CHORLAVÍ

# Decentralized Environmental Governance

## Opportunities for Sustainability and Natural Resources Access for Poor Rural Areas

Fondo Mink'a de Chorlaví

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2. *Systematization of Natural Resource Development and Management Programs in the Rural Population of Colonia Carlos Pellegrini, Province of Corrientes, Republic of Argentina.*
   Luis Ramón Almirón (Ministry of Production, Labor, Tourism and others)

3. *Environmental and Territorial Governance in Communities Affected by Mining Operations: The Experience of Rural Communities in the Province of Espinar, Peru.*
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4. *Governance in the Management of Protected Wild Areas in Costa Rica: A Joint Management Experience in the Gandoca Manzanillo National Wildlife Refuge (REGAMA).*
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   Marcel Jansen, and others

6. *Small Grants Program, PPS/GEF: Lessons Learned from 10 Years in Chile.*
   Guillermo Dascal Rosenfeld, and others.

7. *Systematization of Natural Resource Management and Use Experiences by FOS Counterparts for the Strengthening of Decentralized Environmental Governance.*
   FOS Chile, and others

8. *Learning from Experience to Plan the Future - Joint Natural Resource Management of the Chanchán River Basin, Province of Chimborazo, Ecuador.*
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9. *¿Quién pone el cascabel al gato?: Systematization of the Environmental Convention «Cotopaxi in Minga».*
   Instituto de Estudios Ecuatorianos.

10. *Environmental Governance: Messages from the Outskirts.*
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# Fondo Mink'a de Chorlaví

Fondo Mink'a de Chorlaví (Mink'a de Chorlaví Fund) belongs to the Chorlaví Group (www.grupochorlavi.org) and is responsible for promoting and facilitating social learning processes based on the critical analysis of innovative sustainable development experiences in rural Latin America and the Caribbean. The Fund and the Group rely on the valuable sponsorship of the Inter-Church Organization for Development Cooperation (ICCO, Netherlands, www.icco.nl) and the International Development Research Center (IDRC, Canada, www.idrc.ca).

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# Decentralized Environmental Governance

*Opportunities for Sustainability and Natural Resources Access for Poor Rural Areas*

Manuel Pulgar Vidal (*)

## General

**S**everal processes have given rise to a new institutional framework that rules the access to and use of natural resources by public and private players, namely a) privatization of natural resources; b) new foreign investment opportunities (mining, fishing, forestry); c) substitution of government intervention by market mechanisms; d) urbanization; (e) deeper environmental awareness; and f) increased recognition of the rig-

hts of the native people including ancient rights over lands and resources. Under the new institutional framework, decision-making regarding access to and use of natural resources has become increasingly decentralized. Local governments now have more power – sometimes real and in many cases, just formal– in terms of environmental governance. Important social mobilization processes specifically oriented to have a bearing on environmental governance are common today. All countries have examples of social mobilization regar-

ding the access to and use of water or forests; urban expansion; native people's land titling; or domestic and foreign private investments based on natural resource management.

Under this framework, in 2003, the Mink'a Fund, of the Chorlaví Group, called public and private organizations to submit proposals for the systematization of decentralized environmental governance experiences that help in the identification of the minimum conditions required to provide poor rural areas with increased access to and use of natural resources. An additional objec-

*An objective was to provide insights on the role of rural poor in a sustainable development strategy when establishing or negotiating access to natural resources.*

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tive was to provide insights on the role of rural poor in a sustainable development strategy when establishing or negotiating access to natural resources, based on several incidence tools and on how these tools provided social processes with stability to consolidate development strategies.

## The concept of Decentralized Environmental Governance

The concept of governance is associated to political power realms and refers to efficient, effective, and legitimate exercise of power and authority for the achievement of social and economic objectives[1].

Governance is defined as the formal and informal interaction among players to conduct a society. A governance system is made up of formal and informal regulations and procedures that shape an institutional framework for the operation of the diverse stakeholders. Governance of this system shall depend on how predictable, transparent and legitimate this framework is[2]. Thus, governance has a «broader meaning than government, as it does not refer to specific frameworks, but to a number of procedures and practices involving a wide range of stakeholders and networks.»[3]

Decentralized environmental governance is a new institutional framework where decision-making regarding access and use of natural resources tend to remain in the hands of local institutions.

