Challenges and added value of public participation: lessons from European Water Policies

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Content

- Approaches to European water policies - Background
- Public Participation in water related decision-making:
  - Rights and opportunities, attitudes
  - Added value: The difference participation makes
- Challenges and lessons for implementation of Public Participation requirements
Approaches to European Water Policies

Background

The EU approach - EU Water Framework Directive (2000/60/EC)

• Common principles and overall framework for action
• Integrated, coherent and harmonized framework for river basin management for:
  • Environmental objectives, water legislation and policy and management
  • All significant management and ecological aspects
  • All water resources, water uses, functions and values
  • Foresees a wide range of measures
  • Involves stakeholders and civil society in decision-making
  • Water management is based on river basin approach and includes also river basins shared among Member States
• In longer perspective, further develop the overall principles and structures for protection and sustainable use of water
• Achieving the “good status” in a defined timeframe (by 2015)
Approaches to European Water Policies

Background

The Water and Health Protocol (in force since August 05)

• Protection of human health and well being by better water management, including the protection of water ecosystems, and by preventing, controlling and reducing water-related diseases

• Adequate supply of safe drinking water and adequate sanitation for everyone, effective protection of water used as a source of drinking water

• Obligation to establish national and local targets for: the quality of drinking water, quality of discharges, performance of water supply and waste-water treatment and to reduce outbreaks and the incidence of water-related diseases
Approaches to European Water Policies

Background

The Water and Health Protocol (in force since August 2005)

- Close linkages between human rights, health, environmental protection and sustainable development
- Access to information and public participation in decision-making and access to justice in environment and health is an important principle
- Requires public participation in target setting and their revision
- Compliance mechanism – access by public
- A legally binding instrument for the UNECE region, bridging EU and other European countries to achieve the same policy goals
Public Participation in water related decision-making

- Public participation in decision-making related to water issues accepted as a basic principle and right in Europe

- Right based approach:
  - Opportunities and rights for the public to influence the decision-making process and the outcome from an early stage
    - Aarhus Convention, related national and EU legislation

- Pragmatic approach:
  - Focusing on practical approaches of stakeholder involvement/public participation facilitating and influencing decision-making

- Types of decision-making: decision-making on specific activities, policies, planning and legislation

- Also governed by other relevant international agreements, EU and national legislation including the Espoo Convention, the Protocol on Strategic Environmental Assessment (SEA)
OLD vs. NEW PP Approach

Experts Decide - stakeholders react

- Start
- Decide
- Announce
- Defend
- Try to secure agreement
- If there is no agreement impose or abandon

Collaborative/consensus building processes

- Prepare
- Decide together
- Secure agreement
- Implement
- Better future for wildlife and people
## Swift in Attitude

<table>
<thead>
<tr>
<th>They are the problem</th>
<th>We are all part of the problem</th>
</tr>
</thead>
<tbody>
<tr>
<td>They are a drain on resources and get in the way</td>
<td>They are an asset and we need to work together</td>
</tr>
<tr>
<td>Focus on science or technical knowledge</td>
<td>Many forms of knowledge needed and used</td>
</tr>
<tr>
<td>Telling others what to do</td>
<td>Listening with an open mind</td>
</tr>
<tr>
<td>Push others to change</td>
<td>Works with others to agree change</td>
</tr>
<tr>
<td>Formal approaches</td>
<td>Informal approaches</td>
</tr>
<tr>
<td>Our ideas</td>
<td>The best ideas</td>
</tr>
<tr>
<td>Experts</td>
<td>Partners</td>
</tr>
</tbody>
</table>
Added value: The difference participation makes

- Well informed decisions
- Lasting change
- Ownership
- Real problems addressed
- Avoiding or managing conflict
- Reduced Costs
- Changed relationships
- Improved reputation
- Mutual learning
- Good social capital for next challenge
Challenges and lessons for implementation of Public Participation requirements

- Proper national legislation in place including laws and regulations, clear and detailed procedures
- Practical mechanisms for implementation
  - Clear roles and responsibilities
  - Guidance materials and other aides
  - Cooperation and coordination among authorities and institutions
  - Integration and coordination of information flow
  - Specific centres/units to facilitate public access for information
  - Facilitating public involvement
    - Specifically trained officials
    - Mechanisms for regular consultation e.g. councils, forums, advisory or working groups with public/NGO/stakeholder representation
Challenges and lessons for implementation of Public Participation requirements

Planning effective public/stakeholder involvement

• Successful communication and public involvement is ongoing process, not a one-time event
• Setting steps to go through to achieve the ultimate goal
• Early planning of ways to communicate and involve the public or intended audience
  • Understanding the situation, planning and designing the process: Preparing/discussing a public participation plan
    • Decision-making process – for different phases
    • Target groups to reach
    • PP, information and communication activities
    • Channels to reach out to target groups
    • Timing
    • Human, financial and time resources
Challenges and lessons for implementation of Public Participation requirements

- Differing practices across countries and within countries
- Good practice examples and mechanisms, partnerships exist
  - Regular and ad hoc consultative bodies for NGO/stakeholder involvement
  - Draft documents are put on web for comments
  - Active invitation of interested NGOs and space for open process
  - Ministries, agencies establish departments or units responsible for relations with the NGOs and stakeholders
  - NGOs organized to participate and provide feedback, comments
  - Nomination/delegation of NGOs and stakeholder representatives to decision-making and consultative bodies – electing/selecting own representatives
Challenges and lessons for implementation of Public Participation requirements

• Developing institutions - institutional support and capacity
  • Capacity building for officials, NGOs and other stakeholders
  • Developing and sharing good practices
  • Providing assistance in methodologies and techniques

• Resources for supporting access to information and public participation (human, technical, financial)

• Regional, national and local level coordination and cooperation to support implementation of public participation (ICPDR Public Participation Expert Group and a network of officials and NGOs, EU WFD Implementation Support)
Thank you for the attention!

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