Governance in the Water Framework Directive: lessons from TRAP

SUMMARY

This paper has been prepared to explore the implications of governance for the Water Framework Directive, drawing from the Interreg 4c TRAP project. Governance is concerned with the mechanisms for implementation of government policy so the challenge of interactive governance for the river basin management plans is obviously significant. Case studies from the Rivers Trust in the UK and the OUKA (Oulu-Kajaani) river corridor in Finland provide important lessons, the Rivers Trusts are grassroots, bottom-up organisations that undertake action on the ground to protect freshwaters and manage their catchments. OUKA is a regional development zone to address economic development and environmental protection needs. The paper concludes that local-regional networks have an important contribution to make to governance for the Water Framework Directive but that care must be taken in the design of the right structures for these networks. Key issues are active common purpose and effective contributions from constituent members.

INTRODUCTION

The issue of water governance

Water governance refers to the decisions and supporting arrangements that help to achieve long term sustainability of the water resource; it is about the processes and framework which enable decision-makers and stakeholders to manage a resource. Governance, essentially, is a complementary tool to government, distinguishing between constitutionally-compelled requirements (government) and the mechanisms for their implementation (governance).1

In the EU, water is managed through the Water Framework Directive (WFD- 2000/60/EC), introduced in 2000 and revised in 2009. The overriding objective of the WFD was that all of Europe’s waterbodies achieve good status by 2015. To this end, the WFD introduced innovative elements2 into water policy, repealing


2 WATER FRAMEWORK DIRECTIVE CIS
several existing European Directives, and, most importantly, setting clear objectives and deadlines for achieving these objectives in all EU scale. The original WFD included:

- River Basin Management on a European-wide scale;
- Cross border co-operation in water management between all countries and all involved parties;
- Pollution prevention and control on the basis of a combined approach;
- Public participation in water management,
- Economic analysis of water use.

Figure 1 map of the national river basins in the EU

The WFD institutionalises river basin management across the EU, requiring water management plans, programmes of measures and environmental quality objectives to be pursued on the scale of entire river basins, and actively invites its implementation through governance schemes. Article 14 of the WFD requires that governments should encourage active involvement of interested parties in the implementation of the Directive, and obliges them to allow for public information and consultation in the development of River Basin Management Plans. A second EEB report on EU Water Policy 4. In fact, the WFD reflects the transformation of EU environmental policy from an intergovernmental treaty which made no mention whatsoever of the environment to a far-reaching multi-level environmental governance system in which policy-making powers are shared between actors at different levels - supranational, national and sub-national.

3 EU River Basin Districts-2012

5 Jordan, A., 1998. The politics of multilevel environmental governance system: European Union Environmental Policy at 25. The Centre for Social and Economic Research on the Global Environment (CSERGE) Working Paper PA 98-01, ISSN 0967-8875: At its founding in 1957, the EEC had no environmental policy. In fact, the environment was not even mentioned in the Treaty of Rome, which set down in Article 2 the promotion of “a harmonious development of economic activities” as the primary objective of integration. At the time, there was no formal recognition that there might be environmental limits to growth.

606R4 TRAP project project Component 2 2nd Newsletter, PP3 & PP1: Forms of water governance and what we learn from TRAP
By orienting water management around river basins the EU through the WFD hopes to encourage a more holistic and territorially integrated approach to solving water-related problems. The WFD environmenta quality objectives target point sources of pollution, diffuse sources of pollution, and the geomorphological and biological status of rivers and lakes. Given past improvements in reducing point sources of pollution by building or upgrading sewage treatment systems, the emphasis of water protection measures in the Member States in future will be on minimising diffuse source pollution from agriculture and site contamination and restoring or rehabilitating rivers, river banks and floodplains to a more natural status. The focus is, in other words, on ensuring the good status of eco-system services, i.e. the services provided by ecosystems and their components: water, soil, nutrients and organisms. It is these objectives which will challenge many existing land-use practices, especially those determined by agricultural production, urban development and spatial planning.

