

# T16P25 / Participatory Community-based Development Approaches, Local Institutions and Indigenous and Traditional Societies

**Topic :** T16 / Sustainable Development and Policy

**Chair :** Carlos Potiara Castro (Universidade Federal do Pará)

## GENERAL OBJECTIVES, RESEARCH QUESTIONS AND SCIENTIFIC RELEVANCE

Participatory community-based development initiatives that target indigenous and traditional groups have gained attention and interest among policy makers in the last decades. Several reports and research literature show that promoting community participation at the local level boosts the impacts of public policies aiming to fight poverty, loss of environmental assets, dispossession of land and migration from rural areas. It is widely acknowledged that policies with a top-down design are likely to achieve poor results in terms of human development. Similarly, evidence shows that public policies elaborated by large institutions, such as national governments, may not translate in concrete benefits at the local level as desired. To ensure that public policies and development initiatives become more effective, agencies should further tailor their actions in line with the multidimensional features of specific local realities.

Indeed, the aim of integrating multidimensional development initiatives would be to boost and strengthen local development plans and support the establishment of resilient institutions, operated and managed by local people. Participatory community-based planning and other initiatives as community protocols are being implemented all around the world with the poor, the rural and most vulnerable social groups. In this sense, those initiatives becomes an instrument of community empowerment, management and control of their territory and natural resources. They may prepare communities to be proactive rather than only reactive to outside challenges.

It is appropriate to point out that indigenous and communities with traditional characteristics have, to different degrees, life styles that distinguish them from the average national society. The challenge of overcoming the gap between a national policy's intended objectives and its actual outcomes is especially significant for those social segments. Estimations reveal that around 5% of the world's population are indigenous, which corresponds to approximately 358 million people. Their territories occupy approximately 20% of the world's land and the majority of them live in Least Developed Countries (LDC). In a scenario of limited resources, participatory local initiatives and in particular those using CPR approaches, as community protocols, could improve the well-being of those social segments.

Thus, this panel aims to bring a discussion on how to design effective public policies through participatory community-based initiatives and the strengthening of local institutions.

## CALL FOR PAPERS

We invite contributions that approach the subject of this panel in terms of theoretical development or case studies and detailed analysis of trends and practices and possible futures of scientific inquiry on "Participatory community-based development approaches, local institutions and indigenous and traditional societies"

We welcome proposals from scholars active in a variety of research fields, from public affairs studies, law, political science and sociology to the various disciplinary perspectives applied to the study of local development public policies affecting the well-being of indigenous societies. Mixing such perspectives will yield a rich and comprehensive picture with an interdisciplinary focus.

We intent to present papers from scholars representing preferably three continents, paying attention to gender, race and ethnicity parity.

# T16P25 / Participatory Community-based Development Approaches, Local Institutions and Indigenous and Traditional Societies

Chair : Carlos Potiara Castro (Universidade Federal do Pará)

## Session 1

Wednesday, June 28th 14:00 to 16:00 (Block B 4 - 1)

### Discussants

Juan C. Herrera (Universitat Pompeu Fabra (UPF), Barcelona - Spain/Colombia)

### How judicial dialogue is transforming the right to binding consent of indigenous and afrodescendants in Latin America

Juan C. Herrera (Universitat Pompeu Fabra (UPF), Barcelona - Spain/Colombia)

I would like to share a working paper that shows an emblematic example of a two-way judicial dialogue from the “global south”. It presents jurisprudential case law in its entirety of both Courts —Interamerican Court of Human Rights and the Constitutional Court of Colombia for a 25-year period (1992 to 2017).

The study illustrates the standards of the afore-mentioned courts regarding prior and informed consultation and binding informed consent as an alternative to the problematic category of so-called “veto power”. In addition, it focuses on the principal outcomes of the landmark case *Saramaka v. Suriname* (2007) and decision T-129/11 *Emberá Katío v. executive power*, which currently encompass the highest standard of protection. However, the outcomes of judicial dialogue are at risk of being repealed.

Due my experience as former law clerk of the Constitutional Court of Colombia and drafter of decision T-129/11, I will present detailed concepts, tables and graphics; highlighting the context and type of interventions carried out in the territories of cultural minorities and the main outcomes of the judicial dialogue. To materialize this goal, I will explain why and how the Colombian Court proposes to bring elements of self-government for the cultural minorities and the pro homine principle to protect the communities in extreme cases.

