

Regional Dialogue Forum Airport Frankfurt

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1. Context, History, and Stakeholders of the Regional Dialogue Forum

Airports are where globalization comes home – with good economic and bad environmental and health effects. These effects need to be balanced. Just how this could be done in concrete terms, was subject of a Regional Dialogue Forum (RDF) at Airport Frankfurt in the state of Hesse in Germany. In this MSP, over 150 participants worked together from 2000 to 2008. They represented more than 50 different groups with stakes in the operation and effects of an airport, including citizen initiatives, environmental groups, mayors of surrounding towns, aviation group representatives, and representatives of chambers of commerce, churches, and unions.

At Frankfurt Airport, millions of people and thousands of tons of goods arrive or depart every year. These numbers, along with job numbers, have been growing steadily over decades. Also grown have airport noise and environmental pollution, a burden weighing heavily on the region around the airport. In consequence, Frankfurt airport extensions has historically been met by organized civic, and sometimes not so civil, resistance. When a third runway was built and opened in 1984, mass protests clashed with strong police forces. Disappointment in a fair and just democratic process ran high, but the resistance movement abruptly died when two policemen were killed by snipers at a rally in 1987.

In 1998, plans for a fourth runway were made public. Fearful of a renewed conflict, the state government immediately convened a round table, and installed a mediation process. Its 21 participants, representative of the region, the aviation business and the Hesse state administration, were asked to answer the question how to balance the desire for growth by the airport with environmental and health concerns. In January 2000, the mediation group recommended a package of five complementary components: (1) to build a new runway and (2) optimize the capacity for airtraffic on one hand, and in return (3) impose a night flight ban and (4) implement an Anti-Noise-pact to rid the region of noise. The group also recommended (5) to institute a Regional Dialogue Forum in order to continue and deepen the public discourse over specific future solutions.

The first challenge to the RDF, then, was to determine concrete goals and ways of implementing the good intentions of the mediation package. This implementation of the mediation had to run two courses: first, a legal course of formal planning procedures, which were initiated after the political mediation process from 1998 to 2000, and addressed the extension, and the night flight ban. The second course of implementation was informal and consisted of steps the aviation group had to take in regard to the optimization, and anti-noise measurements. The second challenge was to lay the basis for better relations between region and airports, and win-win arrangements for the future.

One of three defining conditions for the RDF work was that the RDF was a forum with no executive or implementing power by itself. While the mediation from 1998-2000 was free to negotiate a solution that became the decisive reference point for the region and the planning, the power of defining decisive next steps now shifted to the administration, and the aviation group. The RDF could merely advise these actors through joint statements (seldom) or informed and balanced statements by its independent chairman (more frequently). In the course of the formal procedures, all legally binding positions of Stakeholders were defined. This procedure was long seen as the decisive one, not the RDF – that is, at least until negotiations among key stakeholders started in 2006 and 2007.

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Another defining condition of RDF work was the long history of social conflict, and, despite positive experiences in the mediation, a deep seated mistrust of the government and the airport. The third defining condition were the highly complex circumstances of an airport in operation. Good and bad effects of the growing operations of an airport are hard to assess, and until the mediation group started to commission common scientific reports, had by and large been only subject of public speculation, and the source of disputed assessments and conflict.

2. MSP Process:

Five months after the end of the mediation, and after three days of hearings in the state parliament about its recommendations, the Hesse state government launched the RDF in June of 2000 with a resolution that set out the details of its organization. The RDF was conceived as a mediative participation procedure and was given four objectives: (1) Understanding through Dialogue, (2) Rationalization through Information and Scientific Research, (3) Counseling the Formal Planning procedures and Politicians, and (4) Guardian and Modeler of the Mediation. All four objectives required different and complementary forms and instruments of dialogue.

(1) Understanding through Dialogue

The RDF was specifically designed as a Forum where stakeholders of the growing airport would have a space to speak up and raise issues beyond the requirements of the formal procedures. As such, it was the marketplace of diverse opinions. Stakeholders took part in the RDF dialogue on four different levels: the central Forum, five Project Teams, several Small Working Groups, and the so called "citizens dialogue" with the public.

