# Going 'off script': the influence of instrument constituencies on the Europeanisation of Turkish water policy

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### **ABSTRACT**

The European Union (EU) has established a major role in directing policy change, both internally and beyond its borders: a phenomenon known as 'Europeanisation'. This article examines the Europeanisation of water policy in Turkey in relation to implementation of the EU Water Framework Directive (WFD). Although some principles of EU water policy have been adopted in Turkey, the WFD has also been subject to significant domestic modification, prompting questions about how and why such patterns of partial implementation occur. In this respect, learning and socialisation within transnational 'instrument constituencies' (ICs) is shown to be an important explanatory factor. It follows that diffusion of the EU's water policy and the WFD beyond its borders may be enhanced by promoting the capacity for instrument constituency learning (or the 'cognitive environment') in non-EU countries.

### Keywords

Water Framework Directive; instrument constituencies; policy diffusion; Turkey; social learning; Europeanisation.

### 1 Introduction

During the past 20 years, in seeking to export its water policy to non-EU states (and specifically the Water Framework Directive (WFD)), the European Union (EU) has met with mixed levels of success (Fritsch et al. 2017). This type of transnational diffusion of EU policy, labelled 'Europeanisation'<sup>1</sup>, can be said to be the product of two distinct mechanisms. First, as the result of coercive pressures, such as EU accession requirements for would-be

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<sup>&</sup>lt;sup>1</sup> Europeanisation is taken to mean the interaction between the European Union internally with its member states and externally with non-EU states (Börzel, 2002; Featherstone and Radaelli, 2002; Börzel and Panke, 2016).

Union countries; and second, via non-coercive methods such as the promotion of policy norms by transnational networks such as the EU Water Initiative (EUWI). While the latter process has largely struggled to achieve the transfer of the WFD to Africa, South America and Central Asian states (Fritsch et al., 2017), the former has led to variable national implementation patterns among certain non-EU countries, such as Turkey, in the guise of obligations to adopt the WFD under the EU's Copenhagen accession criteria<sup>2</sup>.

Since 2002, Turkey has sought to implement the WFD despite a stalling EU accession process leading to declining material incentives. However, Turkish water policy has developed significantly modified WFD institutions, leading to a distinctive Turkish-European hybrid mixture or 'assemblage' of water policy (Demirbilek and Benson, 2019). While previous research highlights the institutional outcomes of WFD implementation (ibid.), important research questions about the constraints on the Europeanisation of water policy in such national contexts remain unanswered. The need to address such questions has also gained wider significance due to the transfer of integrated water resources management (IWRM) (including the WFD) globally, in response to the United Nations (UN) Sustainable Development Goals (Fritsch and Benson 2020).

One way of understanding the challenges faced by transnational diffusion processes lies in the notion of 'instrument constituencies' (ICs) (Béland et al., 2018: 463). According to Simons and Voß (2018: 14), the concept of instrument constituencies suggests that actor networks coalesce around favoured policy instruments and generate 'knowledge about specific modes of governing'. From this perspective, policy instruments act not only as 'scripts for reordering society' but also shape (and are shaped by) the activities of dedicated actors or ICs, who become devoted to 'a specific instrumental model of governing' (ibid.). These actors, according to Béland et al. (2018: 463), are also 'central players in transnational diffusion of policies', helping to transfer particular instrumental governance modes beyond their original domestic context. Importantly, they also show the centrality of these networks to the diffusion of programmes within developing states (ibid.).

This contribution proceeds as follows. First, we develop a theoretical proposition about the role of diffusion actors in the Europeanisation of water policy in non-EU states. We hypothesise that water policy Europeanisation is dependent on the establishment of WFD

<sup>&</sup>lt;sup>2</sup> States are only admitted to the European Union on meeting these criteria for democratic governance, market economy implementation and assimilation of membership obligations, including adoption of the EU 'acquis' or body of rules (European Commission, 2016).

norms within ICs. Further, we contend that the capacity of actors to socially learn EU water policy 'scripts'<sup>3</sup> and, hence not to deviate or go 'off script' in implementing them, becomes critical to Europeanisation outcomes. Next, we furnish an empirical account of the role of transnational ICs in the Europeanisation of water policy in Turkey across three temporal phases. Finally, we reflect on how ICs' capacity to support Europeanisation has been constrained by exogenous and endogenous barriers to social learning, particularly what we term the 'cognitive environment', thereby influencing policy innovation outcomes and providing lessons for future EU strategy on exporting the Directive. Our research also has wider implications for analysis of the EU's broader water diplomacy (Fritsch et al., 2017) and external environmental governance (Adelle et al., 2017), and debates on the success of water policy transfer (Fritsch and Benson 2020). This study also connects to research presented in this special issue examining national WFD implementation over the past two decades.

### 2 Instrument constituencies and policy diffusion

While the notion of an instrument constituency (IC) is relatively recent, the centrality of multi-actor networks within the policy cycle has been widely debated. For example, the influence of issue networks (Heclo, 1978), policy networks (Rhodes, 1997), advocacy coalitions (Jenkins-Smith and Sabatier, 1994; Weible, 2018), epistemic communities (Haas, 1992) and transnational transfer agents (Stone, 2004) have informed many studies. Where the concept of ICs diverges from earlier work is in its emphasis on how specific policy instruments are shaped by dedicated actor networks aimed at their promotion within governance processes. The focus of IC research is the supply-side of policy instrument innovation (Voß and Simons, 2014; Fitch-Roy et al., 2019). Instrument innovation, the creation and ongoing refinement of instruments, is conceptualised as occurring in mutually reinforcing processes in which material demands for policy input co-evolve with an ongoing socialisation among relevant expert communities (ibid.). Here, Simons and Voß (2018: 14) perceive policy instruments as 'condensed and packaged knowledge about how to govern', providing information ('scripts') that guide their development by policy actors. Indeed, it is the 'social life' of constituency interaction around such knowledge that the authors argue offers new ways of understanding instrument development (ibid.). This notion has

<sup>&</sup>lt;sup>3</sup> See also Börzel and van Hüllen (2015) for discussion on how regional organisations promote governance scripts that national actors adapt to their context.

subsequently been expanded to include transnational instrument innovation through diffusion processes (Béland et al., 2018).

