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BUILDING CAPACITY TO MANAGE AND PARTICIPATE IN MULTI-STAKEHOLDER PROCESSES RELATED TO WATER RESOURCE MANAGEMENT IN SOUTH AFRICA

Report by

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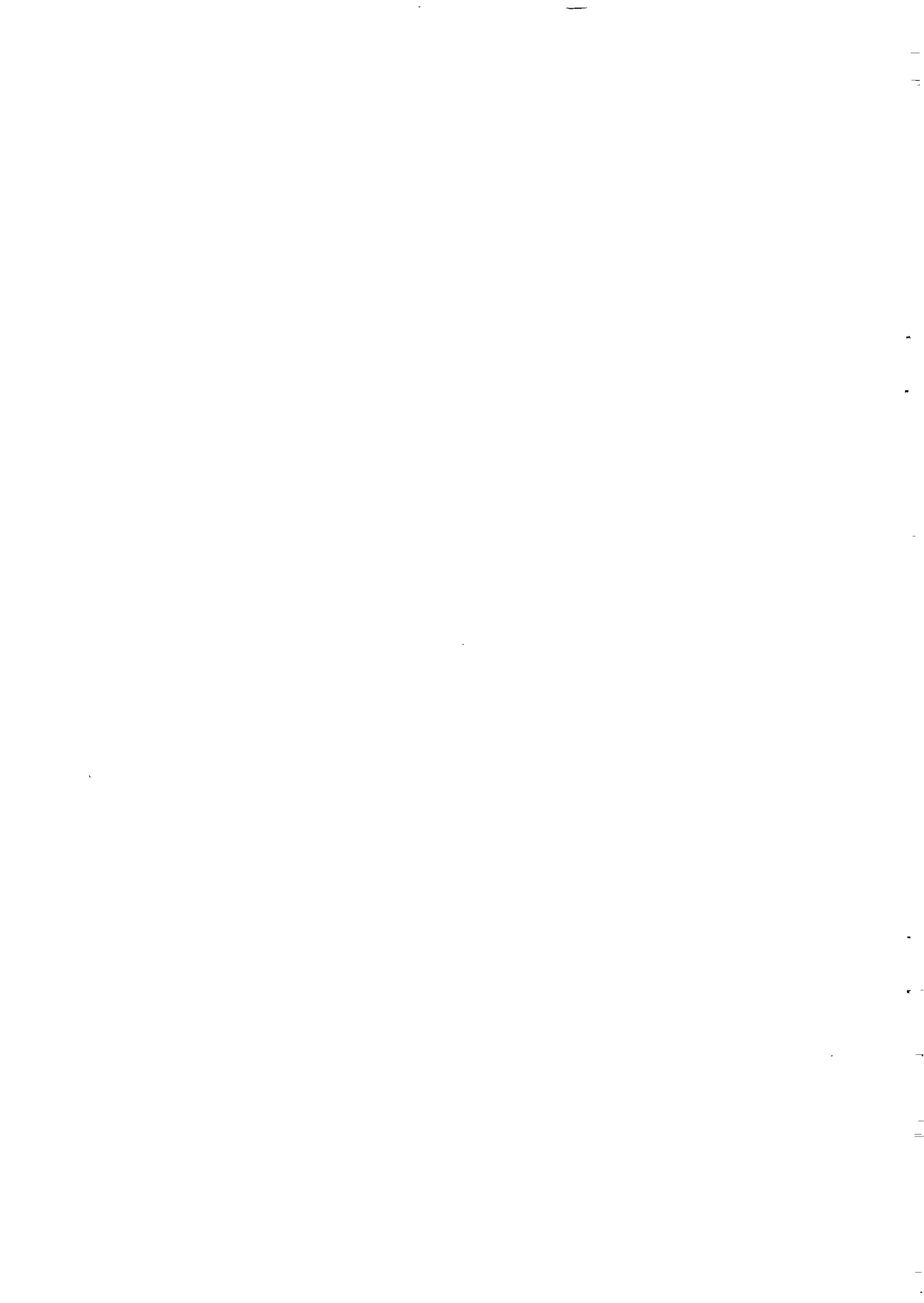


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Preface

At the invitation of the Department of Water Affairs and Forestry, Institute for Water Quality Studies (DWAF/IWQS), I visited South Africa from 2 - 30 March 1998.

The purpose of this visit was to assist in developing a clear picture of the needs for capacity building generated by the National Water Bill, both within DWAF and with other stakeholders. In particular, I was to focus on capacity building requirements for the management of multi-stakeholder groups.

Why me? As a director in the Ministry for Housing, Spatial Planning and the Environment ("Ministry VROM") in the Netherlands I am responsible for the Implementation Challenge Programme, training people how to manage multi-party multi-issue processes and situations using the so-called Consensus Approach. The Implementation Challenge Programme has been in existence for over 5 years, providing guidance and tools for strategy building, interactive policy development, negotiations, and conflict prevention and management. I am also one of 12 trainers in this programme and I am a registered mediator. Therefore, my knowledge and experience could be of assistance to DWAF in determining action plans for capacity building for the management of multi-stakeholder groups.

The Implementation Challenge Programme is tailor made for the Dutch situation at a local as well as provincial, national and international level. I am familiar with the Dutch situation, however, not with the South African situation. Therefore, I cannot and will not decide on solutions for South Africa's National Water Bill: I can only put forward suggestions and options for possible actions.

On the other hand, the Consensus Approach being based on principles of psychology, sociology, political sciences, etc. (and on common sense) I feel there must be some validity for my suggestions. The numerous contacts, discussions and meetings I had during my 3 weeks stay in South Africa confirm this opinion. Therefore, I feel free to put forward suggestions and options, and it is to DWAF - and the other stakeholders in the National Water Bill (NWB) and its inherent processes - to decide.

This is also the place to thank all the people who helped in making my stay a very challenging and agreeable one. It was a perfect combination of hard work and pleasure in this beautiful and most interesting country.

Many people contributed to my programme; I could not possibly name them all here. There is one great exception: Dr. Heather MacKay of the IWQS, who went out of her way to organise my (rather hectic) schedule, to expose me to stakeholders in the NWB, and to look after me so well. I feel deeply indebted to her.

I thank everybody and Heather MacKay in particular for giving me these opportunities and for guiding me through those weeks.

Huub Schrijver
The Hague 30/04/1998

Background

Most southern African countries are facing times of great change: changes in political and social environments, changes in the natural environment, and changes in the economic environment. Natural resources are still the mainstay of economic development in much of the sub-continent, but Africa's natural resources such as land, water, forests and wildlife are also critical in terms of meeting people's basic needs for food security, health, housing, energy, water and sanitation. The challenge of sustainable development in Africa will be to meet the most urgent needs of the present, to support economic development, and yet to still protect natural resources for the future.

South Africa's National Water Policy of 1997 is founded on the principles of equitable and sustainable management of water resources, and sets out the Department's commitment to consultative and participative processes of resource management and decision making. Interaction with stakeholder groups at various levels will be an important part of the work of Department staff, whether at a project or policy level, or in relation to licensing of water uses.

Achieving sustainable management of water resources depends to a large extent on reaching consensus between stakeholder groups who often may have conflicting interests and positions. The ability to manage the process of stakeholder participation for consensus-building, and the use of technical information and decision-making tools in that process, will be necessary skills for many Department staff. There is an urgent need to develop these new skills in the Department, in line with the new Water Policy, and to develop new training materials which are tailored to address the issues which Department staff must deal with in implementation.

Implementation of Water Policy

The Protection and Assessment Policy Implementation Task Team (PAPITT), led by Dr Henk van Vliet, is currently developing several policy and decision-making tools which will be required to support implementation of the National Water Policy and of the new National Water Bill. Projects already under way include

- protocols for determination of the Reserve for surface waters, groundwater and estuaries;
- design of a water resource classification system;
- development of discharge standards and best management practices;
- development of a license management information system, to support the licensing of water uses.

All of these tools rely on elements of stakeholder consultation and participation. Such consultation is a requirement of the National Water Bill, and successful management of the consultation and participation process is critical to successful implementation of the new policy and legislation.

Capacity building is one of the key pillars of the resource protection policy implementation framework, and the PAPITT is presently planning for the development of capacity building programmes which complement the protection policy. As DWAF moves into full implementation of national water policy, capacity will be required at several levels, including technical, specialist, administrative and management expertise. During March 1998, members of the PAPITT coordinated an initial exercise to assess capacity building requirements specifically in relation to *skills for managing consensus-seeking processes and multi-stakeholder groups*, as these groups begin to use the new policy tools. The results of that exercise are outlined in this report.

Collaboration with Netherlands Ministry of Housing, Spatial Planning and Environment

The consensus-building approach to sustainable resource management is being developed and implemented in several countries, but the Netherlands, through their Ministry of Housing, Spatial Planning and Environment (VROM), is most advanced and has the most experience in implementing this approach through their line functions. Through Dr H MacKay of IWQS, the Department has existing links with the Sustainability Challenge Foundation, as does VROM in the Netherlands. As a result of these links, VROM indicated their willingness to collaborate and share their experience in capacity building with DWAF.

Implementation Challenge in VROM is a capacity building programme which trains and supports VROM line function staff to apply the consensus-building approach in managing multi-stakeholder groups at various levels, whether in policy development, project planning, impact assessments or licensing of activities which impact on the environment (see Appendices B1 and B3). Initial discussions indicated the potential for the Implementation Challenge model to be adapted for the South African situation. Hence Mr Huub Schrijver, Director of Interim Management in VROM, visited South Africa in March 1998 to explore the opportunities for collaboration in capacity building.

Work carried out during March 1998

(a) Assessment of South African water resource management situation

Over a period of 3 weeks in March 1998, Mr Schrijver spent as much time as possible with Department staff in various regional offices and head office directorates, in order to gain an overview of the issues specific to water resource management in this country, and to assess the training needs in relation to managing multi-stakeholder groups. The discussions held during this time form the basis for the recommendations of this report (see Chapters 1, 2 and 3).

The way ahead

Several issues, arising from the recommendations in this report, need to be addressed as part of the protection policy implementation process:

- Design of a coordinated capacity building programme to support implementation of the resource protection policy, in partnership with major stakeholder groups. This programme must address technical capacity requirements related to the protection policy, as well as capacity to participate in or manage multi-stakeholder processes. This has been initiated as a priority project for 1998/99 within the PAPITT Implementation Plan, and will be linked to pilot testing of procedures for classifying resources and determining the Reserve. Further collaboration with VROM, the Sustainability Challenge Foundation, and stakeholders will be actively sought.
- Integration of resource protection measures with other regional and spatial planning processes, such as Integrated Environmental Management and Strategic Environmental Assessment. Initial discussions will be held during 1998 with interested parties to identify potential links and synergies.

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The National Water Bill and multi-stakeholder processes

The National Water Bill (NWB) provides for fundamental changes to the law relating to water resources. It regulates the protection, use, development, conservation, management and control of the nation's water resources. It stresses the principle of sustainability: it provides for the continued availability of sufficient water for basic human and ecological needs ("The Reserve"). It promotes integrated management of water (& land) resources on a catchment basis. Catchment management agencies (CMAs) and other water management institutions will be established, operating under national co-ordination. The NWB is expected to become law in August 1998. I will not summarise the Bill here. I assume most readers will know the NWB, and for others the NWB is available at DWAF's web site: <http://www-dwaf.pwv.gov.za/idwaf/index.html>.

The NWB is a major departure from present procedures. As from this year emphasis is on regional levels of decision making: catchment agencies will decide on management plans - under national co-ordination. Water in all its appearances is considered a national, public resource: only The Reserve is a (priority) right and all other rights to water must be negotiated under catchment management plans (licences for predetermined periods of time).

The position of many people presently involved in managing the nation's water resources will change dramatically, and many new people and organisations will get involved. Ideally there is no longer one "High Authority" staffed with experts and engineers laying down the law. The scientists and engineers get into a position where they have to enable decisions by the many stakeholders amalgamated in catchment management agencies (CMAs). In these fora consensus will have to be reached between many parties with a wide variety of interests. To illustrate the point and without trying to be comprehensive, a number of these situations follow below.

- Setting The Reserve. Questions are: How many people will be in the area and when? What is needed ecologically? What is sustainable? What is irreversible? The process of arriving at The Reserve must be seen to be as fair and objective as possible; it requires an open and transparent process that can stand public scrutiny.
- Classification of rivers and setting management objectives. Questions are: Who are stakeholders? What are the competing/conflicting interests? What time frame is used? How much money is available? How to ensure community involvement? Scientists and engineers will be needed to feed the process with information, options, calculations, possible consequences, etcetera, in order for (relative) laymen to arrive at sound and sustainable decisions. The experts no longer control the process, they assist in managing the process.

