
DECENTRALIZATION OF DUTCH NATURE POLICY: *OPPORTUNITIES AND THREATS FOR NATURE*

Context:

MSc. Thesis: *Decentralization of Dutch Nature Policy: Opportunities and Threats for Nature.*

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PREFACE

I would like to thank my supervisor Dr. Jos Dekker for the insightful discussions regarding this subject, for the clear and helpful comments on earlier versions of this report and for the useful literature he provided to me. This MSc. thesis is a literature study regarding the recent decentralizations of nature policy in the Netherlands and is part of the Ecology and Natural Resource Management (ENRM) track of the MSc. Program Environmental Biology of the University of Utrecht, the Netherlands.





SUMMARY

Recently, the Dutch government and the provinces decided to increase the degree of decentralization in nature policy. To do so policy agreements between the governments were made in the Nature Agreement. This thesis analyses the recent decentralization of nature policy in this agreement according to criteria for successful decentralization to determine the strengths and weaknesses of this decentralization and the opportunities and threats of this decentralization for nature. The focus in this thesis is on the decentralization of national nature policy towards the provinces, the relations with other governments and non-governmental organizations is not addressed in detail.

Criteria for successful decentralization used in this study are derived from the analysis of former decentralizations of Dutch nature policy together with more general criteria derived from the literature. These criteria are: policies including decisions of (inter)national importance are unsuitable for decentralization, complex and multi-faceted policy issues in an area specific context are suitable for decentralization, the suitability of the parts of the policy cycle for decentralization, the availability of sufficient resources, political commitment, a clear legal framework, accountability and transparency at the local level and the capability and readiness of the personnel to execute decentralized tasks. Besides, the involved governments must also stick to their agreements in order to make a decentralization successful.

This literature study shows that not all administrative nature types of the Netherlands are suitable for decentralization towards the provinces. Nature types more suitable for decentralization are: national landscapes, the development areas and robust connection zones of the EHS, agricultural lands, the green blue veining and green in and around cities. Because these nature types include complex issues in a regional context, which are preferably managed by the provinces as they stand closer to these issues. Other nature types preferably governed by the national government are: core areas of the EHS (national parks and Natura 2000 sites) and protected nature monuments (outside of Natura 2000), because these areas are of internationally important ecological value, and the Dutch government made international commitments regarding these nature types.

Some parts of the policy cycle seem more suitable for decentralization compared to others. The implementation stage of nature policy is the most suitable stage for decentralization and is already decentralized to a large extent in the Netherlands. The suitability of the decentralization of the agenda setting and formulation stage of the policy cycle depends on the context of the policy issue and the administrative type of nature in which the issue occurs. The formulation and agenda setting of complex and multi-faceted policy issues woven into a regional context can better be handled at the provincial level, as they stand closer to the issues and the involved stakeholders. Whereas the formulation and agenda setting of more central, uniform and generic policy issues can better be handled at the national level. The review of policies (review stage) needs to be done at the same level as the agenda setting stage.

Some decentralizations of the Nature Agreement are more likely to be successful compared to others. The decentralization of national landscapes, other nature, parts of the EHS (core areas excluded) and the responsibility for the management plans for Natura 2000 sites do seem suitable for decentralization, because these parts of this decentralization offer complex multifaceted issues involving many stakeholders. Whereas other parts of this decentralization such as the decentralization of national parks, protected nature monuments and decisions on conservation matters and harmful activities in and around Natura 2000 sites, seem unsuitable for decentralization. Because these parts of decentralization include decisions of international importance based on international commitments.

The most important weakness of this decentralization is the lack of (financial) resources at the provincial level. Besides this other weaknesses are: some lack of political commitment, obscurities of the legal framework, possible fragmentation of internationally important parts of nature policy and some lack in the capability and readiness of the personnel. Important strengths are the decentralization of complex multifaceted policy issues in a regional context towards the provinces and the accountability and transparency of the Nature Agreement.

Important opportunities for nature regarding this decentralization are: the possible increase of social support for nature policy, the possible increase of freedom for local natural resource managers to give their own interpretation on nature management, more opportunities for the provinces for region specific developments and the increase of local variation in Dutch nature. This decentralization of nature policy can improve the local identity of Dutch nature and enhance regional developments. But this decentralization seems to bring more threats for nature, with as most important threat the degradation of existing nature due to the lack of financial resources at the provincial level (governmental cuts). Besides, the fragmentation of internationally important nature, the possible priority for some provinces for economic development instead of nature conservation and development and the probable loss of knowledge of nature (policy) on the national level, are also important threats for nature.



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INTRODUCTION

The Netherlands is a 'decentralized unity state' in which the relations between the national government and lower governments are a recurring theme in national policy [Toonen, 1987]. Decentralization of tasks and responsibilities from the national government to lower governments (provinces, municipalities and water boards) is often proposed as a solution for numerous problems regarding to the implementation and legitimacy of national policy. But decentralization is a more complex process than often proposed by policy makers [Selnes and Kuindersma, 2006]. Evaluation of former decentralization measures showed that these did not always turn out to be successful [Twynstra Gudde *et al.*, 2010]. Therefore the degree of decentralization in the Netherlands is frequently debated over time, and as the national government recently presented plans to further decentralize nature policy, the discussion continues.

This thesis concerns these recent developments regarding to further decentralization of nature policy in the Netherlands. Decentralization of nature policy is not new in the Netherlands, since the 1990's the national government started decentralizing nature policy. As a consequence nature policy is already decentralized to a large extent, with the provinces already being mainly responsible for the implementation of nature policy [Gerritsen *et al.*, 2009]. Recently, the national government, the provinces, the union of water boards and municipalities concluded an agreement on further decentralization of policy, including nature policy [VNG *et al.*, 2011]. This led to the development of a new law of nature (draft) in which provinces get more tasks and responsibilities for Dutch nature. This proposed new law of nature is less complicated, follows closely with international commitments and decentralizes nature policy where possible. If this law gets approved the provinces will mainly be responsible for nature policy by 2014 [EL&I, 2011]. According to the government a new view on nature is needed because the main focus of the recent years was on accomplishing ecological goals, like the National Ecological Network and Natura 2000. This focus went hand in hand with rulemaking which gave nature policy a procedural character. This pushed the public function of nature to the background and led to a decrease of public support for nature policy. To increase social support for nature policy and bring nature policy closer to the people, decentralization to the provinces is proposed as a solution by the national government. Because the provinces could be more capable to solve problems in a local context and fulfill local needs [PBL, 2012].

A bigger role for the provinces might bring opportunities for nature policy, such as local variation in nature (policy), more area specific nature policy and increased social support for nature policy, which can result in opportunities for nature. But there may also be threats for nature due to decentralization. An important threat for nature is that the provinces have to be more cost-efficient compared to the national government, as this decentralization goes hand in hand with substantial governmental cuts of 600 million euros in the Investment budget for rural areas (ILG) [VNG *et al.*, 2011]. Besides the loss of national guidelines for (inter)nationally relevant nature and degradation of nature in some provinces are also possible threats for nature [Dekker, 2011]. This thesis makes a trade-off of the threats and opportunities for nature of the recent decentralizations and tries to answer the major research question; *What are threats and opportunities for nature of the recent developments regarding to further decentralization of nature policy in the Netherlands?*

The focus in this thesis will be on the decentralization of tasks and responsibilities from the national government towards the provinces, the relations between the national government and other institutions (or governance) will not be addressed in detail in this thesis. Regarding to 'Nature Agreement' or recent decentralizations, the latest policy agreement discussed in this thesis is the one between the national government (EL&I and BZK) and the provinces (IPO) the 'policy agreement on nature decentralization' conducted on the 20th of September 2011 (Dutch: 'onderhandelingsakkoord decentralisatie natuur') [EL&I *et al.*, 2011].



The first chapter of this thesis focuses on the history of decentralization of nature policy in the Netherlands. Here former decentralizations of nature policy in the Netherlands will be evaluated. Mistakes made during these decentralizations can be useful lessons for future decentralizations. These lessons learned from the past in combination with the theoretical background on decentralization will be used to set criteria for successful decentralization of (nature) policy in chapter 2. There are many types of nature in the Netherlands, all with different locations, ecosystem functions, habitat types and ecological and economic values. Some of these nature types may be more suitable to be decentralized to the provinces, while others should better be governed by the national government. The different administrative nature types in the Netherlands will be characterized and their suitability for decentralization to the provinces will be analyzed in chapter 3. Besides this the national government and provinces also differ in their capabilities on policy level. Collaboration between these governments is key, and clear and solid agreements are necessary for successful decentralization. But some parts of the policy cycle are more suitable for governing from national level while others can be decentralized to the provinces (or other organizations). Therefore the roles of the different actors in the policy cycle will be discussed in chapter 4. After this the recent developments regarding the decentralization of nature policy will be evaluated in chapter 5. In this chapter the decentralizations of the latest policy agreement will be compared to the criteria for successful decentralization, to determine its strengths and weaknesses. Followed by the threats and opportunities of the Nature Agreement for nature. Finally we will discuss the results of this thesis and present the most important findings in chapter 6 (discussion and conclusion).



CHAPTER 1: Decentralization in the Netherlands

Mistakes are often a precondition of improvement, so it is important to use lessons from the past to benefit from them in the future. What are the lessons learned from former decentralizations of Dutch nature policy? Or, what are criteria for successful decentralization of (nature) policy derived from the past? In this chapter we try to answer these questions by analyzing some former decentralizations of nature policy in the Netherlands. Besides this the recent developments regarding to the decentralization of nature policy in the Netherlands will be introduced.

1.1 THE NETHERLANDS AND DECENTRALIZATION

Decentralization of policy started in the 1980's in the Netherlands and since this period decentralization of national policy towards lower governments such as the provinces, municipalities and other public organizations, has been addressed frequently. The *'Policy document on decentralization'* (Dutch: *'Decentralisatie nota'*) of the former Minister of the Interior and Kingdom Relations, Hans Wiegel in 1980, is often seen as the starting point of decentralization policy in the Netherlands [Selnes and Kuindersma, 2006]. Since this starting point the degree of decentralization in the Netherlands mostly increased. Constitutionally the Netherlands is a *'Decentralized unitary state'* (Dutch: *'gedecentraliseerde eenheidsstaat'*), with a decentralized governance system [Toonen, 1987]. In this decentralized unitary state, the state is governed as one single unit by different individual governments (national government, provinces and municipalities) which share common objectives. Each of these individual, autonomous policy layers is responsible for its own tasks and responsibilities within national policy, and has its own tax territory. The supreme national government decides which tasks and responsibilities are delegated to the sub-governments (provinces and municipalities) and is responsible for controlling the unity of the state and lawmaking. In the past decades numerous efforts to improve policy by the decentralization of policies are made in the Netherlands. The arguments to do so are usually about [Gerritsen *et al.*, 2009]:

- Less fragmentation and less orientation on implementation in national policy.
- The desire to strengthen local democracy.
- Reducing the gap between the 'administering' and 'administered'.
- To increase the effectiveness and functionality of policies.

1.2 DECENTRALIZATION IMPULSE

In Dutch nature policy, the *'Decentralization impulse'* (Dutch: *'Decentralisatie impuls'*) of 1991 is seen as the start of decentralization. The signing of the *'Decentralization impulse agreement'* (Dutch: *'Decentralisatie impuls akkoord'*) by the governments in 1993 was the first concrete step in decentralization of nature policy. Before this agreement was conducted, nature policy was governed centrally by the ministry of Agriculture, Nature and Food Quality (Dutch acronym LNV) and its predecessors. To do so LNV had its own departments within the provinces. With this agreement there was a significant shift towards decentralization of nature policy to the provinces [Selnes and Kuindersma, 2006]. The most important features of this decentralization operation were [Huiteima and Hinssen, 1998]:

- The provinces control the implementation of: land purchasing, land development, management agreements, and parts of the nature and outdoor recreation, through provincial multiannual programs.
- The implementation of (legal) sector-based instruments (Nature conservancy act, Forest act) is transferred to a large extent to the provinces.
- The provinces get the required financial resources of the aforesaid policy through the *'Green fund'* (Dutch: *'Groenfondsen'*) and the required official staff is expanded at the expense of the civil service of LNV.
- The government agency for rural areas policy (Dutch acronym DLG) is released from the LNV and transformed to a common execution service of both the state and the provinces.



According to these features the role of the provinces in nature policy seemed substantially increased, but according to Selnes and Kuindersma (2006) it is questionable if the influence the provinces had on nature policy actually increased. This because the decentralized tasks mainly involved implementation of nature policy, and many tasks were still preformed centrally by LNV. The state (LNV) still had the biggest influence in nature policy, especially because they were still in charge of a big part of the related finances. The decentralization impulse was the first small, cautious and limited step towards the decentralization of nature policy in the Netherlands. But it took until 2007 before the next big step towards the decentralization of Dutch nature policy was taken.

