Participation –
An Overview
Methods and Application in Germany
ComCoast Work Package 4
Participation –
An Overview
ComCoast WP4

Methods and Application in Germany

This report has been prepared by the Institute for Chemistry and Biology of the Marine Environment (ICBM), University of Oldenburg.

The ComCoast project is carried out in co-operation with ten partners:
- Rijkswaterstaat (NL - leading partner)
- Province of Zeeland (NL)
- Province of Groningen (NL)
- University of Oldenburg (D)
- Environmental Agency (UK)
- Ministry of the Flemish Community (B)
- Danish Coastal Authority (DK)
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The scientific background and results of this research are taught in programs of the maths and science departments, especially in the interdisciplinary master program “marine environmental sciences”.

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This report is an initiative of the ComCoast project, co-financed by the EU-Interreg IIIb North Sea Programme.
Work package 4
Participatory Action

Participation –
An Overview

Methods and Application in Germany

Final Report

Acknowledgement:
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1. **Mission statement ComCoast**

MISSION OF COMCOAST (= COMbined functions in COASTal defence zones)

ComCoast is a European project which develops and demonstrates innovative solutions for flood protection in coastal areas.

ComCoast creates and applies new methodologies to evaluate multifunctional flood defence zones from an economical and social point of view. A more gradual transition from sea to land creates benefits for a wider coastal community and environment whilst offering economically and socially sound options. The aim of ComCoast is to explore the spatial potentials for coastal defence strategies for current and future sites in the North Sea Interreg IIIb region.

**ComCoast Goals:**
- Developing innovative technical flood defence solutions to incorporate the environment and the people and to guarantee the required safety level;
- Improving and applying stakeholder engagement strategies with emphasis on public participation;
- Applying best practice multifunctional flood management solutions to the ComCoast pilot sites;
- Sharing knowledge across the Interreg IIIb North Sea region.

**ComCoast Solutions:**
Depending on the regional demands, ComCoast develops tailor-made solutions:
- To cope with the future increase of wave overtopping of the embankments;
- To improve the wave breaking effect of the fore shore e.g. by using recharge schemes;
- To create salty wetland conditions with tidal exchange in the primary sea defence using culvert constructions or by realigning the coastal defence system;
- To cope with the increasing salt intrusion
- To influence policy, planning and people
- To gain public support of multifunctional zones.

ComCoast runs from April 1, 2004 to December 31, 2007. The European Union Community Initiative Programme Interreg IIIb North Sea Region and the project partners jointly finance the project costs of 5,8 million.

1.2. **Information**

Information on the ComCoast project can be obtained through the Project Management, located at the Rijkswaterstaat in the Netherlands.

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2 Participation in Germany

2.1. Definition of Participation
In the EU participation was formally introduced by the Participation Directive 2003/35/EC (entry into force 26th May 2003). “The objective of this Directive is to contribute to the implementation of the obligations arising under the Århus Convention, in particular by:
- Providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment;
- Improving the public participation and providing for provisions on access to justice[...]” (EC 2003, see Article 1, Objective). Article 2 concerns the definition and the determination of “the public” and “the public concerned”:
- “The public” shall mean one or more natural or legal persons and, in accordance with national legislation or practice, their associations, organisations or groups,
- “The public concerned” shall mean the public affected or likely to be affected by, or having an interest in, the taking of a decision on the issuing or the updating of a permit or of permit conditions, [...] (EC 2003, see Article 2).

In the sense of the Participation Directive “participation” is an instrument of public integration in decision-making processes. Concerning both public in general and public concerned.

2.2. General Remarks
In recent years, in Germany, participation has slightly been coming up within coastal protection projects. Until that time participation took place and was applied in various other fields, e.g. urban land use planning (e.g. Isselmann 1991), building waste incineration plants or hazardous waste deposit/site (e.g. Striegnitz 1987).