Sectoral, structural and functional features of these networks can be discerned from an emergent IC literature. Originating from studies of environmental emissions trading evolution (Voß, 2007), the concept been applied to other policy sub-systems, including conservation trading (Mann and Simons, 2015), social policy (Béland and Howlett, 2016), vehicle fuel taxation (Perl and Burke, 2018), sustainable urban transport (Goyal and Howlett 2018), cash transfer programmes (Béland et al., 2018) and climate-energy policy (Fitch-Roy et al., 2019). While epistemic communities and advocacy coalitions are recognised as containing specific actor types, for example 'networks of knowledge-based scientific experts' in the former (Haas, 1992: 2), the IC literature has focused on public administrators, technical experts and consultants within instrument development (Béland and Howlett, 2016). Others have subsequently sought to understand how instruments are promoted by diverse and sometimes oppositional coalitions, including EU actors, national officials, industry and NGOs (Fitch-Roy et al., 2020). Béland et al. (2018) however identify additional coordinating roles for international organisations and think tanks in instrument development. Scholars have also focused on the function of ICs in stimulating policy instruments along an 'innovation journey' (Voß, 2007: 329). Instrument constituencies are therefore studied to understand their influence within the policy process, from initial idea to implementation (Weible, 2018: 67). Drawing on Kingdon's notion of policy entrepreneurship (Kingdon, 1984), Béland and Howlett (2016) also consider how members of ICs actively match instrumental solutions to policy problems within sub-systems. Latterly, the literature on ICs has moved beyond researching single policy venues to examining how they support transnational policy instrument development (Béland and Howlett, 2016; Béland et al., 2018).

Discussions on the capacity of ICs to stimulate instrument innovation within specific policy contexts have consequently crossed over into analyses of transnational diffusion (Béland and Howlett, 2016). In their subsequent analysis, Béland et al. (2018; see also Foli et al., 2018) utilise an established conception of international policy diffusion from Simmons et al. (2006: 787), which states that it 'occurs when government policy decisions in a given country are systematically conditioned by prior policy choices made in other countries (sometimes mediated by the behaviour of international organizations or even private actors or organizations)'. As key actors in this diffusion process, they argue that ICs differ from other similar transfer agents through their 'shared preference for a particular instrument or set of instruments' in its active diffusion (Béland et al., 2018: 465). Linking these two areas of conceptualisation, they then develop an analytical approach for explaining

transnational policy diffusion of programmes, initially between South American and African countries, from an international political economy (IPE) perspective. Their study helpfully highlights the entrepreneurial significance of ICs spanning national and international levels in diffusion.

### 3 Instrument Constituencies: Europeanisation through socialisation

### 3.1 External Europeanisation and diffusion

We argue that linking Europeanisation to non-EU states (external Europeanisation) through diffusion of EU water policy instruments to specific ICs provides new insights into what Simons and Voß (2018: 14) call the 'social life' and 'transnational policy dynamics' of instrument development. The Europeanisation literature offers a well-established and broad body of research seeking to understand interactions between the EU and its member states, and externally with non-EU countries. A substantial proportion of such research focusses on the downloading<sup>4</sup> of rules, norms and values from the EU to both existing member states (Börzel 2002; Buller and Gamble, 2002) and those beyond the EU's borders. The enlargement of the EU to include Central and Eastern Europe stimulated multiple studies into how the accession process was changing external national domestic political structures (Grabbe, 2001; Sedelmeier, 2011). External downloading extends to include current accession states, European Neighbourhood countries and those that the EU attempts to influence (Börzel and Risse, 2012). It is argued that the diffusion literature can help 'capture the more indirect ways in which the EU influences domestic countries and regions' in such Europeanisation processes (ibid.: 193).

Various diffusion mechanisms can support external Europeanisation. Studies have focused on 'direct mechanisms', including legal coercion through accession conditionality (Börzel and Risse, 2012: 195). Rational institutionalist theory, based upon explaining diffusion via conditionality, has consequently proved popular in external Europeanisation studies (ibid.).

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<sup>&</sup>lt;sup>4</sup> Since the notion of Europeanisation was first widely used in EU studies, several types of policy influence have been discerned. Some scholarship focuses on the downward pressures emanating from the EU on nation states (both EU and non-EU countries), so-called downloading (see Buller and Gamble 2002). Other research has concerned itself with the efforts of nation states to upload their policy preferences to the EU (Börzel 2002). Other academics have focused their attention on the horizontal transfer of policy from one EU state to another (or even non-EU countries) in a process labelled cross-loading (see Burch and Gomez 2002). More recently, some authors have argued for the iterative and multi-directional nature of Europeanisation (Saurugger 2014).

However, a focus purely on the EU's power to directly impose its preferences through conditionality, which necessarily declines the further one moves away geopolitically from Europe, overlooks the capacity of 'indirect' or soft diffusion mechanisms such as 'capacity-building (technical and financial assistance) and socialisation (political dialogue, technical cooperation) to induce domestic reforms' (Börzel and Risse, 2012: 195). Some scholars consider this socialising aspect of diffusion as critical to understanding external Europeanisation (Checkel, 1999). In the next section, we therefore forward an explanatory framework for external Europeanisation of water policy that emphasises socialisation and associated social learning within ICs.

### 3.2 An analytical framework for WFD Europeanisation

Within external Europeanisation, we posit that EU water policy exerts its socialisation influence on external policy environments through the medium of transnational ICs. EU-incubated instruments such as the WFD act as 'scripts' that guide specific transnational ICs interacting with non-EU states to adopt, adapt, and implement them in domestic contexts. Europeanisation of water policy then becomes dependent on the capacity of EU actors within these constituencies, acting as policy entrepreneurs, to socialise or 'teach' domestic actors WFD scripts through normative persuasion in order to secure the legitimacy of the instrument.

