



2009

Nile Basin Initiative
*Confidence Building and Stakeholder Involvement (CBSI)
Project
Public Participation Framework.*

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Nile Basin Initiative

Confidence Building and Stakeholder Involvement (CBSI) Project

Public Participation Framework.

EXECUTIVE SUMMARY

Recently, several trends have brought democratic renewal and Public involvement to the forefront of the Public agenda. Organizations, policy-makers, decision-makers, and organizations are now exploring new approaches to involve the Public in democratic decision-making processes. In the Nile Basin Initiative (and the future River Basin Organization) this is a topic of interest given the complexities involved in managing Transboundary Rivers. The purpose of this Framework is to help inform the deliberations of the development process about the role and parameters of Public involvement in policy and decision making in the development and management of the River Nile by the basin countries.

Public involvement

Traditionally, Public involvement has been broadly defined to include all passive and active forms of involvement in decision-making processes. Most recent efforts tend to synthesize and clarify the concept of Public involvement by identifying three main levels of involvement based on the flow of information and interactions between the Public and their government/organization:

- i) public communication;
- ii) public consultation; and
- iii) public participation.

Democratic practice tells us that public involvement can be undertaken for different underlying goals. Indeed, it can be considered as:

- i) an essential element of a successful democracy;
- ii) a means for achieving a specific decision outcome;
- iii) a means for achieving informed, accountable, and legitimate decision-making;
- iv) a means to contribute to a more educated and engaged stakeholders; and
- v) a means to foster trust and reduce conflicts among stakeholders.

However, not everybody is jumping on the Public involvement bandwagon. More often organizations, decision-makers, and public themselves have been apprehensive about participatory models of governance. Despite this, there are a lot of benefits that can accrue from public involvement in development planning and implementation. This is the reason for the recent emergence of many advocates for greater opportunity for Public involvement in policy making and development processes. The need for public participation in a

transboundary river basin management is more critical due to the varied nature of stakeholders.

A typology of Public involvement methods

In the recent past Public involvement methods have increased exponentially in the literature and in practice. We can classify these methods according to the three levels of Public involvement: Public communication (e.g. advertisements, publication of reports, newspaper inserts, press releases, news conferences, or websites); Public consultation (e.g. Public meetings, Public opinion polls, Public hearings, focus groups, referenda, or meetings with stakeholders); and Public participation (e.g. Public juries, stakeholders' panels, consensus conferences, scenario workshops, deliberative polls, or stakeholders' dialogues).

What defines successful Public involvement?

There is no consensus in the literature about the paucity of good quality evidence from research assessing Public involvement process and outcome. Among the most often cited key conditions of successful Public consultation and Public participation are representativeness; independence; early involvement; influencing policy decisions; providing information; resource accessibility; and structured decision-making.

Public involvement in Transboundary waters

In the governance of transboundary water systems, Public involvement plays four major functions:

- i) to improve the quality of information concerning the population's values, needs, and preferences in relations to the shared resource;
- ii) to encourage Public debate over the fundamental direction of the development and utilizations of the resource;
- iii) to ensure Public accountability for the processes within and outcomes of the development initiative on the system; and
- iv) to protect the Public interest in the management of the resource..

Public involvement has been at the heart of the debates over the past years in the organization and governance of the Nile Basin Initiative. A project dedicated to this process has been under implementation over the last five years. Many structures have been adopted at regional, sub-regional and national levels to allow the different "publics" to be involved in decisions affecting the river and its future. In the past Public involvement in the governance of the Nile Basin by the basin States has traditionally oscillated between three groups of actors: i) ministries of water affairs ii) stakeholders; and iii) other service providers in the water sector.

The Public involvement approaches used in the Basin countries is relatively limited if we compare it to all the methods proposed in the Framework. Indeed, water policy and decision-makers in the basin have traditionally relied on conventional methods of Public communication and Public consultation to involve the public: information campaigns, Public hearings, focus groups, referenda, and elections to local or regional boards. Water managers implementing these methods have often encountered several problems: challenges in mobilizing the public; political interference in the process; difficulties in dealing with very short deadlines; complex

and emotional policy issues; lack of resources; and creating expectations that cannot be fulfilled. Recent Public opinion polls conducted by CBSI in 2008 illustrate the desire of Nile Basin Public to participate more actively in the utilization and management of the river system. Over the past five years of CBSI implementation policy-makers, decision-makers, and elected officials have echoed the calls for greater Public accountability and Public participation on the issue of the Nile.

Background

Nile Basin Initiative is a partnership of the countries that share the Nile River Water Resources of Burundi, DR Congo, Egypt, Ethiopia, Kenya, Rwanda, Sudan, Tanzania, and Uganda (Eritrea is an Observer). Formally launched in February 1999 by the Council of Ministers of Water Affairs of the Nile Basin States, the Initiative provides a unique forum for the countries of the Nile to move forward a cooperative process to realize tangible benefits in the Basin and build a solid foundation of trust and confidence. The Initiative pursues a Shared Vision agreed by all the cooperating countries which states:

"To achieve sustainable socio-economic development through the equitable utilization of, and benefit from, the common Nile Basin resources"

To realise the vision NBI works closely with the basin populations to:

- Provide a platform for co-operation and for building working relationships between the basin countries
- Provides an arrangement by which to move forward from discussion to action
- Implements the "Strategic Action Program"

The Nile Basin is administered by the Nile Council of Ministers of Water Affairs (Nile-COM) as the highest decision-making body of the NBI. The Nile-COM is supported by Nile Technical Advisory Committee (Nile-TAC), which is composed of two senior officials from each member country. The NBI maintains a secretariat, the Nile-SEC, located in Entebbe, Uganda. The Secretariat began operations in June 1999 and was officially launched on September 3, 1999 and is headed by an Executive Director appointed by the Nile-COM.

