

## Orée's method for environmental expertise

### I. CONTEXT AND OBJECTIVES OF THE METHOD

#### A. Construction of the method

Orée has put in place, since 2006, a **working group** in order to elaborate an original debate process allowing to easily access to a reliable, impartial and independent expertise, resulting in a **“map of opinions”**, at a given moment, on an environmental issue.

Legitimacy, integrity or independence of the experts consulted by decision makers are often doubted of by stakeholders, creating a climate of suspicion and sometimes leading to paralyzing initiatives. The goal of this created method is to prevent these situations by creating the conditions for a contradictory, balanced and transparent debate.

This method is the fruit of collaboration between members of Orée from private, public and associative sectors and the consultation of different specialized institutions on expertise and consultation.

This method has been tested and updated during a forum reuniting experts at three occasions between November 2010 and February 2011 around the issue of: “Should we recycle everything?”.

#### B. Interest of the method

The method is conceived in order to **make possible discussions on all themes and with all speakers and clarify points of view, experiences and knowledge of the different stakeholders.**

The method can be used in different strategic configurations:

- **before, during or after a project,**
- **internally** or **externally** to the organization,
- on a **local** or **national** scale.

The method can give birth to different types of debates concerning different types of projects:

- Participative debates, consultations, public studies...
- Infrastructure projects, construction planning, product development...
- Industrial choices and orientations in the matter of technical and technological innovations (choice of new technologies, of new materials...)

It is not:

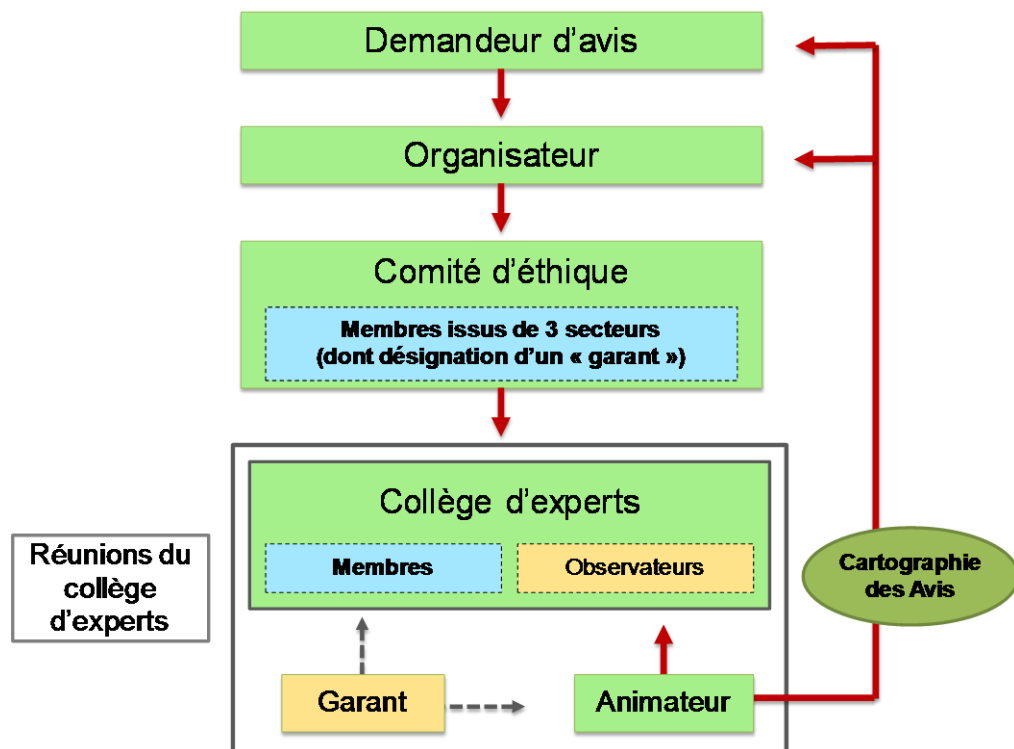
- a forum and side by side monologues
- a simple debate, pretending dialogue with no true listening
- an univocal affirmation of a true expertise.

From a free and contradictory debate, the organization and the animation proposed aims to give birth to an arborescence of ideas and to develop it throughout a dynamic synthesis.

It allows to:

- agree on a common definition of the words employed,
- detail the addressed question and identify "sub-issues",
- confront the vision of experts and arouse an exchange of ideas,
- elaborate a map of the experts' opinions

## II. ACTORS OF THE EXPERT FORUM



### A. The question asker

The question asker is a physical person (or constituted of physical people) who formulates a question and submits it to the experts in a sufficiently precise manner, failing to be able to know all hidden elements and motivations.

### B. The organizer

The organizer is a moral person with a limited role of putting in place the elements necessary to the well functioning of experts' forum. This person insures the secretarial and logistical aspects before, during and after the debate (invitation of the identified experts by

the ethics committee, room reservation, distribution of documents, external service providers if needed, etc.)