In this way, participation was introduced in Germany by the Federal Building Act in the beginning of the early 1960’s. According to this Act, stakeholders should be informed about plans and agreements. Later on, participation in urban land use planning was enhanced in two ways:
- Early participation (participation in the first phase of a project)
- Official publication corresponding to certain paragraphs of the Federal Building Act (Fürst et al. 2001).

This is one of the two statutory ways of participation in Germany. Another opportunity of public participation is given by a project approval procedure with an Environmental Impact Assessment (EIA). Here, the participation is more passive than active. Plans and agreements have to be officially published for a certain time. During this period, everybody could make petitions. Afterwards, a hearing will take place and the petitions will be discussed. Only the public concerned is invited to the hearing. The general public (which might not be affected) will only be informed about the progress of procedure (Fürst et al. 2001).

Within the Federal Nature Conservation Act such a statutory way of participation does not exist. Plans and agreements according to this Act don’t have legal influence. However, according to the Lower Saxonian Nature Conservation Act only the approved nature conservation organisations have the opportunity to sue against plans and agreements (Habekost 1999). Using this opportunity, the nature conservation organisations get influence on the procedure of coastal protection projects like in north-western Lower Saxony (see chapter 4).

Particularly with respect to coastal protection projects, participation is used as an instrument for conflict solving not for conflict preventing and not for consultation. When a participation process was implemented into coastal protection projects only certain organisations, e.g. nature conservation and authorities, were involved, not the broad public. Two points lead to this form of participation: On the one hand, when coastal protection projects are carried out without a project approval procedure and an EIA there is no legal opportunity for participation. Only when an approved nature conservation organisation submit a case to court. Therefore, the broad public is not directly involved in the participation process described in the chapter 4. On the other hand,
within coastal protection projects there exists no instrument to establish a public participation process.

![Figure 1: Overview about various instruments of participation in Germany (Source: Bischoff et al. (1996) modified by Markau (2003)).]

The common and well-known processes and forms of participation are shown in Figure 1. Some of these processes are used in coastal protection projects. In the next chapters, the report will go into more detail about the used processes and forms of participation. The intention of this report is not to give a comprehensive overview about all participation processes, but to show how participation is used in coastal management in Germany. Besides that, the report will allude a method which is not mentioned in the figure (see chapter 3).

As mentioned before, participation has only been used as an instrument for conflict solving and not for conflict preventing or even for consulting. There exists no responsible institution for participation by law in coastal protection projects. The procedure of participation has to be initiated by one or all conflict partner(s) more on a voluntary than on a statutory basis. The initiation most often starts when urgent conflicts arise.

Participation can be applied and used in very different ways and different goals can be reached. Participation could be used as an instrument to get more insight in the interests and the thinking of stakeholders, something like information compilation. Additionally, participation is useful to raise the awareness for each other’s problems and interests.

In general, participation should be a communication instrument between stakeholders and project holders. Nevertheless, participation is not the universal remedy, but what one should have in mind is that it is necessary to weigh costs and benefits of such a participation process. Certain conflict escalations could be decreased or will never come up when participation is carried out.
In the overview, some examples for participation in coastal protection projects in Germany will be discussed. Some of them are only used to solve evident conflicts. Two examples from the state Schleswig-Holstein uses participation as an instrument to find solutions, to integrate, and to consult stakeholders as well. The appendix of this report comprises further participation projects in the German coastal zone.
3 Short Overview: Participation Methods in Germany

3.1. Common Methods

The well-known methods of participation are shown in Figure 1. They were also used in many participation processes of coastal protection projects (e.g. Projektgruppe 2001, NLWK 2003). The mainly used instruments are:

- Round tables
- Bilateral consultation
- Workshops
- Working Groups
- Mediation
- Moderation
- Planning groups
- etc.

In this overview, there is no need to go in more detail about the common methods mentioned above. There are many publications available, e.g. Petts & Leach (2000), Cox (2005).

3.2. Example – Sensitivity Model

One method should be described in more detail, because it was first one used within a coastal protection project in the state Schleswig-Holstein to realise an integrated coastal defence concept. The method itself was by no means used for the first time, there are many references where the method has been successfully applied.

