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Opening the black box of implementation feedback: An analysis of reloading strategies in EU water governance

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Abstract

Throughout the legal and practical implementation of the European Union (EU) Water Framework Directive (WFD), subnational implementing agents experience how this policy works in practice. The feedback, or reloading, of these experiences is an important contribution to create resilient EU water governance and to further elaborate the flexible requirements of this framework directive. However, a gap exists concerning our knowledge on the strategies that implementing actors use to mobilize experiential knowledge. Our objective is therefore to understand the reloading of implementation experiences in the WFD's policy process, by studying the conditions that affect strategic mobilization behavior of implementing agents. We build upon existing studies to explore which mobilization strategies are used in WFD reloading cases, and assess which conditions contribute to the identified strategic agency choices. The main finding of this study is that the mobilizing agents often use a smart combination of framing, coalition-building, venue shopping and timing strategies for reloading implementation experiences as policy-relevant knowledge. The choice of such combinations is affected by agency and institutional structure-related conditions, that is, a mobilizing agent's interests, resources and capacities plus the existing EU water governance network contribute to strategic mobilization behavior. Our study is a first exploration of the topic. We therefore conclude this paper with some suggestions for further research.

KEYWORDS

European Union, experiences, policy feedback, policy implementation, reloading, strategic mobilization, Water Framework Directive

1 | INTRODUCTION

Over the years, the European Union (EU) has developed legislation to deal with both water quality and quantity issues. The Water Framework Directive (WFD) (Directive 2000/60/EC) is an example of a policy with a strong impact on domestic water management practices. It encourages the development of integrated water quality management along river basins, aiming to achieve a good chemical and ecological water status throughout the EU. The WFD is formulated at the EU

level, but needs to be implemented at the member state level (Boeuf & Fritsch, 2016; Boeuf, Fritsch, & Martin-Ortega, 2016; Directive 2000/60/EC; Kaika & Page, 2003; Kallis & Butler, 2001). This directive has often been referred to as a flexible framework directive that leaves, compared with policies in other domains, considerable implementation freedom. Hence, important parts of the WFD's implementation need to be worked out and specified on-the-go (Knill & Lenschow, 2000; Knill & Liefferink, 2007; Liefferink, Wiering, & Uitenboogaart, 2011).

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The practical implementation of the WFD and its subsequent interaction with both implementing agents and target groups generates information on how this policy is actually received and works in practice (Zito & Schout, 2009). This information, which we refer to as *implementation experiences*, is an important type of experiential knowledge that might trigger policy feedback and influence further steps in the WFD's policy process (Haverland & Liefferink, 2012). Implementation experiences are conceptualized in this paper as all information, knowledge and expertise acquired by implementing agents, during or because of the practical implementation of policies. Implementing agents are professional organizations formally charged with the practical implementation of a specific policy (instrument). These agencies acquire experiences directly at the (sub)national level and they, or their representatives, mobilize such experiences upwards to the EU level. We consider that governmental agents are the primary key actors involved in implementing the WFD. Hence, the lobbying role of nongovernmental organizations (NGOs), business organizations, interest groups and other stakeholders is not the focus of this paper. The, often strategic, feedback process of implementation experiences is referred to in this article by using the concept of "reloading."

Policies demonstrating a robust capacity to revise and improve regulatory frameworks on-the-go by learning from implementation experiences show more resilience (Zeitlin, 2016). A resilient EU water governance policy is especially required in times of climate change. Furthermore, due to the relatively open, procedural character of the WFD, and the need for its implementation to be specified iteratively, it is particularly relevant to understand the reloading of implementation experiences in the WFD's policy process. It is also interesting to study reloading at the EU level, because of the large distance between supranational policy-makers in Brussels and implementing agents at the domestic level. In addition, the 28 member states gain different experiences in the EU's convoluted multilevel setting (Héritier, 1996; Treib, 2014).

Addressing the knowledge gap of reloading is not only relevant from a scientific point of view. The European Commission stresses the relevance of such expertise for improving the practicability and legitimacy of EU legislation in their Better Regulation program (Bouwen, 2002; European Commission, 2016). The Commission is eager to learn from implementation experiences but is dependent upon domestic implementing agents to gain such experiential knowledge, as it does not have its own implementing agents.

Implementation experiences are recognized as policy-relevant information, which can be used strategically by implementing agents. The choice to reload implementation experiences, or to abstain from doing this, and how to do so, can be seen as strategic agency behavior. Understanding such strategic reloading is crucial at a time when European integration is increasingly becoming politicized, the democratic character of the EU is being questioned, and tensions rise between domestic and EU governance (Laffan, 2016; Saurugger, 2016). Although the importance of EU policy feedback has been acknowledged in political science and practice, reloading has rarely been addressed systematically in EU studies (Breeman & Zwaan, 2009; Treib, 2014). The objective in this paper is therefore to address this knowledge gap by specifically exploring reloading to understand the WFD's policy process, to formulate directions for further research. More specifically, the paper tries to answer the following questions: which strategic reloading

behavior of actors in the WFD's policy process can be identified, and which conditions contribute to such behavior?

The paper is organized into six sections. In section 2 we introduce the conceptual building blocks we use to study strategic reloading in the WFD's policy process. Section 3 clarifies our methods by introducing EU water governance as the policy field under examination as well as the comparative case study design chosen. Section 4 contains an analysis of the mobilization strategies applied in two cases, while section 5 focuses on the conditions that determine the choice of these strategies. We conclude this paper with a discussion of our findings and some suggestions for further research.

2 | CONCEPTUALIZING THE MOBILIZATION OF IMPLEMENTATION EXPERIENCES

The EU policy process consists of a sequence of interrelated stages, of which agenda-setting, policy formulation and decision-making take place at the EU governmental level, whereas legal transposition and practical implementation occur at the member state level. Evaluation, however, takes place at both levels (Figure 1). Policy feedback, and particularly the feedback of implementation experiences, can contribute to both change and stability in the policy process (Breeman & Zwaan, 2009; Kingdon, 2014). The feedback process by which experiences gathered throughout a policy's practical implementation are processed in the (EU) policy process and affect the EU agenda may lead to a reconsideration of the existing policy. This processing is labeled in this study as *reloading*. Although some scholars describe the policy process as cyclical and straightforward, several empirical studies show that it is iterative and chaotic in practice. We use the cyclical perspective as a heuristic model, but acknowledge that reloading is not linear and may impact all stages of the policy process. Moreover, we are aware that implementation experiences do not necessarily contribute to policy learning and evidence-based policy-making (Breeman & Zwaan, 2009; Howlett, Ramesh, & Perl, 2009) (Figure 1).

