

Public Governance of Radioactive Waste Management

A walk in time and space

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Outline of talk

- Part I: The **two** ladders of public involvement
- Part II: Climbing the ladders in OECD countries
- Main message and conclusion: It takes **three** to tango

PART I

***“Public Involvement” in Complex or
Controversial Technical Projects:
Quite an evolution...***

The ladder of public involvement in technical projects (from B. Fischhoff)

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- All we have to do is get the numbers right
 - All we have to do is tell them the numbers
 - All we have to do is explain what we mean by the numbers
 - All we have to do is show them that they've accepted similar risks in the past
 - All we have to do is show them that it's a good deal for them
 - All we have to do is treat them nice
 - All we have to do is make them partners
 - All of the above

The ladder of public participation in decision making

Increasing participation



- Public right to know
- Public right to object
- Restricted participation
- Public participation in defining interests, actors and determining agenda
- Public participation in assessing risks and recommending solutions
- Public participation in final decision

If only life were less complex ...

- **After WW2: expert = decision maker**
- **Later: expert \neq decision maker**
- **Later yet : decision maker \neq single party or politician, but more and more *collective action***

Collective action ...

- **Is brought about by the new electronic age of communication:**
 - **Microsoft opens its software to external firms...**
 - **IBM opened its technical hardware to external firms..**
 - **People share their computers so that massive calculations can be done for space and bio-research**
 - **E-Bay**
 - **Wikipedia.....Everybody's lap/desk-top is now his press room, his business room, his library,...**

- **A new economy, based on collective action is affirming itself. A new form of democracy, more participatory, is being born.**

Collective action ...

- Is also brought about by major crises, linked to globalization: **mad cow disease, contaminated blood transfusions ...**

- Issues arise of **Competence, Credibility** and need for **Familiarity and Control**:
 - Credible actors and confidence in the way they approach management is especially necessary where people have little familiarity and little control and there is a strong symbolic dimension : **waste, radioactivity**, and **nuclear** form a particularly difficult trilogy

Collective action ...

- Globalization has brought down many of the walls that limited the movement and reach of people. It has wired the world into networks, giving **greater power than at any time in history to interested parties, including individuals, to affect public decisions.**
- With these new voices influencing the process, decisions are highly likely to be challenged and/or revisited.
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- "If globalization were a sport, it would be the 100-meter dash, over and over. And no matter how many times you win, you have to race again the next day".

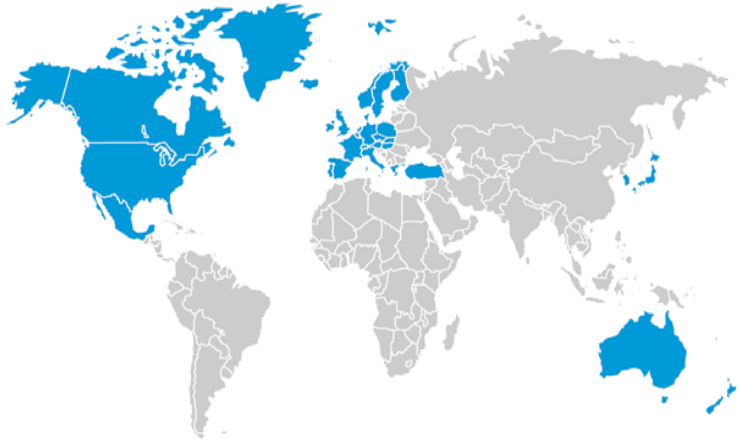
Collective action ... is the basis of the modern concept of governance

Governance has dozens of definitions today... For example:

“Issues related to the involvement of stakeholders - scientists, industry, consumers and public authorities - in the process of policy design, implementation and evaluation”

- **CITIZEN AS PARTNERS (Handbook)** *OECD Public Management (PUMA) project*
- **Guiding principles for engaging citizens...** *PUMA Brief No. 10*
- **“Mind the Gap: Fostering Open and Inclusive Policy Making”**
An issues paper, 25 January 2008

Check out the OECD...