Four elements help to properly understand and interpret these processes:



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### Formal and informal regulations, procedures, and processes

Formal and informal regulations, procedures, and processes as a way to create governance –and more specifically, decentralized environmental governance– are of a controversial nature due to the poor understanding of their «informality» . A conclusion often heard in the mainstream media and spaces of power is that social mobilization, raising of demands, and social organizations looking for their share in resource management lead to non-governance. This conclusion is based on the false premise that anything departing from formal regulations, laws, policies, and vertical decision-making is inconsistent with the principles of democracy and the role of decision-makers therein. Evidence of such poor understanding are the negative reactions of Central Government authorities –like those faced by the community consultation process in Tambogrande, Piura, Peru regarding the development of mining activity on their lands– or the difficulties faced by Mapuche organizations in Chile to discuss their problems with governmental officials.
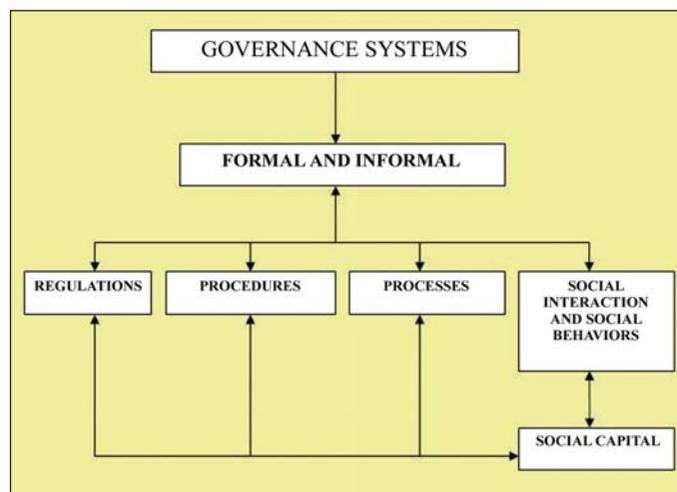


*The government became upset after the consultation because, although it insisted that it was null and void for the approval of the Environmental Impact Study, the strong opposition of the population had been shown on a democratic and transparent basis. (Governance in Access of Mining Activity to Local Natural Resources: The Case of Tambogrande, Peru).*

*Organizations face difficulties regarding natural resources, since their strategies are not understood or validated by current governmental policies. (Systematization of Natural Resource Management and Use Experiences by Mapuche Organizations, FOS Counterpart for the Strengthening of Decentralized Environmental Governance, Chile).*

## Social Interaction

As an interaction of a group of stake-holders, governance processes need to be inclusive. It is not a stand-alone or unique process, but rather feeds from other processes.
*What are the elements driving the union and interaction of social groups? Are*

*According to their leaders, the main problems faced by these communities are the need to gather as a territory and to unite as Lafkenche communities, improve quality of living, and exercise their rights both against forest companies that surround them and with which they keep old disputes about lands encroached many years ago, and public agencies. (Small Grants Program, PPS/GEF: Lessons Learned - 10 years in Chile).*