Stakeholders were selected in several steps. Through informal consultations with mediation participants, government officials first identified 20 participating groups for the central body of the RDF, the Forum. One large community from the neighboring state of Rhineland-Palatia, which is affected by aircraft noise, was made a participant from the outset. In addition, Hessian communities were asked to name six more members of the Forum, which they did by selecting a number of representative communities around the airport. When the communities complained that they felt underrepresented in the RDF work, six more communities were admitted to the Forum in August 2001. Following an additional provision of the government resolution from June 2000 that five more members of the Forum should also be appointed by the Forum itself, the Forum decided to summon four more members in its second year of work, and leave the last seat open (it was never filled). After participating for half a year, two environmental groups stopped attending the Forum, claiming that a specific step of the administration within the course of formal procedures had shown government to be biased against the night flight ban, and thus unwilling to abide by the mediation package. While the governor assured the public with his guarantee that the night flight ban was to be implemented, membership of these two groups was switched to sleeping mode.

So on average, 34 members attended the 57 meetings of the Forum. All members of the Forum were either decision makers, or regional opinion leaders, or both. Roughly one third of the members were from the aviation group, including one citizen initiative and chambers of commerce. A little less than one third of the members came from churches, the state medical association, unions, one remaining environmental group, and one citizen initiative. And a little more than one third were mayors from communities. In effect, all core stakeholders were represented in the Forum. Key stakeholders, in a more narrow sense, were those who directly had to bear the burdens and costs or could reap the benefits of the growing airport:

representatives of the airport, airlines, and Air Traffic control on one hand, and mayors of the surrounding towns on the other hand.

The Forum set an agenda, defining a structured discourse consisting of open questions for discussion on current events, commonly commissioned research on underlying questions, expectations from each other, and possible solutions. Members of Government, including the governor, and Administration officials conducting the formal planning procedures on the state level, were regular guests, and in certain cases “observing members” of the Forum. The Forum also controlled the budget and took procedural decisions about the organizational shape of the work.

One such fundamental decision by the Forum was to establish five Project Teams to address specific issues: (1) the night flight ban, (2) the optimization of the existing system, (3) the anti-noise-pact, (4) the long-term perspectives, based on the “principle of no regret”, and (5) ecology and health. Participation in the over 200 sessions of the Project Teams was open to any group in the region that volunteered for regular collaboration regardless of their actual presence in the central Forum. Around 130 additional participants took advantage of this opportunity to partake in professional and specialist work and discussion. Both the Forum and the Project Teams were at times complemented by temporal Working Groups, consisting either of additional experts where specific issues needed to be resolved, or of decision makers in the case of negotiations over future regulations, as was the case in negotiations over the anti-noise-pact in 2006 and 2007.

Beyond the closed core of the Forum, and the open structure of the Project Teams, the larger public was regularly invited to discuss topics of interest. Formats of such discussions ranged from a Citizen Office to events such as focus groups, Future Search Workshops, Airtraffic Noise Expositions, Panel Discussions, and Small Group Dialogue with experts. The Citizen Office also sought to visit market places and schools in the region. Close to 2000 students in dozens of high schools across the region took part in an RDF Mediation Simulation about the issues of the RDF. The RDF also issued statements to the press, and its chairman was frequently consulted by media and interest groups in the region.

The RDF was headed by Prof. Johann-Dietrich Wörner as chairman, who was president of Darmstadt University, a prestigious university in the airport region, and a respected public figure, whose own family home was exposed to airtraffic noise. He combined great technical proficiency with high social and board leadership skills, and political savvy. With the expressive consent of the Forum, he became president of the German Aerospace Center (Deutsches Luft- und Raumfahrtzentrum DLR – the German NASA), in 2007.

The RDF was organized by a Coordination Office, staffed by personnel of IFOK, a company specialising in process provision for organized dialogues. Work in the RDF was also accompanied by Scientific Staff, personnel of the Öko-Institut Darmstadt. Coordination Office und Scientific Staff were instrumental in the methodic and operative implementation of the RDF, served as moderators and mediators between participants, and advised the chairman on strategic questions. The RDF was rather generously funded by the state government and the airport, while meetings of the Forum and Project Teams were often hosted by member institutions and communities. Budget oversight was an annual responsibility of the Forum.

(2) Rationalization through Information and Scientific Research

The extension and growth of Frankfurt Airport, a major European airhub situated in a densely populated region, put many complex issues on the RDF agenda. Its focus was twofold: one area of work were the specifics and specifications of the implementation of the mediation package in formal procedures and informal “volunteer” action by the aviation group. The second area was the long-term development of the airport, its effects, and its relations with

the region. The complex interplay of economical, ecological, social, and health effects of the growing airport had never been comprehensively addressed, and the existing public speculation, allegations and fear was not a good basis for good neighbourly relations and regulations between the airport and the region. In the RDF, all parties involved structured a common discourse on these questions, and commissioned common scientific reports, altogether 16. Some of them built on one another, and many times they covered pioneer work that drew the attention of the scientific community all over Europe. The RDF work itself built on work by the mediation group, which had already completed major inquiries into key issues, often times leading to further, more detailed and informed, questions.

