

Sharing Environmental Responsibility in Southeast Mexico: *Participatory Processes for Natural Resource Management*

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Abstract

According to Mexican legislation “the federal government must promote the *co-responsible participation* of society in... environmental policy and natural resources.” (Art. 157, DOF 1988).

In recent years various participatory processes have been initiated where natural resource management is shared between government and civil society. This research unites the perspectives of people involved in three processes: the Grijalva-Usumacinta Watershed Council for freshwater resources, the Consultative Council on Sustainable Development for environmental policy and the Consultative Council for Terminos Lagoon for protected area conservation. Thirty-five people were interviewed in order to understand how participation works in practice, to prompt participants to reflect on their experiences, and to identify opportunities for mutual learning amongst the processes studied.

For each of the processes studied, this report provides a description of the problems faced; the process’ origin, purpose and structure; and a summary of participant perspectives. These processes are not perfect; yet they are a potentially more equitably alternative for dealing with the multiple pressure on natural resource use. This report identifies opportunities to improve each process and move towards more sustainable development that benefits all of Mexican society. In general, five steps for fostering a culture of participation are: (1) create a common commitment amongst different levels of government, (2) consider stakeholder motivations, (3) foster discussion on the purpose of participation, (4) create horizontal structures, and (5) establish mechanisms to ensure transparency and representation.

The existence of these processes is part of a new culture of participation that is emerging where citizens take an active role in what was previously the exclusive responsibility of government. Although government continues to administer these resources in the name of the public, civil society is an increasingly co-responsible partner in the stewardship and conservation of the country’s natural resources.

Introduction

Within the Mexican federal government there is a tendency towards deconcentration, where responsibilities are transferred from central to regional offices, and decentralization, where responsibilities are transferred to the state or municipal governments (Castelan 2001). There are multiple reasons for this deconcentration and decentralization. From a strategic point of view, an administration that is distributed geographically is less vulnerable to interruption due to events such as the tragic 1985 earthquake in Mexico City. From an economic point of view, an administration that is located closer to its clients can be more efficient and more sensitive to the needs of the public. From a democratic point of view, deconcentration and decentralization move government processes closer to the population and offer new opportunities for citizen participation (Robles Gil and Soto Martínez 2003).

At the same time, the federal government is limited in the human and financial resources it has at its discretion. Thus, public participation in governance processes opens an opportunity for the government to combine its efforts with complementary capacities that exist within civil society. Through public participation, government and civil society form an alliance to establish more effective management than either side could achieve acting on its own. Such an alliance is even more critical in situations where there is distrust or conflict between stakeholders and no single stakeholder has sufficient legitimacy needed to act unilaterally and unchallenged by others.

In recent years there are a growing number of examples where the responsibilities for the natural resource management are shared between government agencies and civil society. At the international level, treaties such as the Rio Declaration and the Aarhus Convention include calls for greater public participation in the processes of environmental governance, while Article 157 of the *Federal Environmental Law* declares “the Federal government must promote the *co-responsible participation* of society in the planning, execution, monitoring and evaluation of the environmental and natural resource policy.” (DOF 1988) During the fifteen years since the passage of this law, Mexico has experimented with different means of achieving this *co-responsibility* in the form of participatory processes for natural resource management related to watersheds, environmental policy and the conservation of protected areas.

Between April and July 2003 different participants involved in the three participatory processes were contacted in order to explain to the purpose and objectives of this research, and present them with a questionnaire. If these persons so agreed, an appointment was made to meet at a later date to conduct a focused interview, at a time and place determined by each person. In the case of the GUWC and CCSD attempts were made to interview all participants, yet two people were excluded due to constraints on time and travel funds. Given the extensive membership of the CCTL, a more selective strategy was used from the beginning to interview only those people who were most active in the process and who represented the diversity of the stakeholders involved.

A total of 35 people agreed to interviews, while two more declined to participate in the study. Interviews lasted between 25 and 140 minutes and were carried out in a conversational manner using the open-ended questions listed in the questionnaire previously submitted. The study also consulted minutes from different meetings and applicable legislation. Finally, in November 2003, the participants were invited to workshops to share, verify and socialize the study's results. In certain instances, this report uses the participants' own words, yet their identities are kept confidential and they are only referred to according to the process in which they participate.

Each of the following three sections focus on one of the participatory processes studied and describes the process; its origin, purpose and structure; and a summary of participant perspectives. Later there is a discussion that compares the three processes and in the final section lessons are identified for building a new culture of participation in Mexico.

1. Watershed Management

In the Mexican legal tradition, water is public property. The federal government grants concessions to abstract and use water, but requires that the users are officially registered and pay fees according to the quantity of water used. Regulations also specify that this same quantity of water must be returned to nature, the minimum quality required for its discharge and the payment of fines if these quantity and quality requirements are not met. The government agency responsible for coordinating the multiple uses of water is the National Water Commission

(*Comisión Nacional del Agua - CNA*). Although the CNA was formed in 1992, this agency has an organizational legacy extending from the formation of the Water Resources Department (*Secretaría de Recursos Hidráulicos*) in 1946. As its predecessor, the CNA has focused its attention on the construction and maintenance of water infrastructure. However, as stated in the *Law on National Waters* and associated legislation (DOF 1997, 1992), the mandate of the CNA also includes promoting public participation in Watershed Councils, an institutional arrangement for the integrated water resources management.

These Watershed Councils build upon the experience of a series of Watershed Commissions that existed in Mexico between the 1950s and 1970s. The Commissions were based on the experiences of the Tennessee Valley Authority in the United States and had the objective of planning, designing and building the infrastructure required for regional development plans. In the present day, the Watershed Councils are based on the experiences in the Lerma-Chapala Basin starting in the 1980s in which the council evolved to resolve conflict over water use in the states of Mexico, Queretaro, Guanajuato, Michoacan and Jalisco (Castelan 2001).

Since the publication of the *Law on National Waters*, the CNA has attempted to establish Watershed Councils throughout Mexico as a forum for coordinating the efforts of the CNA, other federal, state and municipal government agencies, and water users within their respective watersheds. The responsibilities of Watershed Councils include developing and implementing programs and actions towards improved water management and the preservation of watershed resources (DOF 1992, Art. 13).

Within the CNA, responsibility for the Watershed Councils lies with the department of *Public Participation and Rural Programs*, which implies that the CNA perceives watershed management as primarily a rural matter. The CNA's authority co-exists with that of various other agencies at the federal, state and municipal levels responsible for agriculture, rural development, water quality and potable water. The CNA's strategy is to use the Watershed Councils as a forum for coordinating these stakeholder action within the areas covered by their jurisdictions, thus allowing the CNA to focus its own actions on those areas not already covered by other agencies.

