

PROYECTO TITLE: FROM GLOBAL RIGHTS TO LOCAL PRACTICES: FOSTERING PARTICIPATION AT THE MICRO-LEVEL IN LATIN AMERICA

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From Global Rights To Local Practices: Fostering Participation At The Micro-Level In Latin America.

Countries: Peru, Brazil, Colombia, Bolivia and Ecuador.

Project Leader: René Urueña

Main institution: Universidad de los Andes.

Partner institutions: Universidad Católica del Peru,



Synthesis:

During the 1990's, most countries in Latin America adopted ambitious constitutional transformations which recognized the right to participation and other similar governance structures geared towards enhancing participation. While these overarching transformations have been adopted as a means to foster accountability and increase local ownership of decision-making, we know very little of whether these goals are in fact achieved in specific contexts. Also, there is very little knowledge on their unintended impacts in the community where they are implemented. Lastly, we also know very little on the dynamic pathways through which these impacts feed back into the original architecture of the legal reform, and transform it.

This project seeks to explore all these impacts, by researching local instances of implementation of such reforms in five countries in Latin America (Bolivia, Brazil, Ecuador, Colombia and Peru), in locations geographically distant from each country's capitals, where partner academic institutions will work with civil society groups that are using the spaces of participation open to them by constitutional reforms. Currently, the research is mapping the specific effects of implementation of participatory reforms on the distribution of power and resources in the affected community, the pathways through which such effects are produced, their effect on accountability of domestic decision-makers, and their impacts in successive iterations of legal reform. By doing so, the project will (a) fill a void in existing knowledge on participation, (b) create actionable policy proposals to make spaces of participation more effective in five countries in Latin America, and (c) contribute to fill the needs of social movements that use the existing spaces of participation in their own local contexts.

The project consists of five research teams located in partner institutions throughout Latin

America, who worked in contexts that are geographically distant from their respective capitals, and where reforms towards enhancing participation have been implemented to improve local decision – making. The research activities took place in five localities in Brazil, Bolivia, Ecuador, Colombia, and Peru in order to establish:

- (a) Whether legal reforms that create new spaces of participation actually contribute to increased accountability of local decision-makers, and the specific ways this goal is achieved, or the reasons for failure.
- (b) The unintended impacts of legal reforms geared towards participation in communities where they are implemented, particularly in terms of distribution of local power and resources.
- (c) The pathways through which these local impacts feed back into the original architecture of the legal reform, and transform it.

The project incorporated the Participatory Action Research (PAR) Methodology to help all the researchers with the difficult process of creating strong relationships with communities, beyond the traditional role of knowledge production. PAR not only gave new tools to researchers, but also changed the project's theoretical approach and introduced new concepts of participation.

1. RESEARCH PROBLEM

During the 1990's, most countries in Latin America adopted ambitious constitutional transformations which recognized the right to participation and other similar governance structures geared towards enhancing participation. While these overarching transformations have been adopted as a means to foster accountability and increase local ownership of decision-making, we know very little if whether these goals are in fact achieved in specific contexts. Also, we know very little of their unintended impacts in the community where they are implemented. Lastly, we also know very little on the dynamic pathways through which these impacts feed back into the original architecture of the legal reform, and transform it.

The main research questions did not change. What the project aims to understand is:

- (a) Whether legal reforms that create new spaces of participation actually contribute to increased accountability of local decision-makers, and the specific ways this goal is achieved, or the reasons for failure.
- (b) The unintended impacts of legal reforms geared towards participation in communities where they are implemented, particularly in terms of distribution of local power and resources.
- (c) The pathways through which these local impacts feed back into the original architecture of the legal reform, and transform it.

Furthermore, the implementation of this research involved new questions in terms of methodology and theoretical approaches.

Methodological approach:

Since the beginning of the project, Participatory Action Research was an important component in order to understand participation and to get involved with the communities. PAR methodology aims to change the relationships between researchers and community. Therefore, researchers needed to understand PAR and get to know the tools it uses in order to apply them to each case study.

The first part of the project was guided by the follow questions:

- Why do we research?
- How do researchers approach the communities?
- How can the academy help local communities in order to achieve their agendas?

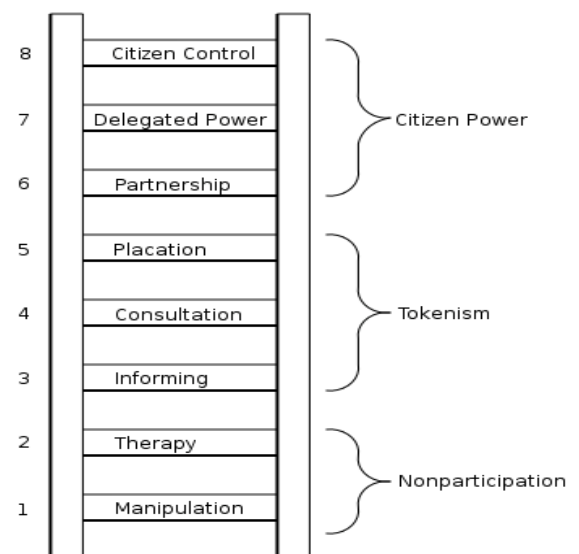
Theoretical framework:

On the other hand, in order to evaluate each case study, the first step needed was to understand the following: How is participation defined in the public policy context of each case and what are the implications of each participation definition?

Participation is evaluated according to the redistribution of power in the decision making process. Although the concepts are not absolute, the main idea used to distinguish them is to understand why people are participating? Why they decide and take control? Is it to bring information?

After a first theoretical review, the group identified three main definitions with different implications: participation as a governance mechanism, participation as a legal right, and participation as an empowering tool.

These concepts were really useful for researchers to evaluate local policies, and to create a *public policy strategy*. (See ANNEX 7)



2. RESEARCH FINDINGS

Methodological findings:

The Participatory Action Research (PAR) draws from a main idea: “science” is a cultural construct and, as such, does not present a truth or an “objective” answer. It states that it is the vision of a specific class or minority group that has specific values and a social organization model which it considers proper. In this sense, the PAR methodology is based on the same postulate that understand participation as empowerment, which is why it presupposes that the research done with the community cannot have a hierarchy between researchers and the community. The PAR is based on the relationship between subjects, not between researcher and subject of study, which is why the construction of the whole research must originate from a contribution by both parties.

The PAR must ensure three main points:

- That the specific concerns and problems of the community must be defined with the community itself, and beyond the purpose of the research.
- That combined strategies are designed in order to support the solution of urgent problems that the community has to confront.
- That academic products that are developed based on the work with the community must be shared with them. Considering that language barriers may exist due to technical language that is often used in the academic environment, the researcher must ensure that the materials are useful for all audiences with both technical and colloquial language (comics, videos, etc.).

At the same time, and even though the PAR seeks to take distance from the western notion of science, it is acknowledged that many tools developed by “traditional” research may be useful in order to redefine and visualize the knowledge that has been excluded from dominant discourses, which are nowadays usually categorized as extra-scientific, supernatural or artistic/cultural expressions. Due to this, it is important to bear in mind that the use of qualitative tools that may be used in this type of research does not necessarily implies that a real Participatory Action Research methodology is being used.

PAR was a useful tool to understand the field work with communities as an initiative for the community and with the community, acknowledging their agendas and priorities, even when the researchers’ initial ideas were different from the ones of the community leaders. During the project, each research group developed different types of relationships with their communities, as each context and group is different. For example, in the Peruvian case, the group worked with a highly organized community, with strong leaders, and years of experience dealing with the central government. However, in Bolivia's case, despite the internal organization of the community, they had almost no recognition by the regional government, but have a strong relationship with the central government. The disparities between each case provided important information about citizen participation, and required different strategies for each case study, as will be see in the following sections.

Theoretical findings:

The initial work implied a theoretical review where the group mapped different participation concepts. According to general conceptions of participation, it is possible to identify at least three major definitions or concepts of participation: participation for governance, participation as a right, and participation for empowerment or social mobilization. The difference between each of these concepts lies in its objectives and the level of decisive and influential power that is considered must be attributed to the public “encouraged” to participate.

A. Participation as governance.

The concept of Participation as governance was born from an approximation in which participation is understood as a tool in order to ensure good governing. That is the reason why the existence of spaces for the involvement of the public in policies, decisions- making processes and projects or programs that affects them are encouraged. This approach is coherent with figures such as regulatory agencies, and is present in the policies of development agencies such as the World Bank or the Inter-American Development Bank. Regulatory agencies, understood as institutions that regulate according to technical criteria without the government’s intervention, find participation a way of evaluating policies directly with its beneficiaries. The logic of this approach seeks mainly the economic efficiency, which in many occasions does not guarantee real participation from the community, nor imply the use of individuals or communities as a “free source of knowledge”.

During the project execution the research groups identified a general rejection to this approach by the communities. When communities are organized, they want a real influence in the decision making process, and not to be a source of information to facilitate someone else’s projects, or policies. For example, in Cauca Region Project- Colombia, women constantly expressed that they are tired of being used as a source of information or validation of big NGO’ projects. The main problem is when these NGO’ invite them to “discussion forums”, but they don’t take into account any of their opinions or suggestions, and only use those opportunities to communicate their initiatives. These types of practices transform participation forums into useless spaces for the community, and discourage regional leaders to keep working with people that do not acknowledge them as peers.

The same rejection can be seen in Ecuador, where indigenous peoples are tired of work with researchers that are looking for information about them, but bring nothing to the community in terms of technical support or legal advice.

B. Participation as a right

Participation as a right is a concept tightly connected to the constitutional changes which took place in Latin America mainly in the 90s. One the common features among the different reforms was the tendency to strengthen participation and democratic spaces beyond representative democracy. The reforms were focused on various approximations, mainly the strengthening of the

¹ See Annex 7.

direct democracy mechanisms (popular consultations and referendums) and the creation of public authorities for the control of public management. Also, from a territorial organization point of view, decentralization mechanisms were strengthened thus granting a larger number of faculties to local entities and resources.

The right to participation may be summarized in three main points:

- a. Political inclusion: The expression of interests and preferences in public policies, which affect a specific population.
- b. Procedural Justice: Justice as the distribution of primary goods requires that the State listens to the citizens, “even though this does not imply that the State is going to distribute social goods according to every claim, it does imply that they are listened before the distribution is decided”²
- c. Self-government: This trait must be understood under the direct democracy established mechanisms (Vote, plebiscite, referendum, etc.).

C. Participation for empowerment.

The last concept conceives participation as a method of empowerment of the citizenship. The empowerment implies practices which eliminate hierarchies in a way that all participants and their contributions are taken into account. Also, there are social transformation spaces since they allow the generation of a group conscience where people may identify common problems thus promoting the “mobilizing action”. Empowerment implies mechanisms where citizens plan and manage policies, programs, etc. regarding their own needs in their local context.

One of the great challenges of this project was to understand the power dynamics, since even though authors may use the same terminology - "participation" -, this word has many definitions and implications.

“If participation is to mean more than a façade of good intentions, it is vital to distinguish more clearly what these interests are. This will help to show what many have long suspected: that though we use the same words, the meanings that we give them can be very different.”³

In order to start thinking about the theoretical approaches, each team answered a questionnaire; this was the first effort to reflect upon participation, and to start using the same vocabulary. (See Annex 2).

- d. Fieldwork findings regarding theoretical approaches

² LEMAITRE, Julieta (2013). Diálogo sin debate. Revista de Derecho Público No 31. Facultad de Derecho. Universidad de los Andes.

³ WHITE, Sarah. Depoliticising development: the uses and abuses of participation. Development in Practice, Vol. 6, No. 1 (Feb, 1996), Pág. 143

The theoretical difference between the three previous concepts is the role of citizens and the degree of power they are given to make decisions. The first concept is focused on a critique regarding a utilitarian use of participation, because citizens use their time and efforts to bring up information, but they do not see direct benefits from it. The second concept of participation is focused on a traditional understanding of democratic participation, where the State must ensure traditional participatory mechanisms and inform citizens about their rights. Finally, the last concept implies a deeper way of understanding participation, allowing citizens to make decisions about their specific needs and goals.

These three concepts are closely connected, and can be identified even in different stages of the same project, policy or decision-making process. Therefore, it is not possible to understand how an institution, social group or even an individual understand participation without evaluating the complete processes.

On the other hand, research groups evaluated participation not only from the policy makers' points of view, but also from the perspective of social groups. Despite the fact that literature has been focused on a utilitarian critique on participation, it is important to highlight how, in some cases, social groups have learnt how to use all participatory sceneries available to consolidate their agendas. For example, in Cauca Region Case, despite the general rejection of projects or forums where ASOM does not have a real impact on decision-making; they keep attending to spaces where they identify the possibility of networking or gaining allies for future projects; same in Peruvian case study.

By looking closely at the impact of participatory rights, we learned that the spaces of participation that seemed more successful at achieving social change were the ones that allowed for open (even unstructured) dialogue among participants, leading to some sort of interim agreement, and then a common review of the results of the implementation of it. Interactions, moreover, seemed less confrontational and more cooperative when parties felt that not all was at stake at one interaction.

Our research project in Peru and Ecuador are good examples. In Ecuador the Constitution of 2008 incorporated a new set of fundamental rights, and to ensure them the government recognized the importance of ensuring citizen participation and the development of spaces for the dialogue between stakeholders at the local and national level. For this purpose, the government promoted the decentralization and self-government of all Provincial Governments, which are now in charge of designing policies to respond to local needs. Concretely, in our research we found structures, such as the "grupos de trabajo" with indigenous populations that allowed a continuing dialogue between stakeholders and facilitate a quicker response to problems. Furthermore, the experience in Peru taught us a different approach based on the creation of a series of institutions created directly by social leaders, which work in coordination with other institutions at the regional and national level. This has been the case of the indigenous peoples in the San Martin region, who are currently organized within local institutions, and the leaders that make part of them are trained to jump between the forums of governmental institutions and international organizations, in order to promote their agenda, even when they are in spaces designed for different purposes. Even though this approach could be possible without an indigenous institutionalization, the indigenous peoples

seem to prefer it since it brings credibility, visibility, a clear structure to their leaders, and is proving to be a better way to achieve their goals.

3. PROJECT IMPLEMENTATION AND MANAGEMENT

Following the process explained on the concept note, the project has been organized towards methodological meetings, learning about each case study among the interaction with the communities and discussing the general project progress.

Activities

First Methodological meeting:

Bogotá (Colombia), October 2014.

Objective: Methodological training with focus on participatory action research, discussion of case studies, common issues and challenges.



In October 2014 we started a methodological training on PAR. In order to learn about other experiences the project leader contacted PARCES. PARCES is a local NGO from Bogotá working with sex workers who belong to 'vulnerable' social groups such as migrant women escaping from rural areas where the armed conflict is especially rampant, transgender women, young women, women of ethnic and/or racial minorities and women escaping from domestic violence and abuse⁴.

Sex workers participate in PARCES as peer leaders that work and fight against social injustices within their community. Jointly they have led initiatives against police harassment, visibilization campaigns, and social cartography encounters using a Participatory Action Research (PAR) frame that seeks to empower sex workers.

PARCES agreed to teach us about their experiences with PAR, and planned a three-day workshop for the research team. The experience taught the group about the possible alliance between civil society and the academy, mainly showing the way in which local leaders not only help researchers to communicate with a community, but also that the community should be part of the research planning.



The workshop had three sections:

1. PARCES presented their initiatives, and their achievements after a five-year work with sexual workers in the south of Bogota.

⁴ For further information see: http://www.parces.org/nosotr_s/

2. Theoretical approach: PARCES provided an initial training on PAR, giving readings and materials to start using this methodology.
3. How to apply PAR in each case study. The last part of the work aimed at trying to help the research groups to think their case studies in terms of PAR, and to try to identify how the project can be useful to local communities.

The first Methodological Meeting Agenda is available in ANNEX 1.

Second Methodological Meeting

Altamira (Brazil), August 2015.

Objective: To get to know and evaluate Brazil's research case, and discuss the project challenges and progress.

During the second meeting the group had the opportunity to study the Belomonte case in Altamira, Brazil. Belomonte is a hydroelectric dam currently under construction on the Xingu River. The population near the river has experienced several problems with the authorities because this new project will affect their regular economic activities, such as fishing and agriculture, and it also implied the displacement of rural communities to town.

This case is especially challenging for the Brazilian team because there are many stakeholders that have been affected by the dam, but each group has specific interests. This meeting was the first opportunity to bring together community leaders in the region to set a common strategy to affront their problems.

1. The first part of the meeting focused on getting to know the stakeholders' experiences. Despite the interests' disparity among the assistants, everyone had the opportunity to talk about their fears and daily realities, which helped the development of empathy and recognition of common problems. Besides, the presence of Latin-American researchers helped local leaders acknowledge other experiences, and understand that many groups within the continent are working together to stop human rights violations in their regions.
2. The second part was the training on legal tools, to help the assistants set strategies to demand the government the fulfillment of their fundamental rights. The training started with activities about judicial mechanisms and institutional structure, according to Brazilian law. After an explanation on the national legal frame, Stephania Yate and Maria Cecilia Ibáñez explained property rights and the Inter-American System of Human Rights.



3. The last part of the event was a private session for the research group regarding the project. During this meeting the group: a) discussed the research's theoretical framework (ANNEX 5) in order to set general guidelines for all case studies; b) shared thoughts on the Brazilian experience in order to learn about applying PAR; and d) planned the next methodological meeting.

For further information, the Second Methodological Meeting Agenda is available on ANNEX 3.

Third Methodological Meeting.

Ambato, Ecuador.

October 15, 2015.

This meeting had two different moments. First, a private session in order to discuss the first set of drafts of papers, including the knowledge and experiences acquired to date. Each group presented its work during the first year, and the other assistants gave them advice and suggested changes.

Moreover, the groups discussed the possible academic and political outputs of each case study, and the general academic products. Regarding the Academic outputs:

1. One book in Spanish, explaining each case study findings.
2. Academic papers explaining the theoretical findings on participation and regulation.

The second moment of the meeting was a workshop with Indigenous leaders in Llangahua, Ecuador. The activities had been organized taking into account the previous experience in Brazil, therefore the Ecuadorian group explained:

1. Human right to water and sanitation.
2. Nataly Vargas presented the Cochabamba experience regarding social movements, and the right to water in Bolivia.
3. The right to water in Ecuador.
4. The institutional design around the right to water and participatory spaces.

For further information, the Third Methodological Meeting Agenda is available on ANNEX 4.



Fourth Methodological and workshop Meeting in Peru.

Place: Lima and Tarapoto.

March 2016.

Objective: To get to know and to evaluate Peru's research case, and discuss the project progress.

This meeting had two parts. The first one took place in Lima, where each group presented its work in a private meeting, and explained the progress on projects outputs.

After the methodological meeting, the group traveled to Tarapoto, in order to meet regional indigenous organizations. Concretely, all the researchers attended to a meeting with Kechwa leaders to discuss about the social and political realities of indigenous peoples in San Martin.

This was an interesting opportunity to understand indigenous peoples dynamics. For example, many women attended, but they did not participate; almost all women were outside the meeting room, taking care of children and requesting the money provided for transportation. Furthermore, the lack of trust on regional government was evident, almost all participants were against Mayor' initiatives. According to the social leaders, communities are losing their territories because the regional government is promoting exploitation for industrial agriculture.



Subsequently, the researchers went to Mishki Cacao, a small but important chocolate factory. Mishki is a women's initiative with two main purposes, 1) to produce finished products taking advantage of local cacao plantations to gain more money, and 2) to provide employment opportunities for women. The visit allowed the group to know about this success story, and look for possible opportunities for their communities.

Finally, during the last day on Tarapoto, Cristian Delgado, a local leader from Bolivia talked about the situation in Tarija regarding slums. For Cristian, attending to this methodological meeting was really important, since he identified more opportunities and possible projects for his community. The main lesson for Cristian was to understand how in Peru, people who used to live in slums, not only achieved the neighborhood legalization, but also started productive initiatives to improve their living conditions.

For further information, the Fourth Methodological Meeting Agenda is available on ANNEX 5.

Law and Society Annual Meeting 2016.

Place: New Orleans

June 6 2016

In 2016, five of our researchers attended the Law and Society Annual Meeting in order to present their academic findings in this forum⁵. This was a perfect opportunity to discuss their papers and to receive comments from academics peers.

Paper session: From global rights to local practices: participation at the micro-level in Latin America⁶.

Presentations:

- Citizen Participation institutionalization: Social movements and their strategic interaction with regional government.

Presenter: Gustavo Zambrano Chávez,
Pontificia Universidad Católica del Perú.

- Community based water management in Ecuador: Participatory management vs Regulatory Agencies.

Presenter: Stephania Yate Cortes, Universidad de los Andes.

Co-Presenter: Pablo Poveda Mora, Universidad Técnica de Ambato.

- Inclusion within "civil society": another challenge for true participation?

Presenter: Maria Ibanez, Universidad de Los Andes.

- Social Movements: Housing in Tarija, Bolivia.

Presenter: Nataly Vargas Gamboa, Universidad Autónoma Juan Misael Saracho



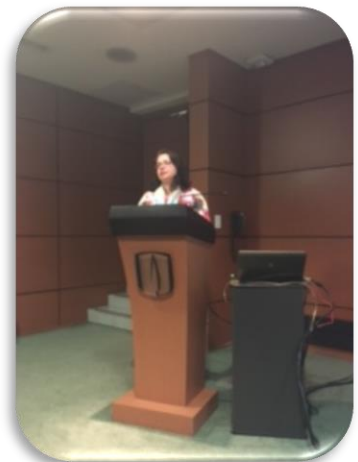
Fifth methodological meeting and workshop in Bogotá.

Place: Bogotá

August 2016.

The last methodological meeting was planned as an space to discuss the academic papers, and receive comments by peers.