Both tribunals have echoed a creative judicial dialogue. Especially, the national court has brought the protection further to empower the voice and self-government of indigenous peoples and afrodescendants. Policy makers, scholars, private companies and social actors should consider these constitutional precedents and archetypical examples of transformative constitutionalism from the global south. Alternatively, the so-called global north should heed these advances. Especially, the self-proclaimed “developed world” (for instance, Canada, USA or Australia), which under basic principles and values have a duty to protect their indigenous and minority peoples at home and the responsibility in their investments and actions worldwide.

### Special Autonomy, Ethnicity, and Regional Development in Papua and West Papua, Indonesia

Tri Efriandi (University of Groningen)

This study analyzes special autonomy in Papua and West Papua that mainstreams indigenous community as primary beneficiaries of the autonomy could have an impact on the development process in these two provinces. This study will also explore how informal rules affect the governance in implementing the special autonomy policy as a strategy to boost regional development in Papua and West Papua.

Special autonomy in Papua and West Papua has been implemented for more than a decade from 2001 with

relatively insignificant results. In these two provinces, the human development index (HDI) still remains the lowest while their poverty rates remain the highest among the 34 provinces in Indonesia. It indicates that despite their greater authority, abundant natural resources, and sufficient financial resources, the development challenges in those regions continues. Papua and West Papua have to encounter development challenges ranging from the rampant corruption, inter and intra-ethnic due to local political and economic competition, to overlapping policy between national and local regulations. In addition, the another constraint for decentralization and regional development in Papua and West Papua is the capacity of local institutions.

Furthermore, the creation of new local governments in a massive way during the decentralization creates the local egoism and boundaries among the different ethnics. This is because the motives for the creation of new local governments is mainly dominated by the desire to retain greater political power and control at the local level and also motivated by the financial factor to extract financial transfers from the central government. Besides, are ethnicity and cultural factors are also becoming one of the main reasons in creating a new local government entity.

From the cultural perspective, among the high diversity of culture and tribe in Papua and West Papua, we can categorize the culture through the physical character of the territory into two main categories: coastal people and highland people. In general, West Papua which is dominated by coastal culture records a better development progress than in Papua. It can be understood since indigenous people from the coastal area has a greater access to education and more open interaction with migrants from another region. Meanwhile, the highlanders are often consumed with jealousy about the power retained by people from coastal regions because over the last few years the provincial bureaucracy is chiefly dominated by coastal Papuans. In addition, the intra and inter-ethnic conflicts more frequently appear in the highland area. The conflicts occurred due to isolated geographical conditions, as well as the lack of infrastructures. Therefore, it can be hypothesized that culture and geographical conditions could affect the governance, institutions, and development path in those regions.

### **Institutions for Governance: the role of formal rules for control of deforestation within extractive reserves in the Brazilian Amazon**

Mauro Guilherme Cappellaro (Center for Sustainable Development / University of Brasilia)

Ricardo Gomes (Universidade de Brasília - Brazil)

Suely Araújo (University of Brasilia)

Paulo Calmon (Universidade de Brasília)

Brazil is known to have one of the most efficient and important deforestation control policies in the world. Such acknowledgement due to the degree of reduction in the deforestation of the Amazon biome between 2004 and 2012. However, the deforestation rates have continuously increased from 2012 on, fact that demonstrates the need to rethink the institutional strategies to control the deforestation in the region. Thus, the aim of the current study was to analyze the association between the acknowledgement of formal rules and the control of the deforestation within extractive reserves - RESEX in the Brazilian Amazon. The research question was: what is the association between the acknowledgement of formal rules by traditional populations and the deforested area rate within two RESEX in the Brazilian Amazon? The study was developed based on two extreme cases, i.e., based on two extractive reserves with opposite deforestation rates, although they show similar features such as access, number of families, reserve size, land use and extracted resources. Both reserves are located in Guajará-Mirim County, Rondônia State. In order to analyze the acknowledgement of formal rules, the management instrument applied to these two reserves, known as the "management agreement", was analyzed aiming at identifying to what extent traditional populations acknowledge these instruments. The focus group was used as data collection technique. Eight focal groups, four in each reserve, were held with 61 individuals. The focus group was based on a fictitious story in which a new extractive family in the reserve would need help from the residents to start their routine activities. This help would be shaped through the answers given by the focus group participants to the questions asked by the new family, based on the rules pertaining to the "management agreement". The answers were transcribed and categorized in order to compare their content to the content of the formal rules found in the "management agreement". Thus, we noticed that the traditional populations in the two extractive reserves strongly acknowledged these rules, with average of approximately 95% acknowledgement, despite the great difference in the internal deforestation rates they presented. These results suggest that the governance of common resources, unlike the IAD-Framework, strongly depends on factors external to the extractive reserve. Therefore, we emphasize the need to reason about the impact caused by the institutional changes arising from critical conjunctures external to the reserve, in addition to what the IAD-Framework takes as the central focus of its analyses, which are the incremental and gradual institutional changes arising from the internal context. Governance in these extractive reserves is therefore

related to a set of factors involving the capacity of individuals to organize themselves and seek cooperation and maintenance of their resources, while they develop mechanisms to facilitate the adaptation of these communities to the external structural changes affecting them in a particular way.

