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A transformative approach to the mediation of environmental conflicts: from entry to exit points

Environmental Mediation Initiative



A transformative approach to the mediation of environmental conflicts: from entry to exit points

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Aim and scope of this document

At the European level, tension between stakeholder groups over the use and protection of the natural environment and resources are unfolding in new directions due to various developments (e.g., climate and biodiversity crisis). The **need for environmental facilitation and mediation** for alternative dispute resolution in the European context has only recently been recognized, with most examples dating from the 2000s and most prominent case studies from the last decade. The actors involved in these conflicts often lack the knowledge and skills (e.g. nonviolent communication, empathy and listening skills, negotiation tools, etc.) to manage them, and there is also a lack of awareness of the potential of facilitation and mediation among stakeholders to reduce and manage conflicts over important environmental issues.

This document draws on the experiences of the Environmental Mediation Initiative (EMI) to provide an **overview of the mediation approaches** that are used by its members to address environmental conflicts. It begins with an overview of environmental conflicts and of different approaches to understanding them. It then explores in more detail a diverse set of principles and methods through which mediation can have a transformative effect on the social relations of the parties involved and on the conflict itself. Although members of the EMI draw on a diverse set of theoretical tools, methods and techniques, their aim remains that of creating an open and safe environment for dialogue between different parties, to promote social learning and more equitable ways of managing conflict. The document discusses **the important role of the mediator** in participatory processes and some of the challenges and limitations they may encounter. It then includes a reflection on how mediators can help address issues of power inherent to participatory processes and environmental management more widely. The final section of the document presents a list of case studies brought forward by the members of the EMI. These are cases where different aspects of conflict mediation were implemented through a diverse set of mediation tools and methods, aimed at bringing clarity to a conflict situation and in some instances at transforming the relations between the parties involved.



02

Overview of environmental conflicts

Environmental conflicts are essentially disputes over how nature is understood and used. They arise when one group of people prioritizes their values and interests, often at the expense of another group¹. These conflicts can involve various issues related to changes in the environment and the use of natural resources. However, they also encompass broader struggles concerning livelihoods, identities, a sense of place, health, and well-being. According to Martinez-Alier et al.² and the Environmental Justice Atlas³, environmental conflicts can be categorized into different types. These include conflicts related to nuclear energy, the extraction of minerals and building materials, land and biomass, fossil fuels and climate justice, industrial emissions and pollution, waste management, infrastructure and the built environment, water management, biodiversity conservation, and tourism and recreation (Box 1).

Struggles over land and natural resources have been present throughout history. In the modern era, they have been linked to processes of accumulation and dispossession during agrarian, industrial and green transitions, as well as colonial legacies⁴. In recent decades, there has been a significant increase in land and resource grabbing, along with rising energy consumption, material usage, and waste production in industrialized economies. Consequently, conflicts with an ecological aspect have become widespread. These conflicts often involve issues of inequitable distribution of ecological costs and benefits, which are closely intertwined with struggles for land rights, indigenous sovereignty, ethnicity, class, and gender².

The environmental justice movement that emerged in the 1980s, along with other grassroots and social movements, have played a crucial role in raising awareness about environmental changes and highlighting the claims of marginalized and disadvantaged groups. These groups often suffer the most from both environmental destruction and conservation interventions.



¹ Redpath S.M., R.J. Gutiérrez, K.A. Wood & J.A. Young (2015) Conflicts in conservation: Navigating towards solutions. Cambridge University Press. <https://doi.org/10.1017/CBO9781139084574>

² Martinez-Alier J., L. Temper, D. Del Bene & A. Scheidel (2016) Is there a global environmental justice movement? The Journal of Peasant Studies. DOI: 10.1080/03066150.2016.1141198

³ <https://ejatlas.org>

⁴ Bellamy Foster J. & B. Clark (2009) Ecological imperialism: the curse of capitalism. Socialist Register Vol. 40.

Box 1. Types of conflict (taken directly from Martinez-Alier et al. 20162).

Nuclear energy	e.g. uranium extraction, nuclear power plants, nuclear waste storage
Mineral ores and building materials extraction	e.g. mineral extraction, mineral processing, tailings, building material extraction
Waste management	e.g. e-waste and other waste import zones, ship-breaking, waste privatisation, waste-pickers, incinerators, landfills, uncontrolled dump sites, industrial, municipal waste
Biomass and land conflicts	e.g. land acquisition, tree plantations, logging, non-timber products, deforestation, agro-toxics, genetically modified organisms (GMOs), agro-fuels, mangroves vs. shrimps, bio- piracy and bio-prospection, intensive food production (monoculture and livestock), fisheries
Fossil fuels and climate justice/ energy	e.g. oil and gas extraction, oil spills, gas flaring, coal extraction, climate change-related conflicts (glaciers and small islands), reduced emissions from deforestation and forest degradation (REDD), clean development mechanism (CDM), windmills, gas fracking
Infrastructure and built environment	e.g. megaprojects, high speed trains, airports, urban development
Water management	e.g. dams, water transfers, aquifers, hydro-ways, desalination
Biodiversity conservation conflicts	e.g. invasive species, damage to nature, conservation conflicts (ex. human-wildlife conflicts)
Industrial and utilities conflicts	e.g. factory emissions, industrial pollution
Tourism recreation conflicts	e.g. establishment of tourism facilities



Approaches to environmental conflicts

3.1. From 'technical' to social and political approaches to environmental conflict

The conventional approach to understanding and addressing environmental conflicts typically focuses on the physical aspects of nature and environmental change. It relies heavily on scientific disciplines like ecology and engineering, along with a limited set of related social sciences⁵. This approach tends to propose **"technical fixes"** as solutions to conflicts. These fixes are often seen as precise and surgical interventions that don't aim to disrupt or transform the broader

socio-ecological relationships beyond existing frameworks and global trends. Technical fixes may involve upgrading technologies to make them more efficient and sustainable, manipulating ecological processes through engineering, or modifying the behaviours of specific groups who use natural resources, all while **keeping intact the larger political-economic structures** in which these conflicts arise (see Box 2).