The Europeanisation process also reflects the capacity of domestic IC actors to 'learn' new policy norms and implement scripts as directed by the EU. While such social learning now constitutes a broad literature (Reed et al., 2010), which also has been applied to water governance (Heikkila and Gerlak, 2013; den Boer et al., 2019), in the Europeanisation context it is characterised by a 'process whereby actors, through interaction with broader institutional contexts (norms and discursive structures), acquire new interests and preferences' (Checkel, 1999: 548). Interaction can result in different types of learning depending on its depth, with superficial, partial or transformative learning processes possible in relation to degrees of norm acquisition (Krajcik and Blumenfeld, 2006; Demirbilek 2019). Superficial learning is related to IC actors acquring knowledge of basic WFD norms, in this case the general principles of river basin management, resulting in limited socialisation within the community (ibid.). Partial learning equates to more in-depth norm acquisition around the WFD, for example regarding technical-adminsitrative aspects of implementation such as monitoring, economic analyses and public participation procedures that support river basin management (ibid.). However, transformative learning is characterised by complete acquisition of all WFD norms and their implementation in practice by IC actors, in preference to the previous mode of water governance, resulting in complete system-wide socialisation occurring around the WFD model (ibid.). As these norms are internalised through learning, socialisation can be assessed through resultant change in the implementation of WFD institutions.

The extent and and nature of external Europeanisation through ICs, we argue, will be modulated by several factors. A critical constraining factor to this process is how social learning is structured by the 'normative resonance' (Sedelmeier (2011: 11) between EU water policy instrument scripts and domestic cultural, social and economic structures. We hypothesise that where IC capacity for social learning is superficial or even partial then socialisation around EU norms will be muted, resulting in constrained institutional change and only limited Europeanisation of the WFD (i.e. going 'off script'). The outcome is then less what Dolowitz and Marsh (1996: 351) refer to as direct 'copying' and more a context-specific 'emulation' or 'hybridisation' where external policy norms are re-tooled by ICs through policy innovation and adaptation to 'fit' with pre-existing domestic structures. To test the veracity of these arguments for explaining external Europeanisation of the WFD, we can, therefore, examine the role of such mechanisms in shaping WFD adoption in Turkey.

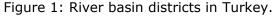
### 4 METHODS AND DATA

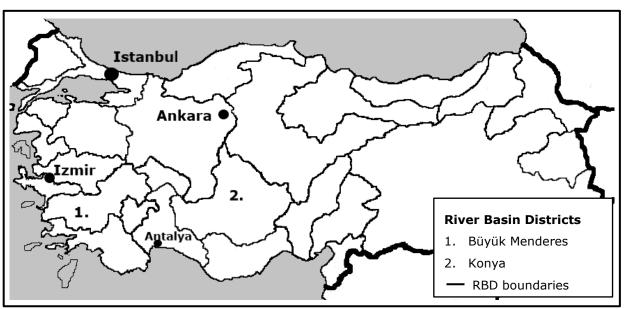
To account for the development of the Turkish WFD instrument constituency over time at European, national (i.e. ministerial) and regional (river basin) levels of governance, we adopt a process-tracing or 'causal process observation' methodology (George and Bennet, 2005). This technique is an 'analytic tool for drawing descriptive and causal inferences from diagnostic pieces of evidence — often understood as part of a temporal sequence of events or phenomena' (Collier, 2011: 824) that pays particular attention to careful *description* of the case material and the *sequence* of key events to determine causal relationships between variables (ibid.).

The objective is to examine the extent to which EU water norms have shaped actor policy preferences and identities and hence WFD Europeanisation over time. Therefore, the dependent variable is the degree (or level) of domestic social learning as measured by institutional rule change at national and local level. The independent variable is the influence of EU normative structures, in this case WFD instrument 'scripts' promoted by the IC, which can be observed through the diffusion of EU water policy to Turkey.

We derived qualitative data on the WFD IC from three main sources. The documentary data comprises national government reports and European Commission implementation

progress reports in addition to academic journals, books and conference presentations. Primary data was sourced from semi-structured interviews conducted with 35 policy actors in Turkey and Brussels (see Appendix 1). Actors interviewed included staff of the European Commission Directorate General for Neighbourhood and Enlargement Negotiations (DG-NEAR) and Directorate General for Environment (DG-ENV), the Turkish Ministry of Environment and Urbanisation and Ministry of Forestry and Water Affairs (MoFWA)<sup>5</sup>. Local level actors involved in the WFD process from municipalities, Chambers of Commerce and Industry, Organised Industrial Zones, Irrigation Unions and Irrigation Cooperatives from the River Basin Committees for both the Konya and Büyük Menderes basins (see Figure 1) were also interviewed. The Konya basin was selected because it is one of the most ecologically significant areas globally and is experiencing serious drought threats due to the twin effects of climate change and illegal agricultural abstraction (Ribamap, 2017; Benson et al. 2019). Büyük Menderes Basin was a pilot basin of the first EU project, MATRA (see next section), and was selected in order to examine the effects of the WFD at the local level from 2002 (when MATRA started) up to present day. Information from interviews was cross-referenced with documentary sources and triangulated with other interviews. Participation observation was conducted through attendance at River Basin Committee meetings in Konya and Aydın on 8 and 9 May 2017.





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<sup>&</sup>lt;sup>5</sup> Originally the Ministry of Environment and Forestry (MoEF), MoFWA was renamed the Ministry of Agriculture and Forestry in 2018.

### 5 THE EVOLUTION OF THE WFD INSTRUMENT CONSTITUENCY IN TURKEY

In the last 40 years, Turkey's economic progress, population growth and climate change has increased the pressure on water resources, both in terms of quality and quantity. In the 1980s, measures were taken to protect water quality and the General Directorate of Environment was established in 1983 with the enactment of the national Environmental Law. The Water Pollution Control Regulation came into force in 1988 while the Ministry of Environment was established in 1991 (Ministry of Agriculture and Forestry, 2019: 9). Towards the end of the 1990s, an integrated policy approach in terms of ecology, water quality and water quantity was developed, based on the WFD, because of Turkey's EU candidacy progress.