The Nile-COM has agreed on policy guidelines for the NBI and launched a Strategic Action Program to promote real development efforts on the ground. The strategic action program is made up two complementary programs; the basin-wide *Shared Vision Program (SVP)* to build trust and confidence across the basin through collaborative action, exchange of experience, and strengthening of capacity; and the *Subsidiary Action Programs (SAP)* to initiate concrete investments and action on the ground at the sub-basin levels. The programs are reinforcing in nature.

In parallel, NBI is in the process of negotiations on a Cooperative Framework aiming at defining an adequate and acceptable legal framework for co-operation that may pave the way for equitable and legitimate use of the Nile River Basin water resources. The conclusion of the negotiations over the Cooperative Framework is hoped to lead to the establishment of a permanent Nile Basin Institution (Nile Basin Commission) with development and management of the River Nile and its related resources.

Challenges in Managing Transboundary Waters

Water management in transboundary river basins is often a highly complex and contested matter, due to a variety of reasons. First, asymmetries in terms of power positions between different riparian states exist and are played out at the transboundary level.

Second, issues leading to conflicts with regards to water management occurring on local levels are aggravated at higher levels, as here relevant actors are faced with increased uncertainties regarding management options and water management strategies. These uncertainties derive to a large extent from the main challenges in water management – water pollution and scarcity – irrespective of the level at which they occur.

It has been shown over the past years that these problems are by no means static, but occur in inherently complex and dynamic systems, which are increasingly driven by global environmental change, not only influencing water resources management, but rather the earth system as a whole. Important drivers in this context include climate change and population dynamics, as well as economic factors.

While Integrated Water Resources Management (IWRM) has been established as the leading management paradigm for addressing these challenges in water resources management, the success and effectiveness of IWRM is highly contingent on the adaptive capacity of the system itself as well as the implementation of adaptive management practices. Assessing the adaptive capacity of transboundary systems, one would argue that the ability of such complex systems to effectively adapt to changing conditions is constrained due to the following factors:

- aggregate and diverse water management problems,
- multitude of different actors at various governance levels, representing a wide range of stakes to be considered for IWRM,
- lack of trust among riparian countries,
- limited information regarding water status and possible management options.

A solution that addresses at least in part these water management challenges has been the establishment of transboundary water management institutions, most of them river basin commissions, which in the best case create a forum for the interaction of representatives from all riparian countries at the transboundary level. Nile Basin Initiative is one of these arrangements that will eventually translate into a river basin organization (Commission). In most of the developing world, however, these river basin commissions are under-capacitated and severely dependent on support of the donor community. In this context, the question arises of to which extent the broad participation of non-state actors could have a positive impact on policy outcomes in terms of increased adaptive capacity and resilience of water resources management systems at the transboundary level.

The development of this Framework is a guide to the operations of the Nile Basin Initiative and eventually a River Basin Organization when established to reflect on the efforts that have been made in the basin in the area of Public Participation and also look forward on the emerging issues in this area. As Nile Basin Initiative enters into the critical stage of becoming a River

Basin Commission this document will remain useful but will benefit from reviews to keep it a dynamic document.

The challenge of a development pattern striving to harmonize economics with social and environmental needs as outlined in the vision of Nile Basin Initiative requires active citizen participation in its design. Public participation in decisions about development is fundamental to achieving lasting and possible solutions. Emerging modern democratic life in the basin requires an active role from the population and needs participation from members of the community. It should no longer be the case that those who are targeted with development are passive recipients, without the opportunity to interact with the planners. It is time to add the idea of participation to the concept of representative democracy in the interventions of the Nile Basin Initiative.

In world over participation transforms the democratic system, energizing it, by creating a permanent connection between the governed and those who govern. The joint venture permits more reasoned decisions (these being the product of a higher consensus), enables a better understanding of the problems that pre-occupy a society, and allows the two parties to work cooperatively towards possible solutions. Public participation allows development actions to become transparent, effectively avoiding failure/rejection. In order to build a participatory development process, it is necessary to provide citizens with an institutional framework that will allow for effective participation in development issues. This is the aim of this Framework.

Public Participation is supported by numerous international documents that have expressed the importance of public participation and the need to institutionalize it to move towards sustainable development. One of such important documents is the Principle 10 of the Rio Declaration on Environment and Development signed by more than 100 heads of State worldwide (including those of the Nile Basin countries, in Rio de Janeiro in 1992, establishing that:

"Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy shall be provided".

This principle in the Rio Declaration outlines some basic components that must be present in all participatory democracies. Therefore, to participate in an effective way, people must have:

- Access to decision making
- Access to public information

These aspects are fundamental for Public Participation to be successful and meaningful.

INTRODUCTION

Having noted the importance of Public involvement NBI has been implementing a project dedicated to this (**Confidence Building and Public Involvement**) process for the past 5 years, Stakeholder involvement has been at the heart of the debates over the cooperate utilization and management of the Nile. Many structures have been implemented and adopted at the regional, sub-regional and national level to allow Public to be involved in decisions affecting the Nile and its future. The establishment of Social Development and Communication units in all NBI centers has been done to ensure that Public Participation remains important in all NBI interventions.