Sollard and van den Bosch (2006) analyzed the experiences of the provinces regarding to the decentralization of the implementation of nature and landscape policy in the period of 1990 till 2005 (period after the '*decentralization impulse*'). According to them the provinces experienced difficulties in some cases regarding the realization of nature and landscape goals. Reasons for this were the lack of financial resources, inadequate instruments (management plans), capacity problems and bureaucratic procedures at the provincial level. Besides the provinces also experienced that there sometimes were inaccuracies about who was in control (national government or provinces). So, lessons learned from this period are that there need to be sufficient resources (financial, organizational, instrumental and human) on the decentralized (provincial) level, and that the division of tasks and responsibilities between the national government and the provinces need to be clear, to accomplish a successful decentralization.

1.3 RURAL AREAS INVESTMENT BUDGET (ILG)

The biggest decentralization of nature policy towards the provinces took place in 2007, with the introduction of the Rural Areas Investment Budget (Dutch acronym ILG). With this ILG the governance structure for rural areas policy changed drastically in the Netherlands. Instead of the national government, the provinces became primarily responsible for the development and implementation of rural areas policy. The ILG covers the following policy themes: nature conservation, recreation, landscape, agriculture, social-economic vitality, environment, water and reconstruction areas [Kuindersma and Selnes, 2008]. With the establishment of the ILG, tasks and responsibilities have been decentralized and delegated to the provinces within a particular framework, which is specified in 'governance contracts' between the national government and the provinces. These contracts determine the investment period and the contributions to the various policy themes by the national government, the magnitude of the investment budget, the available capacity of the government agency for rural areas policy (Dutch acronym DLG) and the available funds from the provinces themselves and from third parties. The national government generally evaluated this decentralization to the provinces as being favorable, in that it brings nature policy closer to the citizens. This because the provinces stand closer to the people compared to the national government, and therefore are more capable to keep up with local needs and develop nature in a more local context [Slangen *et al.*, 2008]. Besides, the introduction of the ILG could also take away some of the difficulties from the period of 1990 till 2005, because if the provinces get more control, there will be more clarity on who is responsible [Sollard and van den Bosch, 2006].

Although the provinces may be the best level for decision making regarding nature and landscape quality, Slangen *et al.*, (2008) noted that they may not be so for quantity issues. Decisions on the total size of wildlife areas and other decisions of (inter)national importance might better be made on the national level. Selnes and Kuindersma (2008) presented other potential threats of the ILG. The most important threats were:

- Fragmentation of important national and European policy tasks (National Ecological Network (EHS), Natura 2000).
- The national government will try to change agreements (governance contracts) with the provinces, putting (more) pressure on their relationship.
- If the provinces lack the knowledge needed for rural area policy this can result in big financial and social risks.



So what are the lessons learned from these ex-ante evaluations on the establishment of the ILG, regarding to decentralization of nature policy to the provinces? The first point to make is that the provinces seem very suitable in being a link between 'areas' and the government, are capable to keep up with local needs and therefore could develop nature in a more local context. But secondly, other decisions regarding nature policy which are of (inter)national importance might better be made on the national level, as it can lead to fragmentation of important international and European policy tasks. This indicates that not all parts of nature policy are suitable for decentralization, some parts of the policy cycle are more suitable for decentralization compared to others. Besides, it is important for the involved governments to conduct clear and solid agreements regarding to the governance contracts, to maintain a productive relationship between the governments. The risk of the national government changing governance contracts through the process, could put pressure on their relationship. The last lesson to be learned from the decentralization regarding the ILG is the knowledge needed for rural area policy and nature policy has to be available on the local level (provinces), or else it could result in big financial and social risks.

1.4 POLICY AGREEMENT STATE & PROVINCES (2008)

During the government of Balkenende IV (2007-2010), the national government and the provinces signed the '*policy agreement state provinces 2008*' (Dutch: '*Bestuursakkoord decentralisatie staat provincies 2008*'), also involving decentralization of nature policy. The main objective of this decentralization was to increase the independency of the provinces (and municipalities) in solving social problems [VNG *et al.*, 2008]. This decentralization of policy included substantial governmental cuts of approximately 800 million euros on the different policy domains. Sixteen months of negotiation were needed to conduct this agreement, suggesting there were a lot of difficulties in conducting this agreement. According to de Gier (2011), this decentralization seemed imposed by the national government, mainly to carry out these substantial governmental cuts. He concludes there was a lack of mutual interest for the provinces and the national government which made this agreement difficult to reach. Besides this the national government (LNV) could not let go of their responsibilities. Therefore this decentralization did not turn out to be successful.

As discussed before the success of decentralization depends on the productiveness of the relations between the involved governments. The way the involved governments reach their agreements is key for a successful decentralization. Because this decentralization was difficult to accomplish, Twynstra Gudde *et al.*, (2010) analyzed the accomplishment of this policy agreement. They came to the conclusion that the agreements made in this policy agreement mainly focused on the division of policy and tasks, rather than how these changes were to be implemented by the governments (organization of implementation). Therefore this policy agreement seemed incomplete, it lacked agreements on the organization of the division of policy and tasks. They presented some points of importance regarding to the conduction of future agreements on decentralization. First, it is important for the involved governments to develop clear and common goals and objectives regarding to the policy agreement. Second, the goals, tasks and responsibilities of the involved governments need to be concretized and the amount of (financial) resources needed to do so need to be taken into account. And finally the organization of the implementation of the policy agreement is necessary to successfully conduct a policy agreement.

Concluding, the first important lesson learned from this decentralization is that the basis for successful decentralization of policy is clear and complete policy agreements or contracts between the involved governments. In these agreements the common objectives and goals of the governments, the tasks and responsibilities of the governments and the required resources to do so, need to be concretized. Besides, the implementation of the policy agreement or contract also needs to be organized in the policy agreements, in order to accomplish a successful policy agreement or contract. Secondly, it is also important for the national government to let go of tasks and responsibilities decentralized to the local level (provinces).



1.5 CRITERIA DERIVED

As discussed before, the lessons learned from former decentralization measures can teach important lessons for the future. Some criteria for successful decentralization, can be derived from the lessons learned from former decentralizations to the provinces, these criteria are summarized in **Box 1**.

Box 1: Criteria for successful decentralization derived from lessons learned of former decentralizations.

CRITERIA DERIVED:

- ***Policies including decisions of (inter)national importance are unsuitable for decentralization*** towards the provincial level, as this could result in the fragmentation of important (inter)national policy tasks and responsibilities.
- ***Suitability of the parts of the policy cycle for decentralization***; Some parts of the policy cycle are more suitable to be decentralized (for example: implementation) to the provincial level (provinces) compared to other parts.
- ***Clear and complete policy agreements*** between the involved institutions (national government and the provinces).
- ***Availability of financial resources*** on the provincial level; there has to be sufficient financial capacity on the provincial level to accomplish the decentralized tasks.
- ***Availability of knowledge*** on the provincial level; the knowledge needed for the decentralized policies and tasks has to be available on the provincial level.
- ***Availability of human capacity*** on the provincial level; the human capacity needed for the decentralized policies and tasks has to be available on the provincial level.
- ***Availability of management instruments*** on the provincial level; the management tools needed for the decentralized policies and tasks has to be available at the provincial level.
- ***Involved governments must stick to their agreements***, the central government must be able to let go of decentralized tasks and responsibilities to avoid unwanted interference between the involved governments.

1.6 RECENT DEVELOPMENTS

Recently, the national government, the provinces, the union of water boards and municipalities conducted an agreement on further decentralization of policy, including nature policy, the 'Policy agreement 2011 - 2015' (Dutch: 'Bestuursakkoord 2011-2015') [VNG *et al.*, 2011]. This led to the development of a new law of nature which aims to be less complicated, follows closely with international commitments and decentralizes nature policy where possible. If this law gets approved, the provinces will mainly be responsible for nature policy by 2014 [EL&I, 2011]. According to the government, a new view on nature policy is needed because the main focus of the recent years was on accomplishing ecological goals, like Natura 2000 and the EHS. This focus went hand in hand with rulemaking which gave nature policy a procedural character. This pushed the public function of nature to the background and led to a decrease of public support for nature policy. To increase the social support for nature policy and bring nature policy closer to the people, decentralization to the provinces is proposed as a solution by the national government. This because the provinces are more capable to solve problems in a local context and fulfill local needs [PBL, 2012]. The provinces do have to be more cost-efficient in executing the decentralized tasks compared to the national government, as this decentralization goes hand in hand with substantial governmental cuts of 600 million euros in the Investment budget for rural areas (ILG) [VNG *et al.*, 2011].



The latest policy agreement between the national government (EL&I and BZK) and the association of the provinces of the Netherlands (Dutch acronym: IPO) on the decentralization of nature policy, is the '*Nature Agreement*' (Dutch: '*Natuurakkoord*') [EL&I *et al.*, 2011]. With this agreement the state and the provinces believe to genuinely contribute to the realization of international goals. Conducting this agreement took almost a year, and the parliament of the Netherlands approved the agreement in the end of 2011 [Volkskrant, 2011]. After this agreement was conducted by the State Secretary of EL&I, Bleker and the IPO, each of the twelve provinces of the Netherlands had to approve this agreement. Of the 12 provinces 7 approved the agreement while four other provinces (Noord-Brabant, Friesland, Groningen and Drenthe), voted against the agreement. The province of Flevoland postponed their decision [Volkskrant, 2012]. After some adjustments of this agreement the province of Noord-Brabant also voted in with the agreement [Omroep Brabant, 2012]. The other provinces still do not want to sign the agreement but have said to cooperate and execute the plans and will probably not take judicial measures.

The most important tasks and responsibilities to be decentralized from the national government towards the provinces in these policy agreements [EL&I *et al.*, 2011; VNG *et al.* 2011] and the new law of nature [EL&I, 2011] are:

- The provinces become financially responsible for the acquisition, arrangement and management of the 'adapted EHS' (Dutch: 'herijkte EHS') by 2014, which will be smaller (728.000 to 600.000 hectare) and finished later (2021). They will use these financial resources with the focus on international commitments through the completion of the adapted EHS.
- The provinces become responsible for the settlement of management plans for Natura 2000 sites, managed by the State Forest Service (Dutch: Staatsbosbeheer).
- The provinces have to ensure that required conservation measures (Article 4, Birds Directive and Article 6 (1) Habitats Directive) are taken in Natura 2000 sites and they are responsible for biodiversity and the conservation of habitats and species of the Birds Directive and Habitats Directive within their particular province.
- The provinces are required to assess the permissibility of activities harmful for the conservation of biodiversity (in the boundaries of the particular province).
- The provinces get autonomous authority for Protected nature monuments (outside Natura 2000).
- The provinces get autonomous authority for National Parks.
- The provinces get autonomous authority for National Landscapes.
- The provinces get autonomous authority for Robust connection zones of the EHS.
- The provinces get autonomous authority for other nature.

Although a lot of tasks and responsibilities will be decentralized to the twelve provinces of the Netherlands, the national government will stay responsible for the following parts of nature policy:

- The national government will confine itself regarding nature policy to the framing of policy mainly based on European and international commitments.
- The national government is still responsible for the fulfilling of European commitments both within and outside of the EHS and Natura 2000 sites and can only account the provinces if they were neglectful (in terms of the targeted use of the available financial resources according to the management plans).
- The national government will work together with the provinces on a simplified monitoring system, which will not go beyond the European reporting requirements. The provinces will collect the data which the national government will present to the European Commission.

Concluding, the provinces become almost entirely responsible for nature policy in the Netherlands, with autonomous authority for many nature types. The national government will confine itself to the framing of nature policy and only stays responsible for international commitments regarding to the conservation of biodiversity and habitats.



CHAPTER 2: Criteria for decentralization

In this chapter the theoretical background on decentralization is used to set criteria for successful decentralization. Decentralization and centralization are common practices in both organizations and governments. As this thesis focusses on the decentralization of nature policy in the Netherlands, the focus in this chapter will be on the decentralization of governments. First the definition of decentralization, the difference between decentralization and centralization and the different forms of decentralization will be discussed in this chapter. Followed by the arguments in favor and against decentralization and an overview of the criteria for successful decentralization will be given, in which criteria derived from the literature will be combined with the criteria derived in chapter 1.

2.1 DEFINITION

Decentralization is a common and variable practice in most countries and organizations to achieve a broad array of governance and public sector management goals. Because of this broad application of decentralization there are numerous theoretical definitions of decentralization. A review of the literature shows there is no common definition or understanding of decentralization. The main communality amongst the various definitions of decentralization is the notion of a transfer of power from an upper level of governance to a lower level of governance [UNDP and Gov. of Germany, 1999]. The definition used by the United Nations (UN) defines decentralization as *“the devolution of power and responsibility over policies from the national level to the local level and centralization as transformation in the opposite direction”* [de Vries, 2000]. But, perhaps the best general definition of decentralization is the one of Rondinelli and Cheema (1983) which defines decentralization as *“the transfer of responsibility for planning, management, and resource-raising and allocation from the central Government to its field organizations, local Governments, or non-governmental organizations”*. This definition is preferred here as it includes more aspects of decentralization (planning, management resource raising and allocation) and because this definition also includes the decentralization towards non-governmental organizations, compared to the definition of the UN.