For example, the RDF addressed unique legal questions in regard to a night flight ban and the formal planning procedures, the legal basis of which also changed between 2000 and 2007 through European legislation, and German jurisdiction. It also dealt with flight paths, procedures of approach and departure, and their respective noise effects on a specific local and cumulative regional level. To be able to measure airtraffic noise in the first place, and to calculate future effects, conditions had to be negotiated amongst the stakeholders, with the legal basis again changing through German legislation. Other important issues were the economic costs and benefits for the job market, the real estate market, the ecological costs, noise perception in the region, health effects, social stratification in the communities, risk management, the long-term development of passenger and freight traffic, and the cooperation with other airports. The RDF also led important progress on the transparency of airtraffic noise developments, many of which became first visible on a new RDF internet site.

All of these issues were transparently structured in two types of formal documents, first a common RDF Work Program for the Forum and the Project Teams which laid out an agenda of addressing issues in different settings and methods of Joint Fact Finding, tracked the status of the work, and highlighted interdependencies between issues. It was prepared and renewed by the Scientific Staff, and reviewed in Forum and Project Teams every year. The second type of documents were position papers, where the RDF work and findings were summarized along with the positions of RDF-members on the issues, and their recommendations for further work. These papers were sometimes subject of long and important negotiations.

In order to establish and substantiate facts, the RDF made extensive use of Joint Fact Finding methods. In Joint Fact Finding, parties of a conflict establish a common fact finding team of decision-makers and experts to set up and monitor scientific research. The Forum, together with the Project Teams, acted as the fact-finding team. In a typical course of action on an issue of the Working Program, open questions would be collected by the Project Team, and a first expert hearing with experts nominated from all sides would be held to refine these questions for further research. This typically resulted in a call for tenders for a research report which was approved by the Forum, and sent out to scientific institutions and experts nominated by the different members. After recommendations from the Scientific Staff and the Project Teams, the Forum would decide on one offer, and ask the runner-up to safeguard the quality of the actual research. A representative Monitoring Group of Project Team members and the Quality Safeguard would then be set up to monitor the progress of the work, and report back to the Project Team and the Forum about the status. This also allowed for common oversight, and political legitimization of certain critical methodological decisions by the researcher and her team. The results and pre-reports were extensively discussed again, and upon the recommendation of the Project Team, the Forum would approve of the final

reports by the researchers, and the Quality Safeguard. These final reports would then be released to the public, and discussed with experts in public events, and possibly in another expert hearing. The discussion was finally documented in the Working Program and the position papers, and conclusions drawn for the next steps of the debate.

While this procedure challenged established roles of principal and researchers, the latter almost always learned to appreciate the close attention paid to their work, the fruitful discussion of methodologies, and the high quality which critical and constructive inquiry by the Monitoring Group and the Quality Safeguard instilled into every detail of the report. The results were also communicated in a language that was conscious of possible misunderstandings of the informed regional public. In any case, the high scientific quality of the RDF research reports was recognized beyond the region, and they were often referred to in the formal procedures.

Where previously subjective experience, unproven assumptions and partisan scientific reports had frustrated and stalled a constructive discussion, the RDF succeeded thus in laying the ground for structured, rational and objective public and political discourse, well-grounded counsel for the formal planning procedures (II.3), and negotiations among key stakeholders over the concrete implementation of measurements (II.4). In addition, the work on rationalizing the conflict served as a grand learning process for everyone involved. The knowledge about the issues of growing airports was greatly extended on a general level, and many participants had personal light bulb moments in interaction with each other. For example, the personnel of Airtraffic Control, where flight routes were planned, was personally confronted with people suffering from airtraffic noise, and professed an impact. Members of Monitoring Groups, though of opposing parties, began to have common goals, and shared successes when a report was completed. During regular conclaves of the Forum as well as on overnight excursions, room was deliberately afforded for participants to leave their formal role, and engage in personal relationships. Just to be able to call on someone personally made tensions so much easier to handle and to resolve.

