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Conflict over land and natural resource management : The Ecuador case

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Treasure, Turf and Turmoil: The Dirty Dynamics of Land and Natural Resource Conflict

February 2011

Content

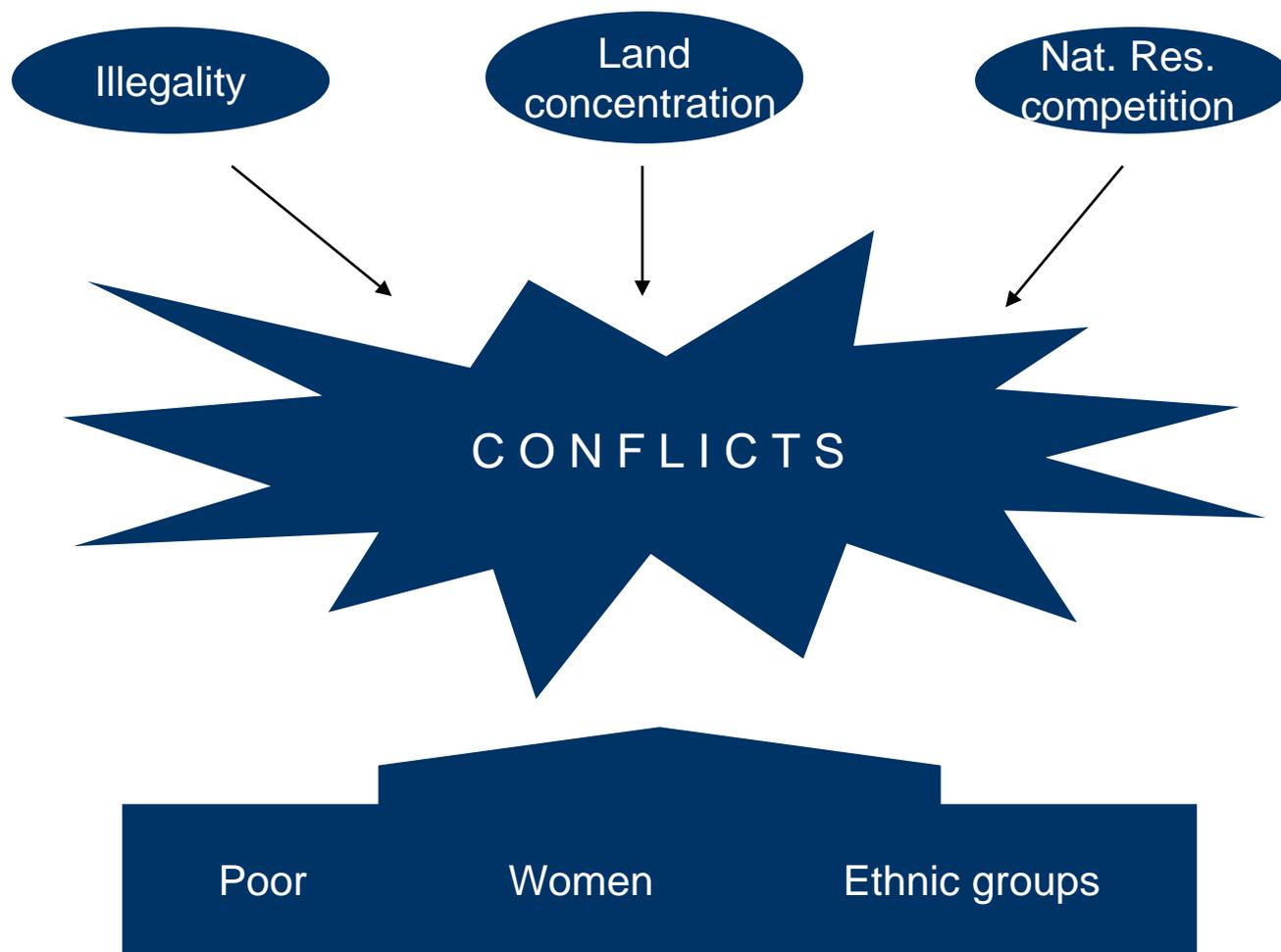
Part I

- Political and social situation in Ecuador: Conflicts over land tenure and natural resource management
- Public and foreign assistance interventions: The “Esmeraldas” case (land and forest conflicts)