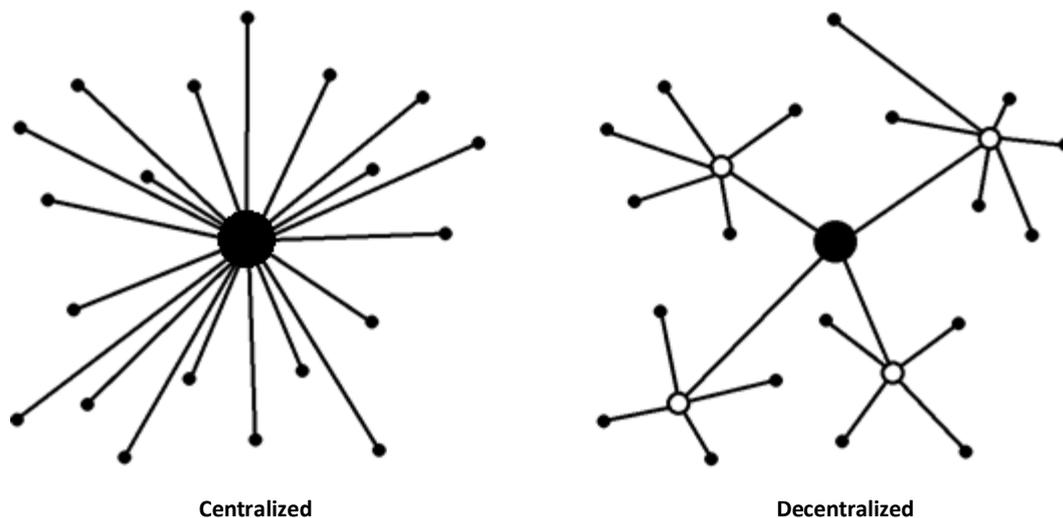


Figure 1: Schematic illustration of a centralized and a decentralized government structure.

2.2 CENTRALIZED OR DECENTRALIZED

In a centralized government one central governmental body, usually the national government, has the power and responsibilities over smaller parts of the government. Whereas in a decentralized government the power and responsibilities are more spread out over other sub-national bodies, such as the provinces (**Figure 1**). Note that the decentralized structure also contains centralized linkages towards the sub-

governments, indicating that there is still central (or national) control in a decentralized government structure. Decentralization is not an alternative for centralization, both are needed. All governments have a mixture of centralized and decentralized functions and much of the analysis of decentralization of policy focuses on the appropriate mix and not on whether governments or political systems should be completely centralized or decentralized [Rondinelli, 1990]. So, as governments are not totally centralized or decentralized, the degree of decentralization is important for a successful governmental structure. To come to a successful government structure, the complementary roles of the national government and sub-governments should be determined by analyzing what are the most effective ways and means of achieving the desired objectives. For instance, a national road system needs both national coordination and local input. Solid waste management should primarily be dealt with through local mechanisms. Foreign policy should be a national function based on the views of the citizens, and so on. In designing a decentralization strategy for a specific type of service it is therefore important to determine what are the most effective complementary roles of the national government and sub-governments [UNDP, 1998].

2.3 FORMS OF DECENTRALIZATION

There are many definitions and classifications regarding the different forms of decentralization which clearly overlap. Besides this the different forms of decentralization can also appear in different forms and combinations within countries and even within sectors. Here some general classifications and definitions will be discussed.

Focusing on governmental machinery, two main forms of decentralization are distinguished by hierarchy and function, namely *functional decentralization* and *territorial decentralization*. *Functional decentralization* refers to the transfer of central responsibilities of a specific part of policy, to institutions owned or controlled wholly or partly by the government, or units outside government control, such as NGOs or private firms [UNDP and Gov. of Germany, 1999]. For example, in some countries, a single ministry of education is responsible for all aspects of education. A split of such a body into a ministry of basic education and a separate ministry of higher education could be called functional decentralization [Bray and Mukundan, 2003]. The transfer of tasks and responsibilities can also result in more authority for sub-governmental organizations, such as the provinces and municipalities, to represent public interests within regional boundaries. This transfer of centrally produced and provided public goods and services to local-level units of government refers to the term *territorial decentralization* [UNDP and Gov. of Germany, 1999; de Roo, 2004]. According to Cohen and Peterson (1999): “The problem with this classification is that it is too rudimentary to facilitate clarity over design and implementation issues, such as legal basis, division of powers, or administrative, financial and budgetary procedures”. Further, they note that: “The emphasis on territory highlights a mayor misconception about decentralization; that decentralization is largely focused on the process of transferring public sector tasks out of the capital into the hinterland. This special view of decentralization is naïve and obscures the complexity of the concept.” The notion of functional decentralization is more useful as it: “Underlines the current view that decentralization is the array of institutions and organizations carrying out public sector tasks and that this can happen in the capital city as well as in other urban areas and the countryside”.

Because the classification of functional and territorial decentralization is unclear and does not facilitate clarity on design and implementation issues [Cohen and Peterson, 1999], the distinction between political, fiscal, market and administrative decentralization is made for example by Neven (2002). This classification classifies forms of decentralization on basis of objectives. *Political decentralization* aims to give citizens or their elected representatives more power in public decision making. *Fiscal decentralization* refers to the decentralization of financial responsibility. Financial responsibility is a core component of decentralization, because if local governments or private organizations want to carry out decentralized functions effectively, they must have the financial resources to do so. *Market decentralization* includes terms like privatization and deregulation referring to decentralization of functions from the public to the private section. The latter, *administrative decentralization* refers to the



redistribution of authority, responsibility and financial resources for providing public services among different levels of the government. It is the transfer of responsibility for planning financing and management of certain public functions from the central government to lower levels of governance. There are three main types of administrative decentralization with each their different characteristics: *devolution*, *delegation* and *deconcentration*. *Devolution* is the transfer of authority towards autonomous lower-level governmental units, such as provinces or municipalities, that are legally constituted as separate governance bodies. This transfer of authority is the most common understanding of genuine decentralization. *Delegation* refers to the transfer of government decision making and administrative authority and/or tasks to organizations that are either under indirect government control or semi-independent. *Deconcentration* redistributes decision making authority and financial and management responsibilities among different levels of the central government and is often considered to be the weakest form of decentralization [UNDP and Gov. of Germany, 1999]. This classification will be used here as it does facilitate clarity on design and implementation issues of decentralization and is more clear compared to the distinction between territorial and functional decentralization.

The forms of decentralization (political, fiscal, market and administrative) selected in a country is dependent on the design of the specific decentralization, which will depend on the political structure and administrative issues of that particular country. The impact of the decentralization will differ depending on what type of decentralization is taking place, and what the objectives and conditions of decentralization are [Fleurke, 1997]. Therefore each specific decentralization must be viewed in its own perspective. The recent decentralization of nature policy in the Netherlands (see: §1.6) can be seen as an administrative decentralization as this decentralization is a redistribution of authority, responsibility and financial resources for providing public services (nature) among different levels of the government. To be more precise, it can be seen as devolution as this decentralization is a transfer towards an autonomous lower-level governmental unit, in this case the provinces.

2.4 ARGUMENTS IN FAVOR OF DECENTRALIZATION

But why decentralize? What are the pros and cons of decentralization. Decentralization is a subject addressed in many classic school books of public administration and addressed by many political philosophers [de Vries, 2000]. Several political philosophers from the 17th and 18th centuries, including Madison distrusted the autocratic central government. They thought that small, democratic units could preserve the liberties of free men. In several of the Federalist Papers, Madison theorized about the prevention of tyranny via a balance of powers not only among the branches of central government, but between central and regional and local governments as well [Faguet, 1997]. Pollitt summarizes the common arguments in favor of administrative and political decentralization, and arguments in favor of centralization in the Oxford handbook of public management. Pollitt's arguments in favor of administrative decentralization are [in: Ferlie *et al.*, 2005: p. 381]:

- *Decentralization* speeds decision making by reducing the overload of information which otherwise clogs the upper reaches of a centralized hierarchy. This faster decision making can be more efficient.
- *Decentralization* means that decisions are taken closer to the users/citizens of organizations/governments products and services, and this in turn means that decisions are likely to be more responsive to those users.
- *Decentralization* improves the ability of an organization to take account of differences between one local context and another. Services can be better tuned to local conditions.
- *Decentralization* may be used as one way to reduce political intervention in matters that are best managed without political interference in details (e.g. case work with individual citizens; regulatory functions etc.).
- *Decentralization* encourages innovation, because new ideas no longer have to find their way all the way up the hierarchy to the center to be approved and authorized.



- *Decentralization* improves staff motivation (morale) and identification. They feel they can "belong" to a smaller more comprehensible organization, rather than being a small part of a gigantic bureaucratic machine.

From another more political point of view, decentralization (devolution) can also increase effective democratization. The devolution of political power can put power closer to the citizens and make politicians less remote. Because locally elected authorities are more likely to reflect local preferences than the central government and are closer to the citizens. Besides, it can also encourage citizens to play an active part in the democratic process, as decentralization provides a local structure in which projects can be coordinated, which enhances civic participation. These and other arguments of Pollitt in favor of political decentralization are [in: Ferlie *et al.*, 2005: p. 381]:

- *Devolution* of political power puts it closer to the citizen.
- *Devolution* of political power makes politicians less remote, more visible and more accountable.
- *Devolution* of power encourages more citizens to play some active part in the democratic process.
- *Devolution* of political power allows for greater expression of legitimate local and regional differences.

2.5 ARGUMENTS IN FAVOR OF CENTRALIZATION

On the other hand there are also arguments against decentralization, or to be more exact, in favor of centralization. The basic arguments in favor of centralization are based on the idea that decentralization can result in problems regarding equality due to fragmentation of policy. Arguments in favor of centralization by Pollitt are [in: Ferlie *et al.*, 2005: p. 381]:

- *Centralization*, can lead to greater equality, all citizens in similar circumstances receive the same service. Autonomous local services are more prone to inequalities, both intentional and unintentional.
- *Centralization* enables organizations to retain a substantial amount of experts. Smaller local organizations might not have the capacity to do so.
- *Centralization* enables organizations to benefit from economies of scale.
- *Centralization* makes the coordination of policies and programs easier to accomplish (especially those with cross sectorial or organizational boundaries).
- *Centralization* makes the line of accountability clearer. In highly decentralized systems patterns of accountability are complex, providing more opportunities for 'blame-shifting'.

2.6 CRITERIA FOR SUCCESSFUL DECENTRALIZATION

So there are many advantages and disadvantages of decentralization and centralization. But what makes decentralization successful? The success of decentralization depends on the circumstances under which decentralization occurs. Although each decentralization process must be seen from its own perspective (due to the many different objectives, combinations of types of decentralization, and cultural perspectives on decentralization in one country) there are some general criteria for a successful decentralization. Here some criteria generally used by the UN are given [UN, 2000]:

- The first criterion for successful decentralization is *political commitment*. The will of the political actors at the national and sub-national levels to agree with the decentralization, is important for successful decentralization. The success of decentralization efforts depends on a clear vision regarding the position and function of local governments and on a strong political will to implement that vision.
- Second, the *availability of sufficient resources* of the decentralized institutions is key for successful decentralization. The required financial resources must be available to ensure the accomplishment of the tasks of the decentralized institutions. Also it must be possible for the decentralized institutions to use these financial resources autonomously. Besides financial resources, other resources such as legal authority, availability of qualified and motivated personnel and the



necessary organizational, political, economic and administrative knowledge must also be available for decentralized institutions.

- Third, the *accountability and transparency* at the local level must be guaranteed. There has to be a system of accountability that relies on public and transparent information for citizens to monitor the institutions involved in the decentralization.
- Fourth, there has to be a *clear legal framework* in which the responsibilities and powers of the involved institutions are specifically described. This is necessary to avoid interference and overlapping of for instance local and national governments. A general problem is that it is often impossible to know who is responsible for what. This allows central authorities to interfere easily with local affairs and leaves the local authorities with no possibility of stopping such interference.
- Fifth, the *capability and readiness of the personnel* of the decentralized institutions to cope with the decentralized tasks is an important criterion for decentralization, as the success of organizational change depends on the readiness and capability of the personnel to translate organizational changes into viable administrative practice.

According to de Roo (2004) decentralization must be seen as a shift in the approach towards policy issues. With decentralization policy issues will no longer be handled with a central and generic approach (by the national government), but local government get the chance to handle the issue in a local or regional perspective. The local government, together with other actors in the region, can align the particular issue with other issues which also apply to the particular region, in an more area-specific way (**Figure 2**). In other words, complex policy issues woven into a regional context can better be governed by local governments (the provinces), as they probably have best knowledge about the context of the issue and stand closer to the problems. Whereas central and generic policy issues might better be governed at the national level. This adds a criterion to the list namely that decentralized policy issues need to be complex and multi-faceted policy issues which can be governed in a areas specific way.

Meeting these requirements is not easy, but achievable. The success of decentralization is closely related to the design principles of: finance monitoring (clear assignment of functions), informed decision making, adherence to local priority and accountability. However applying these criteria or principals has not proven to be simple, because circumstances of decentralization differ between countries in both subtle and complex ways. Therefore the decentralization has to be shaped to the specific conditions of a country [Neven, 2002]. Besides, there are also policies which just cannot be decentralized successfully as they are simply not suitable for decentralization, and are better to be governed by the central governments. An example of this is foreign policy, which should be a national or central function based on the national view. **Box 2** gives a summary of the general criteria regarding decentralization, and more specific criteria for decentralization of (nature) policy in the Netherlands, based on the lesson learned from former decentralizations in chapter 1.