Researchers note that achieving the objectives within the deadlines set by the WFD “requires a degree of cooperation and negotiation with other policy fields very unfamiliar to water managers in many Member States. What forms this should take is left essentially to the individual Member States to decide, in accordance with the subsidiarity principle. Most experts are agreed, though, that meeting the letter and spirit of the WFD will require interactive governance.

The WFD has been considered for a long time as one of the most innovative policy instruments available. The innovative aspects relate to the type of activities the WFD covers, the type of consensus it relies on for its implementation, and the type of solutions it leads to. It is, to put it briefly (but maybe not exhaustively), a product→ process→ product innovation. As a product innovation in the first step, the WFD addresses water basins, i.e. areas that go beyond legislated administrative borders within and between countries. To implement the WFD implies that transboundary (national and otherwise) formal or informal cooperation and negotiation with other policy fields very unfamiliar to water managers in many Member States. What forms this should take is left essentially to the individual Member States to decide, in accordance with the subsidiarity principle. Most experts are agreed, though, that meeting the letter and spirit of the WFD will require interactive governance.

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7 Eco system services are a very strong focal point of sustainable development and there is very extensive literature on the case., some useful links: http://www.wri.org/project/mainstreaming-ecosystem-services/about, http://www.ecosystemservices.org.uk ("Government policies for protecting the natural environment are not sufficiently integrated to provide a sustainable future. If we are to achieve sustainable patterns of economic and social development a different approach to policy development and implementation for environmental goods and services needs to be adopted. The United Nations 'Millennium Ecosystem Assessment', not only recognised the multiple benefits that ecological systems provide but also highlighted that policy and planning decisions must take into account an ecosystems approach (EA) to be truly sustainable. … Therefore, ecosystem services are the processes by which the environment produces resources utilised by humans such as clean air, water, food and materials. Ecosystem services can be defined in various ways. The Millennium Ecosystem Assessment provided the most comprehensive assessment of the state of the global environment to date; it classified ecosystem services as follows: Supporting services: The services that are necessary for the production of all other ecosystem services including soil formation, photosynthesis, primary production, nutrient cycling and water cycling. Provisioning services: The products obtained from ecosystems, including food, fibre, fuel, genetic resources, biochemicals, natural medicines, pharmaceuticals, ornamental resources and fresh water; Regulating services: The benefits obtained from the regulation of ecosystem processes, including air quality regulation, climate regulation, water regulation, erosion regulation, water purification, disease regulation, pest regulation, pollination, natural hazard regulation; Cultural services: The non-material benefits people obtain from ecosystems through spiritual enrichment, cognitive development, reflection, recreation and aesthetic experiences – thereby taking account of landscape values.


10 This is a simple way of summarising main types of innovation within the WFD, based on the classification of the Oslo manual (Oslo Manual, GUIDELINES FOR COLLECTING AND INTERPRETING INNOVATION DATA, The Measurement of Scientific and Technological Activities; 3rd edition, joint publication OECD and EUROSTAT, 2005): i) Introduction of new products (product innovation); ii) Introduction of new methods of production (process innovation); iii) Opening of new markets; iv) Development of new sources of supply for raw materials or other inputs; v) Creation of new market structures in an industry.
(but functional) cooperation schemes function well. This is already a process innovation in governance. In fact, the WFD explicitly admits that importance of public participation indicated by “a shift from government to governance and, in organisational terms, illustrated in the rising influence of un-elected bodies, which are, in the broadest sense, non-governmental (private firms and their representative associations, quangos, civil society bodies and other lobbying groups). The statutory incorporation of public participation into the production of individual river basin management plans (WFD Article 14) illustrates the extent to which this shift is currently being codified in legislation” 11. Finally, to successfully address transboundary river basin issues and effectively practice corresponding governance intermediaries and new (trans-boundary, inter-regional, inter-county...) government type of instruments (for short: areas of cooperation) have been set up by various member states in the EU, which could be considered like new governance and government type of ‘products’.

