

Agenda

Why participation and engagement

Legislation

Rationalities

Democracy

Participatory methods and examples in planning

LEGISLATION



Legislation

1987 Brundtland Commission “Our common future” - The World Commission on Environment and Development. Sustainability: division between environment, **social** and economy.
Expresses a criticism with the existing conditions – hereby also include a utopian idea of the sustainable future

1992 Rio Declaration Environmental “issues are best handled with **participation** of all concerned citizens” (Principle 10)

1998 Aarhus Convention “Convention on Access to **Information, Public Participation** in Decision-making and Access to **Justice** in Environmental Matters” - drafted by governments + NGOs. Enters into force 2001.

The Aarhus Convention

“The Aarhus Convention recognizes every person’s right to a healthy environment – as well as his or her duty to protect it. It seeks to ensure that every individual lives in an environment adequate for his or her health and well-being. This applies not only to those of us living today, but to future generations as well” (UN 2006)

Administered

Under the UNECE: United Nations Economic Commission for Europe
<http://www.unece.org/fileadmin/DAM/env/pp/AarhusMap.html>

Minimum requirements

Legally binding to parties

Meeting of parties: every 2-3 years; reviewing progress and and share experiences

Adjustments can be made with a 75% majority

Similar framework to other UN conventions

The 3 pillars

Sustainable development can only be achieved through the involvement of all stakeholders.



The right to obtain **information** on the environment

The right to **participate** in decisions that affect the environment

The right to **justice** in environmental matters when rights are accidentally, or deliberately, denied.

Right to Information

”Anyone can ask for any environmental **information** possessed by any governmental body” (UN 2006)

Broad definition of the environment: air, water, soil, biological diversity

Exceptions: If the request is too general, where disclosure would adversely affect international relations, national defense, public security, the course of justice, commercial confidentiality or the confidentiality of personal data

Information for instance in the case of Nuclear waste:

The Danish nuclear waste management process must be improved “it is the responsibility of the EU Member States to provide the public with the necessary information on the management of radioactive waste” Palle Bendsen, NOAH Friends of the Earth Denmark

Right to participation

“Individuals should be given the opportunity to **express** their concerns and opinions, and public authorities should take due account of these.”
(UN 2006)

Information on: involvement process, distribution of responsibility, methods of participation, dates and times

Right to justice

”For access to information and public participation in decision-making to be effective, the public must have **recourse to a court** of law or administrative proceeding.” (UN 2006)

Violation of the rights or other violation of environmental law can be appealed to court of law

Process: Fair, equitable, timely, free/inexpensive

Decisions documented and binding

The effect of this history

With the concept of sustainability and participation comes requirements for citizen involvement, participation, local co-ownership - this is implemented in the legislation

- Agenda 21
- Environmental assessments of plans and programs
- Environmental assessments of projects
- Sector laws: Water Framework Directive, raw material
- The Planning Act