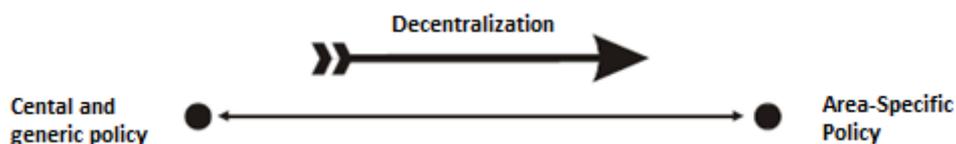


Figure 2: Decentralization as a shift in the approach of policy issues [Adapted from: de Roo, 2004].

Box 2: Criteria for successful decentralization. General criteria and criteria derived from former decentralizations in the Netherlands from chapter 1*.

CRITERIA FOR SUCCESSFUL DECENTRALIZATION:

- 1) ***Policies including decisions of (inter)national importance are unsuitable for decentralization**** towards the local level, as this could result in the fragmentation of important (inter)national policy tasks and responsibilities.
- 2) ***Complex and multi-faceted policy issues in an area specific context are suitable for decentralization*** towards the local level and can be decentralized successfully.
- 3) ***Suitability of the parts of the policy cycle for decentralization****; Some parts of the policy cycle are more suitable to be decentralized (for example: nature policy implementation) to the local level (provinces) compared to other parts.
- 4) ***Availability of sufficient resources**** at the local level; There have to be subsequent financial, legal, organizational, human, physical and cognitive resources available on the local level.
- 5) ***Political commitment*** to decentralization; There has to be a mutual will of the different actors to agree with the decentralization.
- 6) ***A clear legal framework**** has to be available; In this legal framework the responsibilities and powers of the involved institutions have to be described specifically.
- 7) ***Accountability and transparency*** at the local level; There has to be a system of accountability that relies on public and transparent information for citizens to monitor the institutions involved in the decentralization.
- 8) ***Capability and readiness of the personnel*** at the local level; The personnel of the decentralized institutions have to be capable and ready to translate organizational changes into viable administrative practice.
- 9) ***Involved governments must stick to their agreements****, the central government must be able to let go of decentralized tasks and responsibilities to avoid unwanted interference between the involved governments



CHAPTER 3: Decentralization of Dutch nature

There are many administrative types of nature in the Netherlands, all with different locations, habitat types and ecological, recreational and economic values. Almost all of these areas are connected in a geographical and ecological way. Some of these nature types may be suitable to be decentralized to the provinces, while others should preferably be governed by the national government. First, the different types of nature in the Netherlands will be characterized and then their suitability for decentralization to the provinces will be analyzed in this chapter.

3.1 BIODIVERSITY POLICY

An important step in the conservation of biodiversity in the Netherlands was the signing of the convention of Bern (1982). This is a binding international legal instrument in the field of nature conservation, which covers the whole of the natural heritage of the European continent and extends to some States of Africa. The convention of Bern states that involved countries must conserve all the species and their habitats since 1982 [COE, 2012]. The first policy document regarding the conservation of biodiversity in the Netherlands dates from 1995: *'Strategic Action Plan for Biodiversity'* (Dutch: *'Strategisch Plan van Aanpak Biologische Diversiteit'*). The objective of this document was to honor the commitments of the convention of Bern. In 2000 this document was replaced by the policy document *'People for Nature, Nature for People'* (Dutch: *'Natuur voor Mensen, Mensen voor Natuur'*) which states that in 2020, all species which naturally existed in 1982, and their habitats, must be conserved. After this other policy documents followed with all the same objective, preserving the biodiversity in the Netherlands. To do so the Dutch government took various measures with the most important being the development of a National Ecological Network, the designation of Natura 2000 sites, the implementation of species protection plans, the implementation of the Flora and Fauna act and the Nature Protection act, and the monitoring of Dutch nature [LNV, 2012a].

3.2 ADMINISTRATIVE TYPES OF NATURE IN THE NETHERLANDS

Here the different types of nature in the Netherlands and their characteristics are introduced. The types distinguished here are respectively: the national Ecological Network (core-areas, nature development areas, and connection zones), Natura 2000 sites (Habitats Directive and Birds Directive), national parks, protected nature monuments, national landscapes, 'green-blue veining', agricultural lands and green in and around cities.

3.2.1 National Ecological Network (EHS)

In 1990, the ministry for Agriculture, Nature and Food Quality (Dutch acronym LNV) introduced the concept of a National Ecological Network (Dutch acronym: EHS) in their national Nature Policy Plan [LNV, 1990]. The EHS is often seen as the cornerstone of Dutch nature policy and applies a more offensive approach. This national ecological network combines the conservation of existing sites, nature restoration, the establishment of ecological corridors and the transformation of agricultural land into nature. A more defensive approach, restricted to the conservation of existing nature areas, had proven to be insufficient to halt the loss of species in the Netherlands. This because many sites in the Netherlands are small and isolated, and environmental and hydrological conditions are unfavorable, given the requirements of species and habitats. By connecting existing natural areas extinction of isolated species is prevented [MNP, 2005]. The EHS is built up out of three types of areas: core-areas, nature development areas, and connection zones. The core-areas are nature areas of at least 250 hectare with high ecological value, including Natura 2000 sites and national parks. Nature development areas are areas important for the development of important nature, and connection zones are zones that connect the different core and development areas to form one ecological main structure [LNV, 1990]. The EHS should eventually form a connected network of terrestrial and aquatic nature areas across borders of the Netherlands to be a part of the Pan-European Ecological Network (PEEN). Within the Netherlands the EHS is seen as the national initiative for contributing to Natura 2000 [Noteboom *et al.*, 2006] (Figure 2).



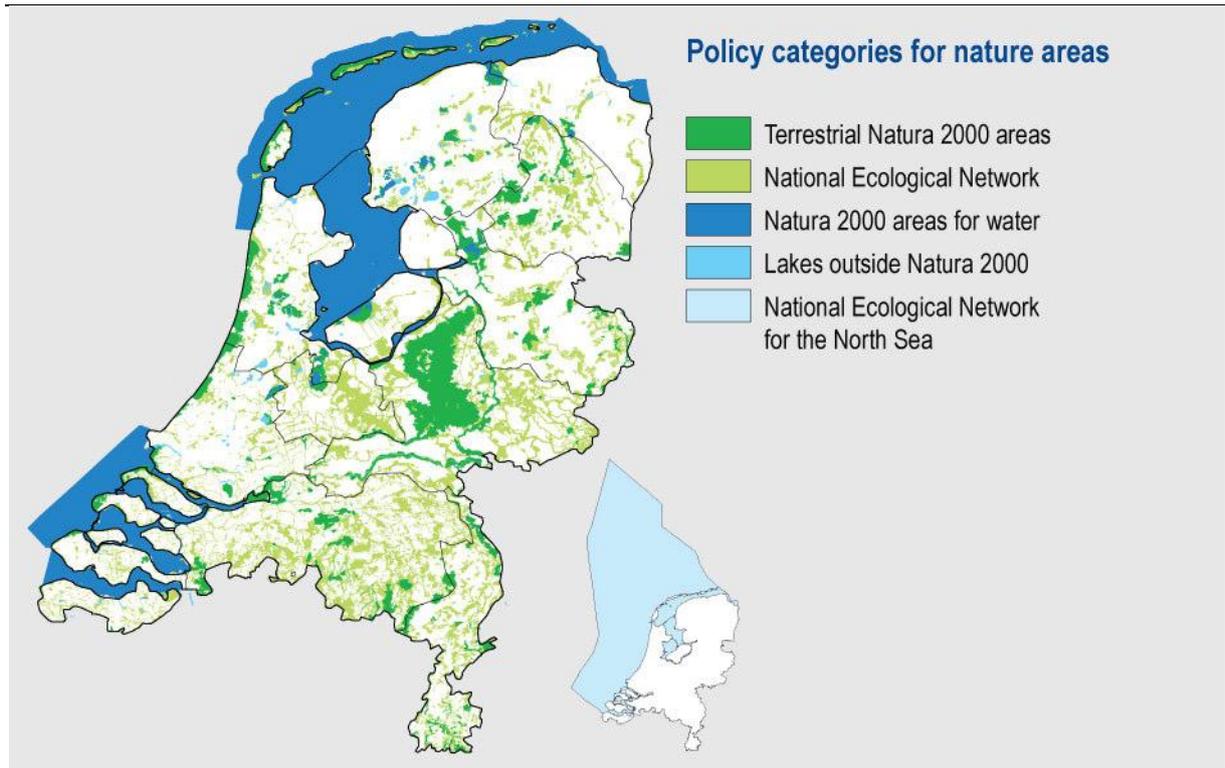


Figure 2; National Ecological Network (EHS) and Natura 2000 sites in the Netherlands [From: Noteboom *et al.*, 2006].

3.2.2 *Natura 2000 sites*

Natura 2000 is the centerpiece of European Union (EU) nature and biodiversity policy, according to the European Commission. Natura 2000 is a European network of ecological sites of European importance, which focusses on the conservation of nature areas in Europe. The aim of the network is to assure the long term survival of Europe's most valuable and threatened species and habitats. In 1992 the Habitats Directive was established by the EU member states. Together with the Birds Directive established in 1979, they are the guidelines for selection and management of nature areas. As a part of the Habitats Directive and Birds Directive, member states of the European Union are required to designate sites to protect the habitats of flora and fauna. These sites include (potential) Special Sites of Community Importance (pSCIs/SCIs) under the Habitats Directive and Special Protection Areas (SPAs) under the Birds Directive. Following the selection of these sites most European member states are now in process of designation SCIs as Special Areas of Conservation (SACs). The SACs together with the SPAs, form the Natura 2000 network. Natura 2000 is not a hands-off approach where the protected areas cannot be used by humans. Rather than taking over control and ownership, most of the land will maintain to be privately owned and managed but with the Natura 2000 incentive to manage sustainable [EC, 2012]. The Netherlands falls entirely within the Atlantic biogeographical region. In the Netherlands the Habitats Directive accommodates 51 habitat types and 36 species listed in the Habitats Directive, and the Birds directive accommodates 95 bird species. The Dutch government has designated 142 potential SACs and 80 SPAs, largely overlapping [Notenboom *et al.*, 2006]. This makes a total of 162 Natura 2000 sites in the Netherlands (with exception of the North-Sea area), covering a surface of about 1.1 million hectare (**Figure 2**). Two third of this surface is open water and the Dutch coastal zone [Leneman *et al.*, 2009]. In 2009, the Dutch government decided to add four marine Natura 2000 sites located in the North Sea to the list of sites with European importance. Of these Natura 2000 sites, 58 are definitively assigned by the Dutch government as SACs [LNV, 2012b].

3.2.3 National Parks

In 1969 the Dutch government associated with the agreement of the IUCN (International Union for the Conservation of Nature) to protect ecosystems of (inter)national importance. A way to do so was the establishment of the national parks. These national parks were established with four main objectives in mind: the protection and development of nature and landscapes, outdoor recreation, education and research. Nowadays, the Netherlands counts a total of 20 National parks, which preserve a wide range of characteristic nature and landscapes of the Netherlands, such as fens, woodlands, stream valleys, dunes and tidal flats. National parks are areas larger than 1000 hectare with their own specific population of rare plants and animals which are of exceptional or outstanding natural value (**Figure 3**). The first two National parks (Veluwezoom and Hoge Veluwe) were already founded before 1969 by private parties in respectively 1930 and 1935, while the other 18 were established by the different ministers responsible for nature policy in the last 25 years. Together all national parks cover an area of approximately 125.000 hectare, which is almost 3% of the entire surface area of the Netherlands (with exception of the North-Sea area). National parks are important parts of the Natura 2000 network and the EHS [LNV, 2010].



Figure 3: The location of the National Parks in the Netherlands [From: CBS *et al.*, 2010a].

3.2.4 Protected Nature Monuments

Since the introduction of the nature protection act of 1967, nature areas were protected by the designation of State and Protected Nature Monuments. With the Nature Protection act of 1998 there is no longer a distinction between State and Protected Nature monument, as a consequence both are called Protected Nature Monuments. Before the designation of Natura 2000 sites the Netherlands counted a total of 189 Protected Nature Monuments. A large part of these Protected Nature Monuments overlapped with the boundaries of the Natura 2000, and with the designation of Natura 2000 sites the status Protected Nature monument has been withdrawn for overlapping sites. Of the 189 Protected Nature Monuments, 125 sites overlapped with Natura 2000 sites, resulting in 64 remaining Nature Monuments in 2010 (**Figure 4**) [Broekmeyer *et al.*, 2011]. These remaining sites are relatively small (smaller than 250 hectare), most of them are between 10 and 100 hectare, with approximately one third smaller than 10 hectare, and 9 sites bigger than 100 hectare. In total, the remaining 64 Protected Nature monuments have an area of 3422 hectare. Almost all of these Protected Nature



Figure 4; Location of remaining Protected Nature Monuments (outside Natura 2000) in the Netherlands. Blue: sites <250 hectare, Green: Sites >250 hectare [From: CBS *et al.*, 2010b].

