



Good Practices in Transforming Socio-environmental Conflicts in Latin America

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Contents

Foreword	5
Case Study on Prior Citizen Participation as a Strategy to Transform a Conflict Antonio Rubio and Mitzy Canessa	6
Dominant Culture and Dominated Culture in Land Conflicts: Cases of the Quiché, Guatemala Miguel Angel Ajanel de León and Elisabeth Giesel	16
An inward look: The Mining and Sustainable Development Dialogue Group and its interventions in Socio-Environmental Conflicts Marina Irigoyen A.	26
Transforming Socio-environmental Conflicts by Building Inter-cultural Relations: examples from Venezuela and Argentina Iokiñe Rodríguez and Juliana Robledo with input from Rolain Borel, Antonio Bernales and Mirna Liz Inturias (Grupo Confluencias)	38
Authors	50

Foreword

Since the first Forum in December 2005, up to the present, the Regional Forum on Transforming Socio-environmental Conflicts in Latin America has been consolidated as a regional benchmark, offering a valued space for debate, exchange of experiences, lessons learned, methodologies and strategies, connecting Latin American stakeholders and transforming lessons and local knowledge into constant collective construction.

The First Regional Forum (December 2005) was called to discuss “Challenges for Transforming Socio-environmental conflicts in Latin America”. Forty scholars and practitioners cloistered to discuss the scope and constraints of conflict transformation strategies for three days of reflection and experience exchange.

In November 2006, the Second Regional Forum was entitled “The Challenge of Prevention”. This gathering displayed an excellent sampling of the significant conflict prevention and management initiatives under way in Latin America. Its 60 participants felt the lectures met such high standards and the experiences presented were so innovative that they expressed their desire to meet again to continue exchanging lessons learned at the next event.

The Third Regional Forum on Transforming Socio-environmental Conflicts, “Toward an Agenda for Capacity-building” (February 2008) revealed the consolidation of partnership among organizing agencies – German Cooperation (DED), Fundación Futuro Latinoamericano (FFLA), Plataforma de Conflictos Socioambientales (PLASA), and Friedrich Ebert Foundation (ILDIS) – and incorporated new stakeholders such as the Universidad Andina Simón Bolívar (UASB), Inwent and the Confluencias Group. While maintaining past events’ high quality and well-recognized experts in this field, new methodologies were also included. While 60 people interested in these issues met in 2005, approximately 180 experts and other people from the region gathered for the Third Forum, including representatives of social organizations and communities, non-governmental organizations, government institutions (local and national), universities, research centers, multilateral and cooperation agencies.

The conclusions of the Third Regional Forum have shown that constructing a Regional Agenda for capacity-building is not a matter of simply mapping stakeholders or assessing their needs or demands. It was concluded that the theoretical foundations, policies and practices of any capacity-building proposal must be critically questioned, to make sure it is constructed to suit the complexity of the local and regional context. The Third Forum generated a concrete output, publishing a detailed compilation of participants’ papers, lectures and experiences¹.

The Fourth Regional Forum, on “Inter-cultural Relations and Transforming Socio-environmental Conflicts” (November 2009) reinforced the Organizing Committee by incorporating German cooperation’s PROINDIGENA Program. Further, a strong communicational strategy positioned and publicized the event regionally.

The Fifth Regional Forum’s theme, “Good practices in Transforming Socio-environmental Conflicts” (October 2011) was held in the UASB’s facilities. The main conclusions of the Fifth Forum called for updating theories and methodologies. Displacements by climate change, organized crime, drug traffic and construction of political hegemonies have configured a new typology of conflict. Present-day conflicts are marked by strong asymmetries of power and are heavily nuanced pluri-culturally. In this context, conflict transformation work must be enhanced by including gender and inter-cultural approaches.

¹ See www.ffla.net.

Case Study on Prior Citizen Participation as a Strategy to Transform a Conflict

Antonio Rubio and Mitzy Canessa



1. Context

1.1 Issue involved in the conflict

Land use and the potential socio-environmental impact of sanitation infrastructure projects in the zone under study are the main issues involved in the conflict.

In the metropolitan region of Santiago, Chile, since the 1980s a series of changes in land use have happened. These include zoning which has resulted in unequal distribution of the benefits and costs derived in those territories, generating mainly negative impacts in those territories that are social and economically most vulnerable.



Photo: Antonio Rubio, Chile

Complementarily, this has led to urban sprawl, degradation of the territories that used to be for agricultural use, problems with connectivity, access to basic services, and environmental pollution, among other impacts. Definitely, this local planning process has left the big decisions to the market, with the consequences of social disintegration and territorial inequity.

In this framework, among others, two parallel, complementary processes have arisen in the region, which are at the foundation of the present conflict. One of them is privatization of water supply service (in 1998), along with a plan for cleaning up the pollution of sewage in the Santiago Watershed; and the other is the search for new sites to deposit municipal solid wastes from the city of Santiago².

Both industries have located in low-income outlying urban areas or rural settlements. At present, the locality of Montenegro has a neighboring landfill that has operated for over a decade, receiving nearly 63% of Santiago's solid wastes, this has resulted in a number of conflicts. In 2006, this community was threatened by installation of the "El Rutal sewage treatment plants Integrated Bio-solids Management Center" project, under the responsibility of the Water Supply Company³. This made a new conflict "resurface", so their long-standing demand for water supply reappeared, along with their great dissatisfaction with local planning, which residents said treated them as "the region's backyard".

The water supply company faced, in 2003, an environmental incident in one of its sewage treatment plants located in another sector of Santiago, which triggered a conflict with nearby communities that lasted for several years. This experience highlighted the importance of incorporating the concept of Corporate Social Responsibility (CSR) into the organization as a strategy for relations with communities near their operations. Up until then, CSR had been understood as a process to pursue within a company as a philanthropic action, with social investment, and without considering any holistic management overview. As a result of these environmental incidents, the company decided that it would have to establish direct relationships with communities. Accordingly, the strategy proposed by Casa de La Paz would establish an ongoing relationship with communities affected, from a local development standpoint rather than an attempt to minimize conflict.

1.2 Zone where the conflict developed

The conflict developed in the metropolitan region, in the community of Til Til, a locality in Montenegro. The locality is 65 kilometers north of downtown Santiago and bounded to the north by the Montenegro Estuary, which flows southwest to south. At the foot of a mountain range,

¹ From the late 1990s until 2012, this process has tended to clean 100% of sewage from the Metropolitan Region, which used to be dumped into the Mapocho River, which has been achieved by building three sewage treatment plants in different communities of the region.

² During the same period, the State has promoted the opening of three sanitary landfills and closing of illegal dumps.

³ The Water Supply Company (catchment, production, distribution, consumption, sewerage and treatment).

this locality features Chile's main highway, Route 5 North, along the piedmont. The origins of this locality date back to the construction of the railway, in the mid-19th century, where families named Montenegro (among other names) built the first homes in this settlement, alongside the railroad tracks. Similarly, some of the ancestors of current residents may have originally lived further in the mountain areas. Up to a few years ago, Montenegro was to be split by expansion of Route 5 North, so the community was transferred to its current location.

The people have lived in the town for an average of 35 years. Most households are in socio-economic strata D⁴ (52.9%) and E⁵ (25.7%), with a predominance of women, most of whom cannot access employment⁶. According to the last census, in 2002, Montenegro's population was 695 persons.

1.3 Primary and secondary stakeholders

For stakeholder analysis, the primary and secondary actors must be identified. This identification is based on a number of criteria such as:⁷

- a) Those who have influence in decision-making about the conflict,
- b) Those who will be affected by project implementation,
- c) Those external parties who could pressure for the process to fail,
- d) Those who could influence building of an agreement or decision-making; and finally
- e) Those who can favor implementation.

The primary parties in this conflict are:

- Decision-makers seeking agreements
 - Neighbors' Committee of Montenegro, who have led in dealings with the sanitation company
 - Water Supply Company, environment area and communications area (Department of Corporate Social Responsibility)
- Those affected by the project
 - Local organizations of Montenegro: Sports Club, Labor Workshop, Senior Citizens Group
 - Locality of Montenegro with its almost 700 inhabitants
- Authorities involved
 - Ministry of Environment

Secondary parties:

- Those whose interested are affected, indirectly

⁴ Lower medium level. Households from this socioeconomic level have an income ranging from US\$420 to US\$ 620.

⁵ Lower level. Households in this socioeconomic level have income ranging equal to or less than US\$ 300.

⁶ Study of perception about the transfer and gathering of sludge and impact on the locality of Montenegro. IPSOS January 2007.

⁷ Analysis of the "stakeholders involved" in participatory processes. Graciela Tapia. Year?

- Municipality of Til Til

- Allies of the main parties, who are affected by their well-being, but otherwise less directly affected by the situation

- Environment Committee of the community Pudahuel
- Organizations from the locality of Rungue
- Other organizations (community of Maipú and Pudahuel)

2. History

2.1 Beginning and dynamics of the conflict

In 2003, the Water Supply Company, owner of the La Farfana Sewage Treatment Plant (PTAS La Farfana) inaugurated the most modern plant in Latin America. That same year, there was an environmental incident obliging the Company, with a sanitation authorization to dispose the plant's bio-solids, to find a site by the year 2004⁸ for temporary sludge disposal. They were authorized to dispose of sludge in the landfill located in the locality of Montenegro. This situation led to the founding of an inter-community organization among the communities near the La Farfana PTAS. Further, the community of Montenegro, although not informed directly about this situation, found out from landfill workers who live in the community.

A bit irate about this development, they began demanding explanations from the local authority and began mobilizing to express their dissatisfaction by blocking roads and appearing in the news, among other ways. Accordingly, in 2006, the Water Supply Company established an initial contact with the community through a meeting with the leaders of the locality's organizations. At this time, leaders expressed their rejection of the project, expressing their mistrust, and the experience they had had previously with other projects having similar characteristics.

Leaders asked the Company to attend an Assembly to discuss with neighbors and the community. They reported on the project idea in general terms.

Meeting participants were very angry, and expressed their rejection of the project, which ended the possibilities for dialogue. After this episode, Casa de La Paz proposed for the company to implement a strategy of citizen participation prior to the project, beginning to hold constant meetings with leaders to set up dialogue arrangements, which subsequently led to a Working Group that is still operating.

Other activities informed the community in greater detail of the waste water treatment process.

In 2008, the project entered the Environmental Impact Evaluation System (SEIA) to be assessed and obtained its favorable environmental resolution in 2009.

⁸ Sanitation Resolution N° 7988 of 19 March 2004. (www.e-seia.cl/archivos/digital_451753_451756_1000099.doc)

	Timeline of the conflict
1997	Opposition by the community to the formal Citizen Participation Process regarding the sanitary landfill.
1998	The community was divided by building the landfill.
2003	The sanitary landfill had an environmental incident and the estuary of Montenegro was polluted, which is where the town gets its drinking water.
2003	Environmental incident of PTAS La Farfana, the company faces a conflict with the neighbors of other communities.
2004	The sanitation company, as a result of the conflict in La Farfana, decided to translate sludge from the plant to the sanitary landfill located 5 km from Montenegro.
2005	The Community of Montenegro opposed this and generated a citizen movement: "The Doodoo Route". They asked for advisory support from the Casa de la Paz Foundation, to analyze the conflict generated by the plant by transferring the sludge.
2006	The first meetings between the sanitation company and the community began, through CDP facilitation.
2007	The sanitation company began a plan for relations with local leaders. A Prior PAC strategy was proposed, beginning a relationship with key community stakeholders.
2008	In January, a Prior PAC was conducted in the community. In June, the EIA entered environmental evaluation. The community made 628 observations.
2009	The sanitation company obtained a favorable environmental approval for the project.

2.2 Factors leading to escalation of the conflict

Under Chile's Environmental Law (LGBMA 19,300) in 1997 the Environmental Evaluation System (SEIA) began operating. Therefore, by 1996 the landfill had voluntarily entered and began operating among number of similar projects programmed for the zone. This gave the community of Montenegro the perception of being the backyard trash heap for the Metropolitan Region.

The community's experience with major projects in their area had been with the landfill project, with inefficient citizen participation, in a context where Chile's incipient environmental institutions were only beginning to get organized properly, so companies were not obliged to enter the Environmental Impact Evaluation System.

From this perspective, setting up the landfill in the community did not become a conflict generating a crisis, but did set the factors in motion that later escalated. A number of societal leaders felt it bothered the community not to have been consulted with in a timely

manner regarding the project, its associated impacts, or compensation and mitigation measures.

So, the arrival at the landfill of a "new product" such as the sludge in 2004, because of the health resolution by the Authority for the Water Supply Company, led to citizen demonstrations by the community to protest that decision by the Authority. They blocked Route 5 North, chained up the corporate building of the Water Supply Company, and coordinated with other local societal organizations and communities, such as Pudahuel and Maipú.

In Montenegro there were several landmarks in the escalation factors that help understand what happened:

- Lack of confidence in formal channels:** In the case of the landfill, no timely information was provided, which would have build trust and relations, to enable those involved to express their positions, concerns and contributions for the project in a context of relations, but rather developed a process of negotiating for compensations behind closed doors with old societal leaders. This generated mistrust when the Water Supply Company came along, preventing any formal relationship be set up. The above is explained as follows by current societal leaders: "(...) When the landfill was set up, relations were manipulated. The agreement was made through the Municipality and the former Neighborhood Committee. We couldn't find anything legal about that, nothing that was not crooked, so to speak (...)".⁹ Further, there was a lack of trust in the public services evaluating the project, since there was the perception that the initiative, given the governmental mandate to complete sanitation for 100% of the Santiago watershed in approximately 10 years, it would necessarily be approved anyway in order to reach that goal.
- Ineffectiveness of prior experiences with participation:** As outlined above, Montenegro's experience with the landfill entailed implementing an ineffective participation process, which did not allow the community to express their concerns, apprehensions and anger with the late 1990s project. Nor did the Company take these concerns into account in order to effectively implement their project. "(...) It was too much work to deal with them (Water Supply Company), since previously we had such humiliations, the townspeople couldn't trust what had happened, or was going to happen (...)".¹⁰
- Mistrust in fulfillment of commitments:** In the case of the landfill, the community declared that, when the Company came along, it promised contributions for the community, which have to some degree been provided, but no agreements were made to formalize Company executives' declarations, so once the Water Supply Company contacted the community the first issues brought up by leaders were non-fulfillment of commitments, based on the experience they had previously had.

⁹ Internal document. Systematization and Analysis, Community Relations Groups, Urban Maipú – Montenegro. Good Neighbor Program – Water Supply Company Casa de la Paz. January 2012.

¹⁰ Ibid.

- **High value for confrontational leadership:** When the Water Supply Company came along, a couple of societal leaders appeared in the community of Montenegro with fiery rhetoric about the El Rutal Integrated Bio-Solids Management Center. These societal leaders were invited constantly by the Casa de La Paz to meet with the Company and be part of the process of relations and prior citizen participation. After participating sporadically a few times, they left the process, as it was advancing toward consolidation.



Photo: Antonio Rubio, Chile

2.3 External interventions

Interventions by agencies external to the conflict, such as the Casa de La Paz Foundation, hark back to late 2004 and early 2005, with the assessment and socio-cultural profile of societal organizations in the urban and rural sector of La Farfana, as a result of the occurrences in the La Farfana PTAS during 2003 and 2004, leading to Water Supply Company's initial contacts with Montenegro. In 2006, the Casa de La Paz Foundation began working to build trust, to establish a Company-community relations process focusing on Prior Citizen Participation in the El Rutal Integrated Bio-Solids Management Center Project.

The incident at the La Farfana PTAS led to an Environmental Monitoring Committee (comprising representatives of municipalities and societal organizations from communities neighboring the plant) whose members began interacting with the leaders of Montenegro, to convey the experience of the conflict, which triggered dialogue when sludge was transported from that plant to the landfill in Montenegro, grouping all the stakeholders present in communities along what is colloquially known as the "Doodoo route"¹¹.

2.4 Current status of the conflict

So far, the Water Supply Company has represented an impact of minor scope for persons living in the locality during the construction stage, since the stage with greater impact for the community (smells, flies and truck traffic) has not yet begun. This situation has led leaders to discuss issues with the Company oriented toward the project's social responsibilities, such as: resources contributed on a competitive basis and contributions to community infrastructure for the locality, without neglecting issues of mitigation the effects of the operation. The scenario has enabled the Company and community to interact on the basis of collaboration and work. Despite initial rejection by these same leaders, they have achieved low-conflict interaction between the parties.

3. Intervention

3.1 Reasons for the institution's intervention in the conflict

The Casa de La Paz Foundation decided to intervene for the following reasons:

- Experience in assessing the La Farfana PTAS conflict and overall in Prior Citizen Participation processes, providing knowledge about the root of the problem and a team with expertise to address the proposed strategy.
- Request by the Water Supply Company, to advise in the process due to their experience with Casa de La Paz in other projects and in establishing an incipient CSR

¹¹ Colloquial name with which excrement is known in Chile. ("caca"). Different social stakeholders were considered that might be affected by taking sludge from the community of Maipú, passing through Pudahuel, Renca, Quilicura, Lampa and Til Til.

Program in the urban sector of that locality.

- An opportunity to change the way things are done in this country.
- Thematic affinity with the institutional mission of sustainable coexistence and the possibility of linking with emerging issues in Chile at the time, such as socio-environmental conflicts.

3.2 Main activities implemented

- **Situational analysis, socio-cultural diagnostic:** first, an analysis of the existing situation covered: factors influencing the conflict, identification of stakeholders, positions, local interests and needs, as well as recognition of the socio-cultural environment that the Casa de La Paz and the Water Supply Company were getting into, to provide a complete panorama of the reality of Montenegro and the community of Til Til.
- **Building trust:** ongoing, constant discussions with the stakeholders identified, from the outset, to achieve rapport and trust with each in terms of the role of Casa de La Paz as creator of conditions for dialogue between the Company and the community. They discussed the Company's strategy to approach this intervention, on a consensus basis with the community and its leader, once basic trust was attained.
- **Information and sensitization:** this stage was based on the premise that, to establish collaborative relations over time, existing information gaps between the Company and the community must be compensated for, so thematic work groups, discussed leaders' concerns and interests regarding the project. Field trips were also organized to the sludge project, to the Company's operations (treatment plants for sewage water) with the intention of building images and perceptions regarding the reality of the operational processes to be implemented. Similarly, open houses, newsletters and assemblies enabled the community to approach Company professionals to listen, ask questions, and discuss project ramifications.
- **Dialogue:** establishing channels for ongoing dialogue, so far by institutionalizing the Montenegro Working Group, which gathers nearly 90% of local societal and functional organizations existing in the locality. Along with the above, there is the implementation of competitive bidding for project funds and of plans to hire personnel during the construction stage and training in building trade skills for interested community members. In this process, the Casa de La Paz's role has been to facilitate dialogue by establishing favorable conditions, enabling the parties to reach agreements¹² and of plans to hire personnel during the construction stage and training in building trade skills for interested community members. In this process, the Casa de La Paz's role has been to facilitate

¹² Whose criteria for eligibility for the projects presented are: Community Participation, Associative Enterprises, Gender and Age Equity, Complementary Contributions, Sustainability and Budget Structure. It is relevant that the Casa de la Paz Foundation advises each of the projects during the profile development and project stages.

dialogue by establishing favorable conditions, enabling the parties to reach agreements.

