MULTI-LEVEL GOVERNANCE IN THE EU

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The governance concept

- Informal interactions are important to understand policy-making processes
- Focus on efficiency of governance processes
  - Delivery of public services
- Participation of non-state actors in policy-making
  - Experts, lobbyists
    - Business actors
    - Civil society
- "good" governance
  - Participation
  - Legitimacy of policy processes and outcomes
  - Effectiveness of policy process and outcomes
Multi-level governance (MLG)

- Governance at multiple levels
  - International level
  - Regional (international) level
    - E.g. FAO Regional Office for Europe and Central Asia
  - EU-level
  - National level
  - Subnational (regional) level
    - Länder (Germany)
    - County (Hungary)
  - Local level
MLG: governance at multiple levels

• Internationalization of policy-making
  – Stockholm Conference, Rio Summit ...

• Locate public policy at appropriate territorial scale
  – Often: mismatch between governance system and ecological process

• In EU
  – Theoretical concept to describe (and analyse) policy-making in the EU
  – Transfer of sovereignty from member states to EU
  – Rhetorical function?
Major propositions of the MLG concept

• Governance concept
  – Informal interactions are important to understand policy processes

• MLG
  – Interactions across governance levels are crucial in EU policy-making
  – Opportunity for subnational non-state actors to directly contact EU bodies (EC, EP)
    • “scale-jumping”
Type I and type II MLG
(Marks and Hooghe, 2004)

- **Type I MLG (“Russian Doll”)**
  - Intellectual basis: federalism
  - Legal framework and a system-wide architecture
  - Nested jurisdictional levels
    - no intersecting memberships
  - Exit barrier is high
    - conflicts articulated
  - General purpose jurisdiction
  - Conventional territorial government
    - Identity of intrinsic communities (e.g. nation, region)
    - political deliberation in conventional liberal-democratic institutions

- **Type II MLG (“Marble Cake”)**
  - Intellectual bases: public policy theories
  - Design flexible
    - Less hierarchy
    - No limits to number of levels
  - Intersecting memberships
  - Membership typically voluntary
    - Exist barrier low
    - Conflicts may be avoided
  - Task-specific jurisdiction
    - problem solving: provision of public goods
    - respond quickly to functional requirements and changing preferences of citizens
    - functional equivalent to market competition
  - Resembles pre-modern governance
    - before the foundation of the nation states
  - Often at national or international frontier, in cross-border regions, at the local level

- Extreme types
Strengths and weaknesses of the concept

+ Draws attention to diverse interactions between different actors at multiple levels of governance

+ Good description of policy-making in the EU

– No causal explanation
  – why specific actors cooperate in certain ways at certain stages of a policy process
Challenges in MLG settings

• Tension between EU policies and sovereignty of ms
  – Same standards across the EU
  – Subsidiarity
  – Flexibility towards context of different member states

• Tension between complexity and accountability
  – Who is responsible?
  – More actors involved
    • all relevant or affected stakeholders can be involved (in theory)
  – New opportunities for participation
    • “Forum shopping”
  – Marginalization of weaker actors?
Literature


Structure of the presentation

- Aims, objectives and research questions
- Literature Review
- Methodology
- Results
- Conclusion
- Outlook
Research aims and objectives

• **Leading question**
  – What role do NGOs play in Natura 2000 implementation in Hungary?

• **Overall scientific aim**
  – Studying participation of non-state actors on biodiversity governance in a CEE country

• **Research objectives**
  1) Understanding the *participation* of NGOs in biodiversity governance.
  2) Understanding different concepts and aspects of *governance*, namely involvement of non-state actors, formal and informal interactions, networks, multi-level governance, “good governance“.
  3) Understanding *multi-level governance* in a new CEE EU member state.
  4) Understanding the interplay of *legitimacy and effectiveness* in multi-level biodiversity governance processes.
Research questions

1) How did environmental NGOs participate in nature conservation policy-making during Natura 2000 implementation in Hungary? What roles did NGOs play?

2) What interactions and networking can be found among NGOs and between NGOs and other actors in Hungarian biodiversity governance?

3) How was the NGO involvement in multi-level biodiversity governance perceived in terms of effectiveness and legitimacy?
Literature Review I: Background of the case study

• **Birds (BD) and Habitats Directive (HD): Natura 2000**
  – Agriculturally used land, including privately owned land
  – Maintain a “favourable conservation status”
  – BD: Special Protection Areas (SPAs)
  – HD: Special Areas of Conservation (SACs)
  – NGOs influenced development at EU-level

• **Experience in other member states**
  – Implementation delayed in most member states
  – Opposition by land users

• **NGOs invited to participate by EC**
  – SPA proposals checked against IBAs (Important Bird Areas)
  – Biogeographic seminar (selection of SCIs → SACs)
  – Watchdogs

• **Natura 2000 in Hungary**
  – Implementation with EU-accession
  – Pannonian biogeographic region
Natura 2000

The Natura 2000 network across biogeographical regions, status July 2008

- Nature 2000 sites
- Biogeographical regions:
  - Alpine
  - Atlantic
  - Black Sea
  - Boreal
  - Continental
  - Macaronesia
  - Mediterranean
  - Pannonian
  - Steppic
  - Outside data coverage

Canary Is.
Azores Is.
Madeira Is.
Natura 2000 in Hungary
Literature Review II: Multi-level governance (MLG)