The demand for greater Public accountability over the issue of the Nile has been echoed by scholars, Public officials, Civil Society Organizations throughout the life of Confidence Building and Stakeholder Involvement Project. This is a reflection on how dear the Public of the basin countries regard the Nile. The success of NBI as an organization and the sustainability of its development initiatives have a bearing to the quality of involvement of the Public within the basin. For this to happen NBI needs a Framework and an environment on which this can take place. This Framework is the contribution of CBSI to facilitate a continuation of this process that has been the core of the project over its years of implementation.

PUBLIC INVOLVEMENT

All the governance of the Nile Basin countries is based on democratic processes. There have been concerted efforts in the governance structures to ensure that all development initiatives in the countries are in line with the aspirations of the citizens. The countries are however at different stages of the democratic ladder. Democracy gives Public the right to choose their representatives and also the right to be involved in decisions that affect their lives. In this context, it is commonly assumed that a democratic decision-making process should inform Public but also heed their values, needs, and preferences.

There is no agreement on a single model of democratic governance globally that would fit all the needs of all the populations in a given country. Indeed, the spectrum of ideal-types of democracies goes from an elitist democracy (i.e. elites are selected to represent and make decisions on behalf of the stakeholders) to a direct democracy (i.e. political power is exercised by Public without representatives acting on their behalf). Universally there has always been a relative tension between the role of elites or elected representatives versus the role of Public in democratic governance. However, recent trends and failures in the past development initiatives have contributed to a renewed interest in a more participatory democracy, i.e. a democracy in which Public are more actively involved in decision-making processes especially on development work.

Since the early 1980s, a new model of participatory democracy in development planning and implementation has attracted a lot of attention in the literature and among development practitioners: deliberative democracy. Deliberative democracy in development refers to democratic governance based on active participation and dialogue, as well as critical analysis and reasoning on the part of the Public on their development aspirations. According to its proponents, this approach has the advantages of incorporating Public values in the decision-making process, reducing conflicts among stakeholders, increasing trust in Public institutions, educating stakeholders, helping the development of a democratic community, and producing decisions that are more likely to be fair and rational.

The emergence of deliberative democracy and the renewed interest in active Public involvement have raised questions about whether it should be seen as an alternative or a supplement to representative democracy. Many Scholars and Practitioners argue that, at minimum, deliberative methods of Public involvement “should be seen as a potential supplement to representative institutions, a way of bringing informed stakeholders’ perspectives into the decision-making process. Experience in the field suggests that deliberative democracy should be seen as a strategy for democratic renewal which could change radically the nature and impact of Public participation. Innovations in participatory approaches do more than simply provide additional means of Public participation they also add new dimensions to the decisions making process by involving different groups and by using different techniques to achieve different objectives.

Public Involvement

An increasing number of concepts have emerged in the Public involvement practice. Researchers and Public involvement practitioners use many different terminologies, referring alternatively to “Public participation,” “Public consultation,” “Public involvement,” “Public communication,” or “Public engagement.” The use of these loosely defined concepts has created a lot of confusion and prohibit rigorous evaluation on the approaches. Base do our experience in implementing CBSI project accroos the basin the understanding and use of these concepts bear the following meanings: .

Different levels of Public involvement

Traditionally, Public involvement has been broadly defined to include all passive and active forms of involvement in decision-making processes. In this Framework, we have also chosen to use the term “Public involvement” generically, that is, to encompass the broad range of approaches for involving the public.

In her seminal article, Sherri Arnstein (1969) developed a typology distinguishing eight levels of Public involvement. Referred to as the “ladder of Public participation,” this typology illustrates that Public involvement can greatly vary depending on the role and power of Public in the decision-making process (Figure 1).

Deliberative democracy

Deliberative democracy should be seen as a strategy for democratic renewal which could change radically the nature and impact of public participation.

