

RESEARCH IN ECONOMICS AND RURAL SOCIOLOGY

**Working out norms for the preservation of Habitats:
The implementation of the directive Habitats, in France (*)**

Preserving biological biodiversity on the continent scale, such is the challenge that the European Union intends to take up by adopting the 1992 Habitats directive. Through this initiative, European decision-makers wish to bring their contribution to what is now one of the planet's new stakes. The research results presented here give an account of the implementation of this policy at the French national level. They focus on the elaboration phase (1999-2005) of "documents of objective", during which a management plan had to be produced for each site designated by the Directive, targeting biodiversity conservation objectives. The analysis examines the concerted elaboration process of management actions at the site level, in particular questioning the interactive dynamics between the protagonists mobilised.

Since the 1992 Rio Conference on environment and development, biodiversity conservation has been made an international standard and placed on the agenda of public policies. The same year, the promulgation of the Habitats directive (HD) aimed to establish, on the European level, a coherent set of sites called Special Zones of Conservation (SZC) representative of six bio-geographic regions (Alpine, Atlantic, Boreal, Continental, Mediterranean and Macaronesian) for the continent. Coupled with the Special Zones of Protection (SZP) sites designated by the 1979 Birds directive, this set gave birth to a physical and cognitive ecological network called Natura 2000.

An ambitious and innovative Nature policy

Based on scientific paradigms stemming from phytosociology (notion of habitat), this directive marks a turning point in the nature policies in France and Europe until then. Within their sphere, it includes spaces on which there are productive and recreational uses and intends to define management modes compatible with both the ecological preservation objectives and the maintenance of human activities, within a rationale of sustainable development. The connection between two types of legitimacy, ecological and territorial, is one of the major stakes in implementation of this policy. According to the subsidiarity principle, the Commission gave member States the choice of mixing both dimensions by letting them define the appropriate management measures for each site identified according to the presence of habitats and species considered as important from a Community point of view. Their assessment is based on the obligation to achieve a particular result and not on the obligation to use all reasonable means to achieve a result, as was the case for the agri-environmental policies.

Local scenes of biodiversity: subject and method

The results presented here stress the period of implementation (1999-2005) of the system adopted at the national level to define

the management measures combining ecological objectives and human uses (frame 1).

In 1998, the decision taken by the Ministry of the Environment to elaborate, in a concerted way for each identified site, a "document of objective" (docob) considered as a management plan, looks like a political innovation which encourages the search for agreements or compromises in relation to the requirements imposed by knowledge of ecological management only. This is why we chose to analyse the interactions between the different participants in the areas under debate, defined as "local scenes". We put forward the hypothesis - only partly confirmed - that the meeting and confrontation of various (scientific, technical, professional, "ordinary") viewpoints and knowledge on nature were able to modify the relationships between protagonists and lead to crossed forms of learning methods for the management of remarkable habitats. After a reminder of the events in France during the identification and limitation of perimeters, we shall present the results relating to the analysis of local scenes (frame 2).

From protest to the stabilization of inventories

In France, the first lists of sites able to integrate the future ecological network, drawn up by the Regional Natural Heritage Scientific Councils (RSCNH) and validated by the National Museum of Natural History, aroused strong

opposition. In 1996 the situation led the Prime Minister to freeze the implementation of the HD for a few months. Our previous works (Remy & al., 1999) showed that, beyond the hostility expressed by the representatives of forestry, agricultural, cynegetic and halieutic interests forming the “group of nine” which was too easily qualified as corporatist, the eminent place granted to scientific knowledge in the system delimiting sites was at the heart of numerous debates.

The concerted process selected in France after that crisis intended to answer this questioning of the monopoly on scientific knowledge by favouring the integration of protagonists (socio-professional, local elected representatives) with other competencies and legitimacies to select sites. The opportunity to collectively debate on the sites proposed to the Commission - in particular within the town councils concerned - was a decisive stage in the validation of new lists. It opened up a new phase in delimiting perimeters – which involved a notable reduction of the surface area, unequal according to regions - and, from 1999, consolidated the choice of implementing a concerted approach in the elaboration of the docob.

