public participation process. This requires a transparent evaluation of all input received; the outcome of the process has to be reflected within the final decision.

## 2) Reporting

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| REPORTING |
| Article 16.3 (b) of the Protocol provides that the Meeting of thePartiesshall “evaluate progress in implementing this Protocol on the basis of information provided by the Parties in accordance with guidelines established by the Meeting of the Parties“. For that purpose according to article 7.5 “each Party shall provide to the secretariat referred to in article 17, for circulation to the other Parties, a summary report on the data collected and evaluated, and the assessment of the progress achieved.” |

When preparing the national summary reports, Parties shall hold inter-ministerial consultations as well as engage the public and other relevant stakeholders. The same coordination mechanisms that are responsible for the target setting process and the development of water-management plans should be responsible for reporting based on the accumulated experience and communication arrangements. The Guidelines on the Setting of Targets, Evaluation of Progress and Reporting[[41]](#footnote-41) recommend the consultation of, inter alia, NGOs, the public, local communities, business and the media on the draft summary report. They provide a possible time line of about 30-60 days for this consultation.

Non-governmental organisations can serve as useful sources of data, especially on local level[[42]](#footnote-42). Additionally, non-governmental actors should be provided with sufficient time to provide their comments on the draft national reports. Countries are therefore requested to post their draft reports on-line as early as possible.

## 3) International Coordination – The Integration of the Transboundary Dimension

Pursuant to article 13.1 (b) of the Protocol “[W]here any Parties border the same transboundary waters, as a complement to their other obligations under articles 11 and 12 [of the Protocol], they shall … [e]ndeavour to establish with the other Parties bordering the same transboundary waters joint or coordinated water-management plans in accordance with article 6, paragraph 5 (b)”, which, as mentioned earlier, requires Parties “[i]n doing so … [to] make appropriate practical and/or other provisions for public participation, within a transparent and fair framework, and … ensure that due account is taken of the outcome of the public participation.”

The provisions of the Protocol should be understood as to ensure closer cooperation between the Riparian Parties to the Protocol in achieving its objectives, as the management of shared water sources has a transboundary impact on water and health. Such a cooperation should include entering into bilateral or multilateral agreements or other arrangements, where those do not yet exist, or adapt existing ones, where necessary, in order to eliminate any contradictions with the basic principles of this Protocol and to define mutual relations and conduct of the Riparian Parties regarding the aims of the Protocol.

The Riparian Parties should consider granting access to the text of draft agreements or of other arrangements to the public and provide for public participation, including NGOs, in their elaboration. NGOs should be invited to participate in intergovernmental negotiation meetings and to comment on draft agreements or other arrangements.

The above agreements or other arrangements should provide for the establishment of a joint body. Where the Parties to the Protocol are also Parties to the UNECE Water Convention[[43]](#footnote-43) and pursuant to it have established joint bodies, the latter could be used as an institutional framework facilitating cooperation under the Protocol. A joint body shall be entrusted to perform tasks relevant to the implementation of the Protocol, i.e. setting of joint targets and target dates and developing joint water-management plans. Provisions to ensure public participation in the activities of a joint body should also be provided.

COOPERATION IN THE TRANSBOUNDARA DNIESTER RIVER BASIN[[44]](#footnote-44)

