

9 Public Participation during Site Selections for Natura 2000 in Germany: The Bavarian Case

Melanie Eben

German Development Service, Brazil

9.1 Introduction

The Bavarian case study presented here will explore the participatory process applied for site selections for the European-wide Natura 2000 network aimed at protecting Europe's biodiversity and analyse how successful participation really was. For this purpose, representatives of key groupings such as the Environment and Agricultural Ministries; government agencies such as the Bavarian State Agency for Environmental Protection, the District Council, and the Bavarian Forestry Agency, landowner associations such as the Bavarian Farmers' Union, the Bavarian Landowner and Forest Owner Associations, as well as two nature conservation NGOs had been selected for interviews. The interviews with the representatives of each stakeholder group were open-ended to ensure an unlimited expression of opinion in order to gain in-depth knowledge about attitudes, to reveal existing views on protected area management, to explore how rules and regulations are interpreted, and to explore opinions and suggestions regarding the future of biodiversity.

9.2 Public participation – just a new buzz word?

Participation can express itself in many ways, but regardless what shape it may take, it presents a powerful tool for the public to make their voice heard. It plays an important role in a democratic system where political decision-making involves - or at least theoretically ought to involve - integrating the public's voice. However, its success will be determined by the institutional framework that in turn will make effective public participation possible and by maintaining stakeholder involvement over time (see also Chapter 1). Stakeholders can be individuals or groups involved or affected by a development or conservation project, or who

hold influence or affect the project or decision in some way or other, such as government agencies.

Six different types and degrees of participation can be distinguished: 1. passive participation, 2. participation by consultation, 3. “bought” participation, 4. functional participation, 5. interactive participation 6. independently taking action and self-mobilising stakeholder groups (cf. Pretty et al. 1999). Participation by stakeholder consultation is the way participation may take place in Bavaria. However, we shall see that it is not as powerful as other types.

Looking at public participation in environmental decision-making is interesting because nature-conservation-related matters are a relatively recent addition to the political agenda. It is no surprise, therefore, that integrating the public into decision-making processes is still not commonly practiced by the various levels of government.

Nature conservation should work with people and not against them and should apply tools such as public participation. This approach was acknowledged in Principle 10 of the 1992 Rio Declaration: *“Environmental issues are best handled with the participation of all concerned citizens, at the relevant level. At the national level, each individual shall have appropriate access to information concerning the environment that is held by public authorities, including information on hazardous materials and activities in their communities, and the opportunity to participate in decision-making processes. States shall facilitate and encourage public awareness and participation by making information widely available. Effective access to judicial and administrative proceedings, including redress and remedy, shall be provided”*.

This principle was then reaffirmed by the World Summit on Sustainable Development in Johannesburg in 2002. Equally important is the Aarhus Convention, adopted in 1998, which constitutes the first international legally binding instrument for access to information, public participation in decision-making, and access to justice in environmental matters.

9.3 The Biodiversity Strategy of the European Union: the Natura 2000 network

Biodiversity in Europe is distinct in the sense that most habitats have been modified over many centuries by farmers, foresters, fishermen, and hunters, leaving behind semi-natural habitats rich in biodiversity with special habitat-species relationships. This stands in contrast to many

tropical countries, which are very rich in terms of biodiversity but mostly left untouched and unmodified by human beings (such as the so-called *hot spots* – areas characterised by great biodiversity).

This biodiversity, as we know it today, still very much depends on being maintained by traditional low-intensity agricultural or silvicultural practices that have also shaped and influenced the European landscape in the past. In Germany, the state of the environment continues to be a reason for concern and is far from being managed on a sustainable basis. This has been repeatedly pointed out by the German Advisory Council on the Environment (SRU 2001): 69% of the existing 500 biotope types in Germany are threatened, while one third of them face serious threats; 36% of the fauna and 26.8% of the flora are endangered, while 90% of these threatened plants and animals are found in remaining areas of natural biotopes or sites under extensive use.