For this purpose it was planned an opened event, three academic peers evaluated papers and presented recommendations. The academic peers were:



⁵ See: <https://ww3.aievolution.com/lsa1601/index.cfm?do=ev.viewEv&ev=2152>

⁶ See http://www.lawandsociety.org/NewOrleans2016/docs/2016_Program.pdf . Pág. 79.

- Daniel Bonilla (Professor at Universidad de los Andes).
- Miguel Rabago (Invited lecturer at Universidad de los Andes and former professor at Universidad Iberoamericana- México).
- María Angélica Prada (Research Assistant at Universidad de los Andes and lecturer at Universidad del Rosario- Colombia).



For further information, the Final Methodological Meeting Agenda is available on ANNEX 6.

5. Outputs

Creating new knowledge.

The case studies will contribute to the existing knowledge on participation, constitutional reform, and their impact in Latin America. This goal will be achieved mostly through academic publications, in Spanish and Portuguese, directed to an audience of researchers, think-tanks and civil society organizations situated in the region's capitals, and in other centers of knowledge production.

For this purpose the group will publish a book including all case studies and general findings. Uniandes and PUCP's editorials will be in charge of issuing the book, in order to achieve a bigger diffusion, reaching two countries at the same time. The book is expecting to be released at the end of to 2017, after passing for the editorial process of both universities.

Additionally, the group will apply for publishing a special edition of an academic journal, dedicated to citizen participation, in order to include all case studies. Initially, one possibility is to issue this volume on the International Law Journal from Pontificia Universidad Javeriana, but before to take the decision the group will try to find other possibilities to increase diffusion.



Finally, Bolivia's team groups wrote additional articles for publishing in different journals.

- Article for Revista Latinoamericana de Derechos Humanos (Costa Rica)
- Academic article for Habitat III (Ecuador).

Empowering local researchers.

This project has been an opportunity to empower local researchers and support local communities. All researchers are using their academic background to support vulnerable people giving training and legal advice to regional leaders.

Despite the fact that this experience is valuable for all researchers, it has been especially important to Pablo Poveda, Stephania Yate and María Cecilia Ibañez.

Pablo grew up in a small town near Llangahua, where he has been a leader, helping with local projects with the Scouts Group and health missions with Fundación Alli Causai. This project has been helpful for him in two aspects: first, it has given him the opportunity to apply his legal expertise to help his community; and second, it has strengthened his knowledge on international law.

In October 2016 Pablo was admitted by the Universidad Carlos III de Madrid to pursue his Ph.D., he is currently studying, and using all the knowledge he gained with this project.

Stephania is pursuing her Master's Degree on International Law and International Studies at Universidad de Los Andes, and she was recently promoted as Project Manager at the Law School' Research Center- Universidad de los Andes.

Currently, María Cecilia Ibañez is pursuing her Master's Degree on Advanced Studies on Human Rights at Leiden University. According to her, this project was an important challenge for her, and having been a research assistant at the Cauca region case confirmed her passion on human rights.



“Interaction and work with these women helped me confirm more than ever that my main interest as a professional is to acquire knowledge in order to be able to promote human rights at both international and national levels, in creative and resourceful ways.”

<p>Pares en Acción Reacción contra la exclusión Social (PARCES). The project has been really important to Parces in order to be recognized in Latin America. Despite Parces' experience working with local communities in Bogotá and applying PAR, the workshops increased the group's capabilities in teaching processes within the academy.</p>	<p>http://www.parces.org/nosotros/</p> 
<p>Fundación Alli Causai. The Alli Causai Foundation has been traditionally focused on working in order to improve the medical attention in Llangaua.</p> <p>After almost ten years working with indigenous peoples, the project will help them provide legal training in the area and look for alternatives to improve the access to water. Water is a main issue, because it is a frequent cause of diseases in the area.</p>	 <p>http://www.allicausai.org/</p>
<p>Asociación de Mujeres en el Municipio de Buenos Aires (ASOM). ASOM is a local initiative, where Afro Colombian women got organized through an NGO in Buenos Aires, a small town in the Colombian Cauca Region. ASOM has worked with <i>Ruta Pacífica de las Mujeres</i> in many occasions. However, these local leaders need support in order to achieve a bigger impact.</p> <p>ASOM is currently working on the development of a public policy group, and doing workshops to teach women about their rights. Working with Los Andes University, this group will have full support on teaching techniques, legal knowledge, and could become a referent in Northern Cauca.</p>	

6. CASE STUDIES

I. Participation And The Protection Of Human Rights Activists In The State Of Pará (Brazil)

Participation and the Protection of Human Rights Activists in the State of Pará

Country: Brazil

Leader: Paula Arruda de Azevedo

Institution: Universidade Federal de Para

Region: Pará.



Synthesis:

The project on participation spaces for the protection of human rights advocates subject of death threats in the state of Pará was formulated according to the Brazilian National Program for the Protection of Human Rights Advocates (Programa Nacional de Protección a los Defensores de Derechos Humanos – PNPDDH). The participation of these people generates a complex challenge due to the inherent lack of trust from the advocates towards the State, due to the fact that public entities and civil servants are constantly the ones responsible for the death threats.

The initial research question implies an assessment of the Coordination of the State of Pará in order to determine: Which has been the role of the Coordination of the State of Pará in the creation of a space of equal citizen management among government institutions and civil society, which guarantees the security of human rights advocates?

The Participatory Action research methodology modified the researchers' role and tasks, since they began a dialogue process with the community. The project was channeled by means of the Human Rights Justice and Education Lab of the Worldwide Amazon (Laboratorio de Justicia y Educación en Derechos Humanos en la Amazonia Mundial – LAJUSA) and his Program called "Human Rights Education, Psycho-Social Assistance and Legal Advice to Human Rights Advocates in the State of Pará" ("Educación en Derechos Humanos, la asistencia psicosocial y asesoramiento jurídico a los defensores de los derechos humanos en el estado de Pará").

The project has successfully incorporated the IAP methodology, thus achieving the creation of a dialogue space between different society actors who fight for the protection of human rights of victims of several infrastructure and development projects. LAJUSA was able to establish a dialogue between various advocates who belonged to different communities, usually defined by their traditional activities or ethnical features (indigenous peoples, fishing communities, agricultural communities, among others). Currently, researchers are working with leaders of the communities on building a common agenda, since the first encounters with the communities

allowed the identification of common issues for all. Also, several training activities are taking place with the purpose of introducing advocates to subjects such as State structure, available participation mechanisms provided by the State, and national and international denunciation mechanisms.

Research problem.

Due to the research methodology PAR, the team was initially focused on creating a relationship with community leaders who directly suffer the threats of alleged state actors or private actors, who are promoting development project without the appropriate human rights respect. During the first months the researchers established that currently the State of Pará does not has a Program for the protection of human rights advocates subject of death threats. Apparently, the regional program canceled it due to the tension that social movements have caused for the development of investment projects in the region; despite that the regional government has the money in his budget, specifically to pay for it.

On the other hand, some of the regional leaders used to have protection from the State, but the program was based on permanent police surveillance, interfering with their social work and leadership among their community. Therefore, the common goal of local leaders is to recover the program for their protection, but changing the previous design to create a new one according to their needs and experiences. The research team work is important to facilitate this process because: 1) the bond of the community with institutional spaces is very weak due to the lack of trust of advocates, and 2) the leaders' lack of knowledge of the available institutional spaces for participating.

Consequently, the research question was: How do governmental institutions interact with social movements when their claims are interfere with political interest regarding investment and development projects?

Additionally, they had been raised in the following sub-questions:

- Which has been the role of the Coordination Of The State Of Pará In Managing A Space For Participation That Guarantees The Security Of Human Rights Advocates and how do the mechanisms and spaces of participation developed within these institutions impact on human rights advocates work?
- Could citizen participation transform and improve human rights advocates subject of death threats conditions, unblocking the political lack of will by the regional government?
- How different stakeholders among civil society can be organized to create a network toward common objectives?

Project implementation and management:

Activities and contact with the community have been channeled through the Human Rights Justice and Education Lab of the Worldwide Amazon (Laboratorio de Justicia y Educación en Derechos Humanos en la Amazonia Mundial – LAJUSA), which is the result of three years of work of the Program called “Human Rights Education, Psycho-Social Assistance and Legal Advice to Human Rights Advocates in the State of Pará” (“Educación en Derechos Humanos, la asistencia psicosocial y asesoramiento jurídico a los defensores de los derechos humanos en el estado de Pará”). LAJUSA has as an objective the provision of social assistance and free legal assistance to human rights advocates and the promotion of public educational courses on human rights. Also, it facilitates the guarantee of multi-level protection of human rights by means of resorting to both Brazilian tribunals and the Inter-American Court of Human Rights in order to denounce human rights violations.



The job of LAJUSA implies a large workload and the effort of a team committed to the fight for human rights. The public participation project has allowed the strengthening of the education and support program for human rights advocates, and has facilitated the team the establishment of a stronger relationship with the community, which now shows a high level of trust towards the team.

Carried out activities:

First contact with the community:

- On 23 -24 April 2015, Paula Arruda attended to the meeting of activists and human rights defenders from the State of Pará, her the first encounter with the local leaders.
- On 27 April 2015, taking advantage of the presence of the land rights representatives and the SDDH organizations in the VI International Human Rights Conference which took place in Belém, researcher Paula Arruda presented the project called: *From global rights to local practices: Fostering participation at the micro-level in Latin America*. Paula Arruda proposed the attendees to work together in order to create a common agenda for human rights advocates in the state of Pará. Thus, altogether, the research team and the attendees defined that the project should support the strengthening of the networks of advocates in the region, and allow a dialogue between them so as to have a bigger impact.
- During 13-17 July 2015 Paula Arruda went to Altamira to teach a class about Human Rights History in the Altamira Campus of the Universidade Federal do Pará. This opportunity was useful to have meetings with different social movements in town, and to coordinate the first local event in Altamira Brazil.

Local events:

In order to have a better understanding about social leaders situation, it were planned three main local events near to critic areas. The purpose of those meetings was visiting Pará south- East, Xingu

and west regions, developing a diagnosis about social leaders vulnerability. Mainly, leaders working on those areas are focus on environmental crimes, land disputes, slavery and sexual crimes, among others.

Therefore, meetings took place on:

- Second Methodological Meeting, Altamira (Brazil). 14,15 and 16 August 2015. See page 10.
- Third Methodological Meeting, Marabá (Brazil). October 2015
- Fourth Methodological Meeting, Santarém (Brazil). November 2015

Stakeholders and project partners:

Leaders from different types of communities in the state of Pará such as fishermen, rural workers and indigenous people who are identified as human rights advocates by the members of their communities, due to the fact that they have stood up against development projects which have generated several human rights issues such as displacement, police abuse, sexual violence and the destruction of the people's means of subsistence, among many others.

Specifically, leaders from:

- Human rights advocates subject of death threats in Instituto Chico Mendes de Conservação da Biodiversidade (ICMBIO)⁷.
- Rural workers union
- Fishers union.
- Dam – MAB Activist movement.
- La juventud militante levantamiento popular.
- Movimento Xingu vivo para sempre⁸
- National Council for extrativists people.
- Indigenous leaders in the State of Pará.
- Sociedade Paraense de Defesa de Direitos Humanos. entidade civil, sem fins lucrativos, cujo objetivo é a defesa dos atingidos por violações de direitos humanos, vem atuando sempre para desenvolver e propagar mecanismos de difusão da cultura de Direitos Humanos.
- Comissão Pastoral da terra. Civil society association for human and agricultures rights protection.
- Terra de Direitos, Non profit organization that supports civil society movements in order to reach for human rights protection.

⁷ <http://www.icmbio.gov.br/portal/quem-somos/o-instituto.html>

⁸ <http://www.xinguvivo.org.br/>

Methodology.

1. *Developing trust with the communities:* For this, LAJUSA began to assist to meetings and events of the human rights advocates' networks, in order to acquire recognition within their context and to discuss the reality of human rights advocates. The first point of entry in these meetings was participating as academics.
2. *Issue diagnosis:* Initial meetings to identify local needs. The process began with the collective construction of a diagnosis of issues, which allowed to think on the objectives and the type of methodology that was going to be used. It is important to clarify that the Participatory Action Research was very useful in order to start a dialogue with the community, since it presents flexible tools to achieve agreements with the community leaders. Thanks to this job, it was possible to identify the need to reorganize the program of advocates threatened with death.
3. *Viability analysis:* After the first meeting and after establishing the course of the project at a local level, the research team evaluated which activities were possible according to human and financial resources.

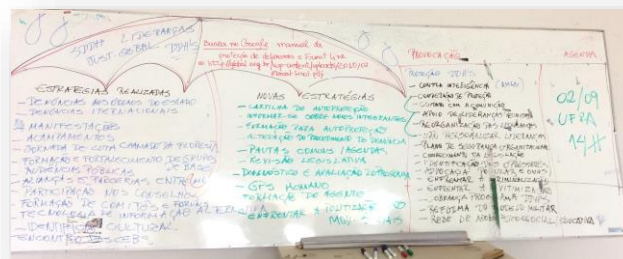


Methodological tools:

The project methodology was based on the use of deductive, inductive, historiographical analysis, and fieldwork methods:

Deductive methods were used to analyze the procedural state of death threats suffered by human rights advocates.

Inductive methods were used to orient the planning and building of actions to satisfy the communities' needs by means of the analysis of the obtained information.



Diagnosis criteria.

- Conflict Structural causes
- Death threats causes

- Leaders' auto-protection strategies.

These criteria were adopted taking into account the large spectrum of social conflicts in Pará, in order to group common features among them.

Research findings:

First contact with the community:

One of the first results of our research was determining that in the case of the state of Pará human rights advocates are mainly social leaders, which is why they usually do not have a legal education. This was crucial to identify allies, and planned the local events.

First local event findings:

In this case, the tension between different social groups is very big, and each has chosen to fight for its personal interests first. Often, these social groups have to confront one another in order to acquire resources or recognition, thus making collective work in the region a real challenge.

However, most of the leaders working with LAJUSA have been threatened with death, or live with the constant fear of having undercover agents within their organizations. It is difficult to have a quantitative strategy to systematize the information about the threats, but during the first workshop when every assistant talked about his personal experiences, the researchers found important information:

- Two of the assistants talked about the death of at least one of the members of their Movement, Union or Organization.
- Most of the assistants are afraid of having an infiltrate paid for investors working on the construction of Belo Monte Dam. One explain how one of the members of his Organization, a girl from the region, was receiving money on exchange of bring information about the organization, their plans and leaders.
- During the event in Altamira, the research team received a food contribution without knowing who sent it. According to the teachers from FADESP's Campus in Altamira, it is common to receive subtle messages, as a signal way to remind the teachers and leaders there is a strong control of every activity that could be consider "against the dam construction".

Despite the difficult situation, the research goal is not provide a rigorous report about the threats and individual experiences, since is really dangerous for the team and for the leaders, but create a network among the local leaders, helping them to support each other and work with them to design a regional program for their protection.

At the same time, a high level of mistrust in national institutions has been identified, since it is often the case that civil servants or their institutions are the ones who threaten advocates for fighting development projects. At an international level, even though members of the communities

do not mistrust institutions, they do doubt their efficiency, since in the Brazilian case some of the activists have already had experiences with the Inter-American System of Human Rights without perceiving any concrete impact on the reality they live in.

Up to date, the case established many challenges for the team, since the educational process and the sharing of experiences by advocates must be balanced. However, after the first round of activities, it seems as though the coordination between the groups has filled some leaders with hope since they do not feel isolated anymore and think that the process may be much better if a strong voice, which at least shows the most important issues in the region, is established.

Diagnosis criteria.

- Conflict structural causes.

The main structural causes for human rights violation in Altarmira, including death threats, are megaprojects construction within the Amazon; concretely the construction of Belo Monte Dam. This construction is affecting communities near to the river Xingu, causing internal displacement, death threats, and sexual violence, among others.

According to local leaders, this project has been planned without any consultation with communities, and do not consider local needs or problems; the main objective is to beneficiate main cities and its population. Furthermore, the project is causing social decomposition, increasing violence, insecurity, racing prices in the area, affecting natural resources and increasing sexual exploitation.

“Os povos indígenas e ribeiras do Xingu não tiveram o direito de serem ouvidos, por conta do empreendimento. Como liderança tenho sofrido com problemas psicológicos, preconceito. Dizem que eles ocupam a barragem, mas eles reconhecem que isso é preciso para conseguir o direito e que ele seja respeitado – vão pra Brasília e Belém, em reuniões, papelada e nada é cumprido – esse empreendimento está fazendo tudo acima da lei, pois não está respeitando os direitos dos indígenas e ribeirinhos, estão destruindo a área, as moradias e não há assentamento, casas – só resta lutar – ela está indo para um lugar reassentado pelo fato de onde ela morava estar sendo alagado – quando descobrem que a pessoa é liderança, eles massacram e não há opção de dizer o que se quer, o que a propriedade vale, já chega com um papel e se fala "ou você assina aqui ou você vai para a justiça" – a pessoa indígena quer ter a opção de dizer o que quer.” Socorro Arara (representa um papel de liderança, agricultora e pescadora, militante de direitos humanos).

On the other hand, in Marabá and Santarém conflicts are caused by the expansion of agribusiness and by land ownership conflicts. Unfortunately, large-scale farmers promote the invasion of occupied lands using violence, causing confrontations with local inhabitants.

Public authorities do not provide adequate solutions to stop human rights violations. The slowness of land regularization (administrative and judicial) makes land reform infeasible, and local tenants keep suffering death threats for trying to protect their land. The modus operandi of people looking for land exploitation is similar; they use violence to expel tenants or to prevent land occupation by local landless.

At the last meeting held in Belém, with Human Rights Defenders from Altamira, Santarém and Marabá present, it was established a common agenda around the need to avoid land concentration, since is one of the main causes of conflicts in the Amazon.

Summary		
Altamira	Marabá	Santarém
<ul style="list-style-type: none"> • Lack of death threats investigation. • Criminalization of Human Rights defenders. • Public authorities ignore indigenous peoples and riverine people. • Police violence. • Federal government Inaction. • Social movements divisions. 	<ul style="list-style-type: none"> • Corruption within the institutions (INCRA). • Inoperability of agrarian reform bodies. • Criminal investigations problems. • In many occasion the government support the death threats perpetrators due to corrupt practices or personal economic interests around land. • Delays on public authorities procedures. 	<ul style="list-style-type: none"> • Lack of State support. • Lack of threats investigations. • Impunity. • Ineffective administrative procedures for land regularization.

- Death threats causes:

The causes of the threats to human rights defenders are closely related with to the structural causes of human rights violations. However, to the situation is exacerbated by discriminatory practices, such as racism and discrimination on the grounds of religion, which promote social cleansing and human rights defenders criminalization.

“Estava numa reunião com a minha filha e o namorado dela, ambos são negros, e enquanto estava tendo uma blitz, desceu a filha e o namorado e houve uma situação de conflito com os policiais. Eles foram presos, tratados como bandidos – minha filha ficou com marcas por ter sido jogada em viatura – e a ocasião foi denunciada. Em outro momento estávamos em casa, numa reunião do Levante, e um dos parentes que era policial passou por lá, fato que a partir daí passamos a receber visitas de policiais – numa dessas visitas, um dos policiais disse seria interessante que a gente retirasse a denúncia, considerando a violência contra a mulher, pois eles tem experiência na área das pessoas desaparecem – ficamos sem saber o que fazer, mas como militantes, (...) com ideologia, levamos adiante a denúncia, que não chegou a lugar nenhum, nunca houve julgamento, não se foi adiante. Também sofremos discriminação de terreiro, uma adolescente desistiu por isso da escola, por ter sido discriminada na escola (professor chegou perguntando quem era a macumbeira da sala). A adolescente sofreu preconceito por ser negra e de terreiro, e saiu da escola e do terreiro. Algumas mães de santo lavam roupa e deixam secar dentro de casa por medo de sofrer discriminação e violência”. Vanúsea Brito (Defensora de Direitos Humanos e militante do Levante Popular da Juventude).

- Leaders’ auto-protection strategies.

Taking into account the lack of institutional policies, human rights defenders created their own protocols for their protection. Some of these strategies enhance community networks, but some of them can be counterproductive since they limit social leaders work and their living conditions.

Strategies	Reasons.
School Evasion	Ethnic-religious persecution. Unfortunately, this is one of the strategies to avoid dangerous situations, since reduce public exposure.
Land abandonment	Fear due to death threats.
Avoiding getting out home, even for washing and drying clothes.	
Strengthening and empowering communities to create a strong network.	
Never use leaders real names, or using the same name for all of them (calling all Juan and Maria) to avoid persecution.	
Group meetings to study, exchange knowledge, and discuss relevant issues.	To promote education in Human Rights, and in social and popular empowerment.
Avoid concentrating leadership in a small number of people.	
Withdrawal of the threatened person from the area.	Collective protection, hindering leaders attacks.
Always be with surrounded by many community members.	

For further information and details, the complete report is available on ANNEX 8.

Impact:

Knowledge production:

The work with the community has allowed the training on participation mechanisms, judicial means in order to demand the protection of fundamental rights, and an introduction to the international systems of protection of human rights. The impact of the process has been much larger to the one expected in this field, since leaders are not only receiving useful information for their struggles, but also because the training has led to forge a cohesion among the different actors. Also, for the research team it has been a challenge that goes beyond the academic aspects, and has increased its impact and social commitment.

Public Policy Strategy:

Considering that Pará Governor Office was the institution in charge the protection of human rights advocates subject of death threats, but 1) is not using the national funds to implement the program in Pará, 2) the program that used to exist is not appropriate, the public policy strategy was:

- Create a draft for a new Program for the protection of human rights advocates subject of death threats in Pará. The local leaders will design the Program; according to the discussions and experiences in Altamira, Marabá, Santarem and Belém do Pará.
- Attend to a Public Hearing in the Secretariat for Human Rights to request the Program implementation. The leaders suggested the reallocation of funds to the Public Defender's Office, because they consider that is the most appropriate institution to implement the Program.

