

Pippa Heylings, Project Co-ordinator, and Felipe Cruz
Charles Darwin Research Station
Casilla 17-01-3891, Quito, Ecuador.
E-mail: manejo@fcdarwin.org.ec

Stream: Multiple Commons

COMMON PROPERTY, CONFLICT AND PARTICIPATORY MANAGEMENT IN THE GALAPAGOS ISLANDS.*

* The Charles Darwin Foundation and the Galapagos National Park Service thank the following for their important support of the process and this research : USAID, The Avina Group, WWF, GEF, The Packard Foundation, DED, The Dennis Curry CharitableTrust, Camara de Turismo, INGALA. They also thank the Avina Group and WWF for the financial support to attend the Crossing Boundaries 1998 Conference, June 1998.

INTRODUCTION

The long-term sustainable management of the Galapagos Marine Reserve has been threatened in recent years by severe, even violent, multi-stakeholder conflicts at both local and national level over the management and exploitation of the marine resources.

Conflict analysis proposed that, by managing the Reserve as if it were common property, mechanisms for long-term conflict management could be institutionalised. The drafting of a Special Law for Galapagos opened up the possibility for a change in the legislative framework for the marine reserve. The Galapagos National Park Service and the Charles Darwin Research Station promoted the design of a collaborative management system for the Marine Reserve. Through a participatory planning process** focused on the revision of the management plan for the Reserve, a multi-sectoral representative team has succeeded in gaining local credibility, consensus and solidarity on key marine management issues. These provide the basis for a collaborative management model and have been included within the recently approved Special Law for Galapagos (1998). There is a long road ahead with locally controversial decisions to make which could threaten stakeholder solidarity. Informed and active participation in the process is still dependent on a minority, although influential, in each sector. The revision of the management plan is the first stage in a much longer process of the implementation of a collaborative management system for the Galapagos Marine Reserve.

** In June 1997, the need to develop a new management plan for the Galapagos Marine Reserve opened the way for the Galapagos National Park Service and the Charles Darwin Research Station to link the proposed conflict management framework with a process of participatory planning which was to bring all three sectors - fisheries, tourism and conservation/science - to the negotiating table in the form of a multi-sectoral planning team. The focus of the programme has been the revision of the marine management plan for the Galapagos Marine Reserve, which had remained unrecognised and inoperative. A key factor in the motivation for the stakeholder groups was the real potential for an agreement between them to be incorporated into the law. This potential lay in the parallel programme for the drafting of a Special Law for the Conservation and Sustainable Development of the Province of Galapagos.

A team of facilitators was contracted, bringing together local and international expertise. An initial workshop from the 5-7th June 1997 brought together representatives of all local groups directly or indirectly involved in the management of the marine reserve. The workshop established the ground rules for proceeding: active, equal participation in decision-making, local consensus on decisions and an agreed conceptual framework for marine management. A unifying issue for the different sectors was the need to exclude the industrial fishing sector from the Marine Reserve and therefore remove its claim to being a stakeholder in the management of the Reserve. Having established consensus among all participants of the workshop on the major issues for consideration in the management plan, a multi-sectoral representative team, the "Grupo Nucleo", was given the mandate to continue to produce the revised management plan. The Grupo Nucleo consists of representatives of the stakeholder groups, fishermen, tour operators, conservationists and protected area managers. The local support for the Grupo Nucleo and the marine reserve management process itself has come from the adherence to the agreed principles for participatory planning i.e. all decisions made by the Grupo Nucleo are taken back for discussion and revision to each group in each sector on each island. The Grupo Nucleo has also had access to a communications specialist who has designed educational materials for the local and national media, building awareness about the process and the issues involved.

The Grupo Nucleo had the unique opportunity to draft an appropriate legal framework for the revised management plan as part of the Special Law for Galapagos programme and thus lay the foundations for institutionalisation of the conflict and participatory management of the Reserve. Having established local consensus on the principles for the participatory management of the Marine Reserve, the facilitators coordinated a lobbying strategy with extensive media coverage for the approval by the National Congress of these articles in the Law. Local consensus between users and conservationists enabled the three stakeholder groups to forge alliances with national and international environmental lobbying groups. The legislation, which included the controversial exclusion of the powerful industrial fishing sector from the Marine Reserve, was approved by the National Congress in March. The Grupo Nucleo is now continuing with the revision of the management plan based within this legal framework and is currently dealing with locally challenging issues such as the zonation of the Reserve and the design of mechanisms for the institutional structure for ongoing participatory management. Zonation of the Reserve is a controversial issue which potentially could damage the new trust and confidence between the sectors. The challenge for a multiple-use Reserve and for the participatory management system is whether these objectives are compatible and possible to accommodate.