Box 2. What are some examples of technical fixes?

In the context of climate change, there are common technical fixes that are often proposed, such as developing green infrastructure, implementing renewable energy projects, and adopting adaptive farming techniques to mitigate the impacts of droughts and floods. While these interventions are likely necessary for the well-being and survival of many communities, problems arise when they are uncritically implemented without considering local perspectives, meaningful participation, and consent. On a local level, their implementation can harm vulnerable communities and worsen existing inequalities related to land ownership, social class, ethnicity, and gender. On a global scale, the focus on technological innovation, progress, and economic growth can overshadow the historical responsibilities and ongoing consumption patterns that drive climate change and contribute to the unequal distribution of its impacts.

Similarly, in the context of human-wildlife conflicts, a technical fix example could be the promotion of damage prevention measures such as fences, seasonal shepherding, livestock guarding dogs, and the use of livestock species and breeds that are less vulnerable to predation. These solutions aim to change the practices and livelihood strategies of livestock owners. However, they are often implemented without considering local knowledge, cultural contexts, and the challenges posed by broader policies and economic systems that shape agrarian livelihoods.

⁵ Castree N., W.M. Adams, J. Barry et al. (2014) Changing the intellectual climate. Nature Climate Change <https://doi.org/10.1038/nclimate2339>

The field of **political ecology** offers a different perspective on environmental change and conflicts. Instead of solely focusing on the physical aspects, it emphasizes the politics of human interactions with nature^{6,7}. According to this approach, decisions about how nature is used, exploited, or protected are inherently political. Understanding the power dynamics among stakeholders who make competing claims over nature is crucial in determining who has access to nature, how they use it, and what the outcomes are. The choice of the scale at which nature is managed is also a political decision, which significantly impacts whose interests are considered legitimate.

Looking at ecological conflicts through a political lens means examining the connections between the smaller-scale

politics of resource access and use and the larger political-economic structures. These conflicts go beyond disputes over the distribution of the costs and benefits of environmental change and conservation. They also involve conflicts over knowledge and meaning. For instance, disagreements about granting access to a forest may arise from stakeholders having different understandings of what a forest is and how it should be valued. Different stakeholders may have diverse and sometimes incompatible ways of knowing, valuing, and engaging with the environment.

These can be spiritual, subsistence-based, or market-oriented approaches. Recognizing that ideas about nature are rooted in specific histories and knowledge traditions helps us understand why certain perspectives on nature hold more power than others.

3.2. Participatory approaches to environmental conflicts

A growing disenchantment with centralized and top-down environmental approaches, alongside calls to pay greater attention to the social and political dynamics of environmental issues, have led to an increase in the adoption of **participatory or adaptive co-management approaches** meant to foster more just, equitable, and flexible management solutions. Participatory processes are expected to improve conflict monitoring as well as the design and implementation of public policies that are better suited to the local context and to stakeholder needs. The expected social benefits of participatory approaches are two-fold. On the one side are the **'social learning benefits'** of participation that concern participants' personal growth and willingness to learn and dialogue across difference. These are expected to enhance the self-awareness, listening, and communication capacities of the parties included in the mediation process, thereby resulting in improved levels of trust and collaboration. The intended outcome in this respect, is that of enhancing coexistence between different stakeholder groups as they gain mutual acknowledgement and respect for each other's claims. On the other side are what may be considered as

'social justice benefits' concerning participation's potential to get involved in or even transform the politics of environmental decision-making. These concern negotiation processes that give a greater voice to disenfranchised groups, thus increasing the legitimacy and equity of environmental management and policies. The social justice benefits of participatory processes take many dimensions: 'procedural justice' concerns stakeholders' inclusion and representation in formal or customary institutions and processes; 'recognition' concerns the acknowledgment of and respect for Indigenous and local knowledge, diverse ways of knowing and valuing nature; whilst 'distributive justice' concerns measure that redress the inequitable distribution of environmental impacts and policies.

Taken together, social learning and social justice are central to the design of participatory processes that are 'transformative' in the way they change how stakeholders interact with each other and with the environment. In the following section we discuss in more detail what we mean by "a transformative mediation approach".

6 McCarthy J. (2002) First World political ecology: lessons from the Wise Use Movement. *Environment and Planning A*. DOI: 10.1069/a3526

7 Robbins P. (2012) *Political ecology: a critical introduction*. Wiley Blackwell.

8 Adams W.M. (2015) The political ecology of conservation conflicts. In: Redpath S.M., R.J. Gutiérrez, K.A. Wood & J.A. Young (eds) *Conflicts in conservation: Navigating towards solutions*. <https://doi.org/10.1017/CBO9781139084574.006>

9 IPBES (2022) Methodological assessment regarding the diverse conceptualization of multiple values of nature and its benefits, including biodiversity and ecosystem functions and services. <https://www.ipbes.net/the-values-assessment>

10 Armitage D., F. Berkes, N. Doubleday (2007) *Adaptive co-management: Collaboration, learning, and multi-level governance*. UBC Press.

11 Reed M.S., A.C. Evely, G. Cundill et al. (2010) What is social learning? *Ecology and Society* 15 (4).

12 Pickering J., B. Coolsaet, N. Dawson et al. (2022) Rethinking and Upholding Justice and Equity in Transformative Biodiversity Governance. <https://doi.org/10.1017/9781108856348>



04.

A transformative mediation approach

A transformative mediation approach¹³ aims to bring about **significant and lasting positive changes** in the way societies interact with the environment. It recognizes that traditional environmental management approaches often fall short in addressing complex and interconnected environmental challenges, such as climate change, biodiversity loss, and resource depletion. It goes beyond merely mitigating environmental damage or implementing sustainable practices. Instead, it seeks to fundamentally **transform the underlying drivers and systems** that contribute to environmental problems and conflicts. This includes addressing social, economic, and political factors that influence human behaviour and decision-making related to the environment.