This strategy was extremely successful, on September 10 2016, during Ordinary Session; the Assembleia Legislativa do Pará (Alepa) approved the Human Rights Defenders Protection Program⁹. The main purpose of the Program is to protect the life and physical integrity of Human rights Defenders, who are currently affronting human rights violations or receiving death threats due to their social work.

This project was promoted with the Comissão de Direitos Humanos da Alepa support, but will be implemented by the Conselho Estadual de Proteção aos Defensores de Direitos Humanos (CEPDDH), a new institution created for this purpose. This decision is the first step to guarantee the safeness of HRD, but also an important step to achieve the local government attention.

- Request provisional measures to the Inter-American Court of Human Rights.

Since the Program for Human Rights Defenders was approved, the request of provisional measures to the Inter-American Court of Human Rights was not necessary. However, the research group submitted a questionário sobre mecanismos nacionais de proteção de defensores dos direitos humanos.

The questionnaire will contribute with valuable information to the next Inter-American Commission on Human Rights thematic report on human rights defenders, about protection mechanisms within the OAS State members. For further details please see ANNEX 9.

Academic outputs:

⁹ See: <http://www.alepa.pa.gov.br/Noticia/137990/aprovado-projeto-que-cria-o-programa-de-protecao-aos-defensores-de-direitos-humanos-do-para>

- Paper about the human rights advocates subject of death threats, within the context of megaprojects. With this article the researchers present the project findings to the academic public, explaining the current challenges on the Brazilian Amazon due to mega projects.
- Paper about the challenges for multilevel protection of human rights in Brazil. How the Brazilian multi-level constitutional jurisdiction guarantees fundamental rights in Brazil?

II. San Martín Region Case (Peru):

Citizen participation and decentralization: The case of the San Martín region

Country: Peru

Research Leaders: Gustavo Zambrano.

Institution: Universidad Católica del Peru

Region: San Martín



Synthesis:

Participation spaces surrounding culturally distinct population groups such as indigenous peoples have posed new challenges for the State, for non-governmental organizations and even for academia. Under this context, we proposed to develop as a research project an analysis on the dynamics of indigenous participation in the San Martín region, in the Peruvian Amazon region. In a context in which the indigenous movements had began to have a greater importance and leadership in local areas, and in which the State has tried to cover institutional gaps, it was intended to analyze these dynamics of participation around two processes: a) within communities and indigenous federations where a demand towards addressing indigenous issues arises, which then work to implement this agenda through the Coordinator of Development and Defense of San Martín's Indigenous Peoples organization (CODEPISAM), and b) outside these communities, in which there is an aim towards a public agenda, mainly in relation to the Regional Office of San Martín's Indigenous Peoples organization (ORDEPISAM), and the Regional Government of San Martín.

Following the findings, it can be stated that the indigenous institutions maintain structures of a vertical nature, with little turnover on the management positions, which shows their own recreational and cultural dynamics. This has succeeded in becoming itself as stronghold of CODEPISAM, and has served as a strategic way to interact with the State and civil society. However, it is important to ask whether this efficient and effective way to achieve goals proves to be sustainable over time.

RESEARCH PROBLEM

The Participatory Action Research (PAR) approach was used to reframe the research problem by making it more accurate, but some problems mitigated its reach. First, the realization of the PAR as a mechanism to observe, analyze and characterize the quality of indigenous participation required to build and maintain a close relationship with the study subjects (in this case the indigenous peoples of San Martín through CODEPISAM), and leave behind the classic research paradigm which aims to achieve a mutually built product. However, despite having certain level that was already coordinated with the CODEPISAM since the beginning of 2015, through which they were able to outline the first activities for project objectives, this does not fully represent the size required by the PAR.

One of the preliminary findings that allow stating as above, is that indigenous representatives are suspicious of the dynamics centered on the use of workshops. In the case of indigenous peoples in this region of Peru, there has been an excessive use of this type of methodology, which has led to reticence in using it, due its limited capacity of showing concrete results. In addition, there were geographical limitations that hampered permanent contact. As a result, the moving of the equipment and stay in the area was carried out during specific dates and always coordinated under the agenda of the CODEPISAM.

Furthermore, the time working with the organization was extended due to two reasons: 1) because the organization scheduled the meetings very far away from each other, and 2) due to some organizational problems of the executive board of the CODEPISAM, which made the work stop for at least a few months (from July to October, when a new board was formed).

Despite the usefulness of the methodological tool, due to the impossibility of maintaining a close and constant contact with the indigenous leaders because of the geographical and cultural distances and the short time available to build a secure intercom, the impact of the methodology was limited. In addition to implementing some guidelines regarding the PAR, the constant participant observation methodology was also used. This decision did not affect the previous redesign, which had already been used during the first year nor the significant progress that had been made to date after the fieldwork.

II. STAGES OF THE PROJECT

The initial objective of this study was to analyze the impact of opportunities for participation in decision-making processes in the San Martín region. Thus, the following sub-objectives were proposed:

- a. To examine the dynamics between institutional participation spaces linked to the decentralization process at the national level (especially in the CCR and PP) and those that have emerged from the regional dynamics of Saint Martin (specialized consultative spaces).
- b. To study to what extent the decisions taken in the participation spaces have a counterpart in the institutional development of the regional government, regional ordinances and budget allocation.

- c. To assess whether participation spaces have been institutionalized as mechanisms for strengthening regional governance. Noting if these spaces allow good governance, and the articulation of agendas and proposals brought up by the civil society.

After the application of the directive aimed to implement the PAR methodology, objectives were restated. As a result, the new general objective of this research project was to analyze the dynamics of indigenous participation in the processes of formation of an indigenous demand and its impact on the establishment of an indigenous agenda in the San Martín region.

Under this context, the following specific objectives were proposed:

1. SO1: To propose a definition of quality of participation from a rights-based approach.
2. SO2: To reconstruct the routes of indigenous participation in non-institutional and institutional spaces, in particular in relation to the incorporation of indigenous demands in the regional public agenda.
3. SO3: To contribute to the improvement of the quality of participation of indigenous communities in the region San Martín in institutional and non-institutional spaces.

Each of these specific objectives, in turn, was unbundled in the following activities planned:

Chart N° 2

Objectives	Planned Activities
SO1	<ul style="list-style-type: none"> To develop a state of the art on indigenous participation in the region (Amazon territory). To propose a concept of citizen participation from a human rights approach ("quality of participation").
SO2	<ul style="list-style-type: none"> To observe assemblies and other spaces of community participation. To conduct collective dialogue workshops for the collective reconstruction of regional dynamics while identifying: practices, discourses and logics of participation. To systematize the experience of observation and dialogue spaces where indigenous people participate.
SO3	<ul style="list-style-type: none"> To conduct training sessions in which advocacy tools are provided. To support advocacy work.

(Self made chart)

Specific objective N° 1. A diagnosis of indigenous participation in the Peruvian Amazon was made, with the central point being the San Martín region. This allowed us to know the evolution of indigenous movements, and what issues make up indigenous demands along the Amazon region. This showed a bibliographic gap on indigenous peoples and their political action in the San Martín region. To fill this information gap, fieldwork and in-depth interviews with indigenous leaders and specialists in the field had to be made.

Regarding the concept of citizen participation, as mentioned above, it was intended to analyze the dynamics of participation from different theoretical approaches. Based on A. Fung, participation was analyzed in regard of criteria such as effectiveness, efficiency, inclusion, democracy and transparency. Additionally, the research work included other theoretical approaches related to participation, with the purpose of taking into consideration the interests at stake behind this participation and what are the objectives being pursued. According to Sara White¹⁰, when incorporating the *power* variable, the notion of participation takes different forms, interests and functions both from the project implementers and the participants.

Participation mechanisms have been traditionally understood as mechanisms of inclusion, democratic, and in favor of transparency. They can actually be of diverse nature and used for different purposes. For White, participation may be nominal, instrumental, representative and transformative¹¹. This leads to participation fulfills functions as a display (display) as a means to achieve something (means) as a mechanism to express a point of view (voice), or as an end in itself (means / end).

Chart N° 3 **Interests surrounding participation**

Form	Top-Down	Bottom-Up	Function
Nominal	Legitimation	Inclusion	Display
Instrumental	Efficiency	Cost	Means
Representative	Sustainability	Leverage	Voice
Transformative	Empowerment	Empowerment	Means/End

Reference: White, Sarah. 1996. Depoliticizing Development: the uses and abuses of participation. Development in Practice, Vol. 6, No. 1 (Feb., 1996), p. 7.

The inclusion of this theoretical approach was relevant because it extended the logics that define the concept of participation (traditionally seen as something positive in itself). Moreover, it allowed a better understanding on the findings during the fieldwork.

Specific objective N° 2. The research team participated in several workshops with representatives of the CODEPISAM, Regional Government officials and specialists from non-governmental organizations. In these workshops we were able to present the study, engage in dialogue channels and observe the dynamics of participation of indigenous leaders. In addition to the introductory meetings with CODEPISAM, the Andean Community of Jurists (CAJ in Spanish) and Conservation International (CI) attended to: a workshop intended to design life projects lead by CODEPISAM; the preparation of a meeting between indigenous leaders and local officials in the town of Chazuta; and a socialization meeting between indigenous leaders and government officials regarding a norm that creates a Regional Committee on Safeguards.

¹⁰ WHITE, Sarah. 1996 Depoliticizing development: the uses and abuses of participation. Development in Practice, Vol. 6, No. 1 (Feb., 1996), pp. 6-15.

¹¹ Ibid. P. 7.

Additionally, interviews were conducted with various actors of the region in order to contrast the dynamics observed in the aforementioned spaces as well as in the literature. Within this group, Regional Government officials, members of social organizations linked to indigenous issues and leaders of federations and CODEPISAM were interviewed. Furthermore, in-depth work was carried out with ORDEPISAM officials to investigate the dynamics of participation of the office. Once the information was recollected, this was systematized and used to carry out the project products.

Observation and participation in these spaces of confluence between state actors, civil and indigenous society (mainly linked to the CODEPISAM and indigenous federations) delved us in the logic of indigenous participation in San Martín, and allowed us to understand the way in which the natives relate with external actors. Although we recognize that our presence in these moments and spaces could affect the natural development of the participants, we believe that it turned out to be a valid approach to the problem.

While the workshops and meetings allowed us to understand the logic behind regional indigenous leaders participation; approaching community leaders allowed a deep understanding of these dynamics. Thus, although we could not directly reach all communities and witness firsthand the way indigenous demands are formed, to understand the discursive aspect proved to be efficient.

Specific objective N° 3. Two products were made and were intended for the two instances in which the project focused and developed: the CODEPISAM and the ORDEPISAM. Regarding the first, a *Participation Guide* was designed with the aim of improving internal participation processes. For example, it was identified that although the CODEPISAM does manage to bring their demands to higher instances of power, to include younger and female leaders is still a pending task. Therefore, the guide aims to raise long-term recommendations to the extent that leaders assume a comprehensive structural reform project.

Regarding the ORDEPISAM, we developed a study that aimed to present a balance of how the office is working after five years of being established, followed by a series of recommendations meant to influence the scope and work developed in the office. This office, with all the limitations caused by the lack of budget, personnel and advocacy capacity, represents a significant advance in the field of indigenous institutions in the region that is not willing to be lost. The work of this office, although summarized in operational work, expected to be potentiated towards the future with the implementation of improvements in structure, location and functions. Hence the study prepared as a balance can also be used as a way to make recommendations to the office.

These two products, entirely directed at these two instances related to indigenous peoples, have been designed and developed with the aim of generating advocacy to begin working on the weaknesses of both institutions.

Stages of the project

The project defined four stages: recognition, systematization of data, implementation of methodology, and dialogue. Around these stages the following activities were carried out:

1. Recognition stage:

- Presentation meeting with the authorities of the CODEPISAM.
- Presentation meeting with the authorities of the ORDEPISAM.
- Coordination meetings with Conservation International in Lima and Tarapoto, for establishing partnerships with actors working in the San Martín region.
- Coordination meetings with the Andean Commission of Jurists and indigenous representatives from the Federation of Indigenous Peoples of the San Martín Region (FEPRIKESAM) in Lima, Tarapoto, Guatemala City¹², for establishing partnerships with actors working in the San Martín region.
- Participation in socialization meeting on Regional Ordinance No. 023-2014-GRSM/CR which creates the Regional Committee Assurances of San Martín in the city of Tarapoto.



2. Systematization of data stage:

- Literature review.
- Systematization of initial findings.
- Analysis on the participation dynamics at CODEPISAM from the information obtained.

3. Implementation of methodology stage:

- Design of the guidelines for observing meetings where CODEPISAM members participate.
- Design of the interviews guidelines:
 - o Indigenous leaders (CODEPISAM and indigenous federations).
 - o Regional Government officials.
 - o Non-governmental organizations.
 - o ORDEPISAM officials.
- Interviews with:
 - o CODEPISAM indigenous leaders.
 - o Indigenous leaders from the FEPIKRESAM, the Ethnic Kechwa Council of Amazon Peoples (Čepka), the Awajún del Alto Mayo Indigenous Federation (FERIAAM), and the Kichwa Dorado Hulluaga Federation (FEKIDH).
 - o ORDEPISAM officials.
 - o Representatives of Conservation International, Peace and Hope, among others.
 - o Officials of the Regional Government of San Martín

¹² Gustavo Zambrano's participation in an event in which also representatives of the Andean Commission of Jurists and the attended, was taking advantage of, with the aim of keeping conversations about the work to be performed.

4. Dialogue stage:

- Participation as observers in the workshop held by the Andean Commission of Jurists with local indigenous organizations on political participation.
- Participation in the workshop held by the CODEPISAM on designing "Life plans".
- Meeting with kechwa indigenous leaders in the district of Chazuta.
- Meeting with ORDEPISAM officials, specialists, and regional advisers in order to present a roadmap for the regional office of indigenous peoples.
- Design of the training program on political advocacy for land titling processes involving the communities in San Martín.
- Design of the workshop on political advocacy for indigenous organizations.

I. SUMMARY OF RESULTS AND IMPACTS OF THE RESEARCH PROJECT

Taking into account the findings of the research project, it can be stated that the indigenous institutions, unlike State institutions or civil society organizations, introduce a type of participation that works from structures of a vertical nature, with little rotation on its positions, and that replicates the cultural dynamics of decision-making. This means that the communities are organized through leaders, who are consolidated and supported by the community, but once they reach a leadership position; they are not replaced by new members of the community. An important example of how social dynamics are replicated in indigenous institutions can be seen in the role of women, since, as it occurs within the community, women attend to the meetings but do not actively participate in them, which is a dynamic that can also be seen in the institutions.

The identified dynamics of participation – *within the community and outside the community* – are useful because they allow building an indigenous agenda that can be presented in different spaces of participation. Thus, the indigenous peoples replicate their model of social organization at all levels, both in the way they can participate in the CODEPISAM to decide on certain issues, and the way in which the CODEPISAM as an organization interacts in other spaces of participation.

These elements, oppose the quality indicators regarding participation dynamics according to Fung¹³, but can be explained from White's (19996) approach, who characterizes the power dynamics involved in participation. Taking into account this peculiarity of participation, a first conclusion that can be made is that indigenous peoples as political actors do not see participation only as a space of empowerment, or linked to development, but as a space in which strategies can be used to reach agreements on their demands.

The aforementioned suggests that this kind of participation constitutes strength of the CODEPISAM within the region of San Martín. Indeed, although the organization excludes certain actors with equal capacity, it achieves important purposes of the indigenous agenda. That is, despite this unique way of participation, the indigenous organization has established itself as a

¹³ FUNG, Archon. Ibid. Ob. Cit.

negotiation model in the region. However, the question that has to be made is whether this efficient and effective way to achieve its objectives can be sustainable over time.

Next, some characteristics of indigenous participation in San Martín are presented, which determine how they construct their agenda and how it is brought to the public space:

Instrumental participation

Taking into account Fung's (ibid.) and White's (ibid.) approaches, the investigation found evidence both in speeches and practices of participation within the CODEPISAM. Then, regarding their relationship to the ORDEPISAM, the objective of the participation will be understood in relation to the purpose intended to be achieved. These groups will participate only when there is certainty that the space in which they do so guarantees that their agenda not only will be heard, but that there will be commitment from the rest of the participants to it.

It is important to highlight that the indigenous agenda does not only involve indigenous representatives who assume leadership positions, such as presidents of communities or federations; but this process also receives the support of civil society organizations (CAJ, CI, Peace and Hope) seeking to add their own agendas to the indigenous one. Thus, a scenario of "win-win" is generated: the civil society organizations and indigenous federations around the CODEPISAM negotiate the possibility that both parties incorporate their agendas. It is an exercise to meet agendas and thus promote them in a shared way.

As an example, this form of participation can be seen in the way it has been decided that the central theme of the indigenous demand is the collective ownership title to their properties or communities. This being the central topic of their demands, then the indigenous agenda is built from this, and their participation will be focused on the spaces where they can discuss and make progress on this issue. This emphasis does not exclude the possibility to address other issues or needs, but the central theme never fails to be discussed in each forum, although there can be other issues.

Participation in multiple spaces, search for possible allies

Something that characterizes the participation of indigenous peoples is their dynamism; they participate in any forum to which they are invited. This is a peculiar way of understanding participation: having a presence in many and diverse spaces, to which they are invited because they understand the importance of incorporating the indigenous component through the presence of its representatives.

However, the presence in different spaces does not always guarantee that indigenous peoples are interested in the topics for which they were summoned. Natives go to different forums and always have issues or concerns in relation to their agenda, regardless of whether the forum was created for other issues.

A clear example of this is that indigenous leaders or representatives are often invited to environmental or conservation forums, however, the natives focus on presenting specific concerns about land titling. Indeed, although the space had been designed to be the space to discuss another issue, the indigenous peoples know exactly which is their priority and discuss this issue before talking about any other. This strategy has two purposes.

- To take advantage on any space of discussion offered to them to present – again – their agenda.
- To identify potential allies that might help them position their agenda at the state level.

There is an exploitation of space, as this is perceived as useful only when it allows presenting and then positioning the indigenous agenda. The problem of this dynamic is that it turns out to be exhausting for the leadership, specially since there are few number of people who represent the CODEPISAM. The participation strategy requires an investment of money in order to be able to travel; it generates employment problems for the leaders because they must put aside their work to be able to attend to these spaces; and exhausts the representatives who must constantly attend meetings, workshops, breakfasts or lunches, etc.

Little feminine participation in public spaces

Both at the level of federations and at the CODEPISAM, women's participation is quite limited. Although in recent years civil society has tried to address this issue, men concentrate decision-making spaces. This has turned out to be a relevant space to discuss the notion of participation, since although there is a support to decision-making spaces as meetings or assemblies, this does not necessarily guarantee the inclusion of women in the decision-making process.

Communication channels between CODEPISAM and other communities

The flow of information within the indigenous organizational structure in San Martín (community - community leader - local federation - CODEPISAM) is not always effective. Although factors related to time management and technical information are recognized, it is important that the information is being transmitted permanently and through every link of the indigenous organizational structure.

Strengthening communication channels is vital for the CODEPISAM to be able to reach all the native communities and therefore to represent their interests. The indigenous agenda has been built around pillars such as land titling, the provision of educational and intercultural health services and political participation; but it is necessary to reaffirm that even within the same group or indigenous ethnic group there are other interests that are not being considered, and this may weigh on the sustainability of the organization and the indigenous movement.

Structural weakness of state institutions in regard of indigenous peoples' issues

While CODEPISAM is being strengthened as part of regional institutions, this is not happening with the ORDEPISAM. This office should have served as a direct link between the Regional

Government of San Martín and indigenous peoples, through CODEPISAM. However, in practice it has failed to build that bridge of communication between the two actors. As for the Regional Government, this office merely plays a role of assistance and support to other units and offices with other priorities. Thus, for the indigenous organizations this office has not been able to visualize their demands and requests to the highest power positions.

For indigenous peoples the ORDEPISAM has failed to meet their initial expectations, so it is considered as an additional office of the Regional Government, and not as an instance that can collect their concerns, demands and interests. On the contrary, CODEPISAM has itself been able to find a space in other units of the Regional Government, which has guaranteed its survival.

The problems of ORDEPISAM have arisen due to different causes, such as insufficient budget and staff. However, the main problem has been the constant repositioning of the office within the structure of the Regional Government and the permanent changes of their functions. Beyond these problems and its significant achievements, ORDEPISAM constitutes progress in itself in terms of indigenous state institutions, so there is still room for improvement, considering that the natives are unwilling to go backwards on the advances already achieved, which is why they do not want this institution disappear.

II. METHODOLOGY

Contact with indigenous and social organizations in San Martín

One of the first actions developed under the project was the construction of a constant, stable and active relationship between the research team and CODEPISAM. As one of the main actors of research, we sought to have a treatment that went beyond sporadic contact. If we take also into consideration the geographical distance¹⁴ between the research team based in Lima and CODEPISAM (based in San Martín), this action happened turned out to be transcendental.

The process intended to achieve a smooth and constant relationship with CODEPISAM was arduous. Since the initial proposal had a different format from the PAR analysis, one of the tasks aimed to establish a relationship that went beyond the sporadic contacts that had already been made with this organization. Due to this need, the research team from IDEHPUCP was able to establish contact with two non-governmental organizations working permanently in the area with these organizations: Conservation International (CI) and the Andean Community of Jurists (CAJ). This contact allowed us to accompany both organizations in several meetings with CODEPISAM in the city of Tarapoto, which resulted in the materialization of the relationship needed for the research project. Also, the construction of this alliance has meant the possibility of developing joint activities that help not only the project itself but also the work of the university in the region.