- **Public policies:** though the impact on public policies regarding Prior Citizen Participation has not been profound, the intervention has reflected the some companies' voluntary intention. Over the years, there is an increasing trend to share information prior to formal deadlines under Chile's environmental norms, to elicit and satisfy the concerns of the community potentially affected.

3.3 Results and Impacts

3.3.1 Total or partial agreements on the topic

From the beginning of the intervention, partial and total agreements regarding different issues placed on the agenda at each meeting held from 2006 to date, which are systematized and registered in the minutes of meetings shared among the different participating stakeholders.

The most important of the agreements attained among the parties has been the Memorandum of Social Compensations between the Water Supply Company and the Locality of Montenegro, based on the work by societal leaders, the Company and Casa de La Paz during 2009 to negotiate participatorily for social compensations that the community set as priorities in terms of their perceived needs.

3.3.2 Levels of communication among stakeholders

During the relationship from 2006 to date, communication between social leaders has significantly improved, empowering new leadership and existing leadership and generating networks with other community and inter-community organizations.

Communication between the Company and leaders has also acquired a new direction, reducing initial gaps and asymmetries in information and power, determining more horizontal relations.

3.3.3 Access to information for stakeholders

As explained above, implementing this process contributed significantly to improving access to available information for the community of Montenegro in general. This has given the Company a new image, as a valid party to negotiations and the Casa de La Paz Foundation is seen first as an intermediary is now is being valued as a third party.

3.3.4 Reducing violent actions and taking the law into one's own hands

Development of the intervention has appreciably curbed all manner of violent actions or actions outside the law by the community.

3.3.5 Better balance of power

Along with the above, access to information as a form of power transfer has helped reduce existing asymmetry, attaining a balance that has led to a harmonious relationship among parties so far.

3.3.6 Improved state responsiveness

Action by local government has been to let private enterprise make the required investments in the community, reducing some government contributions to the locality, asserting that the companies are playing government's role in local territory. At the same time, the Water Supply Company has made alliances and agreements, at the Municipality's request, which have not resulted in the synergy expected by the community and Company. On the contrary, the consequences are discontent and disappointment in the community regarding their political leaders, and the sanitation company has had to reinforce its contributions.

3.3.7 Level of organization and capacities of local stakeholders

Throughout the intervention, relations with groups outside the community have changed, because the Working Group is cohesive and aligned, for example, involving the authorities or other companies in the sector.

4. Factors

4.1 Factors in the context that have facilitated intervention

The factors facilitating the intervention have several aspects:

- Metropolitan Region Sanitation Policy

The need to implement a plan to treat sewage water in the region is considered a priority under the Authority's policy. Currently, the sewerage network receives 99% of sewage from homes and industries; before 2001, only 3% of that water was treated or purified before returning to the watershed. The Sanitation Plan was proposed as an environmental need. So, the sanitation company's project is one of the region's needs. This issue is understood by the local community in general, since this community is outside the Water Supply Company's area of influence and service, and therefore the need for sanitation benefits the region's urban sectors, but the project will benefit the region as a whole.

- Openness to dialogue

Despite the pre-existing crisis because of an incident by the Company in another community, the scenario for Montenegro was expected to be more complex. Despite the existence of mistrust between the two parties, both stakeholders (community and Company) maintained their willingness to engage in dialogue, no acts of violence occurred during the whole process, and this was acknowledged and valued by both stakeholders.

- Elections of community authorities (mayor and council members)

Although elections always pose a threat of conflict because of possible politicization, stakeholders of the locality were empowered with the idea of not letting the conflict escalate and reach agreements, without involving the current candidates in the conflict.

4.2 Factors in the context that have made intervention difficult

- Information imbalance

On the one hand, the community had little technical knowledge about the project's environmental issues and the Chilean environmental norms (considering that when the Company found out about the project idea, it was already going to be implemented without any environmental permits, and was only beginning to abide by existing norms). The community, in turn, began seeking technical information from the municipality to understand the project being questioned.

- Environmental incident in the La Farfana PTAS

As a result of the environmental incident, the Company's credibility was jeopardized, as was that of environmental institutions, in the eyes of community perceptions and the public opinion, so the project proposed certain environmental measures to mitigate environmental and social impacts, as a way to generate trust among neighbors.

5. Good Practices

In the case at hand, the good practice involves implementation of a process of Prior Citizen Participation in the relations between the company and community, to be able to make early contact with societal stakeholders and leaders of Montenegro in order to build trust and establish a mutually beneficial relationship between the Water Supply Company and the community, thinking that both stakeholders must, if the project is environmentally approved, coexist sustainably for at least another 30 years.

Around Montenegro during the last few decades, nearby land has become the new choice for setting up industries with impacts for communities. Before the Water Supply Company project came along, the community of Montenegro had sporadic contact with certain companies (mining and landfill) based exclusively on compensatory measures and handing out resources. The Casa de La Paz team generated an ongoing linkage between the parties in conflict (Company and Community), addressing different situations that have arisen (smells, flies, truck traffic and water use, among others). Setting up the Working Group has strengthened the linkages created among the organizations existing in Montenegro, which operated isolatedly prior to the Group's creation. This isolation no longer exists, because alliances

of collaboration among them have been set up for compensation and joint community activities.¹³ The experience of these organizations in working together enables them to submit projects for community improvement to private and government funders, in addition to establishing relations with other companies for local development, which is an important process in strengthening existing social capital.

The proposal to intervene in the conflict, suggested to the Water Supply Company, is grounded in the strategies that Casa de La Paz had been pursuing, of Prior Citizen Participation (Prior PAC) in infrastructure projects. This strategy has the purpose of building communities for a process of local development, by providing tools to become an active part of the citizen participation process established by the environmental law. This experience shows how communities face these agencies in a fragmented fashion, with little technical, environmental or social information and knowledge, so they are weak versus the State or private stakeholders, unable to prepare citizen observations about a project that is being evaluated environmentally, about to enter the evaluation system, which prevents any changes to make it acceptable to the citizenry. Casa de La Paz proposed for the Water Supply Company to approach the community, with emphasis on community relations, with a Prior PAC strategy (two years before the project began being evaluated environmentally), and timely information on the project to learn about the perception of key stakeholders regarding potential socio environmental effects. This made it possible to provide the Company with feedback on ways to adjust the initial project, considering the concerns proposed, as well as the opportunities that the project has to contribute to local development, detected through dialogue. This was proposed as a strategy to strike a balance regarding knowledge, power and organizational facets of the communities directly affected. This strategy was well received in the Company and with some cautiousness by the community.

Accordingly, Prior Citizen Participation for the El Rutil Integrated Bio-Solids Management Center project meets the four qualities of good practices because:

It is innovative, since during the past decade few companies in Chile had engaged in early participation processes, due mainly to unfounded fears that the community might stop or complicate projects' environmental evaluation. There was another group, no smaller, that settled self-servingly simply with the participation timelines set by Chilean environmental norms (60 working days from the Environmental Impact Assessment's entry into the system).

Further, there are features unique to interventions by Casa de La Paz, making a difference from other consultant companies such as that each of their interventions entails high commitment to the

community and great concern for reaching formal agreements among the parties.

It is effective, since it has enabled both parties to learn, analyze and discuss the project two years in advance of the date when the Environmental Impact Assessment was submitted, which resulted in 628 citizen observations on the document, which were discussed and considered by the relevant public services who evaluated the project. The above entailed a process that has so far managed to minimize the negative impacts of the project construction and design stage, which has considered maximizing benefits in the relationship and the Company's presence in the local territory.

It is sustainable, since it has enabled institutionalization of a new way to implement a company-community relationship procedure by maintaining a Working Group that has remained active on a monthly basis since June 2006, which has enabled them to continue the relationship independently of the project's environmental evaluation since both stakeholders expect to continue it over time, which is reinforced by the Environmental Approval Resolution, which states that they are committed to an ongoing relationship throughout the project life cycle.

The above would not have been possible without the parallel process of management strengthening to empower both partners to exercise citizenship in this relationship through the Working Group.



Photo: Mitzy Canessa, Chile

¹³ Internal document. Systematization and Analysis, Community Relations Groups, Urban Maipú – Montenegro. Good Neighbor Program – Andean Waters. Casa de la Paz. January 2012.

It is **replicable**, since it has configured a model of intervention in Casa de La Paz, which has been adapted and implemented in other realities and contexts of companies and communities due to benefits and contributions generated by that experience to develop internal learning processes that have enabled this institution to evolve toward developing new intervention strategies with a local territorial approach.

6. Challenges posed by the intervention

- Role of Casa de La Paz as a multi-party stakeholder in the conflict.

The leaders were still cautious about the role of Casa de La Paz, arguing that, being funded by the Company, they would not address the issues involved objectively, and would be inclined toward decisions in the interests of the Company's expediency rather than the community's requirements. One leader said "It was too much work to deal with them, since previously we had such humiliations, the townspeople couldn't trust what had happened, or was going to happen (...)". Despite the mistrust prevailing at the outset, leaders opened to the possibility of generating dialogue and collaboration between parties, which ultimately enabled success in the process, which has been maintained to date..

- Impact on public policy about effective participation in designing high-impact projects.

Prior Citizen Participation strengthens all stakeholders in a local territory, since it contributes to thinking about local development and in future challenges that calls for relationships among stakeholders. Private enterprise cannot come into a territory without establishing a relationship with the local players: both the local government, which has to safeguard common well-being, and the empowered community, which has the challenge of defining a vision of the community's future. Therefore, Prior Citizen Participation provides the guidelines to build development at the local level, bringing together all existing interests for that local territory.

- Maintaining the relationship with the operating project.

In 2012 it will be vitally important to analyze this case, because after almost six years of work, the project that brought the Casa de La Paz to the local territory will start operation during the second quarter of that year. The challenge from this perspective is twofold, because it implies for the Company to mitigate and manage its impacts and that the community must be sure to call for a Citizen Impact Monitoring System to concretely acknowledge the perceptions that will emerge once operation begins.



Photo: Mitzy Canessa, Chile

Dominant Culture and Dominated Culture in Land Conflicts: Cases of the Quiché, Guatemala

Miguel Angel Ajanel de León and Elisabeth Giesel



In this article, we describe three cases of land conflicts in the North of the Department of Quiché in Guatemala, highlighting how intercultural relations are part of the configuration of these conflicts, starting from their roots, all the way through to attempts to resolve them.

- The San Siguan – El Molino conflict (case 1) starts with peasants against a large-landowner family and turns into a conflict by the peasants against the Municipality.
- The El Astillero conflict (case 2) is peasants against the Municipality.
- The Poblaj conflict (case 3) involves two opposing groups of peasants.



Photo: Elisabeth Giesel, Guatemala

1. Context and historical roots of the conflicts

The Department of Quiché is in western Guatemala and is eminently rural. 90% of the population of almost 800,000 is indigenous. 84% of this indigenous population is poor or extremely poor, while this applies to 51% of the non-indigenous population¹⁴.

These figures showing the relationship between ethnic status and economic status reflect Guatemala's history of social inequality, exclusion, racism, and concentration of the ownership of wealth, especially land, in hands of the few, which lasts to this day. This dates back to the violent Spanish conquest: "The initial clash resulted in a Spanish military victory and the consequent trampling of the native culture"¹⁵.

This began the colonial plundering of indigenous lands by the Spaniards and locally-born accompanied by the indigenous people's forced labor. The colony set up a socio-political system separating Spaniards from, mixed-blood mestizos and indigenous people, ideologically based on the superiority of the Spaniards and their descendants over the indigenous. The indigenous population was concentrated into "Indian towns" under strict control to ensure submission and taxation of the indigenous population. They were given land in the commons surrounding town, for the purposes of indigenous peoples' subsistence. The indigenous could also get or legalize community land¹⁶. Regulation of internal coexistence and administration of common land was under indigenous cabildo boards, with the restriction of not interfering with Spanish interests.

A second wave of plundering of indigenous land came during the liberal period of the Republic, beginning in 1871. The nation's coffee-growing campaign and the corresponding liberal agrarian reform "drive a process of private accumulation of land at the expense of indigenous community property...In ten years, the country was turned into an array of coffee plantations"¹⁷. The ideological rationale for this takeover of indigenous land and labor was that only and mestizos, and foreigners, were able to use the land to generate national well-being and progress.

Farms ran on the basis of work by *mozos colonos* (literally: "colonist kids"), primarily indigenous families living as serfs on farms: in exchange for a borrowed plot of land

¹⁴ Program to Support the National Peace and Reconciliation Process (PCON-GTZ): Preventing and Transforming. Social Conflict in the Departments of Huehuetenango, Alta Verapaz and Quiché. (Programa de Apoyo al Proceso de Paz y Conciliación Nacional PCON-GTZ: Prevenir y Transformar. Conflictividad social en los departamentos de Huehuetenango, Alta Verapaz y Quiché) Guatemala 2008, p. 86.

¹⁵ Carlos Guzmán-Böckler and Jean-Loup Herbert. Guatemala: Una interpretación histórico-social [A Historical and Social Interpretation]. Eighth edition, 1995, p. 33.

¹⁶ Ernesto Palma-Urrutia: Una mirada a la historia agraria de Guatemala [A Look at Guatemala's Agrarian History]. 2006. <http://www.slideshare.net/140969neto/una-mirada-a-la-historia-agraria-de-guatemala>, accessed 3 March 2012, slide 13.

¹⁷ (Ernesto Palma-Urrutia: Una mirada a la historia agraria de Guatemala [A Look at Guatemala's Agrarian History]. 2006. <http://www.slideshare.net/140969neto/una-mirada-a-la-historia-agraria-de-guatemala>, accessed 3 March 2012, slide 25.

to grow their own subsistence fare, they were forced to work free for the farm-owner. All rural adults involved in the conflicts we describe clearly remember their suffering under this form of exploitation.

Commons, and what the community retained from the Indian towns before, were transformed under the new arrangement of the municipality into municipal commons. Local indigenous leaders undertook the defense of indigenous land, through lengthy paperwork with the national government to legalize the land as municipal commons. However, the indigenous were losing power in the local municipal governments and criollo and mestizo families managed to take over parts of the municipal commons.

A reform-oriented national government in 1952 enacted agrarian reform that, before two years had gone by, was frustrated by a de facto “counter-revolution” government. In subsequent decades, attempts were made to find an “alternative” solution to the land problem, i.e., a solution that would not involve expropriating farmland, mainly by dividing up national and un-owned land. This attempt did not address the structural problem. The Poblaj conflict we will describe below originated at this time when the National Institute of Agrarian Transformation (INTA) gave farmers land and legal title to it.

The lack of a genuine solution to the structural conflict of the racist, exclusive system provoked the nation’s armed conflict. This scourged the department of Quiché in the 1980s with a strategy of genocide by the Government against the indigenous population, which suffered massacres, forced disappearances, torture, extrajudicial executions, etc. This destroyed much of the social fabric of the communities where the victims of this State terrorism must live alongside those who collaborated in the aggression.

The 1996 Peace Agreements defined several measures to improve indigenous and non-indigenous rural people’s land tenure. However, most of these measures have not been fulfilled to this day. Nationwide, 1.8% of all landowners currently own 57% of agricultural land area. 67% of landowners have micro-farms under 1.4 hectare, i.e., not enough to eke out a living, totaling 7.8% of the nation’s agricultural land area.

2. The dynamics of the three conflicts

2.1. San Siguan and El Molino

Rural indigenous families from San Siguan and El Molino, at the time when the conflicts arose, lived on the landed property of a very wealthy criollo family. Their status had already changed from serfs to tenants on the land. In the case of San Siguan, in the late 1990s the woman who owned the large landed property notified the rural families that she wanted to sell the land, so they should evacuate their homes, located on the plain part of the property. The peasants organized, and offered to buy the land from her

themselves. However, negotiations between the peasants and the owner got nowhere, because she wanted to sell only the least fertile land. The criterion of most indigenous peasants was that they had a moral right, acquired over long years of working for the farm for free, and they did not have to settle only for the stony, rugged land. .

The peasants turned to the Rural Unity Committee (CUC) for support. A CUC adviser discovered, in legal research, that although the farm-owning family had possessed the land for decades, legally the land was part of the commons of the Municipality of Cunén. The CUC asked for the Governmental Secretariat of Agrarian Affairs (SAA) to conduct a study on this land to confirm the above. Then the peasants negotiated with the Municipal Mayor to legally award the land, and he agreed.

However, a new conflict arose: The peasants’ group divided, and a minority continued negotiating with the owner to purchase part of the land, which the Municipality had already allocated to the majority group. The overlapping of the “purchased” land with the “recovered” land is now the cause of hostilities and problems between the groups that crop up when community development projects are to be implemented (for example, a road) or when day-to-day controversies arise between neighbors belonging to the two different groups. External interventions are limited to meetings and dialogues held by the Departmental Governor who exhorts them to eschew violence and wait for new technical studies to solve the problem of overlapping land tenure rights.

The indigenous peasants of El Molino, when they found out about the questionable legality of the large-owners’ land rights, stopped paying rent for the land. Later, an indigenous woman appeared, arguing that the land was her property, and sent the police to evict the peasants. In view of this conflict, the CUC asked for a study by the SAA, which concluded that the land was part of the municipal commons of Cunén. The CUC also provided legal services to the group of peasants accused by the Public Ministry of aggravated usurpation, and threatening the Authority; this latter accusation refers to their resistance to obeying police eviction orders. The defendants were acquitted because the woman was unable to prove her property claims. So then the conflict became a matter between the peasants and the Municipality. The latter did not want to award them the land, saying that some day it might be needed for some municipal infrastructure.

2.2 El Astillero

Rights to control and use the land in the municipal commons are also the crux of the conflict between the numerous peasant group living in “El Astillero”, and the Municipality. This conflict was triggered in 2005 when the Municipality attempted to impose new rental modalities. Peasants who had already lived on and farmed this land for decades refused to pay rent. They asked to be awarded ownership of the land they were using. A series of negotiations followed between local politicians and peasants. Sometimes they reached no agreements and other times the commitments they undertook were

not fulfilled. At present, peasants are measuring and drawing the land in their possession, to provide accurate information for future negotiations, within a clear technical proposal.

2.3 Poblaj

The Poblaj conflict is located in the Municipality of Uspantan. It began in the days of the 1953 agrarian reform when a group of peasants, led by mestizos, demanded for the large farm's land to be divided. Subsequently, the Government declared the farm to be the Nation's property, because the large owner did not meet the legal requirements to prove his property right. After peasants vied with each other strongly with the National Institute for Agrarian Transformation for 20 years, it awarded the large farm in 1987 to one of the competing groups, led by indigenous people. However, there was no resolution for the other former serfs, organized into another group, supported by mestizos from a neighboring municipality, who were located right in this land award. A series of mutual accusations in the courts ensued, with threats and violence, for example: destruction of crops. In 2004 the group holding property title from the INTA evicted the other group from part of their land, taking the law into their own hands. Several government institutions have been dealing with this conflict for years, mostly through dialogue and studies that yield no solutions but do bolster the hopes of both groups to ultimately own the land. Confrontations, sometimes quite violent, spread to personal hostilities among members of the two groups. The CUC is advising the group holding title awarded by INTA, while Social Pastoral advises the other group. By mid-2011, a meeting between these two advisory groups proposed, after the many abortive attempts by non-indigenous bodies, to approach the conflict through an indigenous authority, according to their wisdom and world-view. The Indigenous Mayor¹⁸ of Momostenango (a municipality over 100 km away) was invited to conduct this process, currently under way since late 2011.