(3) Counseling the Formal Planning procedures and Politicians

After the political mediation process from 1998 to 2000, formal planning procedures were initiated, the outcome of which was to be a decision by administration officials by the ministry of economy, traffic, and spatial planning.. The RDF accompanied these procedures as an informal participatory procedure – a historic first in Germany. In the course of the formal procedures, all legally binding positions of stakeholders were defined. This procedure was seen as the decisive one, merely accompanied by the informal dialogic procedure of the RDF. So in the beginning, stakeholders used the RDF to acquire as much information as possible to support their respective legal positions.

From the outset, the RDF was designed to counsel and advise the administration, the state parliament and government in their decision making processes. It was requested to consult with the Frankfurt Commission on Airtraffic Noise, a legal body the chairman of which was a mayor, and member of the RDF as well. Both the Commission and the RDF had to find their respective roles, and succeeded in pressing for concrete measures of airtraffic noise reduction (II.4). Two such measures have actually been implemented during the RDF tenure, leading a bit of relief from airtraffic noise.

The governmental resolution launching the RDF laid down the rule that recipients of the advice should give heed to it according to the degree of consensus behind a recommendation. In practice, the RDF seldom took a formal vote on issues.

Recommendations were largely left to its chairman, Prof. Wörner, who took great pains to lay out discussions and positions within the RDF, and to make recommendations which he judged as sensible and balanced. His open letters to the administration, and the government, were usually subject to preparatory discussion in the RDF, and Prof. Wörner's judgements usually proved to be accepted ones.

Altogether, there were three formal planning processes: two consecutive ones addressing the airport extension, and one general planning process for land use regulation which took precedence over the other two. Since the land use regulation was itself subject to changes from the European level, this planning process remained an open issue until May 2007, affording several opportunities for intervention. Also, the federal law regarding airtraffic noise was changed in 2007 after nearly three decades of discussion. The RDF weighed in with several direct talks with lawmakers, who were visited in Berlin and Brussels, as well as invited to visit the Forum. Apart from that, RDF delegations visited several other airports, amongst them Paris. In any case, the RDF had to time its discussions and opinion making processes in accordance to the requisites of the formal procedures.

In his function as RDF spokesperson, Wörner visited political bodies throughout the region dozens of times to consult with state politicians and opinion makers. He also presided over more than 30 public events, gave many interviews to the media, held a number of press conferences and informed the public through regular press releases, and a quarterly publication, the "Dialogue Letter", which was distributed to institutions, and hundreds of interested citizens in the region. He effectively became a public counselor on all issues regarding the cooperative resolution of the airport extension conflict.

(4) Guardian and Modeler of the Mediation

The RDF found its *raison d'être* in the Mediation from 1998-2000. It was the one part of a complementary package that was meant to accompany and further the implementation of the other four parts of the package, and to lay ground for a better future. Especially, it was required to detail the good intentions and general provisions of the mediation. Since the mediation was deemed a historic success, the state government felt that the mediative process should continue in a different format. Besides being a Forum of open exchange, and a counseling body, the RDF was thus expressively assigned to be a mediative procedure with the double task of Guardian of the Mediation, and of taking the mediation and its balance further in negotiations for win-win-solutions, wherever further negotiations were required.

In the beginning, negotiations were no option for the RDF members. While almost all stakeholders referred to the mediation package as common ground, they now took the liberty to fight legally "against the extension in its current form" in the case of some communities, or against a zero-exceptions application of the night flight ban in the case of the airlines. Positioning themselves against each other in the formal procedures was more important to them than finding new common ground through RDF negotiations, although the opportunity for informal and broad talks off the record was certainly appreciated as an effort to reach a better understanding of each other (II.1). Until 2006, common joint fact finding (II.2) and a counselor role of Prof. Wörner (II.3) served all parties relatively best.

Only in 2006 did it become obvious to some participants on both sides that direct negotiations might yield win-win-solutions. Prof. Wörner began to press for negotiations in the fall of 2005 when all legal positions were largely established, and the formal planning procedures were entering the final stage of many months of crafting a verdict on the extension plans. Preparatory talks led to the establishment of a Negotiation Group in May 2006, the subject of which became an extended, and much more detailed version of the anti-noise-pact. The

negotiations also addressed provisions for long term planning, regional financial compensation, and the future of the dialogue, and several impact monitorings after the RDF. Through a leak, intermediate results of the negotiations became public in April 2007 shortly before they were to be formally introduced to the RDF. Public reaction was fierce, and split: some feared the communities would sell out their interests, others understood the chance to achieve more comprehensive airtraffic noise reductions than the law and the courts would provide for. Public and political pressure built up, and though negotiations were formally called off in May 2007, Prof. Wörner was mandated to continue drafting the Anti-Noise-Pact, and did so in close consultations with key stakeholders. On September 14th, 2007, he presented the RDF with the Anti-Noise-Pact. Much to the surprise of the public, and through complicated procedural manoeuvres, a clear majority of the RDF welcomed the Anti-Noise-Pact in principle.