Part II

- Sequence of those interventions

Part I: Political and social situation in Ecuador:



Part I: Political and social situation in Ecuador

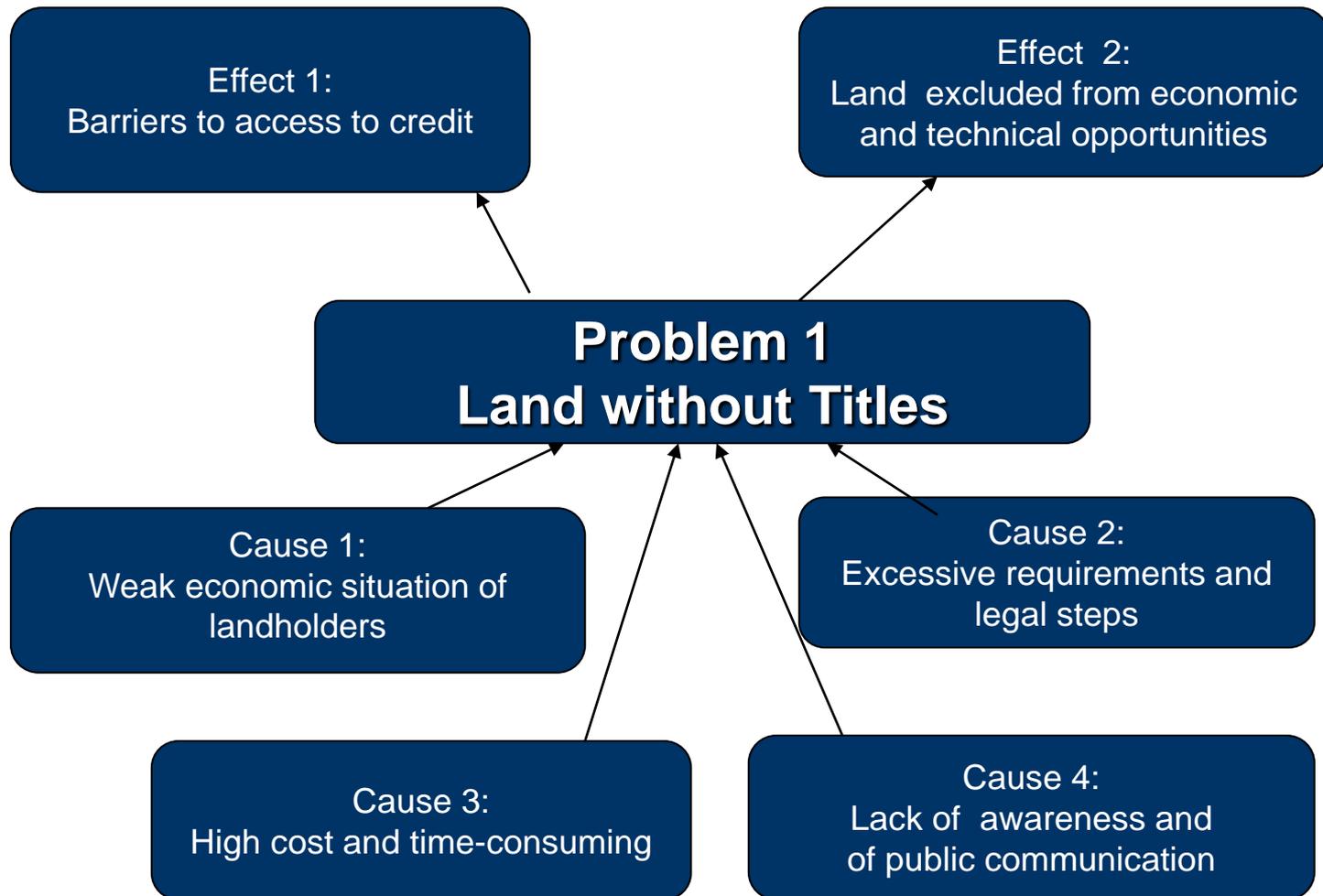
- Indigenous peoples legally own approximately 7 million hectares of forest land.
- Almost 7 million hectares of State forest land are part of protected areas.
- Approximately 5.3M hectares of State public land fall under the jurisdiction of the national agrarian institution.
- Approximately 13M ha (50% of country) are titled.
- The Ministry of the Environment (MAE) and the Land Sub-Secretariat (ST) are the authorities in charge of land regularization.