This paper aims to analyse the methodology for conflict analysis and facilitation being used in the Galapagos Islands which draws on the principles of a combination of approaches including third-party consultation, interactive problem-solving, common property management, community-based conservation, environmental education, participatory management in protected areas and fisheries co-management. It emphasises the highly contextualised nature of the intervention and raises

several key questions including the importance of a) an appropriate legal framework, b) the process and joint problem-solving nature of the intervention, c) how to develop effective representation of members of a multi-sectoral team in order to maximise the possibility of community-level commitment to solutions, d) the appropriate institutional model for participatory management.

BACKGROUND

Rapid economic and demographic change, the presence of unregulated industrial fishing, the appearance of high-value fisheries for Asian markets, state-imposed policy and regulations, general non-compliance with the management plan, lack of appropriate legislation and lack of resources for enforcement have meant that the Galapagos Marine Reserve has become the focus of complex multi-stakeholder conflict. There has been conflict of interest between users of the Reserve i.e. fishermen and tour operators; between conservationists (local and international) and fishermen; and between all of these Galapagos stakeholders and industrial fishing groups from the mainland. Non-collaboration between the various national authorities in charge of management and control of the reserve led to an inability to control the expansion of illegal sea-cucumber and shark-fin fisheries, with resultant high immigration flow. In recent years the conflicts had become particularly acute and highly publicized, culminating in 1995 in violent protests at the Galapagos National Park Service headquarters and the Charles Darwin Research Station. What made the situation particularly acute were the high costs – ecological, economic, and social – that would be incurred if existing disputes simply smoldered or escalated, current, structural inability to reach the sort of agreement needed to manage conflicts persisted and cynicism and non-compliance with resource management rules continued unchecked.

CONFLICT ANALYSIS

Methodology

In 1996, a conflict analysis was conducted by Ted Macdonald for the Charles Darwin Research Station (Macdonald, T.1997). The report was presented as a narrative analysis based on detailed, open-ended interviews with a wide range of actors representing the heterogeneous meld of local, national and international actors who considered themselves as "stakeholders" with regards to rights and resources within the Marine Reserve (Macdonald, T. 1997). The research analysed power dynamics between these groups and, where structural power asymmetry existed, sought to understand the perceptions and motivations of both the lower- and higher-power groups - rather than to define the "true" story or history of the conflict - in order to ensure that the recommended intervention would address the fundamental needs of all parties (Rouhana, N & Korper, S. 1996: 362).

Results

Structural Power Asymmetry

The researcher found structural power asymmetry existing between the various groups whereby, as in many natural resource disputes, the "weaker" group consisted of marginalised, stigmatised local fishermen whilst the higher-group consisted of government agencies, conservationists with access

to national and international alliances, the industrial fishing sector and the economic and politically powerful tourist sector. The underlying problems manifested themselves in terms of violence, posturing and non-compliance with the management plan for the Galapagos Marine Reserve.

Publicity

The analysis found that the high level of publicity inevitably surrounding the unique and fragile marine ecosystems of one of the most famous World Heritage Sites was based on the misunderstanding that :

- the conflict was based on competition over scarce marine resources,
- by violating specific rules, the residents appeared to be indirectly challenging the national government's claim over "property rights" to the islands and that
- the residents of Galapagos were the source of the problems.

The misunderstanding served to reinforce the structural power asymmetries between the local, national and international groups. There were calls for tighter state control and for monitoring of the local population in order to prevent environmental destruction. This was illustrated by the piece on October 12 1995 in The Times which suggested irreparable environmental damage as the local fishermen sought greater local control.

Decision-making Patterns

Contrary to this impression, Macdonald found that there was no challenge by local groups to national sovereignty i.e. property rights to the Marine Reserve nor competition over scarce resources. Rather than focusing on interests which delineated the group, the researcher identified a common problem shared by the groups of fishermen, tour operators and locally-based conservation managers: concern over existing patterns of decision-making about the Marine Reserve. These patterns were processes from which they were alienated. Rules were viewed as imposed and inappropriate. The resentment and non-compliance shown by the residents, although apparently directed at the outcome of decisions, was rather concerned with the "rules-making" rather than the rules themselves.

