



Minutes from modified workshop

INCLUSIVE GOVERNANCE AND RENEWABLE POWER

Do not decide for the people but with the people!

Workshop was held on December 6, 2005 in the hall of the Ministry of Environment and Spatial Planning of RS at Dunajska c. 48 in Ljubljana

The organizers were The Regional Environmental Centre –REC; Slovenski E-Forum – Society for Energy Economics & Environment - SEF and Fokus – Society for Sustainable Development.

The workshop was attended by 24 participants, predominately representatives of municipalities, civil initiatives and environmental NGOS.

Introducing presentations on the concept of inclusive governance and experiences with public participation within the processes of drafting and deciding on Resolution on National Energy Programme and on the conflicts on wind turbine planning in Primorska region were followed by two moderated consecutive workshops.

Within the first the participants were asked to answer the questions on:

- A) *weakness of and opportunities for inclusive governance on the local and national level;*
- B) *their experiences and challenges they are facing within the public participation procedures;*
- C) *identification of the backgrounds and causes for opposing views of the NGOs to the renewable energy, particularly in renewable power generating capacities;*

Within the second the participants focused on the future perspective for inclusive governance in the field of renewable energy by answering the following questions:

- A.) *What is needed for restoration of inclusive governance in the field of RES?*
- B.) *How should the minimal standards of the process of inclusive governance look like?*
- C.) *What is the interest of the NGO for future participation – identification of existing capacities and drafting of the guidelines?*

Findings and statements of the participants are presented below

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Findings and statements 1: EXPERIENCE OF AND CHALLENGES FOR INCLUSIVE GOVERNANCE TODAY

A.) Weaknesses and opportunities of inclusive governance on RES-E on the local and national level

The following WEAKNESSES were identified:

- Lack of capacities and interests to deal with energy and RES-E issues of those NGOs that are not primarily focused on energy and climate change issues;
- Public participation and inclusive governance are either as values not internalised yet by decision makers or the latter have not enough communication and process management skills;
- The public administration, the investors and the decision makers in energy field are not aware of the nature protection respectively they do not know what Slovenia has in terms of biodiversity and what might be lost by installation of new RES-E capacities in case that nature conservation would not meter. Sometimes they deny that for them nature protection is a value or they are claiming that certain location has no value from the nature protection perspective even before environmental impact assessment procedure is finished;
- The projects are not presented in a way comprehensive to the general public and the public has to few institutions it can rely on in order to clarify presumptions, claims, data, calculations etc. that are presented by the investor or by public authorities. There is no balance of power in decision making on power generation, transmission and distribution capacities between the investors, authorities and the public respectively NGOs.
- Lack of mutual trust and capacities to understand the problem from the perspective of the opponent are among the key barriers.
- Lack of legislation for regulation of the public participation on the level of ordinances and regulations for public participation in practice
- The decision making process is too long and complicated with not pre-defined milestones and time frameworks thus only very strong NGOs or their coalitions are in position to make any positive impact as the participants of the process. NGOs and citizens have far better chances to achieve their objectives by means of public protests and by mobilisation of the civil society against the proposed plan or project for whatever reason.
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The following OPORTUNITIES were identified

- modern communication networks are enabling fast building of the NGO and public networks and transfers of data and arguments ;
- non-inclusive governance might prove to be too costly for the investor and/or authorities both in terms of time and in terms of lost political capital;
- inclusive governance is becoming standard in the EU and OECD countries;
- privatisation of energy sector and more competition will provide more competing options for reaching energy policy goals and objectives and public support might have for authorities a decisive role when deciding between competing options;
- the legal demand on public presentation/spreading of spatial plans and project documents can not be avoided but the good practices need to be presented and supported

- inclusive governance practices might also add value to the expert elaboration of the problems and solutions ;

B.) Experiences and challenges we are facing from the perspective of public participation in the process of inclusive governance

The participants agreed that all relevant findings and statements on the issue were already identified and defined under A.