In April 2007, a list of 1 334 sites (SZC) was sent by France under the HD, to which 369 SZP were added under the Birds Directive. While the SZC covered 8% of the national territory, the two together represented more than 12%. The area of the SZC is variable, ranging from a few square meters (bat caves, for instance) to more than 100 000 hectares (Sologne), with a national average of 3 770 hectares. Regional distribution is also very heterogeneous, close to 20% of the territory in the Mediterranean area against less than 2% in some North-Eastern regions. This corresponds partly to an uneven distribution of the biological resources on the territory, but also to the regional and local balance of power between social groups in favour of or against conservation policies. For example, in the North-Pas-de-Calais where the opposition to HD was very strong, the sites’ regional surface area dropped from 13% in 1996 to 1.5% in 2003, while in the PACA region, where numerous protected natural sites already existed, it went from 38.5 to 19%.

On the basis of the “Natura 2000 barometer” regularly published by the European directorate for the environment, France presents a deficit in the global surface area proposed in relation to other European countries, such as Spain, which declares 38% of the territory (SZC and SZP). It is not the purpose here to validate this deficit or otherwise. However, taking into account socio-political indicators leads to the clarification of this relatively low territorial proportion. Nearly 13 700 communes, that is to say more than a third of the metropolitan municipalities grouping more than half the national territory, have a HD site or part of a site. This gap between the proposed surface area and the socio-political hold is linked to the size and forms of a very large number of sites: “wire” for rivers, “confetti” for sites where the choice was made to strictly identify only remarkable habitats zones, unlike the “potato” shape chosen elsewhere to group these zones into a single area of action. The participation of local elected representatives in the site validation process shows the new extent of the socio-political dimension in the implementation of a Nature policy. This characteristic was prolonged by the systematic presence of local elected representatives in the various bodies for the elaboration of the docob.

Territorial scheme for writing up documents of objectives

The construction of Docobs was marked by the will to associate the protagonists concerned in their diversity, through the establishment of spaces for debate and places for exchange with a view to defining management measures appropriate to each site, through negotiation and dialogue. The analysis of these “local scenes” as privileged places to build interactions first led us to question the nature of the territorial procedure implemented by the Ministry of the environment.

Delegating the elaboration of the docob to structures qualified as “operators” completely distinct from the Diren (Regional Directorate for the environment, regional ministerial services), such as local and regional authorities, the ONF (National Office of Forestry) and so on. constitutes a major institutional initiative. However, the Diren appointed these operators and controlled their work through more or less restrictive requirements. But in most cases, the appointed operator carried out its task of building the docob, mobilising experts and conducting dialogue with a real autonomy, without the presence of State departments. With the help of assignment officers who were the real kingpins, often appointed for the purpose, they carried out complex tasks, mobilizing, producing and collecting biological and socio-economic knowledge, recruiting people, organizing information and dialogue, elaborating and proposing management measures; this is how they came to involve themselves on behalf of State departments, without any guarantee of being followed.

This delegation process led to the institution of new groups of protagonists as legitimate parties to the implementation of State policies in the field of nature. As shown in figure 1, there are three main groups of operators : the local and regional authorities (Regional natural parks, but also district planning authorities, mixed local syndicates...), environmental associations (the Regional Conservatories for Natural Spaces, in particular) and forestry bodies (CRPF, Regional Centres of Forest Owners and ONF, National Forestry Office). On the other hand, though widely associated with agri-environmental policy, at least as operators, farmers’ unions were involved less in this approach.

The delegation principle seems to have been the result of the combination of regional legitimacy and naturalist competence. However, from 2005 onwards, the first quality was favoured since the law on the development of rural regions kept the status of operator for regional authorities only. With regard to the system implanted by the HD before 1998, which granted an eminent position to naturalist knowledge, this is a reversal.

Although, operators have broad autonomy in relation to the Diren services (Regional Direction for Environment), at regular intervals their work is submitted to a “steering committee” (Copil) directed by the Prefect, which includes representatives of the activities and main interests concerned by site conservation. This type of “local forum on nature”, which comprises between under 10 and more than a hundred members (with a median of 27), once again grants a large share to local elected representatives: in most cases, municipalities are represented here. Besides elected representatives, there are also representatives of the

administration, farmers' unions, environmental associations, hunting and fishery federations, foresters' interests (figure 2).