Recommendations

Reframing the Problem

Macdonald found that much of the management dilemma rested on the residents' sense of rights to the resource, resulting in a sense of marginality as a result of state-imposed policies. The resultant feeling led the residents to act as if the marine resources were located in areas of "open access" despite clear state claims and related rules. He proposed that the situation could best be understood as unworkable patterns of governance within the existing property regime and suggested reframing the situation as if it were managed as "common property"; an alternative model for management could then be drawn from models of well-managed "common property". There was a need for stakeholder participation in local institutions which would help to define, review and monitor resource access, appropriation and conservation within the Galapagos Marine Reserve. It was proposed that responding to these deeper concerns of marginalisation, identity, autonomy and recognition – rather than attempting to tighten enforcement measures – could shift negative

perceptions and create the environment for constructive conflict and resource management (Kelman, H. 1996).

Interactive Problem-Solving

The analysis recommended joint problem-solving through third-party intervention as an appropriate approach, a form of negotiation which stresses mutual understanding and joint work on shared concerns and, thus, joint problems. In contrast to power-based bargaining, problem-oriented negotiation addresses the underlying causes of the conflict in an interactive process i.e. all parties working together to generate ideas for a solution that meets each others' needs. The desired relationship is not one devoid of conflict, but one in which long-term social mechanisms of communication and problem solving are readily available so that conflicts can be resolved before escalating and becoming mutually destructive (Kelman, H. 1996).

CHALLENGES FOR RECOMMENDED INTERVENTION

Common Property Management and Protected Areas

Although there is a history of common property management and, more specifically, of fisheries co-management systems, it is only in the last decade that there has been a move within marine protected area management to increase local participation in decision-making under the principles of collaborative management (Borrini-Feyerabend, G. 1996) and only a few examples involve multi-stakeholder participation. There are many levels of collaborative management and some conservationists fear that a common property management approach would be a form of 'de-protection' i.e. that it is not simply a question of recognising the rights of local communities to manage resources: in the absence of a sense of responsibility to society for the protection of biodiversity and the appropriate management capacity, devolving to local communities the rights to use and manage resources carries the risk of even worse destruction (Western, D & Wright, M. 1994). This is potentially the case in Galapagos with its rare pristine state and high endemism – and its heterogeneous, geographically-separated, poorly-organised community. From a legal standpoint, on the other hand, it is highly unlikely (although not unheard of) that the state would hand over the property rights of a protected area to the local stakeholders. The Ecuadorian government will remain the property owner of the Galapagos Islands. Experience in community-based conservation programmes has shown that often "participation" has actually meant the co-option of local elites and leadership for conservation aims and that "decentralisation" is undertaken in a way which segregates responsibility from authority (Murphree, M. 1994). Insecurity over the institutionalisation of local decision-making power, normally guaranteed by property rights, would debilitate the conflict management process in Galapagos. An appropriate management model needs to be found which addresses both the concerns for effective conservation and the confidence of stakeholders in participation.

Requirement for Common Property Management

There is general agreement in the literature that successful common property management often occurs in areas where there is/are:

- a well-defined and limited community;
- locally-defined management rules;

- locally-developed institutions that are accepted and strong and
- higher levels of authority which support local institutions and help to monitor and enforce compliance (Macdonald, T. 1997. Ostrom, E. 1990) and,
- in fisheries co-management specifically, the right to exclude others from participating in the fishery (Rieser, 1997).

All of these conditions were absent in the Galapagos Islands. The local stakeholders recognised the need to exclude the industrial fishing sector in order to define and develop a local, sustainable fisheries and yet this seemed an impossible goal. Moreover, analysis of case-studies of enduring institutions for common property management found that, although there were a variety of particular rules within the case-studies, none involved participants who varied greatly in regard to ownership of assets, skills, knowledge, culture or other variables that could strongly divide a group of individuals (Ostrom, 1990) as in the case of Galapagos.

National Policy Change

The analysis indicated that, if the above conditions for common property management were introduced, they would fill a vacuum rather than radically restructure either the national or the local political order. However, in order to institutionalise a basis for participation in decision-making and for addressing the existing power asymmetry, there would be a need for a change in national policy. Without favourable national policies and political support, community-based conservation initiatives depend on individual protected area managers and are vulnerable to changes in policy and personnel (Seymour, F. 1994). Borrini-Feyerabend (1996) also stresses the importance that the legal framework gives to the options available for levels of participatory management in protected areas.

SUMMARY OF THE RESULTS OF THE PARTICIPATORY PROCESS

Analysis of Methodology

A Legal Framework for Participatory Management

As the section on 'challenges for recommended intervention' points out, none of the institutional or legal frameworks for the adaptation of a common property management model were in place to be able to build confidence in the stakeholder groups that this would be a meaningful process.