-
- Catchment based management. Questions are: What is the relationship to adjacent catchments, e.g. when piping water? And to downstream catchment agencies? And internationally? How to achieve nation-wide consistency and coherence? Even when national government opted for a heavy form of co-ordination (quod non) it would still be a matter of seeking consensus between numerous stakeholders with conflicting interests in a limited resource: water.
 - Trading of water allocations (between sectors). Questions are: What conditions will be set and how will they be interpreted at catchment level? What involvement will CMAs have in (price setting for) trading between sectors? How to agree on what “fair” means in terms of fair water allocations? Minimum requirement will be an effective dialogue between government, catchment agencies and sector representatives.

One conclusion I may draw here is that at least the initial phase of the new act will draw heavily on the communication skills of all parties involved. Solid process management needs to be provided in order to reach decisions on many crucial matters within a reasonable time frame (2 years?).

Also, many of the issues will reappear in due course. Provisional Reserves have to be replaced by full Reserves. With progressing information, insight and technologies, management plans and allocation permits will need to be reassessed. Therefore, the capacities built should be of a structural nature.

The second conclusion I would like to draw is that no one stakeholding party can do it on its own, not even the powerful DWAF. In my experience, all resources must be called upon to bring about the fundamental changes the NWB calls for and to get the new structure for water resources management on a catchment by catchment basis operative within a reasonable time frame. It is an ambitious task and a formidable one, which in my mind can only be achieved by pooling capacities.

This may sound rather threatening, but I do not intend it that way. Wherever there are threats, there are opportunities. My travels in the country indicated many. There are strong and effective River Fora in existence which already pool resources and have experience with round table consensus decision making. There is this strong urge to move forward with the NWB amongst many parties in spite of the uncertainties, providing a basis for sharing “ownership” of the problems. Sharing “ownership” allows for forceful weapons to be put to use, like joint fact finding, sharing information, sharing responsibility for preliminary studies and for the generation of options.

Chapter 2

DWAF's position

As stated before, I expect the position of the Department of Water Affairs to change dramatically when the National Water Bill becomes law. It moves from controlling the situation - and being solely responsible for the outcome, for better or for worse - to a situation of managing the multi-stakeholder process - and sharing responsibility with, amongst others, the new catchment agencies (CMAs). The new situation requires skills within the DWAF staff that may be new and may not be readily available as yet; I will discuss this issue in the next chapter.

The new water resources management will only be successful, I think, if human resources capacity is going to be developed not only within the national government, but in all relevant stakeholders and agencies, particularly at the (local &) regional level. For CMAs to be successful and to implement sustainable and participatory water management, investment will have to be made in capacity building in the CMAs and its stakeholders, and particularly in marginalised and disadvantaged groups.

Also investment in capacity building at local and regional levels will be required at a more technical level: all participants in the decision making processes have to be familiar enough with the handling of technical information to enable them to make informed and sound decisions. The presentation of technical and scientific information may be improved - see for instance the successes of the River Health Programme - but one can also improve on the levels of technical knowledge at the receiving end, i.e. the stakeholders.

The Department will have to pass on at least some of its great authority to the new catchment agencies. In my reasoning, that also implies making available the resources necessary for the catchment agencies to actually organise themselves and to exercise their responsibilities. The Bill itself of course provides many tools for catchment agencies to do their jobs. But several aspects have not yet been organised, like information transfer, capacity building and finances for capacity building programmes.

Over the past decades there has been a heavy investment in information gathering resulting in many data about many subjects which are stored in many places around the country. The DWAF's GIS (Geographical Information System) contains valuable information in accessible form. However, a number of stakeholders mentioned to me difficulties in gaining access to the GIS information. Also, GIS is not (always) linked to information gathered at local or regional level on different bases and there is little reference to other information sources. With the focus shifting to CMAs, I would suggest that these agencies - and their constituent stakeholder organisations and individuals - should get easy access to all information available. This is not only in the interest of other stakeholders, it is also in the interest of DWAF itself: it provides nation-wide reference information on "good" water management, thereby implementing an important part of DWAF's co-ordinating role.

I do believe that the CMAs and other stakeholders should get a say in what information is gathered where, i.e. in the management of information programmes, thereby sharing the responsibility for the usefulness and effectiveness of those programmes. It is also the way to make most effective use of available resources.

As part of its overall responsibility and its new co-ordinating role, I would suggest that DWAF has some responsibility for capacity building with the new partners. The least DWAF could do is to ensure that new knowledge in the one catchment gets publicised into other areas in the country. This would require monitoring developments at regular intervals and providing a medium for contact between the groups involved, either doing it self or contracting it out.

DWAF could also encourage capacity building; numerous ways are available. Just to give some examples: it could provide seed money for experimental capacity building programmes, it could make parts of its own capacities available to interested parties (secondments, internships, mentorships, etc.), it could actively develop training or assistance programmes, or it could make money available for others to do the same. I could not possibly suggest which formula to take; I would suggest however that any such programme be developed in co-operation with the future stakeholders as they will be the "clients" of the programmes.

Capacity building has a quantitative and a qualitative aspect. The quantitative aspect of DWAF's assistance to the new bodies and its stakeholders will only be a temporary one, if I read the NWB correctly. Still, it could be an important one: DWAF now has capacity, expertise and experience in water resources management that should eventually be with the CMAs. It might be worth while to assist the new agencies - if so requested - by secondment of trusted DWAF staff to the agencies for periods of anything like 6 to 24 months. Such secondments would also enable the new agencies to tap into existing networks of knowledge.

Finances often are the fuel to expedite change. In the transition period the CMAs will not yet be fully self-supporting. The NWB will make provisions for the transition period. So far I have not seen any special attention within the NWB for capacity building amongst the future stakeholders. Also DWAF itself will need to train its staff in skills needed in the future. That does not imply that DWAF determines what capacity to build: any such programme should be set up in co-operation with the future stakeholders. Here too, the medium is the message. In the meantime I would suggest some money be set aside for the coming 5 years specifically earmarked for capacity development amongst all stakeholders.

Chapter 3

DWAF's regional offices

The regional offices are the eyes and ears and mouths of the head office in the regional communities. Under the present legislation they have extensive powers, and they often act as the licensing and prosecuting authorities.

In the new situation the regional offices play a key role too, in spite of the fact that much of DWAF's authority is to be transferred to the CMAs, etc. During the transition period the regional officers will have to advise and support the Minister and the Director-General on the building of catchment management agencies and the process of delegation of powers. They will subsequently serve as an inspectorate to the new organisations, as it represents the national interest of "good" sustainable water resources management. If all goes well, DWAF will soon be another participant - be it a special one - in a multi-party situation.

This shift in orientation requires certain skills. Up till now, sustainable use has not been a criterion. The overpowering DWAF will be history soon and its relationship with regional stakeholders becomes one of partnership. Also, the focus shifts from water supply to water resources management. In short, the rules of the game change, and the game's content changes as well.

During my visit, 2 try-out one-day workshops were held with regional staff on the management of multi-stakeholder groups, in Cape Town & Roodeplaatdam (Appendices A1, A2 and A3). The objective was to see if the consensus approach would be a useful instrument for the future situation of the regional offices.

In the evaluations (Appendix A4), participants showed that many of the learning goals were realised: the message came across. In addition to items typical for the consensus approach, participants learned about meetings and negotiations in general: better preparation, caucusing, communication, etc. pays off. Several training needs were identified :

- how to communicate effectively
- how to organise or take part in meetings
- the consensus approach - for all stakeholders
- special needs for DWAF personnel

The latter was related to 2 arguments. DWAF (regional) personnel often act as facilitators and need professional training as such. Moreover, the same people find it difficult to combine the different roles DWAF could play in a certain situation (helper, controller, prosecutor, etc.). Trainings for facilitators/mediators can be provided; I know of at least one experienced British mediation trainer living in Cape Town. But DWAF could also draw on a body of independent facilitators in South Africa, thereby freeing its hands for effective representation of its own interests in the process. I may refer here to DWAF's use of neutral facilitators in the monitoring committees for hazardous waste sites (with DWAF representatives as members of the committees). That successful model might be followed in the water situation, or both models may combined.

Training in the consensus approach - a clear wish of participants - will have little impact if people feel handicapped in communications and in taking part in meetings. Apparently, within the regional staff there is a need to add social skills to their technical skills. To some degree consensus training can cover these aspects. Also, existing courses on communication can be bought, e.g. the training for Lifeline volunteers on how to communicate with stressed people. The essence of the consensus approach can be described as follows: you stand a better chance of achieving your own goals if you manage to find a way to accommodate the interests of everybody involved and/or opposed, and if you can change opposition into support for your goals. The try-out results suggest that the participants find the approach applicable and that it would be helpful to build capacity in that field.

Consensus training could provide people with insight and train the skills to achieve their own goals in multi-issue multi-party situations. It could also provide participants with a toolkit and checklist for such processes and situations.

Appendix B3 is a checklist used in my organisation which may be usable here (in any amended form). The principles are about attitude and behaviour in meetings or processes, the management strategies provide a framework for organising one's own work as well as policy or implementation processes. In my organisation we have a 4 days (2 x 2 days) comprehensive training programme to teach the 5 principles and 8 strategies. The programme is based on the principles of experiential learning and is built around 4 major simulation games. This programme has been running for over 5 years; since 2 years there is also an advanced course, again tailor-made to our situation in co-operation with the Consensus Building Institute in Cambridge Ma., USA (related to the Harvard MIT Public Disputes Programme).

The use of simulation games was favourably received by the try-out participants; apparently it is considered an effective and efficient way of learning. Yet, they also suggest to "Africanise" the games, and I quite agree with that. It is very well possible too; at this stage no heavy investments are needed to get such Africanised trainings started. Eventually, a full blown series of programmes may be opted for, which would be (much) more expensive.

In my organisation it proved important that the organisation's top management was seen to support the (training in) consensus approach: lower ranking people cannot be expected to use a particular approach if The Boss doesn't approve. In our case all directors-general as well as the secretary-general and staff directors attended to the first training, working down the ladder from then on. Based on that experience, I would suggest that any training programme contemplated by DWAF is seen to be approved at high level first.

Training as such may not bring about the desired capacity building: a follow-up programme may be desirable in order to help people to apply the training in real life practice and to help continuous learning from experiences. Refresher courses, additional (communication) trainings, expert support groups, mentoring, many options are available.

One very effective and cheap model, in my experience, is so-called "intervision": where supervision is about a supervisor and the supervised, intervision is a way where up to 5 professionals can learn from one another's expertise, experience and insight by meeting on a - say - 6 weekly basis and discussing each others projects, situations, dilemmas, work, etc. It is peer group self help, and if executed properly it is very fruitful. Not the least interesting effect of intervision is that it is a very sustainable way to lessen the burdens of management and to improve the professionals' work satisfaction. Appendix B2 is the format in use in my own group; several other formats exist but this one proved comfortable to us. I would suggest that intervision may be an interesting option for DWAF in order to strengthen the follow-up of any training programme.

Chapter 4

Stakeholders capacity building

The level of ambition in the NWB is high. At the same time, as I mentioned earlier, the nature of the game changes as well. I think therefore that capacity building amongst the present and future stakeholders cannot be done without.

Already there are some good examples of what the new CMAs will be like. A forerunner of a CMA seems to me the Olifants River Forum, which has been in existence for over 5 years. The forum sees 4 functions for itself: consultation, communication, co-ordination and representation as a voluntary association. It has established a way to communicate with many interested parties, including 3 government departments. The forum has managed to create community awareness and is a serious coalition partner to DWAF under the present and future legislation.

Another good example is the Sabie River Forum. in existence since the drought of 1992. It has no legal basis, it is a voluntary association, which did not prevent it from reaching consensus on various important issues. Presently, the forum adopted a comprehensive catchment management plan. Whereas people may think catchment management is about water: the Sabie plan calls for the creation of a specific (high!) number of jobs in the area, as an integral part of its (water) catchment plan. I mention this to illustrate what integrated management of water resources may entail.

There is a lot to learn from these pioneering fora. At the same time the fora could use some help from central government, i.e. DWAF. The least DWAF could do is provide funding, to enable the fledgling CMAs to help themselves and build the necessary capacities in their own ways.