The “Local scenes” between prescription and deliberation

By acknowledging the legitimacy of a great diversity of protagonists to express their opinion on the local implementation of the HD, the institutionalization of the Copil contributes to strengthening the territorial dimension of nature policies. It allows participants to question public authorities on other matters not directly connected to the conservation of habitats and species, or to go back over former controversies between protagonists (farmers and regional authorities, foresters and hunters...) in new terms.

However, our observations show that participants in the Copil often experienced difficulties in discussing the propositions made by operators on the conservation of habitats and species, strictly speaking. The major difficulty is due to the diversity of knowledge brought up for discussion. By falling within the scope of extensive and complex techniques and sciences, it escaped most members of the Copil who could not understand it in full. As the Docob focused on the terms and objectives of the HD, the functioning of the Copil had a tendency to confirm the asymmetries between different protagonists when their stake was to assert their specific relationship with nature. Research has also shown that the hybridization between naturalist knowledge (essentially stemming from local or regional associations ; university and research institutions being little represented), technical and professional knowledge, and local knowledge was limited and that at best the various levels of expertise were juxtaposed.

Beyond the official institutional framework, the territorial dynamics of development of the system essentially relied on the work done by the operators and assignment officers. The latter were in charge of the constitution and supervision of more informal groups distinct from the Copil (working groups, experts' groups, local meetings through direct contacts with users...), the collection and organization of data relating to local knowledge and management of habitats and species, and ensuring the connection between naturalist scientific data and territorial projects developed by protagonists. This informal work was essential. The surveys carried out in the various regions show that, within these informal groups, the intensity of debates was largely determined by the assignment officer's ability to encourage dialogue, provide mediation between various actors and create an indispensable climate of confidence for exchanges to begin.

It was within working groups with few people (no more than ten) that discussions were most in-depth. These unofficial working groups were privileged debate areas where different technical cultures came face to face, confronted one another and adjusted together. As well as a majority of people usually invited to participate, such as farmers, environmental protagonists and local authorities, we must mention the presence of representatives of landowners, water management, tourism and sports ... (figure 3). The involvement of these new protagonists reveals a more complex image of social groups in rural regions. It also expresses the extent to which biodiversity conservation raised new stakes by putting the issue of real-estate landowners' rights and duties on the agenda, for example.

However, the appropriation of the biodiversity conservation stake varied greatly from one site to the next. The wide range of situations observed must be related to numerous parameters : the type of environment (more or less subject to usage), size of sites, diversity of discussion processes employed by operators, variable weight of different protagonists. The elaboration of docobs is part of a history marked by more or less strained relationships between various groups, by an unequal experience in building agreements in the field of nature. It may be said that the more the sites offered in terms of important ecological, economic and social stakes, the more the collective elaboration work on management - particularly in informal procedures - proved to be substantial and innovative.

Conclusion

At the beginning of 2005, more than 300 docobs were completed and validated by the Copil and 550 others were in progress. More than a third of French municipalities were concerned. Several thousand elected people and representatives of local interests were mobilized in the steering committees and tens of thousands of citizens were involved in various forms of consultation, negotiation, debate, and elaboration of management proposals. These figures testify to the great reflexivity of society on the treatment of nature, made possible by the implementation of the Habitats Directive. Compared to the initial blocks, the deconcentration approach and the choice of consultation certainly considerably increased if not the acceptance then at least the perception of the stakes of biodiversity conservation.

However, the unquestionable gains of the approach - from its promoters' viewpoint - are extremely fragile. The forming of social ties around conservation objectives was performed by assignment officers with insecure status and neither structure nor status was implemented to capitalize on the competencies acquired in the long term. The 2005 law on the development of rural regions modified the conditions of access to the status of operator, dismissing, formally at least, certain protagonists who had been involved, such as the Regional Conservatories of natural spaces and other environmentalist associations, causing them to transform their relationships with other users.