3. Intervention

The CUC's intervention in each of the three conflicts began at the request of one of the parties to the conflict, seeking support to defend their interests. CUC decided to intervene because they saw that the conflicts pitted the indigenous peasants against the typical representatives of injustice: against the economic power of large owners (cases of San Siguan and Molino), against municipal political power (El Astillero), against powerful local mestizo collaborators with the government military repression from the civil armed conflict (Poblaj).

CUC was founded in 1978 – in the context of the policy of counter-insurgency – by peasants from northern Quiché and migrants to farms in southern Guatemala. They were persecuted and many leaders were assassinated. CUC describes itself as an “ample, pluralistic rural grassroots organization of peasants, the poor, and indigenous

people. We fight to uproot injustice and the oppressive, exclusive system”¹⁹. They want to defend and recover land and territory, with integrated agrarian reform and the enjoyment of economic, political and social rights by the indigenous peoples. As an organization of action, its function is to intervene in conflicts, representing and defending the rights of their grassroots groups. Therefore, they are not impartial or “third-party”.

Intervention, in all the described cases, combined different activities:



Photo: Elisabeth Giesel, Guatemala

¹⁸ In Guatemala, indigenous municipalities exist alongside several regular municipalities. These Mayors are traditional authorities representing indigenous society and applying the indigenous system of justice to minor problems and disputes among individuals and communities.

¹⁹ <http://www.cuc.org.gt>, accessed 7 March 2012

3.1 Analysis and studies

Analysis first involved the historical and legal status of the land rights in dispute. In meetings with the communities; CUC leaders and technicians listened to the community's versions and then researched community documents and Property documents regarding the legal situation. However, checking the technical details went beyond CUC's possibilities²⁰, and anyway, to have impartial studies of the different parties' claims, CUC requested property registration studies by the governmental Secretariat of Agrarian Affairs, the institution responsible for dealing with land tenure conflicts by providing advisory assistance and alternative resolution methods. These studies were especially relevant as they proved the status as commons land.



Photo: Elisabeth Giesel, Guatemala

²⁰ Most of Guatemala has no cadastral property records, and property registers often do not have location maps or diagrams, or they are very inaccurate. Therefore, legal research on land rights is quite difficult and unaffordable for a peasants' group or organization.

Since 2009, under a project to strengthen CUC's capacities for alternative land conflict transformation²¹, work began on participatory conflict analysis methods. In meetings between CUC technical staff and community leaders, talking maps were made to clarify the complexity of current rural holdings. Other participatory analysis instruments were applied, such as a timelines, stakeholder mapping, analysis of their positions, interests and needs, contexts and attitudes, to better understand the situation. These provided the grounds for rethinking and differentiating the claim strategy. Immediately after applying each participatory instrument, a list of tasks was made, to obtain more information, contact possible allies, and find elements of the strategy to follow. So, the position regarding the Municipality changed from a simple demand for land award, to proposals for procedures of how to do this.

At the same time, this project prepared a study regarding the overall problem of municipal commons land²² which was distributed and discussed, enhancing the knowledge base of the people involved in the conflicts.

3.2 Training

CUC held several training events for community leaders regarding their rights to land, based on national law and international conventions, above all Agreement 169 by the ILO on Indigenous Rights. Training also included information and interpretation of the Municipal Law, which empowered leaders in their negotiations with Municipal Mayors. Community leaders were included in training for promoters of community rights and conflict transformation covering legal and historical issues, as well as alternative conflict resolution methods such as non-violent communication and other tools for negotiation. Trained leaders, with stronger negotiating skills and knowledge, achieved partial agreements through dialogue on a procedure for land award.

3.3 Legal defense

Legal defense included rebuttal of accusations for usurpation of land and others resulting from the land conflicts. These included forest-related crimes (cutting trees on disputed land) and a series of personal complaints among individuals of the different farmer groups vying for the land, such as threats, injuries, illegal detention, attempted homicide, and rape. Legal defense by the CUC attorney for these accusations attempted to defuse tensions between the clashing groups, ensuring their right to due process and encouraging them to seek reconciliation between individuals, according to Mayan principles of justice, in which compensation is very important. Thus, one complaint, regarding alleged witchcraft between individuals was settled by mutual agreement.

The project on "Land, Conflict and Rural Development" is implemented by a consortium of two peasant organizations, an NGO and the Civil Service for Peace of German Cooperation (GIZ), in western Guatemala.

²² Pressia Arifin-Cabo: Conflictos de Tierras Municipales [Municipal Land Conflicts]. Historia, Realidad y Tendencias [History, Reality and Trends]. Publ.: GIZ, IDEAR-CONGCOOP, CUC, CCDA. Guatemala 2011.

3.4 Representation

CUC leaders and technicians represented the groups in dealings with municipalities, the departmental governor, the SAA and government judicial bodies, both in meetings / “official” appointments and in multiple informal contacts. In dialogue or negotiation, above all among various stakeholders and in situations of great tension, CUC representation strengthened their group’s position, thanks to CUC’s extensive experience with this kind of events. More informal communications with municipal politicians and officials from different government agencies helped defuse a number of high-tension situations and reach partial agreements.

3.5 Advocacy

At the departmental level, a Forum was organized with government and civil society stakeholders, on conflicts involving municipal land, since this issue is commonplace throughout the Department. On another occasion, the CUC organized a press conference and demonstration by their grassroots communities to move the court to rule about the alleged usurpation of land. Regarding the municipal commons land, the CUC advised its groups to get this issue on the agenda of the Municipal Development Council (COMUDE), an official citizen participation body.

3.6 Systematization

In late 2010 a systematization of the complicated conflict in Poblaj began. This systematization went beyond the analysis of the conflict itself to include learning about the role of CUC in the course of the conflict. The lesson learned was that CUC’s understanding had been insufficient up until then, too simplistic, neglecting solidarity with rural brethren in the opposing group. This internal learning moved leaders and technicians to begin listening to (not just hearing) the other party’s proposals.

4. Results of the intervention

None of the conflicts has been solved, but there is substantial overall progress.

4.1 Partial agreements

In all the conflicts described, there is basic recognition among the parties of the historical rights of indigenous peasants’ land possession, as a basis for negotiating the details now. Therefore, the clearest result for the peasants on the municipal commons is that the Municipal Mayor has acknowledged their right to greater legal security as owners of the plots they hold. Once they reached this agreement, negotiations could move on to basic criteria to apply regarding the technical and legal details of land title, on the basis of the group’s detailed proposals.

4.2 Agreements regarding the process of addressing the conflict

The Poblaj conflict reached an innovative agreement in

their approach. They invited an indigenous authority, the Momostenango Indigenous Mayor, to provide mediation. This has been under way since late 2011, seeking to help the rival groups understand each other, to at least put an end to the constant hostilities. Clearly, reconciliation is quite difficult, requiring psycho-social work, since the hatred and mutual attacks are major. This element was never considered in previous dialogues conducted by government agencies. It is encouraging that the two supporting agencies are seeking ways to overcome the confrontation by agreeing that both groups are victims of the big-farm system’s history and the exclusive State, whose policy of “awarding” land without considering historical rights caused such dispute among indigenous brethren. The agreement about the process also calls for a study of the possibilities of holding the Guatemalan State responsible for the mistaken award of the Poblaj farm to only one of the serf groups, ignoring the other group’s historical rights. If they jointly achieve this recognition of the State’s error, this should lead to reparations.

4.3 Access to information for stakeholders

Access to information improved in three aspects:

- In the peasant groups, participatory conflict analysis methods enabled all the participants to increase their knowledge about a conflict. In such groups, only a few people usually know the history and the multiple elements of the conflict in greater depth. In the participatory work groups, they taught what they knew to the other persons.
- As for new information on political, legal and institutional contexts, the CUC as a national rural organization contributed their knowledge to the groups they represent, especially through training. Organizing the groups in the CUC also provided them with knowledge from the experiences of other rural people in similar situations.
- Similarly, opposing parties of the rural indigenous groups improved their access to information, above all through SAA’s technical studies requested by the CUC.

4.4 Reducing violent actions and taking the law into one’s own hands

Legal defense was able to keep leaders from being imprisoned and from the peasants in the El Molino conflict from being evicted. In several cases of confrontations derived from land conflicts, legal assistance and defense were able to relieve tensions and end or prevent acts of violence among groups and individuals.

4.5 Improved State responsiveness

At the local level of the Municipality, State responsiveness improved, as the municipal Mayor agreed to negotiation. However, as recent elections have brought a new Mayor,

future progress is uncertain. In the Department and with the central Government, not much attention has been given to these conflicts.

4.6 Better balance of power

Legal defense and assistance achieved more balanced relations with the judicial authorities. At the local municipal level, the commons land claim was able to gain support of COMUDE – as an agency of citizen participation –, which gave it greater weight.

4.7 Level of organization & capacities of local stakeholders

Organizing the groups under CUC enabled them to emerge from their isolation and belong to a large national organization. Being backed by CUC's reputation and contacts helped them to get a hearing with relevant governmental agencies. Organizational interaction not only contributed new knowledge but also enabled discussions with local groups that put their individual demands into context. Internal learning through the systematization strengthened reflection about the perspective of solidarity among rural indigenous brethren, which made it possible to invite the Indigenous Mayor of Momostenango to mediate.

4.8 Sensitization of public opinion

The written and oral press has devoted space to land issues, sensitizing public opinion, which was achieved through the Forum on Municipal Land, and through a press conference and demonstration in front of a courthouse.

5. Factors that facilitated intervention

Progress by the indigenous movement in recent decades has helped lay the legal foundation, internationally and in Guatemala, for recognizing fundamental indigenous social, economic and cultural rights. Guatemala recognizes ILO Agreement 169 on the rights of indigenous peoples including “the rights of ownership and possession ... over the lands which they traditionally occupy” (Art.14). The National Constitution of the Republic of Guatemala also protects the lands of indigenous communities (Art.67). Interventions by the CUC in land conflicts are grounded in these legal provisions that legally and politically strengthen the “struggle” to reach a genuine transformation of the conflicts consisting in recovery of land for indigenous communities.

Recognition of indigenous rights to keep and apply their own customary law (Article 8 and 9 of ILO Agreement 169) and that governmental justice, when applying penalties, must bear in mind the cultural and social conditions of indigenous persons (Art.10) facilitates work to relieve tensions in conflicts, especially among brethren indigenous groups. Whereas State justice emphasizes punishment and therefore often increases disputes and feelings of

revenge, the Mayan legal system emphasizes agreement and compensation. Interventions working to keep conflicts from worsening, and in general to advance toward self-determination by indigenous peoples, are facilitated by the provisions of Agreement 169.

The indigenous movement over the last few decades, with its actions and discussions, has also facilitated strengthening awareness, organization and collective decision to offer resistance to the model of racist domination and recover land. So, the under-the-surface conflict blew up openly. Community leaders and CUC interventions, geared toward structural transformation for greater equality and enjoyment of rights, are supported by this movement.

An important factor facilitating intervention by the CUC was the funding for analysis and training activities, legal defense and advocacy, from international cooperation projects. Land conflicts are complicated, long-lasting and full of potential for violence, so without funding it would be more difficult to address them peacefully.

The SAA, as a government institution, conducted the studies of land registration that yielded valuable information for these interventions. A number of governmental human rights agencies²³ provided support at times of great tension to maintain communication mechanisms and prevent violent reactions.

6. Factors that impeded intervention

Intervention in conflicts between indigenous peasants and the municipality becomes very difficult because of the different cultural visions regarding their land. Indigenous people interpret the municipal commons as “the people's land” (i.e., the indigenous population as a whole) for the people to use for their livelihood. This concept means that the commons have historically been administered by the indigenous cabildo board and defended by indigenous authorities. Therefore, indigenous peasants now demanding title to the land they possess have sought support from COMUDE, comprised by indigenous authorities from communities in the municipality. The Municipality as a government body feels that the commons belong to them, and therefore the Mayor has exclusive decision-making prerogatives. While this vision is similar to the absolute private property model, indigenous peasants' view stresses that their rights are derived from the fact of use by persons belonging to the collective of the people.

Reaching an agreement between these two visions is further complicated by indigenous mistrust of the political system and municipal public institutions. The logic of power through the political parties system is alien, and for many years they have witnessed municipal mayors and other officials use the municipal commons as a source of private income and a political plum.

23 Government Attorney for Human Rights, and Presidential Human Rights Commission. Their activities above all consisted in observing judicial processes and participating in dialogues.

Political clientelism and squabbles for municipal power are factors that also make interventions more difficult. Municipal elites incorporate indigenous groups in their networks of clientelism to elicit indigenous support in their competition for power. In exchange, they are promised support in their land claims. Then accusations arise among rival rural groups that they are “manipulated by the ladino²⁴ people” and ignoring their own indigenous efforts. Furthermore, one of the land conflicts is overlaid and interfered by a dispute on municipal territorial boundaries, which complicates possibilities for solutions.

Mistrust of public institutions makes it quite difficult to reach agreements, along with institutions’ own technical incapacities. Although the SAA studies are partly elements helping substantiate rights, they are also incomplete because of under-funding. Municipalities do not have qualified personnel to measure or accurately locate land rights, or even keep clear records of the land in their commons. There are no legitimate government institutions with the power or capacity to settle conflicts. Then the opposing parties can only turn to the judicial system, which lacks legislation and operators specializing in agrarian issues, and is organized to decide that one party is right, to the detriment of the other. Therefore, this system is normally unable to achieve joined solutions, and conflicts become endless. The State fails to perform its function of guaranteeing its indigenous citizens’ rights, but rather continues to follow the approach of benefitting some without providing structural solutions. Most agricultural land in Guatemala is owned by the few, while the poor compete, in order to survive, “against each other, their families, peers and neighboring communities.”²⁵

A socio cultural factor that makes the intervention much more difficult is diversity and internal contradictions within indigenous society, regarding attitudes and positions about their own subordination. In conflicts between brethren indigenous groups, domination by the colonizing power over rural indigenous people not only causes liberating resistance but also the position of allying with or submitting to the powerful representatives of the dominant system to get a piece of land. In the Poblaj conflict one group chose to ally with the “ladinos” in the neighboring municipality. And in the course of the San Siguan conflict, one group held on to the option of buying from the large land-owner, acknowledging her rights, although the other group had already launched the radical challenge to this subordination and had discovered that legally the land was a municipal commons.

Although the CUC recognizes that the dominant racist system generates these contradictions among groups, it is very difficult to address these conflicts among brethren without driving them deeper. The CUC tends to favor the group in these conflicts that they feel are working toward a structural transformation. Despite the recognition that all indigenous groups are victims of the domination and subordination mechanisms, they have no tools to

overcome these confrontations. They have almost no access to institutions that might be allies for undertake psycho-social consciousness-raising and reconciliation work.

The difficulty in achieving reconciliation or at least mutual understanding based on indigenous values and procedures is seen in the process of addressing the conflict in Poblaj by the Indigenous Mayor of Momostenango. So far, they have only attended meetings to listen to the different positions. These meetings were accompanied by ceremonies. The CUC group has already expressed great lack of confidence in the process because most of their members belong to modernistic religious groups that deny the validity of ceremonies and some parts of the Mayan world-view. Afraid that the process is not part of the legality of the State legal system that granted them ownership of their land, but also seeks to recognize other indigenous elements that legitimize rights to land, the group is now offering resistance to the process.



Photo: Elisabeth Giesel, Guatemala

²⁴ The term “ladino” is used for mestizos: non-indigenous culturally mixed people.

²⁵ Pressia Arifin-Cabo: Conflictos de Tierras Municipales [Municipal Land Conflicts]. Historia, Realidad y Tendencias [History, Reality and Trends]. Publ.: GIZ, IDEAR-CONGCOOP, CUC, CCDA. Guatemala 2011, p. 33

There is also another contextual factor that makes it quite difficult to address conflicts among brethren: the social fabric that has been damaged by the country's armed conflict. Mistrust, divisions, hatred and also lethargy are the outcomes of the war that even today confronts victims with those who collaborated with the aggressors in many communities. Poisoned coexistence does not allow genuine dialogue, and negotiations are normally a haggling in which the stronger or more astute wins. A study about the conflicts including the department of Quiché found "that dialogue and alternative conflict resolution methods are still mechanisms used little as alternatives to judicial means or even violence"²⁶.

7. Good Practices

The only effective way to deal with the complexity of the conflicts described was to combine the various activities mentioned: legal defense and advisory support sought opportunities in legislation favoring the indigenous groups represented; taking advantage of the few opportunities provided by the State in the studies conducted by its institution, the SAA; the impact of advocacy on public opinion and the COMUDE agency; and measures to empower groups such as participatory analysis of conflicts and training of leaders on their rights and on alternative methods for addressing conflicts.

Application of participatory methods in conflict analysis, in interventions with a peasant organization, is innovative in Guatemala. This helped participants better understand the complexity of the situation analyzed, to design a differentiated strategy and proposal instead of simply making demands. Application of methods of analysis is not complicated, requiring almost nothing of expenses, but only the time and dedication of the people directing them. It can be replicated in all land conflicts.

It was quite innovative to systematize the question of the role played by the CUC in the Poblaj conflict. An analysis of the conflict itself and the CUC's interpretations and activities led to the openness to take the risk of seeking indigenous alternatives with the intervention of the Indigenous Mayor of Momostenango. At this time, it is unknown whether this approach will be effective. However, what has been effective so far and can be replicated is learning about the role of a peasant organization in a conflict, which leads up to correct and enrich strategies.

8. Challenges to confront

None of the conflicts regarding municipal lands has yet been fully resolved. The challenge is for indigenous groups not to give way to despair, which could lead to violence. Further, there is great competition for land among the poor, and there is always the likelihood that the stronger

parties will trample the interests of the weaker. It is then highly important to emphasize the work of strengthening internal democratic organization in indigenous groups, with transparent, participatory leadership and a clear awareness of the needs for structural transformation to maintain unity and patience.

The other challenge is to develop, in reflection and in practice, viable indigenous approaches to resolve conflicts among brethren. This makes it necessary to strengthen the legitimacy of indigenous mediation and arbitration entities and procedures, which presupposes:

- Before beginning with an indigenous approach to conflict resolution, everyone involved must engage in reflection and consciousness-raising about the usefulness and criteria of indigenous conflict resolution, so each party, including the one which according to the criteria of national law is in a stronger position, to really accept this process, and so that indigenous individuals with a more modernistic orientation will accept it.
- There must be support for indigenous conflict resolution entities, to make them stronger, so their procedures can be adapted and renewed as needed.
- Judicial and other governmental entities relevant to a conflict must recognize and be coordinated with the indigenous conflict resolution entity²⁷. If this doesn't happen, the process will have the weakness that, at any time, either of the parties may turn to government agencies, seeking decisions in their favor.

In cases of heavy, long-lasting conflicts among indigenous rural brethren, work must include psycho-social healing of the wounds suffered, including consciousness-raising about structural causes of conflict including mechanisms of domination and subordination.

A single institution's efforts are not enough to achieve all of this. The challenge is to establish alliances with institutions and individuals who will contribute their capacities to creating the conditions and pursuing the processes for indigenous conflict resolution.