The sensitivity model was developed by Vester (Vester & Hesler 1982). It was developed to handle and manage complex problems with a bio-cybernetic approach. The approach is divided into the following steps (Vester 2004):

- System description
- Variable Set
- Criteria Matrix
- Impact Matrix
- Impact system
- Systemic Role
- Partial Scenarios
- Simulation
- Systemic Evaluation

The first step of this approach is to describe the associated system of the conflict. All variables will be collected and connected with their existing interlinkages. These variables are the fundament of the whole sensitivity model. Therefore, these variables will be used in all further steps.

Within the next step, these variables will be merged to a variable set. To finalise this step, on the one hand, it is necessary to extract the relevant variables of the set. On the other hand the number of variables could be reduced by aggregation.

Afterwards the variable set has to be checked against 18 essential criteria of any viable system, coming from the main points listed here: People, economy, realm of space, human ecology, energy and waste, infrastructure, and laws and culture (Vester 2004). The result any the previous step is the criteria matrix. The criteria matrix shows if there are any aspects lost within the variable set. This can cause some problems in interpretation of the system or it can lead to problems with forecasting of the system behaviour (Kaul & Reins 2000).

The interlinkages between the variables will be visualised by the impact matrix. The next step is to point out the influence of variables on each other. Afterwards, the index of influence of each variable could be determined. That shows whether a variable is “active”, “reactive”, “critical” or “buffering”. A software tool determines the character of each variable as it has been mentioned before. These categories may identify the role of the variable within the system: either the variable is a lever (active) or a risk factor (critical) or a measuring sensor (reactive) or a inert element (buffer) (Vester 2004, p. 5).
The *effect system* is another visualisation tool for the interlinkages of the system variables. It shows all interlinkages of the variables and enables the user to visualise e.g. feedback cycles within the system.

To deal with parts of the effect system it is advantageous to define and extract *partial scenarios*. These partial scenarios should cover different alternative solutions of the conflict. The partial scenarios could be simulated in the next step by means of the software tool. The simulation should not be seen as an instrument for forecasting but could be seen as an instrument for "policy-testing", i.e. showing the direction of the system development under specific conditions (Vester 2004).

The benefits of using the sensitivity model as a method in participation could be:

- Serving as a visualisation tool
- Using an interactive way of working
- Encouraging integrated thinking
- Serving as a thinking aid, not as thinking replacement.

This approach was applied to gain an integrated coastal defence concept for the communities Timmendorfer Strand and Scharbeutz (see chapter 4).
4 Participation in Action: Examples of Participation in Germany

4.1 Trilateral Wadden Sea Forum (DK, GER, NL)

4.1.1 What and Why?
The Wadden Sea Forum (WSF) was initiated at the Trilateral Governmental Wadden Sea Conference 2001 in Esbjerg (DK). The task of the forum is defined in article 99 (and Annex 6) of the Esbjerg declaration:

“The Trilateral Wadden Sea Forum will, in accordance with §99 of the Ministerial Declaration, elaborate proposals for sustainable development scenarios and strategies for their implementation, to be presented to the 10th Trilateral Governmental Wadden Sea Conference, as a contribution to the further development and possible amendments of the trilateral policy and management and the trilateral projects of the Wadden Sea Plan.

For the development of the scenarios it is necessary to address, amongst others, the following main issues:
1. Evaluation of present uses (including small-scale domestic uses) for sustainability in relation to present and future conservation and nature development goals.
2. Identification of the main conflicts between uses and the present and anticipated future of the Wadden Sea ecosystem.
3. Inventory of long-term perspectives of economic, social and ecological development.
4. Inventory of management proposals which are best adapted to long term perspectives.

On the basis of the above assessment, common views, and, if this is not possible, alternative (sub)scenarios should be developed.
The scenarios should include, different time scales, specific steps for different activities, management tools, approach, implementation and priorities.” (CWSS 2002, pp 53-54).