Although, many collaborative management programmes graduate from informal arrangements, the co-evolution of local participation and an appropriate legal framework has been a significant factor in the initial success achieved in Galapagos. It was a conscious risk taken by the GNPS and the CDRS which so far has paid dividends.

The Galapagos Marine Resources Reserve was created in 1986 by special decree. This category of reserve did not exist outside of this decree in the national legislation, making enforcement difficult. In 1996 the National Protected Areas Authority (INEFAN) unilaterally declared it a Biological Reserve, bringing it under national protected area legislation. This was hotly contested by the Subsecretary for Fisheries and the industrial fishing sector. There existed a legal and administrative confusion. However, the declaration of a Biological Reserve gave the Galapagos National Park Service the mandate to coordinate the revision of the management plan. The parallel process of drafting the Special Regime Law for the Conservation and Sustainable Development for

Galapagos opened up the possibility that the change in management structure desired by the local stakeholders could be achieved through the Special Law process. It was unlikely that any attention would be given to an attempt to put forward a special piece of legislation for the marine reserve outside of this process.

With the momentum created by the possibility of influencing the drafting of the Special Law, the Grupo Nucleo succeeded in gaining local credibility, consensus and solidarity on the key marine management issues. As a result, it was given the opportunity to draft text for an appropriate legal framework for the revised management plan which would lay the foundations for the institutionalisation of conflict and collaborative management of the Reserve. This would provide:

- protected area status for the Marine Reserve with clearly defined jurisdictional responsibilities;
- definition and legitimacy of stakeholders of the Reserve, being of limited numbers, controllable and with long-term interest in and dependence on the marine resources;
- real access to local decision-making power for the stakeholders of the Reserve;
- exclusive fishing rights to local artisanal fishermen i.e. the removal of industrial fishing within the Reserve.

The management plan would define the model for management i.e. levels of responsibility and decision-making to be delegated (see section 6 for details).

Local consensus between users and conservationists enabled the three stakeholder groups to forge alliances with national and international environmental groups and to coordinate a lobbying strategy with extensive media coverage for the approval by the National Congress of the Marine Reserve Chapter in the Special Law. The legislation, which included the controversial exclusion of the powerful industrial fishing sector from the Marine Reserve, was approved by the National Congress in March 1998 (Ley de Régimen Especial para la Conservación y Desarrollo Sustentable de la Provincia de Galápagos, 1998)

Starting the participatory process at this time – building local consensus and stakeholder expectations – involved a conscious risk. The Special Law could have imposed a different management structure for the Marine Reserve, considering the powerful influences of the Ministries for Trade and Industries and the industrial fishing sector, who were strongly opposed to any form of decentralisation which would diminish their control and access. However, the socio-political context in Galapagos meant a lack of stakeholder confidence in an informal approach. Without the framework of the Special Law, whatever was proposed within the management plan would have no legal basis and would always be vulnerable to changes in personnel and policy within the National Park Service, a real consideration during this period of political uncertainty within Ecuador.

The risk paid off in terms of confidence in what was being offered by the process and so strengthened the process itself. However, it has had its costs too. It was early days and it put immediate pressure on the Grupo Nucleo to come up with results and to prove its claim of local consensus under the focus of national media attention. It exposed the newly-formed group to the political arena. Interestingly, as a result of basing the recommendations in local consensus, all local leaders and decision-makers were obliged to support their inclusion in the Special Law - in political

terms they could not afford not to. However, it was also in local politicians' interests to appropriate this consensus and they attempted to politicise the Grupo Nucleo, causing some internal divisions and local mistrust.

The approach of the government for the definition of the regulations for the Special Law has still not been decided. The Grupo Nucleo is already working on draft text for the regulations concerning the Marine Reserve Chapter. The legal framework is not secure until the regulations and the revised management plan are approved and these are threatened by the change in government in August 1998 and the ongoing lobbying of the industrial fishing sector.

Third-Party Consultation/Facilitation

The conflict analysis proposed that the inter-sectoral conflicts could be addressed through increased local decision-making on resource management. This meant creating the basis for long-term joint problem-solving between the antagonistic groups – as opposed to traditional mediation or arbitration roles. In order to achieve this, the Charles Darwin Foundation contracted a team of two facilitators with part-time assistance from the conflict analysis expert. The model for intervention by the facilitators was based on a combination of the principles of third party consultation (Fisher, 1981), community-based conservation and participatory rural appraisal (PRA). This combination provided rich results in terms of the variety of skills/methods it brought to developing relationships between the participants, joint problem-solving and eliciting local knowledge. However, it raised questions in terms of the identity and types of interaction the facilitators had with the larger community and their perceived level of impartiality.