²⁶ Program to Support the National Peace and Reconciliation Process (PCON-GTZ): Preventing and Transforming. Social Conflict in the Departments of Huehuetenango, Alta Verapaz and Quiché. (Programa de Apoyo al Proceso de Paz y Conciliación Nacional PCON-GTZ: Prevenir y Transformar. Conflictividad social en los departamentos de Huehuetenango, Alta Verapaz y Quiché) Guatemala 2008, p. 8

²⁷ This means nothing more than applying the provisions of ILO Agreement 169.

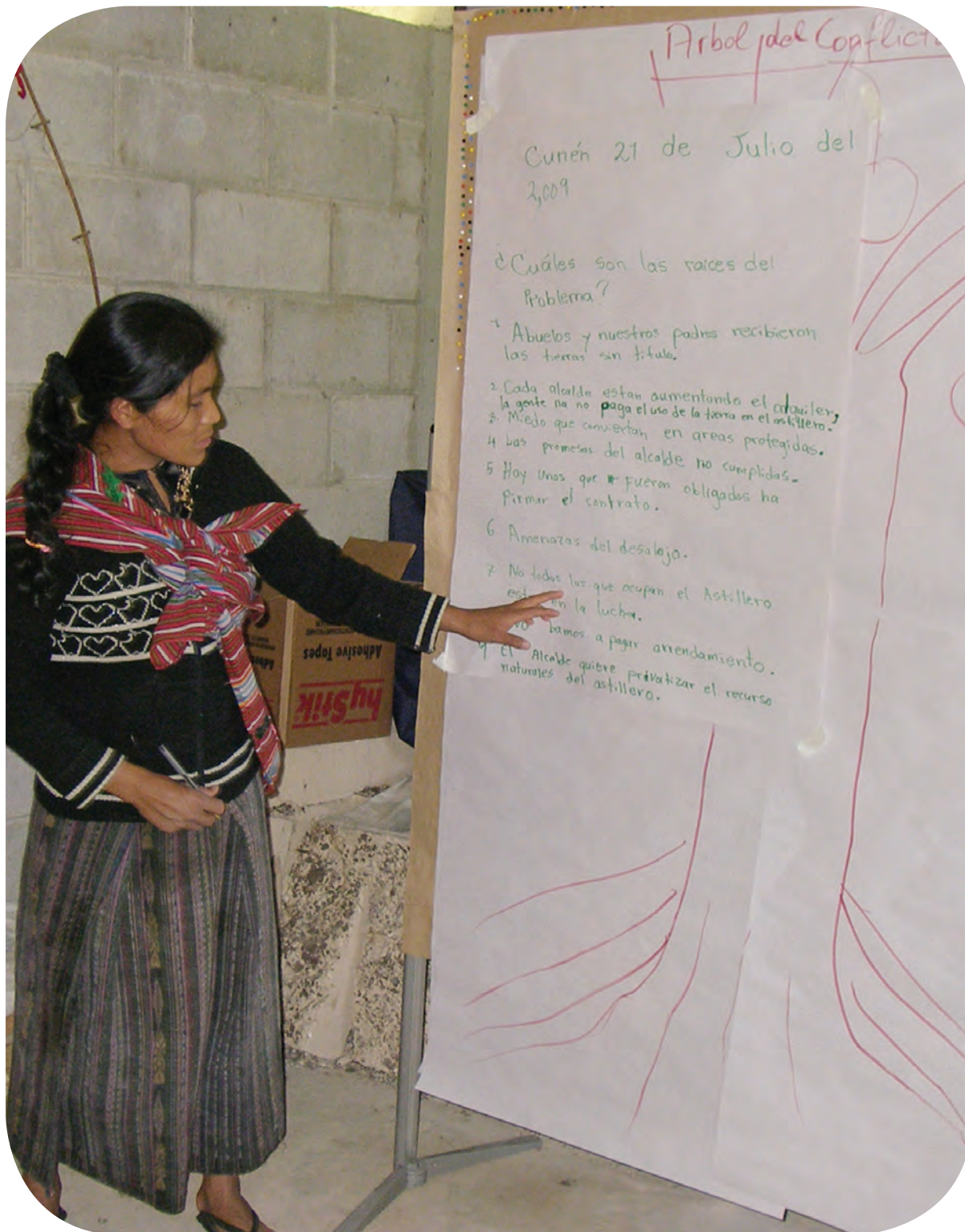


Photo: Juan Batz, Guatemala

An inward look: The Mining and Sustainable Development Dialogue Group and its interventions in Socio-Environmental Conflicts²⁸

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1. Economic scenarios in Peru and mining

Is dialogue only a means of preventing conflicts?

- Dialogue is a means and methodology to transform conflicts.
- It is an end: a society of free people, engaged in dialogue, tolerant, peaceful and respectful.
- It is an attitude that nourishes a culture: the culture of dialogue.



Photo: Marina Irigoyen, Perú

Peru is considered as a phenomenal success story in the world's economy. Right in the middle of the crisis, according to the National Statistics Institute (INEI), in 2011 Peru had logged 13 years of uninterrupted growth. Peru came in fourth as ranked for entrepreneurs²⁸ in Latin America with an average inflation rate of 2.3% during the past decade, the lowest inflation in Latin America and one of the lowest rates in the world. Nationwide private employment increased by 5.4% during 2011, according to Ministry of Labor statistics, also increasing its international reserves. The Central Reserve Bank (BCR) indicated that Peru's trade balance was positive by US\$ 9.302 billion in 2011, thanks to improved terms of trade.

An important part of this economic growth is particularly due to mining investment. In fact, the mining sector²⁹ has consolidated as the greatest generator of foreign currency for Peru in 2011. Mining exports neared 26 billion dollars. Mining activity has attracted over 6 billion dollars in investments, which represents approximately 50% growth over 2010. These resources have enabled a range of projects during the period, from expanding existing operations, including exploration and studies for over 400 mining prospects and, of course, increasing national mining production. Peru produces 125% more copper and iron than in 2000, 44% more zinc, 35% more silver and 13% more gold. Peru's gold production currently represents 7% of the world total and is around 47% of total mining sector exports. Further, Peru is the world's foremost producer of silver and the sixth-largest gold producer.

The National Society of Mining, Petroleum and Energy (SNMPE), the national mining guild, also reports that the sector's portfolio of projects amounts to over 52 billion dollars, with some 9 billion dollars in expansion projects, almost 18 billion dollars in projects with Environmental Impact Studies approved, and nearly 25 billion dollars in exploration projects, according to the Ministry of Energy and Mines. It is estimated that about 10 billion dollars of this portfolio could be implemented over the next two years, with expansion of existing projects and startup of new ones. However, there is serious concern, because although ore prices have held since 2010, mining production has dropped in most products except molybdenum and iron. The mining sector feels it is urgent to increase levels of mining reserves currently identified in Peru, which have been held up by the various socio-environmental conflicts that have arisen over the last few years.

The mining sector points the major efforts made in the fight against poverty, through the Mining Program of Solidarity with the People (known as the mining bonus or Voluntary Contribution). This Program was signed by 39 mining companies and the Government, in view of the high international market prices their ores reached, as a result of negotiation with President García's government in regard to the tax stability contracts signed during President Fujimori's government. During its five years,

²⁸ This document is the outgrowth of a reflection exercise under the auspices of FFLA, under the author's responsibility.

²⁹ Memoria Anual 2011. Sociedad Nacional de Minería, Petróleo y Energía, January 2012.

40 mining companies contributed a total of 852.6 million dollars to implement programs, projects and works in nine lines of action, including nutrition, education and health. However, poverty continues to prevail in mining areas. Along with the Voluntary Contribution, there has been the Mining Canon since early 2000, with the nationwide transfers (canon and royalties) increasing from over 234 million dollars in 2001 to 2.939 billion dollars in 2010, over a twelve-fold increase³⁰. Despite this improvement in the economy, the nation's poverty and social gaps remain. According to the UNDP Report for 2008³¹ the levels of extreme poverty in Peru were reduced from 23% in 1991 to 12.6% in 2008, and the goal of reducing overall under-nutrition had been 81% attained, according to the Millennium commitments. However, chronic under-nutrition affects over 20% of girls and boys under age 5 and 30.9% of the population has a caloric deficit³². While the per capita GDP increased by 88% between 2003 and 2011, real income for Peruvians rose by only 12% and only 28% of the citizens earn enough to cover their own needs³³. Poverty in Peru had dropped from 31.3% in 2010 to 28.4% at year-end 2011, according to the BCR report³⁴ but 41% of children remain in poverty and 21.6% of children under age five suffer from chronic under-nutrition³⁵. Many of the poorest, most under-served population groups in the highlands live around mining settlements.

This overview gives rise to greater concern for Corporate Social Responsibility and environmental respect.

Although corporate social responsibility strategies comprise a strong current of opinion in the countries of the North, in Peru the process has been slower because of the government's own weakness and certain business inertia, often maintaining philanthropy actions associated with their public image. Progressively, initiatives have emerged such as Peru Siglo 21 [21st Century], the adoption of ISO standards has spread, and international standards

³⁰ The canon and royalties are administered by public entities and the voluntary contribution by a private entity designated by the mining company, including NGOs such as Caritas, Prisma, DESCO, CARE Peru and many others. Importantly, the amounts of the canon and royalties, and the mining bonus, depend on companies' profits, varying according to market behavior (demand, international pricing, financial crises, etc.) and internal measures by mining companies (agreements for future sales, efficiency in production costs, etc.). Along with the canon there are other resources from mining, so we have the Canon, the Sobre canon, Royalties and Shares (CSCR) which includes the six types of canon (mining, gas, petroleum, hydropower, forestry and fishing), mining royalties and other participation mechanisms such as the regional trust, for example. This situation has some variants under the current government of President Humala, since Law No. 29789 of 28 September 2011 creates the Special Mining Tax (which since then has been amended and adjusted several times) on metallic ores in whatever state, as well as self-supply and unjustified removal of such ores, and the Voluntary Contribution is almost finished.

³¹ 2008 Report on fulfillment of the Development Objectives in Peru. UNDP.

³² The BCR has indicated, at various times, that the major development of Peru's economy over the 2000-2009 period (55% growth) led to a 43% reduction in total poverty, a 60% reduction in extreme poverty, and the Gini coefficient, as an indicator of inequality in income distribution according to household surveys, was reduced by 14%. That is, the poor have benefitted, in relative terms, from the economic growth. BCR and Ministry of Economics and Finance (MEF), op. cit.

³³ Study of Socio-economic Levels in Peru, 2001, IpsosApoyo, Opinión and Market.

³⁴ Working document on Poverty and Economic Growth: Trends during the 2000s. BCR and Ministry of Economics and Finance (MEF).

³⁵ Statements by the World Bank Director of Poverty Reduction, in *Portafolio Económico*, supplement to daily newspaper *El Comercio*, Lima, 19 February 2012.

have been assumed, and civil society itself is also playing a more active role to defend the sustainability of the environments where they live, which is putting together a new scenario.

At the same time, Peru started a substantial shift regarding environmental standards in the early 1990s. The Environmental Code, the Environmental Adjustment and Management Programs (PAMAs) and then Environmental Impact Studies (EIAs)³⁶, began becoming a positive constant in the different mining sector investment activities calling on companies to become more open and better prepare affected communities.

At the same time, silently, on 27 June 1989, Agreement 169 on indigenous and tribal peoples in independent countries, was adopted by the ILO General Conference (International Labor Organization), and was ratified by Peru's Government in 1993. Agreement 169 calls on the State to make a series of commitments to the indigenous peoples, including prior consultation before taking administrative or normative action affecting them. Despite years in effect, it was not until the occurrences in Bagua (June 2009 – see below) that ILO Agreement 169 became well known for Peruvian public opinion. Then, people realized that no actual efforts had been made to consult about mining or hydrocarbon standards or investments located in indigenous territories.

2. The Mining Dialogue and Sustainable Development Group (GDMDS)

We could define the Mining and Sustainable Development Dialogue Group (GDMDS or Dialogue Group for short) as a collective process. They met for the first time on 21 February 2000, to discuss the mining canon. Initially, Group participants were representatives of NGOs, but later included companies, communities, and the Government's different levels³⁷. The Dialogue Group is based on its participants' "free, voluntary association". Most are individual persons and some are NGOs, whose strength lies in their capacity to formulate recommendations and issue opinions grounded in transparency, technically rigorous, taking into account the opinions of all parties and seeking coherence with the country's development goals. This definition of the GDMDS has been achieved after its first three years of meetings, according to repeated statements by its national coordinator, José Luis López. He also says that the Group does not defend the interests of any of the participating institutions, or seek to undermine the "specific aims" of any stakeholder³⁸.

³⁶ The Environmental Impact study is mandatory for all activities causing a significant impact on the environment. An EIA combines a sort of baseline of the environmental and social situation, as a function of the project's plans, entailing a forecast of possible impacts, both positive and negative, and the measures to be taken. The EIA is the companies' commitment to mitigate or remediate – or if worse comes to worst, compensate. Not only environmental aspects are examined, but aspects of culture, of the social environment, etc. The Ministry of Energy and Mines is responsible for reviewing and approving the sector's EIAs.

³⁷ Bulletin 4, GDMDS 2008

³⁸ José Luis López says: "The innovative element of the Dialogue Group consists in the rules adopted for its operation: Undefined situations are

Various analyses of GDMDS agree that it is largely perceived as an open network linking persons forming a diverse, plural group, coming from different sectors (company, civil society, communities, government, international cooperation, media, consultants) involved with issues of mining and sustainable development. Our surveys and direct knowledge of the GDMDS agree with these perceptions.

The GDMDS networks by interacting in various ways: (1) there are direct, “face-to-face” gatherings, such as the full meetings and Forum; (2) the Direct Dialogue Group (GDD), a subcommittee of a dozen people from the Forum who discuss certain issues in greater depth and provide suggestions for the agenda; (3) Work commissions are established on topics of interest, such as EIAs and participation, Consultation, and Water; the GDD and the Work commissions exist since four years ago; and (4) A range of events have also been promoted as outgrowths of the Group’s dynamics (internships, meetings of participatory environmental monitoring and surveillance committees, meetings with authorities, and training workshops, among others). A related effort that is acquiring some momentum is the Network of Social Leaders³⁹, which gathers leaders associated with mining projects, especially from Arequipa, Moquegua, Tacna, Apurímac and Cajamarca. These dynamics are interwoven with virtual exchange, with debate and information with direct stakeholders, above all in situations of conflict, taking special care for communications to be respectful and plural.

At the same time, some of the Group participants interact with each other. There are about 400 participants in the virtual network, and about 100 who attend the forum held about seven times a year. Although there is a sort of “hard core” who attend most meetings, some 30 persons, there are various “rings” of participants who are more or less close and gather around the forum. The Forum expresses the group’s core identity, although direct, active participation by the most influential stakeholders in mining dynamics and development is not stable, according to a number of participants.

A working document from the Dialogue project⁴⁰, mentions that “regarding the group’s purpose, according to its nature, although there are different emphasis, there is a shared idea, quite well established, about working to bring leaders together, listening to and sharing points of view on a non-binding basis, improving trust and relations among stakeholders, sharing information, generating

acceptable, formality is avoided, and the Group waited to see what might happen in this mixture, where it is not a friendly get-together, but neither is it an institutional meeting. Chaos in motion shows a direction amidst the disorder and uncertainty. The aspiration is to get away from convergent thinking (i.e., choosing a vantage point and on that basis discarding the other alternatives) in favor of divergent thinking - listening to all viewpoints, attempting above all to understand the reasons and perspectives of those positions different from one’s own... “page 20. José Luis López. LEADERS ENGAGING IN DIALOGUE (Glimpses of change on the basis of the MINING DIALOGUE GROUP experience). Unpublished essay. 2009.

³⁹ A promoter in the Leaders Network says: “In the South, as in other zones, there are no federations to represent the public. Therefore, the defense fronts arose, as a check and balance and in view of the absence of political institutions, the Network of Leaders emerged. Leaders intervene in these conflicts with an informed opinion, they have more information and analytical capacity.”

⁴⁰ Internal document, Dialoga project, consortium of NGOs comprising CARE Peru, Prodiálogo, SASE, Labor Civil Association and Social Network. Lima, December 2011.

contacts and building consensus around key issues regarding mining and development to influence public policy-making. Therefore, the GDMDS has developed as a platform coordinating multi-stakeholder encounters and social dialogue among leaders. This could be defined as a group process. It is also equally clear that the group is not for negotiating local conflicts, or a political or institutional setting for consensus-building”. In accordance with this approach, practical activities are geared to foster understanding and coexistence. For example, many meetings of the Forum begin with little relaxation and reflection exercises, with sessions about working for peace, etc.

There are different motivations to participate in the group, such as establishing contacts with a diverse range of stakeholders, generating trust, keeping abreast of key information and processes, and generating elements to promote consensus regarding the fundamental agenda issues. However, not all stakeholders are “stable”. Some sectors have moved away as a result of exchanges over the virtual network, and a lack of interest from some representatives of companies who perceive little support for their initiatives at times of conflict. There are also sectors who are critical of participation by certain business stakeholders and the relationships made⁴¹.

It is particularly important to establish the Forum’s Agendas. For the last couple of years, these agendas seem to reflect the major issues of the country’s development regarding mining and sustainable development, but in a climate of changes and greater reflection about development models and natural resources. Where socio-environmental conflicts arise, these issues become more pressing.



Photo: Asociación Civil Labor, Perú

⁴¹ A topic not addressed in this document involves the sustainability of the GDMDS regarding financing and administrative management, on the basis of recognizing that the Dialogue Group has no legal status.

As a Dialoga Project document puts it⁴² “although the Forum is not for resolving conflicts that may arise in concrete mining contexts, the agenda does include reports on local cases and promotes joint reflection from different standpoints, to analyze in greater depth and contribute to glimpsing peaceful solutions”. These agendas then flood out into the virtual platform, which is strongly dynamic, with groups of opinion leaders continually presenting their viewpoints, which are sometimes controversial. The national coordinator moderates the group and focuses on well-grounded dialogue and construction of proposals, highlighting agreements and issues requiring more work. The GDMDS is working toward the approach of Transforming Conflicts rather than merely resolving conflicts at a given juncture. They recognize that work is required on types of changes, patterns of relationships, which sometimes calls for long timeframes and different processes.

3. Main socio-environmental Conflicts

The arena in which GDMDS has performed has featured, in these last few years, various socio-environmental conflicts⁴³, especially the following important ones:

a. Protests by the indigenous peoples in Bagua against 99 legislative decrees affecting them, issued by the Executive Branch without any consultation, which lead to confrontation and deaths. This unleashed design of the Law on Prior Consultation with Indigenous Peoples approved in 2011 and also – indirectly – resulted in rejection of mining projects by communities. Communities’ rejection of mining interventions was because they considered that their water sources would be affected, their natural resources polluted, and their land lost to large mining concessions, displacing their agricultural activities and even displacing them from their homes. However, also because as they live alongside mining they realize the extraordinary profits that mining companies receive, and they want better redistribution of them.

b. Minas Conga – Newmont Mining Project, which mines gold and copper, a 4.8 billion dollar project in the northern region of Cajamarca facing rejection by neighboring communities fearful of being left without water when production begins, hypothetically, by late 2014. This undertaking by US Newmont and Peruvian Buenaventura seeks to produce from 580 thousand to 680 thousand ounces of gold per year. Residents demanded project shutdown when the EIA had already been approved and it was under construction, blocking access to the highway, burning machinery and demanding a societal agreement for 73 million dollars. After many days of shutdown,

backed by some NGOs and Cajamarca priest and leader Marco Arana, and after distributing an internal report by the Ministry of the Environment including observations on the project, the Government reinforced this request, negotiating with the company to stop activities. The most outstanding grounds for this activity shutdown was the environmental impacts, particularly four lagoons located in the high headwaters of the watershed, where two of them will be affected by mine excavation, and two would be used to dump cleared material. Although the Company claims that this environmental impact will be offset, the public will not accept it. In late February 2012, an international inspection was conducted regarding the EIA, with three experts.

