

Urdaibai's Law Deserves a Consensus-Based Revision

Eider Gotxi, Guggenheim Urdaibai Stop platform

“The reform of the Urdaibai Law should be removed from the bill submitted by the PNV and PSE-EE in the Basque Parliament and addressed through its own specific and participatory legislative process. Not because Urdaibai should remain anchored in 1989, but precisely because we want to guarantee its future.”

There are political decisions that may appear technical or administrative and yet ultimately define the territory we want to leave to future generations. What is happening with the Law on the Protection and Management of the Urdaibai Biosphere Reserve is one such case. After almost four decades, it is reasonable to suggest that a law passed in 1989 needs to be reviewed and adapted to a social, economic and environmental reality that has changed. But recognising that need is one thing; deciding that its reform should be incorporated into a bill whose main purpose is administrative simplification and streamlining is quite another.

For this reason, the first decision should be clear: the reform of the Urdaibai Law should be removed from the bill submitted by the PNV and PSE-EE in the Basque Parliament and addressed through its own specific and participatory legislative process. Not because Urdaibai should remain anchored in 1989, but precisely because we want to guarantee its future.

Urdaibai is not just another administrative procedure. It is a Biosphere Reserve. It is a complex territory where residents, economic activities, agriculture, livestock farming, fishing, tourism and areas of extraordinary ecological value coexist. Finding a balance between conservation and development is not easy and, precisely for that reason, it should not be resolved indirectly within a law designed for other purposes.

The appearances that took place before the Basque Parliament on 7 and 8 September provided sufficient grounds for reflection. The Guggenheim Urdaibai Stop platform, representing part of civil society, called for the amendment of the law to be removed from this bill and, if it is to be processed, for it to be dealt with independently. It is not arguing that Urdaibai should not change, but rather that, if it does need to change, this should be done through debate, participation and consensus. This is a fundamental distinction: the demand is not that legislation should not be passed, but that it should be legislated properly.

Aitor Galarza focused on one of the Reserve's most sensitive assets: its birds and the habitats on which they depend. Urdaibai is a vital area for numerous species, particularly during migration periods. Birds need places to feed, rest and reproduce, and human pressure on these areas can have consequences. The problem is not a single boat or an isolated activity; it is the accumulation of uses and the growing

pressure on particularly sensitive areas. Therefore, before asking ourselves what activities we can authorise, we should ask what the ecosystem can withstand. Not everything that can be accommodated administratively is necessarily compatible with conservation.

In a Biosphere Reserve, the territory's carrying capacity should be the starting point for any decision. Manu Monge provides another essential perspective: management. A Reserve is not protected merely because a law exists. It requires planning, resources, monitoring, coordination and a genuine capacity to enforce the rules. And after decades of experience in Urdaibai, it is worth asking whether some of the problems that are supposedly to be addressed by changing the legislation are actually related to inadequate management of the uses that already exist.

If management is lacking, let us improve management. If resources are lacking, let us allocate resources. If the instruments are outdated, let us review them. But we should not confuse a management problem with the need to modify the general protection framework. Before changing the law, it should be demonstrated what specific problem cannot be resolved using the instruments that already exist.

The contribution of Alex Cearreta introduces another warning of enormous importance: the physical dynamics of the estuary. Urdaibai is not a static setting. Tides, sediments and natural processes have shaped the territory we know today over thousands of years. Interventions such as dredging are not neutral: they can alter sediment dynamics, modify the seabed and affect the balance of the estuary. An intervention carried out over a matter of months can have consequences that persist for decades.

Politics operates within electoral terms; natural processes operate on much longer timescales. Therefore, when new interventions are proposed, it is not enough to ask whether they are technically possible or legally authorisable. Their cumulative consequences must be studied and it must be determined whether they are compatible with the natural functioning of the estuary.

Miren Onaindia adds an even broader dimension. Her career as a professor of Ecology, linked to the UNESCO Chair on Sustainable Development and Environmental Education and to the international Biosphere Reserve programme, demonstrates that Urdaibai is not merely an area of local importance. For years, it has also been a reference point for studying sustainability, biodiversity and the management of these territories.

The Basque Government itself has presented the experience developed in Urdaibai together with the UNESCO Chair as an example that could serve as a reference for other Biosphere Reserves. This history should give us pause for thought. If Urdaibai has been used as an international reference case, the reform of its law should be particularly rigorous and based on the knowledge accumulated over decades.

The five perspectives—the civil society represented by Eider Gotxi, the birdlife and pressure on habitats highlighted by Aitor Galarza, the management issues emphasised by Manu Monge, the dynamics of the estuary analysed scientifically by Alex Cearreta, and the vision of sustainability and international relevance provided by Miren Onaindia—all lead to a conclusion that should be difficult to ignore: Urdaibai needs a specific debate about its future. And that debate should not be reduced to amending certain articles within a law on administrative simplification.

This is not about pitting conservation against development. Busturialdea needs jobs, businesses, housing, services and opportunities for its young people. It needs agriculture, livestock farming, fishing and tourism. But precisely for that reason, it needs a long-term territorial strategy.

The question should not be how much we can relax protection in order to facilitate certain activities, but rather what economic and territorial model the region needs and how Urdaibai can contribute to that future without losing what makes it exceptional.

Removing the reform of the Urdaibai Law from the bill submitted by the PNV and PSE-EE does not mean putting it on hold. It means doing it differently. It means opening a specific procedure in the Basque Parliament and listening to the Governing Board, the municipalities, the Provincial Council, the Basque Government, universities, scientists, economic sectors, the primary sector, environmental organisations and citizens.

It means making use of the knowledge accumulated over almost forty years to answer questions that are far more important than any specific amendment: What kind of Urdaibai do we want in thirty or fifty years? What uses are compatible with its conservation? How do we address climate change? How do we protect the most sensitive ecosystems? How do we guarantee economic activity without damaging the territory?

In 1989, broad political consensus was achieved to pass the Urdaibai Law. Today, we should try to recover that spirit. The PNV and PSE-EE have an opportunity to demonstrate that removing this reform from the current bill is not a defeat, but an exercise in responsibility.

If there is a genuine willingness to update the law, there should be no fear of debating it specifically and with all the necessary safeguards.

We live in an era in which everything seems to have to be done quickly: streamline, simplify, unblock, accelerate. But there are territories that remind us that not everything important can be done quickly. A marsh cannot be accelerated. An ecosystem cannot be simplified. Biodiversity does not operate according to electoral

terms. And certain territorial transformations can have consequences that no subsequent amendment to a law will be able to repair.

That is why the request should be simple: let us remove the reform of Urdaibai from the PNV and PSE-EE bill and open a specific legislative process to update it. Let civil society be heard. Let science be heard. Let those who know the Reserve, and those who live and work in it, be heard.

And then let Parliament decide.

Because Urdaibai belongs neither to any government, nor to any party, nor to any generation. It is a collective heritage and a responsibility that we have received from those who came before us and that we must pass on to those who come after us.

Updating the law may be necessary. Doing so in just any manner is not.

Urdaibai deserves its own law, its own debate and broad consensus.