The 30 OECD Members and Year of Entry

AUSTRALIA:	1971	KOREA:	1996
AUSTRIA:	1961	LUXEMBOURG:	1961
BELGIUM:	1961	MEXICO:	1994
CANADA:	1961	NETHERLANDS:	1961
CZECH REPUBLIC:	1995	NEW ZEALAND:	1973
DENMARK:	1961	NORWAY:	1961
FINLAND:	1969	POLAND:	1996
FRANCE:	1961	PORTUGAL:	1961
GERMANY:	1961	SLOVAK REPUBLIC:	2000
GREECE:	1961	SPAIN:	1961
HUNGARY:	1996	SWEDEN:	1961
ICELAND:	1961	SWITZERLAND:	1961
IRELAND:	1961	TURKEY:	1961
ITALY:	1962	UNITED KINGDOM:	1961
JAPAN:	1964	UNITED STATES:	1961

OECD Strategic Objectives

- Promote sustainable *economic growth*, *financial stability* and structural adjustment
- Improve *human capital* and *social cohesion*, and promote a sustainable environment
- Contribute to *shaping globalisation* through the expansion of trade and investment
- Enhance public and private sector *governance*
- Contribute to the development of *non-member economies*

OECD THEMES

- - Ageing Society
- - Agriculture and Food
- - Biotechnology
- - Food Safety
- - **Competition and Regulatory Reform**
- - Economics
- - **Education and Skills**
- - Electronic Commerce
- - Emerging and Transition Economies
- - Employment
- - **Energy**
- - Enterprise, Industry and Services
- - **Environment**
- - Fighting Bribery and Corruption

OECD THEMES (cont)

- - Finance and Investment
- - “Future” Studies
- - Governance
- - Guidelines for Multinational Enterprises
- - Health
- - Information Society
- - Insurance and Pensions
- - International Migration
- - Money Laundering
- - Nuclear Energy
- - Science and Innovation
- - Social Issues
- - Statistics
- - Sustainable Development
- - Taxation
- - Territorial Economy
- - Trade
- - Transport

PART II

Radioactive Waste Management: Climbing the Ladders

***Lessons learnt at the NEA starting
from the early 1990s ...***

Workshop on “Informing the Public About RWM” (1995)

- “Social and ethical issues are at least as important as technical issues” “There is a difficult balancing problem to be resolved between local ethical *desirables* and national ethical *imperatives*.”
- “We must include the economic dimension in our communication programmes, including setting out the funding methods that will ensure that costs will be met when they are incurred, which may well be far in the future.”
- “Public involvement, at the earliest possible stage, is perhaps the most vital requirement, although it will not necessarily be enough. The public deserves and should have our respect. We cannot expect their trust if we do not trust them. Without them we are lost.”

NEA-RWMC “Collective Opinion” of 1995

- **The technical RWM community had been taking up the issue of ethics**
- **The C.O. of 1995 concluded that:**
 - **geologic disposal meets the ethical imperatives**
 - **“stepwise implementation of plans for geologic disposal leaves open the possibility of adaptation, in the light of scientific progress and social acceptability, over several decades, and does not exclude the possibility that other options could be developed at a later stage”**

Through the mid 90's ...

- Public relations and communication folks had raised the non-technical issues to the technical decision makers
- ... the technical RWM community started by taking up the **ethical** aspects but not the **social** aspects, although these were understood to be **pivotal**.
- A “we versus them” attitude still prevailed.
- The need to take up social issues, and in a new way, was re-enforced in 1996 and 1997 by
 - the criticism and subsequent de-structuring of the Canadian R&D programme - one of the major findings was that “**social safety**” had **not** been demonstrated
 - plus difficulties in other national programmes

The NEA 10-YEAR STUDY (2000)

- Most organisations saw it as their duty to reach out
- Even where there was no strong constraint on institutions to consult with the public, **the tendency was seen to be seeking a dialogue**
- Dialogue building had NOT been successful, **which argued for RW managers to pay “increased attention to the issues involved, *even if these issues do not strictly fall within traditional areas of science and engineering*”**

The NEA 10-YEAR STUDY (2000)

- National requirements for progressing repository programmes emphasised “*policy and organisational aspects, and the mechanisms for public acceptance of current technical solutions, rather than development of improved technical solutions*”.
- Major needed development:
 - Clear *stepwise* procedures for siting studies and repository development, and
 - methods for effective *communication* and for gaining public acceptance in the stepwise development of appropriate national solutions
- **As result:** in 2000, stakeholder issues become part of the NEA RWM technical community's strategic areas

Over 5 years, a paradigm change ...