Secondly, the lack of technical and scientific skills could be prohibitive to the implementation of the NWB, particularly during its initial phases. Maybe social skills should be added as well. DWAF could help out by making technical and scientific assistance from its resources available to the CMAs. The extent to which the CMAs (and fora) wish to accept this kind of assistance is to be determined in open dialogue with stakeholders.

That may well lead to a third option: a nation-wide programme on capacity building for all parties involved. Since many of the new organisations will be struggling with the same type of problems, I would suggest co-operation to be the most logical step forward. A nation-wide programme would ensure efficient use of all (human and financial) resources available.

During the 3 weeks I travelled in South Africa it couldn't but strike me that in the field of water resources management scarce resources were spread wide and thin. If you accept that not all situations are equally bad or serious or urgent, and if you accept that some regions are further ahead on the road to integrated catchment management than others, there may be a legitimate cause for prioritising and focusing the use of resources. I expect this to generate better value for money.

Just to give an example - and I apologise to the people involved for misusing their situation as an example here - since many years there has been extensive monitoring and data gathering programme for the Swartkops River, but that programme has (so far had) little relation to management decisions for the same area: the catchment's (ecological) health has not improved significantly since the programme started. At the same time areas like Olifants River and Crocodile River show a strong need for sound information or data bases to enable management decisions, and that information is not available (yet). I would suggest to either improve the relation between information gathering and catchment management in the Swartkops River area, or shifting part of the (financial and human) resources commitment in the Swartkops area to one of the other areas mentioned.

Special attention should be paid to the role of disadvantaged communities in the NWB processes. Involvement of these communities requires extra sensitivity from CMAs and the government because of the extra difficulties concerning economic, social, cultural and language situations. My contacts suggest that there is a clear interest in improving the living environment, for health or other reasons.

Using Maslov's theory on the hierarchy of human needs (Appendix C) it has to be accepted that the physiological needs for food, water, air, shelter and sex come before the need to upgrade the living environment and take part in integrated catchment management. I would suggest it may not be wise to set up a new, separate process on catchment management and expect people to take part in it, in addition to their participation in other planning and development processes.

The chances to achieve the NWB goals would increase strongly if it can be woven into existing processes and if existing structures like community fora can be used, thereby tapping existing community resources.

The process of Integrated Development Plans may be the ideal vehicle here, since it has the stakeholder communication - including ratepayers, outside investors, etc. - written into it, and it has a 5 years planning horizon. Only after adoption of the plan by the public may council and province adopt the plan. DWAF and the CMAs may achieve their goals relatively easily if they can get into that process.

Finally, I think it imperative to start building community support for the NWB. Communication is the word, and there are numerous way to choose from. The Olifants River newsletter is one nice and small example, but I will not pretend to know what media to pick for the South African situation. I do know it is very important to make the NWB a community matter.

If I may make one suggestion here: I think DWAF could make good mileage for the NWB out of the successes of the present Water Conservation Campaign. Tying the communication about the two together would be ideal, I find.

Chapter 5

Capacity building programmes

Judging by the reactions of the try out participants, I would suggest there is a need for some form of consensus management training. Other stakeholders I spoke to suggested the same. If and when this is confirmed, DWAF might consider organising one or more consensus training courses.

Again: the medium is the message. Such trainings should in my opinion be open to both DWAF people and to other stakeholders. A likely spin-off is that future negotiators get to know each other in a relatively harmless training situation, thereby laying the groundwork for the communication and the trust and confidence building needed at a later date in the real negotiations.

A one day training as in the try outs would be inadequate, I think. In order to get a solid basis and some grasp of the principles, strategies and tools involved, I would suggest at least a 2 days course. Four days would be ideal, I estimate, but there is a trade off here: many people should rapidly be helped and 4 days is a heavy onslaught on work capacity. One could also start with 2 day courses and switch to the larger course in 2-3 years time. I would suggest this point should be verified with parties involved.

Africanising the simulation games is a clear wish by participants which I underwrite. Initially the existing limited group of experienced consensus trainers in South Africa (and abroad?) can be drawn upon. In the long run that may prove difficult. An option is to train internal trainers and create a trainers' pool. Internal trainers have the advantage of speaking the "right" jargon and they can draw examples from their own experiences. Also, they are available after the trainings to clarify any extra learning points, to assist in developing strategies for negotiations, act as the organisation's principal negotiators, maybe act as facilitators, etc. "Internal" in this case could mean DWAF staff, but also DWAF and other stakeholders (other departments, provinces, river forums, development trusts, etc.).

Parallel to consensus training social and technical skills should be looked into. Social skills trainings could be about how to chair a meeting, how to participate in meetings, how to communicate effectively, how to address larger audiences, the Lifeline trainings mentioned earlier, etc. There is a clear need amongst regional DWAF staff for such trainings, and maybe at head office too. I would guess such trainings are already on the market in South Africa. If not, I am sure they can be devised quickly by professional training bureaux.

Technical skills trainings may be more difficult to start. The science of ecology will be new to many stakeholders and engineers, and few people know (as yet) how to implement the concept of sustainability in water resources management. For engineers and scientists to learn how to present their knowledge and information to relative laymen, and for laymen to learn to understand (the value of) technical and scientific information, is not an easy quest. However, there are some promising pioneering examples which I mentioned earlier: the River Health Programme, Sabie River Forum, Olifants River Forum, Soweto-on-the-Sea. There may well be more good examples that I am not aware of. The challenge is to open those banks of

knowledge and experience to others. i.e. convert the experiences into trainings and practical tools. At this stage I cannot estimate time and cost involvement of these actions: I am sure it is worth further investigation by DWAF.

Whereas, in my opinion, the consensus training should be more or less compulsory to attend - in order to generate a wide and strong group "speaking the same language" - the social and technical skills trainings should be on a voluntary basis for those people who feel they need such extra skills training because of their work environment.

Trainings should get a follow-up in order to make maximum use of the trainings itself and to draw from knowledge and experience generated in real life practice. How to go about that I am not sure: my information base is too small to make any suggestions for such programmes. I would suggest however that in DWAF the concept of intervision be researched and/or implemented on an experimental and voluntary basis: it is such a nice idea...

Capacity building as discussed here requires two more things: monitoring and communication. Although I find that DWAF carries a special responsibility under the NWB for capacity building amongst future stakeholders, any capacity building programme under the NWB should be a joint effort by all parties involved. Monitoring of effectiveness and progress is essential. Communication of successes (and failures?) is the way to hold a programme like this together and keep on the right track. A NWB newsletter for stakeholders, be it on paper or electronic, would already be a big step forward.

Chapter 6

Conclusion

The National Water Bill is a major departure from present procedures. The changes involved will have to be implemented by people. By people who are already involved in water management and by people who are new to this trade. Both these categories need attention in order to make these changes work. Both categories should get familiar with their new roles and tasks, should develop a feel for the new distribution of responsibilities and mandates, and should become "comfortable" with the new situation.

When asking people to allocate time and energy to new things, and to change their behaviour, it must be made clear "what is in it for them". Normally, people can see the threats quite easily, but the opportunities often have to be clearly outlined - and in a convincing way - before people will stick their necks out. Words don't half as much convince as facts. Creating new facts, showing what the opportunities are, what can be earned and what the opportunity costs are, is a most convincing way of promoting change.

I would therefore suggest to start any capacity building programme in an incremental way and let it grow. To borrow from the River Health Program again: try to set up the cycle of resource allocation, capacity building, demonstration, recognition, etc.

As an example I can use DWAF: allocate money to create a first group of 50 pioneers in the organisation (9 regional offices plus 1 head office times 5 people) and make sure these pioneers are rewarded (financially, status, etc.). Provide capacity building for this group only: easy access to skills training, rapid development of a first consensus training for them, advanced training to become a facilitator and/or mediator, start an intervision network for them (professionally assisted) and allow time for intervision. Demonstrate its effect by monitoring and communication new facts to other staff members. Once recognition is there, further resources could be allocated to the next group, inside and/or outside the department, and the spiral would start to grow.

This will cost time and money. It will also cost some attention: somebody will have to "own" this important aspect of the NWB and be its custodian. That somebody will soon be joined by others once the cycle I mentioned starts to move. But initially he or she will be on his or her own, and will truly be pioneering.

That somebody will be the TOP PIONEER and I wish that somebody very well...

and if I can be of service to him or her I would be delighted.

APPENDIX A1

**PARTICIPANTS IN THE MULTI-STAKEHOLDER TRAINING
WORKSHOPS HELD IN MARCH 1998.**

APPENDIX A1 - TABLE 1: PARTICIPANTS IN THE MULTI-STAKEHOLDER TRAINING WORKSHOP HELD IN CAPE TOWN ON 3 MARCH 1998

NAME	AFFILIATION
1. Huub Schrijver (trainer)	VR0M: Netherlands
2. Heather MacKay (trainer)	DWAF: Institute for Water Quality Studies
3. Sandra Fowkes (trainer)	Metaplan
4. Barbara Gale	Aqua Catch
5. Roger Parsons	Parsons and Associates
6. Thandi Zokufa	DWAF: Eastern Cape
7. Jacques van der Merwe	DWAF : Eastern Cape
8. Bettie Conradie	DWAF: Northern Cape
9. Fanus Fourie	DWAF: Northern Cape
10. Larry Eichstadt	DWAF : Western Cape
11. Gareth McConkey	DWAF: Western Cape
12. Jannie van Staden	DWAF : Western Cape
13. Wilna Kloppers	DWAF : Western Cape
14. Jacques Rossouw	DWAF : Western Cape
15. Christo van Wyk	DWAF : Western Cape
16. Bruce Oom	DWAF : Western Cape
17. Patrick van Coller	DWAF : Western Cape
19. Haroon Karodia	DWAF: Kwazulu Natal
20. Ashwin Seetal	DWAF: Kwazulu Natal

APPENDIX A1- TABLE 2 : PARTICIPANTS IN THE MULTI-STAKEHOLDER WORKSHOP HELD AT ROODEPLAAT DAM ON 12 MARCH 1998.

NAME	AFFILIATION
1. Huub Schrijver (trainer)	VROM (Netherlands)
2. Heather MacKay (trainer)	DWAF: Institute for Water Quality Studies
3. Karin Ireton (trainer)	Industrial Environmental Forum
4. Liesl Hill	DWAF: Institute for Water Quality Studies
5. Brendan Hohls	DWAF: Institute for Water Quality Studies
6. Mpumi Msezane	DWAF: Institute for Water Quality Studies
7. Pete Ashton	CSIR
8. Dirk Roux	CSIR
9. Alison Howman	DWAF: Institute for Water Quality Studies
10. Mbangiseni Nephumbada	University of Pretoria
11. Amos Sibuyi	Manyaka-Greyling Liaison
13. Mick Angliss	Environment Affairs : Northern Province
14. Rob Hattingh	Richards Bay Minerals
15. Andrew Duthie	IAIA
16. Esther van der Merwe	DWAF: Human Resource Development
17. Jay Bhagwan	Water Research Commission
18. Margaret von Mollendorf	DWAF: Mpumulanga Region
19. Boniface Aleobua	DWAF : Geohydrology
20. Erich van den Bergh	DWAF : Project Planning
21. Lin Gravelet-Blondin	DWAF: Kwazulu - Natal
22. Fadl Nacerodien	Department of Foreign Affairs

APPENDIX A2

**BRIEFING INSTRUCTIONS AND BACKGROUND INFORMATION
ISSUED TO PARTICIPANTS IN THE MULTI-STAKEHOLDER
TRAINING WORKSHOPS HELD IN MARCH 1998.**

RESOURCE PROTECTION AND ASSESSMENT POLICY IMPLEMENTATION PROCESS

CAPACITY-BUILDING REQUIREMENTS FOR MANAGEMENT OF MULTI-STAKEHOLDER GROUPS IN IMPLEMENTATION OF THE NATIONAL WATER BILL

Second training workshop, to be held on 12 March 1998.

Venue: Roodeplaat Training Centre, Roodeplaat Dam, Moloto Road, Pretoria. (Directions enclosed)

Trainers: Heather MacKay
Huub Schrijver
Sandra Fowkes
Karin Ireton

Information and preparatory reading for participants.