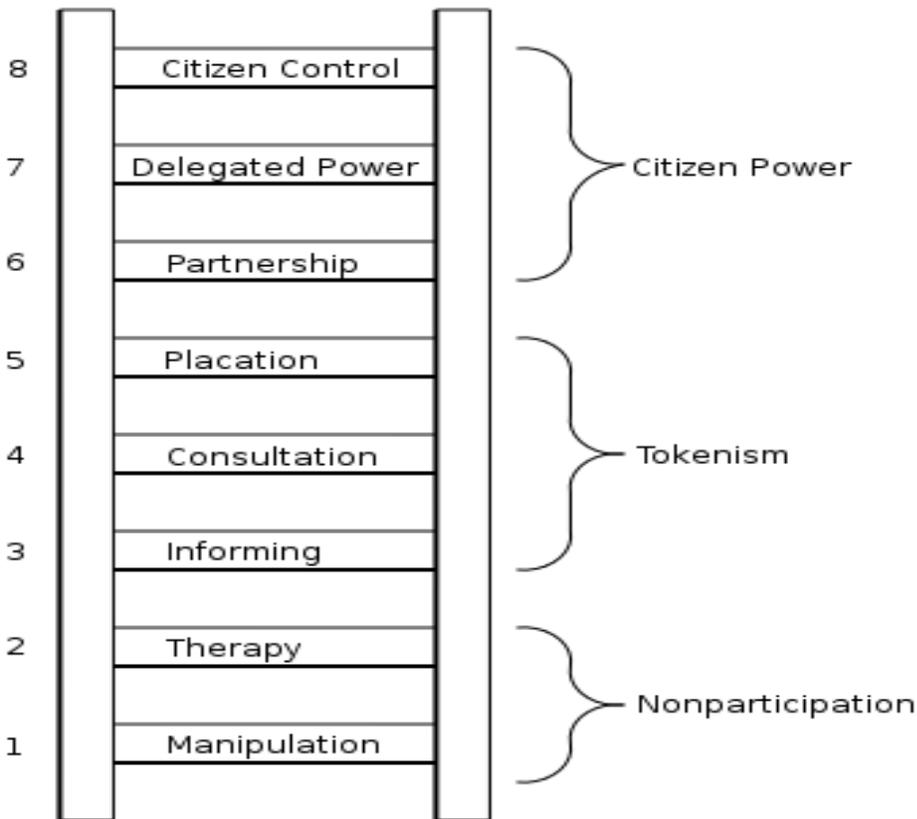


Figure 2 Arsteins Ladder of Public Participation

The ladder illustrates the stages through which a participatory process may take in the development process.

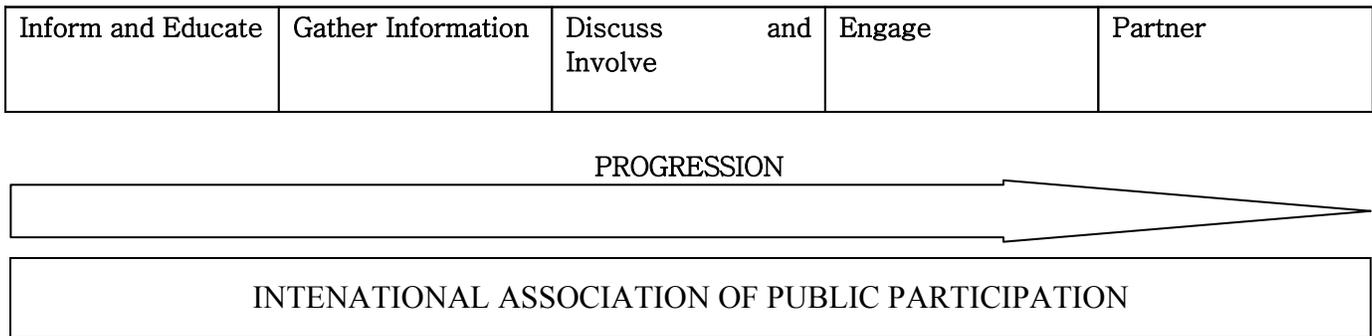
- The bottom rungs of the ladder are (1) Manipulation and (2) Therapy. These two rungs describe levels of "non-participation" that have been contrived by some to substitute for genuine participation. Their real objective is not to enable people to participate in planning or conducting programs, but to enable power-holders to "educate" or "lure" the participants.
- Rungs 3 and 4 progress to levels of "tokenism" that allow the have-nots to hear and to have a voice: (3) Informing and (4) Consultation. When they are proffered by power holders as the total extent of participation, Public may indeed hear and be heard. But under these conditions they lack the power to insure that their views will be heeded by the powerful. When participation is restricted to these levels, there is no follow-through, no "muscle," hence no assurance of changing the status quo.
- Rung (5) Placation is simply a higher level tokenism because the ground rules allow have-nots to advice, but retain for the power holders the continued right to decide. Further up the ladder are levels of Public power with increasing degrees of decision-making clout. Public can enter into a (6) Partnership that enables them to negotiate and engage in trade-offs with traditional power-holders.

- At the topmost rungs, (7) Delegated Power and (8) Public Control, have-not Public obtain the majority of decision-making seats, or full managerial power.

Obviously, the eight-rung ladder is a simplification, but it helps to illustrate the point that so many have missed – that there are significant gradations of Public participation. Knowing these gradations makes it possible to cut through the hyperbole to understand the increasingly strident demands for participation from the have-nots as well as the gamut of confusing responses from the power-holders.

In practice the steps on the ladder are not followed though in the field. Many organizations and practitioners develop their own spectrum or ladder Public involvement to illustrate how the Public can be involved in different ways and for different objectives. Commonly adopted approaches follow the steps as i) inform and educate, ii) gather information, iii) discuss and involve, iv) engage, and v) partner.

This approach is used by organizations such as the International Association for Public Participation. The group however have divided the process as indicated below:



There has however been a shift in thinking on how the different spectrums in Public participation should be seen, for real engagement of Public in development. The new thinking classifies the spectrum in three stages of Public involvement based on flow of information to stakeholders.

- i) Public communication;
- ii) Public consultation; and
- iii) Public participation

*There are three main levels of involvement based on the flow of information between the public and sponsors:
i) public communication;
ii) public consultation; and
iii) public participation*

Public communication

– information is disseminated from the organization to the Public (public). The flow of information is unidirectional and there is no authentic public involvement since the organization does not seek to get feedback or Public input in the decision-making process. This practice is very common in organization processes and gives a false impression that Public are knowledgeable on their actions.

Public consultation

- the organization asks for Public input on a specific issue. Prior to the Public consultation, the organization usually provides information to the Public. However, the flow of information is mainly one-way during the consultation, from the Public to the organization. Although some may argue that it is a limited two-way relationship since the organization provides information beforehand and then seeks feedback, there is no formal dialogue or interaction between the organization and the public. Public consultation is mainly used to elicit the "raw" opinions of the public. There is no guarantee that their inputs will be considered in the final decision.