The evidence suggests that the rate of loss of habitats and species will not slow down in the near future (BfN 2000). There are manifold reasons for this, including habitat fragmentation, intensive agriculture, an ever-expanding infrastructure, and the traditional nature conservation approach. The last-mentioned focuses on setting aside a small percentage of land as protected areas but ignores the integration of areas outside these designated sites into the approach, thereby omitting to protect biodiversity on a large scale (SRU 2000). A new approach for safeguarding biodiversity, not only in Germany, but on the European level, is therefore needed to prevent the continuing deterioration of habitats and the loss of species.

The European Union's reply to international attempts to protect biological diversity (as acknowledged in the international Convention on Biological Diversity of 1992, a consequence of the Rio Summit) first came in 1979. It was embodied in the Birds Directive, which primarily sought to protect wild bird species by designating *Special Protected Areas* (SPAs) (Directive on the Conservation of Wild Birds, 70/409/EEC) with Article 3 recognising the importance of protecting habitats as an essential prerequisite for the survival of birds. EU members' implementation of the directive has been very slow, and site designations are still incomplete today. Thirteen years later, in 1992, this idea was to be followed by the Habitats Directive (Directive on the Conservation of Wild Fauna and Flora, 92/43/EEC) which was to set up *Special Areas of Conservation* (SACs). The Directive's principle aim, as stated in Article 2(1), is to '*contribute towards ensuring biodiversity through the conservation of natural habitats and of wild fauna and flora in the European territory of the Member States to which the Treaty applies*'. At the same time, it seeks

to ‘take account of economic, social and cultural requirements and regional and local characteristics’ (Article 2(3)).

The approach adopted by the European Union was subsequently to combine protected sites under both the Birds and Habitats Directives to create the European-wide Natura 2000 network with what are called “Sites of Community Interest” (SCIs). The significance of the Natura 2000 network lies in its presenting a legally binding document created and ratified by all European Union members that establishes a common basis for a coherent ecological network. This network grants the European Commission substantial power to oblige EU member states to adhere to this agreement by, for example, withholding structural funds in case of non-compliance: in Bavaria this would have resulted in the loss of almost 1 billion German Marks (BayStMLU 2000d).

However, recent research by the WWF (2001) seems to indicate that despite an initial reluctance amongst member states to implement the Habitats Directive, Natura 2000 is now gaining in political importance, and it is increasingly considered as an influential driving force for nature conservation (SRU 2000). Although participatory measures during the implementation phase are not required by the Habitats Directive and are left at the discretion of member states, some EU countries such as Finland, Austria, and most German federal states have initiated consultative procedures, as was also the case in Bavaria.

As already hinted at in the introductory paragraph, it is important to distinguish between various levels of participation: consultation can be one type of participation – it serves to ask people for their opinion on a certain subject, but decision-makers can refuse to adopt any of the ideas expressed during the actual decision-making process. Consequently, consultative procedures are a first positive step forward but often lack the power to influence decision-making actively and independently, something that can only be achieved by participation through self-mobilisation and connectedness (Pretty et al. 1999), where it is the people - rather than decision-making organisms - who take action to initiate changes to a proposed decision or regulation.

9.4 Implementation Procedures of Natura 2000

The federal structure of Germany (see Figure 9.1), composed of sixteen *Bundesländer* (federal states; sing. *Bundesland*), functions in such a way that the federal government in many cases only provides framework legislation, leaving each *Bundesland* responsible for its own

implementation of the federal laws. This is the case for legislation related to nature conservation. The Federal Nature Conservation Act provides the legal basis, i.e. the framework, for the nature conservation acts of all *Bundesländer* and, therefore, plays an important role for nature conservation in Germany. This often results in variations in the implementation of national policies.