Skills

Third party consultation focuses on creative problem-solving with regard to dysfunctional aspects of the basic relationship between the antagonistic parties and therefore stresses a high degree of skill in human relations, problem-solving and the knowledge of conflict resolution processes from a social-scientific point of view (Fisher, 1983). This resonates with the principles of facilitation developed through local participation and rural development programmes (Chambers, 1994), which greatly influenced the approach of community-based conservation programmes (Little, P. 1994). Participatory research and planning (PRA) aims to enable local people to share, analyse and validate their knowledge of life and conditions, to plan and to act. It also stresses flexibility and ability to react appropriately to ever-changing events, rather than rigid adherence to a set of rules (Chambers, 1994). The facilitators have drawn on these sets of theories, creating a forum for regular discussion between the three sectors : tourism, fisheries and conservation/science, sharing perspectives, exploring options and joint thinking that are not readily available at the official negotiating table (Kelman, 1996). They have adapted the highly visualised/diagrammatic and problem-solving methodology of participatory research to draw the participants into visualising complex issues through simple venn diagrams, matrix-scoring, seasonal calendars, mapping and time-lines - such as the level of their own representation, decision-making structures within their sectors, levels of responsibility and decision-making methods of a participatory management body for the Marine Reserve, fisheries calendars and zonation of the Marine Reserve. Regulating the interaction between the participants to maintain the problem-solving atmosphere has also been important from the very beginning - through guidance in the areas of agenda, ground rules and procedures - in order to counteract an accusatory and conflict-expressive atmosphere and to promote a task-oriented, analytical approach (Fisher 1983, Rouhana and Korper, 1996).

Identity and Impartiality

Identity and impartiality are areas in which the theories about facilitation differ. The literature on third party consultation emphasises the necessity of third-party impartiality but differs on how best to achieve it. Fisher (1983) argues that the consultant have moderate knowledge of the parties, low power over them, and high control over the consultation situation. Kelman and Cohen (in Fisher 1996) maintain that more extensive knowledge is necessary for the consultant to grasp the nuances of the analysis and to develop credibility with the participants. There is disagreement whether the consultant should be members of the conflicting groups. On the other hand, the literature on community-based conservation emphasises the personal factor, the importance of individuals in the initiation and leadership of community-based conservation. "A cultural go-between or ombudsman is often crucial to integration of internal and external actors' perspectives and concerns. This role is best filled by an individual with long-established local and national credentials who can operate independently of any specific institution" (Murphree, M. 1994).

The composition of the team of facilitators contracted in Galapagos aims to combine both impartial facilitation and the catalytic role of a local 'go-between'. The islanders have a history of xenophobic mistrust in general and suspicion about the motives of foreign and mainland conservationists. The team of two locally-based facilitators make up a combination of local and international experience, of both high and low power over the participants and of moderate and deep knowledge of the issues, of third-party consultation and community-based conservation go-between. Both of these roles are important to the process. At certain times, it has been difficult to maintain the balance between these identities and impartiality has been questioned. This supports Fisher's assumption (1983) that impartiality appears to be a complex interplay of group identification, attitudes toward the parties, and ongoing behaviour in the discussion. It shows that impartiality is earned but is continually monitored by the participants. It maintains to be seen if this highly contextualised approach is successful.

Interactive Problem-solving Workshop

The Initial Workshop/Dialogue, June 1997

The first question raised in the design of the third-party intervention was how to show that there was a change of approach and that this was participation and not consultation or co-option on the part of the conservationists - as had happened three times previously? In situations involving power asymmetry in intergroup conflict, Rouhana and Korper (1996) recommend clear articulation of objectives and ground rules of the approach plus the developing of an "elicitive agenda" prior to participants' commitments to take part in the meetings. In the case of Galápagos, prior to the initial workshop the facilitators visited each group and presented them with a guide as a tool for internal group discussions. The guide consisted of, on one side, the sections of the old management plan and, on the other side, a blank sheet inviting their comments on the old plan and their ideas for a new plan. There were also a set of questions designed to promote deeper discussion of the different elements. Even though there were actually few written responses, the guide was coined a "blank sheet" by the President of one of the fisheries cooperatives who declared that this showed a change of approach, that this was not merely a consultation by the conservationists but a real invitation to the decision-making process.