Reloading consists of four crucial steps: (i) implementing agents acquire implementation experiences at the domestic level, (ii) implementing agents and their representatives mobilize these implementation experiences across multiple levels of governance (regional-national-EU) with the aim to set the EU agenda, (iii) these experiences are received by agents at the EU level, and (iv) these experiences might possibly affect further EU policy-making. We focus in this study on the second step, namely the mobilization of implementation experiences from the regional level into the EU policy process and, more specifically, we focus on agents' strategic mobilization behavior (Figure 1).

2.1 | Strategies for mobilizing implementation experiences

We expect that agents behave strategically during the mobilization of implementation experiences. They can use such policy-relevant information, for instance, to strive to preserve the status quo, advocate for policy change, or try to block or terminate policies (Kingdon, 2014). Existing studies on strategic agency behavior for (EU) agenda-setting

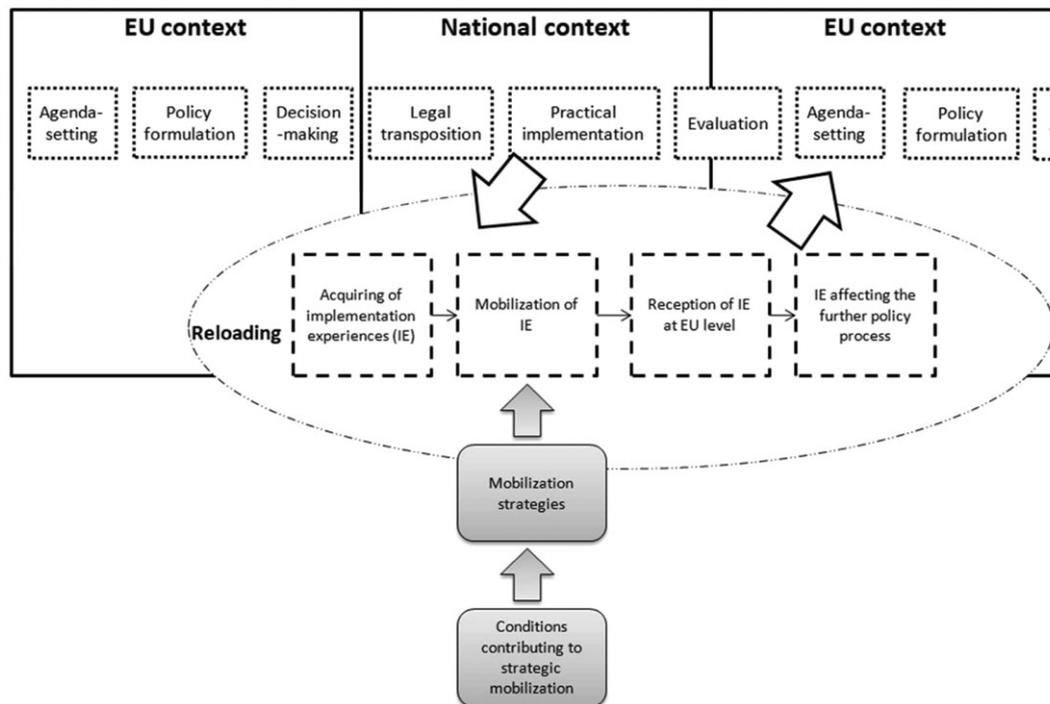


FIGURE 1 Strategic mobilization of implementation experiences in the EU policy feedback process. Grey boxes represent the study's areas of focus

and (EU) policy change offer a starting point for the conceptualization of strategic mobilization behavior. We have systematically reviewed these strands of literature from an agency-oriented perspective. Based on the review outcomes, we identify four clusters of strategies that are commonly recognized in theories of agenda setting and policy change. This typology is also in line with more general policy process theories, social movement studies and literature concerning mobilization issues (i.e., Benford & Snow, 2000; Birkland, 1998; Kingdon, 2014; Pralle, 2003). Table 1 presents a summarizing overview of these strategies and the operationalization used in this research.

The first cluster distinguished is the *strategic framing* of implementation experiences. As there is a constant flow of experiences, their simple occurrence is not sufficient to enter the EU policy process, nor to influence further policy-making. Actors try to influence policy-making by framing their practical implementation experiences so that they gain agenda status (Princen, 2007). Framing is seen as a process in which actors transform implementation experiences into a meaningful whole, sense-making device or frame. Framing is dynamic over time and influenced by actors' interests, overarching discourses, preferences and so on (Entman, 1993). Actors differ in the way they frame experiences to alter support for policies, bring experiences onto the agenda and further their own ideas. To empirically position and assess the frames, we differentiate between three layers of frames: (i) an ontological frame (what is real?), (ii) a normative frame (what is right and wrong, fair and unjust?) and (iii) a strategic frame (what is feasible, what can be done?) (Therborn, 1980; Wiering & Arts, 2006). Actors can use multiple framing strategies to further their experiences. *Narratives*, for instance, can be used to convince actors of the necessity of political action or policy implications. One can voice these frames by using *rhetoric*, *symbols*, *best practice examples* and *crisis exploitation* (Fischer, 2003; Mintrom & Norman, 2009; Riker, 1986; Stone, 2002). Furthermore, increasing the resonance of frames can be done by

aligning frames to the existing discursive opportunity structure. Different alignment strategies can be identified, such as *frame bridging*, *amplification*, *extension* and *transformation* (Benford & Snow, 2000).

Second, we identify the cluster of *relational management* strategies. Interaction between actors is important because mobilizing actors are mostly unable to accomplish their objectives alone. Mutual trust and respect can enable the mobilization process, and thus *trust building* and *networking* are of crucial importance (Brouwer & Biermann, 2011; Meijerink & Huitema, 2010). Networks are important for gathering reliable information, for understanding other participants' positions and interests and for spreading implementation experiences (Kingdon, 2014). Another strategy in this cluster is *coalition building*. It is important, particularly in complex multilevel governance settings, to gain support, bundle resources and coordinate activities in coalitions (Battilana, Leca, & Boxenbaum, 2009; Mintrom & Vergari, 1996).