Environmental mediation focuses specifically on areas of disagreement, tension, resistance, and conflict that arise from the complexity of environmental issues. While disagreement should not be regarded as a problem, the tension that often results from not dealing effectively with the disagreement may present significant obstacles to both effective environmental management and adverse effects on societies affected by environmental issues. Environmental mediation should be seen as a broad spectrum of practice that ranges from facilitating dialogue for dealing with existing conflict to preventing the escalation of tension related to environmental issues.

4.1. Systems thinking and complexity

A transformative approach to environmental mediation recognises that **environmental problems are interconnected and part of larger systems**. It involves understanding the complex interactions between ecological, social, economic, and technological systems.

To deal with these complex interactions, it is essential to involve multiple perspectives and diverse stakeholders, such as local communities, government agencies, businesses, and civil society organizations, in decision-making processes. This clearly links to the inclusive and democratic approaches within transformative environmental management. It is important to note here that stakeholders are more than simply representatives for organisations and networks. In our experience, several different perspectives may be present within an organised group and several groups may have the same or similar perspectives. This requires the mediator to ensure a thorough mapping of both actors and perspectives before intervening in a particular issue.

A case may be made for the need to resolve urgent problems and clear up disagreements quickly. This is particularly relevant if the problem or conflict is merely of a technical nature. A competent environmental mediator

needs to be able to conduct a problem-solving dialogue to clear up disagreements and reach agreements on urgent problems that arise. However, solving environmental challenges involves not only technical solutions but also shifts in values, attitudes, and behaviours at individual, societal, and institutional levels. There are often issues involving **values, emotions, identity, beliefs, and world views** that affect relationships between stakeholders, the mediator also needs to be aware of the complexity of the problem and the long-term consequences of simplifying a complex conflict.

To deal effectively with problems that are unpredictable, dynamic, often have a long history and involve multiple perspectives (in other words complex problems), adaptive approaches are needed. This involves testing or prototyping different alternative solutions and evaluating them over time, learning from past experiences, monitoring outcomes, and adapting strategies as new knowledge emerges. Environmental mediators will often need to follow a forward-looking approach that considers the long-term consequences of actions and policies on the environment and future generations, yet their work is often of limited duration and committed by different parties, who are often an element of the complex system to tackle.

¹³ A transformative approach to mediation should not be confused with Transformative Mediation originating from the Institute for the Study of Mediation and the authors Baruch Bush and Joseph Folger (although there are certain similarities).

4.2. Social learning as transformation

The environmental mediator approaches environmental conflicts as an opportunity for transformation and learning. A successful mediation process often results in improved relationships and trust between participants and results in a more collectively intelligent group. As the quality of the interaction between stakeholders improves, so does their ability to collectively understand the problems they face, and to take responsibility for finding and implementing solutions.

Social learning and transformation are often seen as side-issues or "soft results" but should not be underestimated. Without improved social interaction and trusting relationships, many of the more complex environmental issues we face become difficult to manage effectively. Substituting collective understanding of the conflict and joint action with top-down decisions risks escalating both the levels of complexity and conflict.

4.3. Equity and justice as transformation

Environmental issues are inherently intertwined with social and economic factors, so that environmental justice and social justice are inevitably linked. For example, climate change disproportionately affects low-income communities and communities of colour, who often have limited resources and are more vulnerable to extreme weather events and rising sea levels.

The pursuit of environmental and social justice involves advocating for policies and practices that promote sustainability, equitable access to resources, and meaningful participation in decision-making processes. It involves challenging systemic barriers, promoting environmental awareness and education, and fostering collaborations among diverse stakeholders to ensure that environmental benefits and burdens are fairly distributed across society. Ultimately, environmental and social justice seeks to create a more inclusive and sustainable world by addressing the **interconnectedness of environmental challenges and social inequalities**, promoting fairness, and empowering marginalised communities to participate in shaping their own future.

The environmental mediator must recognise that environmental issues disproportionately affect marginalized communities and vulnerable populations. They also recognise the fact that such communities may oppose environmental policies and conservation actions as a reaction to a deeper sense of injustice. To account for environmental injustices and mediators must open a dialogue about equitable access to environmental resources and benefits. A Transformative approach to mediation and facilitation actively seeks to involve parties that are affected by or have an influence on a particular environmental issue. Simultaneously, the inclusion of those representing the multiple perspectives present in environmental issues is essential in managing complex

issues. Involvement implies more than stakeholders being present at meetings. The Transformative approach **actively involves stakeholders** in exploring the nature of the problem, jointly considering alternative solutions and being part of the implementation process.

Ensuring active participation in environmental mediation processes ensures equitable distribution of both benefits and costs of the management practice and policy and of decisions regarding ecosystems, habitats, or wildlife populations. Moreover, involving parties in decision-making processes (rather than simply consulting them and making decisions for them) is essential for achieving long-term, sustainable solutions. Finally, the strengthening of relationships between stakeholders enables them to respond to new issues, disputes or conflicts that arise, with the knowledge that they can collectively respond and find both short- and long-term solutions.



4.4. Central principles for an integrated approach

Environmental mediation is not a method. Rather, it should be seen as an approach that integrates certain key principles. Environmental mediators involved in the Environmental Mediation Initiative come from different theoretical disciplines and use a combination of different methods in their dialogue and mediation practice. It is, however, important to ensure that the foundation on which mediation and facilitation practice is based clearly takes into account the points mentioned above. A purely transactional approach to resolving conflicts may provide short-term solutions, but is seldom helpful in situations that have a more complex nature and where relationships are necessary for sustainable collaboration. It is worth noting here that, while using the term "mediation", an integrated approach may rely heavily on public participation practice and dialogic negotiation (as opposed to transactional negotiation¹⁴).

A transformative approach to mediation encompasses several central principles that focus on empowering individuals (Box 3). These principles collectively guide a transformative approach to mediation, promoting empowerment, recognition, self-reflection, relationship transformation, autonomy, and future-oriented outcomes. While the specific techniques and practices may vary, these principles form the foundation of a transformative approach to conflict resolution.