Public participation

The flow of information and interactions is bi-directional, i.e. information is exchanged between members of the Public and an organization. There is some degree of dialogue and deliberation in the process that takes place (usually in a group setting), which may involve representatives of both parties in different proportions (depending on the Public participation method). The act of dialogue and deliberation helps to transform the raw opinions of both parties into informed and enlightened judgments. This is the desired level of involvement though it takes a lot of courage form organizations to go this path.

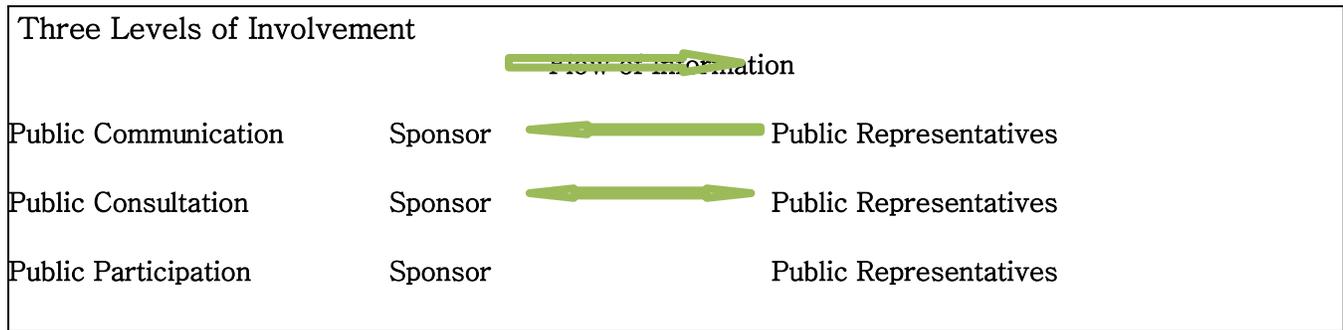


Figure 2

Public engagement

In response to past disappointments and cynicism toward traditional and past approaches in Public participation structures, there has been a terminological shift from "Public participation" to "Public engagement" among many practitioners in the field of development. This shift "reflects a desire to establish ongoing interaction between development agencies and Public that not only informs policy but builds more capable Public and stronger communities." Thus, Public engagement has become the "new" Public participation, which gives greater emphasis to information and power sharing, mutual respect, and reciprocity between Public and development organizations. The objective of this approach is to replace static and "token" participation with more deliberative means of engagement between Public and development planners.

In the decision-making context, Public engagement is far more active than traditionally passive Public consultation in its recognition of the capacity of Public to discuss and generate development options independently. As defined in practice Public engagement "requires organizations /development agencies to share in agenda-setting and to ensure that opinions generated jointly will be taken into account in reaching a final decision.

At its core, Public engagement refers to Public participation that is characterized by “interactive and iterative processes of deliberation among Public (and sometimes organizations), and between Public and organization officials with the purpose of contributing meaningfully to specific Public policy decisions in a transparent and accountable manner. Thus by definition, Public engagement has an accountability dimension built right into it. Several concepts are closely associated with Public engagement such as deliberation and partnership. Indeed, renewed interest in deliberative democracy theory has gone hand in hand with the developing practice of Public engagement.

The term “deliberation” comes from political theory and refers to the act of considering different points of view and coming to a reasoned decision. Collective problem-solving discussion is viewed as the critical element of deliberation, to allow individuals with different backgrounds, interests, and values to listen, understand, potentially persuade and ultimately come to more reasoned, informed, and public-spirited decisions.

In the real sense, Public engagement processes imply the development of partnerships between the Public and NBI “As in a contract, all parties have obligations. It is important for NBI to think through what is expected of the public. It is more positive and it is agreeable that the term ‘Public engagement’ would help NBI to re-conceive the process as one that involves two-way obligations on the part of NBI and the public. In other words Public engagement is about improving relationships between Public and NBI by emphasizing joint rights and responsibilities with clear links to the achievement of accountability.

The concept of *Public Judgment*, are viewed as the products of the engagement process while “values” are emphasized as the principles around which common ground, learning, and judgment. Public will therefore judge NBI based on the quality of Public engagement.

The functions of Public Involvement in Development

Public involvement in NBI needs to be undertaken for different underlying goals. Indeed, it can be considered as:

- i) an essential element of a successful democracy in involving the basin populations in NBI agenda;
- ii) a means for achieving a specific decision outcome; which are very important in development planning on projects that impact on people’s lives within the basin.
- iii) a means for achieving informed, accountable, and legitimate decision-making processes in issues that affect the utilization and management of the river;
- iv) a means to contribute to a more educated and engaged public and gives them the pride to be associated with interventions from NBI and its structures..
- v) a means to foster trust and reduce conflicts among populations of the basin.

More often NBI and its institutions will find it hard to jump on the Public consultation and participation bandwagon due to the apprehension about participatory models of governance due to the traditional governance systems in the riparian states. These is further echoed by the following beliefs:

- ***Skepticism about the value of engaging Public and about their capacity to participate meaningfully in complex policy matters.***

Many are skeptical about the value and benefits of Public involvement. The use of a participatory model of development planning still faces a lot of opposition from those who strongly defend expert

control over planning matters and those who are concerned that participatory democracy could lead to a "tyranny" of ignorant masses.