The third cluster distinguished is the *exploitation of venues*. Actors strategically choose the appropriate venue for mobilizing their implementation experiences. Venues are regarded as policy platforms or arenas, where actors interact and exchange implementation experiences. *Venue shopping* means that actors seek out and attend the most favorable venues for consideration of their implementation experiences. Venues can also be *manipulated* to push forward ideas and interests (Baumgartner & Jones, 1993; Pralle, 2003; Princen & Kerremans, 2008), or new venues can be *created* for such mobilization (Huitema & Meijerink, 2010). Actors aim to shift debates to venues which are receptive and open to their implementation experiences (Baumgartner & Jones, 1993; Huitema & Meijerink, 2010; Pralle, 2003; Princen, 2007).

A fourth cluster considered is *timing*, as actors decide upon the crucial moments of mobilization. This strategy is analytically distinct but in practice related to the other strategies. Often, shock events or other policy momenta, are used to put (implementation) issues on the agenda, as actors seek to "exploit" the disruption of governance

TABLE 1 Operationalization and manifestation of mobilization strategies (IE = implementation experiences)

Mobilization strategy	Operationalization	References	Prague approach	OOAO principle
1. Strategic Framing Mobilizing agents frame IE strategically to ensure they are considered at the EU agenda.		Entman (1993); Princen (2007)	X	X
Narratives Mobilizing agents create narratives or stories based on IE, to convince others about the necessity of action or concerning policy implications.		Battilana et al. (2009); Fischer (2003)		
Rhetoric Mobilizing agents use rhetoric in reloading processes, which is the art of persuading and influencing people through the use of spoken or written speech.		Riker (1986)		
Symbols Mobilizing agents use symbols to communicate IE and to gain support.		Stone (2002)		
Best practice examples Mobilizing agents draw attention to IE by framing these as best or worst practices.		Mintrom and Norman (2009)	X	X
Crisis exploitation Mobilizing agents can use a shock or focusing event as a window of opportunity for reloading IE. Moreover, IE can be framed as a crisis.		Boin, 't Hart, and McConnell (2009); Kingdon (2014)		
Frame alignment Mobilizing agents can adjust the frame in which IE are reloaded to ensure it fits the existing discursive opportunity structure.		Benford and Snow (2000)	X	X
Bridging Mobilizing agents can link IE to popular trends or concepts.			X	X
Amplification Mobilizing agents can use IE to strengthen existing values and beliefs.				
Extension Mobilizing agents can broaden frames to incorporate concerns important for support.				
Transformation Mobilizing agents can change old meanings by generating new ones.				
2. Relational management strategies Mobilizing agents interact continuously throughout the mobilization of IE. This is important, e.g., for drawing attention and seeking support.		Brouwer and Biermann (2011); Kingdon (2014); Meijerink and Huitema (2010)	X	X
Trust building Mobilizing agents build trust in their relationships with other actors in the EU policy process for the mobilization of IE.		Brouwer and Biermann (2011);	X	X
Networking Mobilizing agents establish new networks or make use of existing networks for the exchange of IE.		Kingdon (2014)	X	X
Coalition building Mobilizing agents build linkages and/or alliances with other actors to gain support, to bundle resources and to coordinate the mobilization of IE.		Battilana et al. (2009); Mintrom and Vergari (1996)	X	X
3. Venue exploitation Mobilizing agents strategically decide upon the venue for mobilizing IE, because venues vary in responsiveness and openness toward their IE.		Baumgartner and Jones (1993); Huitema and Meijerink (2010); Pralle (2003); Princen and Kerremans (2008); Princen (2007)	X	X
Venue shopping Mobilizing agents seek out the most favorable venue to consider their IE.			X	X
Venue manipulation				

(Continues)

TABLE 1 (Continued)

Mobilization strategy	Operationalization	References	Prague approach	OOAO principle
	Mobilizing agents manipulate venues for the mobilization of IE			
Venue creation	Mobilizing agents create new venues to mobilize their IE.			
4. Timing	Mobilizing agents seek out the crucial moment to mobilize IE and decide upon the timing to use mobilization strategies.	Boin et al. (2009); Kingdon (2014)	X	X

as usual. Such moments of attention may be short-lived. Moreover, implementation experiences can also contribute to the opening of such windows (Birkland, 1998; Boin, 't Hart, & McConnell, 2009; Kingdon, 2014).

2.2 | Conditions contributing to strategic mobilization choices

Various conditions contribute to an actor's decision to mobilize implementation experiences, just as to the choice of a specific mobilizing strategy. Following a review of common policy process studies, social movement and EU mobilization literature, and more specific (EU) agenda-setting and policy change literature, we identify three clusters of conditions that may contribute to mobilization (i.e., Benford & Snow, 2000; Birkland, 1998; Kingdon, 2014; Pralle, 2003). These conditions and their operationalization are summarized in Table 2.

First, strategic choices concerning whether to and how to mobilize implementation experiences are of course affected by actors' *preferences* and *interests* (Radaelli & Kraemer, 2008). Actors can have different incentives for mobilizing implementation experiences, such as minimizing future implementation costs, overcoming implementation problems, escaping domestic constraints, gaining first-mover advantages or striving for alignment with domestic policies (Héritier, 1996; Liefferink & Andersen, 1998; Princen & Kerremans, 2008). Vested interests, for example, may trigger the mobilization of positive implementation experiences with the objective of preserving the status quo (Béland, 2010).

Second, the strategic mobilization of implementation experiences is also affected by an agent's *availability of resources and capacities*. This cluster of conditions includes an agent's financial resources, expertise, legitimacy, representative, entrepreneurial and mobilizing capacity, as well as personal skills and characteristics. Other relevant conditions in this regard are an agent's organizational backbone and position in networks (Dudley & Richardson, 1999; Pesendorfer, 2006; Princen & Kerremans, 2008).