1.1 Origin, Purpose and Structure

The watershed of the Grijalva and Usumacinta Rivers drains a large part of Guatemala and the states of Chiapas and Tabasco. Although it covers a mere 4.7% of Mexico's total land area, its annual runoff represents a third of Mexico's freshwater resources (CNA, 2000). As such, it is one of the most important watersheds on the continent in terms of water quantity, and is perceived as a key opportunity for satisfying future development pressures for water in Mexico. While in most country water management centred on issues of water scarcity, here it is often in excess. The lower part of the watershed experiences seasonal flooding, which has increased in significance as an increasing number of people have settled in low-lying areas. Flooding has probably been made more severe due to erosion and deforestation in the upper part of the watershed, yet there are as yet no studies available that quantify the magnitude of these changes.

Water quality is the principal management challenge within the watershed. There are excess nutrients in the river caused by diffuse sources, including improper handling of both agrochemicals and animal waste in agriculture, and fixed sources, such as the discharge of untreated wastewater from urban centres and human settlements. There is insufficient treatment both of water abstracted from the river for distribution in potable water networks as of wastewater discharged into the river. As in many parts of Mexico, the potable water networks in the region seldom provide water fit for drinking, leading to health problems amongst those who do not have sufficient resources to purchase bottled water for personal consumption.

According to the *Law on National Waters*, a watershed council is a forum for representative from government and civil society to coordinate more effective water management. The Grijalva-Usumacinta Watershed Council (GUWC, or *Consejo de Cuenca de los Ríos Grijalva y Usumacinta*) unites representatives from the CNA, the state governments, and five different water use sectors: ranching, agriculture, cities, industry, and electrical generation (figure 1). The CNA representative is its Director General while state governments are nominally represented by their governors. The CNA Director General names a chairperson to coordinate the council and this person has voice within the process, but no right to vote. The water use sector

representatives are elected amongst stakeholders that attend an assembly convened by the CNA of the users officially registered with the Commission for each water use sector. These representatives become councillors for periods of three years in which they must participate in council meetings, represent the interests of their respective assemblies, and inform users in their respective sectors of the council's actions. There is also an organization known as the Citizens' Water Council (*Consejo Ciudadano del Agua*) that is intended to represent the interests of the general public, in other words those water user who are not individually registered with the CNA, yet the Citizens' Water Councils have operated independently of the GUWC as non-governmental organizations. The Citizens' Water Councils perceive themselves as watchdogs of the actions taken by government agencies, yet are perceived by CNA as merely responsible for raising public awareness on water issues.

The GUWC is supported by a structure of different groups and committees and is thus more of an executive committee than a true management board. Given that the council involves the Director General of the CNA and two state governors, it is extremely difficult for the all the GUWC councillors to meet at once. For this reason, a *Monitoring and Evaluation Group (Grupo de Seguimiento y Evaluación - GSE)* was established and replicates the GUWC structure, including the same user representatives, but with substitutes for the governmental representatives. Prior to 2003, while the GUWC had met only one occasion, the GSE had met on nine times. The GSE has become the motor of the Watershed Council, while the GUWC itself is more of a symbolic connection to the higher levels of the government hierarchy. In turn, the GSE has formed different organizations to support its activities. In Tabasco, *Specialized Work Groups (Grupos de Trabajo Especializado - GTE)* have formed to focus on specific topics, while in Chiapas, *Catchment Committees (Comités de Cuenca)* have formed to tackle multiple topics at smaller-scale drainage areas. For clarity, the term 'councillor' is used here to refer exclusively to members of the GUWC, while council 'participants' includes members of either the GUWC or one of its associated bodies.

1.2 Participant Perspectives

In theory, the structure of the Watershed Council and its associated bodies connect government and civil society by combining the occasional presence of high-ranking government officials with a more continuous participation of the people who live within the watershed. Nonetheless, the reality for both sides is less than ideal. The general population has little knowledge of the council or its actions. The participants interviewed state that the water user assemblies are practically non-existent, which removes a key link for the representation of civil society within the council. Within government, there is a tension between different federal and state authorities with jurisdiction over the water resources, while to date the participation of municipal authorities has been minimal.

The council lacks a common vision. In general terms, the council's objective is to promote a form of water management that is more sensitive to the needs of each watershed and its inhabitants, yet there is no clear consensus amongst the participants regarding the purpose of participation within the council. Applicable legislation defines the councils as a forum for coordination, a process that ensures that the actions of multiple stakeholders are compatible and focused towards a common goal. Nonetheless, different participants perceive different purposes for the council. In interviews, different participants interpreted the council's purpose as building of new infrastructure, promoting water conservation, allocating water rights, and promoting economic development. While integrated water resource management can include multiple objectives, there is no mutual agreement amongst the participants as to what these objectives are. Nor is there any consensus regarding whether the council exists merely to inform government's decision making process or whether the council has the power to make its own water management decisions. CNA representatives see the council as an opportunity to transfer some water management responsibilities from the federal government to water users and local governments. Yet this vision faces serious obstacles in the form of insufficient legal, technical and financial capacity amongst water users, states and municipalities.

The council lacks convening power. Participants feel that GSE meetings are too short and structured. These meetings include a tightly packed agenda of presentations, yet allow little opportunity for participants to discuss or propose new topics. Furthermore, participants feel that

there is a lack of continuity between meetings, leading to a continual revisiting certain topics. Participants complain that they are only given a few days notice of some meetings, while other meetings are cancelled at the last minute despite scheduled well in advance. As a result many participants feel frustrated and have stopped attending different meetings. The agenda of the GSE's meeting is prepared by CNA in order to contribute to the capacity building of participants, however, participants feel that the process is achieving little progress. In particular, participants mentioned that the council lacks technical support, and feel that CNA should do more to provide them with greater access to biophysical and other information required to better understand the issues the council is to engage.

Not all participants are equal. Being a council participant is an honorary position. There is no fees or monetary support given in exchange for attending council meetings, nonetheless there is a distinction between the different stakeholders with respect to the costs they face in order to participate in the council. For government officials, participating in the council is part of the duties associated with their positions, and are thus reimbursed for their time and travel costs when they attend council meetings. This is also true of user representatives for the electrical generation and urban water use sectors. In contrast, the user representatives for industry, agriculture, and ranching water use sectors have to leave their productive activities in order to attend these meetings and are often responsible for their own travel costs.