Fig. 9.1 Map of all 16 German Bundesländer. Source: www.bundesrat.de

This has also been the case with the Natura 2000 network, where each *Bundesland* is responsible for ratifying the Directive in its own legislation, a result of which has been delays in adopting appropriate measures. Some of these delays can be linked to political, economic, and social factors (see WWF 1999, 2000, 2001, Dieterich 1999), but opposition to the designation of SCIs is one of the major issues and will be examined further in this chapter.

9.5 Opposition to Protected Areas in Bavaria Due to a Lack of Participation

Although renowned for its environmental awareness and general support for nature conservation issues, Germany is plagued by strong opposition to designating areas for nature conservation purposes from a range of stakeholders such as farmers, private landowners, forest owners, and sometimes even entire communities or key political players (see also Stoll-Kleemann 2001a).

There is a variety of reasons for certain social stakeholder groups to oppose designated protected, and the phenomenon is observed in many countries (e.g. McNeely 1992). One common reason is the lack of participation during the designation process, whilst another is the fear that nature conservation measures are to be carried out without any compensation for landowners. Whatever lies behind the opposition, however, the result is problematic because it has been clearly demonstrated that acceptance forms the broad basis for successful protected area management - an institutional framework alone being insufficient to protect nature effectively if the people involved are not prepared to contribute actively to the process of implementing the political measures.

An unfortunate reality in Germany is that nature conservation officials often display a patronising attitude and are known to ignore local land users. Not surprisingly, this has resulted in conflicts amongst various interests. It is slowly being recognised that problems have to do with people and not so much with environmental issues and that, as a consequence, society on the whole has to be integrated into nature conservation processes (Stoll-Kleemann 2001c). This would imply introducing other types of participation rather than mere consultations with stakeholder groups.

The situation in Bavaria is interesting in that a strong sense of independence - based undertaking actions things voluntarily - and a deep-rooted opposition to interference are traits of Bavarian culture (see BayStMLU 2000b), and these appear to be at the base of the recalcitrance against and the resistance to selecting Sites of Community Interest for the Natura 2000 network. As a gauge for detecting signs of opposition in Bavaria, the following indicators have been used:

- a slow, delayed and incomplete implementation process (e.g. BN 1999, EU Commission 2001, LBV 2001);
- the priority given to economic interest that resulted in generating an incomplete list of proposed Sites of Community Interest (pSCIs) (e.g. WWF 2000);

- written protest (e.g. BBV 1999);
- the rejection of designated sites that became obvious during a consultation procedure (e.g. BayStMLU 2000a).

9.6 Reasons for Opposition

When nature conservation measures lead to actual or perceived loss of or limitations in personal freedom or rights related to one's personal property, which can have major emotional repercussions, they are likely to produce negative sentiments toward establishing areas for nature conservation (Stoll-Kleemann 2001a-c), whereby the extent of non-acceptance will depend upon the subjective importance of the perceived "losses" involved. It has been demonstrated that the higher the degree or stakeholder participation in deciding and enacting these measures, the more likely there will be a higher degree of acceptance. Landowner representatives in Bavaria unanimously considered limitations in their property rights and resulting losses in the value of their land caused by the Natura 2000 regulations as unacceptable. They also felt threatened and provoked by "greens" trying to re-educate them, fearing that they would end up as landless farmers whose rights had been abrogated (e.g. BBV 2001).

Opposition on principle to any changes related to the implementation of nature conservation means that landowners react with scepticism, and it often proves difficult to change this negative attitude. A particular manifestation of this widespread feeling of mistrust and resentment of insufficient information was the public request by the Bavarian Farmers' Union to withdraw all designations of private land in order to avoid any legal disputes that could potentially arise through a designation (BBV 2000). It was reasoned that if designations were vetoed or rejected, nothing could happen to them nor would their land be designated as a Site of Community Interest. This ploy was propagated in weekly news bulletins and farmers' magazines. The lack of information about the Habitats Directive deeply affected farmers; they felt ignored and enraged at being confronted with a new regulation. No information or accompanying explanations had been provided, nor were they able to seek advice regarding details about the implications of the site designations.