Part I: Political and social situation in Ecuador

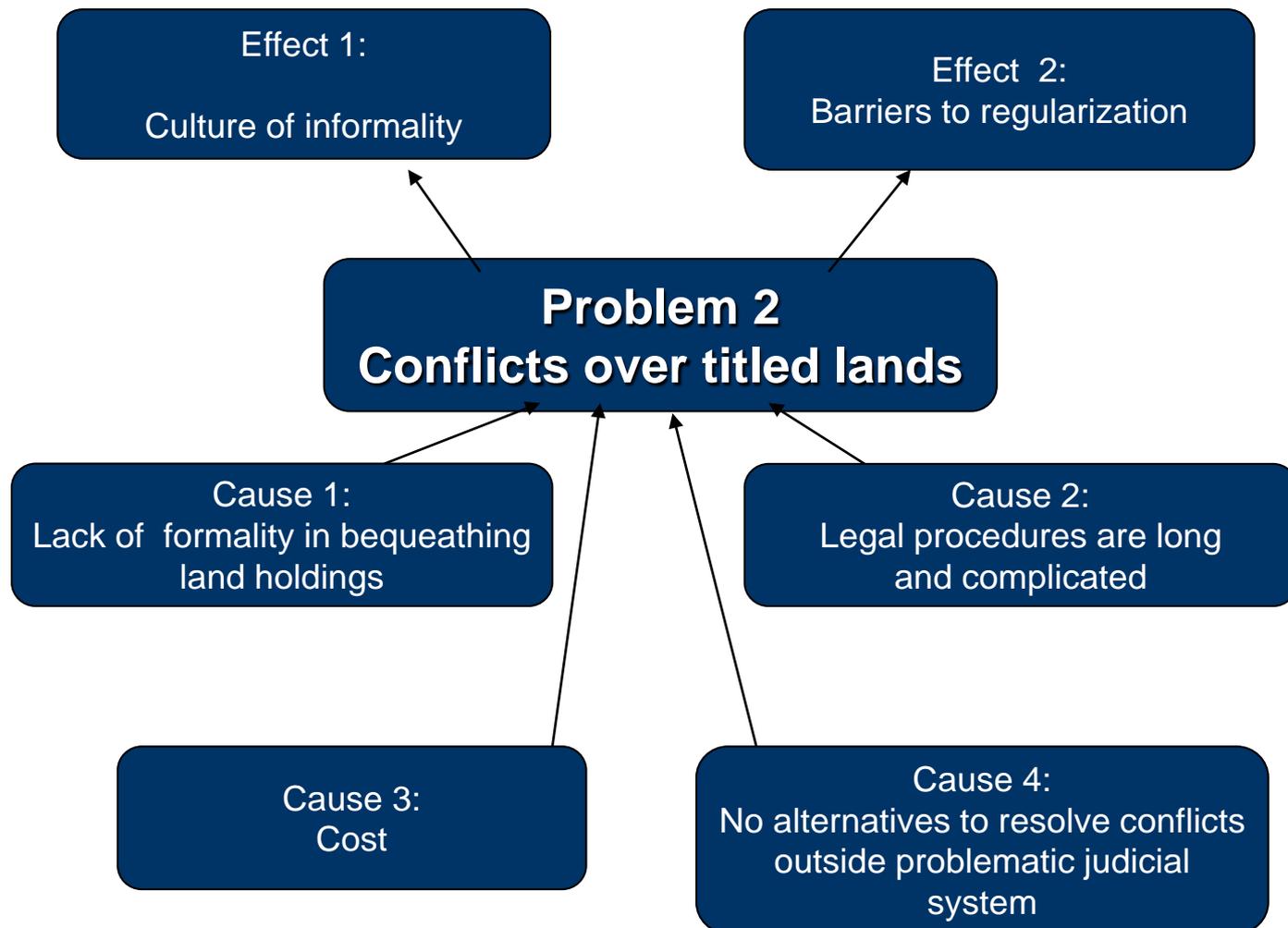
- From 2000-2010 the GoE has only resolved conflicts over 2M ha (50 more years needed to resolve outstanding conflicts on remaining 10M ha).
- 31 percent of the country's land is occupied but **not** titled to those occupants.
- Of titled land in the country, approximately 42.5% is still under dispute.