Third, we identify the EU and domestic *political and institutional structure* as another important cluster of conditions. As reloading does not occur in a vacuum, contextual conditions determine an actor's possibilities and constraints for mobilization (Zhu, 2013). Several conditions can be identified in this regard. *The EU's multilevel setting*, and particularly its wide range of venues, channels and other access points, offers a multitude of opportunities for actors to mobilize their experiences. As a result, actors can strategically seek out a venue in which policy-makers are more willing to use their implementation experiences (Ackrill & Kay, 2011; Meijerink & Huitema, 2010; Princen & Kerremans, 2008). Nevertheless, some issues and interests have easier access than others, as the institutional set-up could be more receptive to some arguments than to others. Some venues may be more susceptible to certain implementation experiences than others. Hence, the *openness of the policy system* is another condition that affects the chances for actors to gain access to the EU policy process (Pierson, 1993). *Attention*, both political and societal, is another crucial condition identified for the strategic mobilization of experiential knowledge. Such attention can be triggered by a policy momentum, as policy windows provide a temporary opportunity to reload implementation experiences (Kingdon, 2014; Meijerink & Huitema, 2010).

TABLE 2 Operationalization and relevance of conditions determining strategic mobilization choices

Condition	Operationalization	References	Prague approach	OOAO principle
Actor's preferences and interests	Interests and preferences may affect actor's incentives to mobilize.	Radaelli and Kraemer (2008)	Determines if mobilization occurs at all: inherent, yet not dominant, to each strategy Strategic framing	Determines if mobilization occurs at all: inherent, yet not dominant, to each strategy Strategic framing
Availability of resources and capacities	Financial, knowledge resources, legitimacy, representative, entrepreneurial and mobilizing capacity of an actor, just as its position in networks, personal skills and characteristics affect an actor's strategic mobilization choices.	Dudley and Richardson (1999); Pesendorfer (2006); Princen and Kerremans (2008)	Availability determines the ability to mobilize at all. Relational management strategies Strategic framing	Relational management strategies Strategic framing
Political and institutional structure	Multiple political and institutional conditions affect an agent's strategic mobilization choices. Examples are fit/misfit between domestic and EU legislation, multilevel EU setting, existing networks, channels and venues, openness, and attention.	Kingdon (2014); Mastenbroek and Kaeding (2006); Meijerink and Huitema (2010)	Misfit determines if mobilization occurs at all. Relational management strategies Multiple venue shopping Strategic timing	Relational management strategies Multiple venue shopping Strategic timing

Following the original work of Kingdon, the best mobilization opportunity for policy entrepreneurs, and the strongest incentive for policy-makers to respond to implementation experiences, occurs when the implementation of policy programs brings about unforeseen negative consequences, which provides them with an urgency to act (Kingdon, 2014, p. 103). The final condition of this cluster is the *fit, or misfit*, of an EU policy with domestic practices and traditions. A misfit can lead to practical implementation issues, noncompliance or political controversy, which will lead to stronger incentives for reloading. Hence, this condition is strongly related to an agent's preferences and interests, which we identify as the first cluster of relevant conditions (Mastenbroek & Kaeding, 2006).

3 | METHODOLOGICAL ACCOUNT

Water management is a relatively stable multilevel policy domain in which a strong Europeanization of policies has been observed (Priest et al., 2016). Since its establishment in 2000 the WFD has given rise to several implementation challenges (Bourblanc, Crabbé, Liefferink, & Wiering, 2013; Liefferink et al., 2011). To deal with these issues, the Common Implementation Strategy (CIS) was developed in 2001. This key EU water institution aims to operationalize the WFD to resolve technical controversies and allow a more coherent implementation throughout the EU (Boeuf et al., 2016; Santbergen, 2013). The CIS functions as a unique networking venue at the EU level for the exchange of implementation experiences between the Commission, member states, NGOs and other stakeholders. Important venues for mobilizing implementation experiences in the CIS are the working-, expert- and strategic groups. Relevant channels for reloading are conferences, (bilateral) meetings and workshops (personal communication). As no comparable institutionalized venue for implementation guidance yet exists at the EU level and the CIS is recognized as an outstanding example for other policy fields, we consider the WFD's policy process to be an appropriate case. Moreover, parts of this directive need to be elaborated throughout implementation, and hence reloading of policy-relevant information is expected to occur.

A comparative case study design is applied to explore empirically which of the above-mentioned strategies are manifest in WFD's reloading processes, and which conditions contribute to such strategic mobilization behavior. We have selected two critical cases of reloading from the WFD's policy implementation process: the one resulting in the so-called "Prague Approach" and the discussion concerning the One-Out-All-Out (OOAO) principle. Selection of these two cases was done via a process-tracing analysis of the CIS process, consisting of a document study and interviews with key actors involved. Both cases are long-term processes of reloading in which implementation experiences turned out to be the trigger, which have been on the agenda for a longer time, and which have been documented in detail. The study of these two cases is concentrated on the Netherlands. This member state has been selected because of its long tradition in water management, its active involvement in EU water governance and because it was one of the frontrunners in the establishment of the WFD. We expect this member state to also be an active mobilizing actor in the processes of reloading. So, by studying this case, existing strategic behavior will be identified. In addition, the role of other member states has not been excluded.

The research material consists of 35 semistructured interviews with the key actors involved, such as staff members of the Commission, member state representatives and subnational implementing agents from multiple member states, NGOs and stakeholder representatives. The selection of interviewees started with identifying key actors involved in both cases. Subsequently, snowballing techniques were used in the interviews to identify other relevant actors. The operationalization of strategies and conditions was used to develop a semistructured interview guide. Interviews were held between February 2015 and December 2016, lasted from 45 min to over 2 hrs, were audio recorded and transcribed in detail. I refer to the interview data by using 'personal communication'. In addition, an analysis was made of relevant policy documents, scientific literature, CIS guidance documents, CIS meeting reports and relevant websites. Interpretive observation was also applied by the first author who joined several relevant EU meetings. Appendices 1 and 2 provide a detailed overview of the interviewees and the meetings attended. A content analysis of documents, memos and transcripts was made by applying deductive coding. This coding was based on the outcomes of the literature review and, more specifically, on the operationalization of strategies and conditions (Tables 1 and 2).

4 | TWO CASES OF RELOADING

In this section for each of the cases selected we describe the issue at stake, we elaborate upon the implementation experiences of Dutch implementing agents and we analyze the strategic mobilization process. A summarizing overview of outcomes is presented in Table 1.

