

Case Study

Nanosafety governance in the Netherlands

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Nanosafety governance in the Netherlands as a case for Res-AGorA

Nanosafety is and has been the most prominent issue of concern in the governance of nanotechnology. It makes up an interesting case for RRI as the discussions about nanosafety tap into longstanding discussions about precaution, thereby linking quickly developing force fields of new configurations in research and development to the highly institutionalized domain of physical safety regulation and management. In this context, the sheer complexity and many uncertainties in nanosafety have given way to new 'risk governance' strategies. The Netherlands provides an example of this.. Our case study focuses on a number of public policy initiatives to establish precautionary measures, from which we will present two initiatives in more detail. The analysis draws on an extensive reconstruction of nanosafety governance activities in the Netherlands as well as personal involvement in one of the initiatives presented.

Case summary

Nanosafety has been the first instance in which the Dutch government applied its risk governance policy model *Dealing sensibly with risks*. The model lists five principles: 1) transparent decision-making, 2) explicit statement on (the distribution of) responsibilities, 3) early involvement of citizens decision-making, 4) risk-benefit weighing, and 5) taking into account possible accumulation of risks. Of these principles ensuring a clear distribution of responsibilities has been the most important in the attempt to

establish precautionary measures. This has been reflected in the organization of ‘pilot projects’: funded by the government, but coordinated by stakeholder organisations. In the two pilot projects presented here these were the national employer association and two trade unions.

In the first pilot project, the employer association VNO-NCW and the chemical industry association VNCI explored how a system of sharing information about the use of nanomaterials and available knowledge about potential risks could be set up. Together with a case study on submitting nanomaterials in REACH (the European directive on chemical substances) such a system would feed into the development of a screening model, at national level, but in turn feeding into the adjustment of REACH technical guidance. The project however failed, since no agreement could be reached on protection of confidential information. Moreover, important members of various industry associations preferred European level arrangements. Finally, there are strongly diverging interests in one of the basic requirements of information sharing: establishing a definition of nanomaterials.

In contrast, the second pilot project discussed here, has been conducted relatively smoothly. Coordinated by VNO-NCW and two important trade unions (FNV and CNV) and conducted by two physical safety consultancy organisations, this project explored the feasibility of using preliminary reference values for occupational exposure to nanomaterials. Awaiting scientifically underpinned exposure limits the reference values are, according to the Dutch government, meant to be used “voluntary, but not without commitment.” The project has resulted in positively received advice to the government. So far, implementation however doesn’t seem to have started.

Lessons for Res-AGorA

The difference between the relative success of the reference values project and the failure of the information sharing project can be explained by how responsibilities have been constructed in relation to the stakes involved. Both projects were feasibility studies and both projects have been initiated in a political context of policy making vis-à-vis parliament, in which the government called upon business (organisations) to demonstrate their reliability. In this context both precautionary initiatives gained political legitimacy in a step by step process, marked by the production of advice and progress reports. However, while the development of reference values for occupational exposure speaks directly to individual responsibilities of businesses, enforced by national legislation and negotiated in well-developed arenas; the responsibility for establishing a system of information sharing is much more at a collective level. While then in both initiatives there are legitimacy conflicts, either vertical with European multilevel governance or horizontal with co-existing CSR schemes, and legitimacy in both cases has been negotiated by intermediary representatives, it is mainly in the case of information sharing that emphasizing a clear distribution of responsibilities is in tension with enrolling actors in a collective strategy. In this respect the analysis of both cases indicates that lead agency is important for developing and maintaining commitment.

Towards Anticipatory Governance of Responsible Research and Innovation



The objective of the Res-AGorA project is to develop a comprehensive governance framework for responsible research and innovation (RRI). This will be a contribution to the EU ambition of becoming a genuine Innovation Union by 2020 striving for excellent science, a competitive industry and a better society without compromising on sustainability goals as well as ethically acceptable and socially desirable conditions.

The goal of the Res-AGorA project will be achieved through extensive case study research about existing RRI governance across different scientific technological areas, continuous monitoring of RRI trends in 16 European countries, and constructive negotiations and deliberation between key stakeholders. This comprehensive empirical work will be the building blocks of the creation of a governance framework for RRI.

The case study summarised in this document is output of Res-AGorA's extensive empirical programme (Work Package 3).

More information at www.res-adora.eu

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