Still, today, thirteen (13) years after the WFD was initially introduced, and in spite of the clear mandates of water management intermediaries and / or areas of cooperation government, maturity of WFD implementation is not a given. “The full potential of the governance transformation for improved management of water resources and services is yet to be fully realized”(Trop, 2007)12, and special skills are needed for that. Moreover, legitimate but conflicting interests of the various interest groups, and regions’ and municipalities’ adapting to ‘areas of cooperation’ types of government where needed, require time. Yet another parameter may be time, not only time aquire skills and adapt to the WFD, but time-frame as a parameter that may be intrinsically different in different processes, and therefore hard to align. As Eshuis and van Buuren (2012) argue, ‘water governance, under the provisions of the WFD is an adaptive process. As such, it is sensitive to the different time frames that are essentially characterising different stakeholder groups’ priorities. The research analyses two Dutch cases of attempts to innovate water governance and make it more adaptive to climate change in the region Haaglanden. “In those cases public and private actors try to combine water retention and spatial development. In both cases the private actors’ time-frames are driven by market impulses. This interferes with timeframes of governmental organizations. But also between and within public organizations time frames differ. Project managers try to steer the governance of adaptation by managing time, trying to fix deadlines, synchronizing different timelines or imposing their time horizon on the process”13. Thus, to understand and try to align the time frame of different activities, is crucial in the governance of adaptation. “All water professionals have to get aboard in finding adaptation strategies that address all the interests involved. The ladders represent the long-term adaptation strategy, and their rungs are integral plans and measures that connect different disciplines”14, Figure 1.

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Water governance in the TRAP project

When TRAP was planned, addressing water governance issues appeared to be one of the important aspects of any effort ensuring proper implementation of the Water Framework Directive (WFD) and Article 13 the River Basin Management Plans. The direction in TRAP river basin governance and government discussion has two priorities: socio-economic trade offs to align river basin protection with growth and income (which in turn can finance protection) and consensus building tools.

The good practice discussion and interregional exchange within the first 3 semesters of the TRAP project\(^\text{15}\) confirm, very straightforwardly, not only the evident importance of governance as a good practice theme when it comes to river basin management, but also the key pressure- (and therefore conflict-generation) themes quoted above (agri-cultural production, urban development, spatial planning). The project practice revealed that TRAP partners share a very strong interest in water governance solutions. In particular, project partners are interested in those non-hierarchical, cross-county or even cross-border and multi-stakeholder consensus-building schemes. This includes methodological tools that deal effectively with conflicts arising from forms of land use. Also significant are measures relevant to maintaining and improving the quality of rivers, lakes and groundwater resources.

We have identified three types of good practices in TRAP that form the Governance theme good practice base of discussion within the project: first of all, in the Netherlands, the provisions of the land-use law through a state-owned land bank is a practical government solution that backs crucial governance decision-making. This tool is included in the Re-meandering of Riverstreambed as both WFD and safety measure in agricultural production area within the law of land reform, (TRAP good practice GP23); secondly it is the Shannon Development matrix (Shannon trade off matrix) that was formulated to serve integrated river basin tourism development (TRAP good practice 5), thirdly it is the form & process of consensus building for river and sub-river basin management proposed by the Rivers Trust institution in the UK (TRAP good

\(^{15}\) TRAP project (1006 R4 TRAP, Interreg IV C), the first three semesters cover the periods: January – June 2012, July – December 2012, January – June 2013.
practice 27), and finally, it is the regional thematic groups and OUKA, involvement and consensus - based decision making (TRAP good practice GP29) from Finland.

Among the TRAP importing partners quite a few have expressed interest in adapting and importing good practices 27 and 29. The following are profiles of the two, each set out in two parts (context and case study), with lessons learnt, transferability and conclusions at the end.