Important Notes

1. There will be a charge of R28-00, to cover lunch, tea & coffee.
2. Participants must please confirm their attendance. Last-minute cancellations lead to problems with running the simulations, if one or more people are missing. Confirm with Heather MacKay or Mpumi Msezane at IWQS, tel (012) 8080374, or email Mpumi at EEJ@dwaf-hri.pwv.gov.za, in good time so that we can arrange a replacement for you if necessary. **Please understand that it is essential for you to be available for the whole day, if you wish to participate in this workshop.**
3. The one-day training workshop is a very "stripped-down" version of an intensive 2-3 day package, which is in itself only one component of a structured training programme. Reading material (about 2 hours' worth) will be sent to participants ahead of time to allow them to prepare for the simulation. There will not be time for preparatory reading on the day, so please ensure that you come prepared.

RESOURCE PROTECTION AND ASSESSMENT POLICY IMPLEMENTATION PROCESS

CAPACITY-BUILDING REQUIREMENTS FOR MANAGEMENT OF MULTI-STAKEHOLDER GROUPS IN IMPLEMENTATION OF THE NATIONAL WATER BILL

The National Water Policy and new National Water Bill are founded on the principles of sustainability and equity. Sustainable development solutions require the achievement of a balance between economic, social and environmental issues, interactions which are complex and which frequently lead to conflict. Many of the new policy tools in the water bill, including the Reserve, classification of water resources, licensing and integrated catchment management require the management of multi-stakeholder groups in consensus-seeking processes. It will be essential to build the capacity to manage such processes within DWAF, in order to support implementation of the sustainability principles in the new water bill.

Capacity building for policy implementation is a key element of the work of the Protection and Assessment Policy Implementation Task Team (PAPITT), led by Dr Henk van Vliet of the Institute for Water Quality Studies. As DWAF moves into full implementation of national water policy, capacity will be required at several levels, including technical, specialist, administrative and management expertise. During March 1998, Dr Heather MacKay of PAPITT will be coordinating an initial exercise to assess capacity building requirements specifically in relation to ***skills for managing consensus-seeking processes and multi-stakeholder groups***, as these groups begin to use the new policy tools.

During March 1998, three workshops will be held:

- two one-day workshops, in Cape Town on 3 March 1998, and in Pretoria on 12 March 1998;
- a planning workshop involving a smaller group of people.

In the training workshops, the mutual gains approach to consensus-building will be taught through the use of detailed case study simulations. Participants get to play the roles of various stakeholders in relevant simulations, seeking to reach consensus on project design, policy development or management of shared natural resources. The simulations are designed to highlight potential conflict areas, in order for participants to learn how to invent options and processes for resolving conflicts and reaching sustainable solutions. The importance of process, dialogue and trust, and the role of the chair in such a process, are brought out strongly in the pre-simulation preparations, in the teaching materials, and in the post-simulation debriefings and theoretical lectures.

The training workshops will be used to introduce people to a possible training approach, to test the training approach, and then to get feedback and input from participants on their perceptions of:

- training needs within the regions, for skills in managing multi-stakeholder groups, and
- suggestions as to how to tailor training material to most effectively address training needs and the requirements of implementation of the new water bill.

A draft programme for the training workshops is attached. Nominations of people to participate in these workshops will be requested from DWAF regional offices and head office directorates.

At the planning workshop, we hope to be able to design a plan for the development of capacity-building and training programmes not only within DWAF, but also in collaboration with counterpart agencies, such as DEAT and provinces, catchment management agencies as well as major stakeholder groupings. This plan will draw on the feedback which we receive from participants at the training workshops.

Additional information

Enclosed in this reading package you will find the general instructions for the negotiation simulation "Development Dispute at Menehune Bay", which is the simulation which will be used in these initial training workshops. Please read the general instructions carefully and make sure you are familiar with the information and the issues. This is a 7-player game, comprising 6 stakeholders and a neutral

facilitator. Participants will be assigned one of the roles on the day of the workshop, and the confidential instructions for each role will be issued then.

In these workshops, we are testing a training approach which could potentially be useful in two areas:

- firstly, teaching people how to manage and participate in multi-stakeholder processes, allowing them to practise and become confident with aspects of these processes, and
- secondly, by customising the content of the teaching material, we could focus on one or more specific policy tools and regulatory instruments which require multi-stakeholder participation in one form or another, and which will be implemented in the context of the National Water Bill.

"Menehune Bay", while not specifically written about a South African situation, nevertheless represents a fairly typical scenario, where environmental, economic, social and development interests must be balanced in order to reach a decision which is supported by consensus amongst the major role players. Many other simulations have been written, and are available - some are very complex, designed to be played out over one or more days in a training environment; others are very simple and brief, designed to illustrate very specific aspects of a larger process. Most of the longer games have a specific "tool" embedded in them, such as a computer model, an impact assessment, a risk assessment, or a cost-benefit analysis.

Look at Menehune Bay in this light, and think about how we might customise such simulations for our situation. What case studies do you know of, that could have had a number of possible outcomes, depending on how the participation process was managed? Can any of these form suitable material for scripting more specifically South African simulations? What policy tools would you most like to have integrated into simulations, in order to allow you to practice your technical and people skills *before* you end up in the "hot seat", possibly chairing a multi-stakeholder meeting? If training of this kind is introduced, who would most benefit from training, and at what level? How could we strike a balance between formal theory lectures and the experiential learning of the simulations? These are some of the questions which we hope to discuss in the final session of the day, in order to get feedback from participants.

We believe that you will learn from the workshop, but we hope that you will also be able to contribute much to these early stages of planning for water policy implementation, by sharing your own experiences from your everyday work, and by telling us what is needed to support policy implementation "at the rockface".

CAPACITY-BUILDING REQUIREMENTS FOR MANAGEMENT OF MULTI-STAKEHOLDER GROUPS IN IMPLEMENTATION OF THE NATIONAL WATER BILL

Second training workshop, to be held on 12 March 1998.

Venue: Roodeplaat Training Centre, Roodeplaat Dam, Moloto Road, Pretoria. (Directions enclosed)

Programme

08h00 Welcome and introductions. Objectives of the workshop. (H MacKay)

Introductory simulation

Debriefing and discussion of the principles of managing consensus-building processes

10h00 Tea

10h20 Briefing for Menehune Bay simulation

Participants prepare for Menehune Bay simulation. Pre-meeting caucuses. Simulation commences.

12h30 Lunch. Simulation continues during lunch with informal caucuses.

14h30 Small group debriefing

15h00 Tea

15h20 Debriefing of the negotiations and feedback session. Participants report back on decisions reached during the negotiation. (Participants may request trainers to provide individual debriefing discussions on personal performance in the simulation, to be held after the main discussions have been completed.) Discussion on training needs, customisation of training material, train-the-trainer options, and suggestions for development of long term training programmes.

17h00 Closure

APPENDIX A3

GENERAL INSTRUCTIONS FOR THE MENEHUNE BAY SIMULATION

A DEVELOPMENT DISPUTE AT MENEHUNE BAY

A Brief History of the Proposed Project

Two years ago, the Elima Iki Development Company (EIDC), a locally-owned real estate firm with international development experience, entered into an agreement with the Queen Malia Estate. EIDC had arranged to lease almost 500 acres surrounding Menehune Bay on Oahu. Most of the property was in sugar cultivation at the time, although it was not considered especially productive agricultural land.

The property became available when the Estate decided not to release the 500 acres to the Sierra Sugar Company. The trustees of the Estate wanted to increase the financial return on their land holdings. The Estate was established to help elderly persons of Hawaiian ancestry who are unable to care for themselves. Because this segment of the population faces steadily increasing health care costs and because its numbers are growing, the Estate feels it must increase its income by leasing to a resort developer.

Of the 500 acres, about 300 were in cultivation (including access and service roads, irrigation ditches and ponds) when the agreement was signed. Approximately 10 acres were abandoned Hawaiian fishponds and about 40 acres were relatively untouched marsh. Approximately 30 acres surrounding Menehune Bay were used as a beach park - nominally for the exclusive use of employees of the Sierra Sugar Company, but in fact open to everyone. The Company maintained the beaches (which provided attractive and safe swimming), parking, a pavilion, changing rooms, toilets and shower areas, as well as outdoor cooking facilities. The private beach park was very popular on weekends and holidays. Scuba divers used the beach as a jumping-off point to nearby reefs. Local fishers also made use of the shoreline, and still do, though now they are chased off by security guards. Once the lease was signed, the company closed down the beach. Since then, EIDC has tried to limit access to private parties that must apply for permission from the developer. EIDC cites financial liability in case of accidents as the reason it must restrict access to the site.

In the mid-1960's, the Queen Malia Estate applied to the State Land Use Reallocation Board for the reclassification of 380 acres from agricultural to urban use. At the time, the Estate had entered into a tentative agreement with the Palms Royale Development Corporation. Palms Royale, in turn, had an agreement with a major international hotel corporation. (**Remember:** There was a great deal of desire in the mid-1960's to foster as much tourism as possible in Hawaii.)

While there was some opposition to the Estate's application at the time, it was not widespread. The Board granted the Queen Malia Estate's request and reclassified the entire parcel as urban. No time limit was set and no conditions were placed on how the land could be developed. (**Note:** In recent years, the Board has changed its practices, insisting on substantial progress within five years and imposing specific conditions on the use of the reclassified land.) As it turned out, Palms Royale was unable to secure the financing it needed. Its agreement with Queen Malia Estate was terminated.

Over the years there have been many rumors about plans to develop the Menehune Bay lands as a resort. Development has consistently been opposed by Hawaiian Rights groups who are especially concerned about the displacement of approximately 25 families that have kuleana (small pieces of property) taro farms adjacent to the Sierra Sugar Corporation. None of the rumors turned out to be true until Elima Iki Development Corporation signed an agreement with the Estate two years ago. Basically, EIDC's plan calls for the development of a 3000-room world class destination resort area. There will be four 500-room hotels along the shoreline, plus four smaller 250-room hotels on adjoining Kea Cove. In addition, the plan includes two championship golf courses, a 16-court tennis club, swimming pools at each hotel, two sailing and fishing clubs, as well as numerous restaurants, bars, nightclubs, shops and service establishments. Surrounding portions of the golf courses and along the rocky portions of the shore will be 100 single-family condominium units ranging in price from one million to two million dollars. According to EIDC, the resort will provide direct employment for almost 3500 people as well as temporary construction employment for 1700 worker.

The developer must still secure a number of permits including: a general plan amendment, an amendment to the city an county development plan, resort rezoning, and a special management area permit. EIDC has been

working with a team of architects and planners on detailed designs. A group of banks has helped EIDC secure a pledge of the interim funding it needs. No funding problems are anticipated once the necessary permits and approvals have been secured.

EIDC is also preparing the required Environmental Impact Statement. Since construction will require filling a portion of the marsh and eliminating the fishponds, the potential environmental impacts will be reviewed closely. EIDC proposes to build its own sewage plant as well as its own wells (on mauka lands leased from the Queen Malia Estate for that purpose). It already has the necessary rights-of-way for a power transmission line and water lines. Current estimations suggest that the resort will require approximately 1.3 million gallons of water per day for domestic purposes and 1.2 million gallons daily for maintenance of the golf courses. Such usage will not leave sufficient water to support current agricultural endeavors. Some have suggested water recirculation for non-domestic uses.

As soon as the Queen Malia Estate and EIDC issued a joint announcement about their plans to develop Menehune Bay, opposition began to emerge. Various city agency staff, who had not been around when the earlier urban rezoning had been approved for the site, began raising all sorts of questions. A number of groups perceived some of the attacks on the proposed projects as anti-business, and they have come to the defense of EIDC and the Estate. The City Council has, for the most part, remained fairly noncommittal about the project, while the Mayor has commented that a number of questions must be answered before he can support the proposal.

Supporters and Opponents

There are six organizations actively involved in the development dispute at Menehune Bay. They are:

SAVE OUR SHORES

This is a militant, anti-development group that has been very active in matters involving "Hawaiian Rights." Most of its members are young and take strong ideological stands. Save Our Shores has opposed all efforts to move native Hawaiians off public and privately-owned lands. It opposes tourism as the mainstay of Hawaii's economy.

THE MENEHUNE BAY USERS ASSOCIATION

This is a newly-formed group of fishers and others who use the Bay as well as a group of taro farmers who have worked the land adjacent to the sugar plantation for several decades. The Association was organized by a young taro farmer/fisher who saw EIDC pushing the Bay users and the farmers away from the Bay and threatening their supply of water necessary for growing taro.

THE DEVELOPMENT INFORMATION ASSOCIATION

This is a well-organized, well-financed and respected "think tank" that supports "quality" economic development in Hawaii. It has a small staff. Its board of directors includes leading bankers, corporation executives, and estate trustees. DIA provides information and guidance to developers, as well as to public and private planners and elected officials.