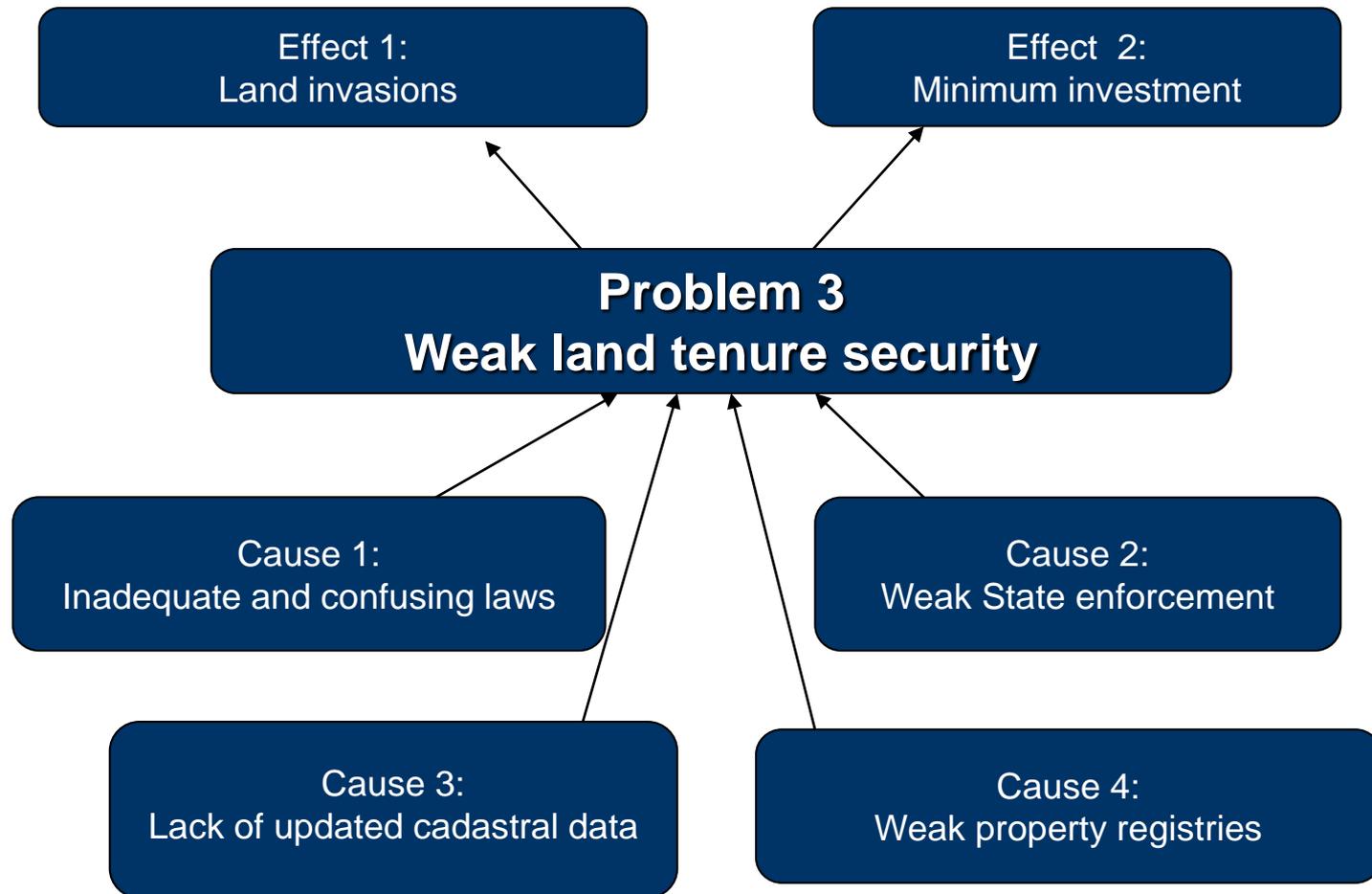
Part I: Political and social situation in Ecuador