The WFD is the EU's flagship water policy. Adopted in 2000, the WFD compels member states to implement river basin management planning within dedicated river basin districts by *inter alia* characterising water resources, developing programmes of measures, river basin management plan development involving public participation and monitoring of impacts in order to maintain 'good' ecological status of waters (Official Journal 2000). While fundamentally transforming water governance within the EU, the WFD model has been actively promoted to non-EU states as part of the EU's strategy of global water diplomacy.

In Turkey, implementation of the WFD has been orchestrated through the actions of an evolving transnational IC, whose growth can be traced in three dimensions: *horizontally*, encompassing EU, governmental and non-governmental actors; and *vertically* to include actors located at lower institutional levels; with interactions occurring over *time*.

### 5.1 The first phase of instrument constituency development: 2002-2006

A recognisable WFD IC emerged shortly after Turkey was officially accepted as an EU accession candidate in 1999 (Demirbilek and Benson, 2019). Initially this IC constituted a loose transnational network involving EU national experts, consultants and domestic officials that coalesced to form a more horizontal IC around EU-supported 'projects' aimed at developing the WFD. In the initial phase, two main projects were instrumental in IC development: the Implementation of the WFD in Turkey (2002-2004) (MATO1/TR/9/3) (MATRA); and the Environmental Heavy-Cost Investment Planning in Turkey (2002-2005) (Tr/0203.03/001) (EHCIP).

This nascent IC started with horizontal transnational interactions between national officials in the MATRA Project. The project focus, coordinated by the Turkish General Directorate of State Hydraulic Works (DSI in Turkish) based in the Ministry of Environment and Forestry

(MoEF) began harmonising Turkish water policy with the WFD (Moroglu and Yazgan, 2008: 277). Bi-lateral assistance was received from the Dutch government for transferring the EU water *acquis*, including the WFD (Alparslan et al., 2007; Şorman, 2006). MATRA delivery therefore involved several national actors<sup>6</sup> (Sumer, 2016).

Constituency cooperation between Turkish decision-makers and stakeholders was then encouraged to facilitate WFD implementation at national and regional levels, as the IC expanded vertically (Alparslan et al., 2007; Sumer, 2016). As a first step, MATRA helped identify 25 river basin districts (RBDs) in Turkey, a requirement of Article 3 of the WFD, and it created two implementation-coordinating bodies: a National Platform comprised of different stakeholders, including ministerial staff; and River Basin Working Groups, responsible for preparing draft River Basin Management Plans (RBMPs) in each RBD. An early initiative implemented was preparation of the draft RBMP for the Büyük Menderes river basin, which involved both provincial and ministerial level actors (Alparslan et al., 2007). This pilot project then subsequently informed the planning processes in other Turkish river basins (Cinar and Ozdinc, 2006). Acting on the recommendations of Grontmij Consultancy, the DSI and the MoEF prepared a National Water Quality Plan to support WFD implementation. Other project outputs included a legal and institutional gap analysis report, plus guidance and methodologies for implementing the WFD (ibid.).

This emerging IC, based primarily in Turkish national ministries, then received additional support from EU national actors and institutions as the network expanded again via the EHCIP Project. Funded under the EU Pre-Accession Assistance 2003-2005 programme, EHCIP aimed at supporting environmental infrastructure projects to meet the standards of several EU water directives (European Commission, 2011). In addition, the project identified specific financial instruments required to achieve requisite EU water quality standards (Sumer and Muluk, 2011). This project was then followed by an analysis provided by the UK Department for Environment, Food and Rural Affairs (Defra) into the restructuring of the Turkish water sector to enable implementation of EU water directives. This analysis recommended transferring some DSI responsibilities to a new environmental

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<sup>&</sup>lt;sup>6</sup> Including Turkish government ministry actors from the Ministry of Agriculture and Rural Affairs (MARA), Ministry of Tourism, Secretariat General for EU Affairs, Ministry of Foreign Affairs, Turkish General Directorate of State Hydraulic Works (DSI in Turkish), Ministry of Health (MoH), Ministry of Environment and Forestry (MoEF), in addition to Dutch government officials and a private Dutch actor, Grontmij Consultancy, that specialised in providing environmental policy advice.

agency<sup>7</sup> and also establishing a regulatory body similar to the UK Ofwat for controlling water tariffs and investments (ibid.).

Finally, additional IC support was supplied by EU-supported Technical Assistance Information Exchange Office (TAIEX) training. Provided by EU and Turkish actors, the training included workshops, seminars, peer reviews and a Regional Training Programme (RTP) (MWH Consortium, 2007). The purpose was to provide technical assistance to Turkish officials and to facilitate implementation of the WFD (European Commission, 2015). Some initial TAIEX trainings were organised by the MoEF on WFD-related areas<sup>8</sup> (Ministry for EU Affairs, 2016). Such events continued throughout the subsequent IC development.

### 5.2 The second phase of instrument constituency development: 2007-2013

By 2007, the IC began to focus on WFD development in Turkey through so-called 'Twinning Projects' that increased transnational cooperation, particularly with EU institutions and national governments. After the MATRA and the EHCIP, the European Commission supplied funding for WFD implementation via the Instrument for Pre-Accession Assistance (IPA I) mechanism (Duyulmus, 2014: 2). Under this funding stream, several bi-lateral or tri-lateral Twinning Projects specifically supported implementation of EU water directives. Initially, the 'Capacity Building Support to Turkey for the Water Sector' project (TR06-IB-EN-01) (2007-2013) was undertaken to build national institutional capacity for EU water directives (the WFD, Urban Waste Water Treatment and Dangerous Substances). Project coordination was again assumed by the DSI, in partnership with Dutch and UK national government actors. New legal and administrative structures were jointly developed by these actors for transposing and implementing EU directives, which were then piloted in the Büyük Menderes River Basin (European Commission, 2006). An important administrative structure developed was a water quality monitoring system: a key technical-administrative component of the WFD (European Commission, 2011). Meanwhile, parallel projects, involving Turkish national ministries and partner European governments, helped transfer knowledge on EU water directives.