ELIMA IKI DEVELOPMENT COMPANY (EIDC)

EIDC is a locally-owned real estate firm. It has experience in both residential and resort projects, although Menehune Bay will be its largest project to date. It has completed projects in California and Australia, as well as Hawaii.

CONSTRUCTION NOW HAWAII

This is a lobbying organization. It is a coalition of construction unions, contractors, and building material and heavy equipment suppliers. The group has a small staff. It has a history of mounting public demonstrations.

before the State Legislature, the City Council, and various land-use agencies. Construction Now Hawaii endorses candidates for political office. Indeed, they were quite visible in backing the current mayor.

HAWAII'S FRIENDS OF THE ENVIRONMENT

This is an environmental action group. Their primary concern is to maintain water and air quality. They have a staff and a membership of almost 2000. They actively lobby for and against legislation. In the past they have also supported historic preservation efforts and attempts to conserve open space.

The Issues

There have been numerous editorials, letters to the editor, position papers and paid advertisements regarding the proposed Menehune Bay project. Questions and concerns have been raised regarding a host of issues: Where will the employees who work in the project be housed? If they seek housing in any of the nearby communities, will rents increase? How will this project help Oahu deal with its shortage of affordable housing? Will people who currently fish in the area be allowed to continue fishing from on-shore? What will be done to preserve the historically important aspects of the site? Should the fishponds be reconstructed? Was there ever a heiau in the area? Will the development cause further overcrowding of already overburdened roads and highways? What will be the effect of construction and traffic in the area? Does it make sense for Oahu to develop another major tourist destination outside of Waikiki in addition to Turtle Bay and West Beach? Should Hawaii continue its economic dependence on tourism? Aren't the new tourism-linked jobs likely to be created at the low end of the economic scale? Won't the project give an important boost to the sagging construction industry? Won't the construction and operation of a major resort interfere with the wetland habitat of several endangered species? Who will have rights to the fresh water in the area? Will there be enough water?

While the range of questions may seem overwhelming, the debate appears to have narrowed to three primary issues:

1. Use of the shoreline including historic preservation;
2. Disposition of the marshes and the water resources as affected by the scale of the hotel; and
3. Economic growth and job creation.

The Current Situation

The Mayor has invited each of the six groups to designate a senior member to serve on a Special Advisory Committee. He has indicated that if five of the groups including EIDC can reach agreement, he will probably go along with their recommendations. While the City Council has not made a similar statement, the general view is that the Council, too, will support a consensus if one can be reached.

The local nonprofit Center for Neighborhood Dispute Resolution has agreed to facilitate the discussions of the Special Advisory Committee. They have a foundation grant to support this effort. All the members of the Special Advisory Committee have agreed to accept the Center's help. However, they have reserved the right to dismiss the Center's facilitators if they seem to be biased in any way.

The Special Advisory Committee has met several times, but made little, if any progress. Most of their time has been spent with each group repeating its positions on the three primary issues. The Mayor has indicated that he needs to see substantial progress toward agreement today or he will disband the Special Advisory Committee. If the group is disbanded, the Mayor and City Council will decide the issue as they see fit. The Committee members have been in close touch with their constituents/members and have received firm instructions about what they can and cannot support. The Committee is about to meet again.

A firm deadline has been set: The meeting will run no longer than 90 minutes.

**A DEVELOPMENT DISPUTE
AT MENEHUNE BAY**

OPTION SHEET FOR _____

ISSUE #1: USE OF THE SHORELINE

Options	Priority
1. Exclusive use by resort; destroy fishponds	_____
2. Exclusive use by resort; save fishponds	_____
3. Public access trail to shore; save fishponds	_____
4. Public parking and public access trail; save fishponds	_____
5. Public parking and small public park	_____
6. Take whole shoreline by eminent domain for public domain	_____

ISSUE #2: USE OF MARSH AND WATER RESOURCES

Options	Priority
1. Build the hotels as planned; fill most of the marshes; take the water from the taro farmers	_____
2. Build the hotels as planned; fill most of the marshes; guarantee present level of water use for the taro farmers	_____
3. Concentrate the hotel construction by building fewer but higher buildings; save the marsh; leave the water for the taro farmers	_____
4. Reduce the number of hotel units to 2000; concentrate construction by increasing the height somewhat; save the marsh; leave the water for the taro farmers	_____
5. Reduce the number of hotel units to 500; build only one golf course; save the marsh; leave the water for the taro farmers	_____

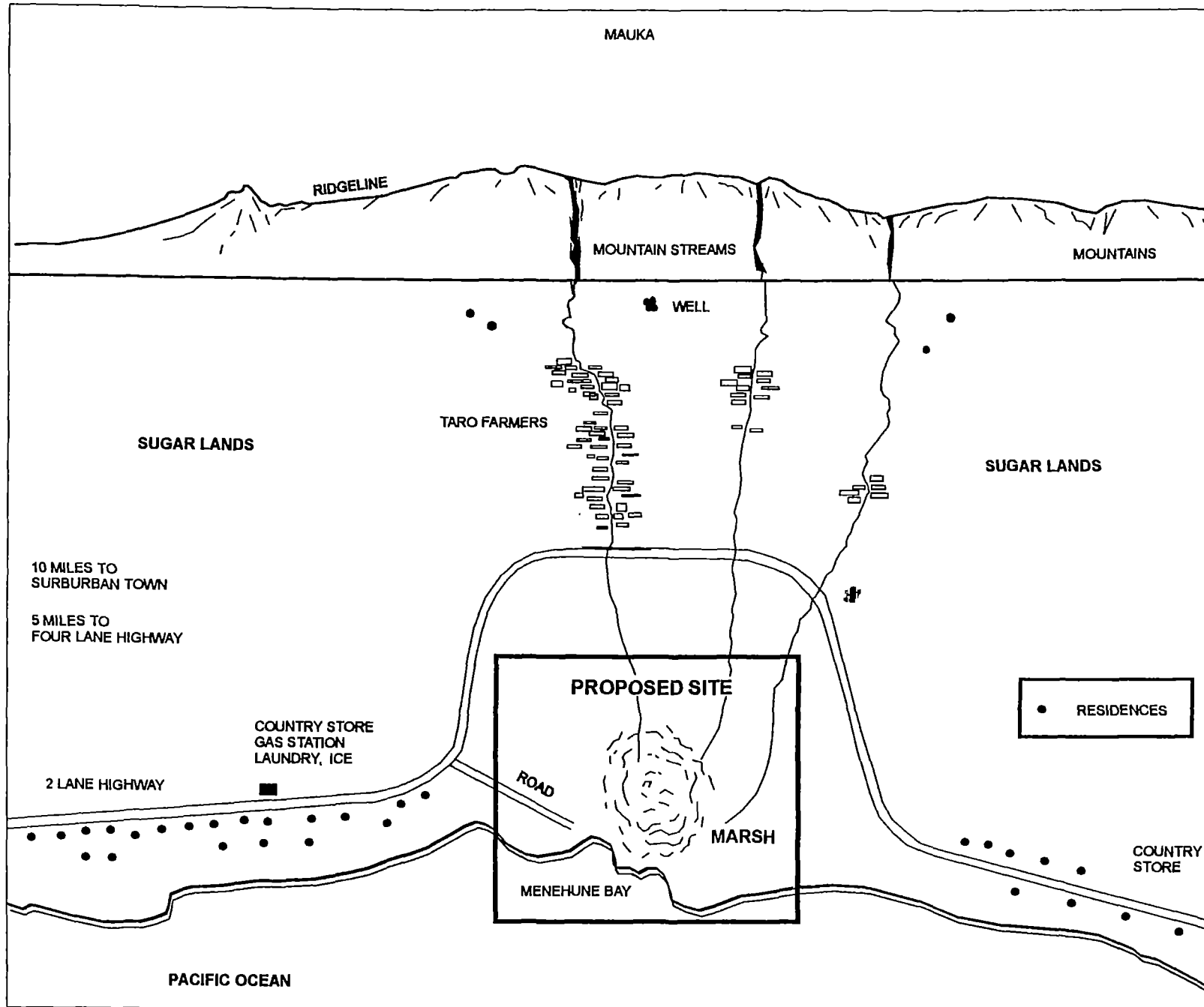
ISSUE #3 JOBS AND ECONOMIC GROWTH

Options

Priority

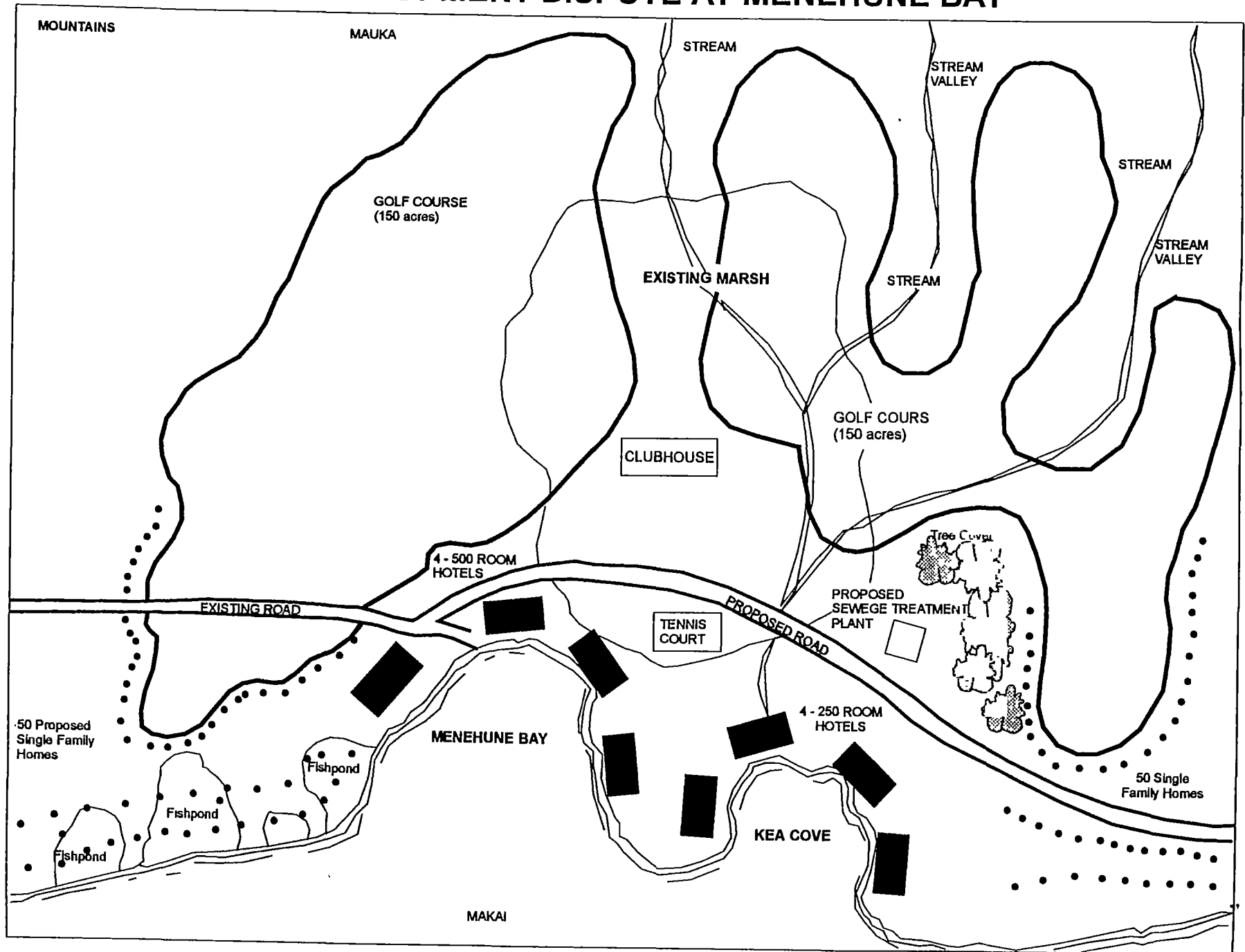
1. As proposed (3500 jobs); no annual payment to the community compensation fund
2. 3500 jobs; \$500 000 annual payment
3. 2500 jobs; \$1 000 000 annual payment
4. 1500 jobs; \$1 500 000 annual payment
5. 1000 jobs; \$1 750 000 annual payment
6. 650 jobs; \$2 000 000 annual payment
7. Fall back: 3500 jobs; \$2 000 000 annual payment

A DEVELOPMENT DISPUTE AT MENEHUE BAY



MAP 1 - ESTATE LANDS

A DEVELOPMENT DISPUTE AT MENEHUNE BAY



MAP 2 THE PROPOSED SITE

What is Successful Negotiation ?