Fieldwork

¹⁴ The distance included about an hour flight to the city of Tarapoto, and then land transport to the regional capital, Moyobamba.

The fieldwork was developed in four stages: recognition, systematization of information, design of the specific methodology, and dialogue.

- a. Recognition Stage.** This stage involved having two introductory meetings with CODEPISAM in which the participant-observation methodology was also applied. Also, semi-structured interviews were conducted with CI staff in order to learn more about CODEPISAM and the work that this organization has developed in the region.

After completing these two contact meetings, the team took part in a meeting between representatives of CI and CODEPISAM, in which they could observe and analyze the dynamics of participation; practices and speeches lead by the leaders of the regional indigenous organization against external actors.

Due to the exclusion of the PAR methodology, conducting a proper assembly on behalf of CODEPISAM, and doing the intended workshop using this methodology were left aside.

- b. Systematization of information stage.** The aim of this stage was to review the available literature on indigenous movements in the Amazon – especially in the San Martín region – and on the political, social and economic context of the region. This also meant carrying out a mapping on the aforementioned actors and stakeholders in order to identify which of them were going to be interviewed during the fieldwork.
- c. Design of the specific methodology stage.** Based on this mapping, it was decided that semi-structured interviews had to be designed. Additionally, an observation guide was designed for the workshop held by the CI along with representatives of the CODEPISAM.

The interview guides were set out according to the type of actor and to a specific issue. With the non-governmental organizations, interviews were more 'open', less structured and aimed at obtaining greater knowledge on the region and the indigenous peoples in San Martín. With government officials, the guidelines were aimed at getting to know the relationship between the indigenous regional organization and the formation of the indigenous agenda. Finally, with the indigenous leaders, the work was aimed at knowing the discourses on internal participation, and how the indigenous demand is defined. On this last point, the vision of the indigenous leaders belonging to different federations was confronted with the perception of the CODEPISAM's leaders; which allowed us to find differences and disagreements within the organization itself.

- d. Dialogue stage.** This last stage has been linked to two direct products from the research project. First, by including within the project the idea of developing a guide on participation for CODEPISAM. In thin regard, ongoing dialogue with this organization allows advocacy work to be done and contributes to improving the dynamics of participation.

Second, the study on the ORDEPISAM allowed us to draw along with representatives of the Office and social organizations, guidelines to improve the influence and scope of the actions of the Office at a regional level, especially with indigenous groups.

III. RESEARCH PRODUCTS

The research team aimed to present as final products the development of an academic paper based on the study and analysis of the case, a participation guide for the CODEPISAM, and a balance report on the performance of the ORDEPISAM five years after being created.

Academic paper

The first product of the research project is an academic paper that presents the findings of the study conducted, as well as the contribution around the notion of participation and its application to culturally different human groups, such as indigenous peoples.

The paper is divided into three segments. A first point consists on the description of the case and the way of approaching the research problem. This involved contextualizing the situation of indigenous peoples in San Martín, detailing the indigenous movement within the region, describing the methodology and presenting both subjects of the study: CODEPISAM - regional indigenous organization -, and ORDEPISAM - indigenous office appointed to the Government of San Martín -.

Secondly, the paper includes a brief discussion on the theoretical framework used for the study of the case and the way in which research represents an innovative contribution to analyze the concept of participation. Although the paper was not focused on a theoretical reflection, it was decided to not separate the study of the case to the related theoretical framework, in order to consolidate the findings.

The last segment focuses on developing the facts that were found and the final results of the research. While the investigation started from the formulation of a hypothesis, finding out that the dynamics of indigenous participation in San Martín, even without following the traditional patterns of participation in terms of quality, ends up being effective in certain scenarios and for certain objectives. Although the study is not intended to defend at all costs the logic in which this participation takes shape within indigenous organizations, we do consider that this case broadens the margins in which is often considered that different ways of participation should take place.

Indigenous participation guide

The participation guide is directly related to the findings of the research. As mentioned, the CODEPISAM, under their own logic and practices of participation, has achieved that indigenous demands and interests are being included and discussed by the regional authorities and non-governmental organizations. This made us realize that even though the participation dynamics of CODEPISAM do not always fit classical theoretical models, they are indeed very effective in some cases.

However, in terms of sustainability and inclusion, the CODEPISAM also faces challenges for the future. Accordingly, the Participation Guide is aimed to contribute the improving of he CODEPISAM towards future. Primarily, the guide is aimed at strengthening democratic processes in the election of the organizational leadership, to improve information channels and communication with indigenous federations, and to the inclusion of young leaders and women within the organization.

Balance report on ORDEPISAM

Finally, considering that the work made along with the CODEPISAM was intended to generate advocacy strategies in order to improve the participation dynamics in certain scenarios and certain actors; in regard to the ORDEPISAM, the work is aimed at providing elements to the Office so it can improve its functioning within the Regional Government and in second instance, with the indigenous peoples of San Martín, including the CODEPISAM.

This document describes the formation process of the ORDEPISAM, it summarizes the changes that the organization went through over time and their implications for both the office and the indigenous peoples, their achievements, constraints and challenges for the future. For this, fieldwork in San Martín was conducted, in which the views of officials of the office, the Regional Government, non-governmental organizations and indigenous leaders was collected. We tried to analyze the situation of the ORDEPISAM by respecting the perception of each actor involved and contrasting their point of views. In that sense, beyond deepening the situation of the ORDEPISAM, we sought to influence the improvement of the office.

Generally, during the fieldwork we found that many of the weaknesses of the office occurred because there was not an intention to bet on developing technically, financially and structurally the indigenous institutions. Although the creation and operation of the office is an advance for indigenous peoples, the challenges faced by the office imply that it must play a more active role within the structure of the Regional Government and has to be given a greater margin on decision-making. In this regard, the report can be seen as a roadmap with procedures aimed to achieve a joined work between the office and an advisory group, in order to propose improvements to the Regional Government of San Martín.

For the complete report see ANNEX 10.

IV. PROBLEMS AND CHALLENGES

Throughout the entire investigation, the research team went through both internal and external obstacles. However, the team conducted a fast and efficient adaptation process that allowed the project to be carried out successfully.

Internal challenges

- The initial reformulation of the work methodology due to the implementation of the PAR approach, led to a first adequacy on the research and learning process for the research

team. This meant investing time and effort to figuring out a new way to conduct the study and the scope of it.

- A second challenge was finding out that the initial hypothesis formulated by the team did not match the findings of the fieldwork. This led not only to rethink the initial hypothesis, but also to reflect on the concept of participation. Although this meant for the research team a new debate on the initial ideas, the research was improved because of the specific findings in the field.

External challenges

- The main obstacle found throughout the research project was the geographical and cultural distance between the research team and subjects of the study: indigenous peoples and their organizations. An example of this can be seen in the following aspects:

- *Regional peculiarity of time:* this means that the design and implementation of the activities involved with the project had to be done according to the calendars and schedules of the region, especially, the indigenous groups.

At the same time, the interviews conducted with officials of the Regional Government also imposed some limitations for the team, because despite having a fluid and stable contact with them, at times interviews that had already been scheduled had to be reprogrammed. Even though this arose as an issue, we attempted to conduct the interviews through other means (e.g. telephone) so that the required information could be collected.

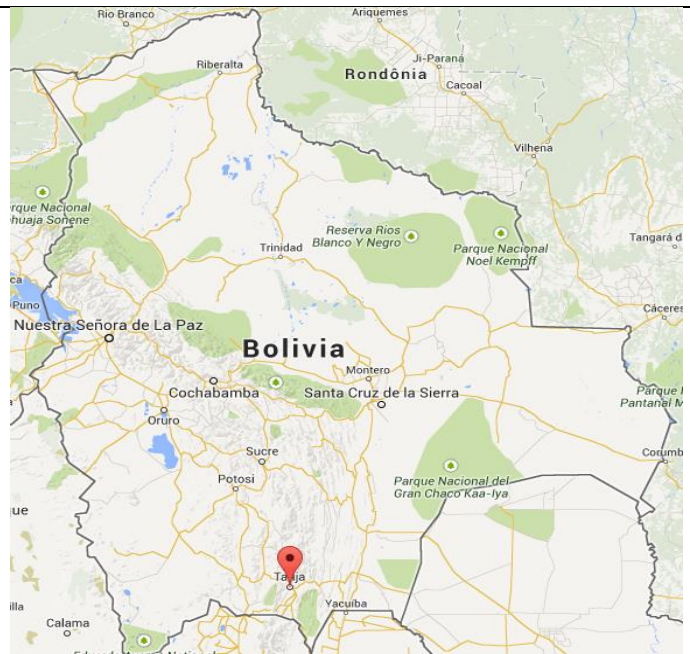
- *Situation of social dispute in the region:* San Martín, as other Amazon regions of the country, has been the scenario of social and environmental conflicts between the State, indigenous peoples and different industries. This sense of unrest or dispute happening throughout the Amazon region implied that the research team had to be aware of it.
- *The dispersion of leaders and organizations:* the research work focused on the internal participation dynamics of the CODEPISAM. However, it was difficult to understand the contrast between the visions of the indigenous leaders of the organization and the perception of other indigenous leaders outside the organization. This level of analysis turned out to be difficult due to the geographical dispersion of the actors and the logistical, temporary and financial limitations that involved the reunion of all of them in one single space.
- *Difficult access to the communities:* not all indigenous communities are located in areas close to urban centers or within reachable zones. On the contrary, geographical distances and logistical difficulties in accessing remote areas constituted an obstacle for the collection of the experiences and perceptions of other communities.

- Little articulation of the indigenous federations between themselves, which made much more complicated the approach from the research team to the leaders. This problem was minimized by creating partnerships with non-governmental organizations related to indigenous issues in the region and networking among indigenous leaders who helped make this approach. After the first contact was established, it was easier to reach other groups.
- Due to the lack of institutional structure of the indigenous organizations, making a general call for the meetings turned out to be difficult, as well as the making of agreements in the medium and long term.

III. “Social control” and financial services regulation: The case of housing in Tarija

“Social control” and financial services regulation: The case of housing in Tarija

Country: Bolivia
 Leader: Nataly Vargas
 Institution: Universidad Autónoma
 Juan Misael Saracho
 Region: Tarija



Synthesis:

This project focused on working with the people irregularly settled in the “26 de Agosto” neighborhood in the Department of Tarija (Bolivia). The activities were developed between 2014 and 2016. The research team identified that a part of the people living in Tarija had poor access to housing. The housing problem arises from the extreme poverty and financial exclusion situation experienced by a significant percentage of the population, who in turn receives no attention to their demands; suffer from violation of their rights and discrimination. This group of the population is not only not taken into account, but cannot either exercise the right to participation in public policy development, nor social control.

This group has been criminalized because their claims affect the classic notion of the right to

property and they often use public or private spaces “illegally”. However, this mechanism, in the majority of cases is the only way this group of people has to survive and guarantee a roof for their families.

However, with the implementation of this project, different spaces of communications have arisen: between local authorities (the Mayor’s Office, the Departmental Government), institutions (Civic Committee, the University), other actors (Federation of Neighborhood Committees, Foundations), members of society civil, and the actors involved in informal settlements (representatives and base residents). These spaces have made it possible to promote a dialogue and an active discussion on the issue.

To achieve this, various activities such as workshops and meetings were carried out. Additionally, informational booklets on the rights of the settlers were developed, and in order to raise awareness to the authorities and civil society, booklets on the problematic reality that afflicts those who are part of the settlement on “26 de Agosto” were also made.

Among the most outstanding results is the development of a Draft Bill: "Fair Access to Habitat Act", whose main purpose is to implement a housing policy at the departmental level that includes initiatives such as the creation of a land bank. This land bank aims to intervene and manage everything concerning public lands, and avoid the concentration of land in few hands.

Continued participation in the planned activities certainly had a positive impact, and it has strengthened channels and participation spaces for the people that are irregularly settled at the governmental level and with civil society. However, much remains to be done to ensure a dignified life for the people currently living in urban settlements.

Research problem

We took as its starting point the following:

There is a deep problem of social exclusion in Latin America, which arises due to the continued concentration of land, resources, economic activities and access to power in a few hands. Unfortunately, Bolivia is no stranger to these problems: in 2009, 43% of its population was in a situation of urban poverty and 16.09% of extreme poverty, which affects 2,676,286 people. However, the extreme poverty rates in rural areas are more alarming: 66.43% are in a state of poverty and 45.48% of extreme poverty, which affects 1,584,456 people¹⁵. Given these data, currently more than half of urban dwellers in Bolivia are poor, so it is stated a process of urbanization of poverty shall be discussed now (Ledo Garcia, 2012: 220).

Poverty in Bolivia is reflected in the poor human development indicators and the situation of irregular human settlements. The settlements are the result of the migration from the rural areas to the cities, which in turn is caused by the lack of agricultural policies that facilitate the production of

¹⁵ Source: INE

the country areas and therefore, makes rural areas more profitable. As a consequence, there has been a massive migration to the cities. This accelerated the process of urbanization, created problems of access to housing, a situation that the State has not been able to respond to.

The problem of access to housing in Bolivia is strongly associated with financial exclusion of the most vulnerable, poor and marginalized sectors, as they systematically have had few opportunities to get funding sources. As a constant, financial policies for access to housing have been governed solely by market criteria at the expense of inclusion and social democracy mechanisms.

During the research process, this problematic situation was not only confirmed, but also it was possible to demonstrate it in situ. Through the life stories of members of the settlements themselves, the constant violation of their fundamental human rights was confirmed, evidenced by the limited access to basic services, which poses a serious danger to the health of this highly vulnerable group, which includes as its members a large proportion of single mothers and children. Indeed, it was demonstrated that this so-called irregular settled sector is not being taken into account in the design of the public policy.

Project implementation and management

Stakeholders

- Inhabitants of the Asentamiento Las Barrancas (more than 200 families live in this irregular settlement).

Public Institutions

- Ombudsman's Office
- Local Government of Tarija.
- Tarija' citizen committee (Comité Cívico de Tarija).
- Coordinadora Departamental de los Asentamientos. This institution is important for the Project because it is an ally, and researchers are working with them to set a common Action Plan in more settlements that are irregular.

Carried out activities:

Stage N° 1. Pre-research: diagnosis, symptoms, demands and elaboration of the project.

This stage corresponded to designing the general approach for the research, from the identification of the research problem to answering questions such as: for whom and for what is it done? Who does it? Why? How? When? These aspects were answered at the stage of the description of the research problem.

Stage N° 2. Reflection.

Once the main problem about to be addressed was identified and defined, the following stage required us to reflect on the situation, together with the other stakeholders involved. The research leaders approached the irregular settlement called “Las Barrancas”, which today constitutes the “26 de Agosto” neighborhood, and proceeded to establish closer ties with its leaders, with the place itself and the population, with whom the work was carried out closely.

After establishing a relationship of trust with leaders of the district, we proceeded to reflect on what this Movement had lived until that moment; analyzing and understanding the different roads pursued by the Movement, its participation processes and objectives.

Stage N° 3. Planning actions.

At this stage, the planning on the development of the research activities was carried out. We proceeded to set the dates for conducting interviews, workshops, meetings, etc.

Primarily, the following was planned:

Documental review (existing regulations regarding plans and projects developed by the legislature at the departmental and municipal levels).

Interviews with actors of “26 de Agosto” neighborhood.

Interview with the leaders of “26 de Agosto” neighborhood.

Development of the required materials for the visit to the neighbors who are part of “26 de Agosto” neighborhood.

Identification of relevant authorities and actors.

Schedule of meetings with representatives of municipal authorities and the Departmental Government.

Planning of the training workshops.

Identification of the people responsible for each activity.

Stage N° 4. Implementation of actions

The implementation of actions planned:

The review of the existing legislation at both departmental and municipal levels, revealed the following:

There are no plans or projects developed by the legislature at the departmental and municipal levels to help solve the housing problem, or access to essential minimum services to improve the living conditions of the settled population.

There is regulation at the national and departmental levels invoking the right to participation and social control for public policy development.

At the national level:

Political Constitution.

Participation and social control act (Act N° 241).

Autonomy Act.

Property Law Act.

At the departmental level:

Municipality Regulation.

With the interviews conducted with the actors involved in the settlements, the following objectives were achieved:

Verifying that there are obstacles to the full participation of the irregular settled people, mainly due to lack of political interest.

Protesting has become one of the actions taken by the illegal settlers, as a means to exercise participation and social control on the proposals and plans made by the public administration.

The lectures, workshops and meetings managed to create communication spaces to raise awareness and promote dialogue and active discussion between the irregular settled and the public administration.

The Draft Bill: the Fair Access to Habitat Act was structured to allow better access to housing and as an alternative to the protest route, as this project was promoted using the routes that the Bolivian legal framework established. In this regard, this bill is currently one of the most effective participation tools available for the Movement.

Research findings

Through the implementation of the project, it has been possible to show the challenges of participation, as a constitutionally established right. In the case of illegal settlers, the protest has been the most effective way to achieve the channeling of their demands, since it is the only way in which they managed to capture the attention of the authorities, although this form of participation is not stipulated in institutional channels.

Through the workshops and activities where life stories of the settlers were presented, an awareness process with the actors of the public administration was initiated. Indeed, the process was aimed at the City Hall, the Departmental Government and the Civic Committee. Members of these institutions have begun to understand that the ceaseless struggle for the rights of this vulnerable part of the population is the result of neglect of these groups.

Similarly, representatives of the public administration have recognized that this group has had important mediation processes and a high capacity to negotiate with government institutions. These organizational processes, which the settlers have developed for several years, make it possible for this group to go from a non-institutionalized participation (protest) to a type of institutionalized participation (participation mechanisms within institutions).

Although the protest was the method used by the settlers to achieve their goals, its impact has been limited and has generated been rejected by other sectors of the population. However, after the enactment of the Political Constitution in 2009 and the adoption of the Participation and Social Control Act in 2013, a legal framework that allows organized participation in Bolivia was created, which is aimed at having results over the long term. Therefore, even though the settlers resorted to protest, this route has not been the most appropriate to ensure an adequate participation of this vulnerable sector in public policy matters.

It is important to note that the current institutional path does not lack of problems. The new ways of participation set by the law, establishes institutionalized channels for dialogue between citizens and public administration, but often achieving these functions requires using some type of pressure measurement such as the protest. For this reason we can infer that these non-institutionalized participation mechanisms can constitute a bridge for strengthening democratic practices.

Moreover, during the time we worked in this project, the drafting of the Fair Access to Habitat Act could be concluded. This project constitutes an effective way to include the settlers as actors, ensuring the protection and enforcement of their rights.

This project proposes the creation of a land bank, which aims to limit speculation on the price of land and the accumulation of land, especially when it has the purpose to remove these plots off the market or block the construction of decent housing. The project also aims at preventing the raising on the prices of these plots to unaffordable amounts for vulnerable population due to the expansion of the city. Given the serious settlement situation in Tarija, it is important to limit irresponsible land use that considers it only as a profit preventing the access to the land for people with scarce resources.

It is expected that the Fair Access to Habitat Act is approved, and from that point, awareness on vulnerable groups such as settlers becomes to take part in order to ensure them better living conditions.

Methodology

Participatory Action Research (PAR)

This project chose a framed Participatory Action Research (PAR) methodology, which aims to contribute in the solving social issues with certain sectors of society. The background of the social actors and their social context conditions this type of research. It also implies that the researches are committed to social change, and with plural communication spaces (Gustavsen, 2001).

By using the PAR methodology as a focus of social research, we wanted for the irregular settled to engage in analyzing their own reality through the active participation of the researchers. The main purpose was to promote social participation for the benefit of members of the group and it was necessary (still is) to favor a closer relationship with these groups and to develop a degree of legitimacy and capacity of conviction to influence their activities (Gayá Wicks and Reason, 2009). Therefore, the activity carried out can be considered an educational activity, a research project and

a social action through the opening of spaces for discussion and dialogue, between the irregular settled and the local public administration, strengthened from the research team.

For the development of the research project, three fundamental moments were planned. First, reflection on the actions that have been developed so far by the irregular settled, analyzing the paths they have pursued in seeking to achieve its objectives; secondly, establishing a direct and close communication with irregular settled, which allowed us to discuss, analyze and reflect on the practices so far developed by them; and third, alternatives for the structure and development of participation strategies for the settlers were sought, in order to achieve its objectives and seeking to improve their performance in terms of citizen participation.

Instruments

For the development of the research project, different types of instruments were used: analysis of documents, in depth interviews, and focus group discussions. The purpose of using them was to trigger the involvement, participation and constructive exchange between researcher and community.

The analysis of documents and literature was the source of essential information that allowed us to contextualize the topic and collect past experiences.

The interviews, understood as a verbal encounter of an interactive nature between two people, allowed us to look into the different points of view from the people that are part of the settlement. The interviews had a semi-structured character, determining a priori the core themes that should be addressed, without this meaning that a rigid structure of questions had to be followed. This proved to be very useful as it allowed us to include some issues that were not initially considered, but were vital to understand the problem.

Discussion groups as a widely technique validated by the scientific community were also used. This allowed us to obtain information on the perspective of the protagonists, the contrast of opinions and views, through a spontaneous dialogue and the participation of a group of people that had knowledge on the situation. This technique also facilitated the consented search for action strategies.

Results and impacts of the research

The topic of face-to-face discussion on the issue of settlements as a vulnerable group, from the creation of spaces of institutionalized participation has been introduced.

In the workshops that were developed, the attendance of public administration representatives was achieved. There, they were able to listen to a group of representatives from the settlements; making the state officials aware on the situation faced by the settlers.

An understanding on the importance of thinking and taking on solutions to the problem of the housing shortage has begun.

Representatives of the public administration stated that effective solutions to this problem must be sought.

Development of information primer on the rights of the settlers.

