Governance of network of protected areas: Innovative solutions and instruments

Małgorzata Grodzińska-Jurczak, Agata Pietrzyk-Kaszyńska, Joanna Cent, Anna V. Scott, Evangelia Apostolopoulou, Riikka Paloniemi

Introduction

Although governance of protected areas (PAs) is, most commonly, realized regionally and locally, it is expected to improve the state of biodiversity at national and European levels. Therefore linking regional governance, local implementation and Europe-wide evaluation, requires a careful consideration of various scales and interactions between them. As functioning of PAs is often in conflict with current socio-economic development, their governance needs to be considered in economic, political, cultural and historical contexts as well as in relation to competition and cooperation with other sectors. PAs governance also becomes more compound as new tasks such as systematic monitoring, effective science-policy interface and scientific knowledge incorporation should be undertaken. Newly established institutional settings are often required and integration of various instruments (e.g., financial instruments, coexistence of traditional and innovative conservation ideas) is inevitable, yet not often practiced (Cent et al. 2013, Paavola et al. 2009, Paloniemi et al. 2012).

In the present chapter, we analyse selected innovative solutions of institutional and societal character recently developed and practiced in three case study countries: Greece, Poland and the UK. The cases are selected to present the diversity of scale challenges of PAs governance the case countries have been or are still facing. We explore current institutional and societal challenges of PA governance and a new, but short and simplified, analytical framework to link cases to each other. Institutional challenges cover, in our analysis, a search for governance innovations to "fit" ecological needs as well as socio-economic, cultural and historical contexts. Neither environmental governance nor management of PAs exist in a "policy vacuum", so they incorporate a selection of policy instruments (not only those targeted specifically to PAs management) and consequently create opportunity for potentially innovative ideas (Paavola 2009). In the case of societal challenges, we consider the fact that increased establishment and management of new PAs, such as Natura 2000 (N2000) sites, covers a variety of land categories with different ownership status, types of land use and levels of human activity. Both governance and management should therefore respect land use issues and conservation of biodiversity and ecosystem services while assuring participation in decision making (e.g. in designing the PAs borders, developing management strategies or planning conservation measures) (Gibson et al. 2000, Rauschmayer et al. 2009, Tikka and Kauppi 2003), and just and fair distribution of costs and benefits of conservation (such as distribution of direct and indirect costs, access to nature, opportunity costs, etc.) (Balashenko et al. 2005, Piper 2005). Conservation measures need to not only incorporate rules and restrictions, but to be efficient, as already proved in many EU member states, by emerging cooperative actions at the local level (Alphandéry and Fortier 2001, Chmielewski and Krogulec 2008). Effective governance should subsequently address biodiversity conservation issues inside and outside strictly designated PAs, the latter to be highly interrelated with societal challenges.

Responses to institutional and societal challenges

Governance as an arrangement of governing beyond-the-state is defined by Dingwerth (2004) as "*the socially innovative institutional or quasi-institutional arrangements of governance that are organised as horizontal associational networks of private (market), civil society (usually NGOs) and state actors*". These new articulations between state, market and civil society generate new governance forms combining the three 'moments' of society in new and often innovative ways (Swyngedouw 2004, cited in Swyngedouw 2005).

In Greece, along with the increase in number and types of protected ecosystems, the variety and number of involved actors has increased. Thus, especially since the 90s, there have been a number of new governance arrangements towards the above direction through the emergence of an expanded role for non-state actors, sharing of responsibilities and establishment of partnerships between the state and representatives of the private sector and the 'community', mainly in the context of EU funding schemes and in implementing EU directives (Apostolopoulou et al. 2012).