Limitations in personal decision taking and regulations or controls being imposed upon property through a top-down approach also hinders acceptance. Landowners fear that their interests are not adequately heeded and that new rules and regulations (particularly when they are obligatory) will have negative implications for the economic development of their

property (e.g. BBV 1999). This not only created mistrust and reluctance to accept new regulations in the Bavarian case study, but also in most other EU member states, according to a study by WWF (2000), a situation mainly attributed to the insufficient creation of awareness amongst stakeholders (such as farmers and landowners) throughout the European Union.

The top-down approach pursued by former Federal Environment Minister Jürgen Trittin is especially disliked throughout Germany, as the agricultural lobby feels that their interests are being ignored and their land turned into conservation areas, preventing them from engaging in their agricultural activities in these areas and resulting in a loss of value of their land. The lobby also regards site designations as “interventions on private property” that would involve expropriation and/or hinder economic development.

How members of certain social groups perceive their role or identity is determined by traditional values, beliefs, or emotions. Cultural values, for example, determine the relationship between ‘nature’ and ‘man’. Landowners regard themselves as keepers of the countryside who have always ‘looked after’ the land (e.g. Verband der Bayerischen Grundbesitzer 2001b). They now, however, see their traditional role being questioned and are thus opposed to shifting emphasis to a relationship where ‘man’ plays an ‘inferior’ role to nature. In Germany, landowners perceive this practice as resulting from an overly zealous attitude on the part of the country’s previous red-green coalition government.

Differences or ambiguities in the interpretation or regulations on the national level amongst the *Bundesländer*, but also between stakeholders such as ministries, government agencies or NGOs within the *Bundesländer*, have also led to a number of hindrances to nature conservation. These include lack of cooperation, co-ordination and/ or disagreements in how best to implement Natura 2000, incomplete site designations, and the failure to implement management plans and provisions for monitoring. The interpretation of the implications of Natura 2000 have often caused confusion, not only amongst landholders, but also amongst “experts” in the nature conservation scene, as it remained unclear (as has been unclear right from the beginning in 1992 when agreeing to adopt the Habitats Directive) what exactly had to be done to implement the Directive. There was also a lack of co-ordination on the higher administrative level amongst various government agencies, some of whom were not willing or did not have the capacity to cooperate.

Inadequate financial provisions (e.g. lack of compensation payments for farmers) and lack of staff at the national and *Bundesländer* level have also contributed to delays, and the insufficient allocation of necessary resources

in Germany was confirmed by a study by WWF (2001). The Advisory Council of Experts on the Environment (SRU 2000) stresses that adequate funding and personnel have to be provided to guarantee prompt implementation of the EU directives.

The lack of political will to respond to the implementation requirements of the Habitats Directive resulted in the *Bundesländer* often feeling restricted in their planning authority. On the other hand, the resistance to implementing the Directive resulted in their producing very little publicity about Natura 2000 and what it implies: landowners were informed very late about the designation process and its consequences.

9.7 The Participatory Process in Bavaria

In 1998 the Bavarian Nature Conservation Act (Bayerisches Naturschutzgesetz) was amended to implement the Habitats Directive into Länder legislation. An area of 120,000 ha (1.8% of the Bavarian territory) had initially been proposed as SCIs (Sites of Community Interest). Although one of the first *Bundesländer* that provided a list with SCIs, Bavaria's proposed sites only presented a fraction of the valuable habitats and ignored the protection of other already designated sites. For instance, in 1985 a Bavarian biotope network *Bayerischer Biotopverbund* had been established; it is maintained by means of nature conservation contracts and currently comprises 8.5% of valuable habitats in Bavaria.