Representatives of each sector from each island were invited to a workshop to present the concerns and ideas of their groups regarding the marine management plan. An early assumption was made about the identification of stakeholders - the industrial fishing sector was not included – which is contrary to some conflict resolution strategies. Relevant mainland actors and provincial government officers were invited. However, to signal the local nature of the workshop and the process, they were invited as observers and a rule prohibited their intervention. There were no introductory speeches made, there were no technical presentations by the Park and the Station about the value of the reserve and the need for conservation; there was simply a summary of the reasons for which the process had been initiated and a presentation of a set of conflict management "rules" for this first session. There was no pre-set timetable; a 'prioritisation of concerns' exercise determined the agenda for the workshop. Once again this emphasised that the ball was in the court of the sectors themselves, all of equal status in this setting. At the same time the reactive nature of the approach was shown by the relaxing of the rule concerning one of the 'observers' when it became clear to all that their intervention would move the discussion forward.

Another important rule was also established: decision-making by consensus. The workshop dealt in global terms with each of the main issues of management: size, goals, resource use, zonation, control and management structure. All decisions on these issues were reached by consensus, which at times proved a lengthy process but provided the opportunity and motivation for deeper understanding of the implications for all; it also proved that there was no hidden agenda, that each individual's concerns were of equal value and that there was to be no passive participation or majority voting. It was the first time that they had ever reached a decision in this way and 'consensus' became a local buzzword.

The Grupo Nucleo

Many community-based conservation programmes begin with the invitation to form a representative group with little prior understanding of the nature of the commitment on the part of the stakeholder groups. This is a delicate issue for facilitation because traditionally representatives at this level of negotiation are the leaders of the different groups who were not necessarily elected for their skills in resource management nor their representativity. Kelman and Cohen (in Fisher, 1983) recommend that the best combination between official representatives with decision-making power and informal representatives with time and interest is to have participants who are unofficial but influential representatives who are not bound to rigid positions but who do have indirect influence on policy-making. In Galapagos, it was the stakeholder groups who decided that a multi-sectoral team, the "Grupo Nucleo", should take on the responsibility for the completion of the revision of the management plan. The discussion and consensus-building process of the initial workshop revealed the challenge of the work ahead and also the amount of time to be dedicated. Thus it was that, initially, representatives were elected on the basis of their ability to deal with these issues and represent the sectors' interests.

Interactive Problem Solving Workshop

The Grupo Nucleo consists of representatives of the stakeholder groups - fishermen, tour operators, conservationists - and the National Park Service. The model for facilitation of this group was based on the principles of interactive problem solving with the regular meetings of the Grupo Nucleo providing the "workshop" - an arena for developing new insights and shaping new ideas that can then be exported into the political process within each community (Kelman 1996). This provides

an opportunity - not readily available at an official negotiating table – for participants to engage in exploratory, non-committal interaction, free to brainstorm, explore a range of hypothetical situations and to come up with creative ways of solving problems. Participatory approaches promote "handing over the stick" (Chambers, 1994), facilitating analysis and presentation by the local participants themselves, so that they generate and own the outcomes. Grupo Nucleo members frequently take charge of the flip-charts to work out an idea or clarify an idea.

Process

The Grupo Nucleo is following the steps proposed steps for a collaborative management process: moving from preparing the partnership to developing an agreement to then implementing and reviewing the agreement (Borrini-Feyerabend, 1996). The process nature of the workshop is emphasised where the interventions of the facilitators are based on appropriate responses to ever-changing events. The revision of the marine management plan, being a tangible, issue-by-issue product, has provided a focus for this approach.

Participation and Representation

In the complex, disparate and historically divided community of the three main populated islands, where factors in the conflict situation have included the break-down or non-existence of the relationship not only between the different sectors but within the sectors themselves, effective representation of the Grupo Nucleo members has been essential. Any resolution to the conflict would need to address the internal problems in order to promote commitment to, and compliance with, the revised management plan. As none of the of the stakeholder groups have worked in a participatory way before, the question is how to ensure that the members of the multi-sectoral team are truly "representative" and that their work will be supported and put into practice by members of their different groups? A focus of the facilitators, together with the participants themselves, has been the ongoing evaluation and improvement of the levels of participation and representation between the Grupo Nucleo members and the sectors they represent. It is interesting to note that all local stakeholder groups have contributed full-time participation of their representatives in the Grupo Nucleo and there has been the opportunity for the full-time presence of the team of facilitators. Initially, this resulted in:

- a strong team-spirit and deeper understanding amongst the Grupo Nucleo members,
- the time for detailed discussion and resolution of differences between the sectors' views on management issues,
- the possibility for regular and timely consultation with the groups being represented,
- the establishment of consensus on key issues addressed, and
- the opportunity for close monitoring and guidance of the process by the facilitators.