However, there was the impression that the stakeholders had the feeling that the social, economic, and ecological issue of sustainable development of the Wadden Sea are not well balanced. Therefore, the desire of stakeholders to be closer integrated in the activities of cooperation and protection of the Wadden Sea, was the further concern of the Wadden Sea Forum.

4.1.2 Who?
The WSF consists of representatives from local and regional authorities as well as from the sectors tourism, agriculture, energy, industry/ports, and nature- and environmental conservation organizations. The representatives of all sectors came from Denmark, Lower Saxony, Schleswig-Holstein, and The Netherlands.

4.1.3 How?
Different methods were used for the work within the project time of the WSF. There were plenary meetings, working groups (thematic groups), studies, and regional conferences.
The different methods were adapted to the issue of concern. If there was a need for more detailed discussion about one issue, a working group was established. If there was a need for more and detailed information about some issues a study was initialised.

4.1.4 Results
The result of the Wadden Sea Forum was a tuned final report with recommendations, a description of the procedure and of the members. Furthermore, the final report displays the evaluation of the participants of the Wadden Sea Forum. In this way, everybody can get an overview about the acceptance of the forum within each participating organization or institution.
4.1.5 References


4.2. Integrated Coastal Defence Concept for Timmendorfer Strand / Scharbeutz, Schleswig-Holstein

4.2.1 What and Why?
The state ministry of rural areas, agriculture, tourism, and spatial planning (MLR) of Schleswig-Holstein has declared that the coastal low lying area of Timmendorfer Strand and Scharbeutz (at the east-side of Schleswig-Holstein, Baltic Sea) is not sufficiently protected against future flooding events. The discussion about how these areas could be effectively protected lasted for more than 40 years.
Regarding the possible effects of global warming on storm surges, the local government and the state ministry have decided to develop an Integrated Coastal Defence Concept.
The procedure to achieve an integrated concept was divided in six steps:
- Investigation of technical and scientific basics
- Investigation of population figure and material assets
- Sensitivity analysis
- Feasibility study
- Project approval procedure and EIA
- Civil works

The first three steps are needed to gain basic information about the area. This information was needed in the next steps (Kaul & Reins 2000).

This example concentrates on the third step, the sensitivity analysis, because here the participation took place. The third step was carried out and accompanied by a consultant company.

4.2.2 Who?
All inhabitants of the communities Timmendorfer Strand and Scharbeutz, were invited to attend the procedure. Also, representatives of the coastal protection authority participate. The procedure was carried out by a consultant company.

4.2.3 How?
The consultant decides to apply the sensitivity model in order to carry out the sensitivity analysis for an Integrated Coastal Defence Concept. The procedure of the sensitivity model was described already in chapter 3. The steps of the sensitivity model were used to get a clear view of the system Timmendorfer Strand/Scharbeutz. Some parts of the analysis were held as plenary meetings with all interested stakeholders. In some meetings, small working groups were set up to do the required work in a more effective way.
Most steps of the sensitivity model were carried out with the plenary. But when it was necessary to make a synopsis or aggregation of previous steps then it was done by a small working group. Afterwards, the small working group presented the results to the plenary where they were discussed.

4.2.4 Results
The result of the sensitivity analysis is a report with recommendations and a detailed description of the system and the internal interlinkages.
It was recommended that the established (large) working group should be integrated in the future procedure as ‘technical acquainted stakeholders’. The last sentence expresses the advantage of
applying the sensitivity model on such a problem. Stakeholders get more insight in each other’s viewpoint. And on some extend, they have a better understanding of their mutual interests. The above mentioned participation process was evaluated by Hofstede (2004a) with a SWOT analysis. Hofstede describes the strength, the weakness, the opportunities and the risks of this method. First, he concludes that the SWOT analysis represents the subjective meaning of the author. However, on the one hand Hofstede (2004a) emphasizes the active and early involvement of stakeholders, and the systemic approach of the sensitivity method. On the other Hofstede concludes that the weakness of this process was the low turnout and the dependence on the voluntaries. The risks are the loss of interest during the participation process if it lasts to long and the low turnout. The chances of this method are the awareness for the problems and the responsibility. Another point is the chance that solutions might be more accepted.