Case Study 17

The Plenipotentiaries of **Moldova** and **Ukraine** facilitated the implementation of the bilateral Agreement on Joint Use and Protection of Frontier Waters of 1994. In 2007, they adopted a Regulation aimed at ensuring public participation in the activities of this joint body. This became the first example of formalised rules for dissemination of information and public participation in the activities of joint bodies in the EECCA region.The Regulation on Stakeholders Participation in the Activities of the Plenipotentiaries provides for the development of a Register of Stakeholders. Stakeholders are defined as any public authority, non-governmental organisation and their associations, or legal persons with an interest in transboundary water management. The Register is composed of a Moldovan part and a Ukrainian part. Each Plenipotentiary is responsible for maintaining their respective part of the Register. The Register is accessible on the Internet.Thirty days before their ordinary meeting, the Plenipotentiaries inform stakeholders about all decisions made since the last meeting and about the work plans. Twenty days before a meeting, the Plenipotentiaries inform the stakeholders about the date, agenda and documents of the upcoming meeting. The Regulation provides for the rights of stakeholders to suggest issues to be discussed by the Plenipotentiaries and to submit written and/or oral comments concerning the draft documents, together with suggestions and amendments to the draft texts. Draft documents and invitations to submit comments are to be published on the internet. Comments made by the stakeholders are to be taken into account when making the final decision. In December 2007, the Plenipotentiaries also agreed to maintain a joint website for the Dniester River Basin (see <http://www.dniester.org>). During 2005 - 2011 the project “Cooperation in the transboundary Dniester River basin” supported by UNECE and OSCE was implemented in **Moldova** and **Ukraine.** Its objective was to support regional cooperation between Moldova and Ukraine in the sustainable use of the Dniester River basin via the establishment of an inter-governmental river basin agreement, which should help to involve all stakeholders in its management. One of the project’s tasks was to consolidate efforts of the sanitary-epidemiological services of the region to establish joint monitoring of the water quality in order to avoid water-related diseases by establishing efficient cooperation models. A mixed working group (WG) composed of representatives of the sanitary-epidemiological services of Moldova and Ukraine was established under the project; a NGO representative was elected to coordinate this WG. It was important to involve representatives of the Transnistria region of the Republic of Moldova into the activities of the WG. The WG elaborated and coordinated the joint Regulation on evaluation of the sanitary-epidemiological quality of water, which became an annex to the existing Agreement between the governments of Moldova and Ukraine on frontier waters and was based on Article 6 of this Agreement.

Some joint bodies established working group for cooperation with NGOS and other stakeholders (see above case study 17). For example, a Public Participation Expert Group acts in the framework of ICPDR. The rights and duties of observers to the ICPDR include free access to the documents of the Commission and its bodies, the right to participate in the meetings, including those of expert groups, with the possibility to express their position and views, the right to submit documents and proposals to the Commission, and the right to take part in the programmes and contribute to the projects initiated under the Danube River Protection Convention[[45]](#footnote-45). Many joint bodies have recently developed websites with information about their activities. In Romania, all protocols of meetings of joint bodies on transboundary waters are published in the Official Journal, the periodical that publishes all laws and regulations in the country.

## 4) The Compliance Committee

Compliance Committee

Article 15 of the Protocol provides that the Parties shall review the compliance of the Parties with the provisions of this Protocol on the basis of the reviews and assessments referred to in article 7. Multilateral arrangements of a non-confrontational, non-judicial and consultative nature for reviewing compliance shall be established by the Parties at their first meeting. These arrangements shall allow for appropriate public involvement.

The compliance review mechanism developed under the Protocol is expected to provide an important stimulus for Parties to comply with their obligations. The ultimate goal is to facilitate and assist Parties in resolving problems. The compliance mechanism itself and any measure undertaken in the course of or as a result of the compliance review procedure are meant to be non-adversarial, non-confrontational, non-judicial and consultative. Members of the Compliance Committee are not representatives of governments; they work in their personal capacity, objectively and impartially. They are elected by the Meeting of the Parties to the Protocol from among candidates nominated by the Parties, taking into consideration any proposal for candidates made by NGOs qualified or having an interest in the fields to which the Protocol relates.

One important feature of the Protocol’s compliance mechanism is that it provides for the possibility of one or more members of the public to make communications to the Compliance Committee on cases of alleged non-compliance with the Protocol, which the Committee is then required to deal with.

A “communication from the public” is a documented assertion by a member of the public that a Party is not in compliance with the Protocol by failing to effectively transpose, implement or enforce its obligations under the Protocol.

Guidelines have been developed on how to submit communications to the Compliance Committee[[46]](#footnote-46).