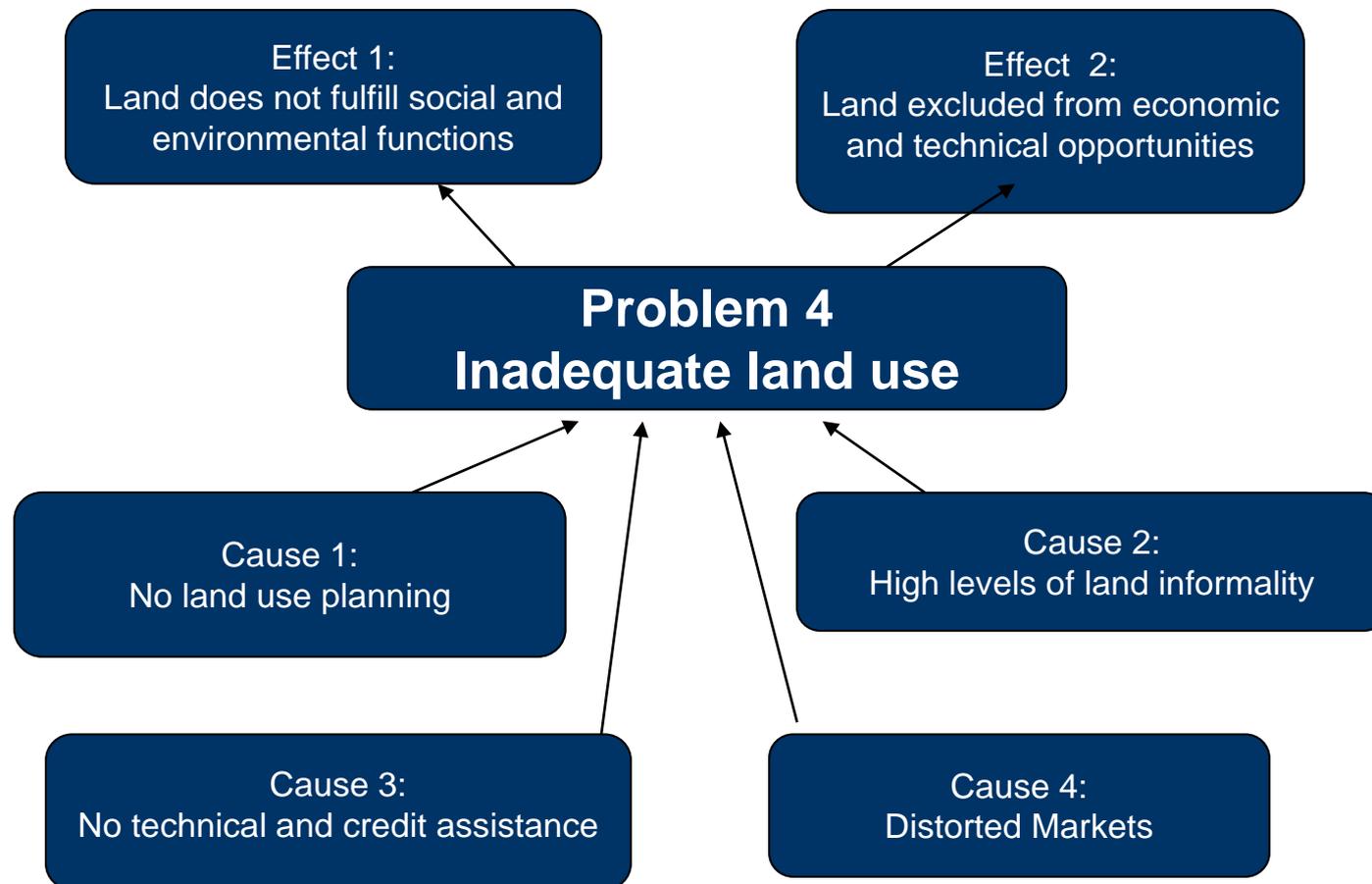
Part I: Political and social situation in Ecuador