Discuss: Public Participation in policy

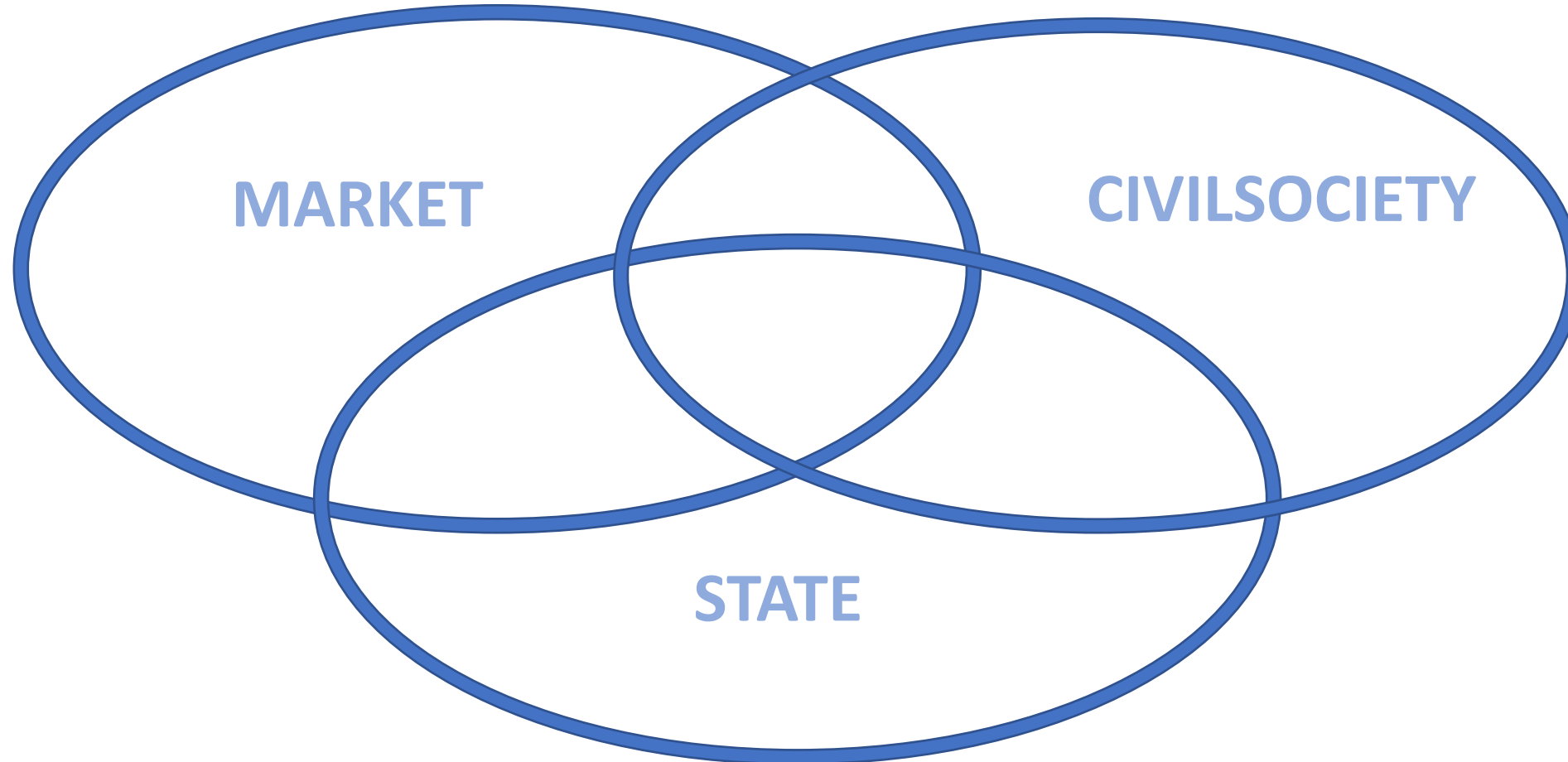
- Talk about your policies/strategies
- Do you recognize the pillars from the Aarhus convention?

Group 1: Frida Johansson, Felicia Langström, Johanne Djemes	Theme: EU Biodiversity Strategy 2030
Group 2: Iracema Olinda, Bernardo Tostes, Vicente Venturinha, Solveig Erga, Marius Fredriksen	Theme: Farm to Fork Strategy
Group 3: Joana Soares, Inês Afonso, Duarte Figueira, Ana Teresa Silva	Theme: Blue Growth Strategy
Group 4: Sebastian Moreno, Monica Beltran, Louise Wernersson, Gabriel Berglund, Olivier Beck	Theme: Circular Economy Action Plan
Group 5: Maria Elena Alfano, Giulia Colazzo, Toscane Marié, Luca Attene	Theme: Zero Pollution Strategy
Group 6: Violette Desplanques, Jesse Weggemans, João Cintra, Diogo Lourenço, Catarina Gomes	Theme: EU Forest Strategy
Group 7: Mariana Raposo, Mariana Vilela, Julien Richez	Theme: Territorial Agenda 2030