Some specific features relating to public participation are the following[[47]](#footnote-47):

1. any member of the public, i.e. any natural or legal person, or group of people may submit a communication to the Compliance Committee;
2. a member of the public does not need to be affected in order for him or her to submit a communication;
3. it is not necessary for the communicant to be represented by a lawyer or have the communication prepared with legal assistance;
4. a general or a specific failure by a Party to take the necessary legislative, regulatory, institutional, administrative, operational, budgetary/financial, technical, infrastructural or other measure necessary to implement the Protocol can be addressed. It can also be a specific event, act, omission or situation which demonstrates a failure of the State authorities to comply with or enforce the Protocol and specific instances of violation of rights of individuals under the Protocol – this can include a failure to engage the public.

All meetings of the Compliance Committee are normally open to the public. Non-Parties, intergovernmental organizations and NGOs already enjoying observer status with the Meeting of the Parties to the Protocol, have observer status within the Committee. The Committee may grant observer status on a case-by-case basis to other subjects, including NGOs or members of the public. Observers are entitled to receive copies of publicly distributed documents, submit written documents and make oral statements at meetings of the Compliance Committee.

# D) Tool Box

In this section, tools that have been mentioned previously for the different steps of the process of public participation will be described in detail. Public participation is not only important to identify stakeholders, set targets and target dates and design water-management plans. It is also required when designing the process of public participation itself and for the monitoring, reporting and implementation. Reference is made to the concept note on access information and public information prepared by WECF and Romania for the Second Meeting of the Parties[[48]](#footnote-48).

Decisions are taken at different levels (international, national, federal, provincial and local) and therefore require different tools for organizing the participation of the public in decision making. Even within one level, different designs of the process are possible, as there is not one method that fits all processes.

The selection of the most appropriate tools and techniques for public participation depends on the nature of the decision and its surrounding circumstances. For example:

* 1. For highly controversial issues or issues of high environmental significance, more formalised and elaborated procedures may be most appropriate to ensure effective public participation (for example public inquires or public debates or public hearings with submission of formal evidence).
  2. For less controversial activities or those with less potentially harmful effects, access to all relevant information and the opportunity to submit written comments and have these taken into account may be sufficient.[[49]](#footnote-49)

Furthermore, there is a wide spectrum of potential types of public participation - from no opportunity to influence (“inform”) to partial power to influence (“passive consultation”, “involvement”) to total influence over the outcome (“active consultation”). The different levels of public participation play a key role in choosing the right tool[[50]](#footnote-50).

Issues of language (e.g. translation, interpretation, illiteracy) and of timing (e.g. not during harvest times, schedule meetings that allow broad participation, e.g. respect working hours, religious holidays and child care provisions) are important to take into account when reaching out to rural people, marginalised groups and ethnic minorities.

This tool box presents a non-exhaustive list of tools that can be used to identify stakeholders, notify, inform, consult and take into due account. The tool box orders these tools by suggested level of relevance, for each step of the public participation process. However, this suggested order does not apply to all context and the tool(s) to be selected should be adapted to the objectives of the public participation process and and the specific characteristics of the country/region/municipaly or community. Description of the tools follows.

## 1) Tools to Identify Stakeholders

|  |
| --- |
| Notice boards |
| Websites |
| List servers and e-mails and other electronic communication tools, e.g. social networks |
| Media |
| Expert panels |
| Hot lines |
| Public hearings |
| Interviews |
| Citizens’ juries |
| Written submissions |
| Public opinion surveys |
| Stakeholder analysis |

## 2) Tools to Notify

|  |
| --- |
| Notice boards |
| Websites |
| Printed public information material |
| List servers and e-mails and other electronic communication tools, e.g. social networks |
| Media |
| Field offices |
| Focus groups |

## 3) Tools to Inform

|  |
| --- |
| Notice boards |
| Websites |
| Printed public information material |
| List servers and e-mails and other electronic communication tools, e.g. social networks |
| Media |
| Public hearings |
| Expert panels |
| Field offices |
| Hot lines |
| Citizens’ juries |
| Interviews |
| Public opinion surveys |
| Working groups/ Workshop |
| Focus groups |

