

Conflict and Natural Resource Management



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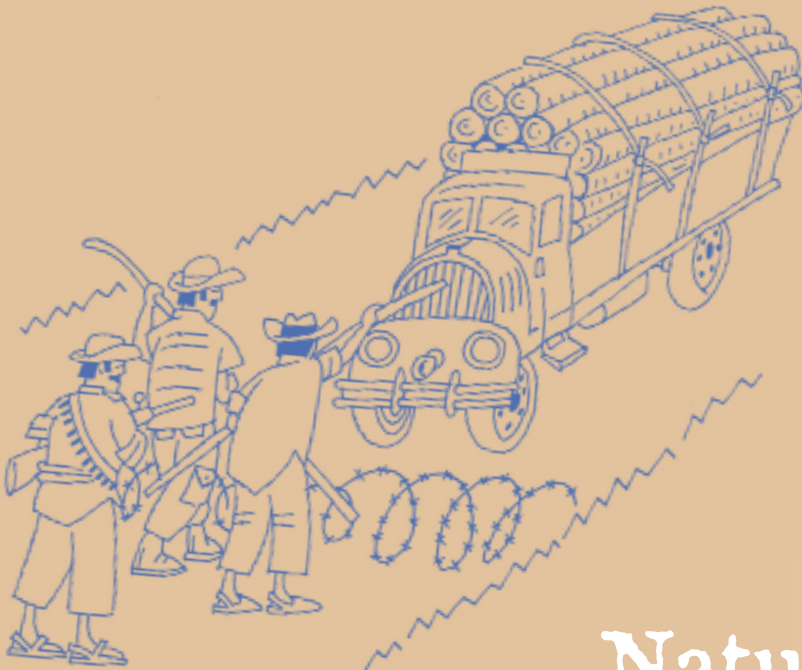
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Natural Resource Conflict Management and Resolution

NATURAL RESOURCE CONFLICTS are disagreements and disputes over access to, and control and use of, natural resources. These conflicts often emerge because people have different uses for resources such as forests, water, pastures and land, or want to manage them in different ways. Disagreements also arise when these interests and needs are incompatible,

or when the priorities of some user groups are not considered in policies, programmes and projects. Such conflicts of interest are an inevitable feature of all societies.

In recent years, the scope and magnitude of natural resource conflicts have increased and intensified. These conflicts, if not addressed, can escalate into violence, cause environmental degradation, disrupt projects and undermine livelihoods. Acknowledging that conflict is a common feature of any resource use system is a prerequisite for sustainable management that is participatory and equitable.

What are
**natural resource
conflicts and their
consequences?**



Why do conflicts arise?

NATURAL RESOURCE CONFLICTS have always been with us, due in part to the multiple and competing demands on resources. Conflicts can arise if user groups are excluded from participating in natural resource management. They also occur if there are: contradictions between local and introduced management systems; misunderstandings and lack of information about policy and programme objectives; contradictions or lack of clarity in laws and policies; inequity in resource distribution; or poor policy and programme implementation.

Conflict will always exist to some degree in every community, but it can often be managed and resolved.

How do conflicts manifest themselves?

THE FORM AND INTENSITY of conflicts vary widely by place, and over time within any community. Conflicts manifest themselves in many ways, ranging from breaking rules to acts of sabotage and violence.

Sometimes conflicts remain hidden or latent. People may allow grievances to smoulder because of fear, distrust, peer pressure, financial constraints, exclusion from certain conflict resolution procedures, or for strategic reasons. Because some societies encourage their members to avoid public confrontations, a lack of public disputes does not mean there is no conflict.

Scenario I

COMMUNICATING CONFLICTING INTERESTS THROUGH ELECTRONIC MEDIA

A government created a protected area because of its high biological diversity and historical significance. National authorities collaborated with several international conservation agencies to develop a management plan that proposed banning cultivation in the area, despite the presence of farming communities. The local people did not find out about the plan until it was finalized. Residents voiced their objections but officials dismissed their grievances.

With assistance from an international conservation group, villagers, both literate and illiterate, made video recordings of their objections to the plan. The videos were distributed widely, including on the World Wide Web. The use of electronic media elevated the conflict into the global arena.