Information primers have been developed with the purpose of informing the general population on the fundamental rights of individuals being in an irregular settlement situation and the regulation that protects their rights. These primers were very important to inform the settlers about their rights, and the available ways for seeking protection.

Development of awareness booklets with life stories from the settlements' inhabitants.

Primers have been developed in which the life stories of several people living in informal settlements are recovered. These booklets were given to different actors in the public administration and civil society, in order for the general population to be aware of the poverty and vulnerability conditions that people living in informal settlements must endure.

Opening of participation and debate channels. Ongoing discussion for the elaboration of a bill that meets the demands of the residents of the settlements.

From July to September there have been several meetings with various representatives and residents of the settlement to discuss the specifics of a draft bill, requested by them, to respond to their demands using institutional channels. This has led to a permanent stage of discussion that has been preserved by the settlers.

Permanent fieldwork with the settlers of "26 de Agosto" neighborhood.

The research team has been doing intensive work in the settlement and has been collecting testimonies and important contributions for the development of the bill.

Development of a document Draft Bill on Fair Access to Habitat, which must be submitted for review and consideration.

The project concluded with the drafting of the Fair Access to Habitat Act, in which the feelings and needs posed by the settlements are collected.

Socialization and contact with other vulnerable groups sharing the same problems. Interdepartmental journeys for the dissemination of the Draft Bill on Fair Access to Habitat.

During the pre- and post-processing of the bill they have held meetings process of discussion and presentation of the progress of the bill with other inhabitants of the settlements in Bolivia.

Please see Annex 11. For the complete Draft bill.

Problems and challenges

Among the problems that the research team went through, the first one was linked with achieving the first approach with the leaders of the settlements and winning their trust. This approach turned out to be difficult because the inhabitants of these settlements had lost all trust in all types of institutions, since they have asked multiple times for help from different actors and never obtained it. After several meetings with the main representatives of this group, this obstacle could be overcome.

Second, it was very difficult to arrange the schedules for the workshops with the available dates from the different actors. This was due mainly to the fact that they were self-employed, so they could not leave behind their jobs anytime they wanted. In some occasions, some of the meetings had to be postponed due to work related activities that had to be done by the representatives of the settlers.

Despite the results achieved with the project, there are still many challenges pending regarding participation as a fundamental element of democracy. Participation must be the product of a series of reflections that have been slowly emerging after noticing that despite the importance that the Constitution granted to participation – as to consider it a fundamental right in a democratic state – , there are still conceptual problems, challenges and prospects that influence its development.

However, we believe that this research project is a valuable academic contribution, which looks into the mechanisms of non-institutionalized participation, and how in some cases they can be effective as they can make up a way for institutionalized participation. Arriving to this statement requires making a thorough analysis on the actual situation of a group of irregular settlements, specifically the “26 de Agosto” neighborhood in Tarija, on the actions they have taken upon their situation, using the protest as the most important mechanism for ensuring the effective guarantee of their rights.

In the body of this research the combination of the non-institutionalized participation and institutionalized participation and their meanings within the state model assumed in Bolivia is analyzed. Similarly, an analysis is made on the participation of the settlers in the area of public policies and their struggle to change the conditions for possession of the land, against the concentration of land in the hands of a few, and the lack of basic services, specifying the conditions they require for acting up.

IV. Civil Participation in the water sector: The case of the Alli Causai Foundation in Ambato. (Ecuador).

Civil Participation in the water sector: The case of Alli Causai Foundation in Ambato.

Country: Ecuador

Leader: Pablo Poveda

Institution: Fundación Alli Causai

Region: Ambato, Tungurahua.



Synthesis: With the 2008 Constitution, Ecuador incorporated civil participation as a vital aspect for formulating, creating and implementing public policy. The new mechanisms seem to be the path to guarantee the fundamental right to water, among others.

This research aims to study a local experience in Llangahua, in order to establish if the current mechanisms are effective, and how they can be improved. Consequently, the research group worked with Alli Causai Foundation in Ambato, a local Foundation that helps rural population (mostly indigenous peoples) in guaranteeing their access to water.

Research Problem

The Alli Causai Foundation has been focused on the provision of health services and the training in primary attention of community leaders for the early detection of illnesses. One of the main influence zones of the Foundation is Llangahua, a moorland region at about 4 thousand meters located in the Province of Tungurahua where indigenous communities live.

One of the main problems in the area detected by the Foundation is the access to and quality of the water provided to these communities. In Llangahua, thanks to international aid, water that comes from natural sources and the de-frosting of the Chimborazo snowy mountain has been piped, and some storage tanks exist. However, the water does not receive any type of treatment beyond settlement and chlorine bleach water disinfection treatment, which is why the appearance of diseases such as diarrhea and amebiasis is common.

Despite the fact that the institutional landscape seems very complete, the most vulnerable rural communities do not know this structure, and since there is no disclosure of the law, participation is limited to people directly invited by the government to make up the local committees.

This project aims to understand: What are the benefits and obstacles of the new mechanisms for citizen participation in Ecuador, regarding rural communities in Llangahua?

To answer this question, the research group is working in order to help indigenous peoples from Llangahua to improve their access to drinking water, and their mechanisms to organize the water management.

Project implementation and management:

Stakeholders:

- Corporación de Organizaciones Cristóbal Pajuña (COCAP). An indigenous leaders' group in Llangahua, in charge of coordinating common activities and discussing local problems.
- Fundación Alli Causai.

Methodology

PAR methodology was useful, since the indigenous peoples in Llangahua are tired of being part of academic research, without getting any benefit or recognition. Therefore, Pablo Poveda has a key role, providing confidence and supporting the local leaders as a legal advisor, and not as an academic. Pablo previous ties with the communities provided the perfect scenery to start a process that will continue after this project.

The project had two main areas, first an initial stage where the research team explained the importance of right to water and sanitation. Communities used to have as a priority increase the access to irrigation water in order to improve agriculture within the area. This priority was based on the importance of guarantee economic incomes to the community, but implied left almost no attention to drinking water, a major problem especially for children.

After explain the importance of drinking water, the community leaders showed interest on initiated a joint process to request support from the government to access both, drinking water and irrigation water. It is possible to say that the team induced participation regarding this matter; however, it was a previous concern, but the communities did not know the legal options to request an improvement regarding that matter. On the other hand, irrigation water was an urgent matter to guarantee economic incomes and food access, and unfortunately drinking water have never been ensure for indigenous peoples in Llangahua.

One of the main challenges within the project was provide legal advice without imposing any particular solution, and always respecting indigenous peoples auto determination. For that reason,

the project was also focus on provide information regarding the correct use of water, the water resources protection, land uses within a moor area, among other.

Only in a last stage of the project, indigenous peoples decided to pursue the "Junta Administradora de Agua Potable" (JAAP) constitution. Therefore, the research team helped the community with a draft version of the articles of association for the JAP, but the approval process will continue during the next two years.

Carried out activities:

First Meeting with Indigenous leaders in Llangahua: The activities were organized taking into account the previous experience in Brazil, therefore the Ecuadorian group explained:

7. Human right to water and sanitation.
8. Nataly Vargas presented the Cochabamba experience regarding social movements, and the right to water in Bolivia.
9. The right to water in Ecuador. This part was cut out due to lack of time; but will be explained during the next meeting.

During the meeting, the leaders' strong interest in working with the leaders to improve the way in which water supply is currently delivered to them, was notorious. One of the main concerns is to improve the water supply for agricultural activities, but the access to drinking water is a major problem, especially for children.

Pablo Poveda is gave legal advice to indigenous leaders about level of water assignment in the region. The team is in permanent contact with the leaders to coordinate the next activities.

Finally, the group is issuing informative videos and informative leaflets. There are undergraduate students participating during the making process (From the Universidad Técnica de Ambato), in order to engage them with local problems. The material will be donated in schools and socialize with leaders to teach them about water conservation.

Second Workshop.

After the first meeting Pablo already had the community recognition, because his knowledge as a lawyer would provide a better guide for the community, and being part of the Alli Causai Foundation ensure his good intentions, and proved no connections with the government.

Therefore, the second meeting took place in Llangahua, taking advantage of the monthly meeting of the communities; a massive meeting where all the households' leaders discuss community issues and pay their fees to support the community needs. During this meeting Pablo Poveda explained the Water Act of Ecuador, the rights and duties of the communities and the possibility of constitute a JAAP in order to guarantee access to drinking water, and improve the water infrastructure within the moor.

During the second meeting attended around 200 people, and it was the first time when the JAAP was discussed as a possibility, depending on the benefits for the community and the possibilities of obtaining government's support.

Third workshop

The third meeting was a joint meeting with Llangahua communities and with the Corporación de Organizaciones Campesinas de Pilahuín. During this meeting Pablo Poveda explained the Land and Resources Act, an issue strongly related with water, since communities inhabiting moor areas have the responsibility of protecting nature; a responsibility that limits its possibility of exploiting land.

Educative activities

Within 2016 the group attended several times to schools within the area to teach about water uses and conservation. This work was enforced with leaflets, videos and classes, to ensure better water protection in the future.

Broadening the impact

The research group has the opportunity to support the peasants' leaders from San Fernando. The community of San Fernando was interested in constituting a JAAP, and since they live in a more accessible area, the process is simpler and easier than in Llangahua.

Awareness activities

The research team and a group of students from the Technical University of Ambato produced a short documentary about the access to water on Llangahua, called LlangAGUA. This video was submitted to the We Art Water Film Festival- 2016. Unfortunately the video was not selected as a winner.

The video is available in:
http://filmfestival.wearewater.org/llangagua_312194



Research findings

General findings

The access to safe water has stopped being a local problem related to the sovereignty of States regarding the exploitation of natural resources, and has become a problem of a global nature. Due to the privatization of utilities, which had usually been of a public nature, water started to be understood as a scarce commodity with a commercial value, which has generated the involvement of more actors on the matter. Several companies, most of them multinational, began investing in

countries of the "global-south" by turning safe water supply in a business subject to regulation by bilateral and multilateral investment treaties, as well as their conflict resolution mechanisms.

Water understood as a "commodity", may be regulated as a public property commodity, a common commodity or a private commodity. The distinction between a common commodity and a public property commodity consists in the fact that the common commodity may only be managed by the State and never transferred to private actors, while in the case of a public property commodity the transfer to private actors is possible. In each of the mentioned scenarios there have arisen conflicts related to the citizen's right to water, however, the trigger that led to the acknowledgement of the right to water was the yielding of the control of water to private companies, without establishing boundaries (for example, in relation to the care of water sources, the regulation of prices, among others).

The privatization road as well as the public system one are both subject of criticism; the first because the profit motive has demonstrated to lead companies toward the increase of prices and the denial of the right to water; the second, for showing an inefficient management and provision of the resource. However, there is a growing third road, which enters to interact with more traditional regulation models: participative regulation.

Currently, the existing Political Constitution of Ecuador recognizes the fundamental right to water under the chapter called "Rights to Good Living". Besides the provision of the right to water in the Constitution, the government of Ecuador issued the Water Resources Act, which in its sixth article established the prohibition of privatization and creates new public entities that open up spaces to the population in order for them to participate in the water management.

"Every form of water privatization is prohibited, due to its importance for life, the economy and the environment; for the same reason it may not be subject to any commercial agreement with any government, multilateral entity or private national or international enterprise."

Ecuador is an unusual example of water governance model: 1) the constitutionalization of the right to water, 2) the public system in contrast with the privatization of the supply, and 3) community-management of water in some rural areas.

The research group worked with the indigenous peoples of Llangahua in order to improve the fulfillment of their right to water. According to our general purpose, the research group is using the United Nations Economic, Social and Cultural Rights Committee criteria of (E/CN.4/Sub.2/2004/20), in order to evaluate and teach the communities the right to water. The main elements of the right to water are:

- 1) A quantitative element which implies that the resource is available;
- 2) A quantitative element which refers to the quality of water that is supplied;
- 3) A third element which relates to access.

Llangahua Situation.

There exists a deep void in relation to actions and limitations of the model of public regulation in rural areas, where communities seem to lack infrastructure and thus access to water. The focus on rural areas might demonstrate Ecuador's main challenges, since the infrastructure at an urban level seems prior to the change in regulation. Another factor, which complicates even more these communities' situation, is their way of organization, since their homes are not all in the same area but separated by various kilometers around a moorland area.

The self-management model of indigenous communities introduces a new element to the water scenario, and researchers consider that it is appropriate to use it in Llangahua.

Impact

Public Policy Strategy:

JAAC.

Since the beginning the research group identified the JAAC as an important opportunity to improve the access to drinking water for indigenous peoples. However it was necessary to analyze if that legal figure was really useful in this case, since Llangahua geography complicate infrastructure construction, increasing costs and requiring government support.

Despite the reference of previous cases of JAAC in rural areas, Llangahua case would be a complicated process due to the special situation of indigenous peoples. The first difference was the need for governmental support; since currently all the infrastructure has been donated by ONGs and the government has never support its maintenance. This is an issue because normally the communities who request a JAAC use community' money to buy water meters, but they already have the general infrastructure (pipes, tanks, etc.).

However, it was necessary to plan several meetings with Senagua, the technical body for water regulation in Ecuador. Senagua, was a huge ally during the process, and explained how to proceed in the particular case, when the community is no capable of pay for the minimum infrastructure for JAAC, and the government has never support its construction.

Senagua help was crucial to develop an action plan. According to their guide the action plan would be:

- Technical evaluation to establish infrastructural needs, before JAAC constitution.

Unfortunately, our research team was unable of guide the community about technical issues, such as infrastructure construction; therefore, we found the Instituto de Ecología y Desarrollo para las comunidades Andinas (IEDECA) support.

- Present the proposal to the regional government to get financial support.

However, the group worked hard on present the situation to SENAGUA and to the Regional Government, the last institution offered some financial help once the technical part were complete. After this achievement, the main challenge is maintaining the contacts inside the institution, because the officials change all the time.

- Build the infrastructure needed.

This part would probably involve the community work, through the “minga”, a collaboratory, process among the community. Llangahua indigenous peoples are use to work for their own needs, and is common to receive the necessary materials from the government, but is the community who is in charge of build the infrastructure.


- Present all the legal requirements, including the JAAC's statutes to legalize it.

This was our main contribution, since the legal support is one of the main barriers to achieving their goals. The statutes provide the basis for fulfilling the government requirements for JAAC, but will be the community who decides important matter the tariffs for users.

Academic outputs:

- Short documentary http://filmfestival.wearewater.org/llangagua_312194
- Paper regarding water regulatory models. Specifically about communitarian management, and water as common good.

V. Cauca Region Case (Colombia).

<p>Participation of women from the Cauca region.</p> <p>Country: Colombia Region: Cauca Town: Buenos Aires Institution: Universidad de Los Andes</p>	 <p>The map shows Colombia with major cities labeled: Barranquilla, Maracaibo, Cartagena, Bucaramanga, Medellín, Bogotá, Quito, and Ecuador. A red pin is located in the Cauca region, near the border with Ecuador. The map also shows parts of Panama, Curacao, and Venezuela.</p>
<p>Synthesis</p> <p>The Cauca region in Colombia has a vibrant history of social movements tied to indigenous and Afro-Colombian communities. Also, the women's movement has had a significant presence, especially through the presence of <i>Ruta Pacífica de las Mujeres</i>, a national feminist movement established in 1995 that has strong regional ties.</p> <p>The research process began by approaching La Ruta Pacífica (LRP). LRP holds relations with several non-governmental and communitarian organizations, placing itself as a link platform between and among women atomized in base organizations through the region. One of such organizations is La Asociación de Mujeres en el Municipio de Buenos Aires – ASOM, a municipal organization integrated by Afro-Colombian women of the municipality of Buenos Aires, which is located at the north-west part of the Cauca region and has a population of 26.000 people.</p> <p>Particular attention has being paid to ASOM, since the understanding and applicability of Writ 092 by women in its municipality is one of the main frames of their work. ASOM have already made its first attempt to analyze Writ 092, and explain it to women of Buenos Aires and two other surrounding municipalities (Suarez and Santander de Quilichao) by means of its socialization work line. After meeting ASOM, the research group decided to focus on working with them, because they could have a bigger impact in terms of empowering local leaders.</p> <p>From ASOMs' experience as Organization of Afro-Colombian women, the objective of our research is to establish which are the scopes and difficulties of citizen participation for women victims of the internal displacement that has taken place in the region of Norte del Cauca in Colombia?</p>	

Research problem

Colombian academy and NGO literature have mainly considered that the only legitimate method to evaluate women's political participation is through measuring and monitoring their inclusion in formal political arenas, that is, through assessing their presence in political campaigns as candidates, their election to office, and their appointment to official political positions, such as government ministries or as heads of politicized state agencies (Pachón, Peña & Wills 2012, Bernal Olarte 2006, Corporación Sisma Mujer 2013, Wills Obregón, Cardozo García 2010, Wills Obregón 2007).

Colombian scholars, NGOs, and officials, with some exceptions (Wills Obregón 2007, see for instance the emerging interest on this issue referred in Sandvik, Lemaitre 2013), usually do not take into account non-traditional forms of political participation to evaluate how women are faring in the political arena, to analyze their understanding of what is political, and to identify their particular contributions in this area. In this fashion, women's participation in non-traditional politics, either spontaneous or imposed by judicial decision or legal regulation, is considered more a step in a process of legitimation of top-down decision-making rather than the exercise of women's political agenda. This perspective has helped to obscure the process of participation itself and to limit the evaluation of women's meaningful political participation by focusing on the success a particular women's constituency has had in incorporating its views in the final product (legal regulation, public policies, programs, etc.).

The case of Writ 092, a landmark decision on forced displacement in the context of armed conflict and its impact on women's lives, illustrates this situation. This judicial decision by the Constitutional Court orders the Colombian State to adopt certain measures on the protection of women who are victims of forced displacement due to the armed conflict. Although this writ had its genesis in a participative process, and it has sparked and enhanced new and old participative processes to grant its realization, there are no systematic studies of these dynamics. Scholars have preferred to focus on the analysis of legal issues and challenges presented by Writ 092, and NGOs and the women's movement in general have centered their attention in reporting the failures in its implementation. This lack of research in this area stems from a restricted notion of politics and political participation, one that is limited to the formal and institutionalized avenues of doing politics.

It is worth noting that Writ 092 touches and elaborates on a vast array of questions relating to women IDPs, ranging from the violation of their right to education and political participation, to the hurdles they face acquiring, controlling and recovering land before and during armed conflict. However, the women's movement, NGOs, international organizations and the media have centered almost all their attention in making visible only one of the issues included in the judicial decision: sexual violence and related offenses. Working group and NGO reports almost exclusively focus on women as victims of these crimes, with little attention paid to participation initiatives taking place in the regions around the "teaching" and implementation of Writ 092. In this sense, it is possible to say that although Writ 092 has been used as an advocacy tool, and that it is being "taught" in the

regions as the “bill of rights” of women IDPs and, in general, of women in the context of the Colombian conflict, scholarly and NGO production of knowledge has not examined in detail the political process it has fueled or strengthened.

Since 2012 a peace negotiation process with FARC representatives has taken place in accordance with an agenda that was set upon common agreement with the Colombian government. The parties have come to common terms on topics such as agricultural development policy, political participation mechanisms, cessation of hostilities, the problem of illegal drugs and issues related to the victims of the conflict. Moreover, on September 23rd the negotiating parties agreed that a peace agreement would be signed by March 23, 2016.

For this reason, institutional, academic and civil society work on the armed conflict, including victims’ related work, has turned to the needs of a hypothetical post-conflict era.

In a joint effort with our civil society partner ASOM, the project scope has changed in order to include their processes within the regional government. ASOM is currently looking for collective reparation, since the conflicts affect the whole group, and affected many economic initiatives.

From ASOMs’ experience as an Organization of afro-Colombian women, the objective of our research is to establish which are the scopes and difficulties of citizen participation for women victims of the internal displacement that has taken place in the region of Norte del Cauca in Colombia?

Concretely, this project chance its purpose to establish on how collective reparation could provide a participatory scenery to improve women conditions, providing new opportunities beyond constitutional Court decisions.

Project implementation and management

Stakeholders:

- ASOM.

In-depth study of Participatory Action Research.

The first phase of the project was devoted to gathering information on the Participatory action research and methodologies to approach the organized women in the Cauca region. At the same time, and as stated above, in order to implement the Project the research team has approached LTP and ASOM.

First encounter. Once the research team was in contact with ASOM, both parties begun a process of information exchange. Discussions were also focused on reviewing the current strategy for the

diffusion of Writ 092, which is now intertwined with the need of addressing several issues of the peace process and the possibility of a post-conflict era.

This work is being carried out taking into account recommendations made by the applicable literature on Participatory action research. Simultaneously, a significant amount of time was devoted to establishing bonds of trust between ASOM women and Los Andes team.

In this sense, in accordance with the concept note, the preliminary discussions and identification of the methodology that was employed in the visits to Buenos Aires was carried out successfully.

Activities coordination.

After the first encounter the group was worried since there was many subjects around Writ 092, and ASOM was not sure about how to reduce the project to reach a specific purpose. However, after internal considerations, ASOM leader Clemencia, proposed to work around a proposal for collective reparation for the association.

The research team agreed with Clemencia's idea, because it was a perfect way to focus the work to include many issues, but providing a specific benefit to the collective. During the following meetings the group understood the differences between small NGOs and big NGOs. Collective reparation can group the main needs of women within conflict region, since big NGOs sometimes are focus in structural issues that may not be small NGOs priority.

In order to prepare a collective reparation proposal, the group planned three workshops, each one of them with a specific purpose:

Component 1: Collective memory

- Analysis of individual memory of the members of the association regarding the conflict impacts on the association.
- Collective Memory Analysis
- Analysis of the documentary record of ASOM activities and projects.

Component 2: Integral Repair

- Elements: Restitution, Compensation, Rehabilitation, and Guarantees of non-repetition
- Collective reparation with transformer approach.