4.1 | Case one: The Prague Approach

The key objective within the WFD is to achieve a "good ecological status" (GES) for all waters by 2015. This GES is determined based on a water body's biological, hydro-morphological and physico-chemical quality elements (CIS, 2003a). However, for altered water bodies—both artificial and heavily modified—member states are allowed to set "good ecological potential" (GEP) as an environmental quality objective. This is because changes to the hydro-morphological characteristics of these altered water bodies, which are needed to achieve the GES, would have significant adverse effects on the body's wider environment and its user functions. The GEP is a perceived deviation from a water body's maximum ecological potential (MEP). This MEP should reflect, as far as possible, the conditions associated with the closest comparable natural water body type, given the physical conditions of the specific body (Borja & Elliott, 2007; CIS, 2003a, 2003b; Directive 2000/60/EC).

4.1.1 | Dutch implementation experiences

At the start of the WFD's implementation, the Dutch Government qualified 95% of its water bodies as heavily modified (HMWB) or artificial (AWB). An exception is the coastal zone, which is designated as a natural water body. Qualifying bodies as being altered opens up possibilities for less stringent objectives and of extending the timing for achieving these (Ligtvoet, Beugelink, Brink, Franken, & Kragt, 2008). Altered water bodies are assessed in terms of the GEP. However, Dutch water managers responsible for the WFD's implementation, that is, the regional water

authorities and *Rijkswaterstaat* (the Water and Public Works Department of the Ministry of Infrastructure and Environment), were struggling with the technical and theoretical approach prescribed in the WFD to determine this GEP (personal communications). Practitioners described the GEP as: "not feasible in practice" and as "problematic for dealing with altered water bodies" (quotes from interviews). Confusion was caused by its ambiguous definition and the unclear measurement method, because the GEP, GES and MEP are all deviations from the norm. Implementing agents lacked specific knowledge about the pristine conditions of a water body, reference conditions and its restoration potential, which were essential to determine the GEP. Furthermore, these actors found it to be extremely difficult to determine a water body's initial or potential natural situation, due to the long history of artificial water management in the Netherlands, and as they were not willing to forfeit the current utility of these water bodies. Moreover, they feared that such a theoretical reference situation would create a relatively high level of implementation ambition (Borja & Elliott, 2007; Carr & Crosnier, 2005; personal communication; Heuvelhof Ten et al., 2010). As a strong and collaborative network exists between the multiple levels of water management in the Netherlands, the implementation experiences of Dutch regional implementing agents were exchanged on several occasions and triggered attention at the national level. Key actors at the national level—both *Rijkswaterstaat* and the Ministry of Infrastructure and Environment—considered these issues and criticized the EU method for determining the GEP (personal communication). "The GEP measurement method was too technical and theoretical" (quote from interview). As actors from these two organizations were the key representatives of the Netherlands at the EU level, they started to reload this implementation experience into the EU policy process (personal communication).

4.1.2 | Mobilization strategies chosen

All strategies mentioned in Section 2 could be traced back in the empirical data. We discuss them chronologically. Implementation issues regarding the GEP had been discussed in multiple EU working groups from 2001 onwards. Although guidance had been developed, a common understanding of the GEP was still lacking in 2005 (Borja & Elliott, 2007; CIS, 2003a, 2003b). *Timing* played a strong role in this reloading case, as the EU Water Directors' meeting in Prague in October 2005 appeared to provide the momentum for this discussion. This was because of the high-level officials involved, the political attention present and the subjects discussed in this group. Moreover, a presentation by a UK representative about HMWBs on the first day of this meeting encouraged Dutch representatives to mobilize their implementation experiences about the GEP. The Dutch started *networking* during an informal dinner with representatives of the UK and Germany. *Coalition-building* was successful as these member states shared the perspective that the GEP's determination method was too technical and because all three are frontrunner countries in the WFD's implementation. Hence, they were able to build a common understanding of the issue and its solution. This solution, a step-by-step alternative suggested by the Dutch, was framed as a *best practice example* (Kampa & Kranz, 2005; personal communication; Heuvelhof Ten et al., 2010). During the second day of this meeting, the UK representative—also co-chair of the meeting—presented the

implementation issue at the strategic water director level, which appeared to be the most appropriate *venue*. Representatives from the Commission, Scandinavian member states and environmental NGOs, such as the European Environmental Bureau, were somewhat reluctant and wanted to preserve the status quo, that is, use the existing GEP determination method. However, the group of mobilizing member states *framed* the alternative in *alignment* with the interests of these reluctant actors, namely that it would not water down the WFD's ecological ambitions (frames identified in Table 3). As a result, the water directors gave a mandate to the ECOSTAT working group to consider alternatives for the GEP. Hence, the GEP issue was discussed at *multiple venues*. Four years later, the resultant alternative was agreed upon by the water directors in the Strategic Coordination Group (SCG), and it was formalized in the attachment of a CIS guidance document by 2009 (CIS, 2009). This alternative has been called the "Prague or Pragmatic Approach" and is largely in accordance with the approach suggested by the Dutch in 2005. This approach starts off with the water body's current ecological status, instead of a reference condition. Next, to define a body's potential, the effects of all feasible measures are added to this starting point. The key difference to the initial approach is that the GEP is now directly based on feasible mitigation measures, and not indirectly derived from the prediction of biological quality elements (CIS, 2009; European Commission, 2012; Hering et al., 2010; Kampa & Kranz, 2005; personal communication).

4.2 | Case two: The One-Out-All-Out principle

The ecological centerpiece of the WFD is the OOA principle. This principle is not explicitly defined in the directive itself and can be seen as a derivative of the Directive's requirements (Directive 2000/60/EC; European Commission, 2012; personal communication). The OOA principle is used for overall classification of a water body, meaning that the ecological status of a body is determined by the element having the lowest status. This thus ensures that the negative impact of the most dominant pressure on the most sensitive quality element is not obscured. This means that if, for example, the status

of fish is below the standard, a water body does not have a good status and the relevant maps will be colored red, irrespective of the (good) status of all other elements of that body (European Commission, 2012; personal communication; Prato et al., 2014; Raadgever, Smit, Dieperink, Driessen, & Van Rijswijk, 2009; Voulvoulis, Arpon, & Giakoumis, 2017). Hence, the OOA principle embodies the precautionary principle in the face of uncertainty about water resource management (Cunningham, 2012).