4.2.5 References


4.3. Integrated Coastal Defence Management (ICDM) Plan of Schleswig-Holstein

4.3.1 What and Why?
The coastal defence master plan of Schleswig-Holstein introduces the approach of Integrated Coastal Defence Management (ICDM). “ICDM stands for a dynamic and continuous planning concept by which sustainable decisions for the protection of the people and their assets against the natural forces of the sea are taken. […] It presents an enhancement of traditional methods, where:

- it considers coastal defence as a spatial planning process (instead of holding the line / sea wall),
- it duly and early integrates other demands concerning the coastal zone into the development goals for coastal defence […],
- it increasingly involves the public in the planning process for coastal defence […]” (Hofstede 2004b, p 115). This innovative and integrative concept was recently implemented for coastal protection projects in the state of Schleswig-Holstein.

4.3.2 Who?
The integration of the public is on the one side implemented by a so called Integrated Coastal Defence Board (BIK: Beirat Integriertes Küstenschutzmanagement). “The board consists of 27 members representing public and private interest groups respectively stakeholders” (Hofstede 2004b, p 115). The board has an advisory character and the representatives are delegates of their groups. The state ministry is in charge of the board, the board will meet twice a year to discuss coastal defence projects or related topics. There is the possibility to establish also advisory boards to deal with specific issues. At the moment three advisory boards are established: Foreland Management, Second Dike Line, and one for the coastal protection on the Baltic Sea side (MLR 2001).

Within this integrated approach, the public will be comprehensively informed about the planning of coastal defence projects. One example is the above mentioned procedure for the Integrated Coastal Defence Concept for the communities Timmendorfer Strand / Scharbeutz (MLR 2001).
4.3.3 How?
The board participates in the Coastal Defence Management process as described in the previous paragraph. The state ministry is in charge of this board.

4.3.4 Results
The participation process runs in a continuous way, because the board was established as a board with advisory character. Some special problems will be dealt with by specific approaches (e.g. Timmendorfer Strand/Scharbeutz). This way of participation process found access to the Coastal Defence Management Plan of the state of Schleswig-Holstein.

4.3.5 References


4.4. Project Group for the Improvement of the Procedure Management in Coastal Protection

4.4.1 What and Why?
The initialisation of the project group was caused by a concrete conflict between nature conservation organisations and the coastal defence authority about a coastal protection measure (heightening and reinforcement of a main dike at the Jade Bay) in the Northwest of Lower Saxony. This concrete conflict is a special example for long-lasting conflicts in the coastal zone. The so called "Ten points for an effective coastal protection" should regulate and decrease these long-lasting conflicts between the two parties in north-western Germany. The government of Lower Saxony has come to an agreement upon these ten points. This agreement should be applied when coastal measures are necessary and conflicts may appear. The concrete conflict at the Jade Bay escalates because in the opinion of one of the nature conservation organisations one of the ten points was violated. This organisation has submitted the case to court. As reaction on this, some inhabitants of the region have organised a demonstration against this procedure.

Afterwards, the State Ministry of the Environment has initialised the above mentioned project (negotiation) group which got the assignment to develop agreed procedures for the maintenance of main dikes in Lower Saxony. The mandate of this group was to develop “recommendations to improve communication and interaction among all the key actors in the process of planning and managing projects of coastal protection” (Striegnitz 2005).

4.4.2 Who?
The former President of the Agency for Ecology of Lower Saxony was in charge of the project (negotiation) group. He was the third party, the so called mediator. Participants of the project group are representatives from the coastal protection authorities, nature conservation organisations, dike boards, regional authorities and the provinces.