- ***Fear of Public hijacking the development process.*** Some decision-makers fear the outcomes of Public involvement processes.

They are concerned about losing control of their decision-making authority. In addition, involving the Public in the planning process may raise and create expectations that decision-makers cannot meet or manage.

- ***Deadlines are too tight and resources are limited.***

Public involvement in the planning process may pose a challenge in terms of resources. Decision-makers who must manage already limited resources and who are working with tight deadlines may be unwilling to invest time, human resources, and financial resources to communicate information, consult, or involve the Public in the decision-making process.

- ***Reluctance to challenge traditional practices and institutions.***

Many worry that participatory approaches encourage decision-makers and elected officials to sidestep and rely on Public opinion rather than exercising leadership. Others consider that elected officials and democratic institutions already represent the Public in decision making processes.

All these fears can however be overcome through adoption of the practice as a Principle in NBI backed with proper planning and allocation of resources to stakeholders' involvement. While it is easily seen as a resource sucker is the foundation of development. If you get it right the development becomes more meaningful and more sustainable.

Stakeholder Involvement Approaches

In practice the number of Public involvement methods has increased exponentially in the literature and in practice. This increase in number of approaches illustrates the renewed interest in stakeholders' involvement. It should also be noted that at times similar methods are given different names by different organizations. Approaches used by CBSI project over its five years of implementation were linked to the three levels of stakeholder involvement Communication, Consultation and Participation and included:

Public communication methods

Public communication methods allow organizations to get information to the public. Although these methods do not provide any authentic Public involvement, their role is essential in public consultation or Public participation process. If we want the Public to be involved meaningfully in the decision-making process, they need clear, complete, and unbiased information about your issues.

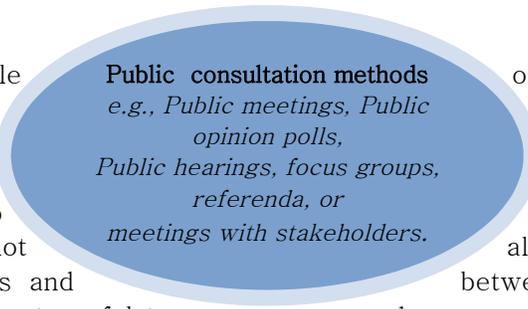
No single method of Public communication can reach all the different "publics" that may have a stake in a policy issue. Thus, it may be useful or necessary to use different methods to communicate with the public, different in terms of medium, format, and content. Some of the most frequently used Public communication methods are: advertisements, publication of reports, newspaper inserts, press releases, news conferences, or websites. In the Nile Basin there exists a lot of FM radio stations that broadcast in local languages and

Public communication methods
e.g., advertisements, publication of reports, newspaper inserts, press releases, news conferences, or websites.

would form an important medium for passing information to the public. Mode of operations would change from talk shows and others.

Public consultation methods

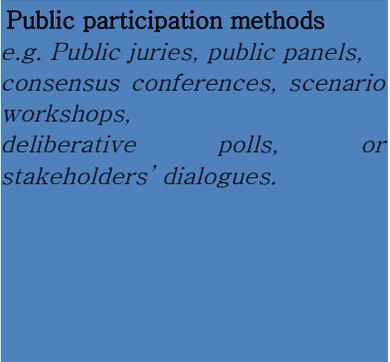
Public consultation methods enable organizations to ask for Public input on policy issues, but the interactions are usually limited. The flow of information is mainly one-way, from the Public to the organization. Public consultation methods can allow the Public to express their raw opinions. However, such methods cannot allow the emergence of a dialogue among participants and between participants and the organization. Consequently, they are not useful to reduce conflicts between those who may have different interests.



Among the most conventional methods of Public consultation is: Public meetings, public opinion polls, Public hearings, focus groups, referenda, or meetings with stakeholders

Public/Stakeholder participation methods

Public participation methods allow interactions among the Public and between the Public and the organizations, i.e. information is exchanged between both parties. There is some degree of deliberation in the process that takes place (usually in a group setting), which may involve representatives of both parties, in different proportions, depending on the method used. The act of deliberation helps to transform the raw opinions of both parties (organization and the public) into informed and enlightened judgments. Various approaches and tools are in use today that makes the process more lively and simple i.e. methods that actively involve Public and create authentic dialogues between the Public and their organization. The six most commonly used methods and would be most suitable in the context of NBI are i) *Public meetings* iii) *consensus conferences* iv) *scenario workshops* v) *deliberative polls* and vi) *stakeholders' dialogues*.



These methods however share a number of characteristics:

- i) they are usually composed of small groups of 12 to 20 Public representative of their community (deliberative polls and stakeholders' dialogues can include many more participants, but the deliberations are usually conducted in small groups);
- ii) there is one face-to-face meeting or a series of face-to-face meetings to deliberate on the issue;
- iii) factual, objective, and accessible information is prepared and communicated to support the participants' deliberations;
- iv) experts or key witnesses may be involved to inform participants and answer their questions; and
- v) a set of recommendations are produced based on the participants' deliberations .

Strengths and Weaknesses of Public Participation Approaches.