Component 3: Strengthening the strategies of political impact.

- Route map for the implementation of the repair proposal: Judicial and / or administrative route.

Activities:

Component 1. During the first meeting the associates participated on different activities aiming to work around the collective memory of the group. It was important to understand how the violence affected the group, in different grounds: economical, socially and mentally.

For all activities the research group worked with approximately 20 women, and those women were in charge to reproduce the activities within their community.

1. The individual memory. The group prepared activities in order to encourage the members to remember why ASOM is important for them, what kind of activities they used to do, and how ASOM lose initiatives due to the Colombian internal conflict.
2. Collective memory. The group used social mapping method to establish the economic, cultural and social activities in the area, and to understand how the conflict affected Buenos Aires. The group identified the most dangerous places, and which communities suffered internal displacement.
3. The group worked with the associated to inspect the association files, in order to list all the activities and initiatives that ASOM have done during the last years.



For further information see ANNEX 13.

Component 2.



Training in collective reparation, from both theoretical and legal perspectives. Within this workshop the group tried to explain the main concepts, but at the same times we presented the alternatives for collective reparations, similar cases, and successful experiences in Colombia.

Component 3.

The researchers presented the route map for the implementation of the repair proposal: Judicial and / or administrative route.

Additional activities:

On August 2016, two ASOM leaders attended to a Ministry of Justice Seminary for sexual violence prevention. This was part of a bigger government project to characterize problems in Colombia regarding sexual violence prevention; using Los Andes contacts, the research group achieved to promote small ONGs participation, in order to give voice to ASOM in the government forums.

For ASOM this is an important issue, because they are more interested on prevention than in criminalization, and normally the most important women ONG are focus on the last one.

Research findings

This project wants to contribute to the emerging field in Colombia of examination and understanding of the production of knowledge and political participation, from a bottom-up perspective (Sandvik, Lemaitre 2013).

Even under very stringent circumstances, women impacted by the internal armed conflict retain agency. They adapt to new environments, learn how to approach official institutions and use their language, organize to advocate for their causes, engage in interesting synergies with NGOs and social movements, etc. Mainstream research and literature is not keeping track of these processes. Multiple reasons could explain this situation. In accordance and in a general manner, Colombian scholars have studied the impact of the conflict on women as victims more closely, and have evaluated the legal and judicial avenues they have to get redress. Apparently, scholars are responding to the processes that are happening within and among formal institutions and to the political debates that make the headlines, most of which are happening in the center of the country (the capital city), and have not undertaken out significant studies analyzing other less visible political agents and expressions.

This hypothesis was proved during the project, but in a deeper way. After a first approach to Ruta Pacífica de las Mujeres (RPM), the researchers found different scales of movements; RPM is in the higher position within others NGOs that have been acknowledged by the Colombian Constitutional Court. However, a small organization has different experiences and strategies. Taking all the above into account, this project has aimed to step out of that framework and undertake research on participatory action. The purpose is to identify how women in the regions participate, since living in the context of the internal armed conflict.

The group worked with La Asociación de Mujeres en el Municipio de Buenos Aires – ASOM, a municipal organization integrated by afro-Colombian women of the municipality of Buenos Aires, which is located at the north-west part of the Cauca and has a population of 26.000 people.

Particular attention was paid to ASOM, since the understanding and applicability of Writ 092 by women in its municipality was one of the main frames of their work. The research advanced upon the consideration that since ASOM works at Buenos Aires and is part of LRP's network, it constitutes an advocacy focal point. As such, it allows applying a participatory action research methodology within a short distance from the local dynamics of participation. At the same time, its position is also close to a whole network of organizations working on women advocacy through the Cauca Region.

ASOM's work in conjunction with the research team has allowed to both, research team and Buenos Aires women, to advance in the understanding of women's impact at the local level. This has been possible due to the application of a methodology distinctive of the participatory action research framework. Part of the participatory action research consisted on contacting, familiarizing and establishing relationships with women in Buenos Aires.

Initially, the group worked around Writ 092, a judicial mechanism that is perceived as a means to strengthen and empower existing women's movements and their members. However, working with ASOM we decided to focus the work on collective reparation, to include all the important issues they needed.

One of the main findings was realizing how small NGOs work, because are this ONG who are in charge of directly promote economic projects for the local population; in many occasions they are looking for direct impact, because structural decisions not always achieve the effects they need. The national policies do not guarantee local implementation, and more urgent needs are sometime sacrificed in order to follow the leadership of bigger ONGs.

Impact.

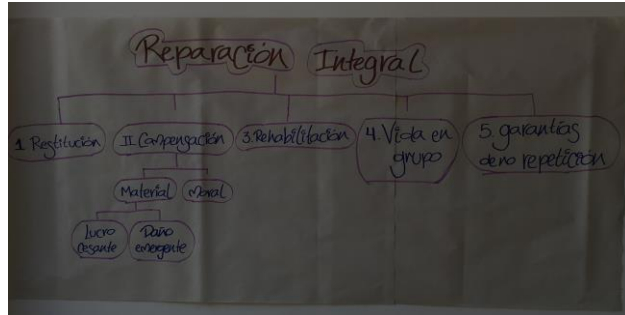
Research Component. The output will be an academic paper containing the main findings of the research, to serve as material for academic inquiry. The first draft paper will be presented on the third Methodological Meeting in Ecuador, in order to discuss the progress.



Public Policy Strategy:

- Create a Toolkit to allow ASOM to replicate educational workshops around the region, in order to teach women about their rights, judicial mechanisms and institutional policies.

This was the first product we produced with ASOM's support. The materials were different, from maps, to billboards, thematic games and integration activities.



- Help ASOM to create a regional Table/Group in charge of organize their public policy strategies. This activities promoted new leaderships in ASOM, this was one of the main gains of the project, since Clemencia, the main leader was worry to be working alone to keep promoting the group.

After this meeting, many young women start participating in the activities, which is a good signal for ASOM' future.

- Workshop with the Group to discuss the regional participatory spaces available for women, in order to use them or develop a strategy to improve them if it is necessary. Despites the group intentions to start promoting the collective reparation immediately to support ASOM, the peace process was in a delicate moment when the workshops finished.

Some of the contacts inside Unidad de Reparación de Víctimas confirmed the importance of waiting for the post conflict policies, in order to have better chance to get not only collective reparations, but also support for economic and social projects for ASOM.

The main limitation to receive reparation is not the lack of national policies, but the lack of budget for this purpose; at the moment the Unidad de Victimias have only repair a limited group of prioritized cases. However, the group is expecting the post conflict policies provide a better escenary for ASOM proposal, even without the collective reparation scenary.

- *Collective reparation proposal.* This was the main output of the project, since helped ASOM to organize the main priorities, and will be the main tool to achieve colective reparation. This document was produced directly with ASOM members, and includes all the members proposals.

The research team maintain the same structure and contents that were produced within the workshop, since this is an ASOM iniciative. Folowing PAR methodology, the researchers only helped to guarantee the coherent use of concepts, and the strategically use law to achieve their goals.

For further information see ANNEX 12.

Academic outputs:

- Paper about citizen participation and their interaction with other social movements and NGOs.
- Paper about women collective reparation as a way to participate in post conflict contexts.

ANNEX 1 FIRST METHODOLOGICAL MEETING AGENDA



Agenda de Capacitación – Investigación Acción Participativa (IAP) Pares en Acción-Reacción Contra la Exclusión Social (PARCES ONG) y Universidad de los Andes

Descripción: La capacitación se llevará a cabo el fin de semana del 1 al 3 de Noviembre de 2014 y será liderada por la organización no gubernamental PARCES ONG y la universidad de los Andes. La capacitación pretende brindar una aproximación teórica y práctica a la metodología de IAP, sus herramientas y fundamentos para que los participantes tengan un insumo en el planteamiento y puesta en marcha de los proyectos en cada uno de sus países y con las comunidades con las que trabajan. La capacitación implica la movilización por diferentes escenarios que permitirán el descubrimiento de nuevas formas posibles de hacer investigación partiendo de las experiencias individuales y colectivas y de los problemas y preguntas particulares de investigación. De esta manera, se combinará la teoría con la puesta en marcha de las herramientas y métodos de IAP.

Cronograma:

Día 1 – Sábado 1 de noviembre de 2014

Lugar: Universidad de los Andes (RGC 213-214, sala de juntas, Facultad de Derecho):

Hora: 10:00am – 5:00pm

Actividades:

9:30 – 10:00: Apertura *María Inés Cubides Kovacsics*

10:00 – 12:00: Introducción a la IAP – Historia, fundamentos y teoría *Amy E. Ritterbusch y Argenis Navarro*

12:00 – 13:00: Almuerzo conversatorio – Herramientas IAP *Amy E. Ritterbusch*

13:00 – 14:00: Técnicas teatrales de IAP *Betsy Perafán Liévano*

14:00 – 16:00: La academia en calle

16:00 – 17:00: Café de reflexiones

Día 2 – Domingo 2 de noviembre de 2014

Lugar: Sede PARCES, Barrio Santafe

Hora: 9:00am – 5:00pm

Actividades: Taller para talleristas de IAP: 'Training for change', *María Inés Cubides, Catalina Correa, Alejandro Lanz, Adriana Lloreda*

9:00am – 9:30am: Apertura

9:30 – 12:00: Taller para talleristas de IAP

12:00 – 13:00: ¿Y esto cómo aplico? – Discusión y reflexiones

13:00 – 14:00: Almuerzo

14:00 – 16:00: Taller para talleristas de IAP

16:00 – 17:00: Discusión y cierre

Día 3 – Lunes 3 de noviembre de 2014

Lugar: Guatavita

Hora y lugar de salida: por definir

Hora y lugar de llegada: por definir

Actividades:

9:00 – 10:00: Exposición proyecto IAP realizado por el Grupo Multidisciplinario de IAP “La Guerra de los Niños de la Calle: Diagnóstico Participativo del Consumo de Drogas en Niños y Adolescentes en el Centro de Bogotá” *María Inés Cubides, Alejandro Lanz, Argenis Navarro, Amy Ritterbusch, Luz Mary Pardo*

10:00 – 13:00: Construcción de ruta de acción (planeación visual en grupo) y diligenciamiento del documento plan de trabajo de los proyectos de Investigación Acción Participativa.

13:00 – 14:00: Almuerzo

14:00 -17:00: Presentación y Retroalimentación sobre el plan de trabajo de cada proyecto de Investigación Acción Participativa.

ANNEX 2 FIRST METODOLOGICAL MEETING-WORKING PLAN QUESTIONARY

Título del proyecto:

Problema:

¿Cuál es el problema que desean solucionar?

Pregunta de investigación:

Identificación de metas/objetivos de cambios:

¿Cuáles son las metas de nuestro proyecto? ¿Qué esperamos lograr con el proyecto?

Resumen de fases:

¿Cuáles son las etapas necesarias del proyecto para lograr estas metas?

Fases del proyecto, liderado por un integrante de cada equipo:

Nombre de la fase: _____

Nombre del líder de la fase: _____

Experiencia/calificaciones

¿Por qué debes ser el líder de esta fase (i.e., experiencia profesional, contactos, formación técnica, experiencia laboral, etc.)? Objetivo

¿Qué quieren lograr con esta fase?

Descripción de la fase

¿Cómo lo van a hacer? ¿Cuáles recursos necesitarán?

Fecha(s) de realización: _____

Nombre de la fase: _____

Nombre del líder de la fase: _____

Experiencia/calificaciones

¿Por qué debes ser el líder de esta fase (i.e., experiencia profesional, contactos, formación técnica, experiencia laboral, etc.)?

Objetivo

¿Qué quieren lograr con esta fase?

Descripción de la fase

¿Cómo lo van a hacer? ¿Cuáles recursos necesitarán?

Fecha(s) de realización: _____

Nombre de la fase: _____

Nombre del líder de la fase: _____

Experiencia/calificaciones

¿Por qué debes ser el líder de esta fase (i.e., experiencia profesional, contactos, formación técnica, experiencia laboral, etc.)?

Objetivo

¿Qué quieren lograr con esta fase?

Descripción de la fase

¿Cómo lo van a hacer? ¿Cuáles recursos necesitarán?

Fecha(s) de realización: _____

Nombre de la fase: _____

Nombre del líder de la fase: _____

Experiencia/calificaciones

¿Por qué debes ser el líder de esta fase (i.e., experiencia profesional, contactos, formación técnica, experiencia laboral, etc.)? Objetivo

¿Qué quieren lograr con esta fase?

Descripción de la fase

¿Cómo lo van a hacer? ¿Cuáles recursos necesitarán?

Fecha(s) de realización

ANNEX 3 SECOND METODOLOGICAL MEETING AGENDA

Formação e fortalecimento de defensores/defensoras no/do Estado do Pará

Objetivo geral:

- Fortalecer da rede de proteção das organizações e movimentos sociais e da atuação das defensoras/defensores de direitos humanos

Objetivos específicos:

- Identificar o contexto de repressão vivenciado pela localidade e focos de atuação em direitos humanos negados;
- Compreender a estrutura estatal, como deveria funcionar o poder público e seus limites;
- Identificar o que se quer com um programa de proteção de defensores;
- Levantar os canais de denúncia, proteção e autodefesa dos defensores e defensoras de direitos humanos;

Ementa geral dos espaços:

O que são direitos humanos. Como estamos vivenciando na atualidade a repressão (criminalização, ameaças, extermínios) a lutadores/as de defesa de direitos. Papel do Estado na proteção de direitos. Poderes do Estado. Como funciona o poder de polícia (instancias, abuso de poder). Procedimentos básicos institucionais para casos de denúncias. Procedimentos básicos para auto-proteção do defensor e da coletividade (medidas de segurança pessoais e internas).

Proposta de Programação p/ Altamira: Manhã:

4hs de duração (8:00 às 12:00 hs) – com intervalo de 15 min.* Intervalo fica a critério do/s coordenadores

Lajusa + CPT: abertura + boas vindas Método: facilitação rumo identificação de um o contexto de repressão vivenciado pela localidade e focos de atuação em direitos humanos negados (grupo todo)

Perguntas geradoras:

- ✓ quais os principais direitos violados na localidade?
- ✓ quais os meios de repressão que os defensores de direitos humanos tem sofrido (ameaças, criminalização, agressões, assédio moral etc.)?

Proposta de Resposn.: SDDH

Tarde: 4hs de duração (14:00 às 18:00 hs) – com intervalo de 15 min.*

Intervalo fica a critério do/s coordenadores

Método: exposição falada e utilização de quadro para apresentar um conteúdo sobre a estrutura estatal, com ênfase no poder mais repressivo identificado pela manhã. (grupo todo)

OBS: Poderíamos também levar materiais informativos sobre o papel do MP, das DP's, Corregedorias, Ouvidorias, etc. de fontes diversas para entregar no grupo como forma informativa complementar.

#Exemplo do trabalho com a ênfase:

Poder Judiciário: possui instâncias e divisão em matérias*

*enfazizando a possível atuação repressora destacada pela manhã

Poder Executivo: secretarias temáticas, sistema de segurança pública**

** enfatizando a possível atuação repressora destacada pela manhã (com provável destaque ao sistema de segurança pública).

Modelo coringa de orientação para exposição (já iríamos levar o conteúdo preparado, para adaptar somente o que for mais enfático e destacado como necessário pela manhã):

- A. Como o Estado se divide em poderes?
- B. Como se organiza o poder judiciário (brevemente)?
- C. Qual o papel das polícias (militar e civil)?
- D. Quais órgãos de controle (corregedoria e ouvidoria) interno em caso de irregularidades e abusos de autoridade?
- E. Quais as formas de controle externos nacionais e internacionais mais comuns (Conselhos, Audiências Pública, atuação dos MP's, DP's, Judiciário, Ouvidorias Nacionais, CNJ, OEA, etc.) + controle internacional

Proposta de Respons.: Profesores del proyecto IDRC,T DD e SDDH

Manhã: 4hs de duração (8:00 às 12:00 hs) – com intervalo de 15 min.*

*Intervalo fica a critério do/s coordenadores Método: trabalhar com grupos para levantar métodos de proteção oficiais e não oficiais contra as realidades de repressão.

Conteúdo a ser trabalhado/sintetizado após exposição e levantamento dos grupos, como exemplo:

Procedimentos básicos para auto-proteção do defensor e da coletividade (medidas de segurança pessoais e internas) e provocação do Estado para proteção: denúncias para órgãos competentes, reconhecimento de autoridades públicas, anotação de informações, arquivos de dados sobre os processos adm. e judiciais, cuidados com rede telefônica e de internet, observação de infiltrados, redes de comunicação, etc.

Indicar ao final o material on-line da Front Line: <http://global.org.br/wpcontent/uploads/2010/02/Manual-Final.pdf>

Proposta de Respons.: CPT e TDD

*podemos sortear se for difícil um critério para decidirmos quem fica responsável com a CPT.

Tarde: 3hs de duração (14:00 às 17:00 hs) – com intervalo de 15 min.

Espaço 1: 1hs de duração

Método: conversa orientada sobre o que pensamos que seria um ideal para um programa de proteção que se gostaria de exigir ao Estado (apresentação da cartamanifesto construída em abril e a proposta de janeiro de 2016 – do encontro de defensores e formação de uma rede própria de proteção no Pará para reivindicar o programa e para construir métodos próprios de proteção com parceiros);

Espaço 2: 45 min de duração

Informe final sobre a possibilidade de construção de denúncias ao Sistema Interamericano de DH's (OEA- CIDH): uma possível saída para repercutir as violações de direitos e retaliação dos defensores? (reflexão inicial sobre o assunto)

Proposta de Respons.: Lajusa e SDDH (+ MAB???) * *ver com MAB a possibilidade!

Materiais necessários: Um quadro, ou cartolinas em tripé + pincéis atômicos de cores diversas + cartilhas informativas (pegar algumas na Ouvidoria de Seg. Pública, MPE, DPE, etc.). – Igor levará uma parte e na universidade será providenciada data-show.

INTERVALO

Avaliação final: 45 min. de duração

Sistematização da avaliação: Lajusa

ANNEX 4 THIRD METODOLOGICAL MEETING AGENDA



AGENDA REUNIÓN METODOLÓGICA ECUADOR

JORNADA	HORARIO	ACTIVIDAD	RESPONSABLE	LUGAR
JUEVES 15/10/2015				
MAÑANA	8H30	BIENVENIDA Y PRESENTACION DE LA FAC	CARLOS ROJAS	FAC
	09H00	MARCO TEORICO	STEPHANIA-RENÉ	FAC
	10H00	PRESENTACION POR EQUIPOS BOLIVIA	NATHALY	FAC
	11H00	PRESENTACION POR EQUIPOS PERU	GUSTAVO	FAC
TARDE	12H00	ALMUERZO		FAC
	14H00	PRESENTACION POR EQUIPOS ECUADOR	PABLO	FAC
	15H00	PRESENTACION POR EQUIPOS BRASIL	PAULA	FAC
	16H00	PRESENTACION POR EQUIPOS COLOMBIA	MA. CECILIA	FAC
	17H00	COMENTARIOS FINALES	RENE UREÑA	FAC
NOCHE	20H	CENA	COOR -PABLO	HOTEL AMBATO
VIERNES 16/10/2015				
MAÑANA	8H30	DISCUSIÓN ESTRATEGIA DE INCIDENCIA	RENE UREÑA	FAC
TARDE	12H00	ALMUERZO		FAC
	14H00	VISITA A LAS COMUNIDADES INDIGENAS	FAC	
NOCHE	21H00	VISITA AL CENTRO DE LA CIUDAD	PABLO	
SABADO 17/10/2015				
MAÑANA	09H00	SALIDA A LA COMUNIDAD		FAC
	10H00	TALLER CON MIEMBROS DE LA COMUNIDAD		
TARDE	12H00	ALMUERZO		
	13H00	CAPACITACIÓN SOBRE MARCO NORMATIVO SOBRE EL AGUA	PABLO	
	14H00	PRESENTACIÓN CASO DE COCHABAMBA	NATHALLY	
	15H00	CAPACITACIÓN SOBRE EL DERECHO AL AGUA	STEPHANIA	
	16H00	VISITA A LA FERIA ARTESANAL SALAZACA Y QUISAPINCHA	FAC	
DOMINGO 18/10/2015				
MAÑANA	09H00	SALIDA A QUITO	FAC	HOTEL

ANNEX 5 FOURTH METODOLOGICAL MEETING AGENDA

<p style="text-align: center;">Agenda Reunión Metodológica UNIANDES</p>

Marzo, 2016
Lima y Tarapoto – Perú

Lunes 28 de marzo

08:30 – 09:00	Traslado del Hotel Ibis (Av. Larco 1140, Miraflores) al Campus PUCP (Av. Universitaria 1801, San Miguel) *Movilidad coordinada por el IDEHPUCP Responsables: Eduardo Hurtado y Gustavo Zambrano
09:00 – 11:00	Reunión metodológica con investigadores de UNIANDES
11:00	Primer Coffee Break (sin receso)
11:00 – 12:50	Continúa reunión metodológica con investigadores
13:00 – 14:30	Almuerzo en el Campus PUCP (restaurante Charlotte)
14:30 – 16:00	Continúa reunión metodológica con investigadores
16:00	Segundo Coffee Break (sin receso)
16:00 – 17:00	Continúa reunión metodológica con investigadores
17:30	Traslado de Campus PUCP al Hotel Ibis *Movilidad coordinada por el IDEHPUCP Responsable: Eduardo Hurtado
20:00	Traslado del Hotel a restaurante Brujas de Cachiche (Calle Bolognesi 472, Miraflores)
20:30	Cena en restaurante Brujas de Cachiche con investigadores de UNIANDES, Directora del IDEHPUCP, Dra. Elizabeth Salmón, y Jefe del Departamento de Derecho PUCP, Guillermo Boza.