*they cultural elements?* This seems to be the answer in the coastal sustainable management experience of the Lafkenche communities in the Ninth Region, Chile.
*What gives rise to ownership? Is it the identification of an unsatisfied common need? A collectively identified threat?*
That was the case of the joint natural resource management experience in the Chanchán River basin, in the province of Chimborazo, Ecuador, where the damming of the river and the sliding and flooding hazard resulted in a common vision and social interaction for resource management. Profitability can also explain social interaction and ownership, such as the case of community forestry initiatives in the Municipality of Yuscarán, El Paraíso, Honduras.
Systematizations show that social interaction is a key condition for decentralized environmental governance and that this process is streamlined on the basis of: a) formal factors, such as the involvement of different levels of government in programs, projects or activities; and b) mostly informal factors that come from the action or reaction of the group itself against specific situations, with a view to creating identity from internal arrangements accepted by the entire group.
Social interaction increases with a deeper democratic behavior of the stakeholders involved in decentralized
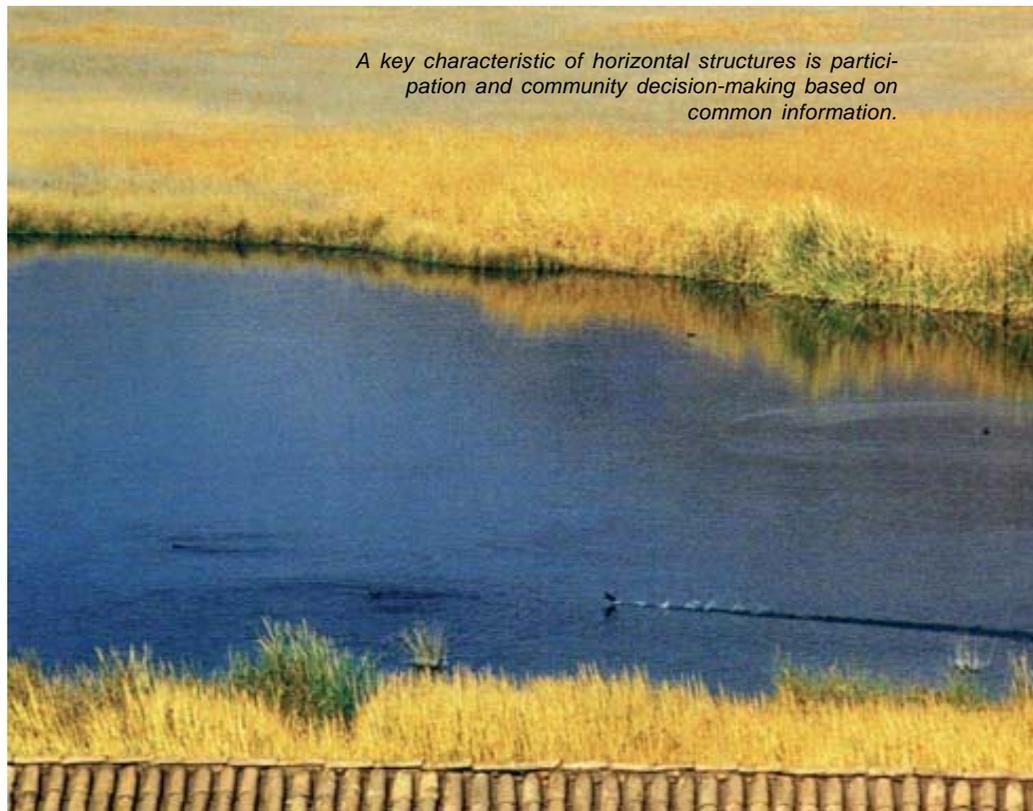

*A key characteristic of horizontal structures is participation and community decision-making based on common information.*

environmental governance, in the search for better agreements.[4]

## Social Behavior

Decentralized environmental governance designed to regulate or modify certain social behaviors regarding access to natural resources, integrated ecosystem management, and environmental protection by rural communities require the creation of behavioral standards regarding sustainable and acceptable arrangements.
The core element is «how to transform individual issues into a public issue». The systematized experience in Tirúa, a rural municipality located in southern Chile, is a good example of the above, since by including the communities demands in the public agenda, the community began to create the conditions that evolved to fairer and more equitable coastal resource management process[5].
Although some of the systematized experiences have involved occasional acts of violence, it should be emphasized that an adequate process of decentralized environmental governance may only be developed within a peaceful environment. In the case of Tambogrande, the authors accept that once the initial, spontaneous, and potentially violent actions were overcome, the population –through the Defense Front– developed a sound, democratic strategy that led it away from confrontation (leaving violence aside as a means of pressure), and had its most important expression in the public consultation of June 2002.[6]

## Horizontal

The systematized processes show the search for horizontality as a common element. Horizontality is pursued both in the structure of the social group – and in group decision-making– as well as in the relationships with external players. A key characteristic of horizontal structures is participation and community decision-making based on common information.

## Key conditions for Decentralized Environmental Governance

The ten (10) systematizations supported by the Fund reveal certain key conditions which are required for the successful development of decentralized environmental governance, namely: social capital, participation and access to information, governmental presence,

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and institutional framework.

## Social Capital

Social capital involves communication, trust, reciprocity, community ownership, collective and cooperative *ethos*, among others.[7] The nature of governance requires social groups linked by clear leadership, a common view, and the search for the satisfaction of the needs of the community.