## Tools to Consult

|  |
| --- |
| Written submissions |
| Public hearings |
| Public opinion surveys |
| Working groups/Workshops |
| Round tables |
| Group model building |
| Focus groups |
| River basin council/committee meetings |
| Referendum |
| Websites |
| List servers and e-mails and other electronic communication tools, e.g. social networks |
| Expert panels |
| Field offices |
| Hot Lines |
| Interviews |
| Citizens’ juries |

## Tools to Take into Due Account

|  |
| --- |
| Public hearings |
| Websites |
| Expert panels |
| Citizens’ juries |
| Written submissions |
| Public opinion surveys |
| Round tables |
| Group model building |
| River basin council/committee meeting |
| Matrix analysis |

**Description of the tools**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Tools** | **Description of the tools** | **Can be used to….** | | | | |
| Identify | Notify | Inform | Consult | Take into account |
| Citizens’ juries | Building a small group of ordinary citizens to learn about an issue, examine witnesses and make recommendations. [[51]](#footnote-51) | X |  | X | X | X |
| Expert panels | Public meeting designed in a “Meet-the-Press” format. A panel interviews experts from different perspectives. Can also be conducted with a neutral moderator asking questions to panel members. [[52]](#footnote-52) | X |  | X | X | X |
| Field Offices | Offices established with prescribed hours to distribute information and respond to inquiries. [[53]](#footnote-53) |  | X | X | X |  |
| Focus Groups | Message testing forum with randomly selected members of target audience. [[54]](#footnote-54) |  | X | X | X |  |
| Group Model building | An approach where a group of around ten persons gathers in one or more sessions and is guided by a modelling team in the construction of the model. The goal is to increase insight into the problem, create consensus and develop a common strategy. [[55]](#footnote-55) |  |  |  | X | X |
| Hotlines | Identify a separate line for public access for pre-recorded project/programme information or to reach staff in person who can answer questions and/or obtain input.[[56]](#footnote-56) | X |  | X | X |  |
| Interviews | One-to-one meetings with stakeholders to gain information for developing or refining public involvement and consensus-building programmes. [[57]](#footnote-57) | X |  | X | X |  |
| List servers and e-mails and other electronic communication tools, e.g. social networks | Both list serves and e-mails are electronic mailing lists. Anyone can register on a list serve to receive all messages sent to the respective list serve. When using e-mail, it should be noted that someone needs to create and maintain an updated electronic distribution list for the issue. | X | X | X | X |  |
| Matrix analysis | A methodology where all input and comments received are filled in a matrix according to the selected issues. This provides an overview of all input and shows clearly what has been taken into account in the decision-making process and what not. |  |  |  |  | X |
| Media | a. Press releases, press-conferences, press-tours and other press-events;  b. Print advertisements;  c. TV spots;  d. Articles or documentaries. | X | X | X |  |  |
| Notice boards | Information can be published on official and other notice boards (e.g. public authorities, community centres, parishes, etc.) | X | X | X |  |  |
| Printed public information material | a. Fact sheets;  b. Newsletters;  c. Leaflets/brochures;  d. Issue papers;  e. Progress reports. |  | X | X |  |  |
| Public hearings | A form of informative meeting at an early stage within the process. Public authorities invite the public (all stakeholders) informing them about a planned action and inviting them to express their views and concerns regarding these plans. It is the responsibility of public authorities to call for a public hearing, but also civil society can initiate the process. Authorities are required to consider the comments in their evaluation of the action being taken. [[58]](#footnote-58) | X |  | X | X | X |
| Public opinion surveys | The survey offers the possibility, at an early stage of the process, to query the public in order to collect data for the analysis of different aspects of the measure/programme/plan. It can take place in person, via phone, internet or by e-mail. | X |  | X | X | X |
| Referendum | A vote on a measure/project as submitted e.g. passed on or proposed by a legislative body or by popular initiative. A referendum might be binding or non-binding depending on the constitution. |  |  |  | X |  |
| River basin council / committee meetings | In Russia, Ukraine, Moldova and Romania River basin councils/committees exist which have the status of an advisory body, in France the River Parliament represents the public (see also above under C)1)c) (case study 14) and C)3)). |  |  |  | X | X |
| Roundtables | A small sized group (participants are invited) that starts with short presentations on the project/measure and is followed by a longer discussion. Participants meet on equal terms. It is ideal to receive targeted input. |  |  |  | X | X |
| Stakeholders‘ analysis | A stakeholders’ analysis provides an overview of existing stakeholders and examines relationships between them[[59]](#footnote-59). | X |  |  |  |  |
| Websites | Websites are a common communication medium serving as an electronic notice board where information can be posted and comments be received. | X | X | X | X | X |
| Working groups / workshops | An informal public meeting that may include presentations and focuses on interactive working groups. [[60]](#footnote-60) Interactive groups are facilitated by trained persons. |  |  | X | X |  |
| Written submissions | Submissions by the public on a specific project/programme/action plan. The public is invited to submit input within a given time frame and is often asked to provide submissions in a special format (page limit, language etc.). | X |  | X | X |  |