Building on these projects, the 'Capacity Building on Water Quality Monitoring' (TR2009/0327.02) project was undertaken between 2011 and 2013. During this period, the IC was focused around central government actors. Especially important were the newly

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 $<sup>^{7}</sup>$  The General Directorate of Water Management (GDWM) was created in 2011.

<sup>&</sup>lt;sup>8</sup> Water Quality Management and Assessment (2004), Sewage Sludge (2005), Urban Waste Water (2005) and Natural Mineral and Spring Waters (2005).

created General Directorate of Water Management, with its remit to coordinate sustainable water use and the transition to holistic community-based water management (Ministry of Agriculture and Forestry, 2019: 13), the DSI, the Netherlands government as Lead Partner, with France and Spain as Junior Partners (Ministry of European Union Affairs, 2016). Other partners included the Ministry of European Union Affairs, Ministry of Foreign Affairs (MoFA) and Ministry of Health (MoH) (Directorate of Strategy Development, 2012). One reason for this further horizontal IC expansion was the technical nature of the knowledge transfer: Article 8 of the WFD requires data collection on the chemical, biological, and hydromorphological status of surface and ground waters for RBMP. The project therefore aimed at identifying institutional gaps in Turkish monitoring provisions and supporting administrative capacity for monitoring adoption.

Turkish ministries held regular meetings to coordinate between constituency members (General Directorate of Water Management, 2014). As a result, the IC further extended its interactions vertically downwards to river basins. Additional capacity building and training occurred, along with implementation of WFD monitoring nationally and the preparation of monitoring plans for five pilot basins: Meriç-Ergene; Susurluk; Sakarya; Konya; and Büyük Menderes. A handbook and 'how to' guide on water quality monitoring was then published to support training sessions organised by EU national experts for Turkish officials. Constituency interaction was further promoted through study visits made by officials to view monitoring approaches in Spain and France (Ministry of Forestry and Water Affairs, 2018). Long-term capacity building was assisted by the training of government personnel in WFD monitoring procedures (General Directorate of Water Management, 2014).

### 5.3 The third phase of instrument constituency development: 2014-present

Horizontal and vertical expansion of the WFD IC has continued under a new phase of IPA II funding. Funding has been targeted at major investments in water infrastructure, primarily for wastewater management (Torcu, 2013). Since 2014, Turkey has undertaken 23 wastewater projects under the IPA II programme (Department of European Union Investments, 2017a,b). To support these infrastructure projects, national ministries have engaged in technical assistance and training with municipalities, thereby extending the IC even further downwards to local level actors. Another key focus has again been transferring knowledge from the EU for domestic institutional capacity building started in IPA I. Transnational interactions with EU officials have consequently increased, with one interviewee stating that "we have two meetings in every six-month period with experts from the EU Commission to observe how IPA funds have been used" (İnterviewee 24, 2017).

IC interactions have also grown through implementation of WFD articles determining that river basin management plan preparation must include public participation. Turkey first completed river basin action plans for each RBD, then initiated the 'Conversion of River Basin Action Plans into River Basin Management Plans' project in 2014 (TR2011/0327.21.05). Plans were initially prepared for the Susurluk, Konya, Büyük Menderes and Meriç-Ergene basins. Development of the RBMPs has then involved stakeholder consultation and public involvement but also further transnational capacity building. Work was initially conducted by national ministries in collaboration with the Spanish Ministry of Forestry and Water Affairs (Ministry of European Union Affairs, 2017). Basin working groups were then developed with Bulgaria and Greece for the transboundary Meriç-Ergene Basin. New national and local level coordinating institutions have also been established by the MoFWA for public participation<sup>9</sup> (Ribamap, 2017). These institutions are currently preparing RBMPs for the remaining river basin districts.

Other EU-funded technical assistance projects have further extended the IC to non-governmental actors. One project being implemented by the DSI includes the 'Technical Assistance for Water Ambassadors Education and Awareness Raising' initiative, in conjunction with the Ministry of National Education and the General Directorate of Radio and Television Corporation. This project aims at knowledge dissemination to the public, primarily regarding water sustainability, through training educational staff in schools and universities (Water Ambassadors, 2018). Turkey has also established a water information system, which encompasses GIS (geographical information system) mapping, data management and modelling. Training has consequently been undertaken by national officials and epistemic actors: in total, 15 workshops/seminars and 4 study visits to EU member states (Ribamap, 2017).

### **5.4 Europeanisation outcomes**

Two main features are therefore evident in how the WFD IC evolved. First, is the incremental nature of transference, which rather than being achieved through the initial direct transposition of the WFD into national implementing institutions, as in EU states, has largely been undertaken by a project level approach that links WFD actors both transnationally and vertically. Second, this approach has led to variability in the composition of the WFD IC through time and governance space. While an evident 'core' of ministerial actors in Ankara, primarily from the DSI, MoEF/MoFWA and the General

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<sup>&</sup>lt;sup>9</sup> Including the Water Management Coordination Committee, Basin Management Central Committee, Basin Management Committees and Provincial Water Management Committees

Directorate of Water Management, has collaborated with the European Commission and EU national governments, most notably the Netherlands, to promote the WFD, a 'periphery' of constituents, including consultants and regional actors, has interacted with this core depending on the specific project. This duality of interaction has resonance with earlier research into network governance types, particularly Rhodes' (1997: 38-39) notions of stable sector-specific 'policy communities' that share common values, and looser multi-actor 'issue networks' that are less stable or continuous. The WFD IC, comprised of actors dedicated to supporting and promoting this instrument, has expanded across three dimensions: horizontally and transnationally, peer-to-peer between EU national governments and Turkish ministerial officials in conjunction with EU institutional actors; vertically between national ministry officials and regional and local actors in the river basin districts; and through time. This observation reflects the often disjointed, recursive and ephemeral nature of some ICs involved in transnational diffusion (for example, Béland et al., 2018).