4.4.3 How?
The initialisation phase was accomplished by bilateral meetings with each conflict party. Within this phase, the willingness of conflict solving should be detected. Moreover, it was necessary to evaluate the real conflict fields behind the concrete case. Afterwards, the project group headed by the President was established. Here, there is no need to go in more detail about each step and each meeting of the project group. The project has had several group meetings. In each meeting, different issues related to the assignment were dealt with. The last meetings were used for the editorial work on the final
The result of the project group was, on the one hand, a final report who describes the procedure, the work and the outcomes of the project group. On the other hand, the project group has reached a consensus on recommendations for the future procedure of coastal protection measurements in Lower Saxony.

The seven recommendations are as follows (Projektgruppe 2001):

- Changing of the third point of the "Ten points for an effective coastal protection".
- Improvement of the procedure by information and participation in the earliest stage.
- Possibility to implement an intermediary in conflict situations.
- Reducing the effort for implementation of compensation measurements.
- Pooling of compensation measures.
- Extensive use of dike foreland.
- Regional differentiated foreland management.

The attendees agreed upon recommendations in the preamble of the report as “a common declaration on value hierarchy: human life first, high level of nature conservation, common understanding with the regard to the need for smart strategies for coastal protection” (Striegnitz 2005).

Additionally, the above mentioned recommendations were accepted by the state ministry and led to a development as an amendment of the Lower Saxonian dike law (NDG – Niedersächsisches Deichgesetz [Dike law of Lower Saxony]). The amendment passed the State Parliament in autumn 2002. In this way, the work of the project (negotiation) group was included into the legislation.

This mediation process should as far as possible be the basis for a sustainable constructive way of dealing with problems between nature conservationists and coastal protectionists in north-west Germany. Hopefully, the side-effect is that

- the parties learn to understand the other actors’ interests and constraints
- the parties acquire a more explicit and more sophisticated understanding of subject matters and
- personal and institutional relations are considerably enhanced (Striegnitz 2005).

### 4.4.5 References


5 Résumé and Conclusions

The methods of participation used within coastal protection management projects in Germany are well established. The first part of this report summarizes the certain methods in a figure. The appendix comprises a list of certain projects.

Participation in Germany was and still is regulated by a limited set of legal instruments, e.g. within project approval procedures of an EIA. There was no other way to get informed about projects or to participate. More recently, the view and the pretension on the coastal zones change. To give an example, coastal protection was not challenged for a long time. Coastal protection was given the highest priority against all other uses at the coast. Nowadays, with e.g. the implementation of the Wadden Sea National Park of Lower Saxony there are some changes in the pretensions. The willingness of the people to be integrated or to participate also increased. Therefore, the usual procedures do not cope with this new situation sufficiently.

The short overview of participatory action in the coastal zone of Germany points out that there is no integrated strategy how to apply participation (additionally to the legal instruments). The finished former projects come across like fire fighting not like consulting or conflict preventing. This situation is the consequence of the existing legal instruments as well as of the changes of the pretensions.

In this field, changes are slightly going on together with the implementation and application of methods from Integrated Coastal Zone Management (ICZM). Within ICZM, participation plays a major role as a method for conflict prevention as well as e.g. a method for the integration of stakeholders. In this regard, the integrated coastal defence concept of Schleswig-Holstein could be seen as an example. Another exceptional approach of an integrated assessment was done by the state of Schleswig-Holstein with the implementation of an integrated coastal defence management plan (see chapter 4).

This state-of-the-art report gives no detailed description and evaluation of participation methods as outlined in Figure 1. As mentioned above, in Germany, there exists a minor experience with participation in coastal protection projects. Much greater experience resulted from projects which are carried out in other fields e.g. environmental conflicts, enhancement of airport areas and so on. Only two examples exist where the process of participation had been started before a measure was applied – Timmendorfer Strand / Scharbeutz and the Integrated Coastal Protection Management Plan of Schleswig-Holstein. The experience of these two projects shows that participation has a positive effect both on the process of the project and on the stakeholder.
6 References

Publications


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ISBN ..............

Published by Rijkswaterstaat DWW,
PO Box 5044, 2600 GA Delft, The Netherlands