The Rivers Trust, GP27

**Context**

The Rivers Trust movement is active across England, Wales and Northern Ireland with a close working relationship with the Rivers and Fisheries Trusts Scotland (RAFTS). Trusts are active in all of the WFD UK River Basin Districts and collectively the 45 individual trusts across England and Wales encompass more than 85% of WFD designated freshwater bodies.

**Figure 2: UK Rivers Trusts map**

Whilst national regulation introduced by central government plays a central role in environmental protection, it is also necessary to capture the local knowledge and expertise critical to successful action on the ground. In addition it is essential to engage the wider community within the decision-making process (a requirement under Article 14 of the WFD) and address trade-offs between conflicting sectors including between environmental protection and economic growth. Such societal issues require local solutions whereby the wider community comes to a consensus.

**Case study**

The Rivers Trusts provide these functions. They are grassroots, bottom-up organisations that undertake action on the ground to protect freshwaters and manage their catchments. The Trusts also undertake
awareness-raising and education within their catchment communities. The movement has evolved primarily to add a local dimension to the government-led national approach to environmental management. The wider movement is represented by an umbrella body - the Rivers Trust (RT) who engage with central government to both advertise the capacity and capability of the movement and also to influence the implementation of legislation, including WFD. Two-way communication between RT and its individual Trusts is ensured through several processes including email, eNewsletters, dedicated workshops, an annual conference and an annual general meeting. Each Trust is a charity and registered with the UK Charity Commission. As a result, they must operate within the ‘wider public benefit’ and hold organisational aims and objectives that reflect this. In addition each Trust must be independent and transparent, enabling full access to all environmental and financial reporting including audits. As charities the Trusts are afforded tax advantages by government under UK law and are able to bid for funds where the wider public interest is a required outcome, or – in the case of a number of grant-giving Trusts - where only charities are eligible to apply for funding. Each Trust has an unpaid board of directors or trustees who help guide the direction of the organisation. Each Trust also has a CEO and, typically, a number of full-time employees. The most recently formed Trusts may begin life with 2 or 3 volunteers until such time as funds become available to expand and employ a full-time project officer and finance officer. The more established Trusts employ more than 30 full-time employees, including those with masters and PhD qualifications. Membership of the Trusts is open to all. All Trusts have a large volunteer base that make a significant contribution to certain actions such as addressing invasive non-native species.

All Trusts raise core funds from their local communities including anglers, riparian owners and the general public. Some Trusts run community days open to the wider public offering e.g. riverbank activities and food and drink etc, using the days to raise funds and gain more volunteers. The Trusts also draw on funds from central government and its agencies, for example, to support WFD implementation through catchment management. Trusts also bid for funding through grant-giving trusts and the UK Heritage Lottery Funds. The larger Trusts also bid for European Commission funding via Interreg and LIFE+. In some cases corporate funders contribute. Whilst the movement has grown considerably over the last decade, securing the next 2 to 3 years-worth of funding remains a constant challenge.

The Rivers Trusts do not have any hard regulatory power. They do, however, have a considerable ‘soft’ influencing power built through a steady recognition by government and other stakeholders of the success of numerous RT projects – often in partnership with others – in terms of positive cost-effective environmental outcomes. The Trusts operate through permission and consent and are not campaigning or pressure groups. This important element has been a key factor in the growth of the movement as it is seen as an ‘honest middle man’. For example, the Trusts have a good relationship with their local farming communities, supporting them in establishing a more sustainable and efficient means of farming, identifying also the source of potential agri-environmental funds to achieve this. In this respect the Rivers Trusts fill an important niche and one that the government (through the Environment Agency in England) cannot since it is the regulator and enforcer. Whilst Rivers Trust do not have hard regulatory power, their work is given legitimacy through their relationship with government and its agencies who invite Trusts to contribute to policy at all levels and use them extensively for input to consultation documents. In addition, Trusts lead on catchment stakeholder action to support WFD implementation.