Challenges

The Grupo Nucleo initially succeeded in gaining credibility, consensus and solidarity on the key marine management issues. However, this does not mean that there is one hundred percent participation and commitment within the sectors. Issues such as the legal framework for participatory management are perceived as beneficial for all stakeholders. It was relatively easy for the local stakeholders to define common interests when faced with external actors, such as the industrial fishing sector and the top-down government departments. However, they see themselves as having different interests in juxtaposition to each other in terms of sectoral objectives for the

Marine Reserve. This is now being tested with more locally controversial issues such as the zonation of the Reserve and regulations of fisheries and tourist activities.

Nor does initial success mean that the sectors are homogenous, unified and have the capacity for democratic decision-making. The tourism sector has a newly-established umbrella authority, the Chamber of Tourism, which as yet has no representation outside of the island where it was based; the fisheries cooperatives were principally used for licensing, credits and supplies - not fisheries management and they had no umbrella authority; the conservation and science sector comprised the Charles Darwin Research Station with no community conservation movement as yet mobilised.

Being part of such a strong local movement is a particularly empowering process at both the group and individual representative level and has led at times to certain representatives losing sight of the origin of this power i.e. in those they represent, and taking decisions unilaterally. It has been important for the facilitators to monitor this carefully together with the members. The imminent departure and replacement of the fisheries representative from the Grupo Nucleo, in January 1998, called for an analysis of the levels of participation and representation within this sector. The current representative had been able to bridge the differences between competing and marginalised fishing cooperatives, accepted by all. However, it was clear that there was no other equal candidate and that, in fact, the political reality of the differences and lack of unity and confidence between the cooperatives needed to be addressed directly. Therefore, it was decided to include representatives from each of the four cooperatives within the Grupo Nucleo, despite the financial implications of this decision. There was a necessary orientation and adjustment period for these new members. Representation and participation from Isabela island are ongoing concerns. The Isabela fishermen are stigmatised as supporting ongoing local illegal fishing activity. They felt marginalised and respected the direct invitation to participate. Evaluation has shown that, despite involvement in the Grupo Nucleo meetings, there is little feedback or discussion of issues by the representative once back on the island and the reasons for this need to be addressed.

Education

Socially critical environmental education involves a wide range of knowledge, skill, values and participation objectives (Fien, 1993, Huckle, 1993) which resonate with and support participatory approaches for collaborative management. Ongoing environmental educational programmes coordinated by the facilitators and the Grupo Nucleo, through meetings, the mass media, and video documentaries have supported the emphasis on participation, the continuous feedback to the stakeholder groups and the awareness of the community at large. The Charles Darwin Research Station has contracted a communications specialist to work for the Grupo Nucleo cause this support has proven essential. It is therefore the community group which is determining the content of the educational programmes in response to perceived needs rather than being a traditional 'delivering messages' programme designed by the conservation sector, which often occurs.

Transfer

Key questions in this type of intervention are whether individual changes in attitude and collaboration experienced in the workshop maintain themselves in the back-home setting, and to what degree these changes affect policy (Kelman, 1996, Rouhana and Korper, 1997, Fisher, 1983). Walton (in Fisher 1983) calls this "transfer" and it refers to a transfer of the attitudinal change or openness to problem solving achieved within the problem-solving group to the wider groups they

represent. However, "transfer" suggests a one-way movement. As in socially critical environmental education, the aim for the Grupo Nucleo is to have two-way transfer. The members of the Grupo Nucleo feel confident and able as individuals within the workshop environment to listen to other stakeholder needs and come up with creative solutions. This maximises the opportunity for change in understanding and attitudes of these individuals. It is important that they also operate as members of their organisations in order to maximise the political reality of the workshop and the probability that there is a sense of ownership and commitment at community-level. The strategy in the Galapagos has been a two-stage decision process whereby every agreement reached within the Grupo Nucleo is based on homework done with the "bases" and is reached by consensus; this "proposal" is then taken back to the "bases" and the final decision has to be reached at this level by consensus too. This is a process of listening to all the different views of their sectors, of working on solutions with their groups outside of the Grupo Nucleo, of constant feedback, of taking decisions back to the 'bases'— and it has needed facilitation as it can often be a difficult and challenging task for the representative. It has meant regular visits to each of the islands by the representatives, often together with the facilitators. This needs to be maintained in order for the two-way transfer to be successful and to therefore achieve commitment to and compliance with the final management plan.