Martes 29 de marzo

08:00	Check out del hotel
08:30 – 09:00	Traslado del Hotel Ibis (Miraflores) al Campus PUCP con maletas listas *Movilidad coordinada por el IDEHPUCP Responsables: Eduardo Hurtado y Gustavo Zambrano
09:00 – 11:00	Reunión metodológica con investigadores de UNIANDES
11:00	Primer Coffee Break (sin receso)
11:00 – 12:50	Continúa reunión metodológica con investigadores
13:00 – 14:30	Almuerzo en el Campus PUCP (restaurante Charlotte)
14:30 – 16:00	Continúa reunión metodológica con investigadores
16:00	Segundo Coffee Break (sin receso)
16:30	Traslado de Campus PUCP al aeropuerto

	Av. Elmer Faucett s/n, Callao *Movilidad coordinada por el IDEHPUCP Responsables: Eduardo Hurtado y Gustavo Zambrano
19:45 – 21:10	Vuelo hacia Tarapoto (departamento de San Martín)
21:10	Traslado del aeropuerto al Hotel Tucan Suites (Calle 1 de abril 315, La Banda de Shilcayo)
21:30	Cena en Tarapoto

Miércoles 30 de marzo

08:30 – 10:00	Traslado del Hotel Tucan Suites (Calle 1 de abril 315, La Banda de Shilcayo) a la Municipalidad Distrital de Chazuta *Movilidad coordinada por el IDEHPUCP Responsables: Mario Cépeda y Gustavo Zambrano
10:00 – 11:30	Reunión con líderes kechwas sobre el panorama social y político de los pueblos indígenas en San Martín
11:30 – 12:00	Cierra de la reunión y coordinaciones logísticas (Calle 1 de abril 315, La Banda de Shilcayo)
12:00 – 12:30	Traslado a restaurante local
12:30 – 14:00	Almuerzo en restaurante local Chazuta
14:00 – 15:30	Traslado de Chazuta al Hotel Tucan Suites (Calle 1 de abril 315, La Banda de Shilcayo) *Movilidad coordinada por el IDEHPUCP Responsables: Mario Cépeda y Gustavo Zambrano
16:00 – 18:00	Reunión con líderes Bolivianos Hotel Tucan Suites (Calle 1 de abril 315, La Banda de Shilcayo)
17:00	Coffee Break (sin receso)

Jueves 31 de marzo

08:30	Check out del hotel
09:30 – 11:30	Traslado del Hotel Tucan Suites (Calle 1 de abril 315, La Banda de Shilcayo) al Gobierno Regional de San Martín (Moyobamba) *Movilidad coordinada por el IDEHPUCP Responsables: Mario Cépeda y Gustavo Zambrano
11:00 – 12:30	Reunión con funcionarios públicos regionales sobre el panorama social y político de los pueblos indígenas en San Martín
12:30 – 13:00	Traslado a restaurante local
13:00 – 14:30	Almuerzo en restaurante local Moyobamba
14:30 – 16:30	Traslado de Moyobamba al Tarapoto *Movilidad coordinada por el IDEHPUCP Responsables: Mario Cépeda y Gustavo Zambrano
16:30 – 18:30	Tarde libre
18:30 – 19:00	Traslado al aeropuerto de Tarapoto *Movilidad coordinada por el IDEHPUCP Responsables: Mario Cépeda y Gustavo Zambrano

ANNEX 6. FINAL METHODOLOGICAL MEETING AGENDA.

Encuentro final Bogotá 3-5 de Agosto

Hotel:

Nombre: Hotel BH Bicentenario.

Dirección: Cra 4 No 16-03, 111711 Bogotá, Colombia.

Teléfono: (1) 7470744

Instrucciones Evento abierto al público:

El jueves 4 de julio realizaremos un evento con el fin de exponer los resultados de la investigación, invitando a estudiantes de maestría, doctorado y profesores. El evento consistirá en tres paneles, donde cada uno tendrá 10 minutos para exponer y luego procederá con sus comentarios un comentarista.

La idea es que el evento gire alrededor del tema de la participación, por lo cual la exposición debe estar concentrada en el capítulo del libro, y en hallazgos teóricos. Por favor no se centren sólo en describir los estudios de caso, ya que la idea es aprovechar esta oportunidad para profundizar las discusiones teóricas del proyecto.

Para esto es muy importante **que el DOMINGO 30 DE JULIO envíen sus escritos del capítulo del libro**, ya que el lunes a primera hora debo enviar el documento al comentarista para que pueda leerlo para la presentación. Con esto les recuerdo la importancia de cumplir con los plazos, ya que tenemos que respetar el tiempo de los comentaristas y ellos no pueden correr a leer nuestros trabajos, se acordó que tendrían cuatro días para realizar un trabajo de calidad y de no cumplir con esto no participarían en el evento.

Agenda General del evento

		Miércoles 3 de Julio	Jueves 4 de Julio	Viernes 5 de Julio
Hora		Presentaciones de trabajo de campo: resultados de política pública.	Presentaciones de trabajo de campo: resultados de política pública	Discusión de textos académicos.
8:00	8:30 a.m.	Exposición equipo Perú	Exposición equipo Colombia	Discusión de textos Ecuador
8:30	9:00 a.m.			
9:00	9:30 a.m.			
9:30	10:00 a.m.	Exposición equipo Brasil	Refrigerio	Refrigerio
10:00	10:30 a.m.			
10:30	11:00 a.m.	Refrigerio	Discusión textos Perú	Discusión Textos Bolivia
11:00	11:30 a.m.			

11:30	12:00 p.m.	Explicación próximos informes		
12:00	12:30 p.m.			
12:30	1:00 p.m.	Explicación equipo Bolivia	Almuerzo	Almuerzo
13:00	1:30 p.m.			
13:30	2:00 p.m.			
14:00	2:30 p.m.	Almuerzo	Discusión textos Colombia	Discusión de textos Brasil
14:30	3:00 p.m.			
15:00	3:30 p.m.			
15:30	4:00 p.m.	Explicación equipo Ecuador		
16:00	4:30 p.m.			
16:30	5:00 p.m.			
17:00	5:30 p.m.		Evento abierto al público	
17:30	6:00 p.m.			
18:00	6:30 p.m.			
18:30	7:00 p.m.	Recogida en el hotel y transporte al restaurante	Transporte al restaurante	
19:00	7:30 p.m.			
19:30	8:00 p.m.	Cena	Cena	
20:00	8:30 p.m.			

AGENDA DEL EVENTO ABIERTO

5:00 p.m.	5:10 p.m.	Apertura: René Urueña	
5:10 p.m.	5:20 p.m.	Panel 1	Participación y descentralización: el caso de las comunidades indígenas en la región de San Martín, Perú
5:20 p.m.	5:30 p.m.		Participación para el acceso al agua de comunidades indígenas
5:30 p.m.	5:40 p.m.		Comentarista: Daniel Bonilla
5:40 p.m.	5:50 p.m.		
5:50 p.m.	6:00 p.m.	Panel 2	Asentamientos Irregulares y Participación Ciudadana
6:00 p.m.	6:10 p.m.		Comentarista: María Angélica Prada
6:10 p.m.	6:20 p.m.	Panel 3	Participación y protección de defensores de derechos humanos amenazados de muerte en el Estado de Pará
6:20 p.m.	6:30 p.m.		Construcción de una propuesta de reparación desde abajo: participación de mujeres afrocolombianas en Buenos Aires- Cauca, Colombia.
6:30	6:40		Comentarista: Miguel Rábago.

p.m.	p.m.		
6:40	6:50		
p.m.	p.m.		

ANNEX 7. THEORETICAL FRAMEWORK.

Introducción

Los primeros esfuerzos adelantados en el proyecto sobre participación ciudadana en Latinoamérica se han centrado en entender, promover y fortalecer la participación ciudadana a nivel local, específicamente, en las áreas de influencia de cada uno de los grupos de investigación. Es así como las experiencias de Perú, Bolivia, Brasil, Ecuador y Colombia, permiten crear vínculos con la comunidad, diseñar estrategias conjuntas, y entender los retos que supone lograr impactos positivos para las personas con las que se adelanta el proyecto.

Pese a lo anterior, el trabajo con la comunidad debe ser guiado por un análisis teórico y jurídico que permita emplear las lecciones aprendidas para realizar un diagnóstico de la utilidad, las debilidades y la pertinencia de los modelos de participación que se han incorporado en cada país. Este análisis es de gran importancia, porque los países estudiados cuentan con una legislación reciente en esta materia¹⁶ que requiere ser evaluada, ya que esta estructura los foros en los cuales la comunidad puede materializar su participación.

En consecuencia, el estudio de la participación ciudadana debe partir de un fuerte componente teórico, que distinga las distintas concepciones que existen sobre la participación, sus implicaciones y su interacción. No se debe perder de vista que el proyecto “From global rights to local practices: Fostering participation at the micro-level in Latin America” parte del reconocimiento de la interacción existente entre la esfera global y la local, por lo cual la labor principal del componente teórico del proyecto es trazar una ruta que permita entender los debates sobre participación a nivel global, usar este conocimiento para entender mejor la realidad local, y emplearlo para buscar estrategias de impacto en ambos niveles.

A continuación se realizará una síntesis del marco teórico de la investigación, creando un lenguaje común que permitirá relacionar los diferentes casos de estudios, y facilitará plantear las estrategias de impacto.

Clasificación de prácticas de participación ciudadana

De acuerdo a las concepciones generales de sobre la participación, se pueden identificar al menos tres grandes definiciones o conceptos de participación; la participación para la gobernanza; la

¹⁶ Perú: Ley De Los Derechos De Participación Y Control Ciudadanos 2009, Ley Orgánica de Gobiernos Regionales, Ley Orgánica de Municipalidades ; Colombia: Ley Estatutaria de Participación ciudadana L134/11; Ecuador: Ley Orgánica de Participación ciudadana 2010; Bolivia: Ley de Participación Popular (1994), Ley de Descentralización Administrativa, Constitución Política de Bolivia 209 Art 40, Ley marco de Autonomías y Descentralización, Ley del Régimen Electoral.

participación como derecho; y la participación para el empoderamiento o la movilización social¹⁷. La diferencia entre cada uno de estos conceptos radica en sus objetivos y en el nivel de poder de decisión e influencia que se considera que debe atribuírsele a la ciudadanía que es alentada a “participar”.

Al respecto, es pertinente partir de la escala propuesta por Sherry Arnstein¹⁸, donde este clasifica distintas prácticas de participación de acuerdo al poder que otorgan a los ciudadanos para decidir sobre los asuntos sobre los cuales participan.

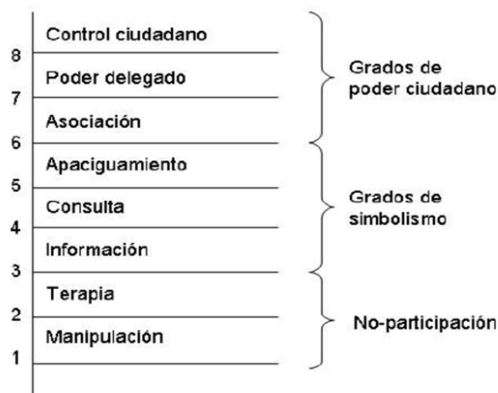


Figura 1. Grados de Participación y no Participación. Fuente. Repositorio Institucional de la Universidad de Alicante. Online: http://rua.ua.es/dspace/bitstream/10045/16699/2/ESCALERA_ARNSTEIN_1969.pdf

Esta clasificación se realiza desde la perspectiva de la participación como herramienta de empoderamiento de la ciudadanía, concepción afín al autor del texto. Sin embargo, es muy útil para situar las prácticas que se realizan a nivel nacional y global bajo el título de participación:

1. Manipulación. Bajo el título de manipulación el autor clasifica la práctica de consolidar comités o juntas consultivas donde los delegados del gobierno/empresas se acercan a la población que se ve involucrada en un proyecto o situación de su interés para “educarla”, persuadirla de las bondades del proyecto/acción que quiere adelantarse, y aconsejarla. Esta práctica está marcada por la omisión de información o falta de claridad, por no generar espacios para que la población que participa pueda aportar sus opiniones e ideas, y manifiesta una idea utilitarista de la participación, donde sólo se busca mostrar que hubo un acercamiento a la población. Adicionalmente, estas prácticas pueden tener como finalidad lograr que los participantes manifiesten su aprobación a las acciones que se realizarán en la zona, firmando documentos para este efecto.
2. Terapia. Este nivel de análisis se da en situaciones donde la población ha sufrido perjuicios debido a factores como la discriminación, desigualdad, y/o fallas en la prestación de servicios a cargo del Estado. En este caso, la participación se observa como espacios donde

¹⁷ Ver: LEMAITRE, Julieta (2013). Diálogo sin debate. Revista de Derecho Público No 31. Facultad de Derecho. Universidad de los Andes.

¹⁸ Ver: ARNSTEIN, Sherry (1969). A ladder of citizen Participation. Journal of the American Institute of Planners, vol. 35, no. 4, Julio 1969, pp. 216-224.

las víctimas son tratadas para que superen o se curen de las “patologías” que desarrollaron, sin reconocer los factores estructurales que fueron la verdadera causa de la situación de esta persona.

El autor da como ejemplo el caso de un padre que va a la junta local porque debido a una mala práctica médica falleció su hijo. En este caso, cuando el padre se comunica con la junta para exponer el caso, quejarse y buscar soluciones para que estas situaciones nos vuelvan a presentarse, es remitido a un grupo de apoyo creado para personas que experimentaron situaciones similares, sin que se reconozca o implementen soluciones al problema estructural.

3. Información. Se refiere a iniciativa enfocada a informar a los ciudadanos ya sea acerca de sus derechos, de un proyecto, iniciativa, etc. Sin embargo, la comunicación se da en una sola vía, sin que existan mecanismos para que las personas puedan expresar sus inquietudes, preguntas, opiniones u objeciones.
4. Consulta. La consulta consiste en habilitar espacios o mecanismos para que la ciudadanía pueda opinar, sin que existan garantías de que sus ideas o manifestaciones se tendrán en cuenta.
5. Apaciguamiento. Este nivel comienza a introducir un pequeño espacio para que algunas personas de la ciudadanía tengan influencia en algunas decisiones. El autor describe espacios en los cuales algunos líderes son seleccionados para ser parte de comités, pero el rasgo principal es que no se alteran las estructuras de poder, por lo cual las personas que tradicionalmente tenían el poder, aún son quienes toman las decisiones más importantes.
6. Asociación. Los últimos tres niveles implican una redistribución de poder, la asociación genera espacios donde las decisiones se toman mediante negociaciones reales entre quienes tradicionalmente han tenido el poder y la población civil. En este caso se requiere de una comunidad organizada y que cuente con líderes comprometidos, que puedan dedicarse a este trabajo como sustento.
7. Poder delegado. Este peldaño de la escalera puede evidenciarse en dos situaciones, 1) los ciudadanos logran tener un peso mayor en las negociaciones, por lo cual la balanza del poder comienza a inclinarse más hacia su lado; 2) los ciudadanos tienen poder de veto, en caso de que las negociaciones con el poder central no permitan llegar a acuerdos razonables para ambos.
8. Control ciudadano. Finalmente, el último escalón en la escalera de los escenarios de la participación consiste en espacios específicos donde los ciudadanos tienen total control. Esto no implica la desaparición de un poder central, sino el control de la ciudadanía de ciertos espacios o programas que los afectan directamente.

Este nivel, si bien implica el grado más alto de participación, puede verse viciado si la población no tiene los recursos para poner en marcha sus proyectos, o si este espacio es

coaptado por personas cuyo interés principal no son los intereses de la ciudadanía sino aprovechar este espacio para aspiraciones políticas individuales.

Las reflexiones de Arnstein son muy interesantes, ya que a pesar de que cada tipo de práctica suele ser más afín a un concepto específico de participación, permite que se analicen las características de la participación a mayor detalle. Uno de los retos de la investigación será identificar qué tipo de prácticas se realizan, y con cuáles conceptos de participación están relacionadas.

Conceptos de participación ciudadana

De acuerdo a lo anterior, la participación puede entenderse en al menos tres formas: información, consulta y posibilidad de tomar de decisiones. Estos tres escenarios van ligados a una pregunta central ¿por qué se participa?

Se han identificado tres corrientes que aportan diferentes respuestas; la participación para la gobernanza, la participación como derecho, y la participación para el empoderamiento de la población.

Participación como gobernanza.

La participación como gobernanza nace de una aproximación donde esta es entendida como una herramienta para garantizar un buen gobierno, por lo cual se promueve que existan espacios para que las ciudadanía pueda involucrarse en las políticas que los afectan.

Este enfoque es afín a figuras como las agencias regulatorias, y esta presente en las políticas de agencias de desarrollo como el Banco mundial y el Banco Interamericano. Las agencias regulatorias, entendidas como instituciones que regulan de acuerdo a criterios técnicos sin la intromisión del gobierno¹⁹, encuentran en la participación una forma de evaluar políticas directamente con sus *beneficiarios*.

Al respecto la OECD resalta la necesidad de exaltar el “rol estratégico de la ciudadanía”:

“Los enfoques tecnocráticos para el cambio institucional y las reformas legales fallan sin una demanda local efectiva para el cambio, expresada a través de la consolidación de grupos locales y fortalecimiento habilidades locales para construcción de bases y participación nacional. A través del diálogo sobre las políticas y la capacidad de construcción, los donantes pueden apoyar de forma efectiva el rol estratégico de la sociedad civil.”²⁰

¹⁹ Ver: YEUNG, K. (2010). The Regulatory State. In M. & R. Baldwin (Ed.), *Oxford Handbook of Regulation* (pp. 64-85). Oxford: Oxford University Press; Moran, *The Rise of The Regulatory State of the South* (pp. 1-23). Oxford University Press.

²⁰ Original: “Technocratic approaches to institutional change and legal reform fail without effective local demand for change, expressed through local constituencies and locally-based skills for building grassroots and national participation. Through policy dialogue and capacity building, donors can effectively support the strategic role of civil society” OECD. Final Report Of The Ad Hoc Working Group On Participatory

Por su parte, el Banco Mundial ha afirmado que en principio una ciudadanía comprometida permite mayor cooperación, y facilita la rendición de cuentas del gobierno. Se afirma que,

*"la participación local se propone como un método para lograr una variedad de objetivos, incluyendo mejorar la manera de determinar la pobreza, optimizar de la prestación de servicios, expandir las oportunidades de sustento, y fortalecer de la demanda de un buen gobierno."*²¹

Estas aproximaciones han sido definidas por la Organización para la Cooperación y Desarrollo Económicos (OECD) bajo el nombre de "gobernanza participativa". Este modelo introduce a la gobernanza tradicional²², mecanismos participativos para garantizar transparencia, información suficiente para lograr un proceso de toma de decisiones eficiente, y reducción de la pobreza.

Los ejes centrales sobre los cuales se fundamenta la participación como herramienta para la gobernanza son:

- a. Obtención de Información. Una de las razones por las cuales la participación ofrece grandes beneficios a los reguladores, es la obtención de información valiosa para la planeación e implementación de políticas²³.

La información que brinda la comunidad puede ser empleada en distintas etapas de los proyectos o reformas, por ejemplo, en un primer momento se puede determinar cuáles son los intereses que cada grupo tiene sobre el proyecto, así como su influencia sobre este. Este proceso inicial es denominado análisis de interesados, y es un insumo muy valioso para la etapa de diseño de políticas²⁴.

Otro enfoque relevante para todas las etapas del proyecto es el análisis de beneficiarios (beneficiary assessment). *La evaluación de beneficiarios es una investigación sistemática en los valores de las personas y el comportamiento en relación con una intervención planeada*

Development And Good Governance. Paris, 1997. Pág. 3. Disponible en: <http://www.cmi.no/library/online/OECD.DACfinal.pdf>

²¹ Original: "local participation is proposed as a method to achieve a variety of goals, including sharpening poverty targeting, improving service delivery, expanding livelihood opportunities, and strengthening demand for good governance". Ver: MANSURI & RAO (2013). Localizing Development Does Participation Work?. Disponible en línea: <https://openknowledge.worldbank.org/handle/10986/11859>

²² La gobernanza se define como el "ejercicio de autoridad y control en una sociedad en relación al manejo de recursos para el desarrollo social y económico". Ver: OECD. Final Report of the Ad Hoc Working Group on Participatory Development and Good Governance.

²³ SCHNEIDER, Hartmut. Participatory Governance: The Missing Link for Poverty Reduction. OECD DEVELOPMENT CENTRE. POLICY BRIEF No. 17. 1999. Disponible en: <http://www.oecd-ilibrary.org/docserver/download/519t4httpwq6g.pdf?expires=1442235684&id=id&accname=guest&checksum=237CE30D78DE41F64239080AC52D5942>

²⁴ BANCO MUNDIAL. Apéndice. Kit de instrumentos para la evaluación del impacto distribucional y en la pobreza de políticas económicas y del Social Analysis Sourcebook, 2003. Disponible en: http://siteresources.worldbank.org/INTPSIA/Resources/490023-1121114603600/14598_Psia_Users_Guide_-_Annex_-_Spanish_-_May_2003.pdf

o en curso para el cambio social y económico²⁵, donde se utilizan principalmente tres métodos: (1) entrevistas conversacionales (2) discusiones con grupos de enfoque y (3) observación directa y participativa.

b. Eficiencia. De la mano con la recolección de información, la participación bajo la concepción de la gobernanza se enfoca en lograr los mejores resultados posibles de forma eficiente, es decir, que se gaste la menor cantidad de dinero y tiempo posibles.