Rivers Trust undertake various aspects of catchment management including; engagement with farmers to embed measures that lead to more sustainable farming, this includes acting as a broker between water companies and the farmer in a paid ecosystem services approach; soft engineering solutions to reducing flood risk; riparian planting and stock exclusion to improve water quality. Also with respect to catchment management, Trusts lead catchment stakeholder groups who are tasked with prioritising and carrying out action to support WFD. These stakeholder groups include a wide range of NGOs, water companies and
government agencies – the latter supporting the legitimacy of the process. Trusts also undertake river restoration work – to improve the natural riverine habitat and flow regime and also address fish migration, removing obsolete weirs etc. Trusts also control invasive non-native plant and animal species. Increasingly Trusts also engage in heritage related projects, integrating the protection of natural heritage with that of the built and historical heritage of the river.

Rivers Trust can add particular value where central government does not wish or is not required to resolve all decision-making with respect to catchment management. i.e. where a bottom up approach is likely to be encouraged or at least not prevented from growing. This may be especially appropriate where national or regional charitable trusts are generally strong already, regardless of sector.

The Rivers Trust movement collectively employs more than 150 technical specialists nationwide. Its work has led to quantifiable – in WFD terms - improvements in water quality and hydromorphological status, and improved fish migration. Work has also led to reductions in flood risk and controlled or eradicated freshwater invasive non-native species. In addition, protection of river heritage has been secured in certain locations.

**Oulu - Kajaani good practice**

**OUKA, GP29**

OUKA is the Oulu - Kajaani development corridor good practice with a length of 300km (Figure 3). It spans two Finnish regions (Northern Ostrobothnia and Kainuu) and it is also trans-boundary, starting from Kostomuksha in Russia, and approximately reflects the Oulu river basin (Figure 4)

The corridor links strong cargo train centres, from Kostomuksha -to Kajaani- to Oulu harbour and, while it “repeats” a historical commercial route (the Tar route, now a cultural route), in today’s terms it is much more than that, dealing with water basin protection and aspiring to be a development zone in its own right.

**Figure 3 Oulu-Kajaani development zone corridor**

**CONTEXT**

Regional development zones (RDZ) are not a novel phenomenon in Finland, they started appearing in the 1980s, and now, according to the most recent development plans of Regional Councils and the national
spatial development vision for Finland for 2030, approximately a dozen RDZs in Finland can be identified\textsuperscript{16}. OUKA is one of them. According to research\textsuperscript{17}, OUKA is in stabilisation stage.

Moreover, RDZs are already institutionalised spatial and economic development planning tools, visible in regional plans outlining the regions’ development until 2025 or 2030 (Joint Authority of Kainuu region 2005-OUKA; Regional Council of Lapland 2009; Council of Oulu Region 2010-OUKA; Regional Council of Central Finland 2010)\textsuperscript{18}.

\textbf{Figure 4} River basins of Finland, number 4 is Oulu river basin, also reflected in OUKA (source of the map: Finnish Ministry of Environment http://www.ymparisto.fi/default.asp?contentid=66869).

Finally, there is a national level consensus regarding RDZs and a tradition of functional regionalisation. Finland’s Regional Development Strategy 2020 (page 132), for example, states that “The emphasis on scale advantages in economic development leads to regions trying to acquire them by networking and specialising. Cities combine their resources and increase joint activities. This change has been reflected in regionalisation, various development zones, ‘twin city’ projects, and improvement of internal connections in urban regions. … The regional structure favours areas that are able to utilise network relations and regional co-operation in their development”.

\textsuperscript{16} Helka Moilanen, 2012 Regional development zones in spatial development in Finland: Governing spatial development through new territorial frames; University of Turku 2012.