The provisions of the Anti-Noise-Pact were then adopted by the state legislature on December 12th, 2007. On the same day, the state government and the aviation community signed a voluntary agreement, the subject of which were the main provisions of the Anti-Noise-Pact. When after seven years of formal planning procedures the administration announced a final positive verdict on the extension plans on December 17th, it also picked up on some provisions. Yet, the final verdict and its provisions proved to be a rather conservative decision by an administration whose biggest priority was legal stability of the decision. For example, a night flight ban was indeed established, though with a number of exceptions on legal grounds. The verdict left those who had hoped for more RDF influence, and a decision more appreciative of the extraordinary mediative dialogue and its results, temporarily frustrated.

While the Project Teams finalized their work in regular sessions, the Forum was formally called into session only twice before ending in June 2008. In large and informal round consultations with RDF-members, Prof. Wörner honed some further recommendations for the future of dialogue in the region, based on the Anti-Noise-Pact. In the final session, Hesse governor Roland Koch announced the new structure of the regional dialogue, which was practically identical with Wörners recommendations.

3. Results

The general historic merit of the RDF was that decades old patterns of conflict were transformed into structures of dialogue and cooperation. Understanding through Dialogue proved to be a long and laborious process, especially under the conditions of legal fights, yet pragmatic progress was achieved by those who dared to break out of the cycle of mistrust that has held down the region, and will take more time to be fully, if ever lifted.

The common investigation of issues of a growing airport and its effects was groundbreaking for large infrastructure projects in its width and depth. It rationalized and structured much of the public and some important administrative discourse. It also took much oxygen out of the fire of conflict, and laid the basis for more constructive talks and negotiations. Results of the mediation were guarded and defended, and its tone and balance was, on the whole, maintained. That was no small achievement given the fact that in doubt, all actors put their own interests above the interests of the mediation, and interpreted it accordingly. Where negotiations took the mediation results even further, effective airtraffic noise relief measures came much closer to implementation, and new issues were put on the regional agenda, such as financial compensation in the region, a much needed and innovative noise index model, and more extensive and effective measures of dialogue and monitoring.

On the whole, the RDF never really rose up to the challenge of advising the administration and politicians effectively through consensus. Yet it transported rational discourse into the

public, as well as into state parties and the parliament. The advice to the administration could have been more successful, though in many details it did also succeed. Advice to the state politicians was, on the whole, more successful; all of them appreciated the RDF work, though the Green Party continued to oppose its results on principal grounds.

It attests to the strength and promise of the organized dialogue that not even its fiercest critics wanted the dialogue and voluntary measures of transparency to end. Indeed, Prof. Wörners proposals for a new and more specialized structure was adopted by the state government, and went seamlessly into effect the minute the RDF ended. The dialogue proved to be successful enough to be continued, and reflective enough to self-correct. Through its extensive investigations, the RDF has laid the ground for a broad implementation of measures, the 'whats and hows' of which were simply not known before the RDF, and even seemed unthinkable in some cases. As indicated, the implementation has already been started with certain anti aircraft noise measures, and aircraft noise monitoring. Yet the vast promise of implementation lies ahead, made possible by the RDF. Whether or not the new structure succeeds in overseeing the implementation remains to be seen.

4. Learning

A mediative stakeholder process proved to be useful in transforming a long-lasting regional conflict into an opportunity for real progress for stakeholders – less noise, controlled ecological and social effects, and economic growth. The biggest challenge was the parallelism of the informal process to the formal planning procedures. In the course of that, stakeholders defined their long-term strategies in legal terms, and put their hope and resources behind the formal process. In effect, that complicated their readiness to partake in a meaningful negotiation, and their ability to prepare their own groups for positive results through informal dialogue.

One of the challenges any participant in an MSP faces is how to lead her own stakeholders through a transformative process of new knowledge, shifted policy and new strategic priorities, and finally, possibly reconciliation. The problem is magnified for companies who are not required by law to be cooperative and open to their stakeholders, but who are lawfully required to further the benefits of their shareholders.