1. Terms within this guide are used as defined in article 2 of the Protocol. [↑](#footnote-ref-1)
2. Text of the Protocol available at: <http://www.unece.org/fileadmin/DAM/env/documents/2000/wat/mp.wat.2000.1.e.pdf> . [↑](#footnote-ref-2)
3. UNECE/WHO-EUR, Concept Note on Access to Information and Public Participation under the Protocol on Water and Health (available at: <http://www.unece.org/fileadmin/DAM/env/documents/2010/wat/MP_WH/wh/ece_mp_wh_2010_4_E.pdf>). [↑](#footnote-ref-3)
4. Body of the Aarhus Convention, the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. [↑](#footnote-ref-4)
5. List of Parties available at: <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-5-a&chapter=27&lang=en> (visited on 1.2.13). [↑](#footnote-ref-5)
6. Text of the Aarhus Convention available at: <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf> (visited on 1.2.13). [↑](#footnote-ref-6)
7. Text of the Rio Declaration available at: <http://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm> (visited on 1.2.13). [↑](#footnote-ref-7)
8. UN International Covenant on Civil and Political Rights, 1966 (see here: <http://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en> (visited on 13.5.13)). [↑](#footnote-ref-8)
9. At the Second Ministerial Conference in Lucerne in April 1993 (see here: <http://www.unece.org/env/efe/historyofefe/history.en2011_2.html> (visited on 2.4.13). [↑](#footnote-ref-9)
10. List of Parties to the Aarhus Convention available at: <http://treaties.un.org/Pages/ViewDetails.aspx?mtdsg_no=XXVII-13&chapter=27&lang=en> (visited on 13.5.13). [↑](#footnote-ref-10)
11. ECE/MP.PP/2011/CRP.4/rev.1 para. 3 (available at: <http://www.unece.org/fileadmin/DAM/env/pp/mop4/Documents/ece_mp_pp_2011_CRP_4_rev_1_Declaration_e.pdf> (visited on 14.5.13)). [↑](#footnote-ref-11)
12. UNECE/WHO-EUR, Concept Note on Access to Information and Public Participation under the Protocol on Water and Health, ECE/MB.WH/2010/4-EUDHP/1003944/4/1/10, 2010, p.6 (see here: <http://www.unece.org/fileadmin/DAM/env/documents/2010/wat/MP_WH/wh/ece_mp_wh_2010_4_E.pdf> (visited on 3.2.13)). [↑](#footnote-ref-12)
13. In articles 4.5 and 9.1 (b) of the Protocol. [↑](#footnote-ref-13)
14. See for example UNECE, Report of the Task Force Meeting on Public Participation in Decision-making on Its Second Meeting, June 2012, ECE/MP.PP/WG.1/2012/4, 2012 (available at: <http://www.unece.org/fileadmin/DAM/env/pp/wgp/WGP-15/ECE.MP.PP.WG.1.2012.4.aec.pdf> (visited on 14.5.13)). [↑](#footnote-ref-14)
15. See footnote 14, para. 13. [↑](#footnote-ref-15)
16. See footnote 14, para. 14. See also multi-level governance gaps in OECD, Water Governance in OECD Countries – A Multi Level Approach, 2011, p. 21 (see here: <http://www.oecd.org/regional/regional-policy/48918283.pdf> (visited on 3.2.13)). [↑](#footnote-ref-16)
17. See above A) and footnotes 6 and 11. [↑](#footnote-ref-17)
18. Text of the Espoo Convention available at: <http://www.unece.org/fileadmin/DAM/env/eia/documents/legaltexts/conventiontextenglish.pdf> (visited on 15.5.13). [↑](#footnote-ref-18)