Evolution of the WFD IC has produced a unique and rather constrained pattern of WFD implementation. Since the early 2000s, significant institutional elements of the WFD have been adopted in Turkey, including river basin districts, river basin management planning, water quality monitoring and public participation processes (Demirbilek and Benson 2019). A recognisable, albeit quite preliminary, form of the WFD approach is therefore apparent. However, other key components of the WFD have yet to be fully applied, including transboundary water management. Cooperation between EU and non-EU member states in developing transboundary RBMPs is an important feature of WFD implementation in continental Europe (Interviewee 10, 2017). As such, Turkey has attempted to collaborate with both Greece and Bulgaria, specifically regarding flood management on the Maritsa River. While some bilateral cooperation has consequently occurred in basin working groups, Turkey has experienced increasing problems bringing these two countries together in a joint management approach. Transboundary management has also proved politically challenging with Turkey's non-EU neighbours. For example, Interviewee 23 (2017) described how Turkey and Syria agreed to build a friendship dam in 2011, which was then halted by the Syrian conflict.

Water pricing and full cost recovery, in addition to economic analyses of water resources, are still in their infancy in Turkey where water tariffs and allocations have traditionally been set by central agencies (Benson et al., 2019). Even where WFD procedures have been adopted, technical limitations to, for example, characterisation of river basin waters and water quality monitoring has slowed down their implementation. Meanwhile, public participation in RBMP, although evident in all RBDs, has proved to be restricted, with only

limited engagement of public stakeholders in plan preparation (ibid.). The result is therefore a rather preliminary, hybrid Europeanisation of Turkish water policy, which could be described as emulation or even an 'assemblage' of WFD elements (Demirbilek and Benson, 2019). Given the partial nature of this Europeanisation pattern, could this going 'off script' from the WFD be theoretically explained by socialisation processes within the WFD IC?

### 6 THE SOCIALISATION OF DOMESTIC WATER POLICY

As hypothesised above, if IC capacity for social learning is constrained, institutional change will be correspondingly limited – in effect, implementation will go 'off script'. Certainly, evidence of a shift from 'superficial' to 'partial' social learning in the WFD IC across these three phases could account for the hybrid, preliminary pattern of WFD implementation, that combines elements of the WFD model with pre-existing Turkish water governance. In this sense, WFD implementation in Turkey exhibits some main elements of the EU's Directive approach but is still manifestly evolving.

### 6.1 Learning within the instrument constituency

Superficial learning was, as could be anticipated, evident during the establishment of the IC in the MATRA and EHCIP project phase (2002-2006). At this early stage, EU member state actors, along with private consultants, were instrumental in 'teaching' basic WFD norms of river basin management, initially to Turkish ministerial actors as the constituency developed. A key focus of the projects was to kick-start the EU harmonisation process. Here, EU actors transferred knowledge about the WFD 'script', beginning with the identification of river basin districts. Social learning among IC members was, however, very limited during this period.

Norm acquisition could therefore best be described as superficial, whereby actors merely acquired knowledge around basic WFD principles. Turkish officials had limited experience of river basin planning prior to 2002, when the EU accession process started. Teaching then occurred through the MATRA and EHCIP projects by consultants and EU national experts. The resultant social learning was restricted, with the initial communication of EU norms in the projects only leading to very limited change in Turkish water policy. One reason was that although learning about basic WFD principles started with MATRA, Turkish actors only then became aware of the scale of the task. For example, one official stated that:

"...through the MATRA, the [EU] experts came and taught us regarding the determination of water bodies and also we practiced them in the Büyük Menderes basin, so we first had theoretical knowledge and then a practical process. Finally, in MATRA we started learning about the WFD and also recognised that it would be hard to implement" (Interviewee 9, 2017).

Additional norm acquisition occurred through the TAIEX events. Turkish officials suggested that the interaction within these sessions helped support their initial understanding of EU water policy, particularly WFD principles. For example, one interviewee described how:

"...under TAIEX, we had some activities including workshops and study visits. We had a chance to visit European countries and experts from the EU countries visited Turkey to provide training. During the workshops Turkish ministerial officials, academics and EU experts engaged in information sharing and had a chance to discuss recent academic studies." (Interviewee 20, 2017).

Other interviewees suggested that the training allowed superficial norm acquisition, with limited cognition around WFD norms occurring as a result. Individuals within the IC acquired new information on river basin management via interaction with EU experts but at this point they were trying to understand a completely new water governance system, which differed significantly from the pre-existing one based on central agency control (see Demirbilek and Benson, 2018). As a result, although learning remained at a superficial level it nonetheless provided the cognitive basis for expansion of norm acquisition as a broader EU-influenced water instrument community developed at the national level. In other words, the introduction of the WFD demonstrates that, in contrast to previous government priorities, water had become a significant focus of policy development (Interview 15, 2017).

At the start of the second phase of IC development, there was some progression in social learning around WFD norms, primarily driven by the IPA-I and Twinning Projects, but it still remained superficial. Experts from the EU supported national level learning through interactions such as training workshops and study visits. National officials' understanding of river basin management then began to grow. Turkish officials not only learned theoretical knowledge but also information regarding practical application at national and river basin levels. A cognitive shift occurred as EU initiatives increased teaching of WFD norms while policy actors within the IC started to share them within a wider network at the national level (see Medema et al., 2014). Accordingly, dissemination of WFD information, although limited, started to occur between actors as the IC expanded.

Norm acquisition therefore gradually started to move beyond superficial to partial levels. A deeper understanding of the WFD occurred amongst the IC as learning increased, particularly regarding technical-administrative aspects of implementation: primarily monitoring and public participation. For example, one official referred to learning the main WFD principles through participating in the Twinning project (2008-2010), and then about implementing them on the ground via the Büyük Menderes basin process (Interviewee 19, 2017). Another official said that "during the EU projects on the 'Conversion of River Basin Action Plans into River Basin Management Plans', we were taught how to get samples from a basin and how to prepare and analyse them in the laboratories" (Interviewee 11, 2017). Accordingly, they learned from the EU experts by implementing this new technical knowledge. Regarding this, interviewee 22 (2017) expressed the following view:

"I find that the EU process is very positive. We have been doing biological monitoring for the last 2 years. Biological parameters have been measured according to the requirement of the WFD as well as... isomorphological monitoring. So the monitoring has been increased and the biological monitoring requires special expertise, so it is difficult but we have started."