• Informal interactions and networks across levels of governance
  – Internationalization of policy-making
  – EU
• Focus on efficiency of governance processes
• Participation of non-state actors in policy-making
• “good” governance
  – Legitimacy and effectiveness of policy process and outcomes
• Challenges in MLG settings
  – Tension between EU policies and sovereignty and flexibility to context of different member states
  – Tension between complexity and accountability
    • New opportunities for participation
    • But marginalization of weaker actors?
• Strengths and weaknesses of the concept
  – Draws attention to diverse interactions between different actors at multiple levels of governance
  – No explanation for why specific actors cooperate in certain ways at certain stages of a policy process

➢ Major propositions
  – Governance concept
    • Informal interactions are important to understand policy processes
  – MLG
    • Interactions across governance levels are crucial in EU policy-making
    • Scale-jumping is an important opportunity for subnational non-state actors
Literature Review III: Participation

- Participation of non-state actors: accepted aspect of “good” governance
  - Functional reasons: including all relevant knowledge
  - Democratic reasons: better linking citizens and policy-makers

- NGO (non-governmental organisation)
  - Independent of direct government control
  - No profit-making organisation
  - No political party
  - Non-criminal

- Voluntary cooperation between state and non-state actors
  - Need for information (expertise)
  - Networking
    - Shared beliefs and values; Joint mission and policy goals; Group identity

➢ Major propositions
  - Roles of NGOs
    - Campaigning, operational activities, watchdogs
    - Bridge between EU and citizens
  - Participation opportunities of NGOs
    - Dependent on NGO capacities and resources
    - Weak state administration
    - Field of “low” policy
    - High salience of the issue
    - Policy networks
  - Civil society in CEE
    - Low level of individual participation and activism
    - Ability of members to interact with each other
Methodology

• Conceptual framework
  – Multi-level governance
  – Theories on NGO participation, networking
    • NGO capacities and opportunities

• Method
  – Qualitative case study approach
    • Gain deeper insight into policy dynamics
    • Evaluation of the policy process by participating actors
    • Answer “why” and “how” questions
  – Reasons for choosing the case
    • Study MLG in a CEE country
    • Perception that Hungarian environmental NGOs are strong

• Tools
  – 28 semi-structured expert interviews
    • NGO and state experts from EU-, national and subnational level
    • Transcribed
    • Coded
      – Organisation, governance level, stage of the policy process
      – Capacities and resources, activities
  – Document analysis
Limitations of the study

• Time frame
  – Interviews in 2009 – early 2010
  – No data on recent development

• Data mainly from nature conservation sector
  – Experts from the agricultural sector were not willing to give an interview

• Initial focus: interactions of NGOs in the MLG setting
  – Legitimacy and effectiveness not addressed explicitly during the interviews
    ➢ Discussed based on available data
Results I: Participation of NGOs

- Site designation
  - MME’s IBA list basis for Hungarian SPA proposal
  - Negotiations between NGOs and the Hungarian government before the biogeographic seminar
  - NGO experts asked for advice by national park directorates

- Communication
  - Workshops
  - Natura 2000 website

- Natura 2000 maintenance
  - Lobbying for support scheme
    - Not successful
  - Site management
    - Pilot project
    - Local initiatives
  - Species monitoring
  - Reporting of violations
    - National court cases
    - Reporting to EU (TTT)
Results II: NGO capacities and resources

• Staff, volunteers and members
  – Only bigger organisations have permanent staff
  – Local organisations based on volunteers
  – Members
    • MME: almost 10,000
    • MTVSz: ca. 30,000 in all member organisations

• Financial resources
  – dependence on project funding
    • unstable!
  – Public funding important
    • EU important donor

• Expertise
  – MME: Ornithological expert organisation

• Procedural knowledge
  – On Natura 2000 process

• Links as assets
Results III: Links among NGOs

- Excellent links to EU umbrella organisations
  - Information on Natura 2000
- Good cooperation among national NGOs
  - NGO Natura 2000 working group
    - Complementary activities
    - Annual national gathering (OT)
- Weaker links to local NGOs
  - Focus on exchange with EU-level
  - Lack of stability at local level
Results IV: Links to state actors

- Links to nature conservation administration
  - NGO expertise needed by state bodies
  - Shared belief
    - value of nature
  - Joint policy goal
    - Protecting sites through Natura 2000 designation
- Cognitive community
  - Similar training
  - Overlap in careers
- Financial support for activities
- Strategic support of NGOs
- Information provided to NGOs
  - inofficially
- Links to other sectors
  - Weak
  - No common policy goals
Results V

• Legitimacy and effectiveness of NGO involvement?
  – Data provided improved data basis for site designation
    • Yet no good data for all sites
  – Information for stakeholders and citizens
    • Yet not everyone could be reached
  – Reporting to EU not considered as legitimate by all actors
    • Evaluation dependent on values and interests of actors
  ❖ Potential harmonization of legitimacy and effectiveness:
    – New interfaces for citizens and authorities
    – Management initiatives together with local stakeholders
Outlook

• Topics for further research
  – Role of ENGOs in Hungary since 2010
  – Legitimacy and effectiveness of NGO participation

• Advice to NGOs and policy-makers
  – Focus on activities which have the potential to harmonize the need for legitimacy and effectiveness in governance processes
    • Create and strengthen interfaces between different actors
    • Site management together with local actors
Thank you for your attention!