However, none of the sites contained in the Bavarian biotope network was proposed as a Site of Community Interest, as strong emphasis is placed on acceptance and voluntary commitment by farmers: designating them as SCIs would consequently be against the principle of acting voluntarily. This in turn prompted criticism by the non-governmental organisation *Bund Naturschutz* since these areas represent important habitats that would fulfil the scientific criteria of Natura 2000. As a consequence WWF-Europe and *Bund Naturschutz* declared the proposed designations as incomplete and not fully representative; they subsequently produced so-called 'shadow lists' to complement gaps in the official site designation lists (*Bund Naturschutz* 1999, 2001, WWF 2000).

In order to overcome strong resistance to site designations, i.e. to increase the acceptance of site designations by making the selection process more participatory, a three-month public consultation procedure ('Dialogverfahren') was initiated by the Bavarian Environment Ministry in February 2000 (BayStMLU 2000d). This was done in accordance with the European Commission, which had approved the "Bavarian Solution" (c.f.

BayStMLU 2000e), and was the first dialogue procedure of its kind to take place in Bavaria. The principal reason for this new approach was the strong criticism by environmental organisations as well as the reluctance of landowner groupings to agree on site proposals.

In various districts, public meetings were held beforehand (organised by the Bavarian Environment Ministry and the Bavarian State Agency for Environmental Protection) whose intention was to inform communities, private property holders, farmers, citizens, organisations and associations such as farmers' unions, as well as business representatives. With the purpose of providing stakeholders with better information about proposed sites, maps and respective site descriptions were distributed at the community and district level. These were also available via the Internet or on CD-ROMs. A special telephone service was provided to answer related questions. Affected stakeholders were given the opportunity to make written objections to their land being proposed, and a total of 20,000 rejections were filed.

Consultations with stakeholder groups in other countries, such as France, UK, or Finland (see also Welp et al. 2002) have often resulted in excluding proposed sites because of opposition by local people (WWF 2000). These have typically been intensively used agricultural areas and communally owned industrial areas. At the same time, 3,000 new proposals were put forward, 550 of which were ultimately included as newly proposed Sites of Community Interest. These were finally reported to Brussels after district councils had revised all proposals, increasing the total area of proposed sites to 500.000 ha. This included 6.7¹ of the Bavarian state area (BayStMLU 2000c). Of these 6.7%, 64% was forest area with only 36% open land (WBV, personal communication; of which 62% is state-owned forest, 23% private, and 15% community forest), indicating the preference to designate areas owned by the state with the purpose of avoiding conflicts with private landowners (cf. BayStMLU 2000d).

When comparing Bavaria to other German federal states, it becomes evident that conservation efforts could be improved. For example, Brandenburg has designated 11.3% of its federal territory and Thuringia 10.0%. States such as Schleswig-Holstein (8.0%) and Hessen (9.9%) have designated slightly fewer sites than Bavaria (BfN 2006).

Comparing these figures on the total area of proposed protected sites in Germany with other European countries, the difference in the total area of selected sites becomes more obvious (see Table 9.1). However, additional sites under the Habitats Directive have already been included in the latest

¹ In 2006: 9.2% (BfN 2006)

national lists (in Den Haag 2002 and in Potsdam 2003) by countries such as Germany (183), Spain (57), and France (65), and it was expected that these numbers will rise as a result of some bio-geographical seminars to be held in the near future (EU Commission 2003). In this context, in January 2004 a bilateral meeting took place between Germany and the European Commission whose goal was to ascertain whether the Bundesländer's statements of intent to supplement the list of existing protected areas with new ones were complete. In most cases the EU Commission assessed the proposals as adequate, but in a few, additional demands were made. Based on the results of this meeting, in January 2005 the Bundesländer's proposition for the new sites was forwarded to Brussels (BfN 2005).