Who are the different actors?

NATURAL RESOURCE CONFLICTS occur at various levels and involve a variety of actors. They range from conflicts among local men and women over the use of trees, to conflicts among neighbouring communities disputing control over woodland, to villages, community-based organizations, domestic and multinational businesses, governments, international development agencies and NGOs in conflict over the use and management of large forest tracts. Most conflicts are characterized by the presence of multiple stakeholders who themselves may have subgroups with varying interests.

How do different groups deal with natural resource conflicts?

THE WAYS IN WHICH PEOPLE (even those from the same community) respond to natural resource conflicts vary considerably. All communities have their own ways of handling conflicts. These mechanisms may be formal or informal, violent or peaceful, equitable or not. Although the specific strategies may vary, people generally rely on the same basic procedural modes to handle conflicts: avoidance, coercion, negotiation, mediation, arbitration and adjudication.

People involved in natural resource conflicts take courses of action based on their preferences, their understanding of their options, their perceived likelihood for success and their relationship with an opponent. Not all people have equal access to all options – gender, class, age and other factors may restrict the options of certain groups and individuals. Seasonality, through its influence on labour patterns and income flow, can affect the ability of people to act. Finally, the nature of the conflict itself may prescribe the use of certain legal procedures.



Definitions

of Key Conflict Management and Resolution Strategies

Avoidance

Acting in ways to keep a conflict from becoming publicly acknowledged.

Mediation

Using a third party to facilitate the negotiation process. (A mediator lacks the authority to impose a solution).

Adjudication

Relying on a judge or administrator to make a binding decision.

Negotiation

Following a voluntary process in which parties reach agreement through consensus.

Arbitration

Submitting a conflict to a mutually agreeable third party, who renders a decision.

Coercion

Threatening or using force to impose one's will.



Natural Resource Management Policies, Programmes and Projects as Sources and Arenas of Conflict

NATURAL RESOURCE POLICIES, programmes and projects offer significant means of addressing many of the needs and concerns that propel resource-related conflicts. Ironically, policies, programmes and projects themselves can serve as sources or arenas of conflict, even though their intention is to ameliorate such conflicts. This situation generally arises when there is inadequate local participation in all phases of interventions, and when insufficient consideration is given to anticipating conflicts that might emerge.

Some reasons why conflicts may arise during policy, programme and project implementation:

- policies imposed without local participation
- lack of harmony and coordination between bodies of law and legal procedures
- poor identification of and inadequate consultation with stakeholders
- uncoordinated planning
- inadequate or poor information sharing
- limited institutional capacity
- inadequate monitoring and evaluation of programmes
- lack of effective mechanisms for conflict management

Policies imposed without local participation

NATURAL RESOURCE POLICIES and interventions are often formulated without the active and sustained participation of communities and local resource users. For example, some governments have long relied on centralized management strategies based on centralized control by administrative units and technical experts. These policies and practices frequently fail to take into account local rights to, and practices regarding, natural resources. For example, the introduction of new policies and interventions without local input may end up supplanting, undermining or eroding community institutions governing resource use.

Lack of harmony and coordination between bodies of law and legal procedures

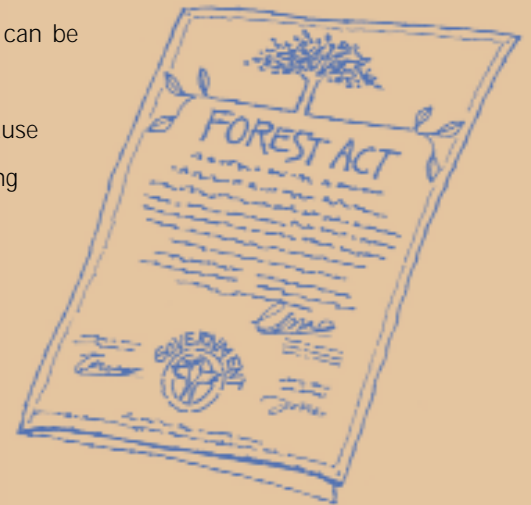
MOST COUNTRIES ARE CHARACTERIZED by legal pluralism

– the operation of different bodies of formal and informal laws and legal procedures within the same socio-political space.