- **Many important conclusions:**
 - Societal aspects are pivotal;
 - Stepwise development; adaptation;
 - Involve public at early stage;
 - Communication beyond technical aspects
- ... shift to active role of RWM institutions, ...(but still a lot had to be learnt ...)
- ... learning needs to take place “in the field” and not just in workshops behind closed doors
- Launch of the **Forum on Stakeholder Confidence (FSC)** (2000 – ongoing; dialogues in Finland, Canada, Belgium, Germany, Spain, Hungary,....France is next)

NEA FORUM ON STAKEHOLDER CONFIDENCE (FSC)

- Initiative to improve understanding of the principles of stakeholder interaction and public participation in decision-making related to RWM and to provide guidance.
- **First and foremost a *learning organization*: seeking to improve ourselves by uncovering practical knowledge, validating it with those most concerned and with academic feedback, consolidating & transferring lessons**
- A wider representation of civil society is obtained through workshops held in national contexts, including national and local stakeholders
- Not everybody can be invited all the time as we move from nation to nation, but a relationship is maintained with all participants and with other organisations or individuals wishing to be kept abreast

Legislation is in place...opportunities and challenges

- Requirements on national and international level reflect the need to involve public in environmental and long-term decision making
- These frameworks provide **legitimacy** but cannot provide methods and guidance for every situation. To some extent these are still experimental tools (e.g., the EIA in Europe...)
- Forms of participatory democracy are something recent in our societies.
- Engaging with stakeholders implies not only the challenge of new procedures but also the opportunity for:
 - **More clarity in roles across the board ; Change in mentality; New skills and resources ; partnership arrangements in order to work out the issues together**

Three aspects paramount to any decision making

- **Process** – *Procedures and plans for making decisions should be designed* to be visible, iterative, flexible and facilitating collective involvement and learning.
- **Structure** – *Clear roles and responsibilities must be assigned* to involved actors, and their interdependencies made visible.
- **Behaviour** – *Individuals and institutions must demonstrate core values*, be respectful of each other's roles; competent and rigorous in their field of expertise; open, transparent and willing to involve others; proactive in initiating dialogue; willing to listen and respond to a broad variety of stakeholder concerns.

THREE PILLARS OF TRUST

- **SAFETY**
- **PARTICIPATION**
- **LOCAL DEVELOPMENT/QUALITY OF LIFE**

Main messages around the “Three Pillars of Trust”

➤ Safety

- Necessary for individuals to be able to act, take decisions, make use of own freedom. Not negotiable.
- Taking care of safety should be as small a burden as possible for current and later generations.
- Municipalities are interested in day-to-day issues
- Provision of adequate and continued information is essential for communities to be assured of safety.
- The participation of local follow-up committees and local agencies, e.g., in monitoring, contributes to safety and assuring, and helps maintain trust.

Main messages around the “Three Pillars of Trust”

➤ Participation

- **Effective way of keeping abreast local politicians and communities, but also a good means to go beyond one-way information.**
- **It allows deeper consideration of concerns about safety, impacts on society, the future status of the site, and community benefits.**
- **Participation allows better awareness of the structure of actors. Participants in a project are better able to situate responsibilities, e.g., as when questions are asked that deal with national vs. local issues**
- **It allows better decisions and is conducive to sustained progress**

Main messages around the “Three Pillars of Trust”

➤ Local Development

- **There are demands on the nuclear sector to ensure high socio-economic potential and quality of life**
- **Communities are eager to take part in deliberations about the land is used, and to receive assurances of different natures about the viability of the region**
 - **A higher standard of living in the host community through e.g. increased tourism, better connections with regions, the capital...**
 - **Technical training to participate in environmental monitoring**
 - **Community familiarity with the nuclear industry and the knowledge of community members working in existing facilities and construction sites**
- **In the case of decommissioning, sustainability funds – as seen in mining industry – may be interesting instruments**

CONCLUSIONS ...

- Amongst the main messages of the FSC (and the OECD/NEA), four stand out:
 - Technical soundness and procedural fairness are of comparable importance
 - Stakeholders must have access to understandable information about what is happening and why
 - Stakeholder confidence is never be established “once and for all,” and it must be earned on a continual basis
 - There is no shortcut to quality decision-making: “do not skip hoops”

Conclusions ...

- **A more complex interaction** is now taking place at national, regional, and especially at local levels
- **A more realistic understanding** of decision making, in steps, involving a range of actors is emerging.
- Governments and institutions are **adapting** and also being **proactive** in “riding” the trends.
- Where these lessons have been learnt, solid progress is being made.
- **Yes** : It takes at least **three** to tango; ***“to consult is not negotiable”***; ***“the time is now to build those relationships”***; **Collective action is here to stay**