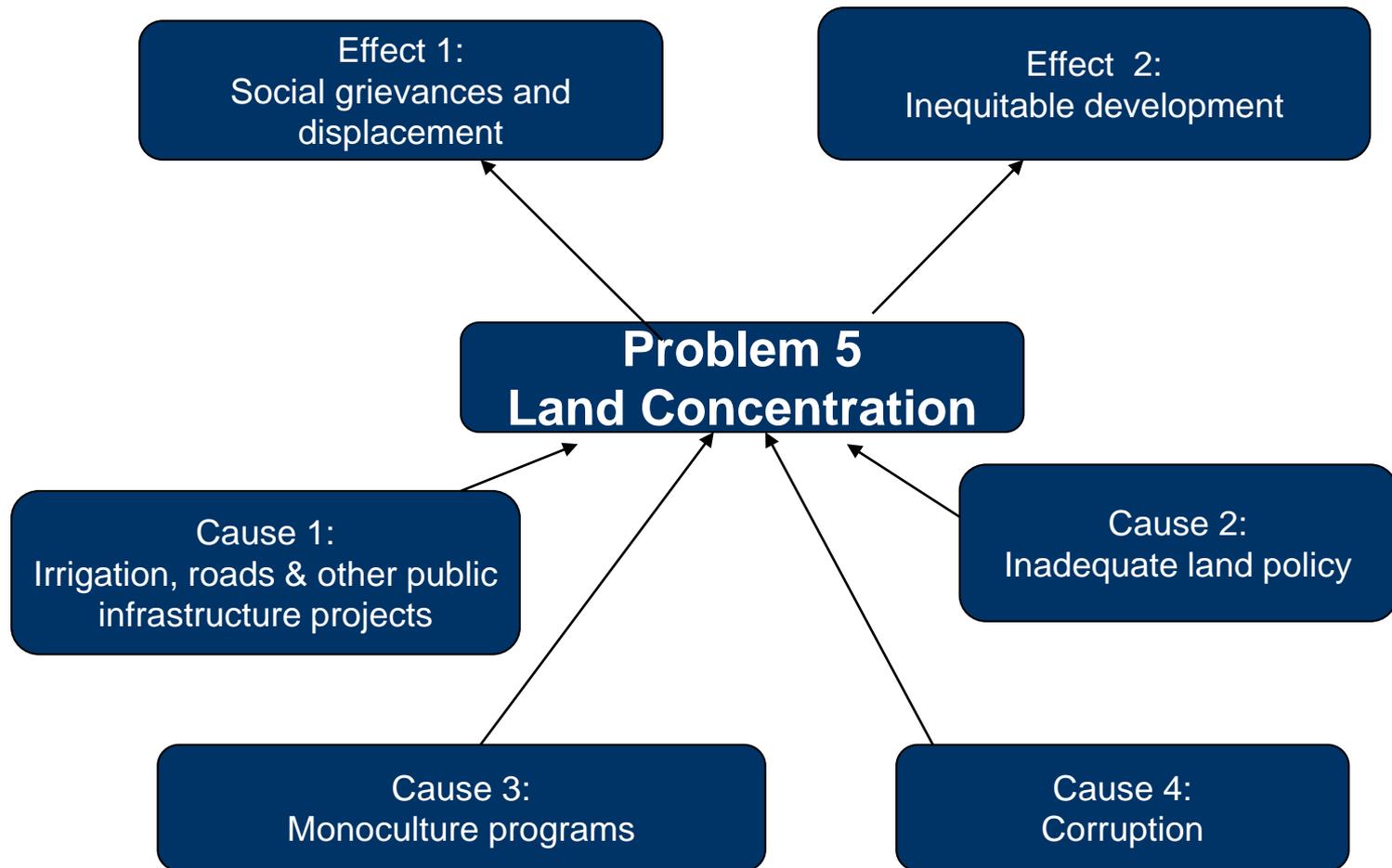
Part I: Political and social situation in Ecuador