Recent development of Turkish water policy, since 2014, shows further social learning within the instrument community, although a 'partial' response is still visible. A genuinely transformative level of learning on the WFD, whereby practice entirely replicates the EU model, is still lacking. But learning is evolving towards full implementation in the IPA II phase with changes occurring across the network. For example, transnational links to EU countries have further developed through officials attending meetings in Brussels and the Danube River Basin (Interviewee 18, 2017). A key mechanism for horizontal exchange has been the TAIEX programme in which Turkish officials have visited EU states and EU national experts have trained ministerial staff. Workshops organised under the programme have also brought together national experts to enhance norm acquisition, particularly around technical-administrative procedures, among Turkish actors.

In addition, the IPA programme has extended WFD norm acquisition downwards, from national officials to the river basin level. One official, who participated in the projects, stated that the information flow from EU experts improved markedly, particularly on the preparation of river basin plans (Interviewee 17, 2017). An interviewee from the Konya basin described how he first learned what a basin management approach was from his degree studies but that river basin stakeholder meetings were then helpful for understanding what it meant in practice (Interviewee 31, 2017). Another local actor

indicated that after the meetings he gained more information about irrigation systems and related studies, and the efficient use of water at the basin level (Interviewee 30, 2017).

However, implementation of the WFD is still slow, particularly in the river basins, due to its administrative and technical demands. One official indicated that river basin management is desirable in principle but there should be better communication between the stakeholders in the basins to support implementation (Interviewee 29, 2017). In addition, Interviewee 32 (2017) conceded that:

"...we are at the beginning stage of the process, so we have some deficiencies. When the system [river basin management] has been developed over time, it will improve."

This pattern of social learning in the IC is reflected in the degree of institutionalisation. As identified above, a hybrid, emulated form of the WFD is now apparent which combines the main principles and technical characteristics of the Directive such as river basin planning, monitoring and participation, with pre-existing institutional structures - suggesting genuinely transformative learning is still some distance away. An example is the WFD principle of public participation, which, to an extent, has been 'learned' although not fully internalised, resulting in the still evolving institutional structures described above. This preliminary pattern could be argued to reflect the partial success of EU actors, as entrepreneurial agents, to teach WFD norms within the emergent IC through the various project level initiatives. It also reflects the constrained capacity of domestic constituency actors to learn these norms through acquisition and dissemination within the community as it expanded. As such, one European Commission representative stated that 'water is one of the areas which I could say Turkey has made some [implementation] progress' (Interviewee 25, 2018). Another added that Turkey has consequently aligned itself with EU water policy much more than other environmental policies (Interviewee 26, 2018). But he also suggested that WFD implementation is difficult because it challenges established water governance structures. Acquisition of WFD norms is therefore still evolving, as Interviewee 20 (2017) emphasised:

"The learning process still continues. As the MoFWA, our aim is the transposition of the WFD into national legislation and adaptation to river basin management. Regarding this, we used to discuss river basin management but we did not have a driving force, because we did not have this administrative structure. Now the driving force is the WFD, which helps us to transpose our thinking into the national

legislation. I personally do not discuss being an EU member or not: the EU process gives us energy, so I focus on improving our technical capacity."

### 6.2 Challenges to IC socialisation

In explaining this outcome, it is evident that technical, economic and social factors have shaped social learning capacity within the IC. Heikkila and Gerlak (2013: 496-497) divide constraints on learning within water governance into endogenous and exogenous factors. Endogenous factors include *social dynamics*, which encompass communication and interaction between actors, *structures* that relate to how actors' roles and responsibilities are determined and supported, and the role of *boundary spanners* or powerful individuals who can overcome implementation challenges to disseminating information and coordination (ibid.). Exogenous factors can include external perturbations, political pressures, political change and economic crises (ibid.).

From the interviews, several endogenous constraints to social learning were detectable in the IC. Primarily, officials found it difficult to support the project-based process due to its temporal nature. Some IPA projects took nearly three years to start after the original funding application submission, with significant time lags experienced in responsiveness to emergent problems. The application process was also challenging due to internal ministerial scrutiny and external EU assessment. Authority conflicts also hindered communication, thereby impacting social dynamics. Several officials (Interviewee 13, 22, 24) described how overlapping responsibilities for water management had affected coordination between ministries, necessitating a clearer delineation of tasks. Interviewee 24, (2017) emphasised that:

"...the biggest issue regarding water is that there are many responsible actors including ministries, special provincial administrations, and municipalities. Accordingly, there is a management issue. Also, communication and cooperation still needs to be improved."

For example, according to the National Water Plan (2019-2023)<sup>10</sup> there have been authority conflicts between both the Ministry of Agriculture and Forestry and the Ministry of Environment and Urbanisation regarding water management, monitoring, analysis and classification of water resources (Ministry of Agriculture and Forestry, 2019: 55). Communication problems also exist between government agencies and the wider public

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 $<sup>^{10}</sup>$  Prepared by the Turkish Ministry of Agriculture and Forestry in July 2019.

that then influence social dynamics in terms of transparency of the national level WFD process. As the IC expanded, these problems manifested at the river basin level, with participants from Konya and Büyük Menderes basin complaining about lack of information and limited time for meeting preparation. Participation was also restricted, with attendance perceived as lacking non-expert representation (Interviewee 29, 2017; Interviewee 35, 2017; Interviewee 34, 2017; Interviewee 33, 2017). Structural constraints included the lack of institutional and individual capacities within the IC, particularly in the nascent river basin institutions. While administrative capacity requires strengthening, individual technical knowledge is also a weakness due to the technical-administrative demands of the WFD (Ministry of Agriculture and Forestry, 2019). For example, biological monitoring was novel for Turkish officials, so more trained scientists were required (Interviewee 9, 2017). Institutional capacity, it was argued by one interviewee, could therefore be enhanced through working with universities in order to increase the technical base for monitoring (ibid.).