## **Adaptation Tipping Points and Co-evolution of Community Engagement in Water-Centric Delta Development Pathway of Bangladesh**

umme Kulsum (Delft University of Technology, The Netherlands and Institute of Water and Flood Management, Bangladesh)

Jos Timmermans (Delft University of Technology)

In the global sustainability discourse, the participatory community based approach evolved as a decentralization process of inclusive community engagement into techno-centric policy domain. A similar trend has observed for water resources management in dynamic delta of Bangladesh. The participatory community approach has been embraced as part of global Community Based Natural Resource Management (CBNRM) approach. One of the main critiques on this approach is the underlying assumption of a homogeneous community, free of internal politics and power dynamics, which are neither practical nor feasible. A recent paradigm of Community Based Adaptation (CBA) approach has emerged in climate change adaptation to shift from adaptation as a technical, impacts-oriented process towards enhancing adaptive capacity and addressing the social drivers of vulnerability thus claimed on 'heterogeneous characteristics of community'. Yet, the question remains at what level the community adaptation goals, decisions and preferences as 'participatory community engagement' have influenced or driven the policy process and implementation practice. Therefore, we attempted to determine Adaptation Tipping Points (ATP) and analyzed the co-evolution of community engagement in historical pathway of water-centric delta development from review of extensive literature and policy documents. The ATP approach differs from the classical top down approach and has elements from vulnerability bottom up approach. ATP's are defined as points where the magnitude of change due to exogenous factors (i.e. climate change) and socio-economic drivers is such that the current strategy are no longer be able to meet the objectives and other strategies are needed. We have pursued the identification of ATP in the southwest coastal Bangladesh from 1960s till recent year of 2016 by exploring four key questions: a) When (time) and where (context) was the threshold reached in water resources management? b) How have the perception, values and goals on community engagement of policy maker, implementing agencies and donors evolved? c) How have the perception, values and goals of local community around water resource management evolved? d) What role did the socio-political and ecological/ natural factor play in shaping the community engagement in water resource management? Timeline was established between perception and action of both policy maker and communities, including key driving factors related to water resource management and co-evolution of community engagement. Results demonstrate that ATPs arise from dynamic complex biophysical system, delayed or non-implementation of planned action, donor influence, policymaker's perception and uncertain community response to planned policy action. Formal community engagement structure have institutionalized in recent years but, inclusion of community feedback on final water structure related decision of implementing agencies are either largely limited or captured by local elites.

# T16P25 / Participatory Community-based Development Approaches, Local Institutions and Indigenous and Traditional Societies

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## Session 2

Wednesday, June 28th 16:15 to 18:15 (Block B 4 - 1)

### **Principles and Practices for Effective Community-Based Participation in the Restoration of a Marine Ecosystem: The Maketu Estuary Case in New Zealand**

Patrick Barrett (University of Waikato)

Priya Kurian (University of Waikato)

Naomi Simmonds (University of Waikato)

Struggles over control of resources between and amongst local community stakeholders and local and central governments are increasingly being addressed through participatory community-based planning. Despite an extensive scholarship on participatory resource management, there is a paucity of research on how we can design effective participatory management and co-governance processes that are responsive to the specific rights of indigenous communities. This paper addresses this gap in the scholarship through an analysis of a unique marine environment restoration initiative in the Bay of Plenty, New Zealand, which emerged from a seemingly successful participatory community-based planning process.

The Maketu estuary restoration initiative was developed following a lengthy process of consultation and engagement with local Māori indigenous groups and a wide range of other stakeholders, including landowners, territorial local authorities, recreational groups and scientists. The initiative, which was agreed to in 2009, has led to the establishment of a co-governance entity, Te Maru o Kaituna, to oversee the implementation of the project. In essence, the often fraught community participatory processes successfully brought together diverse stakeholders and indigenous groups, and negotiated different worldviews and competing interests. This paper therefore addresses the following questions:

- (1) How did the process of creating the marine restoration strategy, achieved within current institutional and legislative frameworks, take into account Māori and non- Māori knowledges and perspectives? and
- (2) How can lessons from this case inform innovations in public engagement and co-governance for other marine restoration and management initiatives?