*c. Quellaveco and Michiquillay - Angloamerican Projects*⁴⁴. Anglo American, the world’s fourth-largest diversified mining company, is pursuing the Quellaveco copper-mining project located in the southern region of Moquegua, for about 3 billion dollars. This project has been pending for quite a while because of social opposition. Recently, the International Finance Corporation (IFC), a member of the World Bank Group, a minority shareholder in Anglo American, sold its stock to Mitsubishi. Quellaveco faces protests because of concerns about water supply. The company expects to begin building the project in 2012 with an eye to producing some 220 thousand tons of copper a year and beginning operation in 2016 after 44 months of construction. However, the Moquegua region expressed its concern about water use, environmental impacts and the social background, which led to dialogue lasting a year already, involving provincial and district municipalities, and the Regional Government, led by the Ministry of Energy and Mines. One victory is that the Company has committed to building a larger dam than initially planned, to make more water available, and has clearly stated that this will not affect the special Pasto Grande (agricultural) project. Anglo American also controls the Michiquillay copper project located in Cajamarca, which requires an investment of 1 billion dollars. Michiquillay was granted its concession in 2007 and since then has suffered several setbacks because neighboring communities rejected the project with the greatest social investment. However, there has been a great effort to approach the two communities directly affected. The Company has decided to resume the huge project, which had been suspended in 2009, with an eye to achieving full production of 300 thousand tons a year in 2018.

d. Expansion of Toquepala – Southern Copper Corporation. Southern is facing rejection of the project to expand their Toquepala mine, in the southern region of Tacna, because of a dispute over water supply. The residents ask for the 800 million dollar project to be implemented with desalinated sea water, claiming desertification of neighboring agricultural zones. Southern has stated that it is open to dialogue and has reiterated that it will not use a drop of additional water for expansion, but water recycled from washing tailings. By March 2012, dialogue was resumed.

⁴² Internal document, Dialoga Project.Op.Cit.

⁴³ The Ombudsman Function issues a Monthly Report on Socio-Environmental Conflicts with the information provided by the stakeholders involved in societal conflicts, through the 28 Ombudsman Offices and the 10 public service modules that the Institution operates, complemented by and contrasted with other sources. Specific information at www.defensoria.gob.pe/conflictos-sociales. In December 2011, there were 223 conflicts, 126 of which were considered socio-environmental conflicts by the Ombudsman Function.

⁴⁴ On the basis of statements by Luis Marchese, Angloamerican General Manager, El Comercio daily newspaper, 16 February 2012.

4. Intervention by the GDMDS regarding the Tía María Project

The Tía María Mining Project owned by the Southern Peru Copper Corporation is located in the district of Cocachacra, Province of Islay, in the southern region of Arequipa. This 950 million dollar project faces rejection by the public, who are afraid it will use the water they need for their crops.

The Environmental Impact Study for the Tía María project states that it is an extraction and processing project for oxidized copper ore planning to extract the ore from two open pits⁴⁵. Its commissioning will enable Southern to raise its production by 120 thousand tons a year and work exhaustively, according to the Company, with vertical integration.

Southern Peru appears to be one of the most vertically integrated companies in Peru. By mining high-grade copper sulfides in its Toquepala and Cuajone mines, Southern produces copper concentrates which are then transported by railway and smelted and refined in Ilo. As a consequence of melting these concentrates and thanks to the new furnace installed in Ilo, Southern recovers heat from the foundry to generate steam and produce electrical energy and captures 92% of the sulfurous fumes to turn them into sulfuric acid. Sulfuric acid is the main raw material to recover copper from the increasing deposits of low-grade copper generated in the two mines, to produce high-purity copper cathodes in the facilities for extraction using solvents and electrical plating in Toquepala.

In 1996 Southern constructed this solvent extraction and electro-plating plant (in English, SX/EW). This process has the advantage of generating very low production costs because it saves the traditional processes of floating, smelting and refining, no tailings are produced, nor are reagents used to float the copper, or sulfurous fumes, making it possible to make a profit extracting from low-grade copper deposits with very low impact on the environment. Southern Peru now intends to develop Tía María, a very low-grade copper oxide deposit that can be commercially recovered only by the SX/EW process, for which there is surplus production of sulfuric acid generated in the Ilo Foundry by its Environmental Adaptation Program.

(Institutional Journal of the Peruvian Chamber of Construction - CAPECO, 2010).

The project has stated that, when the Southern Peru company begins constructing its camp in Tía María this will generate some 3 thousand temporary jobs, over 650 workers will be employed directly when the mine operates, and another 3,250 indirectly, with priority for

⁴⁵ It was also stated that the ore will be processed using the leaching method, with extraction by solvent and electrolytic deposition to obtain high-purity copper cathodes. Information provided by Schlumberger Water Services, August 2010. Executive Summary, Environmental Impact Assessment, TíaMaría Mining Project, owned by Southern Peru Copper Corporation, Peru Branch (SPCC).

residents of the Valley of Tambo, the province of Islay and the region of Arequipa, in that order. The Company has also calculated that the region will receive between 126.5 billion and 130 billion dollars a year.

The Project EIA envisioned two major stages. The first stage (from year 3 to year 15), an open pit will extract the mineralized deposit from La Tapada. The second stage (from year 15 to year 21) will extract, also from an open pit, the mineralized deposit from Tía María. The project will operate for nearly 18 years. The sea water supply system involves intaking water from the sea on the coastal edge, constructing the desalinating plant, and implementing a system to dispose of the brine generated.

Southern Peru attempted to get the public attention through a series of activities to generate environmental awareness in homes and institutions of the city. These activities include Organic Agriculture and Sustainable Tourism⁴⁶, in addition to workshops on urban development, housing and soils, projects on sanitation and improved disposal of solid wastes, organizing training workshops on soil management and conservation for farmers and residents. To improve their image and minimize fears of serious pollution, the Company began a campaign asserting that the mining extraction would fully and totally respect national and international environmental standards, with no risks for the people or for agriculture in Tambo. The Company tried to explain to the citizens that the Tía María Project would not generate tailings. "That will not happen, because copper will be extracted from the deposit by the chemical process of leaching, which does not produce any tailings at all. Therefore, we guarantee that Tía María will have no harmful effluents", asserted the Company's Environmental Services Director⁴⁷. He also mentioned that modern technology would control water leakage, so "we are in a position to foresee that there will be no water, air or soil pollution", adding that, to prevent any damage to the zone's environmental quality, the Environmental Impact Assessment had been conducted. However, it was precisely an exhaustive analysis of the EIA that showed that environmental issues had not been sufficiently addressed.

The public hearing to discuss the EIA had already been postponed several times (since August 2009), as discussions continued between the Company and the public and authorities of the towns of Cocachacra and Dean Valdivia, located in the zone of influence. One possible solution was to arrange for dialogue but leaders refused to take part. Even the Regional Government committed to provide support by technical staff paid by them to provide opinions about the EIA but this was not accepted. The authorities of Cocachacra represented by their mayor, Juan Guillén-López, did not want dialogue

⁴⁶ Source: La República daily newspaper. Lima, 31 August 2010

⁴⁷ Environmental Services Director of Southern Peru, Rodolfo Vicetti, stated: "That will not happen, because the copper will be extracted from the deposit by the chemical process of leaching, which is a process that does not produce any sort of tailings. Therefore, we can guarantee that at TíaMaría there will be no harmful effluents". Noticias Arequipa daily newspaper. Arequipa, 27 August 2010.

and refused to engage in technical discussions with government representatives and the mining company, all in a context of turnover in municipal and regional authorities.

The official spokesperson of the Company declared insistently that the Tía María mining project would use desalinated sea water to work the mine, rather than surface water from the Tambo River or the zone's water table. That communication was sent officially to the Ministry of Energy and Mines (MINEM). He stated that, under the "Water Culture", water and drainage projects would be promoted for the public to expand the consumption of quality water and sanitary disposal and treatment of used domestic water. He proposed social investment projects as part of the plan to "Promote Development" for the province of Islay, based on the principle of Responsible Mining, implementing investment projects with four pillars: Environment, Health, Agriculture and Water, considering that these are the main issues that Islay aspires to in order to improve their quality of life⁴⁸. The President of the Council of Ministers "sent letters to the authorities of Islay and the institutional leaders of Cocachacra and other districts, assuring that sea water will be used for the Southern mining company extracting from Tía María without taking any of their water resources for agriculture. He said it is not true that the government is in a rush to begin extracting from Tía María, but he cannot leave an investment of a billion dollars, employment, fiscal resources and development on reserve indefinitely. He asked for representatives to be appointed immediately, to participate in negotiations, which must be of a strictly technical nature"⁴⁹.

Nonetheless, the members of the Tambo Valley Defense Front continued their opposition and brought legal action against Southern Mining, for having attempted to continue with the Tía María copper project. The Front was going to begin attaining legal status, to be able to represent Tambo legally, to bring suit against anyone jeopardizing their interests. Throughout the conflict, arguments referred to the environmental impact, water use, etc. but then incorporated the issue of possible economic impacts and compensations, and differences began to arise among the leaders and authorities themselves regarding how to confront the Company.

With the prospect of having a large mining project, with millions of dollars in investments, proposed environmental practices, very large future profits... one wonders: Why do the people (or a large part of them) and their authorities reject this investment?

Southern had a serious prior track record because of poor performance in Ilo, Moquegua, where only the organized public and their municipal authorities were able to get the Company to change its technology and process strategic changes in their relationship with the authorities and people, the environment, economic compensations, environmental remediation, etc. These leaders were a

major part of the founders of the GDMDS, including the team from an NGO Labor, Doris Balvín, José Luis López, and others⁵⁰.

Further, the lack of water in the zone and throughout the South is critical, and Tambo Valley is an agricultural production area for the large city of Arequipa but faces constraints in water supply. This is aggravated by inadequate water management practices and inadequate irrigation management organization.

We examine below an analysis by the Land and Liberty movement, a political group that is strongly opposed to mining, led by Father Marco Arana, stressing the Valley's agrarian potential and the people's fears.

Tambo Valley

Speaking of the Tambo River Valley means speaking of an agrarian breadbasket providing food not only for the district of Cocachacra, but for the whole region of Arequipa. Tambo Valley produces sugar, vegetables, potatoes, alfalfa and other farm products, even shrimp.

However, this valley suffers from an evident water imbalance that prevents it from strongly maintaining its varied production, since the water from the Tambo River watershed (with its headwaters in Puno) is scanty, especially during the dry season. This is why, in April (2010), the people mobilized and organized into a defense front. Further, for several decades, the Southern Peru Copper Corporation has been systematically polluting this valley's air and soils with its fumes, and refusing to acknowledge their responsibility. The people of Islay are well aware of the powerful mining company's pushy arrogance.

Initially, they proposed to obtain the water required for operations in Tía María from wells in the Tambo River Valley, in the Cocachacra zone, which would have worsened the valley's water imbalance. However, after the conflict that shut this project down in early this year, Southern changed its proposal to building its own sea water desalination plant. Although they would no longer use up all the Tambo River's water, the problem of pollution remains, by this open pit mining project.

Last September, the residents of Islay said "no" to the Tía María project, but the authorities not only ignored this democratic consultation, but called a public hearing to approve the Environmental Impact Assessment (EIA) prepared by the Company and endorsed by the Government.

However, in April hundreds of farmers and residents of the zone blocked the Pan American South highway for six days, protesting that the EIA did not ensure environmental care of the valley. The Defense Front of the People of Islay made nearly 3000 observations on the EIA. As a result, the Government declared the surface and underground waters of the Tambo River untouchable – out of bounds for

⁴⁸ Statements by Guido Bocchio in La Voz daily newspaper, Arequipa, 7 August 2010.

⁴⁹ El Pueblo daily newspaper. Arequipa, 25 August 2010.

⁵⁰ López, José Luis and Balvín Doris. Environment, Mining and Society. A different perspective. Lima 2002, Labor.

mining use. There was a decision on technical grounds.

Although this is a victory for the farmers of Arequipa, a social conflict remains, because the Tía María project is still being promoted. So, at the same time as one calculates the millions of investments and tax payments, one must also value economically the impact of an open-pit project.

(Published by Tierra y Libertad Arequipa, 11 January 2011).

While this conflict was arising, the Ministry of Energy and Mines was trying to speed up processing of the Environmental Impact Assessments, and asked for support from UNOPS (United Nations Office for Project Services) with whom they signed an agreement. UNOPS was to design a procedure to analyze the EIA. On the occasion of the mining investment boom, there was an explosion of mining projects applying for approval of their EIAs. Between 1993 and June 2010, the General Directorate of Environmental Mining Affairs (DGAAM) of the Ministry of Energy and Mines received 3966 EIAs, of which 2259 were approved and 378 projects were sent for revision, according to an assessment by UNOPS. However, these revisions took a long time, as much as five or six times longer than the 90 days set by the environmental protection regulations for mining activities.

UNOPS was also charged with reviewing the EIA for the Tía María project. The results of the UNOPS examination (delivered on 16 March 2011) were quite hard on the project. UNOPS made 138 observations on the Tía María mining project's EIA, at least three of them quite serious: 1) The EIA had no hydro-geological study (water and soil) although this was essential to detect the impacts of mining activity; 2) the water used for processing was not to be taken from the sea, as had been promised, but from an estuary, where the river meets the ocean and mixes with sea water, which was therefore highly sensitive because of the diverse species it contains and its shallow depth; 3) The EIA slipped by the possibility that Southern would extract not only copper but also gold, without any reference to the processing for extracting it, which is fundamental since gold ore requires hazardous mercury for processing.

Among other observations, the environmental study presented by Southern did not consider the zone's regional or local history or the latest conflicts, to better interpret that locality's reality. In addition, under "Socio Economic Aspects", no mention was made of "poverty", to discuss employment generation by the mining project for local people. Further, the EIA ought to present detailed information on the state of agricultural and livestock activity in the zone, the size of properties, the percentage of the population mostly devoted to farming, and so on.

The report did in fact call for rethinking the project. In this context of protest, the population learned of the report and continued with their protests, becoming more radical in blocking highways other circulation. The Ombudsman Function, which had been following the conflict for some time, also raised its warning.

After 18 days of violent protests, blocking highways, marching in the city of Arequipa, burning a pickup truck and confronting police, causing three deaths and some 50 injured persons, the Ministry of Energy and Mines ordered a six-month shutdown to evaluate the Environmental Impact Assessment that Southern presented for the Tía María project. In practice, this ruling by President García's government left the final decision on whether to grant the project concession or not for the next administration. In view of this situation and the announcement by the Regional Government of Arequipa, to prohibit extractive activities in Islay⁵¹, the Tambo Valley Defense Front suspended their blockades and protests. Finally, this decision was made on the basis of a meeting among the relevant Minister, Pedro Sánchez, and the Minister of the Interior, the Regional President of Arequipa, the leader who led the protests in Islay, Pepe Julio Gutiérrez, and other leaders from Tambo Valley. In a press conference, Minister Sánchez concluded that "given the situation the project is in, we have had to move forward the evaluation and review the EIA documents, concluding that there are some elements in this project that cannot be resolved, so it is declared null and void". The arguments proposed by the Minister included: "This decision is because of the current situation of social unrest, violence and instability in the province of Islay, which is the Tía María project's zone of impact or influence, yielding an indefinite strike, as well as acts of violence toward public and private property..."

After the Project was suspended, public sectors organized under the Macro-Regional Defense Coordinating Group began a campaign to stop mining investments, calling on President Ollanta Humala to shut down mining concessions in southern Peru. Otherwise, they would organize an indefinite national strike. As some media have state⁵², the President of that Coordinating Group, who was Vice President of the Tambo Valley Defense Front, said that, with backing from leaders in Arequipa, Moquegua, Tacna, Puno and Andahuaylas, he was in a position to give such an ultimatum. They also stated that, just as they gave him their backing, yielding his winning majority in the elections, they can get him ousted if necessary. There seems to be agreement among leaders from various defense fronts, in October (2011) to reject the Quellaveco and Tía María mining project, and call for a shutdown of operations in Toquepala, Cuajone and Cerro Verde. Further, in a press conference, they warned that if Southern insisted on continuing the Tía María project, they would destroy the Company's camp in Tambo Valley. Fortunately, these threats have not been fulfilled so far.

The Company did not forfeit the concession, so the Executive President of Southern Peru Copper Corporation, Óscar González-Rocha, in several statements to the press over these last months, has said the Company plans to resume with the project, looking to collaboration from the new Government to get it going. So, in February 2012 the Company once again stated that, if the new EIA that

⁵¹ The President of the Regional Government of Arequipa, Dr. Juan Manuel Guillén-Benavides, said on 7 April 2011 that "THE NATIONAL GOVERNMENT MUST DEFINITELY CANCEL THE TIA MARIA MINING PROJECT AND ORDER THE REMOVAL OF THE SOUTHERN PERU COMPANY FROM THE PROVINCE OF ISLAY". (Press release printed on 8 April 2011).

⁵² El Comercio daily newspaper. Lima, 24 November 2011.

Southern is pursuing for its Tía María copper project is approved by both the government and the people, this deposit will begin operating in 2015, which would be the third commencement date that Southern has had for this project. The Company has expressed confidence in receiving approval, because this new EIA, to be presented in the coming three months⁵³ “follows the Peruvian Government’s recent guidelines for this type of studies”.

4.1 The GDMDS and the Tía María Conflict

In this process, the GDMDS has acted in the conflict pursuant to its mission of fostering relevant information and dialogue. The GDMDS agenda for conflicts begins by setting priorities that reflect the interests of stakeholders; if any brings up an issue of direct interest to them, and there are other stakeholders also interested in generating that dialogue, it happens. Further, if there are several stakeholders, as in the case of Michiquillay, involving the Angloamerican Company, the community, NGOs, and the municipality, the issue acquires more importance. There have been cases such as Xstrata, supported by NGOs

and community, and even municipal authorities, but the company has not shown much interest, and it was given only passing attention. We see that, if there is no explicit decision, the Group has not intervened to generate dialogue about highly polluting projects or the medium companies that generally participate very little.

GDMDS intervention in conflicts is quite particular, as José Luis López tells us⁵⁴: “We don’t meet to negotiate solutions for certain conflicts. What is more, there is no obligation to reach agreements on certain local conflicts. What we may agree on in meetings is not binding, no one is obliged to abide by these decisions, and therefore no memoranda are signed. The Dialogue Group as such makes no pronouncements, nor any activities and no one can represent it or speak on its behalf. There is a coordinator who calls and chairs meetings. We meet just to engage in dialogue, exchanging qualified information, listing to stakeholders about given cases of conflict, as agreed beforehand, and arranging meetings among those who wish to meet, to go more deeply into various topics”.

