

### 3. The negotiation phase

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#### Negotiating among institutional actors: the heart of co-management

The co-management plans, agreements and organisations are as good as the process that generated them. It is wise to invest in this process!

#### Critical challenges

- to develop a partnership by which the benefits and responsibilities of natural resource management are shared in the most efficient and equitable manner possible, starting from a situation that may be neither efficient nor equitable. Also, sometimes:
- to develop a partnership among people who do not share the same culture (e.g. values, attitudes, capacities, ways of working, reference systems, languages), which means overcoming serious communication difficulties.

#### What has to be remembered?

- that there exist a multiplicity of good and poor NRM options (the terms *good* and *poor* referring to the goals and objectives to be defined, which themselves are many and varied);
- that many institutional actors may have difficulties in getting their claims heard and accepted and that the discussion platform should offer them a fair means to do so;
- that conflicts of interest between the institutional actors are inevitable but can be managed, and all the more so if recognised as early as possible (not every one has to share the same goals, a compromise among all those concerned is quite sufficient);
- that all the institutional actors (and especially the professional experts!) need to adopt a mature, non-paternalist and non-ethnocentric attitude, and that they need to acknowledge the legitimacy of values, interests and opinions different from their own.
- That— given the complexity of the ecological and social systems— the best approach is one of adaptive management (learning by doing);
- that even when a satisfactory NRM solution has been found, it will not remain valid forever; the conditions in the given context will change and the NRM solution will need to change in response to them— something everyone has to be prepared for;

#### The negotiation meetings

Ideally, at the beginning of negotiations there are:

- some reasonably well-informed and organised institutional actors
- a discussion forum, a set of suggested rules and procedures, and a preliminary schedule of meetings and events
- professional support on hand to facilitate the negotiation meetings and mediate conflicts, if necessary

No matter whether the institutional actors are many or few, whether they are organised formally or informally, whether they feel in basic agreement or oppose each other with strongly contrasting values and interests, they need to meet and discuss issues of common concern. The goal of such meetings is usually to achieve a broad accord on:

- a long-term *vision* (ecological and social) for the NRM unit(s) at stake
- a short- and medium-term *strategy* to achieve such a vision, including *co-management plans* for the natural resources at stake and *complementary agreements* to address socio-economic issues related to such resources
- an evolving social institution (*organisations, rules, etc.*) to implement the strategy and ensure on-going reviews, as necessary

### **3.1 Agreeing on the rules and procedures of negotiation**

All institutional actors are sent, in advance, a copy of the proposed agenda for the first of a series of meetings and an invitation for their chosen representative to participate. Reference is made to the name and process description already adopted during the social communication initiatives. The goal of the meetings to come may be set quite high, for example a series of meetings "...to understand the main challenges to our natural resources in the next twenty years, and prepare together to face them." It should be specified, however, that not only lofty goals but also substantive issues of relevance to the institutional actors will be part of the agenda. The convenors could be the Start-up Team and/or, as appropriate, some respected local authorities and personalities. The presence of a facilitator would be useful, and should be announced in advance.

#### **Main qualities and tasks of a good facilitator / mediator**

Facilitating meetings is a task firmly anchored in the culture of the actors concerned. As mentioned, many traditional societies do not need external facilitators and know well how to negotiate in a convivial manner as part of normal life. An external facilitator may be important, however, when there are strong power imbalances, unresolved conflicts or communication problems among the parties concerned, and when the parties belong to quite different cultural backgrounds.

#### **An external facilitator should be:**

- recognised as independent
- generally respected by all those involved
- capable of relating with everyone on their own terms
- able to listen
- able to pose key questions (for example, on the root causes of the various problems and the feasibility of the options put forward)
- capable of getting the best out of the participants and helping them to see a better future for themselves and their communities