The institutional changes in Greece enabled a broader participation of non-state actors in PAs management. Apart from the management agencies several multi-sectoral and multi-level cooperation networks have

been created (e.g., National Committee of Governmental Planning and Sustainable Development Policy, National Board of Planning and Sustainable Development, Committee Nature 2000). Moreover, in the context of Community Support Frameworks (CSFs), Life-Nature projects and the operational program Environment, several NGOs, actors from the local administration (such as development agencies, municipalities, prefectures and regions, research institutes, universities, and management agencies) participate in the implementation of conservation policy by conducting environmental studies (including Specific Environmental Studies necessary for the designation of the majority of PAs), monitoring schemes, management measures and plans.

Simultaneously, the recently implemented Kallikratis – a state spatial restructuring plan – which promoted a new governance architecture of regional and local administration (Greek Law 3852/2010) led to a wide-ranging reorganization of all governance levels towards a new governance architecture of regional, local and decentralized administration. The latter gave a significant administrative and budgetary autonomy to regions by transferring powers from central government to the regional authorities including their overall development strategy. It is worth mentioning that, inter alia, the General Secretary of the Decentralized Authority is now responsible for the selection of certain types of protected areas following a less "strict" approach than the one described in the main Greek environmental law 1650/86. In particular, instead of a Specific Environmental Study (SES) now a so-called "special report" just describing the ecological importance and the protected values of the area can be sufficient for the designation of some types of protected areas.

Despite the increased involvement of various stakeholders in Greek governance, this rescaling of governance in practice transforms existing power geometries (Swyngedouw 2005). The contradictory character of many of these innovative governance arrangements is related to the fact that they have often been guided not by the need for meaningful cooperation and coordination between and within governance levels, but these have been rather pushed by political or economic interests (Apostolopoulou and Pantis 2010, Apostolopoulou et al. 2012). A characteristic example is the establishment of management agencies in priority N2000 sites which in some cases has contributed to the extension of the state's power, has been linked with explicit privatization efforts, or has facilitated private funding for protected areas. In other cases, management agencies contributed to the creation of new arenas for negotiation of conservation goals by directly involving through official procedures state and non-state actors in conservation politics and allowing them to negotiate the boundaries and size of PAs as well as the restrictions imposed. However, in most cases the outcomes of these negotiations, the terms of participation or the selection of stakeholders who could participate, were determined by powerful interests (Figure 1).

In the case of Poland, implementation of N2000 triggered changes in organization of public services for nature conservation. On-going decentralization strengthened regional level administration, followed by creation of separate highly independent bodies (Regional Directorates of Environmental Protection, RDEP) less prone to political influence. Delegation responsibilities for N2000 to the regional level resulted in closer and more functional co-operation between the regional and local level, mainly due to incorporating more broadly local actors (e.g. local governments, NGOs, leaders, etc.) into management activities. Institutional changes have strengthened conservation bodies by providing independence from regional administration and financial resource allocation. A drawback of this reorganisation is the fact that it has and is still weakening the role of landscape protection areas (landscape parks). Together with a decrease of employees in administration, the responsibility for this types of protected areas and a large part of decision making power were shifted to the regional and local authorities, which may cause more development pressure on the protected landscapes. Priority given to the implementation of N2000 and fulfilling the EU obligations towards nature conservation resulted in the state giving too little attention to the development of effective instruments to support landscape protection. Instead, main financial and human resources have been allocated to habitat and species conservation (Figure 2).

History and evolution of public participation in Poland is not as rich and long as in the EU-15 mainly due to the historical and societal factors (e.g., a considerablly late Europeanization of policy, a limited communication between government and public, obligatory involvement activities during the socialistic regime)