Critically, for many actors, difficulties arose in internalising river basin management, since it involved fundamental changes to pre-existing water governance (Interviewees 20, 24 2017). Adjusting to the technocratic requirements of the WFD has consequently not been easy. For example, Interviewee 11 (2017) stated that:

"When experts came from the Netherlands, we had several different viewpoints because they mainly deal with floods, however our main problem is drought and water allocation. We had different perspectives on dams but we understood each other. They undertook a characterisation of our waters, we learnt their system and they learnt ours. For example, they have a regular flow regime but it is not regular in Turkey. They firstly did not understand why we built dams, but we explained why and they eventually understood us. Their concept of a water body was different and was not compatible [with Turkish practice], however we managed to adjust (by approximation)."

Moreover, it was emphasised in the National Water Plan (2019-2023) that another constraint concerns the legal changes required to support WFD implementation. Both endogenous (i.e. structural within the Turkish institutional system) but also exogenous (i.e. related to the EU process and its impacts on Turkish politics) aspects are significant. Despite a raft of new by-laws to support the WFD approach, an over-arching national water law, still being considered by Parliament, is required to provide a strong legal basis to river basin management (Ministry of Agriculture and Forestry, 2019). Finally, another exogenous issue has been the difficult EU accession process and domestic political change

in Turkey. That said, Turkey continues to implement the WFD despite no real political support for accession (Demirbilek and Benson, 2019). The economic impacts of the Covid-19 crisis, added to ongoing regional conflict, may however prove significant future constraints.

### **7** CONCLUSIONS

This paper examines the influence of ICs with regard to Turkey and the WFD, the latter being a vehicle for Europeanisation via transnational policy diffusion. It is evident that a process of social learning has occurred in Turkey, with EU actors 'teaching' domestic actors within the IC about the WFD, thereby leading to a degree of socialisation. This process has occurred through a series of learning interventions via the various projects and training mechanisms as the IC has expanded, resulting in partial diffusion of the WFD to Turkey. The resultant hybrid approach to implementing policy, that merges WFD norms with preexisting water governance, reflects specific constraints to learning within the IC. Domestic technical, economic and social factors have operated to restrict WFD diffusion, meaning that rule-following, and hence Europeanisation, has only been partly achieved. However, a Turkish approach to the WFD is likely to continue to develop in the future through the learning mechanisms established by these interventions.

Our analysis allows comment on both the past implementation of the WFD, particularly in a non-EU context, and also future worldwide application of the Directive. To provide a link to the themes of this Special Issue, our research argues that the past 20 years have witnessed significant attempts to transfer the WFD to non-EU contexts such as Turkey, with highly uneven implementation outcomes (see also Fritsch et al. 2017). One explanatory factor may be that without hard conditionality requirements, simply 'teaching' WFD norms to non-EU states is unlikely to result in successful Europeanisation, particularly where disparities exist in normative fit with domestic contexts, reflecting earlier observations on the transferability of the Directive (ibid.). One response recommended for EU officials is therefore to increase IC learning around WFD norms in importer countries through greater consideration of exogenous but also endogenous constraints. More attention should be paid to enhancing what we term the 'cognitive environment' of ICs in which social learning occurs, for example, via peer-to-peer technical training, institutional capacity building and financial support, in order to improve norm internalisation along the WFD 'innovation journey'. Such learning should however be tailored to the specific cultural, economic and social contexts, which vary between countries. And, of course, the WFD instrument is on its own innovation journey; learning through application can render it more adaptable to diverse contexts in the future. Taking learning seriously is therefore an important step towards establishing the EU's model as the global standard for integrated water resources management in decades to come.

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## **APPENDICES**

Appendix 1: Interview List

Interviewee 9, 2017. Ministry of Forestry and Wa	ater Affairs (Hea	d of Department)
Interviewee 10, 2017. Ministry of Forestry and W	ater Affairs	(Expert)
Interviewee 11, 2017. Ministry of Forestry and W	ater Affairs	(Expert)
Interviewee 13, 2017. Ministry of Forestry and W	ater Affairs	(Expert)
Interviewee 15, 2017. Ministry of Environment a	nd Urbanisation	(Expert)
Interviewee 17, 2017. Ministry of Environment a	nd Urbanisation	(Expert)
Interviewee 18, 2017. Ministry of Environment a	nd Urbanisation	(Expert)
Interviewee 19, 2017. Ministry of Environment a	nd Urbanisation	(Sub-manager)
Interviewee 20, 2017. Ministry of Forestry and W	/ater Affairs (Hea	d of Department)
Interviewee 22, 2017. Ministry of Forestry and W	later Affairs	(Expert)
Interviewee 23, 2017. Ministry of Forestry and W	/ater Affairs (Hea	d of Department)
Interviewee 24, 2017. Ministry of Forestry and W	later Affairs	(Expert)
Interviewee 25, 2017. European Commission (DO	G-NEAR)	(Expert)
Interviewee 26, 2017. European Commission (DO	G for Environment)	(Expert)
Interviewee 29, 2017. Konya (closed) basin	(Academic staff fro	m Selçuk University)
Interviewee 30, 2017. Konya (closed) basin Union)	(Member of Irri	gation Cooperatives
Interviewee 31, 2017. Konya (closed) basin Municipality)	(Official from I	Konya Metropolitan
Interviewee 32, 2017. Büyük Menderes Basin Directorate)	(Official from DSI 2	21 <sup>st</sup> Regional
Interviewee 33, 2017. Büyük Menderes Basin	(Member of Irrigat	ion Union)
Interviewee 34, 2017. Büyük Menderes Basin Municipality)	(Official from	Aydin Metropolitan
Interviewee 35, 2017. Büyük Menderes Basin	(Member of Organi	sed Industrial Zone)