### Tasks of an external facilitator:

- helping the Start-up Team and the institutional actors to identify and agree upon the rules and procedures of the negotiation meetings
- being responsible for the logistics of the meetings (e.g., agenda, seating arrangements, translation services, discussion tools, etc.)
- ensuring that the process takes place in accordance with the agreed rules, that the meetings' atmosphere is comfortable and that everyone has a fair chance to participate
- checking out that the representatives of the institutional actors truly represent them (e.g., they are not merely self-appointed)
- promoting the best possible communication among institutional actors, e.g., by rephrasing points, asking questions, suggesting the exploration of new ideas
- helping a group to be conscious of itself and of its goals, mission and opportunities
- helping a group to broaden its range of options
- pointing out the positive aspects of the process, i.e., when the actors' old habits have given way to more constructive attitudes, for example:
  - when the institutional actors actually talk to each other directly, if this was impossible before
  - when new points of doubt and self-doubt are raised
  - when the institutional actors clarify and enhance their perception of the others
  - when new information is brought to the attention of everyone
  - when an agreement that has a chance of being sustainable has been found.
- *avoiding* stating his/her opinion on substantive issues and influencing decisions

The first meeting among institutional actors may begin with an introduction by the members of the Start-up Team, who will describe their work thus far. It is important to be transparent about who is facilitating and financially supporting the Team's work and why. The participants (representatives of the institutional actors) may then introduce themselves and mention how they are organised internally and how they (themselves) have been selected as representatives. The facilitator and Start-up Team may then illustrate a proposed set of rules for the negotiation phase as well as procedures and a schedule of meetings. The discussion could then be opened to adjust and modify the proposed rules and procedures until a broad accord is achieved.

### An example of a set of rules for the negotiation process

(Rules for negotiation processes are strongly dependent on the cultural milieu; it cannot be stressed enough that the set offered here is only an *example*, and that this example may be appropriate in some situations and entirely inappropriate in others)

- all main institutional actors should be present in the meetings and participate via their formal representatives
- participation is voluntary, but whoever does not come is taken as not being interested in taking part in decision-making; however, if more than X% of the institutional actors are not present for a meeting, the meeting will be adjourned

- language should always be respectful (people should refrain from insults and verbal abuse)
- everyone agrees not to interrupt people who are speaking (the facilitator will remind people of the need to be concise)
- everyone agrees to talk only on the basis of personal experience and/or concrete, verifiable facts
- everyone agrees not to put forth the opinions of people who are not attending the meetings (unless they are officially represented)
- consensus is to be reached on all decisions (voting will be avoided as much as possible, as it always assures an unhappy minority...)
- “observers” are welcome to attend all negotiation meetings. (The decision as to whether the meetings should be open or closed needs to be carefully evaluated vis-à-vis the specific context. In fact, the decision to allow closed meetings should be taken by the institutional actors themselves, rather than by their representatives.)

Procedural and practical aspects, such as the ones listed above, are generally easier to deal with than questions of substance (e.g., what uses of natural resources are allowed) and relationships among the institutional actors (e.g. who has a legitimate entitlement to manage the resources). In the first meeting, it is good to limit the discussion to matters of rules, procedures and logistics. An initial meeting in a calm and productive atmosphere is a good way to help the institutional actors to find out where they stand, establish working relations among themselves and start to “own” the participatory process.

When discussing who shall attend the next meeting, some people may object to the very presence of others and attempt to exclude them. The facilitator could help diffuse these potentially disruptive objections by ensuring that an inclusive approach at the discussion table does not mean that everyone present will share *equally* in entitlements and responsibilities for natural resource management. The people present at the meeting are representatives of social actors who have organised themselves to express their concerns. It will be the task of *all* representatives together to identify everyone’s role and weight in terms of substantive issues and decisions.

### **3.2 Developing a common vision of the desired future**

One or more meetings can be devoted to establishing a base of common interests and concerns among all the institutional actors. In such meetings, the participants are encouraged to discuss their long-term wishes for the NRM unit(s) at stake, i.e. the kind of environment, natural resources and living conditions they would ideally like to leave to their children and grandchildren. On this basis, the facilitator helps the participants to develop a consensus on a “vision” of such a desired future, with specific descriptions – as visual and concrete as possible – of the ecological and socio-economic situation in the NRM unit(s) (see Annex 1 for some guidance on visioning exercises and Annex 2 for an example of a rural community’s vision of its desired future).