It is necessary to share costs. During the present stage of consolidation, CNA has covered the costs associated with the council's operation. Yet in the near future it will be of the utmost importance to decide how council's actions will be financed. Amongst the actions the council wishes to undertake is to establish an internet webpage, promote conservation practices amongst the public, and build wastewater treatment plants. CNA can contribute to these projects yet their costs will also have to be shared amongst the other participants and the users they represent.

The council is not representative. Many of the participants interviewed described problems associated with the council's lack of representation. The water user assemblies called by CNA are inactive and appear to exist only on paper. First, the participation of these assemblies has been minimal as they have not met again since they elected their respective water user

representatives. The assemblies depend on willingness and energy of their representatives to consult other water users and gather feedback for the council, yet no such consultation occurs whether due to lack of interest, time or resources. Second, within the agricultural, ranching, industrial and urban water use sectors there is a diversity of water users and without the support of a democratic and functional water user assembly, it is difficult for a single representative to speak for all users. Without the oversight of the water user assemblies, representatives tend to act in their own interests rather than the interests of the sector as a whole. Third, while in theory each of the user representatives have equal weight within the council, the political and economic power of industry, urban, and electrical generation water use sectors means these councillors dominate the council's discussions. Additionally, these user representatives also have opportunities outside the council to influence the water policy, thus diminishing the council's profile and importance.

The root cause for this lack of representation lies with CNA's approach to establishing the Watershed Council. The managers and public servants interviewed perceive their role to be one of logistics. They expect the water users assemblies to be self-managing after an initial meeting and the Watershed Council to evolve spontaneously with the simple act of gathering the councillors together in the same room. Yet achieving participation in practice is an enormous challenge that requires skills to intervene and facilitate a process to maintain a dialogue amongst different water users. As such, CNA personnel must commit to the slow process of building the capacity of water users if they are to assume a role in the user assemblies or the Council. For example, CNA needs to provide water users with information regarding the status and behaviour of the watershed's resources, and training to prepare their own analysis, communicate their perspectives and proposals, and negotiate with others. This capacity building is more important than investing in logistics of travel, per diems and meeting rooms; and it is required if participation is to be more meaningful.

Nonetheless, as stated in the *Federal Environmental Law*, we cannot ignore that the water users are themselves co-responsible for achieving meaningful participation. In other words, participation is a shared responsibility where the water users contribute their efforts by being informed about the process, guaranteeing that their views and interests are represented, and

pressuring their representatives for results. This co-responsibility on behalf of the water users is the cornerstone of participation, without which the Council is akin to a democracy where the citizens do not exercise their right to vote.

2. Environmental Policy

Mexican environmental policy is less than twenty years old and the institutional arrangements for putting such policy into practice are still evolving. The second participatory process studied, the *Consultative Council for Sustainable Development (CCSD)*, attempts to assist this evolution by mainstreaming concepts of sustainable development into government programs and environmental policy. According to the agreement that created the CCSD, sustainable development is recognized as “natural resource use conducted in a manner that satisfies the needs of the present, without compromising the capacity of future generations of Mexicans to meet their own needs.” (DOF 1995) The CCSD process is inspired in the 1992 Rio Declaration and 2002 Johannesburg Plan of Implementation, and receive financial and planning support from the *United Nations Development Programme (UNDP)* through the *Federal Ministry for the Environment (Secretaria de Medio Ambiente y Recursos Naturales - SEMARNAT)*.

2.1 Origin, Purpose and Structure

The *Consultative Councils for Sustainable Development (CCSD)* were established through an agreement originally passed in 1995 and modified on two subsequent occasions (DOF 2002, 2000 and 1995). The agreement’s preamble describes the purpose of the CCSD as to “give permanence and stability to public participation and popular consultation, in order to ensure that planning for and administration of the natural resource base is performed according to national needs and reality” (DOF 1995). Specifically, the agreement establishes eight objectives:

- a) Advise SEMARNAT on regional needs;
- b) Recommend policies, programs, studies and actions;
- c) Evaluate the results of such policies, programs, studies and actions;
- d) Make recommendations on matters that SEMARNAT submits for the council’s consideration;

- e) Make recommendations to improve legislation and procedures;
- f) Coordinate with similar organizations at the international level;
- g) Advise SEMARNAT regarding its participation in international fora;
- h) Monitor the actions of SEMARNAT.

The councils function as roundtables and involve a councillor and a substitute for each of the following five sectors: academic, business, state government, social groups and non-governmental organizations (NGOs) (figure 2). The agreement also states that the CCSD should include a representative from the state legislature. A public servant with SEMARNAT acts as chairperson (*secretario-técnico*), a role that government staff define as logistics rather than active leadership or facilitation. The councillors are named for a term of three years and the position is honorary, meaning that councillors do not receive fees or travel expenses.

The agreement describes three levels of councils: state, regional, and national. There is one council for each of Mexico's 32 states, including Mexico City. These 32 state-level councils are grouped into five regions, each of which has a region-level council with a similar structure as the state-level councils. For each sector, a regional-level councillor and a substitute are named from the different state-level councillors in the region. In a similar fashion, the five regional councils contribute members to form a single national council. The national and regional councils pass down procedural rules and decisions to the state-level councils, while the state and regional-level councils convey to the national-level council issues that surpass their geographic coverage.

Similar to the process used to elect representatives in the Watershed Councils, SEMARNAT staff began the process by convening a meeting of stakeholders they had previously identified. During this meeting, SEMARNAT staff described the purpose of the CCSD and then asked the assembled stakeholders to select two people to act as the councillor and substitute that would represent that sector in the CCSD.

2.2 Participant Perspectives

This study focused on the experience of the CCSD for the state of Tabasco, where approximately 95% of the state was deforested in the last half of the 20th century in order to open land for agriculture, ranching, and oil development (Calzada-Falcón 1997).

The council is spread thin across many topics. The objectives stated in the agreement are sufficiently broad enough to allow each council to define its own agenda. In the meetings of CCSD-Tabasco, held every two to four weeks in the SEMARNAT offices in Villahermosa, the council has engaged such topics as land-use and resource-use planning, water management and a proposal to create state water legislation, the environmental impacts of agrochemicals and oil production, the proposed Mesoamerican Biological Corridor, and the organization of regional and national-level CCSD meetings. CCSD-Tabasco has adopted a strategy of inviting representatives from various government agencies to attend council meetings and present their agency's programs and actions. After these presentations, councillors ask questions, and make suggestions to improve the performance or coordination of these agencies.