Building social capital creates capacities and power to negotiate and define the access to natural resource so that communities themselves are able to meet their needs on a sustainable basis.

The absence of social capital in poverty settings leads to clientelism, resulting –as suggested in the systematization of the Colonia Carlos Pellegrini, in Corrientes, Argentina– in a vicious circle of poverty that relies heavily on political power. This in turn restrains access to relevant information, discourages participation, and keeps the poor away from all realms of governance.[8]

### Strengthening social capital in rural communities and improving decentralized environmental governance

- **Reassessment of Local Capacities**. In some systematized experiences –like in the Communities of Espinar in Peru, the Forestry Cooperative in Yuscarán, Honduras, or the Seed Savers in the Nineth Region , Chile–reassessment of local knowledge about natural resource potentials has been used to build social capital.

- **Legitimate Local Leaderships**. The leader must know how to guide the group in the governance process, so the poor can make effective use of natural resources.[9]

- **Common Vision**. Experiences show different ways of working in the identification of a common vision, among others: a) by creating a  vision of local development; b) by seeking the productive transformation of the community and the territory; c) by promoting a sense of belonging and ownership, and d) by establishing networks and partnerships.

The development of a common vision is based on agreements by the social group through discussions and negotiations.

- **Education and Training**. Broad access to education and development of training tools for social capital building, as a driving force, is a minimum condition for successful decentralized environmental governance.

## Participation and Information Access

The key condition to overcome deprivation in poor rural communities is to ensure democratic access to information and decision-making based on adequate and legitimate information. This condition must be present in both  internal –among local stakeholders– and external decentralized environmental governance.

All local stakeholders must participate in the development of a common vision and the establishment of a sense of trust in order to build successful social capital which is necessary in order to reach agreements that enable the unified management of the governance process. One of the core elements in the systematization of the Tambogrande case was participation, acknowledging that a key issue was to provide a forum to hear the voices of all parties.

Externally, participation refers to three elements: access to information, access to justice, and access to the process. «The lack of participatory political processes can contribute to a potential shortage of legitimacy and effectiveness in decision-making regarding several collective issues»[10]. Decentra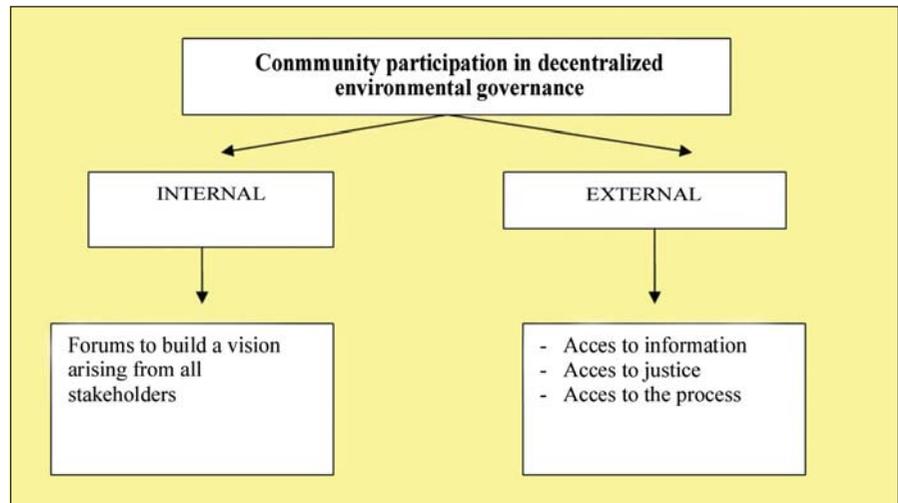lized environmental governance is, by nature, an alternative to formal participation mechanisms. Decentralized environmental governance is often encouraged due to the limitations faced by rural people in terms of access to information or participation in decision-making. An example of that are roundtable discussions held by the Communities of Espinar and the Environmental Convention of Cotopaxi.

### Government Presence

Governmental presence as a relevant player in decentralized environmental governance can

*Decentralized environmental governance is, by nature, an alternative to formal participation mechanisms.*

**Conmmunity participation in decentralized environmental governance**

INTERNAL

EXTERNAL

Forums to build a vision arising from all stakeholders

- Acces to information
- Acces to justice
- Acces to the process

be explained by using different approaches: a) the government, of local levels as a creator, promoter or recipient of decentralized environmental governance; b) the government, as a facilitator of access to natural resource on an inclusive basis; c) the government, as policy maker resulting form the process; and d) the government, as a driving force of the process and a player that promotes actions that exclude rural people, and therefore, a contested player.