As soon as contacted by the question asker, the organizer will convene the ethics committee that will be in charge of identifying the other actors of the debate.

### C. The ethics committee

The ethics committee is the foundation of the proposed system. It clarifies the perimeter of the debate, the map of the concerned actors and insures, along with the animator and the guarantor, a minimal common information level between the entire college of experts, in order to create the conditions of a contradictory, balanced and transparent debate.

Its members, all volunteers, are from three sectors in potential conflicts upon environmental issues, at 1/3 for each category:

- private sector
- public sector (administration, public research institutions, local governments, etc.)
- associative sector (associations of public utility, political movements).

This committee is composed of “wisemen”, not necessarily specialized in the subject before the debate but capable enough to be involved in a college of representative experts (cf. Commission Coppens)

Its members are submitted to the same declarations of interest than the experts.

### D. The guarantor

**The guarantor of the excellent quality of the debates** is designated inside the Ethics Committee and assists the meetings without taking part in them.

The mission of the guarantor consists in observing the methodological methods of the environmental Forum of expertise (open, contradictory and international debate of expertise) and in identifying the eventual dysfunctions:

- Before each meeting, the guarantor must receive the list of all participants, of the questionnaire, of the last version of the proposition emitted, with the oppositions, convergences and the state of the different forces implied. He must also be in possession of the different elements, argumentation, expressions and numbers precisely involved in the debate (throughout the synthesis prepared by the animator),
- During the debate, the guarantor shall assist to the whole of the exchanges without however taking part in them in any way,
- After each meeting, the guarantor communicates to the animator the observations made. Some of these might represent a necessity for the following steps of the debates.

**The guarantor’s role is also to protect the confidentiality of an alarm ringer** that might be threatened by his contribution to the debates if no legislation is put in place to protect him yet.

## E. The animation

The expert meetings are coordinated by the animator of the debate of expertise, in charge of preparing, animating and rewriting the debate. **The role of the animator is particularly demanding.** To choose an animator that has not taken into account the importance of his mission and without a minimal knowledge of the addressed issue may largely compromise the quality of the debate of expertise.

The animator must:

- watch that all experts have the opportunity to express themselves in each working session,
- watch that all experts precise, when they express themselves, if he is doing so in his own name or in the name of his organization,
- highlight the reason of a silence following one's intervention is because of a general agreement or a hidden reprobation or the absence of opinion,
- assure the progression of the debate by adapting his animation to the different phases of the debate, by coming back on vague or hazy points and by highlighting new issues arisen by the debates,
- distinguish, in the dynamics of the points of view expressed, the ones coming from a majority or a minority of experts, the ones with an absence of opinion or a need for depth and contradictions.

The animation may be reinforced by a co-animator in charge of communication and of controlling data. He can display to the experts useful data for the progression of the debates and confirm the data stated by the experts.

## F. The college of experts

The members of the college of experts are designated by the Ethics Committee. Its composition must be representative of all of the fields of expertise on the subject and of its diversity, as largely as possible. The presence of experts from different nationalities can enrich the debates.

Since nor impartiality nor independence can be neglected, the Ethics Committee must be able **to identify the bias displayed and the conflict of interest that might harm the debate and that it is necessary to prevent :**

- Identify all risks of expression and representation bias through the choices of the experts, in order to avoid the prior orientation from the known positions of the expert on the issue;
- Identify all relation of subordination, especially financial (from a commercial point of view, or in the name of a public partnership) between the experts and the question asker, in order to get rid of any potential influence on the opinions expressed;
- Guarantee the establishment of a multidisciplinary college of experts, capable of expressing diverging opinions and, this way, examine all faces of the question asked.

The expert participates in the debate *intuitu personae*. He is engaged for the entire duration of the debate through a contract between him and the organizer in the name of his participation to the college of experts. The **dispositions of the Journal of the General Administration Terms of Intellectual Services (Cahier des Clauses Administratives Générales**

*de Prestations Intellectuelles*, CAG PI) applies in the framework of this contract. Experts are not paid but expenses may be reimbursed.

In parallel of the traditional principal of ethics (relevance, liability, independence, transparency and confidentiality), the expert:

- **declares his functions and practices** that justify his quality of expert in relation with the addressed issue (period, structure, practice, previous similar cases),
- **precise direct and indirect interests** that he is defending or has defended, of which he depends or has depended on in the name or the addressed issue,
- **personally engages himself to :**
  - o participate in each meeting of the debate of expertise as well and in the review meeting,
  - o encourage a respectful debate, with constructed arguments, in which he communicates *in extenso* the sources of his information (without giving out private or confidential information, if any), in order to allow the other experts to counter argue their points of view and the animator to directly check their validity,
  - o mention all of the information in his possession that have an interest for the debates,
  - o sign the review of the debates, that must mention the eventual disagreements,
  - o not to doubt of the statements made on the basis of information that was in his possession and that were not said during the debates,
  - o not to use the information discussed during the debates for personal or professional use.