The council is a forum for listening and proposing. During interviews with council participants, their perspectives regarding the purpose of the CCSD varied from passive to active. On the one hand, some councillors perceive their role as mere listeners of government programs, responsible for monitoring SEMARNAT and informing this agency of complaints from their respective sectors. On the other hand, other councillors perceive the council as a forum for coordinating various government agencies and for influencing the federal government in executing, improving or eliminating certain environmental policies. For example, a proposal that originated with the CCSD-Tabasco to modify water legislation passed through the hierarchy of regional and national-level councils and was submitted to the Federal Congress. As well, a request on behalf of CCSD-Tabasco contributed to SEMARNAT's decision to change the location of regional CCSD meetings from Mexico City to cities located within the regions themselves.

The participation of state legislature is key. The influence of CCSD-Tabasco has been restricted due to the absence of participation on behalf of the state legislature. In order to be a

councillor or substitute in the CCSD, a participant requires the written authorization of the institution they represent. In the case of the state legislature no such recognition has been issued due to tensions between different political parties, one of which holds the majority of seats and another that controls the legislature's environmental committee. Without the participation of the state legislature, the opportunities for the CCSD to influence to state-level environmental policy are limited.

The council lacks convening power and representation. Participants often fail to attend CCSD meetings either due to other commitments or to lack of interest. In part, this lack of convening power is caused by the absence of a common vision regarding the council's purpose. In interviews, councillors and substitutes reveal that they lack faith in the council since it has not proven capable of translating their opinions into action. These participants complain of having invested their time and energy in the council, only to see their efforts fail to influence the behavior of SEMARNAT and environmental policy. To be seen as a credible forum, the participants need to see that their involvement achieves some result and does not remain as mere written reports sent to the central SEMARNAT offices in Mexico City.

Meanwhile, there is a lack of representation within the CCSD as there is almost no feedback between councillors and the stakeholders in each sector they supposedly represent. Most councillors live close to Villahermosa and can attend the council meetings with a minimum of time and travel costs. Yet, for this reason, there has been little participation of municipalities beyond Villahermosa and few councillors can contribute the time or cost associated with attending the regional or national-level meetings. Without stronger links to the represented sectors, the council is very limited in its financing and does not have sufficient resources to carry out its own projects.

Councillor personalities are key. The process for selecting councillors and substitutes tends to choose individuals with strong leadership skills, who occupy position of power within of their organizations, and are accustomed to having the final word in any debate. These individuals are very active within their sector, some work with universities, others with NGOs, and still others with political parties, yet all are passionate about the topic of sustainable development and all

have very clear opinions as to what changes are needed in terms of environmental policy. This passion is both a strength and a weakness for the council. Each participant's strong leadership personality can become an obstacle within the horizontal structure of the council. Occasionally there are interpersonal conflicts or polarized differences of opinion between two or more councillors that create tension within the council. Partisan politics have also affected the council, although the majority of councillors argue that their political affiliations should be set aside during council meetings. In general, the councillors have dealt with their differences in a constructive manner and the diversity of perspectives they bring to the council is precisely what enriches the process; nonetheless, the council could benefit from improved facilitation.

3. Protected Area Management

The discovery of large oil deposits in Campeche Sound in the 1970s brought significant economic and demographic changes to the Terminos Lagoon region in Campeche State, as Carmen Island became an important administrative and logistics centre for a series of offshore oil platforms in the Gulf of Mexico (Bustillo 2000). Concerned that activities related to oil exploration and production would expand inshore and into Terminos Lagoon, a number of local civil society organizations approached the state government and local universities to seek support for declaring the region as a protected area. Once a preliminary study was prepared, this initiative resulted in a federal government decree in 1994 that included Terminos Lagoon and its surrounding shores within the national protected areas system under the category of Wildlife Protection Area (*Área de Protección para la Flora y Fauna*) (DOF 1994), a category that does not restrict access to the area and allows for the multiple use of its resources by multiple stakeholders.

The protected area decree did not affect land tenure, however, and the region remains a mixture of public, private and communal property. Thus, conservation policies depend upon the voluntary actions of landowners and must accommodate various interests. Responsibility for the national protected area system lies with the *National Protected Areas Commission (Comisión Nacional of Áreas Naturales Protegidas - CONANP)*, within SEMARNAT, yet the Commission also coordinates its activities with the state and municipal governments through a local

administrative office, or *Direction (Dirección)*. The *Direction*, however, has limited human and financial resources and its staff requires the participation of other stakeholders in order to perform conservation activities.

3.1 Origin, Purpose and Structure

Starting in 1994, the Terminos Lagoon protected area management plan was developed through a series of public consultations including open meetings throughout the region (SEMARNAP 1997). This consultation created a precedent and an expectation on behalf of local organizations that they would have both a voice and a role in managing the protected area.

In March 1996, public protest erupted when a federal government agency approved a project to drill two exploratory oil wells within the protected area (Bustillos 2000). Many local organizations, including environment groups and fishing cooperatives, expressed that these oil wells went against the spirit and purpose of the protected area and organized a petition to pressure the national oil company, *Petróleos Mexicanos*, to cancel the project. These organizations distributed white flags that local people hung in front of their homes as a symbol of protest against oil exploration and production within the region.

In February 1997, with the intervention of SEMARNAT a solution was negotiated that established a land-use suitability map within the protected area that would restrict oil-related activities to Atasta Peninsula in the northwest corner of the protected area. Local organizations agree to permit the drilling of the two exploratory oil wells in exchange for a commitment on behalf of the national oil company to provide funds for the protected area and a commitment on behalf of the federal and state governments to create a new collaborative management body for the protected area, the *Consultative Council for Terminos Lagoon (CCTL, or Consejo Consultivo para la Laguna de Términos)*.

The CCTL began meeting in Ciudad del Carmen in 1997 and united representatives from the three levels of government, the national oil company, environment groups, fishing organizations and other local organizations. The council operated as a round table, where each participant had

voice and vote. The protected area director, named by the federal government, was responsible for calling meetings and deciding the council's agenda while participants debated proposals and assigned funding for different projects, making decisions by consensus or by simple majority in open votes.

According to the protected area management plan, the CCTL involves all stakeholders that participated in the meetings to develop the management plan between 1994 –97. As such the council began with membership of over 45 organizations, yet over the course of the seven years since its formation, many of these groups have either reduced their participation or have simply ceased to exist. Figure 3 shows an interpretation of the CCTL's structure during 2003, yet defining the exact structure and purpose of the CCTL is an outgoing debate amongst stakeholders. Due continuous tension over competing visions for the council, there were no official meetings during the first half of 2003 and the CCTL's future is uncertain.