The Junta as a Model for Participatory Management of the Marine Reserve

The Special Law for Galapagos creates a new category of Marine Reserve and defines the stakeholders of the Marine Reserve, excluding the industrial fishing sector. The Galapagos National Park Service is to manage the Reserve at the local level according to collaborative management principles which involve a Participatory Management Board. An Inter-Institutional Authority at national level is to approve the management plan and approve certain decisions of the Participatory Management Board at the local level. The management plan is to define how the Participatory Management Board (Junta de Manejo Participativo) is comprised, its functions and levels of responsibility and procedures for decision-making. The Grupo Nucleo is currently drafting a proposed model.

There are different levels of participatory management in protected areas ranging from consultation to co-management to transfer of authority over management (Borrini-Feyerabend, 1996) and the management plan will define at what level it will operate for the Galapagos Marine Reserve. In fisheries co-management models drawing on common property resources theory, Rieser (1997) advocates an ecosystem approach which takes into account the issue of biodiversity protection as well as sustainable resource management. This is a system of contractual co-management which reflects both the public property rights in the ecological condition of the marine environment and the private or common ownership rights of access, harvesting, and management. In such a system, because the government has interests in and obligations concerning resource management which differ in kind and scope from those of the community, such as the protection of biodiversity, there is a form of shared ownership between the government and the community. Ostrom (in Rieser, 1997) argues also for institutional complexity to manage biological complexity including a system of complex, nested institutions that can operate at the multiple scales on which ecological systems function i.e. inter-sectorally at local, regional, national and international level.

What is an appropriate model for the Galapagos Marine Reserve, one of the few surviving pristine marine areas with high endemism which is also a multiple-use reserve on which a local community

is dependent? What makes a participatory management institution successful and enduring? What financial mechanisms are appropriate in order for the institution and the process of participatory management to be sustainable, to avoid free-riding and paternalism? How to improve the levels of representation and the decision-making structures within each sector to maximise commitment and compliance? These are some of the key questions being tackled by the Grupo Nucleo at the moment. The system being proposed resembles a contractual co-management approach because the national government and the National Park Service remain owners and managers of the Reserve. Under a form of contractual agreement whose operating conditions are determined by the overall goal of the management plan -i.e. biodiversity protection and sustainable resource use - certain functions, responsibilities and levels of decision-making are delegated to an Inter-Institutional Management Authority at national level and a Participatory Management Board at local level. The Grupo Nucleo is proposing that the Board be based on the same model as the Grupo Nucleo in terms of composition and decision-making by consensus in order to have maximum stakeholder representation and participation and to address the power asymmetry existing between these groups. This is because the problem-solving workshop model of the Grupo Nucleo has provided a mechanism of communication and problem solving for conflict prevention and because the analytic, problem solving approach creates a sense of ownership and commitment to compliance which is strengthened through the consensus-building.

CONCLUSION

The identification of common problems and needs through conflict analysis and the potential of addressing them through changes in the legal framework succeeded in bringing previously antagonistic groups to the negotiating table and is currently leading to the institutionalization of participatory management of the Galapagos Marine Reserve.

The ongoing locally-based participatory planning process for the revision of the marine reserve management plan draws on a combination of theory and methodology including common property management (Ostrom, 1990); community-based conservation (Western, D & Wright, M. 1994, Little, P. 1994, Murphree, M. 1994); participatory management in protected areas (Borrini-Feyerabend. 1997, Kelleher, G. et al. 1995, McNeely, J. 1995); participatory research (Chambers, R. 1994); fisheries co-management models (Rieser, A. 1997, Jentoft, S. 1989); interactive problem-solving (Kelman) and third-party consultation (Fisher, 1983).

This paper has attempted to review progress to date and highlight certain questions raised by an analysis of this mixture of diverse and yet complementary bodies of theory. It appears that in the case of Galapagos the potential for defining an appropriate legal framework for participatory management was extremely important in gaining the support and commitment of the different stakeholder groups to the participatory process. Empowerment of the local stakeholders' group at local and national level came through a consensus-building process. This process was based on a combination of participatory and interactive problem-solving approaches rather than through mediation or arbitration.

Active participation and representation have been identified as key factors in the strategy developed to maximise the probability that there is a transfer of the attitudinal change or openness to problem

solving from the multi-sectoral Grupo Nucleo "workshop" to the wider groups within the sectors, that there is a sense of ownership of, and commitment to solutions at community-level. However, agreement on locally-controversial issues such as the zonation of the Reserve is still yet to be reached. A model has been developed for the institutionalisation of participatory management which raises ongoing questions about conditions for long-term credibility, vulnerability to politicisation and financial sustainability.

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