Monuments lay within the EHS and contain habitat types of the Habitats Directive [Broekmeyer *et al.*, 2011].

3.2.5 National Landscapes

The Netherlands counts a total of 20 national landscapes, with each a unique combination of cultural historical and natural elements characteristic for the Dutch landscape (Figure 5). They are characterized by different parts of the Dutch landscape, nature, culture, land topography, land-use and urbanization. National landscapes are areas in which citizens live, work and recreate [Belvedere, 2005]. Because the countryside in the Netherlands is under pressure, mainly due to urbanization, the Dutch parliament determined the borders of the National landscapes in the 'Nota Ruimte' of 2004 [VROM *et al.*, 2004]. This to protect these areas for further urbanization and develop these areas with quality. Within these areas there is space for social economic development, if the characteristics of the National landscapes are preserved or preferably increased. The National landscapes have a total area of 900.000 hectare, which is over 20% of the surface area of the Netherlands (with exception of the North-Sea area). Two third of the area of national landscapes is used for agricultural purposes. Approximately 2.5 million people live in the National landscapes of the Netherlands [CBS, 2011].



Figure 5; The National Landscapes of the Netherlands [From: CBS *et al.*, 2009].

3.2.6 Agricultural lands

More than 60 percent of the Netherlands (with exception of the North-Sea area) is used for agricultural purposes (Figure 6). This agricultural land has a lower quality of nature compared to other nature areas, because they are primary used for the production of crops or for holding cattle. The intensity of the agricultural activities is mostly too high to be compatible with the demands of natural biodiversity. Agricultural lands are mainly important habitats for breeding meadow bird species and in a lesser extend for vascular plant species and butterfly species. The most valuable nature areas in agricultural lands are those parts of the 'Green-blue veining' network (see below), like bushes, ditches and dikes in and around the agricultural lands. But for meadow and farmland bird species the openness of the agricultural lands is important [de Kneegt *et al.*, 2010].



Figure 6; Land-use in the Netherlands. Grey; Agricultural lands, Green: Nature areas, Red/Purple: Urbanized lands, Blue: Water. [From: CBS *et al.*, 2011]

3.2.7 'Green-blue veining'

The 'Green-blue veining' (Dutch acronym: GBDA) is the network of semi-natural landscape elements in cities and the countryside. 'Green veining' refers to elements with a 'dry character', such as wooded banks, tree rows, dikes and road verges. Whereas 'Blue veining' refers to elements with a 'wet character' such as ditches and streams. The GBDA forms a network mainly outside the EHS through agricultural and urbanized lands. These areas are habitats for many plant and animal species, and contribute to identity and the experience value of landscapes [Geertsema, 2002].

3.2.8 *Green in and around cities*

The amount of green in and around cities is of great recreational value (compared to their natural value) for citizens living and working in urbanized areas. Because of the decrease in the quantity and quality of 'green' available per citizen in the last decades, the ministry of LNV introduced the program 'Green in and around cities' (Dutch acronym: GIOS). The aim of the GIOS is to increase the amount and quality of green in and around cities, and improve the connection to these areas with walking and biking trails. By 2013, 16.000 hectare of green in and around cities has to be realized by the provinces financed through the ILG [LNV, 2007].

3.3 SUITABILITY FOR DECENTRALIZATION

Some of these administrative nature types may be suitable to be decentralized to the provinces, while others should preferably be governed by the national government. According to the government, one of the reasons for the decentralization of nature policy is to bring nature policy closer to the citizens. Because the provinces stand closer to the people compared to the national government, they seem more capable to keep up with local needs and develop nature in a more local context (criterion 2) [VNG *et al.*, 2011]. Although the provinces may be the best level for decision making regarding nature and landscape quality, they may not be so for quantity issues. Decisions on the total size of wildlife areas and other decisions of (inter)national importance might better be made on the national level (criterion 1) [Slangen *et al.*, 2008]. Nature of international importance do need national guidelines, as different provinces could act differently regarding to nature policy, and the management of the nature in their province. Besides, a lot of nature areas in the Netherlands lay in two or more provinces or border with other provinces or countries, making the (responsibility) issue even more complex. Therefore the geographical location of the administrative nature types is also considered as an important criterion in this chapter. Here the suitability of the administrative nature types for total decentralization to the provinces is discussed, on basis of their international importance (international agreements and ecological value, criterion 1), the complexity of the problems regarding the specific nature type (criterion 2) and their geographical location (extra criterion).

3.3.1 *The National Ecological Network (EHS)*

The EHS is a *national* initiative to protect and improve the biodiversity in the Netherlands by creating one *national* network. The EHS is the national initiative for contributing to Natura 2000 and should eventually also be part of the Pan-European Ecological Network (PEEN). The connection of important nature areas (including Natura 2000 sites and national parks) with other (new) developing nature areas to counteract the loss of biodiversity in the Netherlands (and Europe) is of (inter)national importance (**Table 1**). Decentralization of these areas to the provinces could result in fragmentation of important national and international policy tasks (EHS and Natura 2000) [Kuidersma and Selnes, 2008]. Therefore, especially the core areas of the EHS (Natura 2000 sites, protected nature monuments and national parks) are unsuitable for decentralization. For the other parts of the EHS (nature development areas and robust connection zones) decentralization could be favorable as the issues in these areas are complex and multi-faceted, involving a lot of stakeholders. Besides this these areas are also preferably developed in a regional context. Concluding, the core areas of the EHS (Natura 2000 sites, national parks and protected nature



monuments) are unsuitable for decentralization. Whereas the other parts of the EHS (nature development areas and robust connection zones) are more suitable for decentralization (**Table 3**).

Table 1: Types of nature of the Netherlands characterized by their regional or (inter)national ecological importance.

Regional/Local	(Inter)National
National landscapes	Natura 2000 sites
Green blue veining	National Parks
Agricultural lands	National Ecological Network (EHS)
Green in and among cities	Protected Nature Monuments (outside Natura 2000)

3.3.2 *Natura 2000 sites*

For some types of nature national guidelines are necessary, especially Natura 2000 sites. The national government made European commitments regarding to Natura 2000 as these sites are of great international ecological importance (**Table 1**). Janssen *et al.*, (2007) analyzed international importance of Dutch nature and found that 34 ecosystems and 111 species in the Netherlands are important in a European context. Of these ecosystems 88% are included in the Natura 2000 habitat types. The international importance of these sites makes these sites unsuitable for decentralization to the provinces. On terms of the geographical location of Natura 2000 sites, the situation is also unfavorable regarding to decentralization of these areas to the provinces. Of the 162 Natura 2000 sites, 37 (23%) are located in 2 or more provinces and 66 (40%) are located on the border between provinces or on the German and Belgian border. Besides, many of the 51 habitat types protected through Natura 2000 are located in more than one province (**Table 2**). Questions one might ask regarding nature areas which overlap and border to other provinces are: Which province will be responsible for this nature area? Will each province manage these nature areas in the same way (in and around the borders of these areas)? Who is responsible for the required (financial) resources? Who will be responsible for specific species or habitat types present in several provinces? It is reasonable that different provinces will act differently regarding the management of nature sites, which can have a negative impact on these nature areas. Considering decentralization of these sites to the provinces it is also important to keep in mind that if the Netherlands does not reach the requirements of the Habitats and Birds Directive, and gets fined by the EU for their lack of responsibility, the national government could shift this fine to the provinces as it has become their responsibility. While the provinces did not set the goals and did not make these agreements with the EU, putting the provinces in a very difficult position [Dekker, 2011]. Concluding, Natura 2000 sites seem unsuitable for total decentralization towards the provinces (**Table 3**).

Table 2: Natura 2000 sites, National Parks and Protected Nature Monuments (outside of Natura 2000) and their geographical location, in terms of the amount of provinces (two or more) they lie in and if they border with other provinces or Belgium/Germany. [Based on: LNV, 2012b.*; SNP, 2007**.and Broekmeyer *et al.*, 2011.***]

	Number of sites	In 2 or more provinces	On province/state border
Natura 2000*	162	37 (23%)	66 (41%)
Habitats Directive	142	29 (20%)	57 (40%)
Birds Directive	81	30 (37%)	41 (51%)
National parks**	20	5 (25%)	12 (60%)
Protected Nature Monuments***	(outside Natura 2000) 64	2 (3%)	-



3.3.3 National Parks

The national parks are large nature areas of exceptional or outstanding natural value, which preserve a wide range of characteristic nature and landscapes of the Netherlands and are of great ecological value [SNP, 2007]. These National parks were founded on basis of international commitments, namely the agreement between the Dutch national government and the International Union for Conservation of Nature (IUCN). According to the chairwoman of the collaboration of the Dutch national parks (SNP) Kersten (2011); “the Resolution 810 of the IUCN states that not only the responsibility of national parks should be at the highest competent authority in the county, but also states that the highest competent authority of the country has taken steps to prevent or eliminate as soon as possible exploitation or occupation in the whole area and to enforce effectively the respect of ecological, geomorphological or aesthetic features. Showing that the national responsibility does not stop at the establishment of national parks”. Besides this national parks are large and important Natura 2000 sites, also emphasizing their international importance (**Table 1**). Of the 20 national parks in the Netherlands, 5 (25%) lay in two or more provinces and 12 (60%) border with other provinces or other countries (Belgium and Germany) (**Table 2**) which also adds complexity regarding to the decentralization of these areas to the provinces. So because of their international importance, high ecological value and their unfavorable geographical location, national responsibility and guidelines are desirable, which makes the national parks unsuitable for total decentralization to the provinces (**Table 3**).

3.3.4 Protected Nature Monuments

The remaining protected nature monuments (outside of Natura 2000) are of small scale with most of them located within province borders (**Table 2**). Although they are of small scale they have a substantial role regarding to international biodiversity conservation (**Table 1**). Broekmeyer *et al.*, (2011) found that of the 64 remaining protected nature monuments, 57 contain habitat types of the Habitats Directive, of which 43 areas probably contribute to the conservation of 12 habitat types under unfavorable conditions in the Netherlands. For 7 habitat types, protected nature monuments are an important addition to the Natura 2000 sites. Besides this most protected nature monuments also are important parts of the EHS. So, although their ecological value is lower compared to Natura 2000 sites and national parks, they still are an important addition to these areas for biodiversity conservation. The main function of these areas is the conservation of biodiversity and habitats and to a smaller extend recreation. In these areas complex multifaceted issues are not likely to occur. Because of this and their international ecological importance these areas require national guidance and therefore seem unsuitable for total decentralization towards the provinces (**Table 3**).

3.3.5 National Landscapes

The national landscapes, although called national landscapes, have a more regional character. National landscapes are regions in which people live, work and recreate. Within the national landscapes there is nature of (inter)national importance, but this is mainly because other nature types (Nature monuments, Natura 2000 sites etc.), which are already protected through other channels, are located within national landscape. The ecological value of these landscapes itself (other nature areas excluded) is of lower compared to their recreational, agricultural, cultural and experiential value of the landscape (**Table 1**). Within national landscapes there is room for social economic development in which the identity of the landscape is preserved. These regional developments usually provide multi-faceted issues in a regional context and as the provinces are closer to these problems and stakeholders, these areas could better be governed by the provinces (**Table 3**).

3.3.6 Other nature types

The ‘green blue veining’, the agricultural lands and green in and around cities, are nature areas with a relatively low ecological value compared to the other administrative nature types. These areas are more important for regional activities, such as agricultural activities (agricultural lands), and recreation of



people living and working in and around these areas. Besides, they contribute to the experiential value of the region (countryside or cities). Therefore these areas like the national landscapes could better be governed at the local, or in this case the provincial level (**Table 3**).

Table 3: Types of Nature in the Netherlands divided by their suitability to be decentralized to the provinces.

Suitable	Unsuitable
National landscapes Green blue veining Agricultural lands Green in and among cities EHS: Development areas and Robust connection zones	EHS: Core areas National Parks Natura 2000 sites Protected Nature Monuments (outside Natura 2000)

3.3.7 Conclusion

Some administrative nature types seem more suitable for total decentralization to the provinces compared to others (**Table 3**). Nature types more suitable for decentralization are: national landscapes, the development areas and robust connection zones of the EHS, agricultural lands, the green blue veining and green in and among cities. Mainly because policy issues regarding these nature areas are usually complex issues in a regional context, which can preferably be governed by the provinces. Some administrative nature types seem unsuitable for decentralization as these areas are of internationally important ecological value, and the Dutch government made international commitments regarding these nature types. Administrative nature types unsuitable for total decentralization towards the provinces are: the core areas of the EHS (national parks and Natura 2000 sites) and protected nature monuments (outside of Natura 2000). Their primary function is the conservation of biodiversity and habitats and these areas are not expected to involve complex issues. Therefore these areas can preferably be governed in a central and generic way by the national government.



CHAPTER 4: Decentralization and the Policy Cycle

In this chapter the different stages of the policy cycle will be introduced first. Then the suitability of decentralization of the different parts of the nature policy cycle will be discussed. This suitability usually depends on the different policy issues occurring in the different administrative nature types. Finally, the recent developments regarding to the decentralization of nature policy in the Netherlands, according to the policy cycle will be discussed.