19. A/RES/66/288, 11.9.2012 (available at: <http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/66/288&Lang=E> (visited on 15.5.13). [↑](#footnote-ref-19)
20. Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2000:327:0001:0072:EN:PDF> (visited on 3.2.13)). [↑](#footnote-ref-20)
21. European Commission, Common Implementation Strategy for the Water Framework Directive (2000/60/EC), Guidance Document No.8, Public Participation in Relation to the Water Framework Directive, 2003 (see here: <https://circabc.europa.eu/sd/d/0fc804ff-5fe6-4874-8e0d-de3e47637a63/Guidance%20No%208%20-%20Public%20participation%20%28WG%202.9%29.pdf> (visited on 11.3.13)). [↑](#footnote-ref-21)
22. Harmonising Collaborative Planning, Learning Together to Manage Together – Improving Participation in Water Management, 2005 (see here: <http://www.harmonicop.uni-osnabrueck.de/HarmoniCOPHandbook.pdf> (visited on 11.3.13)). [↑](#footnote-ref-22)
23. See also here: UNECE/WHO-EUR, Guidelines on the Setting of Targets, Evaluation of Progress and Reporting, 2010, p.7/8 (available at: <http://www.unece.org/fileadmin/DAM/env/water/publications/documents/guidelines_target_setting.pdf> (visited on 15.5.13)). [↑](#footnote-ref-23)
24. See footnote 14, para. 25. [↑](#footnote-ref-24)
25. See footnote 23. [↑](#footnote-ref-25)
26. See footnote 23, p. 8. [↑](#footnote-ref-26)
27. Targets set by Parties under the Protocol on Water and Health (see here: [http://www.unece.org/fileadmin/DAM/env/water/Protocol\_on\_W\_H/United States Environmental Protection Agency, m the Publicfollowing:ltation. tiesGuidelinesions as well as they areal problems Target\_set\_by\_parties/Ukraine\_indicators\_publication.pdf](http://www.unece.org/fileadmin/DAM/env/water/Protocol_on_W_H/Target_set_by_parties/Ukraine_indicators_publication.pdf) (visited on 4.4.2013)). [↑](#footnote-ref-27)
28. See footnote 23. [↑](#footnote-ref-28)
29. For issues of translation see the UNECE Aarhus Convention’s Task Force on Public Participation in Decision-Making, Draft Recommendations on Public Participation in Decision-Making in Environmental Matters, Third Draft March 2013, para. 53 (c). [↑](#footnote-ref-29)
30. Targets set by Finland under the Protocol on Water and Health (see here: <http://www.unece.org/fileadmin/DAM/env/water/Protocol_on_W_H/Target_set_by_parties/Finland_Targets_and_target_dates_15022008.pdf> (visited on 3.4.2013)). [↑](#footnote-ref-30)
31. See footnote 29, para. 63. [↑](#footnote-ref-31)
32. Compliance (Compliance Committee Case of the Aarhus Convention) with regard to France, ECE/MP.PP/C.1/ 2009/4/Add.1, para. 44 (taken from the Aarhus Draft Recommendations, see footnote 29). [↑](#footnote-ref-32)
33. Proposal for a Directive amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment, COM (2012) 628 final, 26.10.2012, p. 17 (available at: <http://ec.europa.eu/environment/eia/pdf/COM-2012-628.pdf> (visited on 16.3.13)). [↑](#footnote-ref-33)
34. See footnote 22, p. 34 ff. [↑](#footnote-ref-34)
35. UNECE, Report of the Task Force on Public Participation in Decision-making on Its Second Meeting, ECE/MP.PP/WG.1/2012/4, 2012, para. 28 (see here: <http://www.unece.org/fileadmin/DAM/env/pp/wgp/WGP-15/ece.mp.pp.wg.1.2012.4.eng.pdf> (visited on 3.2.13)). [↑](#footnote-ref-35)