Table 9.1 The percentages of designated national territory under the Birds Directive (SPAs) and of proposed national territory under the Habitats Directive (SICs) in various European countries (EU Commission 2006)

Member state	% of national territory designated as Special Protected Areas (SPAs)	% of national territory proposed as Sites of Community Importance (SICs)
Denmark	5.9%	7.4%
Spain	18.2%	22.6%
Greece	10.1%	16.4%
United Kingdom	5.8%	6.5%
Germany	8.9%	9.8%
France	2.7%	6.9%

9.8 Public participation – a success or failure?

Communication amongst stakeholder groups is vital for establishing trust and spreading information. Experience has shown, though, that involving people in the planning and implementation process frequently does not take place or takes place at late stage, as was the case in Bavaria. German laws contain weaknesses with respect to these consultation procedures, although the possibility to make written petitions does exist. However, taking decisions without the consultation of people results in recalcitrance (Stoll-Kleemann 2001a-c) and has been criticised by the Advisory Council of Experts on the Environment (SRU 1996).

Furthermore, numerous practices have resulted in resentment and uncertainties amongst landowners and land users about how to interpret regulations. These include the inadequate provision of information, documents written in language incomprehensible to 'non-experts', and

ambiguities in the interpretation of how to implement the directives amongst “experts” due to unclear formulations by the EU Commission regarding procedures by each of the member states. There have also been delays in or inappropriate timing of measures whose goal was to inform stakeholder groups, such as talks, seminars, etc.

The granting of a relatively short three-month time period implied that a continuous dialogue, exchange of opinions, concerns, information, or 'true' communication was not actively being sought; the timeframe was simply too short for all the necessary or desired activities to occur. This was also criticised in Bavaria (LBV 2001) despite a very confident take-up by landowner groupings, which considered the procedure very positive because they had been given the opportunity to oppose site designations and reduce the originally proposed area of Bavaria's territory for SCIs from 12% to 7.5%.

Numerous people, though, resented the sudden rush of the initiated dialogue (*Bund Naturschutz*, personal communication). Representatives of environmental NGOs regarded the content, administration, and commitment of some nature conservation officials during the dialogue procedure as being of inadequate. Criticisms of a 'pseudo democracy' and a fragmented selection of stakeholder consultations became loud, referring to the fact that not all objections or proposals were paid attention to. This is in line with the classification by Pretty et al. (1999), where participation by consultation is viewed as unsatisfactory when the consulting agent has no real obligation to integrate the outcome (i.e. opinion) into the decision-making. This is corroborated by the fact that acceptance of site designations increased considerably in cases where discussions and information events with local players took place. For example, the *Bund Naturschutz* initiated informational talks near Freising-Munich to brief farmers about the implications of Natura 2000 and how they would be affected, resulting in many of the farmers' fears being assuaged.

Data-protection laws created another important obstacle in the process. These made it difficult to contact landowners, which in turn impeded informing local players appropriately about which property was being planned for inclusion in Natura 2000. This problem was partly solved by organising public meetings to inform potentially affected people; it proved impossible to obtain individual addresses due to the above-mentioned privacy regulations.

9.9 What can we learn from the Bavarian case?

Despite the various deficiencies, at least a first positive step towards including stakeholders in policy-making has been made. Overall, however, not all of the requisite conditions for protected area management under Natura 2000 were created by the participatory procedures. This indicates the need for a novel, innovative approach that builds on social self-esteem through expanded participatory involvement and stronger emphasis on sustainable rural livelihoods rather than purely building on compensatory measures that leave out the social dimension. Better communication between stakeholders and positive results, in turn, will be influenced by trust, cooperation, and appropriate property rights laws. It is therefore essential to create an atmosphere of mutual trust amongst all stakeholders involved to contribute to the conservation of biodiversity in Germany.

In order to create the basis for more acceptance, various suggestions by all Bavarian stakeholder representatives interviewed during this research project have been collected and are summarised below. These could pave the future way for a more inclusionary approach that results in milder reactions when it comes to implementing nature conservation objectives.