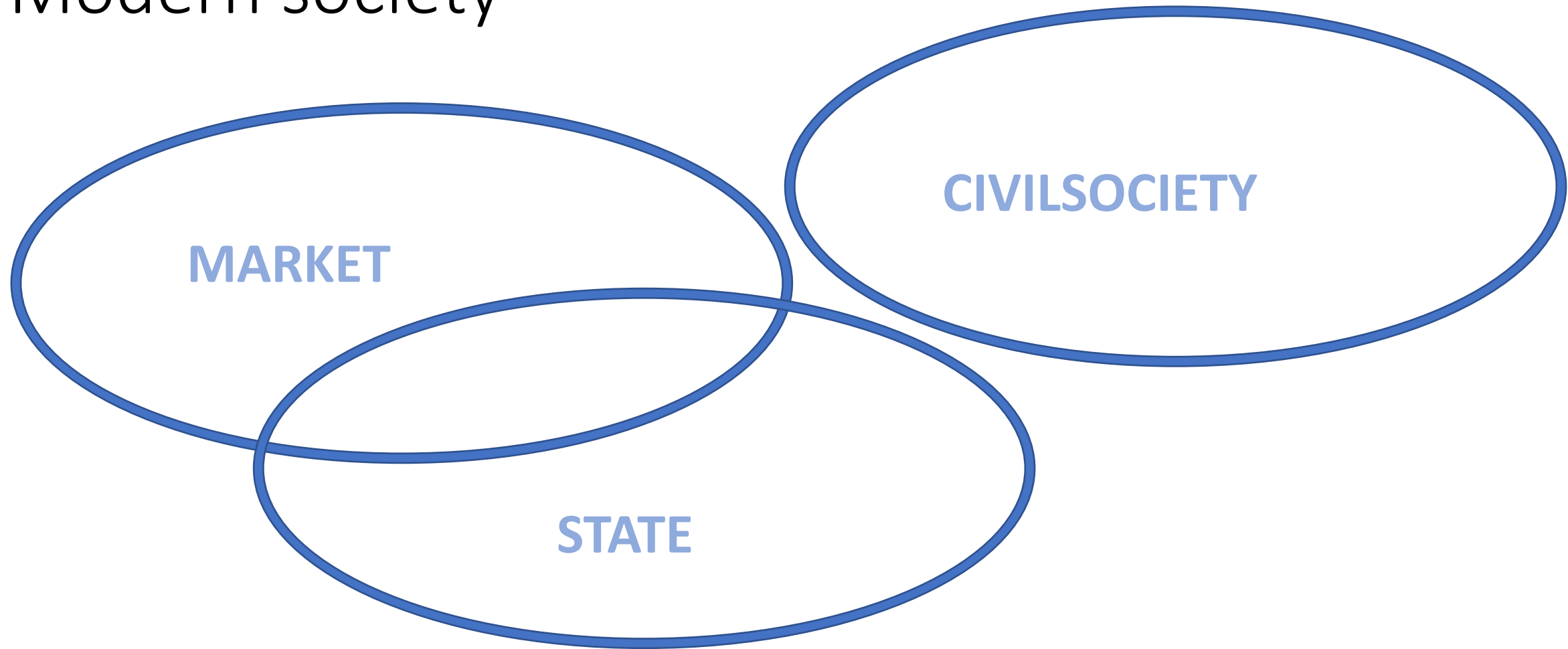
RATIONALITES



Perceptions of structures in society



Modern society



Wind – renewable energy solutions

What are the different types of reflexivity involved?

Case: Jammerland Bugt

Developer: European Energy

Administration: Danish Energy

Agency

Citizens: Local, guests, NGOs



Developer

Economy – gaining profit

Result-orientated

Expert oriented

Institutional or systemically mediated reflexivity

EUROPEANENERGY
WIND · SOLAR

We develop, we finance, we build - together we benefit.

Administration

Legitimacy for planning is the goal

Arguing result-orientated

Expert oriented

Institutional or systemically mediated reflexivity



Danish Energy
Agency

Citizens

Knowledge based in the lifeworld – their reflexivity is different

Local knowledge

Everyday life

Communicates socially (not systematic) – oriented towards understanding

Can put pressure on planning - public joins creates power

Public in board sense – not driven by economy – or?



Acceptance and legality planning

Involve citizens in order to protect the environment

‘Acceptance planning’ PP are used as a mean to identify the cheapest construction process that the public can be made to accept.

‘Legality planning’, legitimacy is replaced by legality



DEMOCRACY



Democracy and participation

REPRESENTATIVE DEMOCRACY

Give people the right to elect politicians whose policies are the most acceptable/preferable for one self

PARTICIPATION

Citizens are participating within a democratic context

Give people the opportunity to influence the policies and to monitor their implementation