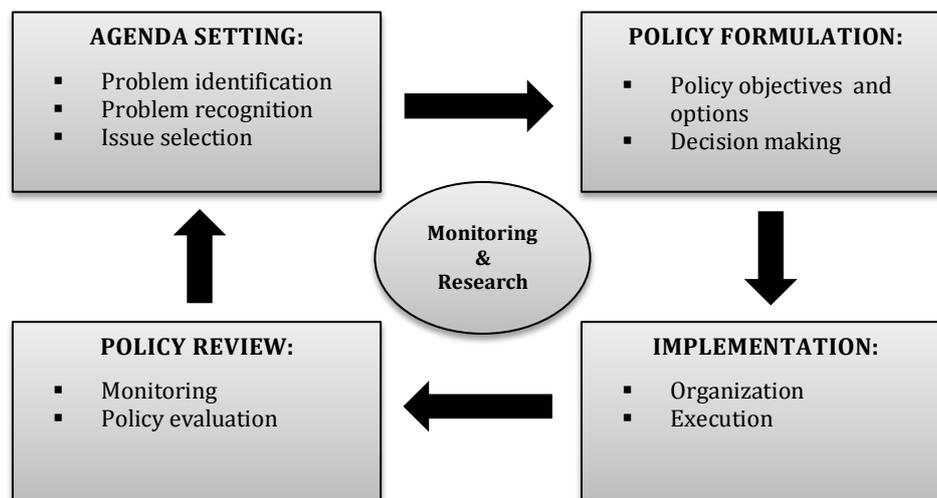


Figure 7: The “Policy cycle” [based on: Wegrich and Jann, 2006].

4.1 THE POLICY CYCLE

The policy cycle is one of the most widely applied framework used to analyze and systemize research on public policy. Most governmental policy issues go through generally the same cycle, as described by, for example Wegrich and Jann (2006). Generally, the following four stages of the policy cycle are distinguished: Agenda setting (Problem identification and issue selection), Policy formulation (Policy options, formulation and decision making), Policy implementation, and Policy review (policy evaluation and feedback) (Figure 7).

The policy process is continuous, as outputs of former policy processes have an input on following policy processes. The cyclical perspective emphasizes the feedback process between in and outputs of the policy process [Wegrich and Jann, 2006]. In every policy decision policy-makers set objectives, to examine if these objectives are or will be reached, periodic evaluation is necessary. Monitoring and research are important instruments for evaluation of policy throughout the policy cycle. The policy cycle links a variety of actors involved through the different stages. The national government is often thought to be the central actor involved in policy making. But, although the government usually has the ultimate decision making and funding power, the national government works together with other institutions in a network, to accomplish policy goals.

4.1.1 Agenda setting

The policy-making process presupposes the identification of a certain policy problem. First, trends and developments which can influence the subject of a certain policy need to be analyzed. Signals referring to these trends and development can originate from society, monitoring programs and research (problem identification). Once the problem has been recognized and the necessity of governmental intervention has been expressed (policy recognition), the second step would be that the identified and recognized problem is put on the public agenda for serious consideration of public action (agenda setting). This public agenda

is the list of subjects and problems which will be discussed by governmental officials and people outside of the government close to the problems [Wegrich and Jann, 2006]. Cobb *et. al.* (1976) propose three models of agenda building. First an outside-initiative model where groups of citizens get an issue onto the formal agenda by gaining broad public support. Secondly, the issue could also be an initiative of the government that need to be placed on the public agenda for successful implementation, the inside initiative model. Policy proposals could also come from policy communities with easy access to the government, with support from particular interest groups but little public involvement, the inside-access model. Eventually agenda setting results in the selection between different issues and problems, as not all problems can receive the same level of attention (issue selection) [Wegrich and Jann, 2006].

4.1.2 Policy formulation

During the policy formulation stage of the policy cycle the expressed problems, proposals and demands are transformed into policy programs. After the selection of relevant policy issues in the political arena during the agenda setting stage, ideas and options for the solution of these issues need to be researched and developed. Policy formulation starts with the definition of the objectives of the policy issue and is followed by the consideration of the different action alternatives to reach these objectives (policy objectives and options). The process of objective setting and the development of policy options is interactive, options and objectives are adapted throughout the process, to come to the most appropriate policy options. After this decisions are made regarding the different options and translated into government programs (decision making) [Wegrich and Jann, 2006]. The government closest to the policy issue set the objectives or goals of the policy and in which period they have to be accomplished. Usually the involved Ministries draft a policy proposal, which will be discussed with other involved organizations. After this the (adapted) policy proposal has to be approved by the Parliament.

4.1.3 Policy implementation

Policy implementation is the translation of formal policy into concrete actions. After the decision on a certain policy is taken, this policy needs to be executed and enforced by the responsible institutions and organizations. Policy implementation is a critical stage as the actions in the field are hardly perfectly controllable by objectives, programs and laws made during the policy formulation stage. A policy implementation should include the following elements; A specification of program details (how and by which organization should the program be executed?), allocation of the resources (how are budgets and personnel distributed?) and decisions of single cases (how will decision of single cases be carried out?) [Wegrich and Jann, 2006].

4.1.4 Policy review

The policy review stage is an essential part of the policy cycle. During the evaluation or policy review stage of the policy cycle the outcomes of a certain policy are evaluated. The results of the policy are compared to the objectives and goals set during the formulation stage. A precondition for proper evaluation is the availability of monitoring data. This data originates from monitoring programs and research. The evaluation can result in the reconsideration of the policy objectives and priorities, adaption of the policy or termination of the policy. As said before, the review of a policy gives feedback for the agenda setting and development of new policies completing the policy cycle [Wegrich and Jann, 2006].



4.2 DECENTRALIZATION AND THE POLICY CYCLE

The national government, the provinces and other organizations involved in the policy cycle differ in their capabilities on policy level. Collaboration between the governments and other organizations is important throughout the entire policy cycle, but some parts of the policy cycle are more suitable for decentralization than others. Although the policy process is more complex than the supposed policy cycle and there is an overlap in the different stages of the policy cycle, it can be a useful tool for the analysis of policy. Here the different stages of the policy cycle and the suitability of decentralization of these stages in nature policy will be discussed.

4.2.1 *Agenda setting*

During the agenda setting stage of the policy cycle, the policy problems and issues identified through one of the three models of Cobb *et al.*, (1976) (inside-initiative, outside-initiative or inside-access model) need to be recognized and put onto the political agenda. The recognition and agenda setting of identified policy problems involves decision making. Usually more problems will be identified, than can be addressed by the responsible government, so governments need to decide which problems will be addressed. In the Netherlands the national government analyses the importance of the problems together with the involved sub-governments and organizations. Eventually it is the national government who decides which problems get priority and are put on the political agenda. The national importance of the different policy problems in the different policy fields (for example: foreign policy, economic policy, nature policy and educational policy), is key in deciding which problems get priority before others. And as decisions of national importance can best be taken on a national level, the national government is the best level for agenda setting.

But from another point of view, two types of agendas can be distinguished, the national political agenda and the provincial political agenda. Decentralization of nature policy can result in the autonomous authority of the provinces for certain administrative types of nature in the Netherlands. Suitable areas for decentralization are areas involving multi-faceted issues which are preferably developed in a regional context (i.e. national landscapes and green in and around cities). The policy problems regarding these specific decentralized parts of nature, will no longer be treated on the national level or national agenda, and will solely be put on the provincial agenda. So, for areas suitable for total decentralization (autonomous authority) towards the provinces, agenda setting is also 'decentralized' to the provincial agenda. Although, the national government keeps its general responsibility. If the provinces do not perform well regarding to the decentralized tasks, the national government will still be called to account.

4.2.2 *Policy formulation*

Policy formulation includes the setting of the objectives, the development of options, and the decision on which option to use, regarding to a specific policy issue. The best level of setting goals, developing options and making decisions in nature policy, is dependent of the context and complexity of the policy issue itself. Complex, multi-faceted issues, woven into a regional context (i.e. national landscapes and robust connection zones), can better be handled at the provincial level, as they stand closer to the issue and the involved stakeholders. Whereas more central uniform and generic policy issues can better be handled at the national level [de Roo, 2004]. Besides this decisions regarding policy issues of (inter)national importance (i.e. natura 2000 sites and national parks, protected nature monuments) could also better handled on the national level. So, the decentralization of policy formulation is suitable for nature areas of a more regional importance in which complex and multi-faceted policy issues occur. Whereas (inter)nationally important nature areas, in which the conservation of biodiversity is the most important function are unsuitable for decentralization of policy formulation, as the national government can better set the objectives and decide about policy options. Examples of such policy issues are the designation of Natura 2000 sites and the bordering of the EHS.



4.2.3 Policy implementation

Policy implementation is the stage of the policy cycle most suitable for decentralization. Therefore the implementation of nature policy is already decentralized to a large extent in the Netherlands. This is because the provinces are supposed to be more capable to make an integral consideration about nature and other public interests in a regional context [Slangen *et al.*, 2008]. The implementation of nature policy includes the organization of the implementation in management plans, and the execution of the actions in these management plans. The organization of the implementation of nature policy in the Netherlands is usually done one governmental body lower (provinces) than the governmental body responsible for the formulation of the policy (national government) together with the organizations and institutions responsible for the execution of the policy. After the organization of implementation the proposed actions need to be executed. This usually happens by (semi-)governmental management agencies or private organizations, supervised by the provinces. Concluding, the implementation stage of nature policy is the most suitable stage for decentralization and is already decentralized to a large extent in the Netherlands.

4.2.4 Policy review

Policy review can be divided in the evaluation of a certain policy and monitoring itself (the execution of monitoring programs). The evaluation can result in the reconsideration of the policy objectives and priorities, adaption of the policy or termination of the policy. The final review of a policy gives direct feedback to the agenda setting stage of new or following policies. Therefore (nature) policies need to be evaluated at the same level as the agenda setting stage is performed, usually done by the national government. The execution of monitoring programs and the analysis of the outcomes of these programs is usually decentralized to (semi-) governmental organizations, non-governmental organizations and research institutes.

4.3 RECENT DEVELOPMENTS AND THE POLICY CYCLE

Here the recent developments regarding to the decentralization of nature policy will be discussed according to the policy cycle. Of this decentralization only the first two stages of the policy cycle are completed at the moment of writing, namely the agenda setting and the policy formulation stage. For the other two uncompleted stages (policy implementation and policy review) the expected approach of the involved governments and organizations will be discussed.

The agenda setting of the recent decentralization of nature policy was an initiative of the Dutch national government and the provinces, according to the inside-initiative model. Important reasons for the government to put this policy issue on the agenda were: to decrease the amount of involved levels of administration to a maximum of two (an objective and norm setting layer and an implementation layer), to create a small but powerful service-minded government, in which policy issues are treated as close to the people as possible [VNG *et al.*, 2011], and to create a more cost-efficient government in a times of economic depression, as this decentralization involves substantial governmental cuts of 600 million euros [PBL, 2011a].

During the formulation stage of this policy, policy agreements regarding to the recent decentralizations in the Netherlands were made in a process of heavy negotiation between the national government and other sub-governments (provinces, municipalities and water boards). Examples of such policy proposals are the 'policy agreement 2011-2015' (Dutch: *'Bestuursakkoord 2011-2015'*) between the national government, provinces, municipalities and the water boards [VNG *et al.*, 2011], the 'negotiation agreement on nature decentralization' (Dutch: *'onderhandelingsakkoord decentralisatie natuur'*) between the national government and the provinces [EL&I *et al.*, 2011] and the new law on nature [EL&I, 2011].

The implementation stage of nature policy can be divided in the organization of the implementation and the execution of the policy tasks. The organization of the implementation of nature policy is usually done by the formulation of management plans for each specific nature site or type. Examples of these are the



management plans for Natura 2000 sites. These are expected to be made (on behalf of the ministry of EL&I) by the provinces in collaboration with the Government Service for Land and Water Management (DLG) and executive organizations such as the conservation society 'Natuurmonumenten', the Dutch forestry commission 'Staatsbosbeheer', the public works department 'Rijkswaterstaat', provincial landscape agencies 'i.e. Brabants Landschap', and other involved stakeholders. These management plans describe how and when the objectives set for that particular area will be reached. Management plans consist of details on the characteristics of the area (inventory), the measures taken, the executing organization, the budget, and monitoring in that particular nature area. The executive organizations will eventually execute the management programs, under supervision of the provinces and the national government.

With regard to the evaluation and monitoring the Nature Agreement states that the national government will work together with the provinces on a simplified monitoring system, which will not go beyond the European reporting requirements. The provinces will collect the data (together with the executive organizations) which the national government will present to the European Commission. The evaluation of this policy will probably be done by the national government and the provinces in collaboration with the involved (non)-governmental organizations and research institutes.



CHAPTER 5: Evaluation of the Nature Agreement

In this chapter the recent Nature Agreement, or to be more specific the *'policy agreement on nature decentralization'* (Dutch: *'onderhandelingsakkoord decentralisatie natuur'*) conducted on the 20th of September 2011, will be discussed according to the criteria for successful decentralization, to determine the strengths and weaknesses of this decentralization. On basis of these strengths and weaknesses, the possible threats and opportunities of this agreement policy for nature are discussed in this chapter.