These legal orders may be rooted in the nation-state, religion, ethnic group, local custom, international agreements or other entities. They often overlap

resulting in different legal bodies that can be complementary, competitive or contradictory.

Resource conflicts sometimes emerge because there is a lack of harmony and coordination among these different legal orders, particularly when policies, programmes and projects fail to consider local situations.



Scenario II

LACK OF COORDINATION BETWEEN THE FORMAL LEGAL SYSTEM AND CUSTOMARY LAW

An international development agency provided support to rehabilitate and improve a traditional hand-dug well, controlled by a single local clan. The agency insisted that landowners sign legally binding documents to ensure that the improved well was for use by all community members. However, the landholding clan dissuaded others from using it by invoking customary law.

Poor identification of and inadequate consultation with stakeholders

STAKEHOLDERS ARE PEOPLE who possess an economic, cultural or political interest in, or influence over, a resource. The stakeholders may need the resource for subsistence, large and small commercial activities, conservation, tourism or for cultural reasons such as use of sacred sites. The concept is complex and dynamic because stakeholders are not generally homogeneous but can be further divided into subgroups according to their specific interests. Conflicts can occur because planners and managers identify stakeholders inadequately, or they refuse to acknowledge a group's interest in a resource.

Many policies and interventions face challenges in defining exactly what constitutes a community because of the limited ability of planners to identify the range of interests within it.

When planners and managers fail to identify and consult with the full spectrum of stakeholders, they limit their understanding of these groups' diverse needs and priorities and their indigenous knowledge of the situation. This increases the likelihood of conflicts emerging.

Scenario III

CONFLICTS ARISE FROM LIMITED RECOGNITION OF STAKEHOLDERS

A conservation warden negotiated a memorandum of understanding with two local groups to provide their livestock with seasonal access to water sources within a national park. The memorandum specified who received access, the number of cattle allowed and the responsibilities of community members. However, this agreement has been unsuccessful for several reasons.

Outsiders migrated into the area to gain access to the water sources, and residents listed in the memorandum brought in cattle belonging to other communities. In addition, some community members and park staff allowed

people who were not part of the agreement to use the corridor for access to grazing areas.

Conflicts arose at different levels. Households that upheld the agreement resented those who broke it. Park officials committed to the project's success were pitted against park officials who colluded with local community members to break the rules.

The difficulty of defining "community" in this instance, coupled with the inability of park officials to regulate resource access, contributed to the failure of this innovative project.

Uncoordinated planning

DESPITE GROWING RECOGNITION of the need for integrated approaches to natural resource management, many governmental and other agencies still rely on sectoral approaches with limited cross-sectoral planning and coordination. For example, the agricultural service may promote cash crop expansion in forests to raise incomes without recognizing its adverse effects on other resource users. Overlapping and competing jurisdictions and activities among agencies may result in their inability to reconcile the needs and priorities of various stakeholders.



Inadequate or poor information sharing

EFFECTIVE SHARING OF information on policies, laws, procedures and objectives can enhance the success of programmes and reduce conflicts. In contrast, lack of information on the intention of the planning agencies may lead to suspicion and mistrust.

Scenario IV

INADEQUATE INFORMATION SHARING LEADS TO CONFLICT

Villagers destroyed a water piping system because they believed it would reduce water flow to their community. This destruction occurred despite the fact that hydrological studies indicated that the system would pose no threat to the water supply. The planners and project staff did not effectively communicate this information to the local community.

Limited institutional capacity

CONFLICTS ARISE WHEN governmental and other organizations lack the capacity to engage in sustainable natural resource management. Organizations not only face financial constraints for staff and equipment, they also often lack the expertise to anticipate conflicts, or to handle conflicts that arise in the course of their activities.

Inadequate monitoring and evaluation of programmes

PROGRAMMES AND PROJECTS are often designed without clearly defined monitoring and evaluation components, especially regarding natural resource conflicts. Without systematic monitoring and evaluation of natural resource management activities, it is more difficult to identify, pre-empt or address conflicts.

