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# Participatory Approaches in Multi-level Governance of Biodiversity in the European Union

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# Participation and Governance

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- *Participatory approaches* are institutional settings where the public and/or stakeholders of different types are brought together to participate more or less directly, and more or less formally, in some stage of the decision-making process.

# Participation and Scale

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- **Scale** = spatial, temporal, quantitative or analytical dimension used to describe a phenomenon.
- Many scales are relevant to the question of participation (space, time, political, formality power...)
- Our focus is on the political scale

# Biodiversity Governance

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- Biodiversity loss is a complex issue...
- Set in a complex governance framework
- Drivers of biodiversity loss and response mechanisms are of inherently global dimension and at the same time deeply rooted in the local.



Biodiversity governance is multi-level

***How has participation been theorised and practiced in a multi-level governance framework?***

# Our heuristic path

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- By exploring our case studies we realised that we need to take into account:
  - Historical developments:
    - normative discourse on participation
    - real-life implementation of participatory approaches
  - Importance of context specificities: make comparisons difficult.
  - Three major rhetorical shifts in biodiversity governance which are relevant to participatory processes ...

but is it more than rhetoric?

# First shift: top-down to bottom-up

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From top-down state-centred strictly administrative understanding of policy-making towards more flexible and to some degree bottom-up, approaches

⇒ Opens-up policy process to other actors, hence more participation;

⇒ More bottom-up approaches may imply more local level participation

But: more participation may imply a shift towards more bottom-up

## Second shift:

# Technocratic expertise to post-normal science

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From technocratic expertise model towards more democratic, 'post-normal' type of science (Funtowicz & Ravetz 1993)

- enlargement of the peer community for quality assurance;
- extension of facts;
- management of irreducible uncertainties in knowledge and ethical implications;
- recognition of different legitimate perspectives and ways of knowing.

⇒ More participation in provision of knowledge and in assessment of knowledge quality (incl. relevance, legitimacy, credibility) – that is, participation in the very debate about facts.

But: More participation can also lead to more post-normal science

## Third shift:

# mono-dimensional to pluri-dimensional framing

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Shift from a conservation focus in biodiversity policies towards ecosystem related approaches (from pure protectionist rationality towards conservation & sustainable uses).

⇒ Shift towards taking into account different value systems (relating e.g., to environmental, economic, social and cultural dimensions of ecosystems) here leads to participatory processes to articulate these different value systems.

But: more participation may lead to framing issues in more than one dimension

# Designing the Birds & Habitats Directives

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- Participation in putting the issue on the agenda: NGO and public pressure
- Participation in legislation design:
  - The public and stakeholders had only little influence on the fundamental principles of the legislations.
  - Mainly consultation of national experts who provided the ecological criteria.
  - Mostly a top-down, expertise driven, species-based conservation-oriented and rather closed process.

⇒ ***No visible shift towards bottom-up, post-normal science, or ecosystems approach***

# Designation of Natura 2000 sites

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- Neither the Birds nor the Habitat Directive include guidance for the procedure of site designation and their management.
- Member States to decide whether public and/or stakeholder participation is appropriate and allowed in the designation and site management processes.
- Designation phase: little place for participation of other stakeholders than biological and ecological experts
- Triggered conflicts between landowners, users and the representatives, conservation administration and environmental NGOs.
- Conflicts run through all levels of the politico-administrative system.
- Considerably delayed the designation of sites in many countries.

# more bottom-up, more dimensions

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- Shift towards more bottom-up and participatory approach visible, but participatory rule-setting remains top-down.
- Shift towards pluri-dimensional framing also perceptible.
- No shift towards post-normal type of science:
  - increased participation of stakeholders at different levels results in a strong decline of scientific participation ⇒ **exclusion of science**
  - Clash between **two sources of legitimacy**: science and public participation. Resulting participatory process did not reconcile them.
  - contested **process legitimacy** (expert-based, top-down, monocentric criteria), lead to contestation of the legitimacy of science itself ⇒ more difficult to include scientists as one legitimate category

# Germany: Little formal, but effective informal participation?

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- Unclear picture, as nature policy is under Länder, not Federal authority
- General trend at designation level:
  - Top-down
  - Technocratic understanding of scientific expertise
  - Mono-dimensional framing (conservation)
- Some forms of informal participation
  - Local: often stakeholders had a word to say on the site boundaries (e.g. exclusion of potential industrial sites)
  - National: creation of shadow lists by ENGOs, which have been accepted by the Commission (by-passing levels?)

# EU Biodiversity Policy

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- 1998: Biodiversity Strategy (under 5th EAP)
  - no mention of participation
- 2004: review of biodiversity strategy (under 6th EAP)
  - wide stakeholders process "The Malahide Process"
- May 2006: Communication "Halting the loss of Biodiversity for 2010 and beyond"
  - 2 of the 4 "supporting measures" for the Action Plan relate to building partnerships (3) and building public education, awareness and participation (4)
- On management of Natura 2000 sites: EC promotes intensive public participation for the establishment of management plans.

⇒ ***This is likely to have an impact in terms of our 3 shifts in the future***

# Rhetoric and its perception

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Participation in EU biodiversity policy stems from a double movement:

- Emergence of governance principles calling for more participation (based on e.g. normative, substantive or instrumental reasons and a recognition of complexity) = participation appears in discourses but not necessarily in practice
- Discontent amongst actors who distrust and refuse the top-down, expertise driven, mono-dimensional way of policy-making  
⇒ conflicts which may force implementation of participatory approaches.

⇒ ***Gap between the top-down rhetoric on participation and the bottom-up perceptions of that rhetoric***

# Conclusions

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The three shifts are only beginning to take place in the practice of EU biodiversity governance

- From top-down to bottom-up?
  - Often no clear shift from top-down to bottom-up approach can be observed.
  - When there is a shift towards more participation at local level, conflict is the dominant driver.
  - The rules defining participation are dictated by a higher level (unavoidable to a certain extent if the objective is to contribute to decisions taken at that level).

# Conclusions (2)

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- Towards post-normal science?
  - Difficulty of designing participatory processes which genuinely allow for all different types of knowledges to be brought in including scientific knowledge.
- Towards pluri-dimensional framing?
  - Mono-dimensional framing a result of history
  - Recognition that the conservation discourse is not sufficient to maintain the issue on the agenda
  - Shift towards an ecosystems approach discourse in parallel to an utilitarian ecosystems goods and service approach
  - But is that not going back to a monodimensional (economic) framing?

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# Thank you