Experts who do not respect these engagements expose themselves, if suggested by the guarantor of the debates, to be enrolled as a failing expert by the Ethics Committee. This information will be held public.

“**Expert Cards**”, summarizing the academic and professional background of each of them, can be elaborated by the Ethics Committee and distributed to the organizers and participants. This document can be accompanied by a declaration of interest. Its goal is to help everyone to appreciate and contextualize the opinions expressed during the expert’s intervention.

## G. The observers

Observers can eventually be invited to the debates. This choice is the Ethics Committee’s, regarding whether or not they judge it necessary for the good development of the debates.

In any case, **observers must not take the floor during the debates**. They can share their opinion and questions with the animator or the guarantor, outside of the experts’ meeting sessions.

### III. SEQUENCE OF THE DEBATES

#### A. The steps of the debate

- During the phase of expertise, **two meetings must be planned**, with a maximum of one month of time between them.
  - The goal of the first meeting is to meet and exchange with each expert, discover the question asked and the perspective each of them can give on the subject. The meeting can work through the individual presentation of each expert. Then can be identified the different points of view and reactions of each expert.
  - The second meeting (as the following meetings and debates) must not be a repetition of what has already been said in the previous one but bring a new enlightenment on the issue and contribute to the formalization of a questioning grid aiming to answer the question asked. A one-by-one presentation is no longer a good operating mode. Indeed, it would be too time consuming and break the rhythm of the progression of ideas because of the large group of experts.
- Different debating processes and methods can be proposed to the animator of the session. It can be highlighted that the expression technique consisting in posting on a wall the elements of the debate and asking the experts to locate their points of view by sticking colored papers may help stimulate their participation and reflection. This technique refines and challenges the formulation of opinions that emerged during the debates, including those that naturally imposed themselves previously.
- After debates, hearings may be decided. The list of people to audition must specify the technical and methodological issues that need to be deepened. This list must be approved by the Ethics Committee.
- A **review meeting** is necessary to finalize the conclusions of the debate, the views of experts then being put in a dynamic interaction with the reserves and uncertainties that emerged during and possibly after the debate. In this last situation, the animator must suggest to carry out further investigations.

No decision is taken by vote. If unable to reach consensus, the reserves or contrary opinions are nominally integrated in the review note.

#### B. Success Factors

##### 1. Questioning the issue

A relevant answer implies to have sufficiently questioned the following points:

- **Who speaks** by asking this question?
- **Who will read the answer** to this question?
- Can the answer to the question depend on **the time scale considered**?
- What is the expected response: is **the formulation of questions** specifying the issue accepted as an answer or is an **incomplete or nuanced response** wanted in priority?

## 2. Explain the methodology throughout the process

A **document explaining in detail the methodology** must be submitted before the first session to all participants. The methodology must also be described at this meeting.

In order for participants to understand the value of holding several meetings and perceive the expected progression at the heart of matter, it is necessary to recall the good character and goals of each session when it opened.

## 3. Develop a glossary

Developing a **glossary** ahead of the debate can agree on the meaning given to words and expressions regarding the submitted issue. To avoid questions or hesitations from appearing and disrupting the discussions, this glossary should be updated along with the debates. It will be elaborated continuously and the work will only come to an end after the last session of debates.

## 4. Provide reports

It is recommended to record the session to elaborate a **full report** with the help of a specialized company.

The report is handed out to the experts before the next meeting and to the observers at the opening of the session, which creates cohesion in the debates and a dynamic involvement of the participants since they are relieved of the object of taking notes and can find the exact words that were said at previous meetings.

## 5. Ensure the transmission of documents to be in the debate

Before, during and after each session, all participants were able to transmit or report all document references in order to enrich the debate. These documents must be electronically available to all soon after the meeting, necessarily before the next meeting.

## 6. Manage the pace of debate

It is advised **not to exceed a one-month interval between sessions**. Beyond this time, a reminder of the debate report and synthesis is more complex. It can interfere with the functioning and the fluidity of the debate.

## 7. Ensure optimal material conditions

It is necessary to have a **room of thirty seats, if possible every time the same**, so that experts become familiar in the best possible exchange with their surroundings.

## 8. Evaluate the debate retrospectively

A session presenting the methodology used and results obtained can be organized for the final outcome of the debate.

**Environmental expertise method**  
**March 2012**

The distribution of a satisfaction survey among experts can assess the whole process of debate in which they were associated. The Question asker's opinion may also be requested. Some questions in the assessment could lead to questions about the optimal level of timing for the general public associate procedural matters of expertise.