Whereas the GUWC and CCSD are initiatives led by the federal government, the CCTL is an initiative led by civil society. Although the protected area management plan describes the council's membership, it does not define what responsibilities or roles the participants have in managing the protected area. As such, there is tension regarding what power and influence the CCTL is entitled to vis-à-vis the *Direction*.

In practice, there are two competing visions regarding the nature of CCTL. On the one hand, there is a *local vision* amongst civil society representatives who interpret the council as a collegial body that coordinates and decides which activities are to be permitted within the protected area. On the other hand, there is an *official vision* held by government representatives who interpret the council as a consultation process, a forum where participants can express their opinions yet lacking any official power. In other words, there is a tension amongst the participants over whether the CCTL is merely an advisory board or a decision-making forum.

The tension between these two visions has created an antagonist relationship between the CCTL and the protected area *Direction*. Through the lens of the local vision, the *Direction* is seen as an operations office that implements the council's decisions, and the protected area director works

for the council and facilitates its meetings. By comparison, through the lens of the official vision, the council is seen as an opportunity to consult the public on projects the *Direction* submits for its considerations. The director is seen as the person who leads the council and who has the final word regarding which activities are permitted with the protected area. Between 1997 and 2001, conflict between these two visions resulted in a mutual distrust between the *Direction* and the CCTL, and a movement on behalf of local stakeholders to replace the Director with someone from their community.

3.2 Participant Perspectives

Despite the difference visions as to the council's nature, there is general agreement regarding the council's purpose. In one form or another, stakeholders invariably stated that the CCTL exists to evaluate proposals to ensure that these projects conducted within the protected area balance twin goals of development and conservation. Thus, the tension surrounding the CCTL is related to financial control and how much decision making power the council should have, especially vis-à-vis government agencies.

Lack of transparency creates distrust. As part of the federal government, the *Direction* is subject to financial oversight and auditing by the revenue department (*Secretaria de Hacienda y Credito Público*). The recent *Federal Transparency Law (Ley Federal de Transparencia)* (DOF 2002) offers civil society opportunities to access this information; nonetheless many civil society organizations distrust the *Direction's* financial management. Meanwhile, local non-governmental organizations lack regular financial reporting. Consequently there is no transparency in the CCTL's financial management and no agreement regarding which stakeholder, or group of stakeholders, could be responsible for the CCTL's accounting.

The motivations of individual stakeholders influence the process. Instead of a collection of altruistic stakeholders seeking the common good, the stakeholders involved in the CCTL also seek to advance their own agendas. At times stakeholders simply wish to augment their political influence or gain access to the funds available for conservation activities within the protected area. Nonetheless, a forum such as the CCTL has the potential to enhance the legitimacy

amongst the participating organizations by granting an opportunity for others to review each stakeholder's agendas and actions. Although stakeholders do act unilaterally, their actions lack the support of others and cause resentment or conflict. At very least, the CCTL offers an opportunity to coordinate the programs and actions of the federal, state and municipal governments within the protected area. Each of these levels has a certain jurisdiction within the region, and the protected area has given rise to inter-governmental rivalries and conflicting policies in the past.

The protected area director determines how the council functions. The protected area director has dual roles, as he or she is both the council's chairperson and the government-appointed official responsible for managing the area. As was observed in the GUWC and CCSD, public servants tend to interpret their responsibilities in terms of logistics, for example arranging meeting spaces, calling the councillors together and preparing minutes. Yet what the council requires is a chairperson that takes a more active role in promoting dialogue amongst stakeholders, assisting them to understand each other, and building collective action.

The council lacks supporting legislation, yet there is resistance to change. With the exception of a mere two pages in the protected area management plan (SEMARNAP 1997), there is no supporting legislation that recognizes the CCTL. Indeed, in 2000, a Protected Area Regulation (*Reglamento en Materia de ANP*) (DOF 2000) was passed which describes Advisory Committees (*Comité Técnico Asesor - CTA*) as a mechanism for public participation within the national system of protected areas. The stakeholders that share the official vision argue the CCTL is a rogue forum captured by special interests, and that the council should be converted into an Advisory Committee. Yet, the stakeholders that support the local vision argue that the CCTL predates the regulation and needs not to conform retroactively to this newer legislation.

The council has support amongst local civil society. The protected area and the CCTL were born from local initiatives to avoid adverse impacts associated with oil development by promoting integrated use of the region's natural resources. This goal continues to motivate local civil society organizations, yet to achieve this goal requires actions that beyond those associated with the region's protected area status. The common desire amongst local stakeholders is to

achieve a more sustainable model of development that safeguards the region's environment, society, and economy. The government agencies responsible for the protected area have not always shared this vision; yet Mexican protected area policies are moving away from an exclusive focus on conservation and increasingly utilize the discourse of sustainable development (Enkerlin 2003). This policy shift represents a convergence between local and official visions and potentially offers new opportunities for dialogue that could renew the CCTL.

Reframe the process. Conflicts in Terminos Lagoon emerge, as there is plurality of government agencies with jurisdiction in the region, and local people and civil society organizations that depend upon the region's natural resources. Instead of depending on the protected area as the means for coordinating these stakeholders, the CCTL could focus its efforts on developing a model for regional development. Using a regional perspective, the CCTL could withdraw from the existing competition over protected area management, and instead engage the *Direction* simply as one of the many stakeholders with jurisdiction and programs that influence the region's development. Reframing the process as a roundtable for regional development would reinvigorate the CCTL and allow it to engage additional stakeholders and issues that extend beyond the protected area's boundaries.

Discussion

We can assess and compare different participatory processes by posing a series of eight questions (table 1). All three processes unite federal and state government agencies with stakeholders from civil society, yet while the GUWC and CCSD are closed structures with clearly identified councillors, the CCTL has a more open structure and more ambiguous membership. In all three processes there is little participation on behalf of municipalities, or civil society organizations that are not formally recognized by federal or state government. Officially, these processes exist to inform government action, yet in practice such processes exercise an important moral influence on stakeholder and can be key for conferring legitimacy to natural resource management practices.

In all three processes, stakeholders participate primarily via meetings where they exchange information and perspectives regarding what needs exist and which actions should be taken. Yet, each stakeholder has different reasons for participating in the process which depending on the agenda of the individual councillor or the organization he or she represents. Such stakeholder motivations include protecting livelihoods, promoting conservation, gaining political influence, obtaining funds, or simply a distrust government.