## Institutional Framework

Systematized experiences show the establishment of informal mechanisms that shape a new institutional framework which favors decentralized environmental governance and creates forums for social interaction, planning, and definition of agreements acceptable to the stakeholder.

Latin American experiences show a considerable increase in interaction spaces through discussion roundtables, agreement roundtables, joint communities, federations or other forms of networking, defense fronts or other mechanisms for the protection of the rights of the group.

Institutional arrangements imply the organization of forums and mechanisms for local decision-making, which should not reproduce inequality or exclusion but rather overcome them.

Nevertheless, all these institutional arrangements are not necessarily part of a governance process if they are not accompanied by social interactions that define specific behaviors supported by mechanisms for social capital building

*Strategic experiences take place in the poorest areas of the south of Tirúa, where Lafkenche communities have organized and coordinated their efforts to better control ocean resources and improve returns from fishing activity. (Systematization of Natural Resource Management and Use Experiences by FOS Counterparts for the Strengthening of Decentralized Environmental Governance, Chile.)*

Hence, roundtables become a process accepted by peasant communities of Espinar to make complaints and claims regarding the mine. *(Environmental and Territorial Governance in Communities Affected by Mining Operations: The Experience of the Peasant Communities in the Province of Espinar, Peru.)*

The Peasants' Committee managing the Chanchán basin promotes awareness raising and information dissemination from the Alausí Canton. Then, the four municipalities undertake leadership and institutionalize joint basin management. *(Learning from Experiences to Plan the Future: Joint Natural Resource Management in the Chanchán River Basin, Province of Chimborazo, Ecuador).*

Groups like Cooperativa Agroforestal Guadalupe, and Cooperativa Agrícola San Martín, as well as organizations of the different communities were strengthened. *(Community Forestry and Integral Human Development, a Road to Future. Systematization of Community Forestry Experiences in the Municipality of Yuscarán, El Paraíso, Honduras.)*

and the development of a common vision.

## Results of Decentralized Environmental Governance

### Roads for Decentralization

In this new vision of decentralization, environmental governance should promote the development of strategies that can influence different governmental levels and transform local agendas into public agendas.

### Policy Incidence

Increasing influence requires strengthening intermediate bodies or spaces.

Governance within decentralization must seek vertical consistency in policies, for instance, among different governmental levels. This means that the process cannot remain as a local experience that fails to go beyond its territorial space. As described in the Tambogrande experience, to achieve the goals, contexts must be taken advantage of, public opinion must become aware of the relevance of the processes, and strategic alliances must be developed.

Lessons from the Tirúa experience also show that social strength and organization legitimacy have helped to expand the demands and raised claims aimed at modifying those public policies that segregate or postpone community rights over resources and territories.

The systematization of Colonia Carlos Pellegrini, Argentina, reveals that social

*The main objective is to create the conditions required to provide the rural poor with access to natural resources.*

organizations with representation rights, summoning power, and mobilization capability beyond the local scope are key conditions for the success of decentralized environmental governance.»

## Access to Natural Resources

The main objective of decentralized environmental governance is to create the conditions required to provide the rural poor with access to natural resources. Can this outcome be verified based on the systematized experiences?

Some of these experiences showed direct results regarding the access of poor communities to natural resources. This, however, is not true in all cases, but it does not mean that other systematized experiences have clearly failed in terms of this objective. In many cases, the processes are intermediate stages towards an ultimate objective regarding access to natural resources, strengthening those elements that could support future successes.