Lack of effective mechanisms for conflict management

FOR NATURAL RESOURCE management programmes to be effective, mechanisms for participatory conflict management and resolution need to be incorporated from the outset into their design and implementation. These mechanisms should ensure that open or smouldering conflicts are constructively dealt with to reduce the chances of their escalation. In some organizations, such mechanisms cannot be easily installed because existing legislation or policy does not permit it.





Approaches to Natural Resource Conflict Management and Resolution

THERE ARE SEVERAL STRATEGIES that local communities, resource users, project managers and public officials can use to manage and to resolve conflicts.

Customary systems for managing conflict

A vast repertoire of local-level strategies and techniques for managing and resolving conflicts regarding natural resources has evolved within communities. There are many cross-cultural similarities – negotiation, mediation and arbitration are common practices, as are more coercive measures such as peer pressure, gossip, ostracism, supernatural sanctions and violence.

Customary natural resource conflict management strategies have both strengths and limitations.



Scenario V

CUSTOMARY NEGOTIATIONS ABOUT LAND ISSUES

Negotiations about contested land use or ownership within small communities often take place in intentional but informal public meetings. Such fora may be composed of relatives, neighbours and concerned parties, summoned as the need arises. The disputants will sometimes pick spokespersons known for their eloquence and because they can negotiate in a calm manner. Bargaining procedures can vary widely but eventually persuasive arguments and peer pressure narrow the differences. An agreement is reached through consensus. The legitimacy of these proceedings is based on the moral authority of the community and its members.

Customary Systems for Managing Natural Resource Conflicts

Strengths

Encourage participation by community members and respect local values and customs.

Are more accessible because of their low cost, their flexibility in scheduling and procedures, and their use of the local language.

Encourage decision-making based on collaboration, with consensus emerging from wide-ranging discussions, often fostering local reconciliation.

Contribute to processes of community empowerment.

Limitations

Have been supplanted by courts and administrative laws.

Are often inaccessible to people on the basis of gender, class, caste and other factors.

Are challenged by the increasing heterogeneity of communities due to cultural change, population movements and other factors that have eroded the social relationships that supported customary conflict management.

Often cannot accommodate conflicts between communities or between a community and the State.



National legal systems

NATIONAL LEGAL SYSTEMS governing natural resource management are based on legislation and policy statements, including regulatory and judicial administrations. Adjudication and arbitration are the main strategies for addressing conflicts. However, some national systems take into account legal systems based on local custom, religion, ethnic group or other entities.

National Legal Systems for Managing Natural Resource Conflicts

Strengths

Are officially established with supposedly well-defined procedures.

Take national and international concerns and issues into consideration.

Involve judicial and technical specialists in decision-making.

Result in decisions that are legally binding.

Limitations

Are often inaccessible to the poor, women, marginalized groups and to remote communities because of cost, distance, language barriers, political obstacles, illiteracy and discrimination.

May not consider indigenous knowledge, local institutions and long-term community needs in decision-making.

May involve judicial and technical specialists who lack the expertise, skills and orientation required for participatory natural resource management.

Use procedures that are generally adversarial and promote a winner-loser situation.

Alternative conflict management

THE MULTIDISCIPLINARY FIELD of alternative conflict management addresses natural resource conflicts through promotion of joint decision-making. It arose in part as a response to the adversarial style of managing conflicts used by legal systems. The field also draws upon conflict management strategies long relied upon by communities in settling their disputes. Practitioners use methods such as negotiation and mediation to help parties reach a consensus. The goal is to seek long-term mutual gain for all stakeholders.

Specifically, alternative conflict management interventions aim to:

- **improve communication and information sharing among interest groups;**
- **address the causes of conflicts in a collaborative manner;**
- **transform the conflict management process into a force promoting positive social change;**
- **build the capacity of communities to manage their conflicts; and**
- **limit the occurrence and intensity of future conflicts.**





Scenario VI

MULTIPLE SITE LESSONS IN CONFLICT MANAGEMENT

A country's forest was facing increasing demand for commercial exploitation, watershed protection, recreation and conservation of biological diversity.