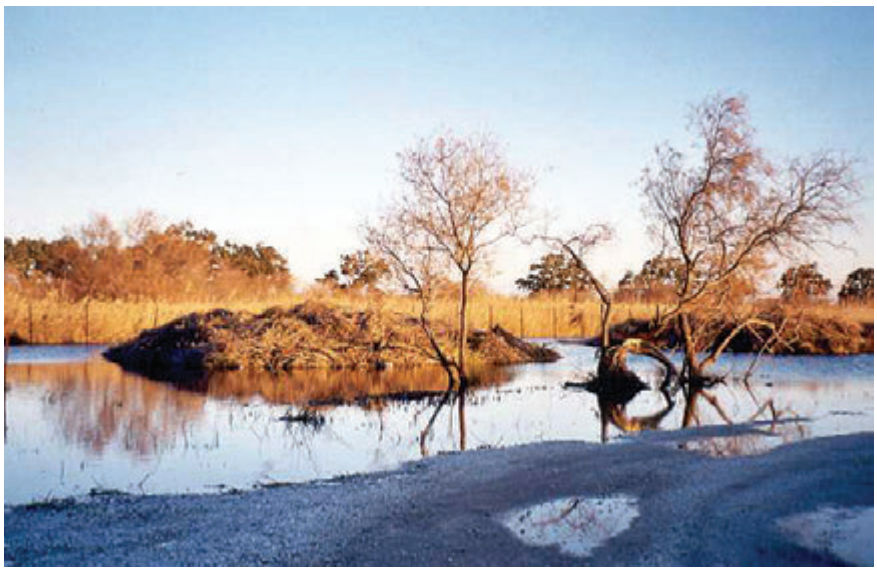

Figure 1. Schinias National Park (Attica, Greece). A case of biodiversity governance based on public-private and multi-stakeholder partnerships (photo: Evangelia Apostolopoulou).

(Hicks 1996). Public participation is regulated legislatively right now and regarded as a needed and useful tool for PAs governance (Mitter 2003, Lazdinis et al. 2007, Bell et al. 2008). The first systematic public consultation scheme concerning designation of protected sites within N2000 started in Małopolska – a southerly located region of Poland in 2008. Primarily, it was aimed at gaining public opinion on the sites selected by the experts, and then was broadened to include of local communities in development of separate conservation plans for each site (Grodzińska-Jurczak and Cent 2011). Considerable success was achieved practically from the very beginning of the consultation scheme paralleled by gaining detailed information on the local conflicts over N2000. Positive experiences from the program resulted in growing importance of public consultation activities undertaken by conservation institutions outside the region (Figure 3). Since then, public consultation has been organized as open meetings accompanied by establishing local cooperation groups of various stakeholders (experts, local authorities, NGOs, citizens), and they have become obligatory while developing management plans for N2000 sites (Grodzińska-Jurczak et al. 2012, Cent et al. 2013).

In the UK a strong tradition of protecting important sites for environmental or aesthetic reasons has been observed since the Nature Conservancy Council was formed under the National Parks and Access to the Countryside Act in 1949. Since this time, there have always been statutory nature conservation bodies in the UK. The biggest institutional changes and innovations came with the devolution of responsibilities to separate nature conservation bodies for each UK country in 1990; currently these are Natural England, Scottish National Heritage, Countryside Council for Wales and Northern Ireland Environment Agency. The devolution of these organisations provides more regional control over nature conservation, while the Joint Nature Conservation Council provides an overarching service for the whole of the UK, collating information and designating European protected sites. All of these bodies are funded by grant-in-aid from the UK or devolved governments.

Public participation in UK PAs governance is more common than in Greece or Poland. Local land-owners and communities are consulted over plans for nationally and internationally protected sites, and planning policies are particularly inclusive, offering consultation with members of the community, and potentially allowing the designation of locally important green spaces by local communities.