36. Article 6.2 (3) of the Protocol stipulates that Parties “…shall ensure that due account is taken of the outcome of the public participation”. [↑](#footnote-ref-36)
37. Austrian Council of Ministers, Standards of Public Participation, 2008, p. 13 (available at: <http://www.unece.org/env/pp/ppeg/Austria_pp_standards.pdf> (visited on 4.4.13)). Taken from UNECE, The Aarhus Convention: An Implementation Guide, second edition, 2013, p. 159. [↑](#footnote-ref-37)
38. in charge of coordinating the public participation process under the Ukrainian-Norwegian project [↑](#footnote-ref-38)
39. See footnote 29, para. 120. [↑](#footnote-ref-39)
40. See footnote 29, para. 63. [↑](#footnote-ref-40)
41. See footnote 23, p. 17 ff. [↑](#footnote-ref-41)
42. Mentioned at the second workshop on reporting under the Protocol in Geneva in February 2013 (cf. http://www.unece.org/env/water/meetings/second\_reporting\_workshop.html) [↑](#footnote-ref-42)
43. Convention on the Protection and Use of Transboundary Watercourses and International Lakes (text available at: <http://www.unece.org/fileadmin/DAM/env/water/pdf/watercon.pdf> ). [↑](#footnote-ref-43)
44. Taken from the Guide to Implementing the Water Convention (available at: <http://www.unece.org/fileadmin/DAM/env/documents/2009/Wat/mp_wat/ECE_mp.wat_2009_L2_%20E.pdf> (visited on 16.5.13)). [↑](#footnote-ref-44)
45. Text available at: <http://www.icpdr.org/main/icpdr/danube-river-protection-convention> . [↑](#footnote-ref-45)
46. UNECE/WHO-EUR, Guidelines on Communications from the Public (see:[http://www.unece.org/ fileadmin/DAM/env/water/meetings/CC/Guidlines\_on\_communication.doc](http://www.unece.org/%20fileadmin/DAM/env/water/meetings/CC/Guidlines_on_communication.doc) (visited on 4.4.2013)). [↑](#footnote-ref-46)
47. See also here: <http://www.unece.org/fileadmin/DAM/env/water/documents/Protocol_on_Water_and_Health-English.pdf> . [↑](#footnote-ref-47)
48. See footnote 3. [↑](#footnote-ref-48)
49. See footnote 29. [↑](#footnote-ref-49)
50. United States Environment Protection Agency, Public Participation Guide (see here: <http://www.epa.gov/international/public-participation-guide/Tools/index.html> (visited on 25.8.2012)). [↑](#footnote-ref-50)
51. International Association Public Participation, Public Participation Toolbox, 2006, p. 9 (see here: <http://www.healthissuescentre.org.au/documents/items/2010/05/318999-upload-00001.pdf> (visited on 4.4.13)). [↑](#footnote-ref-51)
52. See footnote 51, p. 1. [↑](#footnote-ref-52)
53. See footnote 51, p. 2. [↑](#footnote-ref-53)
54. See footnote 51, p. 11. [↑](#footnote-ref-54)
55. Jac A.M. Vennix, Group Model-Building in System Dynamics Vol. 2, 1996, p.1. [↑](#footnote-ref-55)
56. See footnote 51, p. 2. [↑](#footnote-ref-56)
57. See footnote 51, p. 7. [↑](#footnote-ref-57)
58. Webster’s Online Dictionary and footnote 51, p.13. [↑](#footnote-ref-58)
59. WWF, Cross-cutting Tool, Stakeholder Analysis, October 2005. [↑](#footnote-ref-59)
60. See footnote 51, p. 15. [↑](#footnote-ref-60)