\textsuperscript{17} Jauhiainen, Jussi S., Susanna Harvio, Juho Luukkonen & Helka Moilanen (2007). Regional development zones in Finland: territorial cohesion and competitiveness. Fennia 185: 1, pp. 31–47. Helsinki. ISSN 0015-0010. Page 9, and page 16-17 (Moreover (same research document) “Compared to loosely spatially-binding thematic networks or passive transport corridors, actively intertwined RDZs have spatial proximity that enhances social capital and commitment needed for cohesion and competitiveness. Applied appropriately, they also deepen territorial cohesion and trust needed to form an efficient regional innovation system. This way RDZs become an efficient, targeted policy instruments that use geographical proximity for co-operation, specialisation and new division of labour and tackle down some disadvantages of spatial and aspatial peripheries. … As discussed above, the governance of many Finnish RDZs is challenging because the zones cross many sectoral, administrative and territorial borders. Intraregional consensus, proactive national, strategic regional planning and quality and quantity of participants are important in developing RDZs. RDZ activities must be open to people and enterprises to justify RDZs as tools bringing more social justice and territorial cohesion into regional development. Endogenous development and the inhabitants’ and key economy actors’ belongingness to the RDZ are also necessary for that purpose.”)

\textsuperscript{18} Helka Moilanen, 2012 Regional development zones in spatial development in Finland: Governing spatial development through new territorial frames; University of Turku 2012., page 86
The OUKA\textsuperscript{19} case

OUKA, as a RDZ, builds on historical routes, but expands their significance into economic, environmental and infrastructural development. Formal work started in 2001, but discussions go back as early as 1993 (with Arkangelsk, RU). The objective of these discussions has been to set up a regional development zone (RDZ) to address economic development and environmental (namely water) protection needs, linking Kostomuksha (RU) to Oulu (FI) through Kajaani (FI).

It is useful to note here that, while OUKA is facilitated by historical ties, it is nevertheless an operational response to fully evidenced and politically-supported development priorities. As such it is aligned both with the national and the EU regional development policies. Just an example, OUKA serves the Oulu-Kajaani-Arkangel transport and exchange connection, and the EU Northern Axis / N.E.W / Barents Link. So, in simple terms, while OUKA is, spatially, a development zone, it is also institutionally a development partnership, based on an institutionalised structure. OUKA corridor also reflects the Oulu river basin.

OUKA key activities include (1) Management: the set-up of the new association by the zone-participating regions; (2) RDZ content definition: 3 Consecutive coordination projects; (3) Implementation: Business exchange and cargo through developed train infrastructure, links Barents / Murmansk to Finland, and the Baltic (Bothnian corridor); Terva cultural route; Fresh water (Oulu river) rehabilitation projects.

The set-up and first period of operation of OUKA required some 3+6 years, between 2001 – 2010. This is further distinguished into two main time periods:

- **OUKA stage1**: 2001 -2004 and 2004 – 2007: Preliminary planning for 2001-2004, 2004-2007 development project letter of intent MoU signed by 9 municipalities, a co-ordination project with 12 sub-projects; total cost 1 000 000€, two Regional Councils.

- **OUKA stage2**: 2007 – 2010 Signing of the Partnership Agreement 8 municipalities, 1 coordination project with subprojects, financing decision for 2007-2008 of 217 000€, financing decision for 2009 -2010 of 237 000€.

  Key objectives 2007-2010: (a) master plan production (formulation of the development zone model), (b) OUKA visibility and awareness-raising, (c) development of skills for prioritised activities within the zone such as well-being, the environment and tourism; (d) increase of the attractiveness of the Oulujoki (Oulu river) area; (e) promotion and development of international transport.

  **Summary of key activities implemented 2007-2010**: Signing of the Partnership Agreement, Production of Master Plan, Production of Activity and Funding Programming (Regional Councils and Structural Funds of Northern and Eastern Finland), development projects implemented in parallel, dissemination and networking, interregional research, training and the promotion of cooperation in the development.