### Checklist for procedures and logistics

- Who will need to be present at the next meetings? (Who are the main institutional actors in NRM in our specific context? Have we missed out anyone so far? )
- Should representation be formal (written *affidavit*) or accepted also in informal ways? (A written affidavit may be very inappropriate in a non-literate context, as it may allow the literate to dominate others within traditional communities.)
- How many institutional actors need to be present to declare the meeting valid? (Consider that key stakeholders, including the local communities, should never be left out. Also consider, however, the possibility of coalitions among stakeholders who wish to boycott meetings and thus block the negotiation process.)
- What language(s) shall we speak? Have arrangements been made for interpreters? (This is a fundamental issue to ensure a fair and equitable negotiation.)
- Approximately, how many times shall we meet?
- Where shall we meet and, at least approximately, when? (Consider the negative effect of certain meeting places on stakeholders. The meeting place should not intimidate anyone, and especially the representatives of the local communities. In terms of timing, consider the seasonal changes in workload of rural communities and the daily task schedule of the different actors, especially men and women.)
- Is there a need for one or more facilitators? Could the facilitator be a local person, or should we call for a professional from outside?
- How shall people be seated in plenary meetings? (Round arrangements, with or without tables, are generally preferable.)
- Are facilities available for smaller meetings of working groups?
- Are there financial resources to support the meetings? Who can provide those resources?
- Who will be responsible for the logistics (e.g. send a reminder to the agreed participants, getting the premises opened, cleaned, etc.)?
- Is there a need for rugs and mats, chairs, tables, lamps, boards, paper, cards, felt pens, sticking tape, pins, projectors, and/or other materials to support discussions and presentations? Will everyone feel comfortable using such presentation aids?

Social consensus on the vision of the future desired is extremely important for the negotiation of effective co-management plans and agreements. If conflicts and disagreements surface during the negotiation process, the facilitator will be able to bring everyone back to the vision they all wish to achieve. For this, it is useful to write up or draw the main features of the vision on a large sheet of paper (or other appropriate support) and pin it on a visible surface at the site of the negotiation. It is also a good idea to transform the vision into a charter of principles or other appropriate form of social contract (see Annex 2, again).

### 3.3 *Ritualising the common vision*

An agreement is legitimised when it is accepted and recognised as binding not only by the institutional actors who developed it, but also by society as a whole. The process by which such legitimisation is achieved, however, differs according to the importance of the agreement. A simple local rule is easily legitimised and easily undone. Instead, a common vision of the future desired by an entire community is a sort of *constitutional* agreement. In many cultures, this calls for a strong ritual, respected and acknowledged by the whole society. Such a ritual helps raise the common vision to the spiritual and symbolic level, making it valid in the long term and particularly difficult to disavow.

The choice of the appropriate type of ritual is a culturally specific act, concerning the moral, spiritual and often religious values of the institutional actors at stake. Traditional practices are often at the heart of such ceremonies. When non-traditional actors and/or governmental representatives are involved, however, it is advisable that the institutional actors also produce and sign a written document. In this case, the ceremony held to ritualise the vision could include both a traditional ritual and a modern ritual (see, for instance, example box 6). The latter could be the public reading, signing and celebration of a document, such as a charter of principles for natural resource management and development approaches in the territory at stake.

The common vision of a desired future is a most appropriate type of agreement to ritualise. If such a vision is ritualised it will, in fact, be regarded as intangible and sacrosanct. As such, it will be possible to use it as a *common ground where all stakeholders can reconcile the controversies and conflicts that may present themselves in the course of negotiations*. It cannot be said, on the other hand, *when* it is best to hold the ritual ceremony. In certain cases, the ceremony precedes the negotiation of specific plans and agreements. In others, the ritual does not come until after the agreements, as the partners need to see that something concrete can come out of their vision before committing the time and social capital necessary to celebrate a strong ritual.

### 3.4 *Reviewing the current socio-ecological situation and trends*

With the help of a facilitator, the institutional actors can analyse the present ecological, social and economic situation and trends in the context at stake, as well as their desirability and acceptability. The discussion can start on the basis of a short report illustrated by the Start-up Team (and possibly submitted in advance), although the report should not define the limits of the discussion. Other good starting points are participatory exercises such as land-use and historical mapping, trend analysis, group interviews with the local elders, a transect walk, etc. (see Annex 1 for a description of some of these exercises).