So, at the sixth meeting of GDMDS in 2009, the Tía María situation was part of the reports on processes under way. After Humberto Olaechea, coordinator of the Network of Leaders, spoke about the Tía María project, the Group discussed water and the various alternatives as well as the demand for Southern not to touch underground water. This called for clarifications by Carlos Aranda of Southern and Clara Chávarri, advisor to MEM, all calling for dialogue and for suspension of violent acts of protest.

Humberto Olaechea (societal leader) reported on the Tía María problem in Arequipa: “I would like some clarification of the Southern Company’s position, who announced that it would analyze the different alternatives for water use, and then – without any explanation – decided to use underground water. There will be no solution as long as the Company insists that the best alternative is to use underground water because most of the people are sure that, because the ocean is so nearby, the best alternative is a desalination plant.”

In reply to Humberto Olaechea, Clara García (MEM advisor) said: “On the basis of the same information, the Energy and Mines Sector, strictly pursuant to the standards, went to hold the public hearing and, in view of the way the public hearing was handled by the zone’s stakeholders, they lost their valuable opportunity to present their viewpoints serenely, equanimously and technically. I attended and witnessed the violence that public officials had to put up with, who go with all due transparency and good will to work in these zones. Through GDMDS we must convey to community stakeholders that we must not lose these opportunities for public hearings, but express in an organized, legitimate, formal manner to the Authority what the people really want, because violence will get us nowhere. And regarding what Mr.Olaechea has said, the Company is certainly evaluating new ways to use water, and therefore it is clear that the only reason for this protest was that the Company was using water without



Photo: Marina Irigoyen, Perú

⁵³ Gestión dailynewspaper. Lima, 02 February 2012.

⁵⁴ López José Luis, 2009. Page 20.Op.cit.

prior consultation with the people”

Finally, Carlos Aranda (Southern) commented on the Tía María project: “What has been said about the alternatives is not true. Prior to the hearing there were three information workshops. At the three workshops there were no problems at all. At the first workshop, the basic ideas were proposed of what was going to be done with the Environmental Impact Assessment and what the project would contain. The second workshop presented the three options for project water use. The third workshop established the reasons why it was decided to use underground water, and everything was fine up to that point, no protests, people were not complaining. Unfortunately, when there were three more slides remaining, to explain this issue specifically, it became practically impossible to speak, because of the shouting and flying chairs. It should not be said that the Company pulled this idea out of its sleeve, without explaining it beforehand, because it was explained”.

(Notes from the sixth meeting of the GDMDS in 2009, on 9 November 2009 at www.grupodedialogo.org).

On 28 April 2010 the EIA issue and the Tía María case was taken up again in the session on “Environmental Impact Studies, Hearings, and Citizen Participation. A Review that Cannot be Postponed”. The Group session in early 2011 also discussed the UNOPS report, noting the deficiencies found in the EIA. By coordinating with the Network of Leaders has attempted to discourage violent actions, but some leaders dominating the stage refused to engage in dialogue and worked for the strike. Some communications, reflections and comments were also exchanged via the electronic network.

When the conflict broke, in April 2011, 65 leaders of companies, communities and NGOs, as well as consultants participating in the Mining and Sustainable Development Dialogue Group⁵⁵ expressed their rejection of the violence in Islay and the importance of promoting agendas for dialogue. Who signed this statement? Those who signed, in their own personal right, come from companies such as Yanacocha, Antamina, Buenaventura, Gold Fields, Minsur, Lumina Copper, Río Tinto, and Norsemont Mining; from NGOs such as CARE Peru, SASE, Red Social, Labor and Prodiálogo, in addition to consultants and community leaders from Arequipa, La Oroya, Ancash and Cajamarca. They called for the institutions, companies and organizations involved in the occurrences in Islay to begin reflecting profoundly and extracting lessons learned, preventing new situations of violence and implementing processes to ensure a shared vision of mining activity in a framework of social and environmental responsibility, fundamental rights, respect for democracy and governance of Peru.

In this regard, the statement reads:

Regarding the lamentable occurrences recently in the province of Islay (Arequipa), resulting from the Tía María mining project; the undersigned members of the GDMDS

55 Press release dated 25 April 2011, on www.grupodedialogo.org.pe.

wish to state the following:

- We express our solidarity with the families of the persons who have lost their lives, been injured or suffered aggression.
- We emphatically reject all kinds of violent action, intimidation and damage to property and call on the various institutions so that such actions will never again happen in our country.
- We demand for the relevant authorities to investigate in depth the occurrences to determine the relevant liabilities and apply the corresponding penalties.
- We call on presidential candidates and societal and political organizations to express their rejection of the violence, as well as their commitment to development and democratic governance in Peru.
- We commit, on behalf of the GDMDS, to continuing to build bridges among the Government, companies and civil society, to generate consensus-based proposals and initiatives that contribute to the country's sustainable development.
- Finally, we call on the institutions, companies and organizations involved in the occurrences in Islay to begin reflecting profoundly and extracting lessons learned, preventing new situations of violence and implementing processes to ensure a shared vision of mining activity in a framework of social and environmental responsibility, fundamental rights, respect for democracy and governance of Peru.

Peru, 18 April 2011.

4.2 Results of the process

In the case of Tía María, several stakeholders are interested: the Southern Company, social leaders including the Network of Leaders and others, NGOs, the Municipality, and the Regional Government of Arequipa. Priority was given to this situation on the agenda although Southern was not so active on the GDMDS because on several occasions the other stakeholders brought it up, and in view of its national impact it was discussed. Dialogue and subsequent work by social leaders, authorities and local NGOs have contributed to bringing various stakeholders closer to the Company and to commitments with the national Government. The Regional President – who works closely with the GDMDS and is open to dialogue – is one of the players actively driving it. Local NGOs such as the Labor Association (one driver of the Dialogue project) promote a multi-stakeholder, non-sectorial approach broad enough to influence other stakeholders; local reflection groups have been encouraged to form; consensus has been reached on what to analyze (for example, technical issues such as the composition of tailings or air, with specialist settings and stakeholders); it has been identified that mistrust was at the grassroots, so a local regional approach will be required. It is recognized that there are radical groups among the public and in the Company itself, who used to be the stakeholders who appeared publicly. A third public

voice appears through the GDMDS, seeking to raise up other voices such as users' boards, professionals, etc⁵⁶.

So, the GDMDS analyzes at meetings of the Forum, at the Direct Dialogue Group, and in small voluntary working groups. At the same time, the GDMDS and particularly the members of the GDD and the GDMDS' electronic network, generate first-hand information, which improves linkages between government advisors and multi-stakeholder leaders to intervene in. Interested parties establish or reinforce relations with social leaders to find ways to intervene, encouraging dialogue rather than "harder" and even violent options. This reflection on practices improves discussions with companies.

However, if it does not intervene as a Group, what good does it do to make efforts for dialogue in the highest conflict situations?

There is ample consensus that it is more complex to foster dialogue in a situation with conflict escalation. In general, the GDMDS does not intervene at the peak of conflict, during crises, although its members do, whether involved as direct stakeholders or as facilitators. In some cases, NGOs seek to play a third-party role in conflict situations, such as in Mina Conga. However, the GDMDS does generate interventions in the conflict cycle, contributing to generating this culture of dialogue, encounters among stakeholders, learning and working groups⁵⁷. Further, dialogue about conflicts, at different points in their process, has contributed to discussing transcendent issues for sustainable development and mining. There have been generated complex reflection and contributions have been generated regarding issues such as: water management and the watershed, Environmental Impact Studies, consultation with indigenous peoples and citizen participation and social funds.

Some reflections on these processes are contributing to policy-making involving various stakeholders; we stress the EIAs, water, participation and consultation.

- Regarding Environmental Impact Studies on this sector, responsible institutional arrangements are discussed. Regarding the Ministry of Energy and Mines, which both promotes mining investment and approves EIAs; there is a current of opinion in the GDMDS that feels this dual role could lead MEM to favor investment and neglect analysis of EIAs. Therefore, a reorganization of the Government is proposed, particularly Ministry's role in approving EIAs, and ways of processing citizen participation or consultation about it. Additionally, the Strategic Environmental Evaluation, provided for by law but not applied, must not only review the immediate impacts in a given area, but also in the broader contexts, especially as mining expands through much of the territory in various regions and provinces. Although not yet defined as policies, there is reflection under way.
- One issue stressed in EIAs and of widespread concern is treatment of water. The Southern regions of Peru

have little water, struggling against the desert that threatens to spread, facing the small valleys and underground water. Water has been positioned as an issue of conflict in the South as elsewhere in the world. And companies have no alternative than to propose other ways to supply themselves with water, such as by desalination and recycling. Leaders of the GDMDS propose debate about how mining projects are involved in localities or the region to contribute to coping with the lack of water, to work on reducing river pollution, treating sewage, etc. Increasingly, such reflections mean that the different mining interventions have to revise their proposed water usage. For example, the main impact of the EIA for the Cerro Verde mining company is the use of an additional 1000 l/sec. of water, above the 1160 l/sec. the mine currently uses. Now the Company is proposing to obtain it by treating waste water from the drains of the city of Arequipa, by constructing a waste water treatment plant. Although this proposal has not been made by the GDMDS as such, many of its leaders have influenced decisively to promote and materialize it.

- Regarding citizen participation and consultation with indigenous peoples, this topic has become increasingly powerful. The Bagua conflict provided a particular boost, by uncovering the existence of Agreement 169 and its non-observance by the Peruvian Government. This issue was not only placed on the agenda of national meetings of the Dialogue Group, but on successive meetings of the GDD, work commissions, bilateral dialogues and local agendas. In 2010 the EIA and Citizen Participation Commission and in 2011 the Consultation Commission, have each produced documents with working proposals. However, rich debate among representatives of companies, NGOs, consultants and social leaders has made them more aware of the need for intercultural dialogues, capacity development and openness. The Consultation Commission is processing recommendations for the Vice-Ministry of Intercultural Relations on implementation of consultation, agreeing to advance in consultation procedures, holding intercultural dialogues and higher profiles for procedures for recognition of indigenous peoples and their organizations, issues that are being worked on in the Regulations for the Law on Consultation and formulation of guidelines.

Analyzing this experience leads us to think that there are several elements involved. On the one hand, this process could not happen if Peru had not developed an increasing degree of maturity in certain companies that seek to make social responsibility a concrete practice, beyond altruism. However, companies are run by leaders, and many of those leaders approach the GDMDS. Various leaders in diverse sectors propose a relational approach to strengthen relationships among persons with the understanding that

⁵⁶ Reflections by Edwin, leader of the Labor NGO, Arequipa.

⁵⁷ Statements by Iván Ormaechea, President of NGO Prodiálogo, interview on 8 March 2012.

conflicts can be addressed better when leaders recognize each other⁵⁸. Further, the style of conducting meetings seeks balance, diversity of opinions, having much to do with the charisma and personality of the leader coordinating the GDMS and most recently strengthened by the coordinating team, encouraging mutual respect and diversity.

However contexts have also changed, the report by the Commission of Truth and Reconciliation that analyzed the period of terrorism in Peru, published in early 2000, showed an unimagined situation of marginalization and exclusion among Andean and Amazonian population groups. In recent years, major mining investments were recognized, their benefits enhanced by the international context, while becoming increasingly aware that the excluded population was not being sufficiently served, at a national or sub national level. Protests combined fear of pollution and visualization of inequities by the people who bitterly view the hefty profits companies make and the meager improvement in their own quality of life from many mining investments. These protests have not only called for more, better benefits, but have also questioned the investment itself. From the denial of investment in Majaz and Tambogrande in Piura up to the current conflicts in the South and in Mina Conga, Cajamarca, there is a situation of rejection of mining, which requires systematic treatment. Therefore, many companies and other stakeholders consider that the minimum legal requirements are a basis for their intervention in development but other efforts must also be made, aspiring to improve standards in accordance with environmental principles and respect for HR.

Now the Dialogue Group faces the challenge of diverse perspectives regarding (a) mining, but with environmental quality and participation; or (b) no more mining – enough is enough. Respect for the people is at stake, particularly for indigenous peoples whose territories hold most mining areas, but also at stake is the country's and excluded people's need for resources to develop. Extractive activity must be developed that is neither polluting nor predatory, to develop a sustainable economy that is less dependent on commodity fluctuations. This orientation assumes, among other things, continuing to work seriously and openly, generating trust among its members, continuing to appeal to diverse stakeholders and respect for partners, putting factors together to achieve development.

⁵⁸ One of the approaches that is ever-stronger - explicitly promoted by inter-NGO projects such as Dialoga - considers that there are four dimensions to a conflict: Personal (physical, emotional); Relational (risk of polarization, emphasis on communication); Structural (favoring analysis of societal and institutional structures - traditionally, the most common dimension); and Cultural (referring to ways to understand coexistence). According to the Lederachschool, it is considered that "face-to-face" relations can open minds and hearts to other proposals and points of view.

Transforming Socio-environmental Conflicts by Building Inter-cultural Relations: examples from Venezuela and Argentina

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1. Introduction

Socio-environmental conflicts are by nature multicultural. They arise largely as a result of symbolic struggles over different meanings and values of nature and local territory, as well as over different notions of development, authority and governance; especially in Latin America where many environmental conflicts occur in territories occupied ancestrally by indigenous peoples.



Photo: Iokiñe Rodriguez, Venezuela

The cultural dimension is recognized in conflict transformation theory as one of the four key dimensions that can give rise to conflicts, and consequently, that can generate constructive long-term changes in them⁶². Likewise, the recognition of cultural differences is seen as one of the three fundamental components for the achievement of greater social and environmental justice⁶³. However, this is the component least addressed in interventions that seek to resolve, manage or transform environmental conflicts or implement local territorial policies. There is a tendency to grant priority to the communicational and structural dimensions of conflicts as well as to the distributive and participatory aspects of social and environmental justice.

Opening up room for building inter-cultural relations in the implementation of public policies, as well as in the process of development under way in the region, is no easy task. On the one hand, the rapid pace of planning and development processes and the deeply-rooted dominant values of nature, development and authority in government institutional cultures often offer little opportunity to consider and engage in dialogue with other forms of knowledge and cultures, even within pluri-cultural Nation-State models such as those existing at present in Venezuela and Ecuador, among other⁶⁴. However, on the other hand, and perhaps more alarmingly, many local and indigenous communities are caught up in a process of such fast cultural change that they have begun to lose their own sense of identity, which puts them at a great disadvantage when negotiating development or conservation projects. Achieving greater environmental justice involves not only recognizing “otherness” but in many cases that indigenous communities and peoples themselves can reconnect with their own identity as a basis for negotiating visions of development and desired futures.

This paper presents two cases, one in Venezuela and another in Argentina, where conflict transformation interventions have focused on the cultural dimension. The first case refers to an experience under way in the

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60 Independent consultant. The contents of the article, in the case of Argentina, does not necessarily reflect the opinions of the National Parks Administration.

61 Grupo Confluencias is an action-reflection group formed by experts, researchers and Latin American institutions which seek the transformation of environmental conflicts through addressing issues of social justice, equity and environmental sustainability in Latin America.

62 Maiese, M. & J.P Lederach (2004). “Transformation”. In: *Beyond Intractability*, H. Burgess y G. Burgess, eds. University of Colorado Conflict Research Consortium.

63 Pérez de la Fuente, O. (2010) *Escalas de justicia y emancipación: [Scales of justice and emancipation:] Inclusión, redistribución y reconocimiento [Inclusion, redistribution and recognition]*. Astrolabio. *International Philosophy Journal*. En Leff, E. (2001). *Los Derechos del Ser Colectivo y la Reapropiación Social de la Naturaleza: [The rights of collectives and societal reappropriation of Nature:] A Guisa de Prólogo [a stab at a foreword]*. In: Leff, E. (Ed), *Justicia Ambiental: [Environmental Justice:] construcción y defensa de los nuevos derechos ambientales culturales y colectivos en América Latina [construction and defense of new cultural and collective environmental rights in Latin America]*. Environmental Forum and Debates series, No 1. UNEP / PNUMA – Autonomous University of Mexico.

64 García, F. (2010). *Retos de la diversidad: [Challenges of diversity:] el reconocimiento y aplicación de los sistemas de derecho indígenas ecuatorianos [recognizing and applying Ecuadorian indigenous legal systems]*. Íconos. Social Science Journal. 38: 9-16. Quito.

Canaima National Park, a UNESCO World Natural Heritage Site and part of the ancestral territory of the Pemon People, where a series of inter-connected processes, some emerging from the grassroots and others facilitated by external actors, have focused on cultural reaffirmation as a strategy to strengthen the Pemon's capacity to enter into dialogue and negotiation with other actors regarding visions of conservation and development. The second case refers to a pilot experience under way in Argentina, taking place as part of the implementation of the Conservation Corridor Strategy in the Gran Chaco⁶⁵ which is identifying and generating socio-political conditions to make planning (with an intercultural approach) viable in one of the local territories of the corridor. These experiences tell us about two different starting points for addressing the cultural dimension in environmental conflict transformation: while the Venezuelan one makes a case for opening space to culture in an existing protected area management process where there has been long-standing conflict (for 30 years); the Argentine case makes room for this dimension before defining and implementing conservation and development policies, favoring therefore a conflict prevention approach.



Photo: Juvencio Gomez, Venezuela

65 "Designing a Regional Strategy for Conservation Corridores in Argentina's Grand Chaco" Project. Implemented by the National Parks Administration jointly with the Provinces of Chaco, Formosa and Santiago del Estero.

2. Canaima National Park

2.1 The context

The Canaima National Park (hereinafter, PNC) is located in southeastern Venezuela, near the border with Brazil and Guyana and protecting the northwestern portion of the Guyana Shield, an ancient geological formation shared with Brazil, the Guyanas and Colombia. The PNC was created in 1962 with an initial area of 10,000km², which was extended to 30,000km² in 1975 to protect its watershed function: the Guri Dam, which generates 70% of Venezuela's electricity, is located 300km downstream of the northwestern border of the PNC. The best-known landscape components of the PNC are the "tepuyes", very old mountains in the form of a plateau, receiving their name from the indigenous word *tüpü*. The PNC's vegetation is markedly divided between a forest-savannah mosaic in the eastern sector known as the Gran Savana, and an evergreen forest in the western zone. In recognition of its extraordinary landscapes and geological and biological values, in 1994 the PNC was registered on the list of UNESCO Natural World Heritage Sites.

A wide variety of heterogeneous and conflicting demands enter into tension in PNC, largely because the protected area was established on a territory occupied ancestrally by the Pemon people, who are the main occupants of this vast area. With an estimated population of 18,000 persons, most of the Pemon people in the PNC live in settlements of 100 to 1000 inhabitants, although some still maintain the traditional system of scattered nuclear family settlements. Their lifestyle is based largely on traditional activities: agriculture, fishing, hunting and gathering, although there is more work in tourism and activities associated (for example, handicrafts) and increasingly the new generations occupy public administration posts (teachers, nurses, community police, municipal staff, etc.)

Despite the strong cultural bonds that the Pemon have with their land, their relationship with the National Park has not been a happy one. The very name of the Park symbolizes a long history of antagonism between the Pemon people and the environmental managers of this area. To the detriment of the Park management, "Canaima" in Pemon means "spirit of evil" and "refers to [a person who perpetrates] sorcery, using secret methods that we call witchcraft"⁶⁶.