5.1 THE NATURE AGREEMENT COMPARED TO CRITERIA

Here the recent Nature Agreement on nature policy is compared to the criteria for successful decentralization set in previous chapters (see: **Box 2**). Below the different decentralizations of the Nature Agreement in §1.6 (p.7) are compared to each of the criteria, if these individual decentralization meet the criteria or not is summarized in **Table 4** (p.31).

5.1.1 *Decisions of international importance*

As discussed before decisions of (inter)national importance can better be taken at the national level. The recent Nature Agreement involves decentralizations of (inter)nationally important decisions towards the provinces. Decisions on the conservation measures and the permissibility of harmful activities in and around Natura 2000 sites and national parks are of (inter)national importance as the national government made European (Birds Directive and Habitats Directive) and international (IUCN, Bern convention) commitments regarding this nature. Protected nature monuments contain (inter)nationally important ecosystems, and are an important addition to Natura 2000 sites and national parks, therefore also including decisions of international importance. Therefore the decisions on Natura 2000 sites, national parks and protected nature monuments can better be made on the national level, making these areas unsuitable for total decentralization towards the provinces.

5.1.2 *Complexity of issues and their regional context*

If the complexity of a policy issue (read: the degree in which a policy issue is woven into a local or regional context) increases, local and regional stakeholders have more urge for freedom regarding the specific approach of the policy issue. The national government will not (or barely) be capable to consider each specific interest of the different stakeholders into the developments of the policy, as this would lead to high administrative pressure. This can better be done at a lower level of government (in this case: the provinces), as they have more knowledge on the regional context of the policy issue, and are closer to the stakeholders. On the other hand less complex policy issues, which are preferably governed in a generic and uniform way, can better be governed by the central government (in this case: the national government). Some nature types include more complex policy issues compared to others. Parts of nature policy with as most important function the conservation of internationally important biodiversity and habitats (Natura 2000 sites, national parks, and protected nature monuments), are conserved to protect them from local development. These areas will mainly involve problems regarding the conservation of biodiversity, which are preferably governed in a uniform and generic way by the national government, as these are of (inter)national importance. For policies on Natura 2000 areas, the responsibility for conservation measures in Natura 2000 sites and the permissibility for harmful activities in and around Natura 2000 sites, are policy issues preferably handled in a general and uniform way by the national government. But the management plans for specific Natura 2000 sites include policy issues in a regional context (in that specific natura 2000 site). Other nature types, such as national landscapes, the EHS (Natura 2000 sites, national parks, protected nature monuments excluded) and other nature, also do offer more complex multi-faceted issues in a regional context, as these areas are multifunctional (recreation, urbanization, agriculture etc.) and involve regional social economic developments. Concluding this, national parks, protected nature monuments and nature 2000 sites do not include complex issues in a regional context. Whereas the national landscapes, the robust connection zones and development areas of



the EHS, other nature and management plans for specific Natura 2000 sites do offer complex issues in a regional context.

5.1.3 *Suitability of stages of the policy cycle*

In chapter 4 the different parts of the policy cycle and their suitability for decentralization are discussed. Here we will discuss the different decentralizations of this policy agreement and the suitability for decentralization of these stages of nature policy. In this decentralization the provinces get autonomous authority for national parks, protected nature monuments, national landscapes, the EHS (Natura 2000 sites excluded), and 'other nature'. This autonomous authority of the provinces can be seen as the decentralization of almost the entire policy cycle towards the provinces. The implementation of these policies was already decentralized to a large extent towards the provinces before this decentralization. The decentralization of the implementation of nature policy is expected to be suitable for all administrative nature types. With this decentralization the formulation, the evaluation and the agenda setting is also decentralized towards the provinces. This is not expected to be a problem for national landscapes, the EHS (Natura 2000 sites and national parks excluded) and 'other nature', as these areas are preferably developed in a regional context and include complex policy issues. But for protected nature monuments and national parks, the decentralization of the formulation, evaluation and agenda setting is less suitable, because these areas are of international ecological importance which contain decisions of international importance (national parks), or because these areas do not include complex policy issues (protected nature monuments). The decentralization of the management plans for natura 2000 sites, or to put it in other words the organization of the implementation of natura 2000 policy, is a part of the policy cycle suitable more for decentralization. The responsibility for conservation measures and the permissibility of harmful activities in nature 2000 sites, include decisions of international importance (formulation and framing) as these decisions could lead to negative effects on the biodiversity in these Natura 2000 sites. Therefore the decentralization of these parts of the policy cycle (decision making) are unsuitable for decentralization.

5.1.4 *Suitability of nature types*

As discussed before in chapter 3, not all administrative nature types are suited for decentralization. The suitability of the decentralized nature types is based on their geographical location, the complexity of the issues in these areas, and their (inter)national ecological value. The conclusion of this chapter is that national landscapes, nature development zones and core areas of the EHS and other nature are more suitable for decentralization compared to national parks, Natura 2000 sites and protected nature monuments which can better be governed at the national level. The types of nature in the Netherlands and their suitability to be decentralized to the provinces from **Table 3** are also included in **Table 4**.

5.1.5 *Availability of resources*

To successfully execute decentralized tasks there have to be sufficient (financial) resources available on the decentralized level. Besides financial resources, the capacity in terms of officials to execute the decentralized tasks also has to be sufficient. With this Nature Agreement a lot of tasks will be decentralized to the provinces, making them almost entirely responsible for nature policy by 2014 [EL&I *et al.*, 2011]. If these tasks would be handed over to the provinces without sufficient capacity and resources, the provinces have to execute these tasks with their present capacity and resources, or have to hire extra capacity at their own expense.

With regard to the execution of the decentralized tasks, the provinces have to be more cost efficient compared to the national government as this decentralization involves a substantial cut back of approximately 600 million euros in the ILG until 2014 [VNG *et al.* 2011]. For the establishment of the adopted EHS the provinces get 105 million extra in the ILG after 2014. Until that time nature management of the EHS will be paid from the remaining budget of the ILG. The national government and the provinces agreed that the provinces become responsible for the 'provincial part' of the government agency for rural



areas policy (Dutch acronym DLG) in 2015, with the corresponding capacity (400 fte) and financial resources (41 million euros), in the period of 2012-2014 the DLG will be used in the development and realization of the adapted EHS. Moreover, the national government will place approximately 19-22 million euros at the provinces disposal each year for the execution of the decentralized tasks, from the governmental service '*Dienst Regelingen*' (17-20 million) and the Food and Consumer Product Safety Authority (2 million) in the period of 2012-2015. The execution costs of the Fauna fund is also decentralized to the provincial fund. The national government will place the average of the costs made by them in the past four years at the provinces disposal each year [EL&I *et al.*, 2011].

On behalf of State Secretary Bleker, the Netherlands Environmental Assessment Agency (PBL) analyzed the expected consequences of this Nature Agreement on the adopted EHS in terms of reaching international commitments. This research is an important indication of the expected consequences of this Nature Agreement on nature. According to the European commitments for the conservation of biodiversity, the situation has to be improved for half of the species and all habitat types of the Habitats Directive and Birds Directive, by 2020. The national government and the provinces expected that the implementation of this Nature Agreement in the period until 2021 will result in accomplishing these and other international goals. But the analysis of the PLB shows that this is not likely. They conclude that the Netherlands will not fulfill the short term obligations regarding nature conservation and the realization of long term obligations will also become more difficult. This Nature Agreement, including the adapted EHS, can be seen as a withdrawal of appropriate measures to accomplish European and international nature conservation goals. The quality of nature will deteriorate with 30%, and 20% of the species of the Birds Directive and the Habitats Directive will deteriorate. Without these financial limitations the adapted EHS could slightly contribute to nature [PBL, 2011b]. This indicates there probably is a lack of (financial) resources on the provincial level to execute the decentralized tasks successfully to contribute to the international commitments regarding the conservation of biodiversity.

5.1.6 Political commitment

Political commitment is important when it comes to decentralization. The will of involved actors to agree with a proposed decentralization forms the basis of a successful decentralization. The Nature Agreement was first conducted by the State Secretary of EL&I, Henk Bleker and the Provincial Council (IPO). After this each of the twelve provinces of the Netherlands had to approve this agreement. Most of the provinces of the Netherlands agreed with this decentralization and thus are politically committed. For example, the province of Gelderland agreed with the Nature Agreement because according to them: "We want to offer more space for society. We want to bring nature closer to the people and offer more space for entrepreneurs and private initiatives" [Province of Gelderland, 2012]. Other provinces that agreed with the decentralization of nature policy are, Zeeland, Noord-Holland, Zuid-Holland Limburg, Overijssel and Utrecht. The other four provinces (Noord-Brabant, Friesland, Groningen and Drenthe), voted against the agreement. The province of Flevoland postponed their decision [Volkskrant, 2012]. In February of 2012 the province of Noord-Brabant also voted in with the agreement [Omroep Brabant, 2012] and State Secretary Bleker expects that "the other provinces will cooperate, and if not, the issues must be resolved with legal force" [NOS, 2012]. The remaining four provinces (Flevoland, Friesland, Groningen and Drenthe), still did not sign the agreement. These provinces can formally say no to the made agreements, but they have to execute the plans, or else they will be cut on their budgets [Trouw, 2012]. After a more detailed description of the policy agreement these provinces still did not want to sign the agreement, but have said they will cooperate and execute the plans and will probably not take juridical measures. This indicates that there definitely is some lack of political commitment regarding to this decentralization.

5.1.7 Clear legal framework

The availability of a clear legal framework in which the responsibilities and tasks of the involved institutions are described specifically, is key for a successful decentralization. The proposed new law of nature and the policy agreements between the provinces and the national government, offer this legal



framework for the recent decentralization of nature policy in the Netherlands. Regarding to the Nature Agreement between the IPO and the national government, there were some obscurities for the provinces. It was unclear who was responsible for international commitments and there were some obscurities regarding the finances for the implementation of this decentralization. State Secretary Bleker first did not want to pay attention to these comments, but as some provinces did not sign the agreement, the situation changed. Therefore further agreements were made concerning the Nature Agreement. More detailed agreements were made on the implementation of the nature policy agreement, and the national government took responsibility for European and international commitments. This took away big risks and obscurities around the Nature Agreement. With as a result that the provinces who voted no before, will cooperate and execute the plans and will probably not take juridical measures [Province of Groningen, 2012]. Besides this the proposed new law of nature, which is less complicated and follows closely with international commitments, also offers a legal framework for the national government and provinces, regarding the decentralization of nature policy. But there are still some obscurities regarding to these legal frameworks. For example it is still unclear how the budgets of the ILG will be divided among the provinces and several strategies regarding policy issues still have to be concretized. So although this decentralization includes a legal framework some parts of it are still unclear, indicating there are obscurities regarding the legal framework of this decentralization.

5.1.8 *Accountability and transparency*

Accountability and transparency mainly involves the making public of data and information of the government. This can be done actively (by the government itself) or passively (on request). The past decennia the Dutch governments invested substantially in active disclosure. Now, the website of the national government (rijksoverheid.nl) offers a lot of transparent information on policy making and implementation for interested civilians: permits, official messages, letters to the parliament, press releases, speeches of Ministers and so on. In this information there is a focus on clear and understandable linguistic usage. For passive disclosure, the Netherlands has the act on public access to government information (WOB) since 1978. With this act every civilian can request for the required non-public information, excluding documents with opinions of officials and letters between Ministers. Usually WOB-requests concern actual data such as research reports and datasets [AvO, 2011]. This is expected to be the same for the provinces as all provinces also have a website with transparent information on policies, and provincial information can also be acquired with a WOB-request. So, regarding to this decentralization of nature policy there is a lot of information available through these channels in the Netherlands and therefore accountability and transparency are not expected to form a problem.

5.1.9 *Capability and readiness of the personnel*

The advice commissions of the Provincial Council (IPO) are formed by employees of the IPO itself and employees of the provinces [IPO, 2012]. As the IPO conducted the Nature Agreement with the national government, it is plausible that the employees of the provinces are capable and willing to perform decentralized tasks, because they conducted this agreement. But there is a distance between the IPO and the provinces itself. As discussed before after the IPO and the national government conducted this agreement, four of the provinces eventually did not sign in with the agreement. It is expectable that some employees of these provinces are not willing and supporting the plans regarding the decentralization of nature policy. But as governmental personnel are expected to be loyal to their superiors, the readiness of the personnel of the provinces is not likely to form a big problem in this decentralization of nature policy. Regarding to the capability of the personnel of the provinces, it is questionable if the decentralized capacity of the DLG (400 fte) is enough to fill the gap of capacity and knowledge at the provincial level. Therefore there is certainly some lack of capability and readiness of the personnel regarding to this decentralization.



Table 4: The recent decentralizations of nature policy (vertical) compared to the criteria for successful decentralization (horizontal). (+) = Criteria met, (-) = Criteria not met, (+/-) = Criteria partly met, N/A = Not applicable.