Within each process there are important difference amongst stakeholders with respect to power and the costs they face in order to participate. In all three processes, travel costs determine which persons can participate. Those stakeholders that must travel long distances in order to attend meetings confront elevated costs in terms of both time and transportation. In the GUWC, user representatives for the agriculture, ranching, and industry water use sectors are at a disadvantage compared to government representatives with respect to funding and access to CNA officials. Travel costs present a barrier that limits the participation of disadvantaged groups, yet many participants fear that providing monetary support for stakeholder participation would lead to self-censorship. The moral authority of the councillors lies in the fact that their positions are honorary, thus allowing them to speak openly and be critical of government actions.

The GUWC focuses on inter-agency coordination and favours government voices, while civil society voices are favoured in both the CCSD and CCTL. Both the CCSD and CCTL are limited, however, by the absence of a key stakeholder, the state legislature in the case of the CCSD and the national oil company in the case of the CCTL. If these stakeholders were to participate in the process, the council's dialogue and actions would be more meaningful.

One indicator of learning is when the participants decide to revise or expand geographic area considered or the stakeholders involved in the process. Such changes in geographic or institutional scale occur due to mutual learning amongst stakeholders as they question management practices and adapt to new objectives and knowledge. In the GUWC, the participation of state agencies and water users fostered a consideration of the socio-economic aspects of water distribution in addition to issues of water quantity and quality. Some participants also expressed an interest in inviting Guatemala to participate in the process, as they

are now aware that the Usumacinta River forms a transboundary watershed and originates in this neighbouring country. In the CCTL, concerns over impacts of oil development and a fall in fishery productivity force stakeholders to consider activities offshore in Campeche Sound, beyond the limits of the protected area. Such examples of mutual learning demonstrate that participatory processes are not static institutional arrangements, but are instead dynamic as each participant's understanding, role, and responsibilities are constantly evolving.

There are barriers that limit stakeholder participation. In the GUWC, the highly structured meetings do not offer opportunities for open dialogue amongst participants. In both the CCSD and CCTL, the location chosen for meetings represents a barrier for those stakeholders that reside in other municipalities. The absence of the state legislature limits the CCSD's impact on state environmental policy, while the lack of supporting legislation limits the influence of the CCTL.

Finally, while the GUWC and CCSD are government-led initiatives, the CCTL was created due to the pressure exerted by civil society. Continuing local support for the CCTL, and its survival through conflicts with government and in the absence supporting legislation, suggests that participatory processes that are initiated by civil society are more lasting than those processes initiated by government. This is hardly surprising as processes that are initiated by civil society respond to an established demand for participation. Whereas government-initiated processes must first raise awareness within civil society regarding the process' purpose, when participation is demanded by civil society, stakeholders are more likely to have a clear idea of the process' purpose, their responsibilities and what they wish to achieve through participation.

Towards a Culture of Participation

While the three participatory processes studied faced significant challenges, their simple existence is an important precedent. Two decades ago natural resource management was the responsibility of a handful of experts with government agencies, yet today it is increasingly open to the participation of resource users and other stakeholders. These participatory processes increasingly form an interface for continual dialogue between government and civil society.

Given the diversity of processes and stakeholders, it is impossible to propose a single solution to resolve the challenges to public participation in Mexico. The success of a participatory process often depends upon how sensitive it is to local characteristics such as culture, economy, landscape, and stakeholder interests. For this reason it is impossible to propose or import models of participation from outside. Participants can learn from the experiences of others, yet it is necessary to socialize these experiences and encourage adapting any outside model to local context and reality. This section offers topics for promoting dialogue amongst stakeholders by fostering reflection on how to improve the practice of participation.

The experience of the three processes studied suggests that a culture of participation can be fostered by creating a common commitment amongst different levels of government, considering stakeholder motivations, fostering discussion on the purpose of participation, creating horizontal structures, and establishing mechanisms for greater transparency and representation.

Create a common commitment amongst different levels of government. Presently there is a difference in the acceptance of public participation between different levels of government. When the federal government initiates a participatory process, state or municipal governments can perceive the processes as a challenge to their power and jurisdiction. Consequently, part of the process' effort is invested in matters related to inter-agency coordination. As such, the process could be strengthened if different levels of government create agreement amongst themselves to formalize a common commitment to public participation and its role in natural resource management.

Consider stakeholder motivations. Different stakeholders are motivated to participate for different reasons. The outcomes emerging from the process must at least partially satisfy stakeholder motivations as well as the common goals for improved natural resource management. By addressing stakeholder motivations, the process can inspire the continued involvement of these stakeholders over time and make the process more attractive in comparison to alternative forms of social negotiation such as marches and protests. Nonetheless, there is a risk that in embracing on stakeholder motivations, the participatory process can become captured

by special interests and lead to outcomes that benefit a minority instead of society as a whole (Olson 1982). To avoid such capture, any outcome must result in (1) an improvement in the physical integrity of natural resource base, or (2) capacity building to achieve such improvements, or (3) contribute to the learning of the involved stakeholders. Participatory processes require facilitators that take an active role and assist participants to understand each other.

In a culture of participation, it is necessary to realize that participation is as much a responsibility as it is a right. Recent legislation opens opportunities for public participation and there is increasingly acceptance of citizens' rights to participate in governance processes. Yet when a person participates in such a process, they also acquire a responsibility. Participants that represent the resource users must be conscious that they are responsible for consulting with resource users, conveying the users' perspectives and proposals to the council, and informing users of the council's actions. Through a participatory process, government and civil society become mutually responsible, or *co-responsible*, for natural resource management and acquire new responsibilities towards each other.

Foster discussion regarding the purpose of participation. A process should foster discussion amongst stakeholders regarding the purpose of their participation, and whether the process is merely an advisory board or a decision making body. This discussion need not establish a definitive answers to these questions, but instead give each of the participants an opportunity to share their vision of the process. Successful process will support learning amongst participants and over time may modify its objectives and acquire new responsibilities. Thus, a process that begins as an advisory board can over time evolve and incorporate aspects of a decision making body.

One entry point for this discussion is to explore how participants perceive stakeholder rights, responsibilities and roles within the process of natural resource management. Though this discussion each participant can improve his or her understanding of the perspectives of other stakeholders. This discussion need not necessarily create a consensus amongst stakeholders regarding each others' rights, responsibilities and role, yet once again such discussion can

enhance the understanding of the purpose of stakeholder participation in the process. In general, the motivation of government stakeholders is to achieve improved inter-agency coordination, while the motivation of civil society stakeholder tends to be a desire to influence public policy.