	Public Communication	Public Consultation	Public Participation
Examples	Advertisements, publication of reports, newspaper inserts, press releases, news conferences, and websites.	Public meetings, public opinion polls, public hearings, focus groups, referenda, and meetings with stakeholders.	Public juries, stakeholders' panels, consensus conferences, scenario workshops, deliberative polls, and stakeholders' dialogues.
Strengths	Can potentially reach the broad public. Allows for technical and legal reviews. Facilitates documentation of Public involvement process. Can be relatively less time consuming than other Public involvement methods (e.g. ads, inserts, websites).	Some Public consultation methods such as public opinion polls provide input from individuals who would be unlikely to attend meetings and can provide input from cross-sections of the public. Provides opportunity to test key messages prior to implementing program. May work best for select target audience. Useful to get the public's "raw opinions." Helps to measure stakeholders' values, needs and preferences.	Promotes dialogue between organization and the public. Contributes to informed, active, and engaged stakeholders. Promotes "common good" as a societal objective. Small size of individual groups and their non-intimidating nature allows for innovative ideas and active participation. Can renew Public trust in democracy. Helps to measure and clarify the basis of stakeholders' values, needs and preferences. Helps decision-makers understand the social and ethical consequences of their decisions.
Limitations	Only as good as the medium or distribution network. Limited capability to communicate complicated concepts. No guarantee materials will be read. May not be written in clear and accessible language. May be expensive. May be difficult to generate neutral and complete briefing material. Does not allow meaningful interactions between the Public and the government (one-way flow of information from the organization to the public).	Can require significant resources for organizers (e.g. Public hearings). Does not allow for in depth interactions between the Public and the organization (one-way flow of information from the Public to the government or limited two-way interactions). Not designed to facilitate group deliberation on challenging Public issues.	Elaborate process requiring significant resources and intensive time commitment for both participants and organizers. Requires conditions that will effectively motivate Public to invest time and effort in information gathering and face-to-face discussion. Greater risk of increasing cynicism if Public cannot connect their contributions with decision outcomes.

Enabling Factors for Successful Public Involvement.

Organizations normally undertake Public involvement for various goals, however it difficult to state with certainty at the end of the activity the extent to which intended goals have been reached. Evidence from field practice to show a lot diversity between the amount of time, money and energy that organizations invest in engaging Public and civil society in Public decision-making and the amount of attention they pay to evaluating the effectiveness and impact of such efforts. Frameworks have been developed in the field for this purpose and have been used with appreciable success in looking at the impact of efforts made to involve stakeholders. These frameworks help in identifying the key conditions that need to be met to achieve successful Public involvement. The key conditions for successful Public Engagement require that we define success from the onset of efforts for Public engagement.

The challenge in determining successful Public involvement processes is being able to clearly define what we mean by success. “Unless there is a clear definition of what it means for a participation exercise to be effective, there will be no theoretical benchmark against which performance may be assessed” But defining what is a success is not a straightforward task. Different perspectives exist. Policy-makers, decision-makers, scholars, practitioners, and the general Public may not agree on what constitutes a successful Public involvement process. This is possible as often these actors may have different ideas, goals, and expectations. However, recent developments in the evaluation practices offer some guidance with respect to the key conditions that need to be met to achieve successful Public involvement. The following are among the most cited key conditions for successful Public consultation and public participation are the following:

- ***Representativeness:***

Participants must be as representative of the population as possible, reflecting geography, demography, political affiliation, and ideology. It is essential to avoid co-optation and exclusion.

- ***Independence:***

The Public involvement process must be perceived as fair and independent. The moderators must be impartial and everybody must have a chance to express himself or herself including those who hold diverging views.

- ***Early involvement:***

Participants should be involved as early as possible in the design of the Public involvement process. The Public should be able to contribute in developing the agenda, defining the rules of the process, choosing the experts, and defining their need for information.

- ***Influencing the Decision:***

The participants must have a real impact in the decision making process. The contrary leads to mistrust in relations.

- ***Providing information:***

Information must be provided to the Public and the participants to allow them to learn, discuss, deliberate about the issues under discussion. In order to do so, the information must be accessible and transparent but also easy to understand and



Key conditions of success

- *Representativeness*
- *Independence*
- *Early involvement*
- *Influencing the policy decisions*
- *Providing information*
- *Resource accessibility*

interpret. Experts and other witnesses who are providing information must be selected for their ability to communicate with lay people.

- ***Resource accessibility:***

Resources must be made available to allow the meaningful Participation of the public. This includes having enough time to inform oneself, understand, and discuss. It also means being able to access the material and economic resources necessary to participate. It is important to keep in mind that some participants cannot afford the costs associated with their involvement (e.g. missing a day of work, paying for child care, or commuting to the Public involvement setting).

- ***Structured decision-making:***

The Public involvement process must be legitimate, transparent, and official. The objectives must be realistic and clearly communicated to the public. From the beginning, the Public should know how their input will be integrated in the decision-making process. A feedback mechanism should also be implemented to inform the general Public and the participants about the final decision and how the Public involvement process influenced it.

Public Involvement in the Nile Basin Initiative.

The functions of Public involvement in the governance of the Nile Basin Initiative.

Stakeholder Involvement in the Governance of the Nile Basin Initiative is necessary in playing the four major functions:

- i) To improve the quality of information concerning the population's values, needs, and preferences on the development initiatives on the Nile;
- ii) To encourage Public dialogue and debate over the fundamental direction of the development and management of the River Nile Resources.
- iii) To ensure Public accountability for the processes within and outcomes of planned measures on the Nile system; and
- iv) To protect the Public interest.