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Part I: Political and social situation in Ecuador



Part I: Government and foreign assistance interventions: The “Esmeraldas” case (land and forest conflicts)

- The Esmeraldas province is the most important forest area in Ecuador (part of Choco bioregion)
- Habitat for several indigenous and Afro-Ecuadorian communities
- Presence of timber industry
- Conflicts revolved around land, forest, poverty and security concerns resulting from conflict.
- Period of successful conflict resolution over land disputes took place 1991-1997

Part I: The Esmeraldas case

- The conflict: Chachi indigenous people and Afro-Ecuadorian communities had historical overlapping claims to land.
- The Chachi people argued that they had ancestral rights over these lands.
- The timber industries took advantage of this conflict to convince the Chachi communities to sign forestry agreements with them in exchange for a solution to their conflict.
- Afro-Ecuadorian claims were marginalized because they lacked the legal backing of the Chachi's ancestral claims.

Part I: GoE and foreign assistance interventions

- The USAID-sponsored SUBIR project promoted a strategy with the following objectives:
 1. Strengthen local organizations
 2. Promote advocacy activities at the local and national levels (with emphasis on A-E)
 3. Generate income
 4. Train local people to conserve forests, manage conflict, secure land rights



Group activity on Ecuador case study

1. Identify a list of potential interventions appropriate for the Chachi – Afro-Ecuadorian conflict that could have been carried out under SUBIR

2. Determine the appropriate sequence of those interventions and be able to justify that sequence



Part II: GoE and foreign assistance interventions

- The conflict management strategy included:
 - Training local people as paralegals
 - Separate meetings with each group involved in the conflict
 - A Joint assembly of Chachi and Afro-Ecuadorian communities
 - Participatory mapping, GPS, GIS, and border walks to identify community boundaries

Part II: Sequence of interventions

- This experience was based on the following:
 1. Working through a facilitator (the SUBIR project) which had credibility.
 2. A deep knowledge of the region and its conflicts (experts in anthropology, law, forestry, and conflict) through research, including analysis of power relations.
 3. Local people were trained as paralegals in matters related to the conflicts: land tenure, local organization and law issues, among others.

Part II: Sequence of interventions

4. Design of a work plan and an intervention strategy (included role of paralegals and technical staff, resources for logistics-related issues, participation of “influential stakeholders”, and timeline).
5. Strategic alliances with public institutions regarding communities, land and forestry issues (MAE, ST and Indigenous Secretariat)
6. Preparation of parties involved (transfer of information, separate meetings, analysis of each case, proposals for solutions)
7. Definition of representatives to sign agreements (customary chiefs or State-recognized leaders, which sometimes included local leaders).

Part II: Sequence of interventions

8. Dialogue among all parties (joint meetings, proposal discussion, action plans, border tours, GIS activities with local people, preparation of participatory mapping, etc).
9. Agreement validation with stakeholders (representatives would go back to their communities to discuss and approve the agreements prior to signing them).
10. Boundary agreements signed (representatives of first and second tier organization, observers)
11. Land delimitation by surveyors, with participation of local people.

Part II: Sequence of interventions

12. Legalization of organizations as ancestral communities.
13. Legal processes of adjudication (public institutions included the agreement acts in their folders)
14. Public institutions monitored the process in the field and in offices
15. Public event to provide titles to the communities

Part II: Sequence of interventions

Achievements:

1. Local community members trained as paralegals
2. Conflict management respecting local traditions
3. Land legalization process for the local people (paralegals), with technical support of project staff
4. Land tenure titled for both communities
5. Forestry management plans adopted by the communities
6. Activities of timber industries halted in projects areas.

Thank you!