Create horizontal organizational structures. While government agencies are organized in strongly hierarchical structures, civil society organizations tends to be more horizontal. The participatory processes are structured as roundtables and create an interface between civil society and government agencies. When stakeholders participate in these processes they form a network in which their own internal hierarchies become secondary to more horizontal relationships between them and other stakeholders. Over time, a participatory process can distribute responsibilities amongst different stakeholders in this network, and ultimately diffuse power over natural resource management. Consequently, government agencies must enter into a participatory process with a degree of flexibility and adaptability since the process' results can differ from establish policies and programs, thus challenging the agency's control of natural resource management. As long as the process' results contribute to improved management practice, such differences should be accepted and learned from.

Establish transparency and representation. All of the of the stakeholders involved in a participatory process must be capable of demonstrating and maintaining their transparency and representation. The accountability of government representatives is ensured by audits, procedures and elections; yet such oversight mechanisms rarely exist for civil society representatives or organizations. To ensure their representation, each of the participants involved in the process must inform the constituents that he or she represents. As well, this person must collect the ideas, reactions and opinions of his or her constituents and convey these perspectives to the council. Civil society organizations can better inspire the confidence of other stakeholders if they establish mechanisms that ensure transparency, such as adopting a charter that clearly states the purpose and rules of the organization, releasing audited financial statements and establishing democratic practices for administering and decision making within the organization. If a stakeholder can demonstrate their transparency and representation, they can increase their visibility and legitimacy within the participatory and wider society.

Conclusion

The existence of these processes is part of a new culture of participation that is emerging, where citizens take an active role in the processes that were previously the exclusive responsibility of government. Natural resource management is complex because these resources are often public goods that belong to all, yet at the same time are owned by no one. In this respect, participatory process for natural resources management offer lessons for the administration of other public goods shared by Mexicans such as health care, education, law enforcement, public safety, and even democracy itself. In the past, government has administered these public goods in the name of its citizens, yet civil society can now share these responsibilities.

In gathering participant perspectives, this study found opportunities for improving the performance of these participatory processes (table 2). Additionally, five general recommendations for fostering a culture of participation are: create a common commitment amongst different levels of government, consider stakeholder motivations, foster discussion on the purpose of stakeholder participation, create horizontal structures, and establish mechanisms for transparency and representation.

An old saying describes democracy as the worst system of government, except for all the others. As with the present practice of democracy, participatory processes for the natural resource management are not perfect; yet they are amongst the best strategies known for engaging multiple demands on resource use, as well as uncertainty regarding the future behaviour of natural systems. Participatory processes cannot be abandoned, but they can be improved. Opportunities exist to enhance the efficiency, equity and effectiveness of these processes, and move towards more sustainable development that benefits all of Mexican society.

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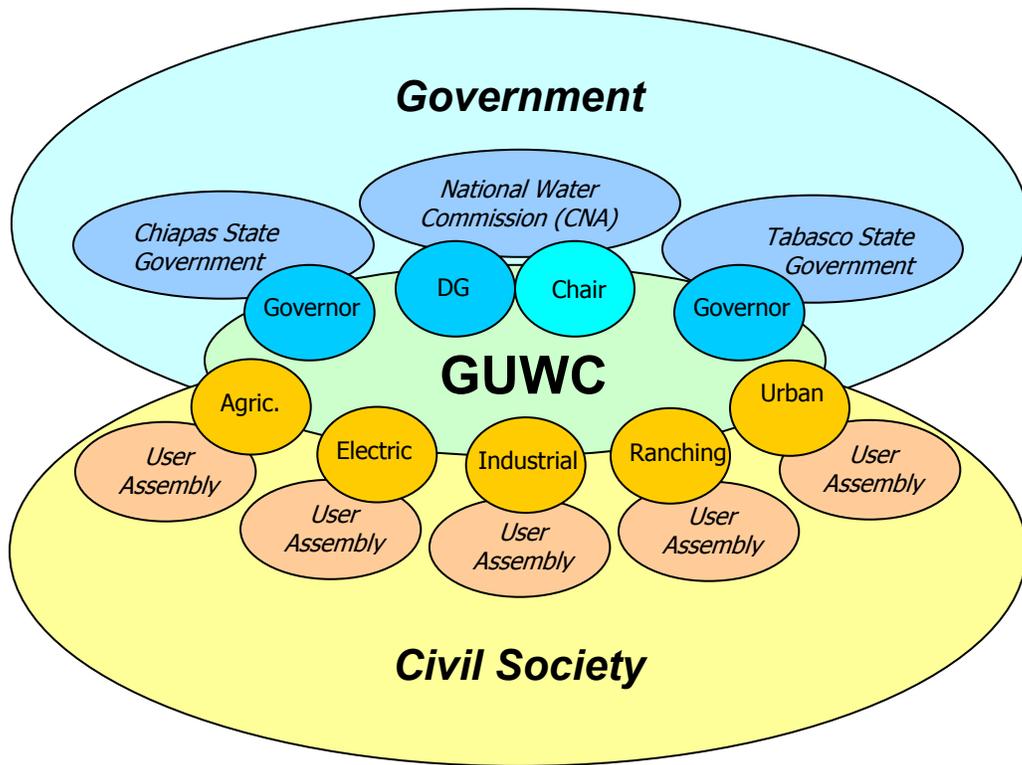


Figure 1: Grijalva-Usumacinta Watershed Council (GUWC)