\footnotesize{19 http://www.ouka2010.fi}
• **OUKA stage3**\(^{20}\): 2010 (1.11.2010) – 2013 (31.10.2013): An updated programme was prepared which includes a SWOT and a vision to 2020. The programme is jointly supported (as before) by the two Regional Councils of Northern Ostrobothnia and of Kainuu. On the positive side outcomes include the tourism development in Sotkamo (Kainuu), the growth of mining activities within the zone, the linking of geoparks to tourism and the strengthening of transport connections to the area. The biggest challenge is acknowledged to be the population ageing and the population reduction in the area. Other challenges, such as the closure of the paper industry in Kainuu in 2008 and the relocation of ICT from Oulu to lower-labour-cost countries, are addressed through new development schemes and partnerships. The 2020 OUKA vision focuses on business development, attraction of qualified labour, well-being and quality of life (including high quality ecosystem services), environment and tourism-related entrepreneurship and skills. The zone continues through Vartius to the Arkhangelsk region as an international transport corridor and development zone. Further development of the zone will be based on this well-established cooperation, together with nature and culture resources combined with the opportunities created by improved transport.

**Lessons learnt, transferability, conclusions**

*The Rivers Trust & Ouka approaches side-by-side*

The Rivers Trust good practice brings up three transferable issues.

They are very much a “bottom up” technique: the original initiative arises from local effort out of the community and the private sector. In this way Rivers Trusts are closely relevant to the individual circumstances of their areas. Because of this local character, Rivers Trusts are multi-dimensional and they can participate in many aspects of river territory management: education, stakeholder engagement, environmental improvement, river restoration and awareness-raising. Because of their informal character, Rivers Trusts have thus a potential flexibility to adapt to new circumstances and trends, perhaps more responsive than some formal organisations.

But Rivers Trusts are not individually isolated or fragmented. They are part of a national network within a common framework of objectives and strategies. Protection of freshwater and catchment management are central goals of all Trusts so they share a common language and ‘modus operandi’. This gives them the capacity to act collectively and make inputs to national policies. An additional benefit is that, through their national network, they can also access international cooperation.

While Rivers Trusts are highly informal, they do have a structured legal existence. They act officially within the framework of national trust legislation so they can access finance and engage in legal partnerships with public bodies. As legal bodies they can also benefit from taxation advantages with the official recognition of their role as voluntary bodies. This combination of formal legal existence with inclusive local informality is a specially valuable aspect of the Rivers Trust.

For OUKA, what is important, ‘what works’ as well as ‘what is transferable and works’ is we feel:

Key point (1) The strong commitment of the two Regional Councils (Northern Ostrobothnia and Kainuu).

Key point (2) The RDZ as an independent development association, with a clear mandate, budget and action plan, accountable to the financiers and all those who signed the OUKA partnership agreement. In this context, particularly important is the assignment of the RDZ coordination activities to 1-2 qualified persons that are working as OUKA’s employees.

Key point (3) The well-evidenced needs approach, which ensures that the cross-boundary partnership is (a) a response to needs and opportunities, (b) aligned with national level policies, and (c) aligned with EC-level policies.

Key point (4) The systematic, step-by-step approach for building up the extended partnership, through a staged MoU and finally a formally signed Partnership Agreement.

Key point (5) The explicit and clear linking of the RDZ to master planning, activity programming, funding, key objectives, development projects and their implementation, and the ex-post evaluation that re-positions the RDZ in state of the art development circumstances.

The fact is that OUKA took a long time to formulate. How could the experience gained from OUKA help steps for similar initiatives in other TRAP partner areas? We feel that, provided Keypoint 1 (effective leadership) is ensured, the MoU, including preliminary programming and master plan outline, are possible within the TRAP project duration.