A much more appropriate name would have been Makunaimö National Park, or "Makunaimö Kowamüpö Dapon", which means "the Land of Makunaimö" (the supreme cultural hero of the Pemon).

A lack of sensitivity to the meaning of the Park's name has been one of the many ways in which the Pemon have been made to feel as strangers in their own land. Although the Park figure has helped protect this part of the ancestral Pemon territory, they have largely experienced the Park as a threat to their existence. This is due to a style of environmental management and development planning in

66 Butt-Colson, A. (2009). *Land. Its occupation, management, use and conceptualization. The case of the Akawaio and Arekuna of the Upper Mazaruni District, Guyana*. Last Refuge Publishing, Somerset, UK.

the southern part of the country, which has systematically excluded the Pemon's cultural values, knowledge and notions of authority and territorial property.

The result has been local territorial management with a high level of conflicts. On the one hand, there are long-standing conflicts over land use, fundamentally due to the use of fire in conucos (slash and burn) agriculture and in savannah burning, both indigenous practices considered by environmental managers as a threat to conservation functions in the watersheds of the PNC. Despite a variety of strategies developed by the government to change or eliminate the use of fire in agriculture and the savannahs (repression in the 1970s, and starting in the 1980s environmental education, introducing new growing techniques, and a fire control program), many Pemon, especially the elders and those living in more isolated communities, have continued using fire extensively. By contrast, younger Pemon generations have become gradually more critical to the use of fire and, as a result, inter-generational tensions are increasingly common on this topic.

Tourism activities have also generated major confrontations between the Pemon and the Government, fundamentally because of pressures by non-indigenous tourism companies to establish themselves in the protected area. By political demonstrations and taking the law into their own hands, so far the Pemon have managed to retain their right to provide tourism services in the National Park, especially in the Gran Savana. However, conflicts over tourism management have continued, due to unresolved struggles over different notions of authority and land ownership with the National Institute of National Parks (INPARQUES). Furthermore, there are conflicts over projects of national strategic interest implemented within the Park's boundaries, such as the building of a high-voltage power line to export electricity to Brazil (1997-2000), and the installation of a satellite sub-base (2007). Although the commitment to recognizing the territorial property rights of the Pemon (stated in the 1999 National Constitution) was essential for reaching an agreement for the completion of both projects, to date no territorial demarcation as such has begun. Therefore, the Pemon remain actively in conflict with the Government for their territorial rights.

This variety of conflicts has been developing within a context of rapid cultural change resulting from a variety of educational and national integration policies implemented systematically since 1940. As a result, and despite their varied resistance strategies and struggles for self-determination and cultural recognition, the Pemon have been increasingly experiencing a feeling of disorientation about who they want to be in the future and how they wish to live as a People. This situation has placed them at a great disadvantage and vulnerability to engage in dialogue about development and territorial management with other stakeholders on their land.

2.2 The approach: laying the foundation for intercultural dialogue in conditions of equity

In order to deal with this context of conflict and rapid cultural change, since the mid-1990s the Pemon have addressed the need to clarify their visions regarding land use and the future, by building a "Pemon Life Plan". While territorial property rights is conceived of as the primary material basis for cultural survival, the Life Plan is viewed as its ideological, spiritual and philosophical foundation. The Life Plan will help them visualize and define a future based on historical reconstruction and cultural identity. Thus, territorial property and the Life Plan have become the two mutually interdependent pillars upholding their struggle for cultural reaffirmation, environmental integrity and defense of their territory⁶⁷.

The Pemon Life Plan is viewed as a critical self-analysis of their current situation, their changes but also their cultural values, in order to help them reflect about who they are, and who they want to be in the future, as a people. By providing them with a clear vision of their identity, needs and desires, it will help them negotiate more strategically in their dealings with the institutions that are present in the area:

"Our own Life Plan will not only strengthen us as a people, but will also facilitate the necessary interactions with the institutions with which the Pemon interact, helping those institutions structure their initiatives and activities with the communities".⁶⁸

An imperative to move forward in constructing a Pemon Life Plan has been developing capacities and participatory methodologies for community analysis and planning. For this purpose, they have been supported by a series of collaborations by external actors who have introduced the agenda of constructing Life Plans within their research and management projects and initiatives, thereby generating different approaches for articulating traditional and scientific/technical knowledge.

The first collaborative experience among the Pemon and external stakeholders to construct a Pemon Life Plan arose in 1999 while the first author of this paper was preparing her doctoral thesis. At the time, Juvencio Gómez, formal leader (chief) of Kumarakapay, one of the largest Pemon communities in the PNC, requested support for a community reflection process on Pemon identity and a vision of the future. He said, "we – the Pemon – don't know where we are going, because of all the projects imposed on our territory; we are totally disoriented. We need to be clear about who we are and who we want to be". This initiated a process of self-reflection and participatory research lasting a year, regarding the past (historical reconstruction), the present (socio-cultural and environmental changes, visions of development, main community problems and ways to solve them) and the

67 García J. (2009). Materiales para una historia Pemon [Materials for a Pemon History]. *Antropologica*. 52 (111-112):225-240.

68 World Bank (2006). Annex 20. Project brief on a proposed grant from the Global Environment Facility Trust fund in the amount of USD 6 million to the government of Venezuela for a Venezuela-expanding partnerships for the National Parks System Project. World Bank, May 2006.

future (type of society they want to be and how to achieve it) for the Pemon of Kumarakapay. As part of this process, they also carried out participatory research on the Pemon's vision and uses of fire, in order to help clarify internal tensions about this local activity and encourage dialogue about fire with external stakeholders under conditions of greater equity.

Then, in 2001, the project -"Evaluating Public Policies of the Pemon People in their Socio-economic and Environmental Components" by the Ministry of Education and Sports, the Federation of Indigenous of the State of Bolívar (FIEB), Econatura and The Nature Conservancy, generated a series of intra-community dialogues on the Pemon people's socio-cultural vision, to inform a definition of public policies "by and for the Pemon". This provided an initial internal reflection among the Pemon about the need to play a more active, critical role in their relations with the government, and the need to orient both public policy formulation and the construction of a Pemon Life Plan:

"The Pemon have been passive...we have accepted projects and programs without analyzing their pros and cons. It is time for us to react and begin rebuilding our lives as the Pemon People, based on our past and present, so the future will be clearer... We have decided to take part in Evaluating Public Policies involving the Pemon People, in response to the need of the Pemon People to set our own policies in order to cope with the pressure constantly applied, to this day, by governmental and non-governmental institutions... Recognizing the effort made to gather information and data supporting the Pemon Life Plan, progress is expected in developing more correct, fair, realistic, participatory policy, by exercising our own rights." (Juvencio Gómez, 2001).⁶⁹

Years later, between 2004 and 2006, the first and only attempt to develop an overarching Life Plan for the Pemon in the PNC was made. This happened during the preparatory phase of the GEF-Canaima Project. In response to the need for a collaborative strategy to manage the PNC, a 6-million-dollar project was formulated in 2006 for GEF-World Bank funding, entitled "Expanding Alliances to Manage the Park System" (World Bank, Op. cit.). At that time, one of the Pemon's conditions for taking part in the participatory management of the PNC was that the project would be implemented in coordination with communities' Life Plans. A series of workshops defined a preliminary version of the Pemon Life Plan, emphasizing the following components:

1. Indigenous Territory and Habitat
2. Education and Culture
3. Organization-building
4. Health and Culture
5. Social Infrastructure
6. Production and Economic Alternatives⁷⁰.

⁶⁹ Gómez, J. (2004) Aproximación Pemon para la formulación de políticas públicas [Pemon approach to public policy-making]. Relatorías de las asambleas generales y comunitarias [Proceedings of general and community assemblies]. Ministry of Education and Sports, Federation of Indigenous of the State of Bolívar (FIEB), Econatura and The Nature Conservancy.

⁷⁰ Pizarro I. (2006). El plan de vida del pueblo Pemon [The Pemon people's

However, although the World Bank approved this project, it was never implemented because of changes in the Venezuelan Government's political priorities and the decision to cut off ties of cooperation with the World Bank.

In 2008 the possibility for collaboration with external stakeholders was reopened to continue advancing in the development of community Life Plans through the "Risk factors in reducing habitats in the Canaima National Park: vulnerability and tools for sustainable development" Project, a multi-disciplinary, inter-institutional project using a knowledge articulation approach to define sustainable development proposals⁷¹. Here the Life Plan has been used as a platform for dialogue between the academic sector and the Pemon about the current and future situation of the PNC. The work has concentrated in two communities: in Kumarakapay where the project resumed the process begun in 1999 and in Kavanayen, where in addition to conducting a participatory evaluation of socio environmental changes and visions of the future, an intercultural research team was formed to probe the following themes: a) Historical Reconstruction, b) Reconstruction of Cultural Traditions and Practices, where the use of fire plays an important role, c) Use of Land and Food Security, and d) Social and Political Organization.

2.3 Results and impacts

One of the most important contributions from these experiences is that they have provided a major opportunity to open internal dialogues and reflections about the Pemon identity and their visions of the future, as well as dialogues with other stakeholders to propose the need for a new modality of relations among the Pemons and other stakeholders in local territorial management of the PNC.

However, so far, the community of Kumarakapay is where the most progress has been made in constructing a Pemon Life Plan, working on this issue steadily – although with ups and downs – for the last decade. To materialize this effort, in 2010 a book was published, written by the inhabitants of Kumarakapay, entitled "The History of the Pemon of Kumarakapay", which is used in school and other communities of the Gran Savana as a guide for developing Life Plans⁷². This book, written as a result of a request of the elders in 1995, expresses the need to reconstruct the past and revalue the Pemon identity to be able to visualize a desired future. It includes much of the information compiled during community reflection on the past, present and future of Kumarakapay, beginning with the origin of

life plan].. In: Medina J. and A. Vladimír (Eds) (2006) Conservación de la biodiversidad en los territorios indígenas Pemon de Venezuela: [Conserving biodiversity in Pemon indigenous territories of Venezuela:] una construcción de futuro [building the future]. Caracas: The Nature Conservancy.

⁷¹ Bilbao, B. & H. Vessuri (Coord.). (2006). Factores de riesgo en la reducción de hábitats en el Parque Nacional Canaima: [Risk factors in habitat reduction in the Canaima National Park:] vulnerabilidad y herramientas para el desarrollo sostenible [vulnerability and tools for sustainable development]. Project by the FONACIT, USB-IVIC-UNEG-Parupa Research Station Group. Caracas. Sánchez-Rose, I. & H. Vessuri (2009). Riesgo, ambiente y gobernabilidad. Aprendizajes de una investigación interdisciplinaria, Pensamiento Iberoamericano, (5):149-170.

⁷² Roraimökök Damük (2010) La Historia de los Pemon de Kumarakapay [The history of the Pemons of Kumarakapay]. Eds: Rodríguez I., J. Gómez & Y. Fernández. Ediciones IVIC, Caracas.

the Pemon people, followed by the history of foundation of the community, a discussion of their current socio-environmental situation and finally a definition of the type of society their inhabitants want to have in the future (see Box 1).

Box 1:

The type of society that the Pemons of Kumarakapay want to have	
1	A Pemon society with awareness of who we are, and with a feeling of belonging.
2	Knowledgeable about our history, culture, tradition and language.
3	Owners of our land – territory, knowledge, culture and destiny.
4	A society educated with ancestral and modern knowledge.
5	A society that values its wise people (parents and grandparents).
6	A respectful, hard-working, obedient, kind, courteous, cheerful, sharing, harmonious, understanding society where there is love.
7	A productive, autonomous society.
8	A society that defends its rights and is ready to confront pressures from the Venezuelan society.
Source: Roraïmökök Damük (2010).	

By putting their history in writing, the Pemon of Kumarakapay wanted not only to become more visible and show that they exist as a People, with their own knowledge, language, culture and traditions, and to be recognized in government development plans, but at the same to generate local commitment to collectively start building their desired future.

These processes have strengthened the Pemon capacity for critical analysis of their reality, and their individual and collective identity. On the basis of their first reflections on their past, present and future in 1999, the inhabitants of Kumarakapay, and in their own initiative, have undertaken a series of activities to revalue their identity, such as reconstructing the Pemon calendar, educational workshops, cultural activities, fairs of the Pemon culinary culture and exchanges and competitions in the native disciplines. With external assistance, between 2000 and 2004 they implemented a project for self-demarcation of the Pemon territory in the eastern part of the PNC⁷³. More recently and as a result of publication of the book on the History of Kumarakapay, the community has begun a series of activities such as workshops and seminars on community philosophy involving grandmothers and grandfathers, in order to orient their development, education and organization-building.

Reflections on their situation and socio-environmental

73 Sletto, B. (2009). Autogestión en representaciones espaciales indígenas y el rol de la capacitación y concientización: [Self-management in indigenous spatial representation and the role of training and consciousness-raising:] el caso del Proyecto Etnocartográfico Inna Kowantok [the case of the Inna Kowantok ethnocartography project], Sector 5 Pemon (Kavanayén- Mapauri), the Grand Savannah. *Antropologica*, 113 (43-75).

changes have also led them to consider their potential and options for production in the future. A critical topic they face is food security. The shift in the settlement pattern experienced since 1950 from semi nomads to a permanent village is depleting their farming land. Taking this situation into consideration since 2000 the Pemon of Kumarakapay set the vision of becoming a tourist community and since then have been training more actively in this activity. They are also trying to find agroecological alternatives to cultivate the savannah.

The reflections derived from the participatory research project on use of fire in Kumarakapay as well as discussion workshops held more recently in Kavanayen among inhabitants of this community and members of the Risk Project have fostered discussions among the Pemon about traditional use of fire, revaluing their ancestral lore underpinning this practice⁷⁴. These reflections have led Pemon youth to reconsider their criticisms of the use of fire, seeing rather the urgent need to learn from their grandparents about the use of fire in order to guarantee that they can continue to manage the landscape dynamically in the future.

However, despite these achievements, so far no significant change has been seen in the government's approach to environmental management. The project "Evaluation of Public Policies regarding the Pemon people in their Socio-economic and Environmental Components" did not achieve the desired impact on local and regional public policy-making due to institutional changes and changes in national policy guidelines, similarly to what happened with the GEF-Canaima project. Perhaps, if these projects had materialized, both experiences would have generated a significant precedent for developing an approach to managing the PNC with greater sensitivity and openness to the cultural values and knowledge of the Pemon people. Far from this, in the last decade environmental policy has continued to favor a highly centralized planning style, ignoring the area's cultural diversity. What may be more alarming for the purposes of achieving intercultural environmental management is that, over the last 10 years, PNC management has been severely constrained by dwindling funding, insufficient personnel and lack of inter-institutional coordination and will from the national government to support the national system of protected areas⁷⁵. Environmental policies have been upstaged by social policies geared toward hard core development, which jeopardizes the Pemon Life Plan by emphasizing

74 Rodríguez, I. & B. Sletto. (2009). Apök hace feliz a Pata [Apök makes Pata happy]: desafíos y sugerencias para una gestión intercultural del fuego en la Gran Sabana [Challenges and suggestions for intercultural management of fire in the Gran Savana]. *Antropologica* 52 (111-112). Rodríguez I., B., Sletto, B., Bilbao, I. Sanchez-Rose. & A. Leal. (submitted). Speaking about fire: reflexive governance in landscapes of social change and shifting local identities. *Environmental Policy Making*.

75 Novo I. & D. Díaz. (2007). Final Report on the Evaluation of the Canaima National Park, Venezuela, as a Natural Heritage of Humankind Site. Project on Improving Our Heritage. Vitalis, Caracas. Bevilacqua, M., D.A. Medina & L. Cardenas. (2009) Manejo de Recursos Naturales en el Parque Nacional Canaima: [Managing natural resources in the Canaima National Park:] desafíos institucionales para la conservación [institutional challenges for conservation]. In: Senaris, J. C., D. Lew & C. Lasso (eds.). (2009). Biodiversidad del Parque Nacional Canaima: [Biodiversity of the Canaima National Park:] bases técnicas para la conservación de la Guayana venezolana [technical foundations for conservation of Venezuela's Guayana region]. La Salle Natural Science Foundation and The Nature Conservancy. Caracas.

rather than reducing the historical relationship of dependence on the government.

However, internal strengthening among the Pemon about their cultural identity has played some role in leveling power balances in PNC conflicts. With visions more clearly articulated regarding their current situation and visions for the future, some Pemon have enhanced their capacity for public deliberation with environmental managers regarding pressing issues of PNC management, such as the use of fire, and have reinforced their organizational and self-help capacity to build the future they want. They have also taken strategic advantage of a number of recent governmental social policies for the area (e.g., funding for local development by setting up Community Councils) to empower productive activities such as tourism.

3. El Impenetrable Conservation Corridor

3.1 The context

The Grand Chaco of the Americas is an ecological region of over one million square kilometers, covering parts of four countries: Argentina, Paraguay, Bolivia and Brazil. There are nearly four million people living there, a significant portion of them indigenous. Similarly, it is one of the zones with the greatest biodiversity on the planet, the largest woodlands on the continent after the Amazon region, and the foremost in hardwoods. 65% of this ecosystem is located in Argentina (central and northern), comprising 76% of the country's native forests, where the impact of deforestation and agricultural frontier encroachment is creating new environmental conditions and changing social linkages, posing a challenge to address this from the perspective of environmental justice and inter-cultural relations.

Particularly the "impenetrable part of the Chaco" is a semi-arid region with only vaguely defined political, administrative and biological boundaries, but involving parts of the provinces of Santiago del Estero, Chaco, and Formosa. The vegetation characterizing this zone is mainly typical and degraded quebrachales [groves of *Schinopsis balansae*], carob, vinalares, rivera forests, peladares and lower edible fruit trees hosting diverse fauna, although many of its components have been sharply reduced by human intervention. Precisely for the purpose of proactively coping with the fragmentation of some ecosystems, due to types of land use, mainly extensive farming and ranching, which are expanding into well-conserved areas and displacing traditional uses and ancestral customs, an environmental planning strategy for local territories has been identified, called Conservation Corridors. Within these spaces, protected areas become the nuclei of conservation and territories connecting them with each other (corridors), and serve as a setting for consensus-building for sustainable development.

The Conservation Corridor of El Impenetrable in the

Chaco is also an environment for the social, cultural and productive reproduction of native and mixed-ancestry peoples. Here, most of the Wichi population in the Chaco is concentrated to the north (approximately 8000 inhabitant⁷⁶). They live in villages and/or rural hamlets varying in size and composition: in some they coexist with mixed-ancestry criollo people, who generally keep livestock on a small scale and have since the early 20th century, and with "whites" who have moved in more recently, and practice professions or trade. The Wichis are essentially gatherers and artisans, and are currently engaged in activities such as livestock on a subsistence basis, horticulture (in settlements along the river banks), incorporating beekeeping, and to a lesser degree brick kilns and silviculture. Some have gotten public jobs, and a large number are assisted by societal plans.