4.2.1 | Dutch implementation experiences

Implementing agencies in the Netherlands experienced several difficulties regarding the OOA principle. Similarly to the first case, interpretation variations arose. Throughout the implementation, "we [Dutch implementing agents] became aware that the principle is not sensitive to small changes in water quality" and that maps will only color green when all indicators are positive (interview quote). "Improvements in fish and plant species, for instance, were not visible as some chemical substances were still insufficient" (interview quote). As a result, they found that it was quite hard to see any progress in water quality. Furthermore, they realized that the effects of measures taken only become quantifiable after longer periods. These were important issues as their regional directors, national parliament and the European Commission called for an overview of progress and a justification of measures, effort and resources invested in the WFD's implementation (Raadgever et al., 2009; personal communication). At the EU level, Dutch representatives experienced difficulties as well. Maps following the OOA principle were used by the Commission to compare progress between member states. Such a comparison was unjust according to the Dutch, because modeling and measurement methods differ significantly between member states. Member states having less advanced monitoring methods were unable to measure certain quality elements and were allowed to assume that these would be at least as good as the worst observed result for that water body. As a result, maps for countries such as Hungary colored green in contrast to further advanced member states, such as the Netherlands (Cunningham, 2012; personal communication).

TABLE 3 Overview of key frames identified

Actors	Dimensions of frames	Prague approach	OOAO principle
<i>Mobilizing coalition</i> with the incentive for change (<i>both cases</i> : Netherlands and coalition member states)	<i>Ontological</i>	Implementation difficulties due to technical and theoretical determination method for determining GEP.	Communication of progress of water status is difficult due to the OOA principle.
	<i>Normative</i>	Aspiration for a more realistic determination approach with sufficient support.	OOAO principle is vague, complex and unfair with regard to the representation of water status.
	<i>Strategic</i>	Practical alternative for GEP determination, no change to objectives.	Another visualization method needs to be developed as alternative for communication.
Coalition <i>reluctant for change</i> (<i>Prague</i> : EU Commission, environmental NGOs and Scandinavian member states. <i>OOAO</i> : EU Commission, environmental NGOs, drinking water companies)	<i>Ontological</i>	Implementation issues due to lack of clarity about GEP.	OOAO principle is applicable, yet might need some clarification.
	<i>Normative</i>	Ecological ambitions of WFD should not water down. GEP determination should be clarified	Ecological ambitions of WFD should not water down. OOA should be strict for an ambitious implementation
	<i>Strategic</i>	No or slight changes in GEP determination.	No or slight changes in OOA principle.

4.2.2 | Mobilization strategies chosen

Interpretation difficulties concerning the OAO principle were discussed during the first implementation cycle of the WFD (Cunningham, 2012) which ended with the submission of river basin management plans in 2009. However, the issue really took off in 2012 when the Blueprint strategy was established, the preparation of a new reporting guidance was started and the Priority Substance Directive was updated. The Dutch *timed* the mobilization strategically, as these occasions provided a window of opportunity. Moreover, attention was raised with this momentum because member states needed to report progress to the Commission and to their national parliaments in the second version of river basin management plans (personal communication). The Dutch mobilized their experiences at *multiple venues simultaneously*, that is, in multiple EU working and experts' groups (e.g., ECOSTAT, chemicals and Data and Information Sharing (DIS)), at the SCG meetings, and at the EU water conference in Brussels in 2015. While doing so, the Dutch made use of the traditional North-West European *coalition*. The UK, France, Germany, Belgium and Spain helped to place the issue on the EU agenda. The Commission, (environmental) NGOs and drinking water companies were reluctant to change and framed the issue differently (Table 3). The issue of the OAO principle was *strategically framed* by the Dutch and allied actors as being primarily a communicational matter. Framing it as merely a communication issue decreased its political salience and sensitivity, which enabled support for it to be gained. Moreover, the Commission's perspective changed when the European Parliament called for a justification of progress under the WFD, and the Commission itself experienced difficulties with the OAO principle. Eventually, this reloading resulted in the development of complementary indicators for the communication of the status of individual water quality elements, which is included in a CIS discussion paper of April 2015. "Complementary" means that water quality status remains visualized in accordance with the OAO principle, but member states and the Commission also use other methods. This does not mean that the issue is settled. Discussions concerning the OAO principle are expected to reappear during the WFD's review in 2019 (CIS, 2015; Ministry I&M, 2015; personal communication).

4.3 | Comparing the strategies identified

In both reloading cases, all four clusters of strategies were used by Dutch representatives throughout the mobilization of implementation experiences (Table 1). Regarding *strategic framing* (1), see also Table 3, attention was drawn toward the Dutch experiences by presenting *best practice examples*, and reluctant actors were convinced by applying *frame alignment* and *bridging* strategies. In the Prague case, for example, the Dutch presented the alternative approach as being fully in line with the ecological interests and existing discursive opportunity structure of (environmental) NGOs and the Commission. However, no signs of the use of *narratives*, *rhetoric*, *symbols* or *crisis exploitation* could be identified. Considering the *relational management* cluster (2), strategies distinguished were similar in both cases. *Trust building*, *networking* and *coalition-building* were shown to be crucial to draw attention to the Dutch experiences in the complex EU setting. With regard to the

cluster of *venue exploitation* (3), agents indeed did seek out the most favorable venue for mobilizing their expertise (*venue shopping*). However, the most favorable venue was different in the two cases. It is striking that multiple venues were approached simultaneously. This can be seen as additional strategy, which was not identified in our review of the literature. Due to the existing CIS network and the available access points in EU water governance, in both cases there was no need to *manipulate* or *create venues*. Regarding *timing* (4), mobilizing agents did indeed strategically choose the appropriate momentum for mobilizing their experiences.

5 | REFLECTION ON CONDITIONS

In this section we reflect upon conditions that contribute to the strategic mobilization of implementation experiences. It appeared that outcomes from the cases were strikingly comparable (Table 2).