Different contributions, different profiles, a converging purpose

TRAP case studies based on good practices 27 and 29, discuss river basin management from the point of view of governance (The Rivers Trust) and government (OUKA) intermediaries set up, inter alia, for this purpose. They deal with issues of co-ordination across scales, transposition, participation and appropriation of the WFD at local and regional / transboundary levels. Still today, that is to say 13 years after the introduction of the WFD contribute innovative and hands on approaches of implementing Articles 13 and 14 of the WFD.

However, these good practices, to be more complete, would still need to address in depth the role of expertise in applying the WFD and integration across sectors, to reach a final, “attractice regional growht model”.

Nevertheless, the vivid interest expressed by a number of TRAP partners in GP:s 27 and 29, indicate the importance of their essential contribution to the TRAP partnership and to the cause of integrated river basin management.

The lesson is that considerable care should be taken to designing the right structure for river networks, with legal existence and formal partnership being just two options from the Rivers Trust and OUKA respectively. There may be still other options. But the central lesson is that the right structure is critical for river networks, giving rise to an effective common purpose with active contributions from the constituent members.
References & useful readings

Introduction to the new EU Water Framework Directive, http://ec.europa.eu/environment/water/water-framework/info/intro_en.htm. ‘Public participation: In getting our waters clean, the role of citizens and citizens’ groups will be crucial. There are two main reasons for an extension of public participation. The first is that the decisions on the most appropriate measures to achieve the objectives in the river basin management plan will involve balancing the interests of various groups. The economic analysis requirement is intended to provide a rational basis for this, but it is essential that the process is open to the scrutiny of those who will be affected. The second reason concerns enforceability. The greater the transparency in the establishment of objectives, the imposition of measures, and the reporting of standards, the greater the care Member States will take to implement the legislation in good faith, and the greater the power of the citizens to influence the direction of environmental protection, whether through consultation or, if disagreement persists, through the complaints procedures and the courts. Caring for Europe’s waters will require more involvement of citizens, interested parties, non-governmental organisations (NGOs). To that end the Water Framework Directive will require information and consultation when river basin management plans are established: the river basin management plan must be issued in draft, and the background documentation on which the decisions are based must be made accessible. Furthermore a biannual conference in order to provide for a regular exchange of views and experiences in implementation will be organised. Too often in the past implementation has been left unexamined until it is too late - until Member States are already woefully behind schedule and out of compliance. The Framework Directive, by establishing very early on a network for the exchange of information and experience between water professionals throughout the Community will ensure this does not happen.


Helka Moilanen, 2012 Regional development zones in spatial development in Finland: Governing spatial development through new territorial frames; University of Turku 2012.


OECD, 2010 Public Governance Reviews: Finland Working Together to Sustain Success, © OECD 2010


Water management framework example from Canada: The Canadian Constitution sets out the Provincial government’s role in water management. Water governance is primarily set out in the Water Act, which vests ownership of water resources in
the Crown. Other acts that establish important roles and responsibilities include the Drinking Water Protection Act, Environmental Management Act, Dike Maintenance Act, Fish Protection Act, Water Protection Act, and Forest and Range Practices Act. Provincial decision-makers currently licence and regulate the use of surface water only, and aside from power licenses, water licenses generally do not expire or come up for review. [For example] British Columbia’s water resources vary significantly suggesting that one policy cannot fit all. There is a clear need for flexibility. Enabling legislation means that legal responses can be tailored or “switched” on or off depending on the needs of the region or issue. This helps the legislation adapt quickly to particular issues and climate change adaptation needs. Ways to solve the current hurdles to proactive water management are being sought.


Haseen Khan, Paula Dawe, A. Ali Khan, and Thomas Puestow (2007) INNOVATIVE APPROACHES TO MONITORING FOR TRANSBOUNDARY WATER GOVERNANCE


Michael R. van der Valk and Penelope Keenan (2011) Principles of good governance at different water governance levels, Papers presented at a workshop Netherlands National Commission for UNESCO.
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