Criteria:	Decisions of (Inter)national importance?*	Complex issues in a regional context?	Suitable part of the policy cycle?*	Suitable type of Nature?	Sufficient Resources?	Political Commitment?	Clear legal framework?	Accountability and Transparency?	Capability and readiness of personnel?	Total
Decentralizations:										
National parks	-	-	-	-	-	+/-	+/-	+	+/-	-
Protected Nature monuments	-	-	-	-	-	+/-	+/-	+	+/-	-
National landscapes	N/A	+	+	+	-	+/-	+/-	+	+/-	+
EHS: (Financial) responsibility	N/A	+	+	+	-	+/-	+/-	+	+/-	+
EHS: Robust connection zones	N/A	+	+	+	-	+/-	+/-	+	+/-	+
Natura 2000: Management plans for Natura 2000 sites	-	+	+	-	-	+/-	+/-	+	+/-	+
Natura 2000: Conservation measures	-	-	-	-	-	+/-	+/-	+	+/-	-
Natura 2000: Permissibility of harmful activities for biodiversity	-	-	-	-	-	+/-	+/-	+	+/-	-
Other Nature	N/A	+	+	+	-	+/-	+/-	+	+/-	+

*Decentralization of the implementation of policy excluded as this is broadly applicable for all administrative nature types.



5.1.10 Suitability of parts of the Nature Agreement

From **Table 4** can be concluded that some parts of this decentralization are more suitable for decentralization to the provinces compared to others. The decentralization of national parks, protected nature monuments and decisions on conservation matters and harmful activities in and around Natura 2000 sites, seem unsuitable for decentralization. Mainly because these parts of this decentralization include decisions of (inter)national importance based on international commitments and because these nature areas have as primary function the conservation of biodiversity and habitats and therefore are not expected to provide complex policy issues. Whereas other parts of this decentralization do seem suitable for decentralization, namely the decentralization of national landscapes, other nature, parts of the EHS (Natura 2000 sites, national parks and protected nature monuments excluded) and the responsibility for the management plans for Natura 2000 sites. Because these parts of this decentralization do offer complex multifaceted issues involving many stakeholders which are preferably handled at the provincial level, as they stand closer to these issues.

Generally this decentralization has its strengths and its weaknesses. Important weaknesses are the lack of (financial) resources, some lack of political commitment, the lack of a clear legal framework, some lack in capability and readiness of the personnel and the fragmentation of decisions on internationally important nature. Strengths of this decentralization are the decentralization of complex multifaceted policy issues in a regional context towards the provinces and the accountability and transparency of this decentralization.

5.2 OPPORTUNITIES AND THREATS FOR NATURE

The decentralizations of the Nature Agreement bring opportunities and threats for Dutch nature. Here the different opportunities and threats for nature are discussed starting with the possible opportunities for nature and followed by the threats for nature.

5.2.1 Opportunities for Dutch nature

The first important opportunity for nature is that this decentralization may create wider social support for nature policy. An important objective of this decentralization is to bring nature policy closer to the people, which is positive as nature is important for citizens. Secondly, less national policy can result in more freedom for local natural resource managers to have their own interpretation on nature management. For example, nature managers could be able to focus more on natural processes instead of the conservation of species. Another opportunity for nature is that the provinces might get more opportunities for integral region-specific developments. Regional development is preferably done in a region-specific context, in which the provinces seem more suitable compared to the national government. Decentralization of nature policy towards the provinces could also result in more variation regarding to the development of nature. The further development of the EHS, Natura 2000 and landscapes at the provincial level probably enforces regional developments, which can increase the regional identity of nature. Besides, this decentralization could also make nature management in the Netherlands more (cost) efficient.

5.2.2 Threats for Dutch nature

Although the Nature Agreement might bring opportunities for nature, it also provides important threats for nature. Probably the most important threat is the degradation of existing nature due to the governmental cuts. Under the circumstances of this decentralization (Nature Agreement) the quality of Dutch nature may deteriorate with 30%, and 20% of the species under the Birds Directive and Habitats Directive may deteriorate in the Netherlands. Besides, the Netherlands will probably also not fulfill the objectives set in international commitments nature conservation, on both short and long term. This indicates that due to this decentralization Dutch nature possibly degrades, due to the lack of financial resources [PBL, 2011b].



Some parts of Dutch nature need national guidelines. Natura 2000 sites and national parks are of (inter)national importance as the national government made international commitments regarding to these nature types. This is also applicable for threatened species, which occur in several provinces and are not protected by the Habitats Directive. Decentralization of this internationally important nature, can lead to fragmentation of international nature policy tasks and responsibilities, which can have a negative effect on Dutch nature.

The variation in provincial nature policy due to this decentralization can result in some provinces giving priority to economic activities instead of nature conservation and management. In the multiannual policy programs of the provinces there is already less focus on nature goals than the national government intended in previous policy agreements. The available budgets in the ILG for nature were also not always used to the full extend for nature. With the transferring of the ILG to the provinces there is the risk that budgets available for nature policy can be used for other, more economically attractive developments. This could also negatively affect Dutch nature [Gerritsen *et al.*, 2009].

It is assumable that there will be a loss of knowledge and experience regarding Dutch nature (policy) on the national level due to this decentralization. If the provinces will be able to fill in this gap is questionable, and if not this could also have negative consequences for Dutch nature.



CHAPTER 6: Discussion and Conclusion

In this chapter the most important findings of this thesis will be presented and discussed. Strengths and weaknesses of the recent decentralization of nature policy in the Netherlands and the probable effects of this decentralization on Dutch nature (policy) in the future are discussed in order to answer the mayor research question: *'What are threats and opportunities for nature of the recent developments regarding to further decentralization of nature policy in the Netherlands?'*

6.1 DISCUSSION

In this thesis criteria for successful decentralization are presented and the suitability for decentralization of different types of nature and the different parts of the (nature) policy cycle are discussed. The criteria are based on lessons learned from former decentralizations in the Netherlands and criteria derived from the literature. This framework of criteria for successful decentralization is used to analyze what are the strengths and weaknesses of the recent decentralization and to determine the possible effects of this decentralization on Dutch nature (policy). There is no general framework of criteria for successful decentralization available which is applicable for every decentralization. Each specific decentralization must be seen from its own perspective and success of a decentralization is a political case dependent on the circumstances in which it occurs. Therefore the framework of criteria for successful decentralization used in this thesis is probably incomplete, and meeting these criteria (or not) is not a direct precondition for success (or failure). This framework only gives an indication of the probable outcomes and successfulness of this decentralization. There are numerous definitions for decentralization, in this thesis one of those was selected and used. The use of another possible definition could also result in a different outcome. Besides, the evaluation of this decentralization is based on the interpretation of the writer, other researchers could have a different perspective on the subject and could value criteria for successful decentralization differently.

This thesis focuses on decentralization of nature policy from the national government towards the provinces, the relation with other involved stakeholders (or governance) is not addressed in detail. Other stakeholders such as the municipalities, water boards and nature management organizations also play an important role in this decentralization. Research on the relations of and the effects on all involved stakeholders regarding this decentralization is needed to give more clarity on the strengths and weaknesses of this decentralization and the effect on Dutch nature. The focus in this thesis is on administrative types of nature in the Netherlands. The ecological types of nature of the Netherlands is not taken into account in detail. Research the ecological types of nature could give more insight on the effects of the Nature Agreement on Dutch Nature.

The latest changes in nature policy discussed are those of the government of Rutte, in the Nature agreement or to be more specific the *'policy agreement on nature decentralization'* (Dutch: *'onderhandelingsakkoord decentralisatie natuur'*) conducted on the 20th of September 2011 [EL&I *et al.*, 2011]. The decentralizations in this policy agreement are not implemented at the moment of writing, the involved governments only agreed on the plans made in the Nature Agreement. It is expectable that during the implementation of these decentralizations changes will be made. Besides, on the 23th of April of 2012 the government of Rutte fell and the possible changes due to this are not included in this thesis, which could also lead to other results. The future of this decentralization is unclear and depends on external developments in the near future. For example new elections can lead to a change in political color, which can change these plans drastically. A new government can decide to increase the degree of decentralization, but is it also possible that they (re)centralize by for example disestablishing the provinces. If Dutch nature will benefit of such a yo-yo effect of decentralization and (re)centralization is questionable. Besides this the actions of the EU regarding not meeting the commitment of Natura 2000, can also influence this decentralization. The EU could take measures if the Netherlands does not meet the objectives. Then the national government will be adjusted by the EU, which will have a negative effect on



the success of this decentralization. But the EU could also weaken the rules and objectives regarding European biodiversity conservation, which can positively affect the success of this decentralization.

6.2 IMPORTANT FINDINGS

Important criteria for successful decentralization were derived from the analysis of former decentralizations of nature policy in the Netherlands in chapter 1. These criteria are: policies including decisions of international importance are unsuitable for decentralization, the decentralized parts of the policy cycle need to be suitable for decentralization, availability of clear and complete policy agreements, availability of (financial) resources, availability of knowledge and involved governments need to stick to their agreements (See: **Box 1**). Other criteria for successful decentralization derived from the literature from chapter 2 are: complex and multifaceted issues preferably developed in a regional context are suitable for decentralization, political commitment, the availability of a clear legal framework, the availability of resources, accountability and transparency, and the capability and readiness of the personnel. Together these criteria are the criteria for successful decentralization used in this thesis to analyze the strengths and weaknesses of the Nature Agreement (See: **Box 2**).

In chapter 3 the suitability of the different administrative types of nature in the Netherlands for decentralization is analyzed. Some administrative nature types seem more suitable for decentralization compared to others. Nature types more suitable for decentralization are: national landscapes, the development areas and robust connection zones of the EHS, agricultural lands, the green blue veining and green in and around cities. Mainly because policy issues regarding these nature areas are usually complex issues in a regional context, which are preferably governed by the provinces. Nature types unsuitable for decentralization are: core areas of the EHS (national parks and Natura 2000 sites) and protected nature monuments (outside of Natura 2000). These areas are of internationally important ecological value, and the Dutch government made international commitments regarding these nature types. Their primary function is the conservation of biodiversity and habitats and these areas are not expected to involve complex issues, and therefore are preferably governed in a central and generic way by the national government.

From chapter 4 can be concluded that some parts of the policy cycle are more suitable for decentralization than others. The implementation stage of nature policy is the most suitable stage for decentralization and is already decentralized to a large extent in the Netherlands. The suitability of the decentralization of the agenda setting and formulation stage of the policy cycle depends on the context of the policy issue and the administrative type of nature in which the issue occurs. The formulation and agenda setting of complex and multi-faceted policy issues woven into a regional context can better be handled at the provincial level, as they stand closer to the issues and the involved stakeholders. Whereas the formulation and agenda setting of more central, uniform and generic policy issues can better be handled at the national level. The review of policies (review stage) needs to be done at the same level as the agenda setting stage.

The strengths and weaknesses of this decentralization according to the criteria for successful decentralization is discussed in chapter 5. The most important weaknesses of this decentralization is the lack of (financial) resources at the provincial level. Besides this other weaknesses are; some lack of political commitment, the clarity of the legal framework, the fragmentation of internationally important parts of nature policy and some lack in the capability and readiness of the personnel. Important strengths are the decentralization of complex multifaceted policy issues in a regional context towards the provinces and the accountability and transparency of this decentralization.

Some parts of this decentralization seem more suitable for successful decentralization compared to other parts (see: **Table 4**). The decentralization of national landscapes, other nature, parts of the EHS (Natura 2000 sites, national parks and protected nature monuments excluded) and the responsibility for the management plans for Natura 2000 sites do seem suitable for decentralization, because these parts of this decentralization do offer complex multifaceted issues involving many stakeholders which are preferably



handled at the provincial level, as they stand closer to these issues. Whereas other parts of this decentralization such as the decentralization of national parks, protected nature monuments and decisions on conservation matters and harmful activities in and around Natura 2000 sites, seem unsuitable for decentralization. Because these parts of this decentralization include decisions of (inter)national importance based on international commitments. These nature areas have as primary function the conservation of biodiversity and habitats and therefore are not expected to provide complex policy issues.

6.3 CONCLUSION

Analysis of the recent decentralization of Dutch nature policy in the Nature Agreement shows this decentralization provides opportunities for nature as well as threats. Opportunities of this decentralization for Dutch nature are: the possible increase of social support for nature policy, the possible increase of freedom for local natural resource managers to give their own interpretation on nature management, more opportunities for the provinces for region specific developments and the increase of local variation in Dutch nature. This decentralization of nature policy issues can improve the local identity of Dutch nature and enhance regional developments. But this decentralization seems to bring more threats for nature. The most important threat for Dutch nature is the degradation of existing nature due to the lack of finances (governmental cuts). As research showed that under the circumstances of this decentralization (Nature Agreement) the quality of Dutch nature may deteriorate with 30%, and 20% of the species of the Birds Directive and the Habitats Directive may deteriorate in the Netherlands. The Netherlands will probably also not fulfill the objectives set in international commitments, on both short and long term. Besides this the fragmentation of this internationally important nature, the possible priority for some provinces for economic development instead of nature conservation and development and the possible loss of knowledge of nature (policy) on the national level, are also important threats for nature.



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