Este enfoque está inmerso en la metodología de Evaluación Rural Participativa (ERP) del *Participation Sourcebook* del Banco mundial, donde uno de los factores que se resaltan es la “ignorancia óptima”, la cual se basa en el postulado de que para ser eficiente en dinero y tiempo el trabajo de ERP limitarse a recolectar sólo la información necesaria para hacer recomendaciones y tomar decisiones²⁶. Debido a lo anterior, estos trabajos suelen tener una duración corta, por ejemplo, la mencionada evaluación de beneficiarios es pensada para un periodo de tres a cuatro meses, de acuerdo al *Analysis Sourcebook* del Banco Mundial²⁷.

Finalmente, es importante resaltar que con estas metodologías participativas no solo se busca gastar la menor cantidad de dinero, sino que en sí mismas tienen costos bajos, por lo cual el margen de ganancia entre la inversión económica y la información obtenida es mayor²⁸.

c. Legitimización del gobierno. Debido a que los procesos de participación facilitan llegar a consensos y brindan a la población la sensación de ser escuchadas, el gobierno o agencia que los emplea parece lograr mayor legitimidad. Además, dependiendo del impacto de la participación en el diseño o implementación de políticas, se genera una percepción de justicia social que también es favorable en cuestión de imagen para el gobierno²⁹.

d. Transparencia y rendición de cuentas del gobierno. Otra de las ventajas de la participación en la gobernanza es que la ciudadanía se convierte en un constante observador, por lo cual es posible que denuncie casos de corrupción, ineficiencia en los proyectos, entre otros³⁰.

Comprometer a la ciudadanía con la realización de proyectos y políticas permite mejorar los procesos de rendición de cuentas de los gobiernos. La rendición de cuentas o “accountability” es un concepto que describe la relación de poder entre dos partes, entendiendo que el

²⁵ Original: Beneficiary assessment is a systematic inquiry into people's values and behavior in relation to a planned or ongoing intervention for social and economic change. SALMEN, Lawrence. Beneficiary Assessment An Approach Described. Banco mundial. Paper Number 10, August 2002. Disponible en: <http://siteresources.worldbank.org/INTRANETSOCIALDEVELOPMENT/873467-1111741676294/20502175/sdp10.pdf>

²⁶ BANCO MUNDIAL. (1996). *The World Bank participation Sourcebook*. Washington: The World Bank. Pág. 191. Disponible en: http://www-wds.worldbank.org/servlet/WDSContentServer/IW3P/IB/1996/02/01/000009265_3961214175537/Rendered/PDF/multi_page.pdf

²⁷ Op.cit. BANCO MUNDIAL, 2003. Pág. 58.

²⁸ Op. Cit. LEMAITRE, Julieta (2013). Pág.

²⁹ Ibíd. Pág. 13.

³⁰ Op.cit. MANSURI & RAO. Pág. 17.

proveedor asume una obligación en beneficio de la otra parte (los ciudadanos) bajo condiciones que permitan a los beneficiarios de forma eficiente exigir el cumplimiento de esta obligación³¹.

Teniendo en cuenta que la participación en la creación de políticas y proyectos tiene un enfoque de eficiencia, planeación y desarrollo, los procesos con la comunidad suelen ser inducidos por el gobierno, agencias de cooperación o entidades que realizan donaciones para estos fines. En la literatura, se distingue la participación inducida de la orgánica, es decir, aquella *impulsada por grupos civiles que actúan de forma independiente del gobierno, y con frecuencia en oposición a él*³².

El análisis de estas políticas tiene que tener en cuenta esta característica, ya que si bien se reconoce que la participación orgánica es importante, los objetivos de este enfoque es distinto. La participación inducida intenta *promover la acción cívica a través de intervenciones de desarrollo gestionados burocráticamente*³³, por lo cual no puede entenderse bajo los mismos parámetros que la participación que es alentada directamente por los líderes comunitarios de forma espontánea.

Por último, se debe aclarar que a pesar de que la participación es inducida, esto no implica que no pueda estar dirigida beneficiar a la comunidad, o a promover la descentralización, apostando por fortalecer los gobiernos locales para garantizar la participación desde los mecanismos tradicionales.

Participación como derecho

La participación como derecho es un concepto estrechamente ligado con los cambios constitucionales de que se dieron en Latinoamérica, principalmente, en los años 90's. Uno de los rasgos comunes entre las diferentes reformas, fue la tendencia a fortalecer los espacios de participación y la democracia, más allá de la democracia representativa.

Las reformas se concentraron en varias aproximaciones, entre ellas el fortalecimiento de los mecanismos de democracia directa (consultas populares y referendos) y la creación de instancias ciudadanas de control de gestión pública³⁴. Además, desde el punto de vista de la organización territorial, se fortalecieron mecanismos descentralización, otorgando un mayor número de competencias a las entidades locales y recursos.

³¹ CLIPPINGER, LIANG, FISHER, et al (2014). Accountability through Civic Participation in the Post-2015 Development Agenda. United Nations Development Programme. Pág. 2.

Disponible en: http://www.undp.org/content/dam/undp/library/MDG/Post2015/f_UNDP-NYU_Accountability-Post-2015_web.pdf

³² MANSURI &RAO (2012). Can Participation Be Induced? Some Evidence from Developing Countries. Policy Research Working Paper 6139.

³³ Op.cit. MANSURI & RAO (2013).

³⁴ UPRIMNY, Rodrigo (2011). Las reformas constitucionales recientes en América Latina: Tendencias y Desafíos. En: El derecho en América Latina Un mapa para el pensamiento jurídico del siglo XXI. Edit. Siglo veintiuno editores. Pág. 109-137. Disponible en: http://www.canaljusticia.org/files/r2_publicaciones_archivos/fi_name_archivo.11.pdf

Recordando el concepto de participación inducida, estos mecanismos constitucionales apuestan por institucionalización de la participación, generando la necesidad de entrar a estos espacios regulados para así llegar a tener impacto en la regulación local o nacional. Es interesante, analizar las particularidades constitucionales de cada país, sus mecanismos y la efectividad de los mismos; una pregunta que surge de esta aproximación es cómo la participación orgánica entra a jugar en estos espacios, qué efectos y limitaciones representa para los ciudadanos que se movilizan.

Si bien el derecho a la participación está reconocido y goza autonomía, su contenido en términos de distribución de poder no es muy claro. De acuerdo al artículo 25 del Pacto Internacional de Derechos Civiles y Políticos, el derecho a la participación se debe enmarcar en el derecho al voto y el derecho a hacer parte de los órganos de gestión pública a nivel nacional o local³⁵; ¿pero qué pasa con la participación que nace fuera de los espacios institucionalmente reconocidos?

Si bien cada Estado tiene una regulación específica, para la profesora Julieta Lemaitre resulta evidente que el derecho a la participación (fuera del espectro del derecho al voto) implica simplemente un derecho a ser escuchado, y no a tener incidencia en la toma de decisiones. Desde el punto de vista jurídico, la participación se ha ligado a la dignidad humana, la cual no logra generar una distribución de poder, porque la limita a un derecho a poder expresar su situación. Un ejemplo concreto de esto, se da en el marco jurídico colombiano, donde la Corte Constitucional de este país reconoció el derecho de los desplazados por el conflicto a participar en las políticas que los afecten. Para la Corte, expresar su situación y ser escuchados en el proceso de toma de decisiones que los afectan, hace parte del respeto a su dignidad humana, sin embargo no implica trasladarles el poder de tomar decisiones³⁶.

Por otra parte, es pertinente analizar el desarrollo que ha hecho la Corte Interamericana de Derechos Humanos en materia de consulta previa de pueblos indígenas, el cual implicado un fuerte impacto en materia de distribución de poder, pero no en términos de derecho a la participación. La consulta previa les otorga a estos pueblos un derecho más allá de la mera manifestación de su opinión, ya que estos deben consentir cualquier intromisión en su territorio, imponiendo al estado múltiples obligaciones. Si bien este tema es mucho más complejo, en términos de derecho, la protección de los pueblos indígenas no se invoca por el derecho a la participación, sino por el desarrollo del derecho a la propiedad y a la identidad cultural³⁷, lo cual refleja las limitaciones de este concepto.

Finalmente, se puede resumir el derecho a la participación en tres eje:

- a.** Inclusión política. Expresión de intereses y preferencias en políticas públicas que afecten a una población concreta.
- b.** La justicia: la justicia como distribución de bienes primarios, requiere que el Estado debe escuchar al ciudadano, “si bien ello no implica que el Estado va a distribuir los bienes sociales de

³⁵ Ver por ejemplo: Corte IDH. Caso Yatama Vs. Nicaragua, Corte IDH. Caso Manuel Cepeda Vargas Vs. Colombia, entre otros.

³⁶ Op. Cit. LEMAITRE. Pág. 20.

³⁷ Corte IDH (2012). Caso Pueblo Indígena Kichwa de Sarayaku Vs. Ecuador. Pár. 232.

acuerdo con todos los reclamos, si requiere que se les escuche antes de decidir cómo hacer la distribución”.

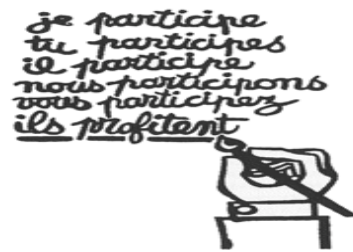
c. El autogobierno: Este rasgo se debe entender bajo los mecanismos establecidos de democracia directa.

Participación para el empoderamiento.

El último concepto, concibe la participación como método de empoderamiento de la ciudadanía. Para abordar este tema, es pertinente retomar el análisis de Arnstein respecto a las diferentes prácticas que se pueden llevar a cabo bajo el título de participación, ya que estas son divididas en tres categorías:

- La primera, que recoge la manipulación y la terapia, no puede ser entendida como participación, ya que estas prácticas son un ejercicio de poder de “arriba hacia abajo”, donde el regulador solamente tiene la intención de educar o intentar que el ciudadano supere una situación que él ha causado, sin asumir ningún tipo de responsabilidad u acción concreta.
- La segunda categoría hace referencia a tres grados de simbolismo, donde se da el espacio para escuchar al ciudadano, o para que este presente en discusiones respecto a temas de su interés, pero en realidad no hay una redistribución de poder. La característica central de esta categoría es que la decisión final, sigue en manos de el regulador tradicional, a pesar de que puedan darse espacios que aparentan ser deliberativos e inclusivos con la ciudadanía.
- El último nivel, implica que la ciudadanía tiene la capacidad real de tomar decisiones, o influir en estas. El punto central para determinar si se está ante el máximo nivel de participación, es que se altere la estructura de poder, permitiendo cambiar las circunstancias que mantenían oprimida o excluida a la población.

Cartel de estudiante francés. En español, "yo participo, tu participas, él participa, nosotros participamos, ustedes participan, ellos se benefician". ARNSTEIN, Sherry (1969).



El empoderamiento supone entonces, prácticas que eliminen las jerarquías, de tal forma que todos participantes y sus aportes sean reconocidos. Además, son espacios de transformación social ya que permiten generar una conciencia de grupo, donde las personas pueden identificar problemas comunes y de esta forma se promueve la “acción movilizadora”³⁸.

Crítica a la participación para la gobernanza o desarrollo participativo.

³⁸ Cit. LEMAITRE. Pág. 27.

A pesar de que las prácticas participativas deben observarse una a una para determinar si son prácticas simbólicas, de empoderamiento o simplemente no son verdaderamente participativas, existe una fuerte crítica al concepto de desarrollo participativo. Dentro de las prácticas de desarrollo o gobernanza a través de la participación, se han identificado prácticas que chocan directamente con el concepto de participación para la gobernanza³⁹:

- Los facilitadores de este tipo de actividades pueden anular procesos de toma de decisiones anteriores que son legítimos, para acoplarlos a las dinámicas que considere adecuadas.
- Los facilitadores refuerzan mediante su intervención decisiones de aquellos que tenían poder.
- Los métodos participativos pueden expulsar a aquellos que ya tienen ventajas que la participación no les puede dar.

De acuerdo al trabajo de COOKE & KOTHARI, se evidencian las principales preocupaciones de la participación para la gobernanza o el desarrollo, ya que si bien el sustento de estas políticas es promover el empoderamiento, suelen limitarse a la recolección de información y buscar legitimación, y terminan perpetuando las dinámicas de dominación que en teoría buscan eliminar. Además, estos autores evidencian a través del estudio de casos concretos como estas políticas suelen trasladar costos a los beneficiarios, siendo estos llamados a participar en sacrificio de sus horas de trabajo, y en ocasiones empujados realizar contribuciones en especie (por ejemplo en trabajos de construcción, de supervisión, etc.).

Sin embargo, es importante resaltar que estos problemas, inequidades y abusos con las personas llamadas a participar pueden darse en todo tipo de escenarios, incluso en los proclaman que buscan empoderar a la población, ya que estos problemas solo pueden analizarse en la práctica y puesta en marcha de los proyectos, e incluso las dinámicas pueden pasar de un nivel alto de participación, a uno inexistente en diferentes etapas de un mismo proyecto.

Dinámicas de la participación

La clasificación de Arnstein es muy útil para identificar niveles de distribución de poder hacia los beneficiarios o la comunidad marginada, sin embargo, existe una dinámica mucho más compleja a la hora de analizar la participación, frente a lo cual Sarah White⁴⁰ hace un gran aporte:

³⁹ COOKE & KOTHARI (2001). *Participation the New Tiranny?* Zed Books, New York.

⁴⁰ WHITE, Sarah. *Depoliticising development: the uses and abuses of participation*. *Development in Practice*, Vol. 6, No. 1 (Feb, 1996), Pág. 6-15.

Para White lo primero que se debe reconocer al abordar la participación, es reconocer que se trata de asunto político. Todos los actores de estas políticas, tanto ciudadanos como reguladores, tienen intereses distintos, por lo cual se debe analizar cada escenario.

Tabla 1. Intereses en participar			
Forma	De arriba – Abajo. (interés de quien diseña la política)	De abajo – arriba (intereses de los participantes)	Función
Nominal. La participación así como las personas que lo componen no están realmente involucradas.	Legitimación Permite mostrar que se están tomando acciones inclusivas, aunque no existan en la práctica.	Inclusión Hacen parte de los grupos por si esto les puede traer beneficios de préstamos, etc. Pero no hay participación.	Evidenciar Se aparenta que se esta fomentando la participación.
Instrumental	Eficiencia Tiene un costo bajo en recursos, y se optimiza obligando a que la comunidad aporte.	Costo Para los involucrados la participación es el costo del servicio que recibirán, ya que implica tiempo y trabajo.	Medio La participación es el medio para conseguir un beneficio.
Representativa	Sostenibilidad Las recomendaciones e información de la comunidad ayuda a que la regulación sea viable.	Apalancamiento La comunidad tiene voz en la construcción de la política o proyecto.	Voz
Transformativa.	Empoderamiento Los reguladores son solo facilitadores para la comunidad.	Empoderamiento Poder de decisión y planeación.	Medio/Fin

De acuerdo a este cuadro, se refuerza la idea de cómo la participación puede ser empoderadora, o puede mantener estructuras de poder, dependiendo de las dinámicas que se presenten entre los intereses de las partes. Para la autora, hay que tener en cuenta que la participación es un lugar de lucha porque los intereses de las partes no suelen ser iguales y existen constantes enfrentamientos.

Uno de los grandes retos del proyecto es comprender las dinámicas de poder, ya que si bien todos los autores pueden usar los mismos términos, las definiciones e implicaciones son distintas.

“Si la participación significa más que una fachada de buenas intenciones, es vital distinguir con mayor claridad cuáles son estos intereses. Esto ayudará a mostrar lo que muchos han sospechado durante mucho tiempo: que a pesar de que usamos las

*mismas palabras, los significados que les damos pueden ser muy diferentes*⁴¹.

Finalmente, es importante resaltar que a pesar de que el cuadro muestra unas dinámicas establecidas, esto no implica que debido a la interacción entre las partes, los intereses de cada uno puedan modificarse con el tiempo.

Investigación Acción Participativa

La metodología de la Investigación Acción Participativa (IAP) parte de una idea en general: la “ciencia” es una construcción cultural, y como tal, no presenta una verdad o una respuesta “objetiva”, solo la visión de una clase o grupo minoritario que tiene un modelo de organización social y de valores que considera adecuados⁴².

En ese sentido, la IAP esta basada en el mismo postulado de la participación como empoderamiento, por lo cual, presupone que la investigación que se realiza con la comunidad no puede tener una jerarquía entre los investigadores y la comunidad. La IAP se fundamenta en la relación entre sujetos, no entre investigador y objeto de estudio, por lo cual toda la construcción de la investigación debe provenir de un aporte de ambas partes.

Al igual que en el cuadro de White, al tratarse de una labor de empoderamiento, el investigador es un facilitador para la comunidad, donde su apoyo se traduce en términos de aporte de conocimiento. La IAP debe garantizar tres puntos centrales:

- Que se defina con la comunidad sus preocupaciones y problemas concretas, más allá del propósito de investigación.
- Que se diseñen estrategias conjuntas para apoyar la solución de problemas urgentes que afronte la población.
- Que los productos académicos que se realicen con base al trabajo con la comunidad debe ser compartido con ella. Teniendo en cuenta que pueden existir barreras por el lenguaje técnico que se emplee en el ámbito académico, el investigador debe garantizar que existan materiales para todo público, con un lenguaje técnico y otro coloquial.

Al mismo tiempo, y pese a que la IAP busca romper con las idea de ciencia desde su definición occidental, se reconoce que muchas de las herramientas desarrolladas por la investigación “tradicional”, pueden ser útiles para redefinir y visibilizar el conocimiento que ha sido excluido de los discursos dominantes, a los que actualmente se les categoriza como extra científicas, sobrenaturales o expresiones artísticas/culturales. Por esta razón es importante tener en cuenta que el uso de herramientas cualitativas que pueden utilizarse en este tipo de investigaciones, no necesariamente implica que se este realizando una verdadera investigación acción participativa.

Conclusiones

⁴¹ Ibíd. Pág.143.

⁴² Borda, F. (1992). La Investigación Acción Participativa Inicios y Desarrollos. Bogotá: Cooperativa Editorial Magisterio.

En el marco del proyecto de las prácticas globales a prácticas locales se reconoce que existen diferentes niveles de participación, dependiendo de la capacidad de influencia que tengan los ciudadanos en la toma de decisiones que los afecten. Por esta razón, en análisis de las dinámicas de poder es fundamental, y para lograr establecer las características de cada caso es pertinente plantearse las siguientes preguntas:

Participación inducida	Participación orgánica
¿El proceso de participación ha sido inducido por un agente regulador o por el grupo de investigación?	¿Se trata de una participación orgánica a la cual investigador se ha vinculado?
¿Cuál es el interés o intereses de la comunidad en participar?	¿El gobierno u otro foro global tiene espacios de participación a los que pueda acceder la comunidad?
¿Cuál es el interés del gobierno/agente regulador con este proceso participativo?	De existir, ¿Qué función cumple la participación en este foro?
¿Qué función cumple la participación en el caso de que se trate de un escenario inducido?	¿La función de los foros existentes es acorde a los intereses de la comunidad?
¿Cual es el nivel de poder de toma de decisiones de la comunidad en las estrategias que se plantean para mejorar su problemas locales?	¿Dentro de la comunidad existen diferentes intereses?, ¿Cuáles? ¿Pueden ser conciliados o priorizados para lograr una acción conjunta?
¿Qué cambios se dieron en la distribución de intereses de las partes durante el proceso?	¿Qué cambios se dieron en la distribución de intereses de las partes durante el proceso?

Por otra parte, la metodología de Investigación Acción Participativa (IAP) es un punto central en el desarrollo de cada caso de estudio, ya que permite fortalecer la relación entre la academia y la comunidad, generando una relación más cercana y de colaboración. Sin embargo, debido a que la investigación misma genera unas relaciones complejas entre la comunidad y los investigadores, es importante realizar una constante revisión respecto al nivel de participación que maneja la investigación misma:

Preguntas metodológicas

- ¿Cual es el nivel de poder de toma de decisiones de la comunidad en la investigación?
- ¿Qué cambios se dieron en la distribución de intereses de las partes durante el proceso?,
- ¿De acuerdo a los parámetros de COOKE & KOTHARI, se han anulado o redirigido procesos de toma de decisiones de la comunidad? De ser así, ¿qué función se quería cumplir?
- ¿La investigación contribuye a la redistribución de poder, o de alguna forma mantiene el poder en los líderes o grupos que ya lo tenían?
- ¿Qué puede aportar a la comunidad en términos de conocimiento, influencia, visibilidad,

etc.?

Por último, la investigación puede realizar grandes aportes para la comprensión de la participación, ya que combina casos de participación orgánica e inducida, distribuciones de poder distintas, y todos los conceptos de participación analizados. De acuerdo a las categorías introducidas, no solo se pueden buscar ángulos de incidencia global, sino una análisis de actores mucho más complejo (comunidad con sus subdivisiones, gobierno local, gobierno nacional y agentes reguladores a nivel global).

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ANNEX 8. RELATÓRIO DO PROGRAMA DOS DIREITOS GLOBAIS ÀS PRÁTICAS LOCAIS: REFORMA CONSTITUCIONAL E PARTICIPAÇÃO NA AMÉRICA LATINA.

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ANNEX 9. QUESTIONÁRIO SOBRE MECANISMOS NACIONAIS DE PROTEÇÃO DE DEFENSORES DOS DIREITOS HUMANOS.

Submitted to the Interamerican Human Rights Commission.

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ANNEX 10. OFICINA REGIONAL DE DESARROLLO DE LOS PUEBLOS INDÍGENAS DE SAN MARTÍN: BREVE BALANCE TRAS CINCO AÑOS.

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ANNEX 11. PROYECTO DE LEY- LEY DE ACCESO JUSTO AL HABITAT-

Please find the file within the report's folder.

ANNEX 12. Propuesta de reparación ASOM 2016.

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ANNEX 13. Caracterización de la afectación del conflicto a ASOM.

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