Tirúa is the first group of successful direct results revealing the strengthening of producer organizations and their market negotiation skills by promoting self management and the resource control tools instead of increasing the pressure on them without necessarily contributing to local development.
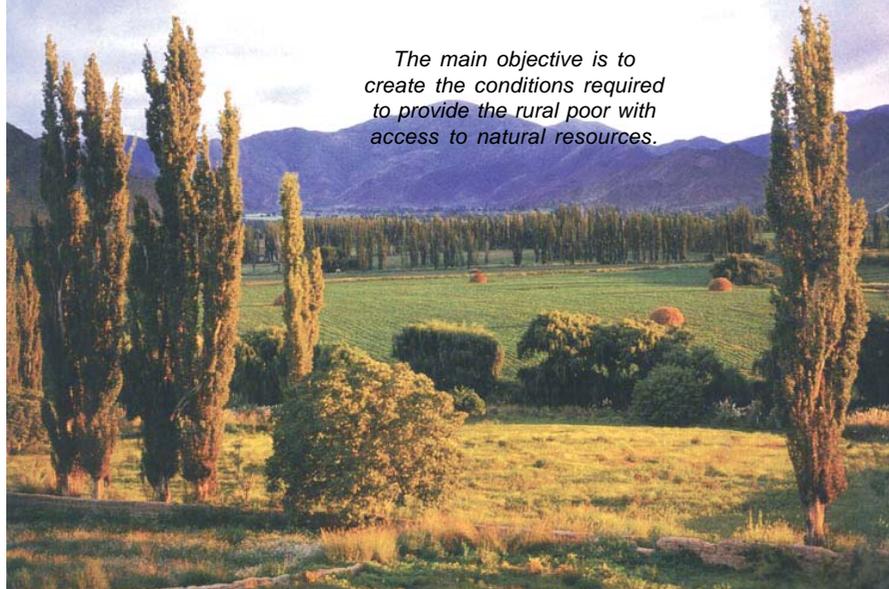
In the case of Yuscarán, Honduras, the systematized processes have been integrated into a national strategy, and in particular, the Cooperative has shown its preparedness to implement a forest management plan.

Finally, in the case of Tambogrande, the population was able to secure –at least temporarily– their usual agricultural activities and removed what they considered a threat to their lifestyle.

## Conclusions

Governance is made up of formal and informal regulations and procedures that form an institutional framework for the interaction of diverse stakeholders. The system will improve its governance as the framework becomes more predictable, transparent and legitimate.

Cultural elements and more specifically, identity elements, such as the identification of a unsatisfied common need or a collectively identified threat, catalyze decentralized environmental governance, as they promote interaction among social players.

Decentralized environmental governance requires the following: a) the strengthening of the community's social capital ; b) effective participation channels and renewed access to external and internal information; c) positive presence of the government as a liaison and supporter of new social agreements; d) institutional framework that enables effective decentralization; e) influence in public policies to go beyond the local scenario; and f) guaranteeing access to resources by the poor. Governance also requires vocation and democratic skills from all of the stakeholders and should be understood as a peaceful process.

Knowing and understanding what makes up decentralized environmental governance provides better interpretation of the reality, improves legal and institutional frameworks, deepens knowledge of how to face disputes, and promotes dialogues among different stakeholders.

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## Notes

[1] Pontificia Universidad Católica del Perú, Instituto de Estudios Internacionales. Gobernabilidad y Desarrollo. Peru: Fondo Editorial, 1996.

[2] Generalitat de Catalunya. *La gobernanza para el desarrollo sostenible en Cataluña*. Conceptos, requerimientos institucionales y elementos de análisis. Spain: Biblioteca de Catalunya, 2002.

[3] Reyes Bernardo, Jara Daniela. Gobernanza ambiental: Mensajes desde la periferia. Instituto de Ecología Política, 2005; 5.

[4] Decoster Jean-Jacques, Rivera Eliana, Baca Karina. Gobernanza ambiental y territorial en comunidades afectadas por la explotación minera: La experiencia de las comunidades campesinas de la Provincia de Espinar, Perú. Cusco, Peru: Asociación Kuraka, 2004; 51.

[5] Reyes Bernardo *et al*. Op. cit.; 33.

[6] Portugal Carlos. Gobernanza en el acceso de la actividad minera a los recursos naturales locales: El caso Tambogrande. Grupo de Investigaciones Económicas ECO, 2003.

[7] Generalitat de Catalunya. Op. cit.; 22.

[8] Almirón Luis Ramón, Gómez Lino, Ortiz María Isabel, Foio María del Socorro, Macarrein Omar, Simón Roberto. Sistematización de los Programas de Desarrollo y Gestión de Recursos Naturales en la Población Rural de Colonia Carlos Pellegrini, Provincia de Corrientes, República Argentina.

[9] Ibid.

[10] Ibid.; 19.