- 1. Satisfying outcome**
 - works for all the parties
 - long term commitment
- 2. Efficiently reached**
 - time not wasted
 - nothing left on table
- 3. Amicably ended**
 - relationship enhanced
 - future dealings easier

The Conventional Wisdom About Negotiation

- **Bid high**
- **Trade concessions for concessions-grudgingly**
- **Do not reveal anything - wear a mask**
- **Show no empathy - undermine the legitimacy of their claims**
- **Dirty tricks - undermine them psychologically**

Assumptions Behind the Conventional Wisdom

Win/lose - Zero-sum situation:

- **Their gain is my loss**
- **The size of the pie is fixed**

Negotiation is a test of will - this model applies (maybe) to:

- **Strangers**
- **People you hope never to see
again**

Problems with This Approach

Erodes trust:

- You make yourself a liar from the beginning; what you say you need isn't what you actually need

Undermines accuracy of information (on both sides):

- Hoard information instead of sharing it
- Attempt to devalue and undermine the other side's information

The Mutual Gains Approach

- **The Conventional Wisdom** assumes that you get what you want by making sure that the other side doesn't get what it wants.
- **The Mutual Gains approach** assumes that you get what you want by making sure that the other sides' needs are met--at the lowest possible cost to you.

The Mutual Gains Approach

The key elements of the Mutual Gains approach to negotiation are

- **Know your BATNA (Best Alternative to a Negotiated Agreement)**
- **Focus on Interests, Not Positions**
- **Invent Options for Mutual Gain**
- **Insist on Objective Criteria**
- **Separate the People from the Problem**

Know Your BATNA

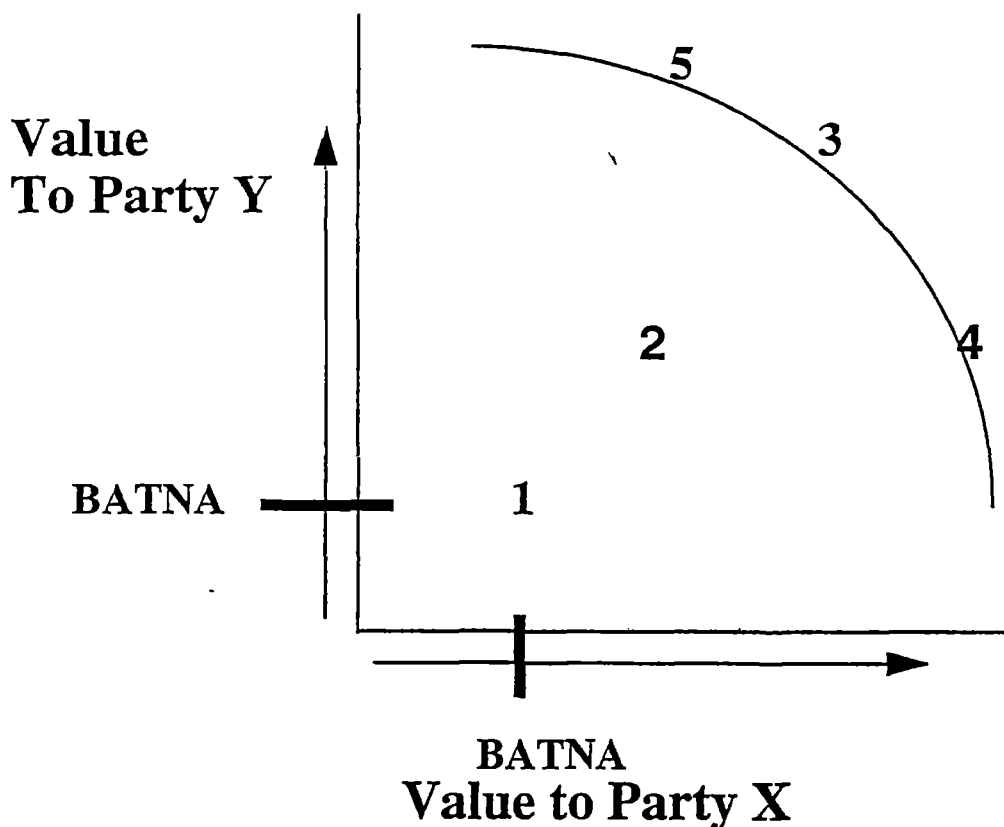
**Start with extensive preparation -
Know your BATNA (Best Alternative
to a Negotiated Agreement).**

- **Improve your outcome by
improving your BATNA.**
- **Raise doubts in their minds about
the strength of their BATNA.**

Focus on Interests, Not Positions

- **Analyze your interests, and theirs**
- **Communicate your interests - explicitly**
- **Listen; discover their concerns and needs**
- **Trade across differences (this is not compromise)**

Invent Options For Mutual Gain



**How negotiators create value affects
how much value is available to claim.**

Insist on Objective Criteria (Standards)

- **Ways to choose among possible options**
 - **Maintain the creative mode - can't eliminate all tension**
 - **Nobody feels taken - explanations**
- **Possible objective criteria:**
- **Efficiency Market**
- **Cost effectiveness Tradition**
- **Reciprocity Expert advice**
- **Equal treatment**
- **Scientific merit or scientific judgment**

Separate the People from the Problem

- **Act the way you want others to act**
Comment on behavior you find problematic, preferably with humor
 - **Metaphorical view - negotiation jujitsu**
Step aside if they come at you
- **Knowing that I won't agree if a proposal doesn't meet my interests is my protection**
It allows me to listen
- **Recognize that to deal with the "people problem, you have to deal with**
 - **perceptions**
 - **emotions**
 - **communication**

Evaluating Negotiation Results

Strive for outcomes that are:

Fair

Efficient

Wise

Stable

- Relevant parties have been involved
- Parties are better off (or at least not worse off)
- Resolution based on use of relevant scientific, technical, and community knowledge
- No joint gains left unrealized
- No one feels “taken” - including the public
- Relationships are maintained or enhanced
- Process for resolving future problems built into the agreement

APPENDIX A4

**FEEDBACK FROM PARTICIPANTS IN THE MULTI-
STAKEHOLDER TRAINING WORKSHOPS HELD IN MARCH
1998.**

3rd March session - Cape Town

“What will I do differently tomorrow after what I have learnt today?”

Make more time for preparation and prepare better.
Know clearly what my interest are before negotiations.
Set my own objectives and strategy
Develop better strategies
At least note the points to be discussed
Prepare better ito knowledge of opponents interests
Improve meeting preparation
Start writing down my plan for the meeting
Prepare for meeting
When discussing prepare technical issues better, before meeting.

Look for options
Be more creative, generate more possible solutions
Focus on interests - Why?
Try to understand other parties interests
Determine position and interests. Pre-caucus meetings.

Try and be more open to other party's feelings
Unlock energy - what to, why - if's

More small group caucusing
Spend more time in pre-meeting caucuses
Caucus more than I have in the past
Identify and “soften” (lobby) customers
Negotiate with interested parties before making decisions
(Initiate) communicate
Negotiate down
Stay positive

Suggest ways in which such training opportunities could be optimised.

Note: explanatory comments in italics

The case study is ideal
Over two days - 1 theory, 1 practical
Local simulation exercises for DWAF and staff from other departments
Make notes to which we can refer to when preparing meetings
Try make example “local”
van die rolverdelings was sekonder (nogtans interessant om deel te wees) & literatuur
onduidelik
Develop gov. “way” of negotiating (a set of rules)
sometimes problem with what my mandate is, as a civil servant
some influence from managerial style
if policies & guidelines clear then problems should decrease.
People in each group should be familiar with each other.
More time for preparation - maybe obtain role earlier
Allow a bit more time for negotiation meeting
More time for caucusing
Produce page of learning points
Develop negotiation skills

some groundwork on one on one training
In depth need training - e.g. given of contrasting behaviour in a boss shout to one employee
"Mulder!!" phones another and says " Mike please come here"
need for social skills - life skills training
DWAF often play role of facilitator & so need training
Bring in more conflict
Do not marginalize any group
Repeat similar case study with group members taking on different roles e.g. facilitator.

12th March session - Pretoria

" What were your most important learning points today?"

Be well/ fully prepared
Know your BATNA (homework operation)
Importance of preparedness to own interest
Get to know the other's maneuverability beforehand

Attitude

To establish a tone/mindset of problem solving (solution orientation)
Trust and reason must be established
Listen carefully
Communication is very important
A feeling of co-operation & trust can prevail once issues are in the open
Focus on issues not emotions
Parties have to reach an agreement
Proper definition of common objectives in a multi stakeholder grouping
Compromise is the solution
Gaining consensus doesn't have to be a win-lose situation
"Sustained" consensus.
Nurturing the spirit of the agreement

Importance of role facilitator
Facilitator can make or break the process
Facilitator extracts the true key issues from emotional presentations

The importance/ value of caucusing
Caucusing and alliancing

" In what situations/organisations can it be used?"

Top management in my dept.
In meetings within DWAF
training negotiators, allocation of trainers/ing
Technical or scientific partners (DEAT etc.) could benefit greatly
Dealing with issues requiring negotiations
Consensus building in project management
prioritising issue/projects concerns
water resource/service awareness to regions
Establishment of catchment forums and water users associations
In community development facilitation
NGO's coalition forums
Water allocations and use
Designing catchment management plans

Negotiation of the setting of environmental Reserve
setting RQO or desired states
selecting BEO/BIP options
IEM process followed for permitting solid waste sites (public participation)
Arriving at an economically acceptable/feasible discharge STD for municipal water care works
EIA's and EMPP's
Resolving the concerns of IAP's in EIA with authorities
Protected area declarations
Shortlisting water supply options
Feasibility studies bulk water projects
Industry/conservation... management meetings on special issues
Setting limits on catchment abstraction?
Permit applications : introductions, developments, etc.
Environmental awareness

"Target organisations for this kind of training?"

DWAF: minister, senior and middle management, regional personnel, water quality management, water pollution control officers, forestry chief directorates, ISD
Community facilitators
Project planners
EIA project managers
Local authorities
provincial DEA's etc.
DEAT national and regional
NGO's, environmental organisations, ZEAL
Industry representatives
Agriculturists
Construction companies
CMA's
Northern Province dept. of Agriculture, Land and Environment
DME
Rand Water

Conclusions from participant comments

1. Many of the intended learning points were realised : the message comes across
2. Apart from items typical of the consensus approach participants learned about meetings and negotiations in general: better preparation, caucus , communication, etc.
3. Most learning points are phrased in concrete pragmatic words: one sees a link between training metaphors and day-to-day work
4. The Pretoria participants concluded that the consensus approach can be used in a wide variety of situations and by many people/organisations.
5. The Cape Town participants while content with the results gave many practical suggestions for improvement : local examples, theory, checklist, etc.
6. Broadly speaking several training needs were identified:
 - how to communicate effectively
 - how to organise or take part in meetings
 - the consensus approach - for all stakeholders
 - special needs of DWAF personnel

APPENDIX A5

Programme for H Schrijver's visit to South Africa

APPENDIX A5 : ITINERARY FOR HUUB SCHRIJVER'S VISIT TO SOUTH AFRICA

- Mon 2 Mar Water policy workshop at Western Cape Regional Office.
Accommodation: Breakwater Lodge, Cape Town
- Tues 3 Mar Consensus-building training workshop at W Cape Regional Office.
- Wed 4 Mar Depart Cape Town by air for Port Elizabeth 10h30.
Drive from Port Elizabeth to Grahamstown to meet with members of Institute for Water Research at Rhodes University.
Site visit to Fish River - testing of habitat assessment procedures.
Meeting with Andrew Buckland and Penny Bernard - cultural and spiritual values of water in society.
- Thurs 5 Mar Depart Grahamstown for East London.
Field visits with Eastern Cape regional staff.
- Fri 6 Mar Field visits, East London.
Meet at Makalima Johnstone - site visit to Duncan Village to meet with Duncan Village Development Forum and Siegneury Park Development Forum.
Depart East London for Johannesburg 15h00
- Sat 7 Mar At leisure
- Sun 8 Mar Depart Johannesburg by road for Skukuza (Kruger National Park).
- Mon 9 Mar Consultative workshop: Determining the future desired state of the Kruger
Tues 10 Mar Park rivers.
Depart Skukuza for Johannesburg 16h00 on 10 March.
- Wed 11 Mar Institute for Water Quality Studies, Pretoria.
Netherlands Embassy, Pretoria.
- Thurs 12 Mar Consensus-building training workshop at Roodeplaat Training Centre,
Pretoria
- Fri 13 Mar Visits to head office, regional office.
- Sat 14 Mar At leisure
- Sun 15 Mar At leisure
- Mon 16 Mar Consensus-building planning workshop at Roodeplaat Training Centre,
Pretoria
- Tues 17 Mar
- Wed 18 Mar Chemical and Allied Industries Association - Responsible Care Workshop
- Thurs 19 Mar Institute for Water Quality Studies: Information session on VROM, IPMS and
consensus-building training (HM & HS). 09h00-10h00
- Fri 20 Mar Meeting with Mr Claus Triebel, on economic & tariff policy

APPENDIX B1

Implementation Challenge in VROM

APPENDIX B1: Implementation Challenge in VROM

The training programme Implementation Challenge is the fruit of 10 years cooperation between the Dutch Ministry of Housing, Spatial Planning and Environment ("Ministry VROM") and the Consensus Building Institute (CBI) in Cambridge, Mass. USA. Its goal is to train ministerial staff in the consensus or Harvard method of negotiation and policy making & implementation.