Despite the overall regulatory character of the UK's environmental policy, Europeanization of national environmental policies has pushed towards the adoption of new instruments. Thus, the UK has developed several instruments to address the societal challenges of PAs governance. A high proportion of land is owned by individuals, who have a substantial influence on the protection and management of designated sites. Therefore partnerships are often seen in the management of protected sites, with Environmental Stewardship being one of the most important and common mechanisms for this. 90,000 ha of land in England was in Higher Level Stewardship between April 2011 and March 2012 (Natural England 2012). Economic instruments also encourage governance of protected areas by third parties. The UK is currently considered as one of the EU leaders in adoption and innovation in this area. For example, the Conditional Exemption Tax Incentive Scheme (or Heritage Relief) is used to support the management and protection of heritage land and property by private owners. If land is proven to be of outstanding scenic, historic or scientific interest (e.g., designated as an Areas of Outstanding Natural Beauty (AONBs) or a Site of Special Scientific Interest (SSSI) then private owners can receive conditional exemptions from capital gains or inheritance tax. In return for tax exemption owners are required to maintain or manage the land, preserve its character, and allow reasonable public access. Gaining these kinds of tax relief is difficult and statutory nature conservation bodies such as Natural England monitor such land to ensure the conditions are being adhered to. These solutions are not easily available in most other European countries; in most cases landowners are not given financial compensations (as tax reduction or in any other form) due to

Figure 2. Management of local car traffic related to presence of large carnivores in Poland. The sign saying "Slow down, bears in the area" is a part of an awareness campaign of WWF Poland on large carnivores. The roads in the area are local, of low importance, and have been recently renovated – this example shows that conservation does not necessarily interfere with development (photo: Joanna Cent).

Figure 3. Consultation meetings in Poland. Regional Directorate of Environmental Protection, Kraków first informs and explains principles of N2000 program, then engages local stakeholders in discussion on management of the sites (photo: Magdalena Szymańska).

inclusion of their land into the sites, they are required to undertake environmentally-sound activities in order to receive funding, like in the agri-environmental programme. Claiming compensation is especially difficult for owners of small land parcels, for example agri-environmental schemes where cost at the entry (while preparing application) hinders participation of small owners in the program.

Our study clearly illustrates that existing policy instruments, their implementation and innovative solutions developed within each case study country differ due to political and socio-economic context. Although solution to PAs management have been addressed to fit national and regional regimes, all investigated countries still face the problem of governance effectiveness. This challenge, its causes, scope and context are complex, in general they all refer to the issues of public participation.

Policy recommendations

A wider inclusion of public participation approach in PAs governance emerged as innovative, in all three case study countries, although in different ways and considering different aspects of PAs governance. Slowly but steadily, there is a gradual shift from top-down to more complex decision-making processes based on multilevel governance approaches.

- Localized innovations are needed for promoting a process towards sustainability

  Innovations are not at end but a means to promote sustainability. Although they do not give a promise of immediate improvements, they should, particularly in the EU context, be designed and implemented using a complex socially and environmentally meaningful mode, providing at the end a basis for smart, sustainable and inclusive growth targeted in the EU 2020 Strategy (Van den Hove et al. 2012). Hence the innovative character of described solutions in the PAs governance within case study countries is influenced by, and in turn influencing, both social and environmental contexts with far from simple or self-evident consequences. The nature of current innovations is undoubtedly controversial as they are aiming to respond to scale challenges while, in many cases, producing new ones.

- Seriously taken public participation should be organized

  Innovations towards enhancing public dialogue and promoting new participatory and fair arrangements in environmental governance and PAs management should be encouraged. For example, organizing open meetings supporting cross-level and cross-sectoral cooperation between stakeholders and authorities working at local and regional levels should be fostered. Making it obligatory when developing management plans for N2000 sites might be desirable to assure sufficient scope (in terms of both areas and invited participants) and allocation of resources, as well as to enable social learning. Good experiences from such efforts have been received from Poland.

- New institutional arrangements needed for governing PAs management should be supported

  The establishment of official institutions consisting of a variety of actors from different governance levels with the responsibility for PAs management could be beneficial for dealing with scale challenges. However, as the example of management agencies from Greece has showed, such governance arrangements should be based on clearly defined goals towards promoting social-ecological resilience, be supported from the state with funding and qualified staff and be carefully designed in order to ensure the equal involvement of all relevant stakeholders and especially of local community groups.

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