To collaborate or confront? New research provides key insights for environmental NGOs

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Just after dawn, volunteers for a Toronto-based NGO called the Fatal Light Awareness Program (FLAP) Canada make their way along the streets of the city's downtown core. FLAP's mission is to limit the number of migratory birds injured or killed due to collisions with

windows. These volunteers are looking for dead or injured birds that fell to the ground after hitting windows during the spring and fall migrations.

An estimated 15-30 million birds in Canada alone are killed each year after hitting a window. Migratory bird populations have dropped significantly in the last 50 years, with window collisions identified as a main cause. However collisions, can only be reduced if building owners agree, or are obliged, to make glassed surfaces less dangerous to birds.

To achieve change, NGOs have two choices: confront stakeholders, or collaborate with them. Both approaches have advantages and disadvantages.

Highlighting guilty parties, especially through the media, can raise awareness and make responses more likely. But aggressive approaches risk closing off opportunities to work together on solutions. Working with stakeholders may achieve mutually acceptable solutions and funding, but NGO priorities may be watered down as a result.

Collaboration?

How does an NGO choose between collaboration and confrontation to achieve its goals? My recent study used FLAP as a case study to help explore this critical question.

Over three decades, FLAP has continued rescue and recovery operations to assist birds who have struck windows while also continuing advocacy work to push for meaningful change to reduce the risks posed by the windows themselves. Windows are often either invisible to birds, or reflect nearby vegetation.

FLAP, like many global NGOs, can often find itself in a delicate position of having to measure its calls for change with the reality of

maintaining ongoing collaboration with stakeholders to carry out their core activities. For example, FLAP depends on access to the grounds around office towers to collect birds, so it was hesitant to publicly confront individual building owners.

Collaboration with stakeholders ensures both that FLAP volunteers are welcome to patrol and property managers also encouraged maintenance staff to store dead or injured birds they found. This collaboration had clear benefits.

Instead of targeting specific building owners or property companies, FLAP has largely focused on raising general awareness about the overall scale of bird injuries and deaths due to windows. Since 2001, FLAP has held an annual public layout of all of the dead birds collected by volunteers, with 4023 dead birds displayed in the 2023 layout.

Data about the location, time of collision and species of bird has also been recorded in a publicly available database.

Similarly, FLAP has worked with municipal and commercial stakeholders, in developing best practices for limiting bird-window collisions. These guidelines eventually became part of the Toronto Green Standard, which included building specifications—voluntary at first, later mandatory—designed to limit bird collisions.

These requirements include making windows more visible to birds by applying markers, as well as reducing other hazards, such as artificial lighting.

Or a more assertive approach?

Despite advances in awareness and policy, bird safety advocates were still frustrated with the toll on birds by existing buildings, which were

not bound by the new standards. While FLAP still took a largely collaborative approach, other organizations took more assertive stances.

Ecojustice, an environmental law NGO, became aware of the issue in part because of FLAP's annual bird layout. Using FLAP's bird collision data, Ecojustice brought legal action against the owners of two buildings where particularly high collision numbers had been recorded.

The first court case was dismissed in 2012. However, during deliberations, the property owners did make changes to the windows to reduce bird collisions by installing window markers. Confrontation, it seems, could also yield results.

However, the second case brought by Ecojustice in 2013 was against a property owner that had a history of collaboration with FLAP, contributing to guideline development, providing funding and even receiving a "Bird Friendly Building" Certificate from FLAP.

The ruling in 2013 had mixed results for both sides. The judge ruled in favor of Ecojustice's novel argument that light, in the form of reflected vegetation, was a form of pollution. However, the judge also concluded that the property owners had exercised reasonable care in trying to reduce bird collisions by installing window film in areas with the highest recorded collisions. Unfortunately the collaborative relationship was also affected.

Following the ruling, the property owner informed FLAP that its volunteers were no longer allowed on their properties unless FLAP agreed to keep bird collision data confidential, which they did not agree to do.

Key lessons

FLAP has taken a mostly collaborative approach, allowing them to rescue birds and create a rigorous collision dataset. This information has contributed to new building codes, as well as prompting changes in older buildings with high collision rates. Confrontation, while rare, occurred only after collaboration did not achieve desired results.

Visual messages, like FLAP's bird layout, can communicate the scale of the problem and reach a broad audience. This message can be all the more effective when people see a role in the solution, rather than feeling like helpless spectators. Collision reduction options have become widely available, giving people a sense of agency.

Strong data and visual images can also attract allies who may take more direct approaches. For example, the NGO Never Collide formed in 2019 to address bird collisions in older office buildings. It used FLAP's data to single out buildings for direct confrontation, through letter writing and shareholder pressure. One of their early victories was in 2021, when the largest bird safe retrofit in North America was installed in downtown Toronto, on one of the buildings that FLAP volunteers had previously been barred from patrolling.

These are important lessons for building upon success in the long term.

In the meantime, volunteers in Toronto and other cities like Ottawa, New York and Chicago will be patrolling again this spring, as migrating birds return.

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