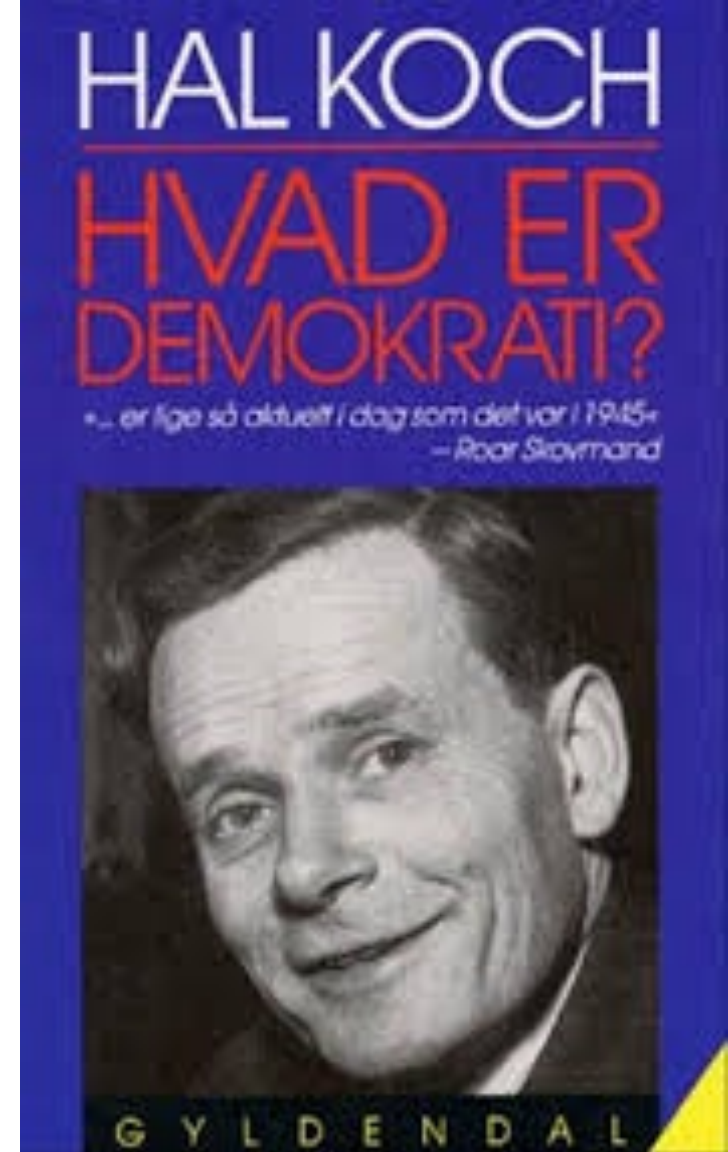
Can be viewed as an integral part of democracy itself

Developments within democracy

Direct democracy – Greek demos (people) kratia (governing)

Types of democratic udvikling af demokratiformer

- The liberale democracy
- The participatory democracy (republican)
- Det deliberative democracy



"its the conversation and mutual understanding and respect which makes democracy"

	Citizens role	Public role	Planning actions
Liberales	Participates with a vote	Number of preferences	State and government
Deliberative	Have dialogues while opinions are passed on to political level	Participates in institutionalized communicative procedures	Political system
Participatory	Stat og samfund sammensmeltet	Participate in communicative arenas	Power delegated to citizens

Deliberative planning – the communicative turn

”We choose action after debate” (Healey 1996)

- Develops the communicative planning paradigm as contrary to rational planning
- Need for communicative planning:
 - Systems are unstable
 - Problems of politics are diverse – not one answer to problems
 - Wicked-problems/many-sided problems – economy/technical not only answers
 - Long-term, robust solutions – resilient planning

(Gualini 2015, B Elling and H Nielsen 2017)

Radioactive waste disposal in four words: “We do not know”

by Silvia Weko

30 Oct 2018

Nuclear waste will remain dangerous for more than 100,000 years – so what are countries and producers doing to deal with this problem? Passing the buck, apparently: so far, not a single facility to safely store spent nuclear fuel has been created in Europe, or the world for that matter. Silvia Weko takes a look.



energytransition.org

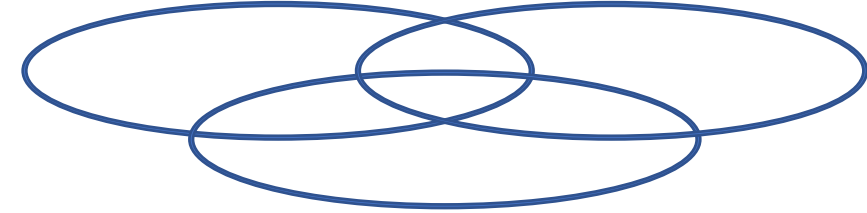
Discuss: Questions often of concern

- Where in planning shall we include the communicative paradigm?
- Do we have the time to do deliberative/participatory/communicative planning?