Historically, the "impenetrable" has been part of the "conquest" promoted by the Government, through military campaigns, to incorporate territories as a zone of agricultural expansion, since the late 19th and early 20th centuries, driving out or subjugating much of the local indigenous population. Logging timber for railway sleepers and harbor infrastructure was the first encroachment on the natural vegetation resources and livelihoods of local communities; next, quebracho was used as a raw material to produce tannin for leather tanneries, but when these activities lagged and there was little reinvestment in the territory, "a landscape was left of lifeless towns and collapsing cities, unemployed workers, attempts to settle land and move ranching into the degraded forests⁷⁷. In this process "indigenous groups lost control over part of their land and their conditions for social reproduction were therefore obliged to turn to the market for their livelihoods. ... Access to the market largely involved wage-earning work on cotton plantations."⁷⁸ These approaches to planning and/or operating in the territory remain in force to this day. Soybean cropping is now deepening the cotton model⁷⁹, with one essential difference: extensive soybean fields using present-day technology, requires little manpower, resulting in a displacement and/or reduction of communities to subsistence farming. Although the advancing agricultural frontier has swept away native forests to the east of the Impenetrable corridor, it remains under pressure from potential expansion of crops, and a move westward of pampas livestock raising.⁸⁰

The impact of these dynamics and policies can be observed in the distribution of wealth, and in dominant relations and discourses and the cultural legacy of native peoples. The first impact is reflected in high rates of unmet basic

76 Data from the Chaco Native Peoples Institute: <http://institutodelabori-gendelchaco.blogspot.com.ar/>

77 Baxendale & G. Buzai (2009) Característica socio espacial del chaco argentino. En: El Chaco sin bosques: la pampa o el desierto del futuro. pp. 28,29. Gepama – Fadu –Unesco, Mab.

78 Gordillo, G (2006). En el Gran Chaco – antropologías e historias". Buenos Aires, Prometeo.

79 Pertile V. & A. Torres Gergalga (2009) Cambios productivos en el sector agrícola de la provincia de Chaco. En: El Chaco sin bosques: la pampa o el desierto del futuro. p. 188 Gepama – Fadu –Unesco, Mab

80 Pengue, W. (2009) El desarrollo rural sostenible y los procesos de agri-culturización, ganaderización y pampeanización en la llanura chaco pampa". En: El Chaco sin bosques: la pampa o el desierto del futuro. p. 124. Gepama – Fadu –Unesco, Mab

needs in the municipalities included in the space defined as the Corridor⁸¹ and the rural-urban migration reported in the latest local census data⁸². Further, the impact on power relations is observed as old patterns of inequity are resurrected, in which the definitions of progress, production, conservation and authority are according to the agendas promoted by a cultural model that fails to incorporate the indigenous perspective.

Accordingly, conservation corridors are promoted in an extensive territory where the stakeholders who own land are diverse, and therefore their interests, histories, and visualizations of the future vary. They may accelerate the process of transculturation, or may generate opportunities to promote and defend cultural values by recovering their community history and cultural production, enhancing understanding of the potential for joint planning.

3.2 The approach: generating conditions for intercultural dialogue

In this case, the intervention is not the result of a specific conflict crisis, but is proposed as an initiative to identify and generate the necessary conditions for dialogue and consensus-building to take place in the framework of implementing the Conservation Corridors Strategy on the basis of profound knowledge of the visions, needs and expectations of the stakeholders directly involved.

Technical assistance to the National Parks Administration (APN) during the last six months focused on increasing participation and involvement of local stakeholders with the Chaco Corridors Strategy and analyzing conflicts in the territory that might impact implementation of the corridors locally.

In this framework and on the basis of a specific preliminary evaluation, the team with experience working on projects in the zone prepared some criteria to orient the activities plan, with an approach that is sensitive to the structural and situational context of the corridor:

- Promote impact at different levels: Involve provincial, regional and local social and political stakeholders.
- Not generate ad hoc participation mechanisms: Rather, take advantage of existing consensus-building efforts to pursue sensitization or information activities about conservation corridors.
- Facilitate continuity in actions: by incorporating key persons who can backstop the processes begun with communities.
- Develop a working methodology accepted by each player (community representatives, staff, technical team).

81 Baxendale, C. & G. Buzai. (2009). Característica socio espacial del chaco argentino. En: *el Chaco sin bosques: la pampa o el desierto del futuro*. p. 4. Gepama – Fadu – Unesco, Mab.

82 For example, cities such as Castelli have doubled their population. INDEC (1991): 12,474 inhab.; 2001: 24,333 inhab.

Taking these criteria into account, and on the basis of the cooperation agreement that the government of the province of Chaco has with the APN, it was proposed, as one aspect of assistance: to accompany the work undertaken by the government of the province of Chaco to enforce Decrees 480/91 and 1732/96 reserving a territory of 320 thousand ha approximately in the Chaco Impenetrable (hereinafter, the Reserve) for the three ethnic groups comprising the Province: Wichis, Qom (Tobas) and Moqoit (Mocovíes). This process conducted by the provincial government consists of working jointly with the representatives of native peoples to move forward in title award (after specific demarcation, property registration and social surveying) and promote the formation of an inter-ethnic organization that can hold the community title of ownership.



Photo: J.P. Cinto, Argentina

That is, this territory, which the 1996 Decree reserved for the three ethnic groups, also has key importance for the Impenetrable corridor since its location (near protected areas or reserves, and the central location in the Impenetrable corridor), its area (approximately 320 thousand ha) and its good conservation status (74% typical quebrachal and 9% degraded quebrachal) facilitate the corridor ecosystem's connectivity and biodiversity as designed.

The Reserve's characteristics also include that it is a territory with great potential for forestry activities; including a provincial protected area, with a rural criollo population settlement along the banks of the Bermejito River is coexisting fairly cooperatively with the Wichi population living in the Reserve and using its resources, and finally, that the Qom and Moqoit population are not settled there, but in other regions of the Province that have undergone profound environmental transformations, and therefore they are not familiar with the reserved territory, although they do have expectations about it, and this promise of awarding it is a measure of historical reparations contemplated in the Constitution.



Photo: Unknown author, courtesy of the Historiographic Archive of Kumarakapay, Venezuela

Therefore, the National Parks Administration, along with the Under-Secretariat of Natural Resources and the Ministry of Government of the province of Chaco considered it relevant to open a complementary space to the working process begun by the Provincial Government, also with the representatives of all three ethnic groups but with the aim of discussing ab initio about eco regional information that may be useful to plan and reflect on challenges or opportunities posed by managing the Reserve for the inter-ethnic organization created for this purpose. On the basis of this space, recognized by major governmental agencies and with the participation of the organization created by the three peoples, conditions are to be identified and generated for the intercultural dialogues about territorial management and their impact on the corridor.

The proposal to work on this complementary space was presented at an Assembly of native peoples. On that occasion, the peoples granted their consent to move forward with a first stage consisting of: sharing the information on the environmental characteristics of the Reserve with the communities belonging to the three peoples, from the perspective of the provincial and national agencies, through intra- and inter-peoples meetings and preparing audiovisual and graphic material for this purpose. Meetings have also contributed data on the legal framework of the Reserve. The concerns of each of the peoples about the future and Reserve management were discussed. Above all, time was provided for reflection, for building trust, where leaders and representatives of the native peoples felt safe and listened to, without the urgency of formal decision-making deadlines. Finally, people and/or institutions, intermediate stakeholders, were included who are supporting each community at the local level, as a network to address, track and bridge among the consultations that may arise regarding the information shared and the approach of the process of information exchange being proposed.

3.3 Outcomes

During these meetings with representatives of the Wichi, Toba and Mocovi communities, although concerns and demands begin in relation to the present and future of the Reserve (competition for scarce resources, current uses of forest resources and promotion of projects to improve quality of life), the different discussions also refer to the history of all peoples with the forest as a source of food and health, and the recognition that much knowledge has been lost over time in the different communities and for various causes (loss of woodlands and indigenous lands, new expectations of youth, incentives for other types of production, etc.). So these representatives have expressed the need to extend and deepen discussions within each community and to include the youth, above all considering that the three peoples have different histories and are experiencing different organizational processes.

Some preliminary results from the exchange within the organization of the three ethnic groups are:

- Greater access by indigenous groups to information

about environmental aspects of the Reserve and pressures it is subject to, from the perspective of government environmental agencies.

- Initial design of a network of persons committed personally and/or institutionally through their local work with communities.
- Joint preparation of an agenda of six topics to explore within the organization of the three ethnic groups, later leading to work with other stakeholders: recovery of memory; control of the current logging; planning of occupation of the territory by the peoples; the situation of the criollo people currently living in the Reserve; planning production and conservation projects; strengthening intra stakeholder communication.
- Identify overall guidelines for a joint plan to control illegal logging.

Consolidation of these achievements will largely depend on the timing set for formal decision-making and determination of representatives and leaders to move forward in intra sector consultation, shared reflections and organization, with an eye to sustainable local territorial management, good coexistence and improvement of quality of life of their communities, as expressed on various occasions.

4. Inter-cultural relations and transformation of conflicts: factors enabling and constraining the experiences

Despite their differences and particularities, both cases were striving to overcome a major common challenge: the asymmetrical nature of power relationships normally dominating development and conservation negotiations and planning in indigenous peoples' territories. Since these power asymmetries have a major cultural component because of the clash between different values systems and world views, the great challenge is to construct equitable and just intra- and inter-cultural dialogues to help make these differences visible, and then renegotiate visions of the future.

It is widely recognized that a necessary precondition to develop inter-cultural relations is "strengthening indigenous knowledge systems, so that after and under horizontality and equality a dialogue with other bodies of knowledge can find solutions to specific problems. This type of processes opens up opportunities for intercultural projects that do not expropriate or hybridize"⁸³. Along the same line, another relevant aspect to construct conditions for intercultural dialogue, "is to predefine both the point of arrival and to guarantee the capacity for autonomy and decision, among holders of traditional knowledge,...while maintaining free, equitable access to all knowledge" (Ibid.) This all implies that the indigenous

peoples themselves can find ways to reflect on their cultural changes and can decide for themselves, without conditioned agendas, who they want to be and how they want to live in the future. This internal coordination will help foster intercultural dialogues with other stakeholders under conditions of greater equity.

In order to move toward stages of greater deliberation among different stakeholders, it is also important to have the will to find common ground, solid internal organization of key groups or sectors, for the willingness to participate to be coherent with the intention for the process to turn out well, to be able to work with the deadlines that the parties reasonably need, among other factors related to communication, information flow, political will, and the financial resources to design and implement processes.⁸⁴

The PNC has been progressing in the first of these conditions to develop intercultural dialogue, by building reflection and revaluing identity and articulating visions among the Pemon. In Argentina, the opposite is the case. The work between the provincial government and the organization formed by the peoples of the three ethnic groups is enforcing the legal mandate as owner of the Reserve. As a complement, they are promoting meaningful dialogue between that organization of the peoples and the entities responsible for conservation and sustainable development by providing relevant information and understanding communities' perspectives, with the expectation of finding common ground.

In both cases and by different pathways, processes are underway seeking to structurally transform conflicts, latent in Argentina and manifest in Venezuela. Through giving greater visibility to the cultural dimension, there is now a greater collective awareness about the fact that this dimension has particular characteristics which can influence the evolution of conflicts and therefore the coexistence among stakeholders in general. As these experiences go deeper, they could reach a better balance of power, in which the intercultural dimension could become an integral part of relational patterns and institutional and public policies. This will depend on how the factors that have facilitated building inter-cultural relations in each case are taken advantage of, and how the limiting factors are addressed in the future.

4.1 Enabling factors

One of the most important factors that have enabled positioning of the cultural dimension on agendas for territorial management has been the existence of key persons in strategic institutional positions who have identified the issue's importance, made it surface and, in the PNC, upheld it over time. In the PNC, the clarity of a particular leader's vision – Juvencio Gómez – was essential in getting the Life Plan anchored in the community, owned rather than imposed from outside. This same issue was inserted in the projects for "Evaluation of Public Policies for the Pemon People in the Socio-economic and

⁸³ Pérez Ruiz, M. L. & A. Argueta (2011). Saberes indígenas y dialogo inter-cultural [Indigenous knowledge and intercultural dialogue]. Revista Cultura y Representaciones Sociales. 5(10). www.culturayrs.org.mx

⁸⁴ Pruitt, B. & P. Thomas (2008) Diálogo Democrático, un Manual para Practicantes [Democratic Dialogue, a Manual for Practitioners]. CIDA, OAS, IDEA, UNDP.

Environmental Components” and “GEF-Canaima” because at that time Gómez was President of the Indigenous Federation, the local institution acting as the Pemon representative for both projects. His interest in continuing to pursue this issue has held to this day, with strong commitment by a group of community elders and youth who have backed this undertaking since 1999.

Likewise, the magnitude of environmental conflict has also played a role in making the cultural dimension more visible. The major crisis in PNC management in the late 1990s and early 2000s, resulting from the power-line conflict, played a major role in the emergence of the Pemon as political actors with a national impact, and with clear demands for greater recognition of their cultural differences and political participation in government planning and development. The Projects for “Evaluating Public Policies of the Pemon People in the Socio-economic and Environmental Components” and “GEF-Canaima” were a result of the need to find a new form of (intercultural) relations among environmental managers and Pemon to manage the PNC. Both projects then stalled due to political factors beyond the PNC’s geographical jurisdiction. Because of this, keeping the Life Plans agenda alive will largely depend on the capacity of the Pemon to remain on the scene as political actors insisting on recognition of their cultural differences in their dealings with the government.

Another factor that has also helped the Pemon Life Plan agenda remain alive over time has been collaboration with a network of external stakeholders who, at different times, have played a major role as facilitators of the internal dialogue regarding cultural and identity reconstruction. Since coordination is still weak between the Pemon people and environmental managers in the move toward intercultural territorial PNC management, these external stakeholders have a major future role to play to legitimize and coordinate intercultural dialogue between the Pemons and the government.

In the case of the Argentine Chaco, although so far the intervention has been much shorter, the National Park Institute is committed in the aim of implementing the strategy of Conservation Corridors, and is alert to indigenous representatives’ warnings about: the need for cultural revaluation, involving youth in ancestral lore, deepening intra and inter-ethnic discussions, as well as inter-sector decisions that are congruent with their people and their history, in order to avoid repeating experiences that have entailed losses of social and environmental capital. This could help make visible to other stakeholders the implications of the cultural dimension in configuring current relations and contexts and promoting processes and agreements containing intercultural safeguards and criteria.

Further, the legal mandate reserving ownership of this territory to the three ethnic groups is a major factor positioning the Chaco indigenous peoples and particularly the common organization they are forming as a stakeholder with decision-making power regarding the development perspective for this vast territory, and with

formal capacity to influence policies that are promoted or implemented. In this framework, cultural revaluation acquires a special dimension since that place is visualized as an opportunity for several generations to live, and the organization created by the peoples would have the capacity to decide about their processes to manage the territory according to their culture and expectations.

Finally, the normative framework and institutional experiences with participation by indigenous communities in decisions involving the territories where they live provide significant support for joint working initiatives and/or coordinating bodies, and therefore encourage conditions for inter-sector dialogue among stakeholders who have or have built their vision of the future. Similarly, although there are not many technical collaborators established in the local territory, they have been backing community initiatives and are strongly committed to them.

4.2 Limiting factors

Among the factors that have acted as constraints on the deep anchoring of intercultural dialogues in territorial management, we find in both cases that interaction between indigenous peoples and governmental structures depend on the organizational approach and/or dynamics, timing and agendas which still tend to be largely designed by a single player, the Government. The risk of perpetuating this type of relationship is that the processes requiring both stakeholders to be committed to a common goal will not take root over time, undermining potential intercultural coordination. This modality is concretely manifested in the PNC in the present, for example in the reproduction of short term development policies that continue to be grounded on keeping the Pemon relation of dependency with the State; and in imposing new organizational arrangements by the State (e.g., community councils) for the government to interact with its constituency, which threaten to erode the indigenous peoples’ own organizational forms. Far from helping construct inter-cultural relations with an agenda of common interest, the direction and contents of these policies make this possibility more distant and remote because of their strong conventional development connotation. While the Chaco process initiated by the provincial government does involve an agenda of common interest, its complexity will require internal deliberation beyond traditional consultation, requiring public agents implementing them to adopt a perspective regarding the necessary conditions for these dialogues to be essentially intercultural. Support for complementary work to build inter-cultural relations would be a step in this direction.

Further, historical intra and inter community divisions among groups belonging to different sub-groups of the Pemon in the PNC and intra and inter-ethnic divisions in the Chaco are expressed through a clash of visions of development and identity at the local level, so internal processes must deeply clarify the different perspectives as a necessary precondition for inter-cultural relations. In both cases, a limiting factor will be the distances and logistical difficulties in getting communities together for

more overall inter-community reflection, to also identify and recognize differences and particularities.

Finally, the role of external third parties to facilitate these internal reflections has been expressed differently in the two cases. In the PNC, there is a degree of dependency towards these actors for methodological facilitation in the building of Life Plans; whereas in the Chaco there is little local presence of technical teams to play this role to pursue this need independently of the agendas of the organizations to which they belong.

5. Challenges

The different way of opening up to building inter-cultural relations in the two cases means that the challenges to continue in this direction will also be different. In the PNC, where the point of entry was through the community, the challenges to continue advancing in this dimension are both quantitative and qualitative. Although the concept of the Life Plan as an alternative to conventional development is increasingly anchored in the Pemon discourse as an ideal to pursue, its actual impact in terms of collective construction is still quite limited, fundamentally circumscribed to two of the 30 communities comprising the National Park. A challenge therefore is to spread this process in other communities. Qualitatively, the challenges involve both continuing to revive their identity by revaluing ancestral lore in the different dimensions of Pemon life, and moving forward in building processes and institutions that will help ensure a balanced coexistence of the Pemon and western way of life in the different spheres of the Pemon desired society (spirituality, history, health, education, food, production, environmental and territorial management, political and social organization, among other aspects). Although this is a process that must continue building from within and on the basis of the Pemon's own autonomy, it will be inevitable to forge alliances with external actors who can continue providing support for this process. In due time, it will be necessary to engage in more direct dialogue with government agencies about the need to construct institutions for territorial management grounded in inter-cultural relations.

In Argentina, the challenge is the opposite: to make the internal reflection viable on identity and the desired future among the indigenous peoples of the Chaco region themselves, considering work with other stakeholders, in which native organizations or their representatives are participating or planning. However, this challenge would seem to be relevant for all stakeholders: for each of the peoples (Qom, Wichi and Moqoit) who must live and work together for territorial management of their shared Reserve, for the organization of peoples that must make decisions with clear mandates as a basis for coordinating with other governmental and private stakeholders, and for external stakeholders who, in a framework of re-learning history and visions of the future, can promote joint work. Although the traditional implementation of projects with a concrete goal focuses on the narrative of the present and the future, we feel it is essential to lend attention to narratives that prove historical practices to construct a perspective of promoting social and environmental justice.

Finally, the great common challenge is to know how to move forward in these internal reflections in the midst of unceasing development: how much time and space do the indigenous peoples actually have to clarify their inward visions and how much of this process must be constructed alongside agendas already decided by the government regarding their territories? This is not clear. In any event, integrated progress can hardly be made without overall commitment to constructing inter-cultural plans and structures of governance, which unavoidably requires profound changes in institutional culture. This means "among other things, thinking pluralistically, recognizing, respecting and incorporating different forms of knowledge into positivistic science, incorporating new ethical principles to manage resources, sharing authority and decision-making, creating and maintaining legitimate mechanisms for participation and working in a multicultural context. This entails an entire process of institutional learning and training to adapt and become effective in new relations to manage resources with indigenous communities"⁸⁵ which still largely remain to be built in both cases.



Photo: Juliana Robledo, Argentina

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