Around 1985 the Ministry VROM realised its set of environmental policies was fairly comprehensive but lacking a systematic approach to effective implementation of these policies. A worldwide search resulted in finding professor Lawrence Susskind, Ford Professor of Urban and Environmental Planning at MIT (Massachusetts Institute of Technology), President of the Consensus Building Institute, and one of America's most experienced public dispute mediators. Started with several ad hoc workshops and a training course called Risky Decisions under his direction, the relationship intensified and a comprehensive training course was developed by CBI for the Ministry VROM, starting in 1992: Implementation Challenge.

In 1995 CBI developed for VROM an advanced training course, IC-PLUS. The existing course was then renamed Implementation Challenge-1 or IC-1.

Both courses are taught frequently each year, and there still is a strong bond between Susskind and VROM, i.e. CBI staff and the Dutch trainers group.

The basis of Implementation Challenge is over 25 years experience in the USA and elsewhere in applying the consensus approach. Books like *Getting to yes: Negotiating Agreement without giving in* by Fisher, Ury and Patton, *Breaking the Impasse: Consensual Approach to Resolving Public Disputes* by Susskind and Cruikshank, or *Dealing with an Angry Public: the Mutual Gains Approach* by Susskind and Field, provide the background and framework for this approach.

In The Netherlands, particularly in the environmental policies field, there is now years of useful experience with this approach and proof of its success. Although plenty of mistakes were made, and are still being made, the general view in the Ministry VROM is that this approach is more fruitful and successful than any other. That view is consistent with the essence of the approach as described by one of the trainers:

"you stand a better chance to achieve your own goals if you manage to find a way to accommodate the interests of everybody involved and/or opposed and if you can change opposition into support for your goals."

Both IC courses are framed in 2 x 2 days schedules and centered around a number of simulation games. VROM staff attends in groups of approx. 30 (IC-1) or 24 (IC-PLUS) participants; usually some other people are welcomed as well from other ministries, no's, etc.. In VROM the top-20 attended first and the other staff followed working down the ladder, so to speak. At the moment, around 1.000 people attended IC-1 and some 200 people attended IC-PLUS.

The emphasis in the trainings is on so called experiential learning or learning by doing: little theory is presented and extensive learning opportunities are created by means of the simulations. The schedules, the simulations, the training materials and the trainers manuals are produced by CBI.

The simulations are geared to the Dutch situation. CBI developed the simulations based on information from real life experiences in Holland. Whereas the simulations in IC-1 are simplified to some degree in order to teach the Principles and Strategies of the consensus method, in IC-PLUS the simulations represent the full complexity of national and international policy making and implementation. The cases subjects were selected by VROM in consultation with CBI, all main players were interviewed. CBI built the games, and try outs in Boston and Holland provided the necessary experience to fine tune the games. The simulation games address a variety of issues. To those not directly involved in those issues in their daily work, the simulations act as a metaphor to their own work. VROM now has 7 large simulations and 2 smaller ones.

In order to give some idea about the simulations, they are described here briefly.

The first simulation used in IC-1 is called Havenburg and deals with an urban renewal project hampered by soil contamination problems. A housing corporation, the local authority, the regional authority, government representatives, single issue groups, residents organisations, local businesses, the project developer are all represented and they are to find a solution amidst conflicting interests and a variety of financial clout.

In the second simulation, a Japanese car parts manufacturer negotiates his coming to Holland or elsewhere in Europe. He/she wants to build a car parts factory and also introduce a painting system which is environmentally very friendly and which is the answer to all problems (greenhouse issue!). A variety of interests and issues is at stake: employment, environment, road building, finance, international competition, business competitors, etc. The limited amount of subsidy available sets a stressful scene. It has a one day schedule.

The third simulation of IC-1 is about policy development in the field of energy & taxation. How to tap sources of factual and scientific information, and how to get to consensus in a group with diversified interests? Car lobby, scientists, environment groups and government are represented.

The fourth simulation is called Surinam and is about bauxite mining and sustainable development. Access to the European market is negotiated while safeguarding economically and environmentally sound progress in Surinam. Ngo's, EU and government officials, producers, the Republic of Surinam are roles in this game.

A fifth smaller simulation is used to break the ice: "win as much as possible". People experience the first results of consensus building. Like all simulations, this game is extensively debriefed and discussed in the group.

All games mentioned are geared towards teaching the 5 principles and 8 strategies of Implementation Challenge-1:

- take the initiative
- emphasize outcomes
- seek consensus
- act justifiably
- maintain credibility

1. formulate a clear goal for the organisation
2. identify conflicting interests and positions
3. ensure an effective and open dialogue
4. develop possible alternatives with mutual gains
5. develop criteria for evaluating success
6. use neutral parties as facilitator
7. work on the public image by using the media
8. organise monitoring and subsequent meetings

IC-PLUS can start with an icebreaker as well: Redstone (from the Harvard Clearing House). It is a 1, 5 hour game for two people in tandem about residents versus developer in an inner city redevelopment situation, each person having to achieve his/her goals which of course conflict with the other person's interests.

The main start in IC-PLUS is with a one full day simulation called Maasrecht about a major central government office as a means to break the impasse on starting an urban & residential development in an old port area in a large city and across the river from the downtown area. Confusion, bad relation management, inside-outside discrepancies, the process needs attention as well as the contents of the issue.

The second simulation here is about developing energy policies for a non existing country called Desolania. The Prime Minister created a task force of producers, distributors, consumers, government, ngo's and a special facilitator. It is their task to design a package of measures to achieve a predetermined goal in energy savings. Emphasis is on creating options for package deals and finding the mutual gains. Including debriefings it takes a full day.

The third IC-PLUS simulation is a one and a half day game called Tienhuizen. It is about a highly politicized development plan for over 3.000 houses, at the fringe of a larger city and adjacent to a railways shunting yard where chlorine trains are handled. Sustainable development and energy saving are important goals. This game also addresses issues like listening & speaking skills, how to run a meeting, use of public media, and creative ways to generate mutual gains solutions.

IC-PLUS is about 7 lessons, which are closely linked to the Strategies of IC-1:

1. bring the right parties to the negotiation table
2. design a meeting procedure
3. use facilitators wisely
4. negotiate mutual gains agreements
5. take care of the 'inside-outside' connections
6. address uncertainties
7. create steering mechanisms for implementation

Some special instruments characterize the Harvard method as well.

The first is the conflict assessment, a matrix showing all parties involved, their interests, and the issues at stake. It is a useful tool in the preparation to negotiations, particularly when it is used to create a basis of shared information: all parties use the same map.

A special feature is the use of neutral third parties as facilitators. The responsibility for the process is in the hand of a neutral facilitator, thereby freeing the parties involved to concentrate on their interests. The separation of content and process is a very useful one for all parties, particularly the host organisation.

In terms of interactive policy development an important phase in the process is creative brainstorming: enlarging the pie, creating value before claiming or distributing value.

Finally, the checklist addresses problems like monitoring, contingent agreements, etc.

In VROM the trainers are all employees who do IC trainings next to their full time jobs as director, inspector, policy staff, etc. All can amplify lessons and learning moments from their own experiences. Every year 4 new trainers are handpicked added to the team. All trainers are trained in the Harvard MIT Public Disputes Program

There is an international version of Implementation Challenge: the Sustainability Challenge Foundation. VROM is one of its founders and is still involved in the Foundation, together with the Dutch Ministry of Agriculture & Nature Management, the Danish Ministry of Environment & Energy, ERM Group, and CBI. Professor Susskind is a member of the board. The Foundation's main product is the annual International Programme on the Management of Sustainability, held in Holland in June/July. An international faculty of high standing, led by professors Susskind and Moomaw, guarantees a high level of learning by the approx. 45 participants from all over the world. The 5th programme is planned for 13-21 June 1998 in Zeist, the Netherlands. Applicants are called for.

One of the goals of the Foundation is to start regional programmes on all continents. The first chance is developing at the moment in the Southern Africa Region, catering for several countries. The first Regional Southern Africa Programme is likely to be held in October 1998. Contact person is Dr. Heather MacKay, Institute for Water Quality Studies, Department of Water Affairs & Forestry, Private Bag X313, Pretoria 0001 South Africa.

APPENDIX B2

Intervision in VROM

APPENDIX B2: INTERVISION IN VROM AND IN IMPLEMENTATION CHALLENGE

Interim Management VROM 1998

Goal

In small groups of max. 5 people to help and support each other in a respectful way to improve the individual work performances.

Process

1. One of the interim managers raises a problem or question (he/she being the "problem owner") and provides the information he/she considers relevant.
2. The other participants take turns asking additional information to clarify the problem. The problem owner then answers all questions. The other participants try to understand the problem owner's situation.
3. Each participant puts his/her diagnosis to the problem owner by formulating what he/she sees as being the problem (redefine the problem) and also pictures his/her feelings about the problem (reflection on feelings). In this stage it is important to avoid judging the problem owner instead of the problem: prejudices appear easily!
4. The problem owner reacts by explaining which feedback touches him/her the most.
5. If the problem owner appreciates getting tips or advice all participants give one or two.
6. The problem owner reacts to the tips/advice by explaining which are most appealing.
7. The problem owner explains what he/she is going to do next.

Guidelines

- The quality of an intervision meeting may improve by appointing one of the participants as facilitator or guardian of the process.
- At the start of an intervision meeting the subjects/problems to be discussed are listed, the time available assessed, and a time planning agreed upon.
- The intervision meetings take about 2 to 3 hours and take place at least every 2 months plus when called for by one of the participants.
- The intervision meetings will be more efficient and effective when held on a quiet location like a meeting room with flip-over and without telephones.
- After 1 year and from then every year the intervision groups are re-mixed, trying to strike a balance between older and younger, more and less experienced, male and female, in each group.
- Discussions in intervision meetings are confidential unless participants decide otherwise. Colleagues are informed about the fact that an intervision meeting took place and which subjects were discussed, not about what the arguments and conclusions were.
- IMV interim managers are professionals responsible for the quality of their own products and performances. They can call on their colleagues' assistance (by way of intervision or otherwise). In the most unlikely case that an interim manager still gets into real trouble - in spite of intervision etc. - his/her IMV colleagues have the responsibility to point that out to each other and to the head of IMV. Notifying the head of IMV only happens after informing the person concerned. As colleagues in

an intervision group see each other more often and more intensely, they are the first to notice troubles.

- In January of each year intervision experiences will be evaluated; process and guidelines may then be changed.

INTERVISION IC

Implementation Challenge

Implementation Challenge is a 2 x 2 days programme with 4-6 weeks in between. For the second session trainees are asked to select one case from their own work, past present or future, to describe that case on paper (max. 1A4 size), and bring that paper in. The papers are copied 5 times. The evening of day 3, trainees form intervision groups of max. 5 people each. They present their cases (and paper copies) to the other participants. The groups subsequently decide which cases to discuss (and which not) and how much time will be allocated to each case the next morning. In total 4 hours are available: 2 at night and 2 in the morning. A plenary debriefing of approx. 20 minutes will take place at the end of the 4 hours.

Goal

To investigate the possibilities of applying the consensus approach in real life work.

Motto

Intervision = you help the others, the others help you.