This paper presents an analysis of the official documents and other primary documentary sources related to the marine restoration initiative. The aim is to provide a provisional assessment of a policy process that was deployed to achieve the involvement of indigenous groups with statutory rights for input, and thus to contribute to a discussion envisaged by this panel on designing 'effective public policies through participatory community-based initiatives and the strengthening of local institutions'. The analysis maps the multi-dimensional features of the local context, paying particular attention to the opportunities for, and challenges to, local indigenous participation and partnership in what is presented as a collaborative policy space. With reference to this initiative, we critically assess the ability of such collaborative approaches to contribute towards community empowerment and control of natural resources, particularly in relation to enabling partnership and self-determination for indigenous communities.

### **Community protocols, dam building and the Muduruku indigenous people**

Carlos Potiara Castro (Universidade Federal do Pará)

Community protocols targeting indigenous and traditional groups have gained attention and interest among the academy and the third sector in the last decade. This approach, based on the systematization of customary law, help to build resilience in local institution devoted to manage common pool resources, to

fight poverty, dispossession of land and migration from rural areas. Several reports and research literature show that promoting community participation at the local space raise the social capital levels and strengthens inhabitants ties. It is widely acknowledged that initiatives with a top-down design are likely to achieve poor results in terms of human development and environmental conservation. Similarly, evidence show that public policies elaborated by large institutions, such as national governments, may not translate in concrete benefits at the local level as desired. To ensure that public policies and development initiatives become more effective, agencies should further tailor their actions in line with the multidimensional features of specific local realities.

Indeed, the aim of integrating multidimensional development initiatives would be to build linkages with raising agendas as human development, environment conservation and human rights protection. Under the umbrella of the Convention on Biological Diversity, community protocols became an instrument for consultation and building of prior informed consent. The basis of this instrument, as it is being implemented in various countries is the systematization of the customary law, which is seen as to be the super structure from where derives prior informed consent. However, it is an appropriate instrument to be used to strengthen social capital ties, technical capabilities, local compliance institutions and capacities to engage with external economic and political actors. As such, community protocols become an instrument that empowers communities, ensuring that they are the main actors of their own development.. Indeed, it becomes as well an effective tool to manage the use of common pool resources and integrate them in strategies to fight poverty.

This paper will draw from the experience of two years field work applying participatory research methods going along the construction of the Bailique Archipelago community protocol, which is the first and most comprehensive protocol ever conducted in Brazil. Performed at the Amazon river mouth this case study aims to deepen these topics of discussion and contribute with elements of concrete, multidisciplinary and cross-cut experience.

## **Community Based Urban Development: Alternate Patterns of Spatial Transformation**

Salamah Ansari (Indian Institute of Management Kozhikode)

With the advent of globalization, there is a high impetus on creating world class cities across the globe. In India, particularly after the 1991 liberalization, the market based land use has gained momentum as an increasing amount of land is required for infrastructure projects. This paper is aimed at understanding “New Towns” that have undertaken participatory community-based development initiatives in the context of urban development. The paper shall undertake comparative case studies of two cities of India: Magarpatta City (Pune) and Auroville (Tamilnadu) and trace out their developmental paths. The term “New Towns” originated in the United Kingdom; refers to planned communities of the new towns movement with its roots in the Garden City Movement, founded by Ebenezer Howard in the late 1800s, as an alternative to the over-crowded, polluted, chaotic, and industrial cities that had appeared in Britain.[1]

Magarpatta city and Auroville- both these cities are an outcome of political- administrative as well as social decision making. However, the social thinking and decision making preceded the formal administrative decision making. These were initiatives by the future residents; they were actively involved in conceptualizing the master plan of the city. The issues of environmental conservation, with appropriate emphasis on economic and cultural growth were dealt with while designing these cities. Commercial growth is imperative for an urban space and this has been taken care off in both the cases. A considerable area has been used as green belt with proportionate allocation for housing, industrial use, education and agriculture. The most remarkable feature of both these townships is that they are self-contained units. Residents have an access to all the necessary amenities within walking distance. This distinguishes them from satellite towns; wherein residents commute to the nearby urban centers for work.

These two cities serve as an appropriate example of how promoting community participation at the local level in city planning boosts the impacts of public policies aiming to create sustainable urban spaces. Displacing the traditional top-down design, such cities are likely to achieve better results in terms of human development. Hence, it would be more efficacious if government agencies tailor their policy actions according to the multidimensional features of specific local needs while planning a city.

[1] <http://www.urbannewsdigest.in/?p=6878>