Participatory methods and examples in planning



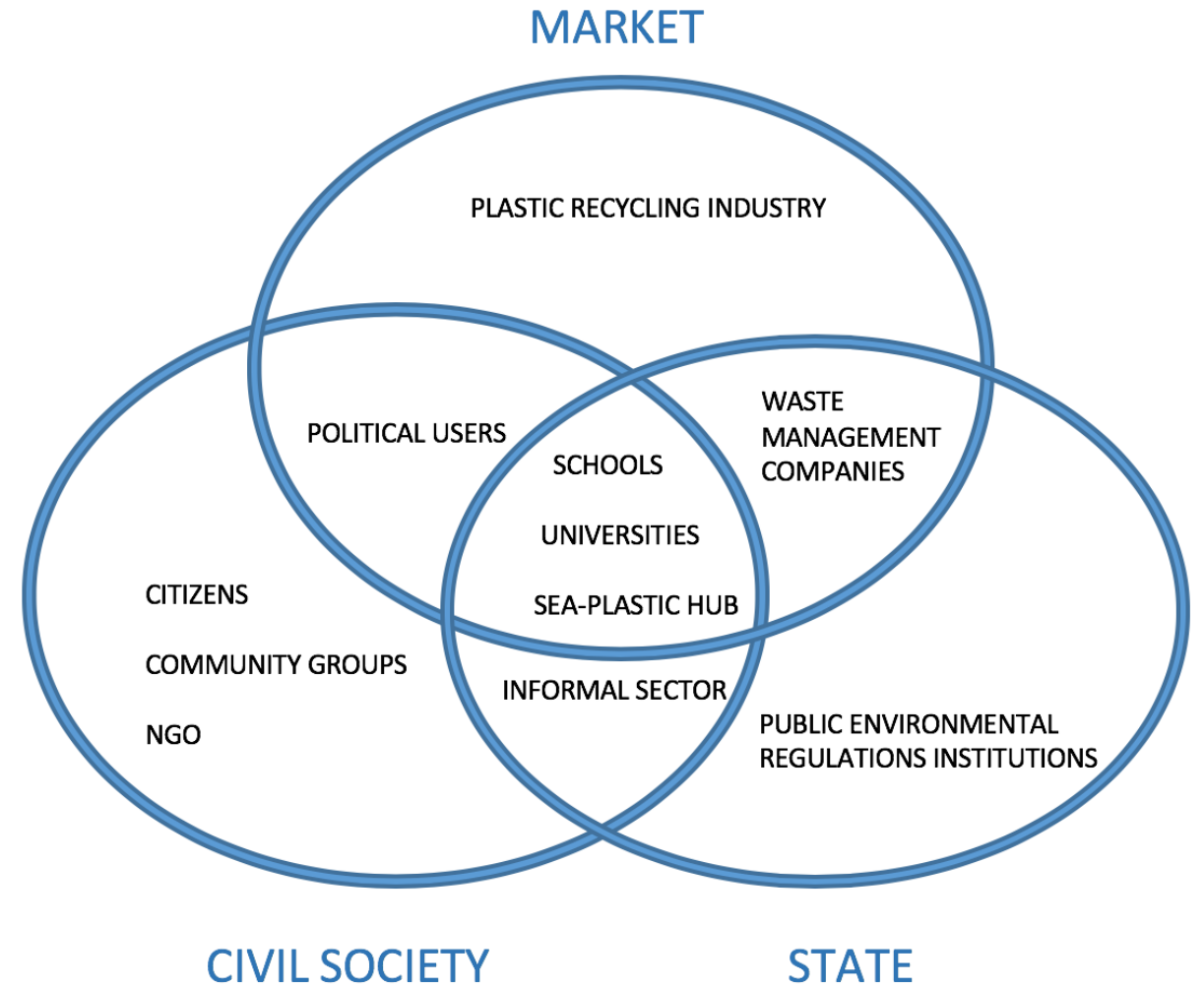
Expert knowledge and local knowledge



Public participation is needed to bring in local knowledge - values and views to the process that goes beyond technical and administrative knowledge – balance in planning