Analyses & diagnosis

- clarify problem/position
- explore relevant actors
- transparency of process
- conflict assessment available
- one-dimensional or multi-dimensional solutions
- etc.

Guiding questions (linked to management strategies on orange coloured sheet)

M1. Devise a clear organisational mission

what was your goal when you started this?

did you make your goal(s) explicit?

why or why not? And did it help?

what were the barriers or objections to explicate goals?

M2. Identify conflicting attitudes and interests

did you know who was/is involved in the case? Can you explain?

do you know these parties' interests and positions?

how did you find out about the interests?

If not, what did not-knowing do to you?

M3. Establish effective two-way communication

who did you involve, and how?

- how were the meetings organised?
how did the discussions go?
did you establish joint fact finding missions?
- M4. Create a forum for developing options for mutual gains
was there joint development of options and option packages?
did you develop several alternatives?
if so, did it help, and how? If not, why not?
- M5. Devise jointly agreed upon criteria for evaluating success
did you agree on how to evaluate the negotiations' results?
could you have done that, can you still do that?
- M6. Use neutral parties for facilitation
did you use neutral parties as facilitators?
how, why, and at what stage of the process?
how did that work out?
- M7. Shape public perception through use of the media
how did you use the media?
how could you have used the media (more)?
why or why not?
- M8. Plan for monitoring and renegotiation
how do you monitor implementation of your negotiations' results?
who is going to monitor?
What happens when the negotiations' results are not achieved?

Discussion guidelines (next morning)

1. Ask the problem owner what it is he/she wants to achieve in the discussion (and check afterwards!).
2. Re-discuss the case and make diagrams, i.e. use flip-overs.
3. Check what interests were at play (all parties)
4. Discuss the merits of the approach taken.
5. Discuss the case or the alternative approach using the management strategies.
6. Check at the end whether the problem owner's questions were answered (satisfactorily).

APPENDIX B3

VROM's Principles for Managing Multi-Stakeholder Groups

THE MANAGEMENT STRATEGIES

Organising an implementation process

DEVISE A CLEAR ORGANISATIONAL MISSION

- Understand your Ministry's role in the decision process
- Assess your regulatory obligations and their political implications
- Prepare a management action plan

Assembling the elements of an implementation strategy

IDENTIFY CONFLICTING ATTITUDES AND INTERESTS

- Identify the stakeholding parties
- Understand their interests and concerns
- Prepare a conflict assessment

ESTABLISH EFFECTIVE TWO-WAY COMMUNICATION

- Consult with stakeholding parties before making final decisions
- Establish joint fact-finding procedures
- Agree on procedures for information sharing

CREATE A FORUM FOR DEVELOPING OPTIONS FOR MUTUAL GAIN

- Brainstorm to multiply options offering "mutual gains"
- Emphasis contingent agreements during discussions
- Cooperate to develop "package" agreements which meet the priority interests of different parties

DEVISE JOINTLY AGREED UPON CRITERIA FOR EVALUATING SUCCESS

- Agree on criteria for objective evaluation of policy options
- Focus debate on the criteria not the negotiating positions
- Build external "coalitions" to provide objective support

Generating commitments to ensure implementation

USE NEUTRAL PARTIES FOR FACILITATION

- Identify non-partisan individuals who can facilitate discussions
- Decide in advance their level of responsibility
- Choose the appropriate facilitation process
- Use neutral parties during the implementation of negotiated agreements

SHAPE PUBLIC PERCEPTION THROUGH USE OF THE MEDIA

- Develop pro-active media relations
- Adapt the chosen media strategy if coverage becomes negative
- Supplement traditional media coverage with additional information channels

Ensuring and correcting ongoing implementation

PLAN FOR MONITORING AND RENEGOTIATION

- Agree on indicators of progress and a timetable
- Assign responsibility for monitoring performance
- Agree on the procedures for joint review and renegotiation

THE PRINCIPLES

TAKE THE INITIATIVE

- Don't delay until you are on the defensive
- Try to shape perceptions of the problem and possible solutions
- Minimise the extent to which other actors dictate your moves

EMPHASISE OUTCOMES

- Devise realistic options early
- Focus on solutions not analyses
- Link actions to achieving results

SEEK CONSENSUS

- Develop mechanisms to build trust
- Listen carefully and try to understand different interests
- Design options to satisfy interests

ACT JUSTIFIABLY

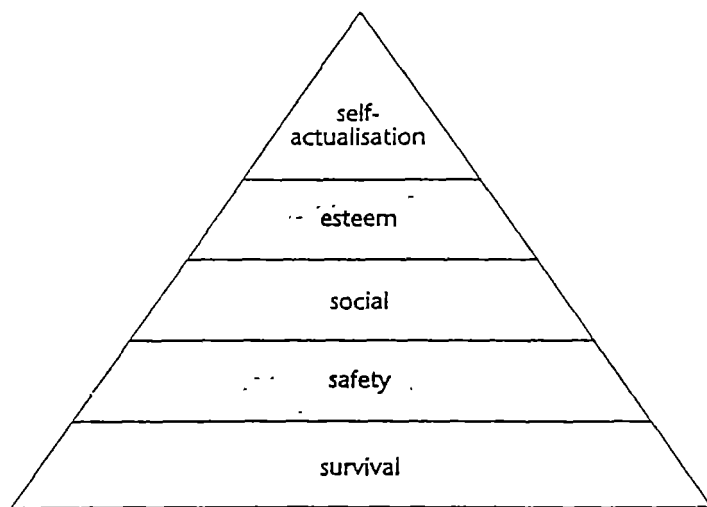
- Behave as you would want others to behave
- Strive for consistency with your mandate
- Be explicit about justifying your actions

MAINTAIN CREDIBILITY

- Always consult before deciding
- Make realistic commitments
- Minimise secrecy

APPENDIX C

Maslow's Hierarchy of Needs



APPENDIX D

Proceedings of the Planning Meeting held on 16 March 1998

MINUTES OF THE IMPLEMENTATION PLANNING WORKSHOP FOR IN MANAGEMENT OF MULTI-STAKEHOLDER GROUPS TRAINING HELD ON 16 MARCH 1998 AT IWQS

ATTENDANCE

Present

1. Ilse Blignaut	Department of Environment Affairs and Tourism
2. Andrew Duthie	IAIA
3. Sandra Fowkes	Metaplan
4. Karin Ireton	Industrial Environmental Forum of South Africa
5. Heather MacKay	Institute for Water Quality Studies
6. Mpumi Msezane	Institute for Water Quality Studies
7. Mbangi Nephumbada	University of Pretoria
8. Dirk Roux	CSIR
9. Huub Schrijver	Ministry of VROM, Netherlands

Apologies

1. Larry Eichstadt	DWAF: Western Cape
2. Liesl Hill	Institute for Water Quality Studies
3. Esther v der Merwe	DWAF: Human Resource Development
4. Solly Manyaka	Manyaka-Greyling Liaison

1. WELCOME

Heather MacKay welcomed all present and outlined the objectives of the workshop which were :

- to review results trial sessions in Cape Town and Pretoria
- to consider possible models for capacity building
- to brainstorm/ develop capacity building needs resulting from the national water Bill.
- to brainstorm/develop possible solutions to meet those needs, resulting in (ingredients for) a capacity building programme
- to set up a process for implementation of that capacity building programme

2. REVIEW OF TRAINING WORKSHOPS

Huub Schrijver gave an overview of the two workshops. Discussions highlighted the following training needs :

- interpersonal communication skills
(communication, assertiveness, listening, cultural diversity)
- change attitude of "top-down" authority
- Two levels of training were identified
 - facilitation
 - sustainability issues
- bridging between tertiary education and employment
 - internship
 - mentoring (mentor/ mentee training)
- common language
 - the scientific/technical people will need to be trained to" speak the same language" as the other stake holders.
- support system and networks for sharing problems and learning (multi-agency)
- enabling institutional environment (need buy-in and support from top management)

- reward/recognition - link to monitoring and evaluation
- facilitation skills to draw people out (taking cognisance of the inequality in knowledge and exposure, language and communication skills)

3. PROGRAMME DESIGN

Karin Ireton gave a brief summary of her impression on the International Programme on management of sustainability that she and Heather MacKay attended in the Netherlands.. A discussion around programme design identified the following points:

- appropriate teaching/learning approach (USA is not ideal)
- the training has to be on two levels i.e.:
 - facilitation skills
 - sustainability
 (sustainability issues/discussion should be strengthened)
- length of the programmes
- South Africa is unfamiliar with "role play" learning.
- programme facilitators must be able to draw people into discussions
- Local expertise/skills need to be tapped - 2 way learning of multi-stakeholder multi-issue processes i.e. the trainees can learn from the trainer and vice-versa.
 - the role of IMSSA in this regard should be investigated
- Facilitation training should be appropriate for our situation
- A pool of environmental/ facilitation skills will need to be created.
- Target all levels for training , from top management to community

4. IMPLEMENTATION CHALLENGE

Huub Schrijver gave an overview of the training programme (Implementation challenge) in multi stakeholder management that they run in the Netherlands. Some of the points that he highlighted were:

- Change values and ways of working/behaving
- achieve results which improve the environment/resources
- the programme focuses more on experiential learning
- internal trainers are used in the programme. The trainers can draw on real experience and this lends credibility to the programme.
- composition of training groups is important (to avoid threatening situations peer group are kept together)
- top management were trained first , to ensure buy-in into the programme
- The programme is structured and is backed by follow-up sessions if required
- case studies are very specific
- there is accountability - checking on actual implementation of approach in everyday work
- there is a group of interim managers who have been trained in the programme and represent a pool of skilled personnel and are a "showcase" for training.
- Intervisio is a component of the programme since it encourages
 - group learning processes
 - sharing of experience/knowledge
 - mentoring

5. ELEMENTS OF THE PROGRAMME

- individual preparation
- small group work
- theoretical lectures
- role plays represent the main learning aspect
- debriefing and discussions

Discussion

- we have to get the mosaic right for us
- pilot programmes- monitor and review
- accept variability/ variety in trainers as a strength

6. COLLABORATION

Dirk Roux gave an overview of the national River Health Programme. The following points were highlighted:

- demonstrate worth of the programme and thereby obtain recognition and support for the programme
- prototyping approach led to growth of programmes
- build on different capacities brought in by partners
- allow local priorities, support with central training and information pool
- accessible information aids demonstration/recognition
- meet needs of river managers (results-oriented)
- target the right people- get high level support
 - training to ensure implementation
- strengthen government and external groups in programme
- evaluation and publication of results of programme
- existing initiatives- identify complementary initiatives

MOVING AHEAD

Criteria for selecting/starting

- Incremental programme
- chance of successful implementation should be maximised
- build on existing capacity
- pool resources
- The programme should be manageable
- There should be potential for learning for the trainers and stakeholders
- results should be delivered in 3-6 months
- decouple role play from real situations
- start with a project which already has identifiable stakeholders

GUIDING IDEA

- negotiate in complex situation
- achieve an outcome through participation
- decisions that are implemented should
 - address issues
 - have the commitment of all parties
 - be sustainable
- enabling higher value outcomes

Issues on which multi-stakeholder negotiation management will focus on include

- Catchment management authority
- Determination of the Reserve
- Water allocation plans
- water quality management

PILOT STUDIES

Pilot study can be conducted in

Catchment management fora
regional DWAF
Regional DEA
WRC

Possible pilot studies

1. Sabie River forum
2. Olifants River forum
3. Crocodile River
4. SDI
5. Taaibos/ Leeuspruit
6. Swartkops
7. Zand River
8. Blesbokspruit

SHORT TERM ACTIONS

1. Contact other people in the group who were not present in the workshop
Action : Heather MacKay

Set up an e-mail list

Action: Heather MacKay

2. Support
 - The group should test constituencies
 - DWAF (**Heather MacKay**)
 - DEAT (**Ilse Blignaut**)
 - WRC (**Dirk Roux**)
 - CCR (**Sandra Fowkes**)
 - Western Cape group (**Sandra Fowkes**)

3. Funding
 - PAPITT

Heather MacKay with inputs from **Sandra Fowkes, Karin Ireton, Huub Schrijver and Andrew Duthie** will write the terms of reference that will be submitted by the end of April.

- IAIA

Andrew Duthie will look into the possibility of obtaining funding for the programme

- WRC

Dirk Roux will discuss possible funding with WRC.

4. Programme design
Sandra Fowkes will develop this further by the end of March

5. Identify pilot studies

Action : All

6. Big picture

Action: All