Multiple “publics/stakeholders”

The term “public/stakeholders” in the context of NBI is usually broadly defined to encompass all individuals who are interested in the Nile and whose life may be affected by policy-making on its utilization. This includes residents, consumers, their families, advocates, experts, policy-makers, citizen organizations etc.

Traditionally, the governance of the River Nile has oscillated between the governments of the basin countries through their ministries of water affairs. There has been minimal public involvement in all the countries. Such governance structures tend to follow the Governments policy making processes that are led by professionals in high offices of Governments. These illustrate the hesitations of policy-makers and decision-makers concerning the role of Public involvement in the governance of the Nile waters and

related resources in the past initiatives of cooperation on the Nile. NBI recognized this weakness and started a process of bringing Stakeholders views to its processes by implementing a project dedicated to Public involvement.

NBI Experience

The implementation of CBSI project has brought a new thinking in the basin on the role of Public in the management of the Nile as a transboundary resource. Indeed, CBSI approach broke away from the practice where decision-makers have traditionally relied on conventional methods of Public communication and Public consultation. The project pushed these approaches to a higher level where we started look at real engagement and participation in decision making. As with many organizations that pursues a process the empowers Public NBI will likely encounter several problems such as challenges in mobilizing the public; political interference in the process; difficulties in dealing with very short deadlines; complex and emotional policy issues lack of resources; and creating expectations that cannot be fulfilled. NBI should build on the foundation laid by CBSI through continuous engagement with Public networks established during the life of the project. Above all there should be skills enhancement in Social Development followed with adoption and change of staff attitude towards the importance of Public engagement in development planning and implementation.

Multiple publics

NBI is a multi sector organization and will need to engage better with multi stakeholders. Those who follow traditional approaches to Public involvement always say “Why involve the Public since there is a risk of confrontation and we may not be able to meet their expectations?” On the other hand, many stakeholders are frustrated and cynical about their own involvement in past Public consultations. Many consider that traditional structures to involve the Public do not allow them to contribute meaningfully to the decision-making process and, in some instances; the outcome is pre-determined.

More often Public feel “Why participate if we don’t have any influence on the decisions?” The lassitude, disenchantment, and frustration of Public toward traditional public involvement structures may be explained by an unequal distribution of power between the actors of development planning as well as the weak legitimacy of representative institutions (NBI). CBSI experience show that Public want to be involved in the major policy debates on the Nile. They also want to have a say in the future developments and utilization of the Nile resources, but they request greater transparency and more meaningful Public involvement.

Active Public involvement

A Public opinion poll conducted by CBSI in 2008 showed that a vast majority of Nile Basin Population believe that it is very important for Public to be involved in major decisions affecting the management of the Nile. The poll showed that 85% of the Basin Population would feel better about NBI decision-making if they knew that NBI regularly sought informed input from average stakeholders. The findings of the polls in addition made it clear that the Nile Basin population feel that there are too few Public engagement exercises on decision making on the issues of the river. These clearly illustrate the

desire of Public to participate more actively in the governance of the Nile Basin Initiative and its actions.

Over the past period of CBSI implementation the need for greater public accountability and public participation in NBI affairs was echoed by, policy-makers, decision-makers, and elected officials. While CBSI has initiated the steps towards greater public participation it needs to be taken to a higher level in projects planning and decision making. This Framework provides the road map to this end.

Conclusion

Many practitioners in the field of public participation in development are currently exploring new approaches to involve the Public in democratic decision-making processes. This Framework identifies the following key messages to help inform the deliberations of NBI about the role and parameters of public involvement:

1. *There are different levels of Public involvement:*
There are three levels of involvement depending on the flow of information and intensity of interactions between the public and their government:
 - Public communication;
 - Public consultation; and
 - Public participation.
2. *Public participation should be seen as a strategy for democratic renewal:*
Active and deliberative methods of Public participation should be seen as strengthening rather than weakening representative democracy.
3. *In the governance of a river basin, Public involvement plays four major functions:*
 - a. to improve the quality of information concerning the population's values, needs, and preferences;
 - b. to encourage Public debate over the fundamental direction of the status of the river
 - c. to ensure Public accountability for the processes within and outcomes of the river system; and
 - d. to protect the Public interest in the resources of the river.
4. *Recent Public opinion polls conducted by CBSI illustrate the desire of NBI Public to participate more actively in development and management of the Nile water resources.*

Over the years of implementation of CBSI, policymakers, decision-makers, and elected officials have echoed the calls for greater public accountability and Public participation in the utilization and management of the Nile System.

5. *Different perspectives exist about what constitutes successful Public involvement:*

Often professionals may not agree on what constitutes a successful Public involvement process. In developing Public involvement program NBI should clearly state the underlying goals for that program and what is expected of the stakeholders.

6. *Evaluation should be built into the Public involvement program:*

Considerable time, money, and energy is invested in any Public involvement program. Thus, an evaluation component should be included for at least two reasons: i) to ensure the proper use of institutional resources; and ii) to learn from past experiences.

7. *The challenges to Public involvement should not be underestimated:*

More often professionals and the public themselves are apprehensive about participatory models of governance. Thus, when implementing a Public involvement program, NBI should consider these challenges and explain the goals and benefits of the program.

8. *Form must follow function:*

No Public involvement method, whether conventional or more innovative, is perfect. Form must follow function. Choosing a public involvement method must take into account: the issue, the objectives, the time and resources available, the participants, and the general context of the process. The methods presented in this Framework are not static. They can be adjusted and combined to develop custom-made methods that are appropriate to NBI's unique needs.