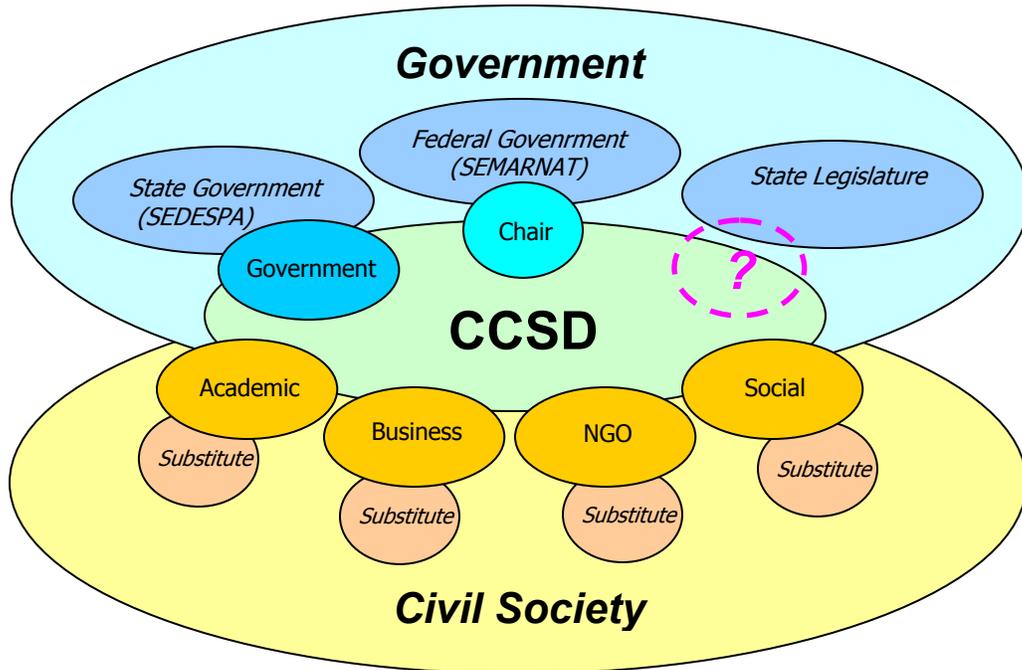
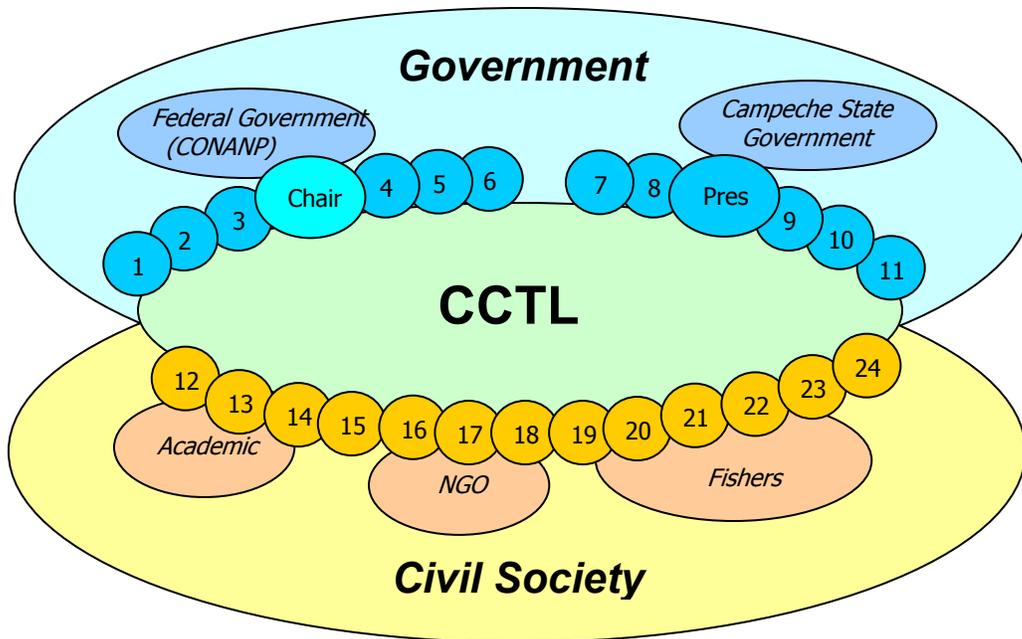


Figure 2: Consultative Council for Sustainable Development (Tabasco)



- | | |
|------------------------------------|---|
| 1 SEMARNAT | 12 Campeche University |
| 2 Fisheries Department | 13 Carmen University |
| 3 PROFEPA | 14 Mexico National University (UNAM) |
| 4 Department of Social Development | 15 Business Council |
| 5 National Defense – Navy | 16 Quelonios Naturalists Group |
| 6 National Oil Company | 17 Sandoval Caldera Foundation |
| 7 State Ecology Department | 18 Marea Azul |
| 8 Campeche State Congress | 19 National Fishing Industry Council |
| 9 Carmen Municipal Government | 20 Campesinos and Free Fishers Movement of Atasta Peninsula |
| 10 Palizada Municipal Government | 21 Southern Campeche Regional Union of River-based Fishing Cooperatives |
| 11 Champoton Municipal Government | 22 Carmen Union of Fishing Cooperatives |
| | 23 Sabancuy Union of Fishing Cooperatives |
| | 24 Carmen Livestock Association |

Figure 3: Consultative Council for Terminos Lagoon Protected Area

Table 1: Summary of Studied Processes

Question	Participatory Process		
	Watershed Management (GUWC)	Environmental Policy (CCSD-Tabasco)	Protected Area Management (CCTL)
Which stakeholders participate?	Closed structure: CNA, state governments, electrical commission, farmers, industry, ranchers and water supply networks	Closed structure: SEMARNAT, state government, academics, business and activists	Open structure: civil society organizations, CONANP, universities, municipalities, state government, environmentalists, state legislature
Which stakeholders do not participate?	Academics, NGOs, municipalities	Municipalities, state legislature	Absence of national oil company
What is the purpose for participation?	Inter-agency coordination, raise awareness, and foster watershed perspective	Advise SEMARNAT	Prioritize research agenda and promote regional development through ecological land use planning
Why do stakeholders participate?	Invited by CNA, obtain access to funding	Opportunity to influence environmental policy at the federal and state levels	Mitigate impacts of oil development, protect livelihoods, audit government management
How do stakeholders participate?	Meetings to report on the progress in individual programs	Meetings to review the policies and actions of environmental agencies and make recommendations	Meetings to designate conservation funding and debate nature of council
What power imbalances exist amongst stakeholders?	Jurisdiction over water resources is concentrated in CNA, difference amongst councillors with respect to availability of time and travel funds	Participation of councillors perceived to more important than that of substitutes	Tension between a local vision supported by residents and an official vision supported by legislation
Is there evidence of change in the geographical or institutional scale of the process?	Increased awareness of the need to involve Guatemala and importance of socio-economic factors	No	Impacts of oil development and fall in fisheries' productivity require expanding management to consider Campeche Sound
What barriers exist that restrict participation?	Meetings are infrequent and lack of opportunities for dialogue between stakeholders	Absence of state legislature in the process, location of meetings restrict the participation of municipalities	The council lacks supporting legislation, distance to meetings in Carmen limits the participation of other municipalities

Table 2: Conclusions

Grijalva-Usumacinta Watershed Council

- The council lacks a common vision
- The council is not representative
- The council lacks convening power
- Not all participants are equal
- It is necessary to share costs

Consultative Council for Sustainable Development (Tabasco)

- The council is spread thin across many topics
- The council is a forum for listening and proposing
- The participation of state legislature is key
- The council lacks convening power and representation
- Councillor personalities are key

Consultative Council for Terminos Lagoon

- Lack of transparency creates distrust
- The motivations of individual stakeholders influences the process
- The protected area director determines how the council functions
- The council lacks supporting legislation, yet there is resistance to change
- The council has support amongst local civil society