Box 3. Central principles of a transformative approach to mediation

Empowerment:

The transformative approach emphasises empowering individuals in conflict to make their own decisions and take control of the mediation process. It aims to restore a sense of autonomy, self-determination, and personal responsibility for all parties involved. This is a particular challenge for authorities that are used to making unilateral decisions.

Recognition and validation:

The mediator recognises and validates the perspectives, emotions, and experiences of each party. By actively listening and acknowledging their concerns, the mediator creates an environment that fosters understanding, empathy, and respect.

Self-reflection and self-determination:

The transformative approach encourages parties to reflect on their own needs, interests, and values. It promotes self-awareness and helps individuals identify their underlying concerns and priorities, enabling them to make informed decisions and determine their own solutions.

Transformation of relationships:

The primary goal of transformative mediation is not just to reach a settlement but to transform the relationship between the parties. It aims to shift the dynamics of the interaction from one of conflict and power imbalance to one of increased understanding, mutual respect, and potential growth.

¹⁴ Chris Voss, in his book *Never Split the Difference*, proposes a form of negotiation that embodies many of the principles of the transformative approach and differs fundamentally from many traditional negotiation forms.

Party autonomy and decision-making:

The transformative approach emphasises the parties' active participation and control over the mediation process. It encourages them to express their thoughts, needs, and preferences, empowering them to generate their own solutions and make informed choices. Parties are encouraged to take responsibility and to consider how the group can jointly take responsibility for decisions that are made.

Voluntary and consensual nature:

Transformative mediation is voluntary and relies on the parties' willingness to engage in the process. The mediator does not impose solutions but supports the parties in reaching mutually agreed-upon outcomes. This often requires significant preparation and contact with potential participants at the start of a process to build trust for both the mediator and the process.

Future-oriented focus:

The transformative approach looks beyond the immediate conflict to consider the long-term impact and potential for personal growth. It encourages parties to envision a more positive future and supports them in taking steps towards that vision.

Examples of systems-based approaches that are used by practitioners are:

- Transformative Mediation - an approach developed by Baruch Bush and Joseph Folger. (<https://www.transformativemediation.org/>)
- The dialogic approach by David Bohm and further developed by William Isaacs and others (<https://www.dialogos.com>)
- Deep Democracy: an approach originating from Arnold Mindell and developed by Myrna Lewis (The Lewis Method of Deep Democracy) (<https://www.lewisdeepdemocracy.com/>)
- Theory U by Otto Scharmer (<https://ottoscharmer.com/>)



The role of the mediator

The management of a conflict situation between different stakeholders benefits greatly from the presence of external actors as professional facilitators/mediators, who are not affiliated with any of the parties involved. The main objective of these professionals is to ensure a space of deep listening, where meaningful conversations can take place, and where everyone can express their opinions in a safe environment. We emphasise the word "dialogue" because mediation is not about inviting people to a meeting so that they can just "have their say". Rather, mediation is about creating a **space for de-liberation and transformation**, where mutual listening takes place and where proposals are generated collaboratively.

The role of a mediator is to guide the process and the meetings using participatory techniques to ensure that all participants are engaged fairly and to safeguard against monopolising individuals. Ethical challenges specific to each situation are likely to arise whenever complex issues are addressed. These require pondered reflection, they may be deeply personal and context dependent, and therefore will not be addressed in this instance. However, mediators can rely on a few broad principles to guide their ethical engagement in all participatory processes. These include the concepts of non-judgment, equality, transparency, and confidentiality (Box. 4).

Box 4. Principles that should guide a mediators' ethical engagement with the participatory process

Non-judgement

Mediators avoid taking a judgemental position regarding the issues being discussed. The moderator makes suggestions about the process to follow without expressing their opinion regarding the contents being discussed.

Equality

Mediators support all stakeholders in an equitable manner, by considering all points of view as equally valid.

Transparency

Participants are made aware of the process, its aims, methods, and structure before they agree to take part. They are also informed of its outcomes over time.

Confidentiality

Information that the participants identify as confidential is not shared with other parties.

The function and tasks of a mediator are the following:

- They design the process, choosing the appropriate techniques and tools to achieve the agreed results.
- They promote a safe environment, where everyone can express their opinion. They work to reduce the risk of the conversation becoming personal and aggressive.
- They guide the group towards useful results, by keeping the discussion focussed on agreed topics. They further support parties in transitioning from individual positions to agreed and shared outcomes.
- They bring clarity to the process especially in moments of confusion. They listen to the group and propose adjustments according to varying needs: break times, changes in methodology, spaces for emotional management, etc.

- They exemplify positive professional attitudes and empathic presence.

Based on these principles and tasks, and drawing from a set of integrated tools and techniques, mediators can contribute to transform conflict by promoting dialogue, social learning and more equitable solutions to environmental issues. Environmental conflicts may not always or often be "resolved" through mediation, but they may be transformed to involve a more manageable and collaborative set of relations. Proper mediation may require long timeframes and may be implemented through stages that involve different levels of energy and interaction among actors.

5.1. Challenges and personal limitations of a mediator

Every mediator is likely to encounter several challenges throughout the course of a participation process, and their personal limitations can affect their ability to deal with them. Understanding the types of challenges encountered by a mediator and their own personal limitations is essential to enhance his/her effectiveness. Personal limitations are usually related to the mediators' own character, their personal history or past experiences, and their beliefs or positions on certain issues. For example, if a mediator has a very strong position on an issue, it may be difficult for them to mediate a conflict related to that issue. The following describes some of the challenges and limitations that mediators may face¹⁵:

- A lack of empathy, an inability to understand the perspectives of others, and difficulty in creating a safe space for participants to express themselves fully.
- Difficulty in encouraging independent thinking and facilitating meaningful discussions that challenge existing belief systems. The facilitator's personal limitations may include a fear of rocking the boat, an inclination towards maintaining the status quo and difficulties in managing group dynamics that arise from differing opinions.
- Limitations in managing the complexity that arises from the diversity of opinions within the group. They may find it challenging to create a sense of coherence and direction, as well as difficulty in facilitating decision-making processes. Personal limitations may include a tendency to avoid taking a firm stance, hesitancy in setting boundaries, and struggles in managing conflicts that arise from differing values and worldviews.