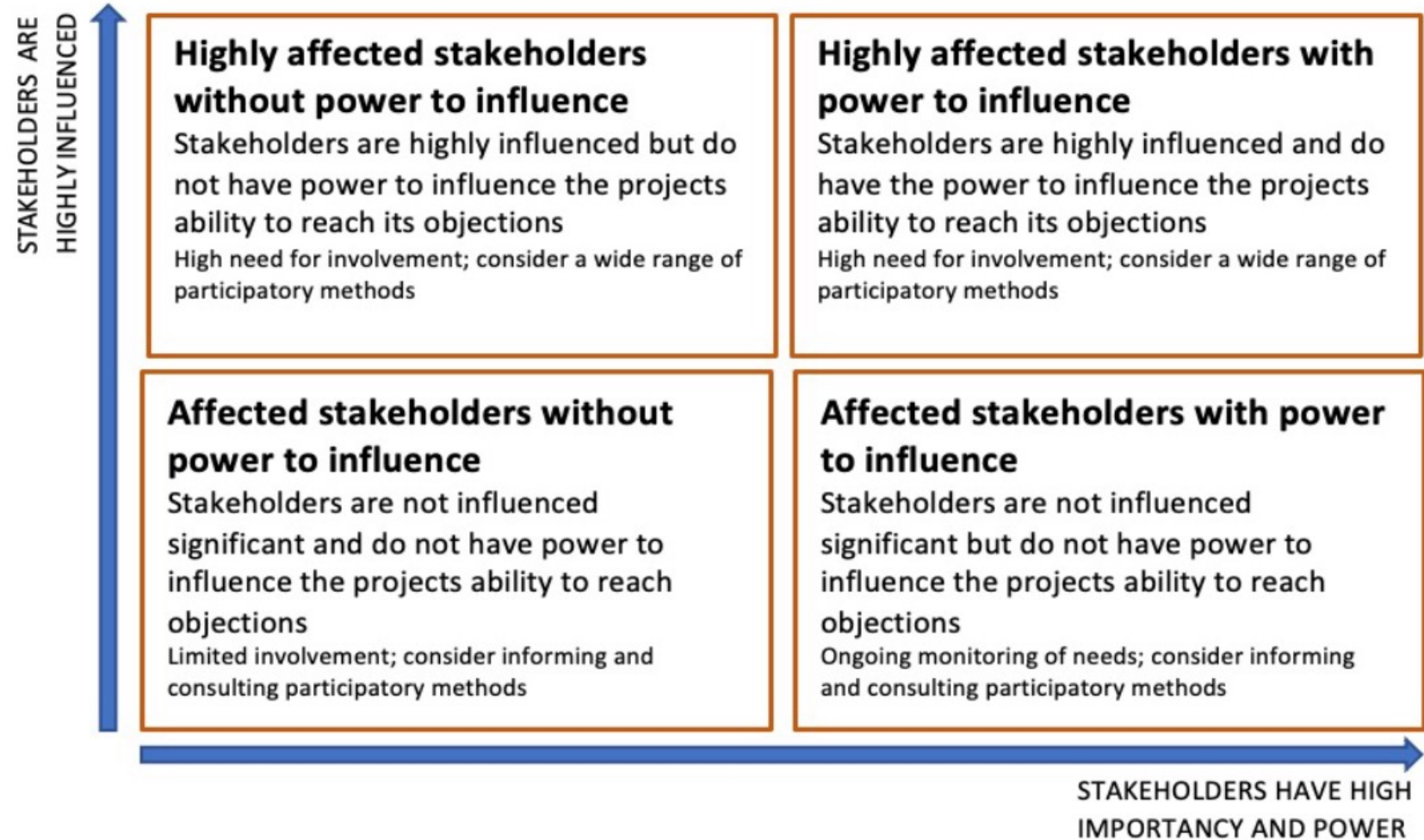
To bring in both in planning participation is needed and democratic structures

Identify stakeholders - mapping



Stakeholders in plastic waste regulation

Identify stakeholders - influence



Prioritizing stakeholders (inspired by UNDP 2007, Pets & Leach 2003)

"LADDER OF PARTICIPATION"

8.	Citizen control	Degrees of citizen power	People have the power to negotiate and act Media; citizen councils, community groups, policy boards, planning committees
7.	Delegated power		
6.	Partnership		
5.	Placation	Degrees of symbolic effort	Citizens' views are not ensured influence Media; news, letters, posters, needs assessments, public meetings, hearings, citizen
4.	Consultation		
3.	Information		
2.	Therapy	Non-participation	Citizen are persuaded and advised by authorities - not vice versa. Media; education, information sessions
1.	Manipulation		

(ARNSTEIN, 1969)

EIA Open-house - dialogue

Involving communities through an Open-house early in the planning process

Informing - involving a community in the early process of the EIA when taken down grid and placing underground cables

Developing new practices for public participation; cooperation with a small group of planners about the planning of a public initiating new practices



Information

- one way

Newspapers

Radio

Website

Video

Leaflets

Open house

Site visits

newsletters

Consultation

- feedback

Open house

Website+respond

Public meeting

Survey

Focus groups

Interview

Public hearings

Involvement

- collaboration

Workshops

Partnerships

Advisory Boards

Deliberative

Innovative collaborations

Co-creation

Participation

- initiated from
communities

Delegated decision-
making

Community groups

NGOs initiatives

Citizens juries

No citizens influence

Citizens influence

- empowerment

Selected methods for citizens engagement related to influence-types. (Arnstein 1969, Pets & Leach 2003, UNDP 2017,).

PUBLIC PARTICIPATION IN WATER PLANNING

Denmark as an example
Sweden as an example

Based on:

Helle Nielsen, Hans Peter Hansen, Sriskandarajah (2016), Recovering Multiple Rationalities for Public Deliberation Within the EU Water Frame Directive

Water planning - EU

“The purpose of this Directive is to establish a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwater”

WFD 2000/60/EC art. 1

“The success of this Directive relies on close cooperation and coherent action at Community, Member State and local level as well as on information, consultation and involvement of the public, including users”

“Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the production, review and updating of the river basin management plans”

WFD 2000/60/EC art. 14

“The authorities... and the public... shall be given an early and effective opportunity within appropriate time frames to express their opinion on the draft plan or programme and the accompanying environmental report before the adoption of the plan or programme or its submission to the legislative procedure”