5.1 | The role of actors' preferences and interests

Mobilizing agents' preferences and interests are, of course, inherent to, or the rationale behind, all strategies identified for the mobilization of implementation experiences. This rationale behind mobilization is triggered by the experienced *mismatch* between EU policies and daily water management at the (sub)national level. The path-dependent, vested interests of the Dutch, due to their long tradition of water quality management, contributed in both cases to their ambition to implement the WFD in a pragmatic way, yet the EU's objectives were more ambitious. Essentially, the *misfit* between the two studied WFD components and domestic water management in the Netherlands induced the mobilization process. Reducing this misfit was the key incentive for Dutch actors for mobilization (personal communication). In line with this, the Dutch strategically framed in a specific way that the alternative—and pragmatic—approach for determining the GEP would better fit the implementability in all member states (personal communication). In both cases, mobilizing actors framed their experiences following the incentive to change the ongoing implementation of the WFD in line with their own interests (e.g., policy fit and pragmatic implementation), while the opposing group of actors framed the issue in a way to keep the status quo in accordance with their policy preferences (e.g., ensuring ecological ambitions). Except for these two groups, little resistance from other actors emerged, which can be explained given that most states were lagging behind in the implementation and, as a result, were not yet concerned with both issues and had less incentives for mobilization (personal communication).

5.2 | Availability of resources and capacities

The cases analyzed showed that the condition *availability of resources and capacities* contributed to actors' ability to mobilize, and more specifically to their choice for applying strategic framing and relational management strategies. Both cases show that the fact that the Dutch, and their allied mobilizing agents, were frontrunners in the WFD's implementation process, had a high priority for water management at the national level and had an established position in the EU network contributed to their active

mobilization behavior (personal communication). Regarding relational management strategies, key incentives to build coalitions in both cases were to bundle resources and gain support in the complex EU setting. Speaking with one voice was relevant in both cases to convince reluctant actors (e.g., Battilana et al., 2009; Mintrom & Vergari, 1996). In the Prague case, the UK, German and Dutch representatives were closely involved in the CIS network (e.g., representatives of the UK and Germany were the co-chairs of the SCG meeting, having close ties to the representatives of the Commission), and hence their networking and mobilizing capacity skills were relatively high. Furthermore, representatives of all three states were very well informed about EU water governance, had a long tradition and high expertise in this field and spoke English sufficiently. The UK representative, as a native speaker and excellent presenter, was strategically chosen to present, and frame, the issue at the water directors' workshop. Bundling these powerful positions, expertise and skills enabled the mobilization of implementation experiences in both cases (Carr & Crosnier, 2005; personal communication).

5.3 | The role of the political and institutional structure

We found that political and institutional structure conditions determine the choice of relational management strategies, multiple venue shopping and strategic timing. Networking and information exchange at the domestic level appeared essential to ensure that regional experiences were mobilized at the EU level by national representatives (Kampa & Kranz, 2005; personal communication; Heuvelhof Ten et al., 2010).

In both cases, the *venues of the existing EU institutional structure*, and the *existing CIS network*, in particular, provided sufficient opportunities for mobilization. Venues used for mobilization concerned the existing EU working and expert groups, just as for the SCG. Venue shopping across these key access points in the existing CIS network appeared to be a crucial strategy in both cases under scrutiny (personal communication; Ministry I&M, 2015). Mobilizing agents did seek out the most favorable venues for consideration of implementation experiences. Moreover, mobilizing agents reloaded their experiences at multiple public and political venues simultaneously to increase their potential for setting the agenda, which was enabled by the institutional setting present in both cases. In the "Prague case," directly addressing the implementation experiences at the EU water directors' workshop, the most strategic level of the CIS process, enabled the Dutch to attract the required political attention. For the "OOAO case," this water director venue was open and responsive as well, yet it lacked political attention. Hence, the Dutch mobilized their experiences at the working and expert group level and in the public setting as well, for example, at the EU water governance conference in March 2015. During this conference, presentations and social media were used to draw attention. Furthermore, keeping issues on the agenda in different venues was found to be essential in both cases, as this resulted in a steady growth of awareness for change (CIS, 2009; personal communication). The complex EU institutional setting, involving a wide array of actors, experiences and interests, also drove the need

for collaboration, trust-building and networking. Several coalitions were identified in both cases: the strong alliance of Germany, the UK and the Netherlands in the Prague case and the traditional coalition of North-Western member states in the OOAO case (the UK, France, Germany, Belgium, Spain and the Netherlands). These North-Western member states have a long tradition of cooperation that goes beyond the CIS process. This tradition resulted in the necessary trust, familiarity and sharing of policy ideas and beliefs. Furthermore, these members' socioeconomic characteristics are largely in line with each other, and all have relatively high capacities for water management, which makes collaboration relatively easy. Furthermore, we found that informal contacts between governmental representatives were important.

Moreover, actors were keen on choosing the suitable moment for mobilization. In both cases, issues were discussed for a longer period, yet caught fire at certain points in time (CIS, 2003a, 2003b; Cunningham, 2012; personal communication). In the Prague case, the 2005 meeting with water directors was the crucial moment to attract the required attention at a relatively high and strategic level in the CIS process (personal communication). This was similar to the OOAO case, where a combination of events created the opportunity for Dutch representatives to mobilize their implementation experiences (personal communication). Hence, it appears that *political attention and policy momenta* determine the strategic timing of mobilizing actors. To further our understanding of reloading processes, it would be interesting to study if implementation experiences, as a specific type of knowledge resource, can create such windows of opportunity by themselves or contribute to these policy momenta as well.

6 | DISCUSSION AND CONCLUSION

In this article, we have focused on reloading in the WFD's policy process, and more specifically we have studied strategic mobilization actions of agents involved and conditions that contribute to such strategic behavior. The importance of understanding reloading in the dynamic EU water policy process is significant, as the EU is eager to learn from domestic expertise for improving the practicability and legitimacy of EU water policies. So far, reloading has not yet been systematically addressed in academia. Therefore, this study contributes to the existing Europeanization (e.g., EU policy implementation studies), political sciences and public administration literature. Furthermore, this article contributes to our understanding of the unique field of EU water governance.

Our findings reveal that a smart combination of framing, specifically by best practices and frame alignment, coalition-building, networking and establishing trust, multiple-venue shopping and timing, is used in mobilization processes. As we see in Section 4.3, certain strategies were not used, that is, narratives, rhetoric, symbols, crisis exploitation, venue manipulation and creation. Strategic combinations seemed to be continuously determined by and adapted to the predominant, yet dynamic, conditions, such as the appearance of a policy momentum, changes in the (EU) institutional structure, political attention, degree of consensus and new actors or expertise entering the

policy process. Spreading the odds across mobilization strategies increases the possibility that implementation experiences are heard and that they can affect further policy-making. The cases show that conditions related to the interests and preferences of a mobilizing actor—often affected by a misfit between EU regulation and practical implementation, and its available resources and capacities, determine if implementation experiences are mobilized at all. Conditions related to the political and institutional structure turned out to be of considerable importance, such as the existing EU (CIS) water governance network, the water director venue and the access points at multiple levels that contributed to relational management strategies, multiple venue shopping and strategic timing.