- A disconnection from the experiences of others and difficulties in adapting facilitation approaches to cater to diverse developmental needs.
- Challenges with 'holding space' for the multiple and often conflicting perspectives that arise within the group. The facilitator may find it difficult to strike a balance between encouraging diverse viewpoints and maintaining a coherent focus for the group's work, especially in larger groups with more escalated conflict.
- Difficulty in bridging the gap between the transcendent and the practical, ensuring that the group's needs are met in a grounded and effective manner.

Through adequate training, the application of appropriate mediation methods and long-term experience, mediators can learn to mitigate and address the challenges they encounter in their work. **Self-knowledge and awareness** are essential in helping a mediator recognize their personal limitations and biases, and in choosing how to deal with them. Self-awareness must be practiced daily through introspection and deep reflection. Particularly in view of becoming more aware of the power dynamics at play in participatory processes, a mediator must learn to reflect on and recognize their own biases as well as their capacity to influence the mediation process in ways that may not be immediately evident. This includes being aware of how a mediator's personality, socio-economic background, culture, and worldviews influence the way they conduct themselves and the mediation process.

¹⁵ Inspired on Jane Loevinger and Susane Cook-Greuter "stages of ego development" model



06.

Addressing issues of power in participatory processes

Experiences with participatory processes report positive social learning outcomes and successful examples of consensus building around certain management issues. Yet along these positive outcomes studies also report **significant challenges** in sustaining long-term stakeholder participation, as well as doubts regarding the capacity of adaptive co-management processes to address the underlying causes of conflict and influence wider social and governance contexts¹⁶. One of the difficulties in sustaining participatory processes in the long term is that usually they are not incorporated into the formal decision-making structures of protected areas or municipalities. They are often isolated processes that fail to generate a more lasting change in governance systems by incorporating stakeholder participation in decision-making or in planning and strategy. The narrow and predefined confines of many deliberative processes have long come under scrutiny by critical scholars^{17,18} and

literature is rife with examples of cases where indigenous or local resource users are invited to participate in resource management but are essentially barred from influencing the terms and scope of the discussion (Box 4).

Other limitations to the use of participatory processes concern the resources required and the policy impact that such processes have. Contexts where decision makers and relevant authorities show limited engagement and interest in bringing forward the results of a participatory process, can result in stakeholders feeling increasingly frustrated, alienated, and unwilling to partake in future participation processes. In addition to the human capital invested by the participants, both in terms of the time and knowledge dispensed in the process, participation also requires the involvement of professional mediators/facilitators and financial resources to support the entire process.

Box 4. The case of Dall sheep hunting the Yukon

Work by Paul Nadasdy¹⁹ puts forward a case study where First Nations People in the Yukon boycotted an adaptive co-management process aimed at designing a management plan for the trophy hunting of Dall sheep. Nadasdy's work shows how co-management processes are often situated within a particular set of beliefs and social relations that inevitably privilege certain interests. The participatory process in question avoided inquiry into the impacts of sheep trophy hunting, as well as questions about who has the right to hunt sheep, and who should have jurisdiction over sheep management and the land where hunting is carried out. In this way, the planned participatory process focussed on a narrow set of issues and a simplistic view of conflict that took for granted a series of historical and ongoing injustices, and in this way served to reproduce colonial relations and harmful patterns of resource extraction.

¹⁶ Salvatori V., E. Bailan, J.C. Blanco (2020) Applying participatory processes to address conflicts over the conservation of large carnivores: Understanding conditions for successful management. DOI: 10.3389/fevo.2020.00182

¹⁷ Cooke B., U. Kothari (2002) Participation: The new tyranny? Zed Books.

¹⁸ Mouffe C. (2000) The democratic paradox. Verso

¹⁹ Nadasdy P. (2007) Adaptive Co-Management and the Gospel of Resilience. In: Armitage D., F. Berkes & N. Doubleday (eds) Adaptive co-management: Collaboration, learning, and multi-level governance. UBC Press.

A transformative mediation approach is one where the mediator and the parties involved are aware of the historical events that bring the different parties in relation, and the power dynamics that persist both within and around the participatory process. To prevent a participatory process from focusing on a narrowly defined set of issues and involving only a closed group of stakeholders it is important to carry out a **complete mapping of the stakeholders**. The mapping involves familiarizing oneself with local history, carrying out research on press articles and local media outlets, in-depth interviews, and through public calls for expressions of interest. Stakeholder mapping may also be carried out by involving a guarantee or ethics committee, to supervise the planning and implementation of the participatory process. The committee can be formed by local subjects with opposing economic and political interests or by third-party members, external to the conflict. Ethical committees are usually made up of all the subjects involved in the process and representative of the community (age, gender, profession, education, etc...).

Both the stakeholder mapping and the mediation process itself should be aimed at bringing to light the more immediate as well as latent conflicts between parties. The Deep Democracy approach, for example, assumes that there are aspects of a conflict that are visible (conscious) to the parties involved and aspects that are not (unconscious). In fact, it is often that unconscious aspects remain invisible to the participants, which cause the conflict to remain unresolved and therefore cause frustration, anger, apathy and so on. Deep Democracy processes view conflict as an indicator of unconscious issues, which in turn indicate that the relationship, system or organisation is in a process of growth or transformation. The mediator or facilitator carries the awareness of these issues as they surface and of the group's reaction to them. They present them to the group and give the group the possibility of integrating them into their consciousness (though the facilitator never forces or manipulates the group to do so). Parties are in this way engaged into conversation and collaboration, to identify both underlying issues and possible solutions together. This distinguishes mediation from other participatory processes (e. g. informal participation) and makes it a precious tool to build awareness and handle power issues.