SEA 2001 art. 6

Methods used for public participation

Written hearing

- Public hearing - 895 ideas (WFD)
- Scoping phase – 18 authorities concerned (SEA)
- Technical prehearing municipality, municipalities submit corrective comments
- Public hearing of the water basin management plan and the
- 3694 written comments to the water plan
- 1 comment for the SEA
- Supplemented hearing to landowners
- *The plan are overruled by EU*
- 4000 written comments to new plan

Water and nature councils

- Information meetings with municipalities and NGOs

Written hearings - often used in planning

Making opinions and views visible - values and attitudes are made visible

- Stakeholders views are not integrated
- No commons are established

Municipalities, organisations, authorities participates

Stakeholders arena

- The general public are decoupled
- Are legitimising the planning

Characterizes the process

- Many phases of public participation - public written hearings
- Between information and involvement and consultation
- One-way communication – deliberation, dialogue!
- Participation from top down or from bottom up?
- Highly delayed process because of resistance – meaning no implementation of initiatives for protection of nature and water



"Bøllerne" på Rådhuspladsen. Det er klart, at Karen Ellemann blev bange. (Foto: Michael Stoltze).

“The political leadership of the Danish Society for Nature Conservation has used all the gunpowder to fight tractors instead of fighting for nature”

(www.dansknatur.wordpress.com)

Sweden as an alternativ

- Background – a lake Tämnaren in Sweden close to Uppsala
- The Water Frame directive established the framing
- Tämnarens Water Council, gather many local interests
- These Water Councils are supported by the Water Authorities – priorities public participation
- Engaged the local university – wanted a participatory process

Workshops – self management

“it has created a deliberative space where the citizens can gather in Agoras and discuss and develop proposals and actions for the future development of their local area”

H Nielsen, HP Hansen, Sriskandarajah 2016

The traditional division of knowledge are challenged when working across the public, authorities, experts and university

Participation are turned upside down – citizens are formulating vision for the future. The participation are owned by the citizens – empowerment and ownership

Power structures are challenged

Helle Nielsen, Hans Peter Hansen, Sriskandarajah (2016)



Participatory process

3 FUTURE CREATING WORKSHOPS

Research Workshops - experts

Open to the general public

FUTURE CREATING WORKSHOPS

- Experiences of the participants
- Everyday life view on planning
- From the critique to the utopian
- Creation of free space for common utopian - not negativ



① ~~FÖLJER INTE~~
VATTENDOMEN
INTE OPARTISK SKÜTSEL
AV REGLERINGEN AV
SYJÖN

②
DÄLIG TILGÄNGLICHET
DÄLIGT SKYLTAT

① ~~BRIST PÅ FÄCESTÖRN~~
& UTSIKTSTÖRN

③ VÄXER IGEN !!!

INGEN NORMAL NIVÅ SOM
GÖR ATT TILLSTRÖMNING
TILL BRUK/ORTER FÖRSVÄRER

~~UPPSALA KOMMUN INTE~~ ①
~~INTERESSEKAD~~ /

UPPSALA SAKVAR KRAFTFULLA
MEDEL / ①

FINNS INTE BÄTPLATSER
VILKET GÖR DET SVÄRT
T EX FÖR TURISTER

OUTVECKLAD TURISTVERKS



Changes in the water community

- Bird tower Tämnanren
- New organisation Tämnanren water council
- As a part of the action plan on the dredging and bioenergy production plans it was crucial to test the sediment of the Lake for heavy metals
- Students investigations - links the university to the local community
- Legal issues trial challenged - general legislation versus local issues – contact with municipality

Final considerations

- Empowering and engaging communities in future planning – sustainable planning and solutions
- Involve citizens in order to protect the environment not only doing ‘acceptance planning’ and legality planning
- Balance the many rationalities – technical, local and administrative - create better knowledge base for planning process
- Method must reflect the specific context – challenges and opportunities (analysing the context)
- Institutionalization of public participation – water boards, rooms, knowledge.

Public participation in your strategies

Develop a public participation plan

- What are the aim of doing Public Participation in the process you are exploring?
- Who are the stakeholders/public to be involved
- When will they be involved?
- What methods will be used at the stages in the process? Consider methods in relation to the stakeholders/public involved.

- Do you see challenges?