C.) Identifications of background and causes for differences in positions and standings of different stakeholders on NVO

The following causes for failure of national consensus on RES E among the main stakeholders (the investors, public authorities and NGOs) were identified:

- a) predominately supply side oriented energy policy and energy pricing policy that are not stimulating demand side and energy conservation options. Under presumption of maintenance or only slow decline of energy intensity the fast growing demand on electric power can not be met with RES-E solutions nor the latter can take into consideration growing demands on maintenance of large biodiversity and preserved landscape identity that are characteristic for Slovenia.
- b) No clear picture of pluses and minuses of different RES-E options are presented to public. The public and the NGOs are subjected to single sighted perspective of the investor that might be based on false presumptions;
- c) Some current projects are under suspicion that decisions on the political level had been already made before any formal procedure has started thus the latter is only ritual for confirming decisions made on non-transparent criteria and in the closed circles.
- d) No alternatives to proposed RES-E project are presented on the strategic level and only few alternatives on the executive level. It seems that dominant solution to energy policy is always at very first only the investment in new capacities that is lacking any broader set of instruments to address the problem.
- e) On the other side the nature protection organisation presume the nature and its conservation as absolute value even where there is no evidence that the major harm that is exceeding legally regulated nature conservation could be caused by RES-E projects.
- f) Lack of strong and multi issue nature conservation organizations respectively attempts of neglecting status of the eligible party in the environmental impact assessment procedure to single organisation that has gained legally guaranteed status of public good servicing NGO in the field of nature protection.
- g) Lack of high quality data and studies on habitats and species prior to environmental protection impact assessment of RES-E. Some important data relevant for protection of habitat or management of rare and endangered species are first obtained by in principle costly environmental impact study and the investor is of course interested to get money back by the investment regardless of uncertainties that might be identified from perspective of nature protection.

- h) Underestimation of the stakeholders from civil society respectively small NGOs and informal nature/landscape protection groups and the belief of large state owned investors that the opposition to the project will be solved by high level political back up, good connections with local authorities and intensive PR campaigns.
- i) Lack of transparent and in advanced given criteria and procedures for assessment of different options to meet the same goals and objectives.
- j) Non understanding that the conflict of interest is a normal situation that needs professional mediation in order to elaborate improved solutions for all or at least the majority of involved stakeholders.
- k) Denial of position claiming based on stakeholders own interest and “hiding” among rhetoric of “national interest”, “development interest” or “interest of nature”, “interest of future generations” etc.
- l) Mistrust in public authorities because tight formal and informal relations between the power generation, transmission and distribution sector, political and administrative authorities.
- m) Lack of regular, non only o “hot projects” based dialogue between the stakeholders

Workshop 2:

How to proceed in a FUTURE in order to improve conditions for RES-E?

A.) What do we need for inclusive governance in a field of RES-E?

The following opportunities were identified:

- a) inclusion of representatives of civil society respectively nature, environment and consumers protection NGOs in the boards of public energy entities like national energy agency, grid operation companies and public distribution companies;
- b) clear and simple procedures for obtaining status of common good servicing NGOs;
- c) early inclusion of different representatives of NGOs and civil initiatives in preparation of RES-E projects and spatial planning procedures;
- d) improved skills of public officials to deal with claims and demands of NGO while seeking for information on energy policy or project planning and/or when they proposed changes in energy policy;
- e) development of tools of E-democracy and their practical pilot use in updating on national energy programme;
- f) clear and in time information that can be understood by non-experts, publicised non-expert summaries for all projects that are obliged to environmental impact assessment procedures
- g) regular discussion forum on energy policy between the stakeholders;
- h) clear distinction to between the participation on strategic and project level and between public participation in the development phase and public participation/control in the implementation phase of the projects;
- i) development of own certification standards and verification procedures by NGOs and their introduction to the market with electric power in the country.

B.) What should be the minimal standards for inclusive governance in the field ?

As minimal standards were defined:

- a) annual workshop of all stakeholders on energy policy;
- b) in-time, understandable and complete information on the projects;
- c) elaboration and explanation of alternatives on the strategic and project level;
- d) participation of civil society/NGOs already in the stage of definition of the problem and the potential solutions;
- e) capacity to listen and try to understand the arguments of the other stakeholders/parties;
- f) clear mandates and responsibilities;
- g) respect of positive legislation and good practices of communication and information

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