Case studies of a transformative mediation approach: from entry to exit points

In this section we present a list of **case studies** brought forward by the members of the Environmental Mediation Initiative. These are cases where different aspects of conflict mediation were implemented through a diverse set of mediation tools and methods. These tools and methods are meant to set the grounds to generate social learning and to support the parties involved in reaching a more equitable management of the conflict.

Case studies are represented through a description of entry points, implemented methods, and exit points. "Entry points" concern the context of the environmental conflict before

mediation tools were implemented. "Implementation" refers to the mediation tools and methods that were adopted (more information on these can be found in the Intellectual Output 1). "Exit points" refer to the outcome of the implemented mediation tools and methods. Entry and exit points do not signal the beginning or end of a given conflict. Rather they provide examples of different stages of a mediation process, aimed at bringing clarity to a conflict situation and in some instances at transforming the relations between the parties involved.

Case study 1

On finding a common ground: analysing barriers and addressing interests by using the tool “common ground matrix”

Entry point: A national nature protection organisation in the Alps wanted to start for the first time a collaboration with local interest groups because in one specific region several negative impacts on nature have been observed due to tourism. These worries were addressed by mail, when the organisation took contact with local stakeholders (e. g. communities, tourism office, tourism operators) asking for a further telephone exchange and a meeting for discussing how to handle the situation and finding potential solutions. The local stakeholders did not answer positively and were not interested in taking part in a meeting.

Implementation: The mediators from LechtAlps were asked for advice in establishing a dialogue between the relevant actors. LechtAlps stimulated the national nature protection organisation to reflect on potential barriers and interests to understand the reactions of the local interest groups. After that, a common ground matrix (Hovardas et al. 2023)²⁰ was used to describe potential common interests, as well as to make visible potential opposing interests. The result of these two steps helped the organisation to reframe the request addressed to the local interest groups and to include more aspects of common interests, without losing their own objective.

All these tools are strongly linked to the Harvard Concept from William Ury and Roger Fisher (1981)²¹, who recommended in their work e. g. to focus on interests and not on positions to achieve fact-based negotiation.

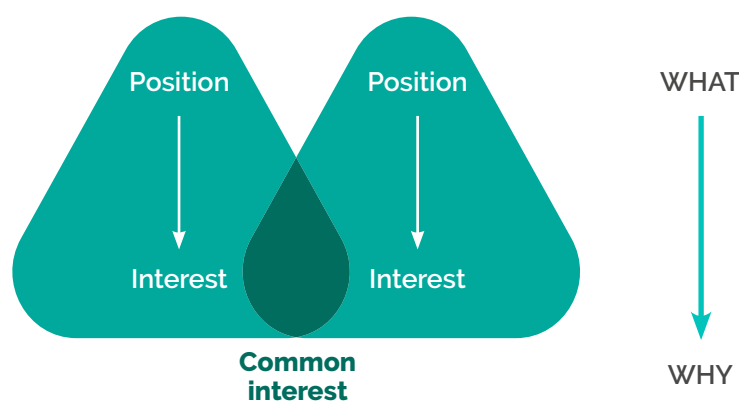


Figure 1. How to find common ground: From positions (what) to interests (why) and identifying common interests

²⁰ Hovardas, T., Cattoen, E.-M., Fernández Ramos, J., Gross, E., LeRoux, B., Marino, A., Panzavolta, A., Salvatori, V., & Von Korff, Y. (2023): Good practice toolkit for facilitation and mediation of environmental conflicts. New European training curricula for facilitating environmental conflicts, Erasmus+; KA210-ADU - Small-scale partnerships in adult education

²¹ Fisher, R. & Ury, W. (1981): Getting a yes. Boston - Houghton Mifflin.

Exit point and conclusions: The second time the national nature protection organisation got in contact with the local stakeholder, it addressed differently several topics focussing on potential common interests and showing understanding for challenging (local) issues. The local stakeholders understood now better what the national actor was aiming for, realised also the value of the mentioned common interests and accepted a meeting to discuss the raised topics.

The analysis of potential barriers and interests and the use of the common ground matrix were helpful for the national actor as a reflection exercise, how to (re-) stimulate interest, dialogue or even collaboration. The matrix helps to visualise opportunities people have not been aware of before and to reframe issues. In addition, it can also be used to identify subjects to be aware of (e.g., the blind spots of an organisation, for visualising interests which are very controversial between groups, helping to identify where special empathy and awareness is needed to avoid escalation etc.). Common interests can also open the opportunity to collaborate, even when the attitude towards the main topic is not necessarily positive.

Therefore, these tools are useful methods for a transformative mediation approach as we can observe a change in the relationship and an increase in the quality of communication, openness and engagement of the different stakeholders.

Case study 2

Adapted SWOT template for stakeholder analysis - Implementation of the template in real-world contexts

Entry point: In the frame of the LIFE AMYBEAR project (LIFE15 NAT/GR/001108), the adapted SWOT template was employed to conduct a stakeholder analysis. Prior to this implementation of the template, there had been no systematic work undertaken in the area to map stakeholder positions with regard to bear conservation and management. Human-bear conflict had increased in the area following an increase in bear numbers.

Implementation: The template was completed based on 32 semi-structured interviews lasting from 30 to 60min with key stakeholders in the project area (2017). Data analysis revealed ingroup and intergroup aspects which sustained or could help address conflict focusing on bear conservation and management (see Good practice toolkit for facilitation and mediation of environmental conflicts; Table 13). For instance, the implementation of good practice for damage prevention (i.e., electric fences, livestock guarding dogs) had the collateral effect of improving stakeholder relations. Collaboration of stakeholders in Bear Emergency Teams was also fruitful. However, there were some aspects, which could implicate conflict, for instance: (1) the interrelation between illegal poisoned baits and the low per capita investment strategy followed by livestock breeders for their livestock guarding dogs; (2) the need to integrate bear-proof garbage bins in the logistics of waste management systems for the Municipality in the study area; (3) the need to align all methods/tools used for damage prevention and for preventing bears from approaching human settlements within the frame of a coherent landscape perspective (Hovardas, 2020).