But above all, at the beginning of 2002 when the first docobs were validated, sometimes on very large sites, very little in the way of means was granted for the continuation of the work, that is to say for the formalization of management schemes by contract : use of systems implemented for farmlands (agri-environmental measures and sustainable agricultural contracts) and mobilization of existing budget lines for non-agricultural contracts (Life programme and management funds for natural environments). Adopted in May 2004, the National strategy for biodiversity in which the implementation of the HD is actually involved, is struggling to find the financial resources required for its implementation. There is a significant possibility that the progress made in building docobs is rapidly eroding.

Frame 1: Implementation of the Habitats directive in France

Broadly speaking, in France, the implementation procedure is made up of two main stages:

Designation of sites: in accordance with the directive instructions, the Ministry of the Environment gives the Commission a list of sites from criteria defined at the European scale. Before it is validated, this proposal is examined by Commission experts on the basis of bio-geographical regions.

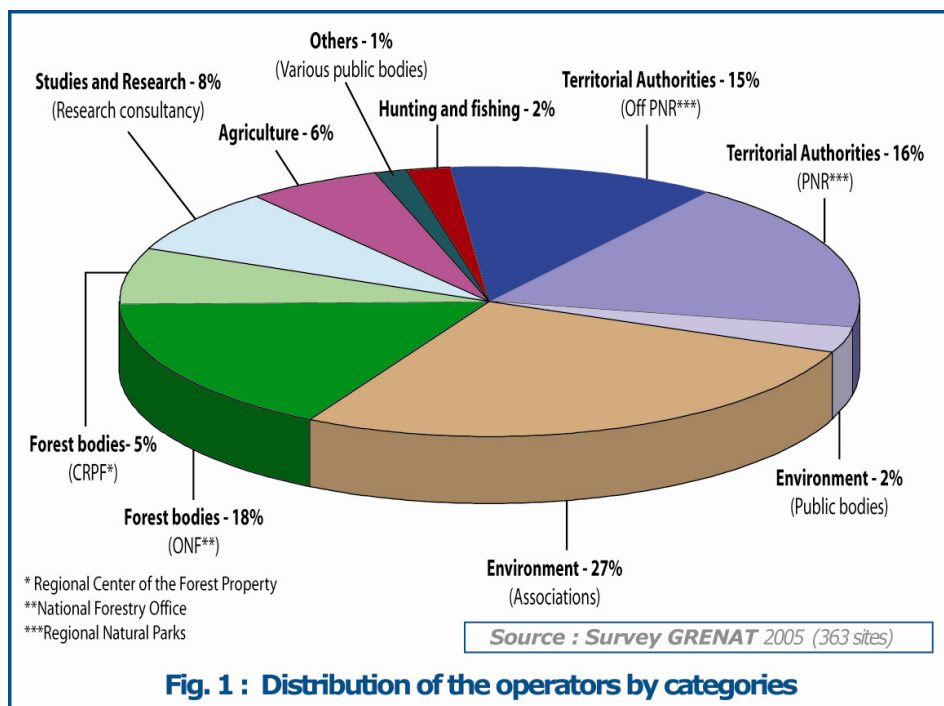
Elaboration of management systems: in France, the Ministry of the Environment favoured the contractual system for managing the sites. It decided to set up a management document named document of objective (docob). Drawn up under the Prefect's responsibility, it is elaborated in a concerted way. The docob must be approved by the prefectorial authority before formalization by contract.

Frame 2: the methodology is based on a double approach:

- **Qualitative**, between 2000 and 2005, from thorough observation work of the docob elaboration on 8 sites located in 4 regions: North-Pas-de-Calais, Burgundy, Poitou-Charente, Provence-Alpes-Côte-d'Azur.

- **Quantitative**, from 2001 to 2005, through the use of several databases (Ministry of the Environment, Museum of National History), and with a mailed survey on the sites' operators over the whole territory. Carried out by ourselves as and when the docob were completed, this survey is focused on the composition and organization of groups and on the forms of expertise mobilised during their elaboration.