While this paper's exploration is an important contribution to better understand reloading, iterative policy implementation and the dynamic EU policy process, its conclusions need to be approached with some caution, which also points to further research needs. First, we studied a limited number of reloading cases. In addition, although the two cases selected are widely acknowledged as crucial moments in the WFD's implementation process, future research should encompass a wider set of cases. A second point is that both processes were selected from the policy process of one EU directive, the WFD, in the specific policy field of EU water governance. This policy field is known for its relative stability and involves a specific group of expert and governmental-oriented stakeholders. For further research, it would be interesting to unravel how policy domain characteristics, such as openness, the nature of a policy field and stakeholders involved may affect strategic mobilization behavior. Is strategic mobilization in other policy domains such as agriculture or nature conservation influenced by similar or other conditions? In this study we restricted ourselves to the role of implementing agents, but we think it would be very interesting to include in future research the roles played by NGOs, interest groups and business organizations. Moreover, the prime focus of this study was on the Netherlands as a mobilizing member state. We realize that other mobilizing member states may apply other combinations of strategies as they might have dissimilar determining conditions. For instance, would reloading be different when studying Southern or Eastern EU member states instead of North-Western? Another point concerns the rational perspective chosen; that is, that the experiences with policy implementation can contribute to evidence-based policy-making, or learning. In practice, reloading is not a closed-loop or straightforward process. Finally, we made an analytical distinction between strategies. However, a combination of strategies appeared common in practice. Analyzing such combinations of strategies and the conditions under which they result in "successful" mobilization is another question for follow-up research.

Based on our study we can also suggest some tentative lessons for other multilevel governance systems. Our case analyses have shown that certain policy actors have strong capacities to reload their view on what is necessary in policy processes, which gives them the power to affect the policy arena. From the point of view of fairness and/or democracy it is a good thing to keep an open eye on "who gets, what, when, and how."

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APPENDIX A.

Overview interviews

Date and location	Function and/or organization
6/2/2015 Skype	Consultant fresh thoughts
27/2/2015 in Utrecht	Project coordinator Water Framework Directive at the Dutch Ministry of Infrastructure and Environment
2/3/2015 in Breda	Policy official at the Dutch regional water authority Brabantse Delta
9/6/2015 in Koblenz	Member of the International Commission for Protection of the Rhine (ICPR) secretariat
9/6/2015 in Koblenz	Head ICPR secretariat (since 2015) and former member of the secretariat
28/1/2016 Skype	Consultant fresh thoughts
4/2/2016 in Brussels	Deputy head of the unit water – Directorate General (DG) Environment
12/2/2016 in Utrecht	Project coordinator Water Framework Directive (WFD) at the Dutch Ministry of Infrastructure and Environment
16/2/2016 in Utrecht	Water quality and international collaboration adviser Rijkswaterstaat
9/3/2016 in Zwolle	Consultant, involved with WFD implementation at Dutch regional level
10/3/2016 phone	Policy official involved in reporting WFD, Rijkswaterstaat
23/3/2016 phone	German Federal ministry for the environment, nature conservation, building and nuclear safety
7/4/2016 phone	Water quality and international collaboration adviser Rijkswaterstaat
8/4/2016 in The Hague	Representative at Bureau Brussel
19/4/2016 phone	Scottish Environment Agency, representative of UK at EU meetings
25/4/2016 Skype	Official at EUREAU
28/4/2016 phone	Policy official Federal ministry Austria: national and international water policies
13/5/2016 phone	Head of office of the House of the Dutch Provinces
11/8/2016 phone	Ministry of Infrastructure and Environment, permanent representative at EU level
16/8/2016 in's Graveland	Natuurmonumenten (NGO)
24/8/2016 in Paris	Head of international and European coordination. French ministry for ecology, sustainable development, and energy.
25/8/2016 phone	Wassernetz North Rhine Westphalia (NRW) (NGO)
30/8/2016 phone	Federal Environment Agency Germany
1/9/2016 phone	European Anglers Alliance and Angling Trust UK
9/9/2016 Lync	Swedish agency for marine and water management
12/9/2016 Skype	European Environmental Bureau
29/9/2016 Skype	Permanent international commission for navigation congresses (PIANC)
30/9/2016 phone	Deputy head of the unit water – DG Environment
4/10/2016 phone	Project coordinator Water Framework Directive at the Dutch Ministry of Infrastructure and Environment
5/10/2016 phone	Water quality adviser and international collaboration Rijkswaterstaat
11/10/2016 phone	Service Public de Wallonie
12/10/2016 phone	Policy official Rijkswaterstaat
14/10/2016 and 17/10/2016 Skype	Water Supply and Sanitation Technology Platform (WssTP) and Water Alliance
19/10/2016 phone	Flemish Environment Agency
19/10/2016 phone	Nature and Biodiversity Conservation Union Germany
9/11/2016 in Koblenz	Member of the ICPR secretariat
18/11/2016 Skype	Member of the ICPR secretariat
25/11/2016 phone	Secretary of the ICPR (since 2015), member of the secretariat
28/11/2016 Skype	Consultant on (EU) water governance. Former national expert for the European Commission's water Unit, former head of European Commission's water unit.
13/12/2016 in Voorburg	Former policy coordinator for water and spatial planning Dutch Ministry of Infrastructure and Environment, and former senior policy adviser on international water policy
16/12/2016 in Utrecht	Water quality adviser and international collaboration Rijkswaterstaat



APPENDIX B.

Overview of meetings attended

Date and location	Organizer and/or event
19/3/2014 in Koblenz	Working group meeting ICPR about flood risk management (FD), ecology and substances (WFD)
23/3/2015 and 24/3/2015 in Brussels	4th European Water Conference
9/6/2015 in Koblenz	Working group meeting ICPR about public participation and EU Water Framework Directive
20/10/2016 in Den Helder	EU ECOSTAT working group meeting about ecological status, hydro-morphology, and the EU Water Framework Directive in general