Exit point and conclusions: The template can be especially useful in identifying points where stakeholders can converge and other areas where they cannot. Facilitators/mediators and stakeholders should build on ingroup (i.e., "Strengths") and intergroup factors (i.e., "Opportunities") which can sustain stakeholder interaction and avoid or eliminate the negative consequences of other themes where they diverge, either ingroup (i.e., "Weaknesses" or intergroup (i.e., "Threats").

Case study 3

Mixed-motive template for structured negotiation - Implementation of the template in real-world contexts

Entry point: The mixed-motive template was implemented in the frame of the LIFE AMY-BEAR project (LIFE15 NAT/GR/001108) with a main aim to shed light on how good practice in bear conservation and management was perceived by key stakeholder groups after they had already tried some priority activities in this direction. This allowed for a structured negotiation between stakeholders on how to fine-tune the further materialisation of the actions of the projects and optimise the use of its resources.

Implementation: The template was completed based on the input of 150 participants of all key stakeholder groups, who took part in 11 workshops, overall, lasting 1.5-2.5 hours each (2018-2019). Among other topics, workshops focused on a network of stock breeders that was established for exchanging livestock guarding dogs (see Good practice toolkit for facilitation and mediation of environmental conflicts; Table 14). Data analysis revealed a number of points which proved crucial for catalysing stakeholder interaction in the area and promoting social learning. For instance, many stock breeders were reluctant to join the network, although they acknowledged its added value for improving intergroup relations between their own group and environmental non-governmental organisations. This stance was manifested by a very detailed exploration of some key features of the puppies to be adopted by stock breeders, which would secure that the phenotypical characteristics of the puppies would guarantee the expected behavioural traits of a good guarding dog. Stockbreeders' decision-making was determined by a cost-benefit calculus weighing benefits (e.g., being able to obtain dogs from the network when one needs to) as opposed to costs (investment for proper veterinarian care, training and reproduction). This calculus also involved considerations on the widespread and frequent use of illegal poisoned baits in the project area, which discouraged stock breeders from investing on their dogs. If the risk of losing one's dog was relatively high, then stockbreeders would keep most dog offspring with a low per capita investment (see Hovardas, 2020, for more details).

Exit point and conclusions: There were two crucial outcomes: First, the mixed-motive template allowed for a thorough examination of the multiple dimensions which human-bear conflict usually harboured. Some hidden costs or benefits were acknowledged and this set the stage for a rational negotiation between stakeholders. Second, this detailed exploration of costs and benefits for all sides of the controversy enabled a reframing of the stakeholders' discourses from positions, which prevailed before, to needs and desires, which gradually emerged during the process. An additional enabler acting in the same direction was a parallel procedure of recognition, which fed in the process as long as hidden costs surfaced and were discussed by engaged actors.

Case study 4

Participatory scenario development template for participatory planning - Implementation of the template in real-world contexts

Entry point: The participatory scenario development template was implemented in the frame of the LIFE AMYBEAR project (LIFE15 NAT/GR/001108) to monitor stakeholder collaboration for the uptake of good practice in bear conservation and management and taking corrective action, if needed, during the project. This participatory planning procedure was based on considerable stakeholder input and helped participants maintain the ownership of the process.

Implementation: The completion of the template was undertaken after the collection and processing of workshop recordings (11 workshops lasting 1.5-2.5 hours each with a total of 150 participants; 2018-2019). In addition, further input was provided by stakeholder members who comprised thematic groups to monitor the progress of stakeholder collaboration across several actions in the project. The template revealed some very interesting aspects of stakeholder interaction (see Good practice toolkit for facilitation and mediation of environmental conflicts; Table 15). One example was that illegal poisoned baits were still tolerated within local communities, at least up to a point, despite the fact that all competent institutions and stakeholders had harshly criticised this illegal practice. The same was valid for veterinarian care, nutrition, and training for livestock guarding dogs, where low cost guidelines for good practice were developed and made available to stakeholders during LIFE AMYBEAR. However, such good practice have not yet been established as social norms among stock breeders, especially under the very difficult financial conditions which rural communities need to put up with during the last several years in Greece (for a critical reading of good practice in large carnivore conservation and management see Hovardas & Marsden, 2022). The two above examples showcased how LIFE projects can set the stage for change but also how long-term planning was needed to fully address the causes of unsustainable behaviour and phenomena. Therefore, participatory planning and the participatory scenario development template as a tool could prove valuable in this direction in this and other areas (see also Hovardas, 2020, for a detailed account of this project).

Exit point and conclusions: Small-effort scenarios have proven extremely pivotal to implement and accomplish, since their outcomes denoted that the undesirable conditions, which initiated stakeholder interaction in the first place, should have been overcome. Goals of small-effort scenarios represented small wins which facilitated stakeholder commitment and loyalty. Therefore, after having secured such small-win gains, stakeholders were willing to return to the negotiation table.

Case study 5

SAFE System Approach: a collaborative multi-stakeholder dialogue tool

Entry point: Different stakeholders (union of small farmers and ranchers, conservationists, agricultural insurance companies, public administrations, hunters) linked to the conflict between rabbits and agriculture in Spain developed a project called PreveCo: Task Force to minimise damage to farmers to help the species and the whole ecosystem. Rabbits are a keystone species for ecosystems as well as the food base for other carnivorous species but, at the same time, they cause damage to agricultural crops. It is a latent conflict that is beginning to be manifested, with discomfort on the part of the farmers for the loss of money they have due to damage to their crops. Farmers demand more control of the species by public administrations as well as by hunters. Hunters are not interested in controlling this species but focus on other game species. From a conservation perspective, the rabbit is a keystone species and its populations must be conserved.