Figure 1- Distribution of operators by category



“The local scenes” of biodiversity: Building a Natura 2000 network, in France

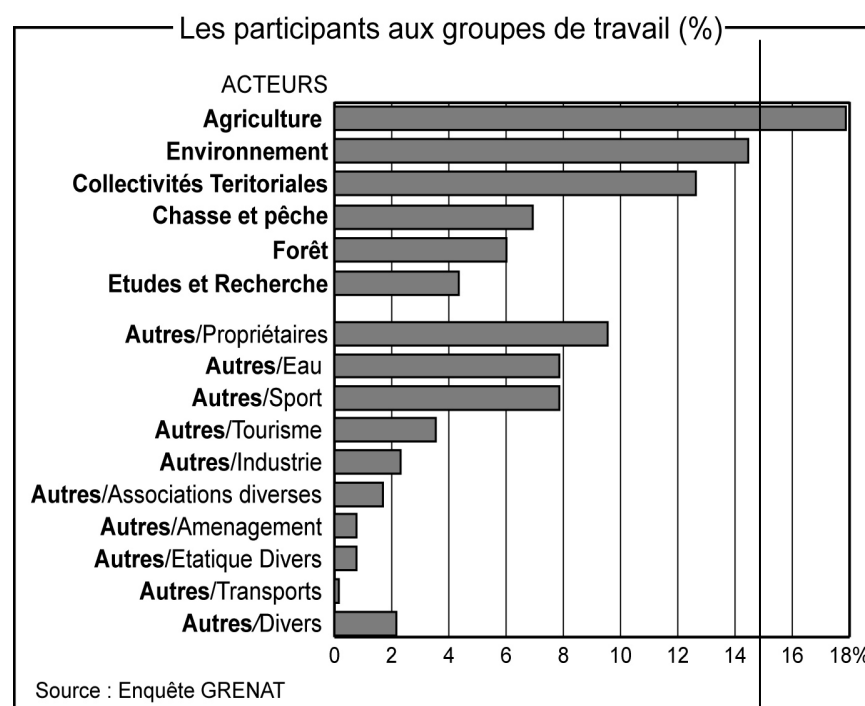
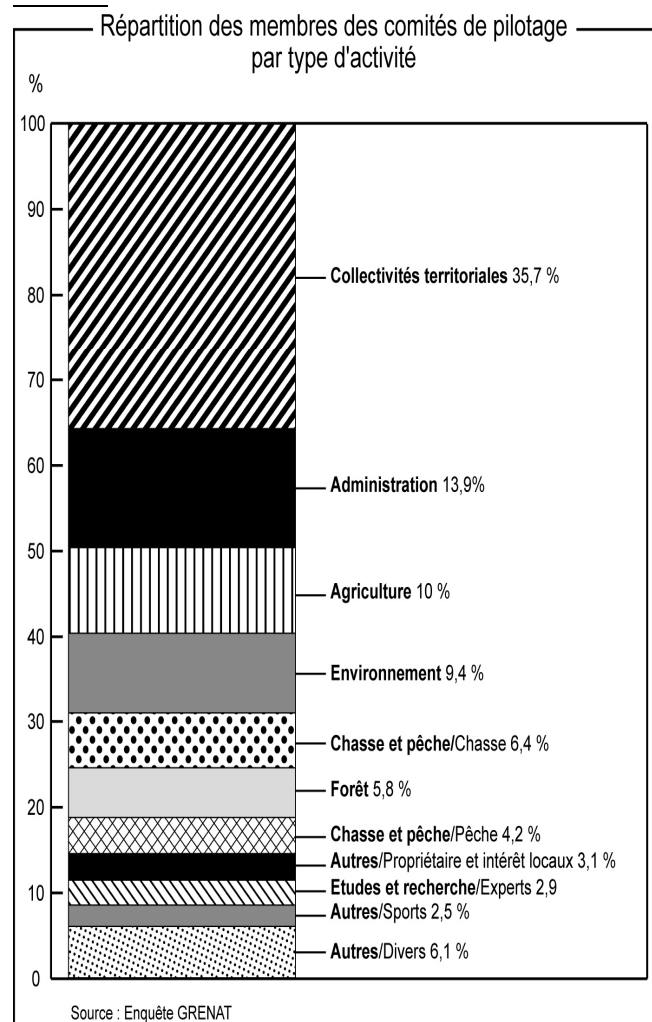
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Figure 2- Distribution of steering committees members per activity type



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For further information:

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