More participation of all stakeholders at an early stage, particularly in the form of ‘roundtables’ where involved parties are given the opportunity to sit down together and discuss before and during the planning and implementation process is needed. More transparency would also be a significant asset, including adequate information for the public, proper planning and preparation of the consultation process, respecting process results, and having a good public relations programme for stakeholders (i.e. keeping them informed about further steps). As mentioned previously, independent participation through self-mobilisation by the stakeholder groups themselves would also considerably increase the acceptance and success of any new decisions and/or regulations.

Any approach ought to rely on voluntary participation or commitment and compensatory payments rather than obligatory measures. This was a concept strongly defended by landowners, who vigorously oppose inflexible obligatory measures issued by the state. As a model, it was suggested to consult landowners first and then make contracts, as well as provide compensation payments to guarantee that the sites will be managed according to specific conservation criteria.

Better environmental education and raising awareness, particularly amongst the general public, were suggested as important instruments (Stoll-Kleemann 2001c). Currently, nature conservation does not receive high priority and is suffering from a lack of interest amongst the general

public. Intensifying efforts to portray nature conservation as something of importance to everybody and as something that does not always have to exclude economic interests would certainly make a valuable contribution to improving the weak relationship between “nature and human beings”.

Improving the relationship between nature conservation professionals and laypersons, i.e. involve stakeholders more and at an earlier stage and respect each other's views, opinions and interests, was viewed as essential. Nature conservation officials were conscious of the necessity to integrate the factor “people” into conservation approaches; a conference held by the EU Commission on Natura 2000 and People (EU Commission 1998) also emphasised the need to build partnerships with stakeholders right from the beginning (see also Stoll-Kleemann and O’Riordan 2002).

The goal is to inform the public and stakeholders adequately and ‘advertise’ the advantages of living in a protected area, in order to change reservations and feelings of scepticism into a sense of pride. The WWF (2000), for instance, point out that particularly by placing a new value on many remote areas, Natura 2000 offers the potential for implementing innovative and sustainable development strategies as a way to avoid the ongoing loss of biodiversity.

The demonstration of more political will and support by governments for the implementation of instruments such as the Birds and Habitats Directives and to use politicians as ‘good examples’ to raise the profile of nature conservation issues as something worth pursuing was also regarded as fundamental if success on a large scale is to be achieved.

More opportunities for capacity building and training in communication should be made available, as a lack of these skills can negatively influence the outcome of any consultation effort. Also needed are more funding to provide financial incentives for landowners to include sites in the Natura 2000 network and more staff to carry out all implementation requirements. Landowners were sceptical whether tasks could be accomplished without an increase in funding to provide compensation payments. Despite the availability of funding schemes like the EAAGF (European Agricultural Guidance and Guarantee Fund) or other schemes co-financed by the EU, little use of this financial support has been made so far.

In other words, in order to achieve wider public acceptance and engagement, participatory tools ought to be included more often and more widely as one of the instruments employed to establish good communication and better cooperation amongst various stakeholder groups. The Bavarian case study clearly demonstrates that a lot of work has to be done in this respect.

The first step, namely the substantiation of the existence of problems and – to a degree – the identification and localisation of their origins, has

been done, though. Based on this, problem-oriented solutions can now be tailored, taking lessons learnt in the past into consideration. However, only if nature conservation per se rises on the political agenda and the public show a higher interest in nature conservation issues, can participatory measures really show their powerful effect.

The principles of public participation and the right of everyone to stake a claim in decision-making has often been stated, most importantly in the 1992 Rio Declaration as well as the 1998 Aarhus Convention. The problem down to the present, though, is that while these important principles exist on paper, they are often ignored in practice. Natura 2000 has provided a good opportunity to test them in practice; the experience accumulated during the entire designation process will serve as a foundation on which to build. Not only current European Union countries can and will benefit from this experience; it also provides a great deal of opportunity for the new-accession states, who will be able to avoid the mistakes made by the old EU members and profit from past experience when engaging in future site designations for the Natura 2000 network.

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