Present your reflections on a poster

Technique	Category	Description and use
Level 1. Education and Information Provision		
Leaflets/ Brochures	Traditional	Written material used to convey information. Care should be taken in establishing the boundaries of distribution.
Newsletters	Traditional	Written material used to convey information that may involve a series of publications. Care should be taken in establishing the boundaries of distribution.
Unstaffed Exhibits/ Displays	Traditional	Exhibits or displays set up in public areas to convey information.
Advertising	Traditional	Advertisement placed to announce proposals, arrangements for meetings and other activities.
Local newspapers	Traditional	An article published in a local newspaper to convey information about a proposed activity.
National newspapers	Traditional	An article published in a national newspaper to convey information about a proposed activity.
Video	Innovative consultative (now becoming traditional)	Production of a video to convey information, may incorporate computer graphics and other images.
Site Visits	Traditional	Organised case studies through site orientated meetings to provide first hand experience of a particular activity and the issues involved

Technique		Description and use
Level 2. Information Feedback		
Staffed Exhibits/ Displays	Traditional	Exhibits or displays set up in public areas to convey information and staffed by specialists who can provide information, answer questions and receive comments
Staffed telephone lines	Traditional	A telephone number for people to call to obtain information, ask questions or make comments about proposals or issues
Internet	Innovative consultative	A web-site on the Internet used to provide information or invite feedback. Care should be taken to keep the information up to date.
Teleconferencing	Innovative consultative	Digital cameras attached to computers enable geographically distant individuals to ask questions face-to-face.
Public Meetings	Traditional	A formal gathering of interested and affected parties to present and exchange information and views on a proposal.
Surveys, Interviews and Questionnaires	Traditional	Encompasses a range of techniques for obtaining information and opinions. May be self-administered, conducted face-to-face, by post or over the telephone.
Deliberative polls	Innovative consultative	A form of opinion poll but examines views after people have had an opportunity to consider the issue being discussed. Randomly selected members of the public come together to listen to experts and their own views.

Technique		Description and use
Level 3. Involvement and Consultation		
Workshops	Innovative consultative	Meetings for a limited number of participants which can be used to provide background information, discuss issues in detail and solve problems.
Focus Groups/ Forums	Innovative consultative	A meeting of invited participants designed to gauge the response to proposed actions and gain a detailed understanding of people's perspectives, values and concerns.
Open-House	Innovative consultative	Interested parties are encouraged to visit a designated location, e.g. at a site or operational building, on an informal basis to find out about a proposal and provide feedback.
Open-House on the Internet	Innovative consultative	Proposals are posted on a web page and feedback is invited. May include bulletin boards, mailing lists and discussion forums.

Technique		Description and use
Level 4. Extended Involvement		
Community Advisory Committees /Liaison Groups	Innovative deliberative	Small groups of people representing particular interests or areas of expertise, e.g. community leaders, meet to discuss issues of concern and provide an informed input.
Planning for Real	Innovative deliberative	A community model is made prior to the exercise to identify problems and issues and generate ideas and priorities through group working. Can be used to identify features of importance to the community and community aspirations.
Citizens' Juries	Innovative deliberative	A group of citizens selected to be representative of the community brought together to consider a particular issue. Evidence is received from expert witnesses and cross-questioning can occur. At the end of the process a report is produced, setting out the views of the jury, including differences in opinion.
Consensus Conference	Innovative deliberative	A forum at which a citizens' panel, selected from the general public, questions 'experts' on a particular topic, assesses responses, discusses the issues raised and reports its conclusions.
Visioning	Innovative deliberative	A technique for developing a shared vision of a desirable future for a local community.
Visioning on the Internet	Innovative deliberative	A technique for soliciting a range of visions of a desirable future for a local community. May include interactive maps or other visual aids.

Litterature

- Bo Elling (2009) Rationality and effectiveness: does EIA/SEA treat them as synonyms? Impact Assessment and Project Appraisal
- Bo Elling (2010) Rationality and the Environment - Decision-making in Environmental Politics and Assessment
- Bo Elling and Helle Nedergaard Nielsen (2017), The misleading of public participation in environmental assessment – exploring four infrastructure cases in Denmark
- Public participation and IAIA (International Association for Impact Assessment) in André, P., B. Enserink, D. Connor and P. Croal 2006 Public Participation International Best Practice Principles. Special Publication Series No. 4. Fargo, USA: International Association for Impact Assessment
- Helle Nielsen, Hans Peter Hansen, Sriskandarajah (2016), Recovering Multiple Rationalities for Public Deliberation Within the EU Water Frame Directive
- Helle Nielsen (2012), Offentlighed mellem deltagelse og legitimering
- Pets and Leach, Evaluating Methods for Public Participation: Literature Review
- Arnstein, Sherry R. "A Ladder of Citizen Participation," JAIP, 1969
- The UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters
- Rio deklARATIONEN 1992, http://www.unesco.org/education/pdf/RIO_E.PDF
- Århus konventionen 1998, <https://www.retsinformation.dk/forms/R0710.aspx?id=22991>