Representatives of government agencies, NGOs, research institutions and local communities formed an inter-agency consortium to address technical, institutional and policy issues related to poverty and environmental problems. It aimed at strengthening grassroots programmes, enhancing local organizational capacity, increasing collaborative working relations and expanding the impact of successful development programmes.

The consortium chose eight priority sites, with diverse ecological and socio-economic issues, where these activities could be carried out and monitored. In one site, conflict had arisen because officials promoted livestock rearing as a source of local income, while conservationists wanted the cattle removed because

they destroyed the forest. At another site – identified as a priority conservation area because of its rich biological diversity, its importance as a watershed area and its potential for tourism – conflicts had arisen when the government evicted local communities from the site. At a third site, the declaration of a protected forest, with new rules and regulations restricting access to resources, resulted in conflicts due to the residents' loss of access and income.

At all of these sites, regular meetings are now held to monitor interventions, document emerging issues and identify common lessons. Exchange visits among sites by practitioners, policy-makers and community leaders enhanced learning. Research at several sites helped to document and analyse local livelihoods and conditions, contributing directly to strategies for addressing land use and forest management conflicts.

Alternative Conflict Management Approaches for Addressing Natural Resource Conflicts

Strengths

Promote conflict management and resolution by building upon shared interests and finding points of agreement.

Involve processes which resemble those already existing in most local conflict management systems, including flexible and low cost access.

Foster a sense of ownership in the solution process of implementation.

Emphasize building capacity within communities so local people become more effective facilitators, communicators, planners and handlers of conflicts.

Limitations

May encounter difficulties in getting all stakeholders to the bargaining table.

May not be able to overcome power differentials among stakeholders, so that vulnerable groups such as the poor, women and indigenous people remain marginalized.

May result in decisions that are not legally binding.

May lead some practitioners to use methods developed in other countries and settings without adapting them to local contexts.

While alternative conflict management usually addresses specific latent and manifest conflicts, it supports broader changes in society to address the root causes of conflict. The above table summarizes its strengths and limitations regarding natural resource conflicts.

Alternative conflict management is gaining popularity, due in part to its capacity for addressing – in a participatory and consensus-building manner – complex situations with many stakeholders. For such an approach to work effectively, conflict management procedures need to be considered from the earliest stage, and stakeholder consultations need to be thorough.





What is needed?

ADDRESSING CONFLICT IS A PREREQUISITE for sustainable natural resource management. Conflicts over natural resources are growing in scope, magnitude and intensity. If not addressed in an effective and timely manner, natural resource conflicts can adversely affect community livelihoods and result in resource degradation. Alternative conflict management offers an innovative, multidisciplinary approach to understanding, analysing and managing conflicts both before and after they occur. It seeks the development of participatory and consensus-building strategies, and it builds upon existing formal and informal conflict management mechanisms within local communities. Alternative conflict management also seeks to strengthen the capacity of local institutions and communities to manage conflict and promote sustainable resource management.

Appropriate conflict management and resolution strategies need to be incorporated into natural resource management policies, programmes and projects.

Further Publications on Conflict Management and Resolution from the Community Forestry Unit

Chandrasekharan, D. 1997. *Proceedings: Electronic Conference on Addressing Natural Resource Conflicts through Community Forestry, January-May 1996*. Community Forestry/FTPP Conflict Management Series. Rome, FAO.

FAO. 1997. *Compilation of Discussion Papers Made to the Electronic Conference on Addressing Natural Resource Conflicts through Community Forestry, January-May 1996*. Community Forestry/FTPP Conflict Management Series. Rome.

FAO. 1998. *Integrating Conflict Management Considerations into National Policy Frameworks. Proceedings of a Satellite Meeting to the XI World Forestry Congress, 10-13 October 1997, Antalya, Turkey*. Community Forestry/FTPP Conflict Management Series. Rome.

Pendzich, C., Thomas, G. & Wohigenant, T. 1994. *The Role of Alternative Conflict Management in Community Forestry*. Community Forestry/FTPP Working Paper 1. Rome, FAO.

Future publications: A concept note, which presently has the working title of *Pathways to Inclusion: Introducing Conflict Management to Support Community Forestry Practices*, will be published in 2001. A set of comprehensive conflict management training materials is also currently being developed and will be available in 2001.