Implementation: Among other damage prevention measures, a participatory process was carried out with a tool called SAFE System approach. This tool was developed initially by the Tigers Alive Initiative of WWF. It has been used broadly in Bhutan, linked with tigers. In the Spanish context, the tool has been adapted. Through a dialogue process with all stakeholders, the tool was created from scratch. First, the conflict was broken down according to the different elements (farmers, hunters, habitat, crops, rabbits) and stakeholders were asked about how each of these elements could be safe. This led to a series of needs that were operationalised in a series of actions. For each action, 4 levels of achievement were defined (from more achievement to less achievement). In this way, the tool was developed participatory. After that, stakeholders agreed on the baseline of the conflict from defining what level of achievement of each action was present in the territory. The baseline showed which needs were more satisfied and which were less and helped to visualise the areas of greatest need and what was a possible future action plan.

The tool was applied in two different territorial levels (regional and local).

Exit point and conclusions: In the Spanish context SAFE system approach has been useful for: (1) creating a systematised dialogue framework in which each stakeholder felt recognised, (2) helping different people to express their needs, (3) seeking consensus on the current state of the situation, (4) establishing priorities for future actions. The tool helped to create a good atmosphere and a space for dialogue in which stakeholders felt acknowledged and listened. All of this helped the debate and the generation of the agreements for defining the baseline. On the other hand, keeping in mind the different elements in the conflict management helped to create new actions to respond to the conflict.

Case study 6

A Dialogic Process Model

Entry point: In Sweden protective hunting is seen as a viable and legitimate way of protecting livestock from large carnivores. Conservation agencies are very critical of the way in which this measure is used and hunters and livestock owners want to make it even easier to kill offending carnivores. This issue arose during a national dialogue involving the Large Carnivore Council, a platform consisting of national representatives for stakeholder organisations and the Swedish Environmental Protection Agency. The Dialogic Process Model was proposed as a way to consider ways of creating clarity regarding the interpretation and implementation of both EU and national law. It should be noted that meetings of of this nature are generally quite formally moderated allowing members to comment and resulting in a series of monologues that seldom lead to concrete results.

Implementation: The four steps of the dialogic process model were introduced beforehand by the facilitator as part of the invitation and background information sent out to all participants. The conversation followed four clearly distinguishable steps:

- 1. Observation:** Participants described what they saw in the field. They used examples to illustrate problems their members encountered. It was clear that there were many different perspectives that were seemingly irreconcilable. (In the transformative approach to environmental mediation, joint fact finding is seen as a way of creating an inclusive process)
- 2. Exploration:** This phase explored the causes and effects of the conflicts experienced by farmers, hunters and conservationists. We particularly encouraged participants to speak about the emotions and values related to their observations. The tone and mood of the conversation clearly shifted and an increased openness could be noticed. (This phase clearly emphasises the social and relational aspect of the transformative approach)
- 3. Searching for potential:** The focus in this phase is to jointly explore possibilities for synergy and new creative solutions. It is a generative phase which ends with participants being asked to take responsibility for actions, identify responsibilities others need to take and explore possible joint responsibility. While stakeholder organisations could take actions to reduce polarisation and mutual criticism of one another, they clearly identified the need for both counties and the EPA to provide clarity regarding the implementation of legislation.
- 4. Concretising:** In this phase the group identified, amongst others, the need for improved competence for county officials and the clarification of guidelines by the EPA and agreed to raise these issues at a follow-up meeting with the EPA and counties.



Figure 2. A Dialogic Process Model

Exit point and conclusions: We have used this approach consistently in designing and implementing larger and smaller meetings on conflictual natural resource issues such as wildlife management and protected areas. It is a useful way of thinking about how to structure a conversation in a way that allows people to participate, not only with rational thoughts and ideas about solutions, but to jointly explore underlying issues and potential ways of resolving the causes of the problems they experience and the effects these have on them. As the group repeats this process, they become more competent in shifting from monologue (or a series of monologues) to dialogue.

In this particular example, the group quickly adapted to the format proposed and we managed to work through a considerable number of contentious issues. Significantly, the group was able to reflect on issues that are seldom discussed when the meeting is formally moderated by assigning speaking turns.

Case study 7


Active Listening

Entry point: The Regional Observatory for the quality of the landscape of the Region Emilia Romagna (Italy) has the objective of promoting the dissemination of landscape culture and promoting its quality, guiding regional policies and actions for the protection and enhancement of the landscape itself. It contributes to local environmental plans and monitors its implementation and related actions. The Landscape Observatory members must address policies and conflicts and engage citizens, politicians, etc.

They needed to create the direction group of the Local Landscape Observatory representatives of 9 municipalities. The group had the duty to define an action plan and to choose at least 3 actions to implement the next year related to environmental priority in the local territory.

Implementation: The training module is part of a course. The course aimed to give participants the basic method to work together. The group of stakeholders (composed by representatives of local institutions, associations and organizations: voluntary ecological guards, officials of local administrations, politicians, volunteers of local associations, teachers, presidents of local institutions, presidents of UNESCO ecological areas, technicians) did not know each other at the beginning of the process. Each participant described to the other something that had happened recently (in work field, family, etc...). The listener had to do everything to be distracted and not listen to the interlocutor. At the end the group worked in plenary with the support of the facilitator, using the question: How did you feel during the activity? Furthermore, in pairs, participants were asked to think about a conflict they had ongoing or a situation that had happened in their workplace, family, association, etc. The listener was required to apply active listening:

- Make participants feel comfortable
- Use voice markers to support speech
- Ask questions only to better understand the situation
- Remain silent as much as possible



Exit point and conclusions: The training course went very well, and the group co-defined a biannual action plan. Some participants decided to change their prioritizations taking in account the common needs of the group. After the course the group worked together well on some actions, but in some cases, more conflict cases needed to be supported by a facilitator to help prepare meetings and to face specific conflicts (e.g. choose whether to intervene on the flora of the riverbeds or to let the native species grow spontaneously; decide whether to allocate part of the UNESCO area as a place for parties / concerts or whether to keep the environment less contaminated by man; monitor the project proposal for the construction of a single large floodplain of the river "Po", with the aim of creating an "expansion tank" for the management of the floods of the river, etc.)

At the end of the process the group recognized itself as a single entity with common objectives.