### Example Box 6

#### Fusing the traditional and the modern to ritualise a co-management vision

The Conkouati Game Reserve is situated in the coastal region of Congo Brazzaville and characterised by a diversity of ecosystems (savannah, forest, lake, lagoon, etc). From the early 1990s, the Congolese government and the Global Environment Facility (GEF) are supporting there a co-management process implemented by the IUCN. The process offered an opportunity to develop a common vision among local stakeholders for the future of natural resources, to agree on the basic elements of a management system (particularly the zoning plan) and to institute a multi-stakeholder management authority—the COGEREN.

The vision of the future was facilitated and developed through a series of meetings between stakeholders and IUCN staff and partners. It was then legitimised and ritualised during a ceremony organised on 8 May, 1999. The adopted procedure stemmed from the usual ones performed at village, administrative and political ceremonies. This one was characterised by a mix of traditional and modern practices. On the one hand, there were prepared speeches, banners, tee-shirts, slogans, etc. On the other, there were songs during which spirits were invoked, oaths taken by the local traditional land authorities (*fumu si* or *chefs de terre*) and dances performed—the same dances usually exhibited during the supplication of spirits for the fertility of women and natural resources (*cianga*). In order words, there was a fusion of rituals: a modern ritual dominated by the signature of the charter on the management of natural resources and a traditional ritual characterised by fertility cults offered to clan spirits.

The patrimonial mediation method (see a summary of it in the Overview session of this volume) was utilised by the IUCN staff and partners but, contrary to the classical procedure, the ritualisation of the common vision was organised not immediately after the agreement on the long-term vision, but later on, at the same time as the legitimisation of agreements and the multi-stakeholder management authority. There were at least three reasons for this:

1. Essentially, a vision is an anticipation on time. The local stakeholders do not have the habit of projecting, and avoid speculating on future events : a visioning exercise is not familiar to them.
2. The vision appears to people as an abstraction, similar to the promises of the political parties, which the local populations receive with considerable scepticism.
3. The most important ritual in recent years, namely the hand washing ceremony of the political class in June 1991, has not been respected despite its “sacred” value: the armed conflicts that brought the country to mourn many deaths were evidence enough of the violation and transgression of oaths.

By organising the ritual only *after* the specific agreement had been made the project departed from abstract considerations and reasoned on concrete and transparent engagements, a fact which re-assured the local stakeholders.

A few methods and tools that can be useful in facilitating the development of a situation analysis among several partners are listed below:

#### Methods and tools for situation analysis

- **Brainstorming.** This is a crucial technique employed to gather the views and perceptions of a group of people on a specific subject. It is based on a freewheeling offering of ideas started by an open-ended and somewhat provocative question put forwards by the facilitator.

tor, such as “What main problems do you face in managing natural resources?” “What obstacles forbid you to live in the ideal community you visualised for your children?” “What are the key resources in the area, the “good points” about local life and culture?” Opening statements and questions should be general and non-leading, i.e., should not stress or overemphasize a point of view that could bias the participants. It should be clear that brainstorming is a free and non-committal way of exploring ideas, i.e., no one commits him or herself to something simply because he/she mentioned it in a brainstorming session. Usually people offer ideas orally, one after another, and the facilitator draws relevant pictures or writes the ideas up on a board. The clarifying, grouping and re-phrasing of these ideas is then done through general discussion. The result is a consolidated and hopefully coherent and exhaustive list of items (problems, resources, etc.)

If all the participants in the exercise are literate, it is also possible to utilise a *structured brainstorming* exercise. In this case the facilitator asks the question, leaves time for people to think individually and then asks them to write their replies in large letters on colour cards and to describe them, one by one, to the rest of the group. After each idea card has been presented, it is pinned up on the wall and the group decides where it should be set, to cluster with related ideas. The final result is a series of “card clusters”, each dealing with a main subject. Each cluster can later be assigned to a sub-group, which will clarify it, rephrase it and explore it in detail (see also Annex 1).

- **Problem analysis.** Depending on the questions posed to the group, the stakeholders may have identified a list of issues (such as “management of the watershed”) or problems (such as “deforestation in the watershed”). In all cases, issues and/ or problems and/ or anything that requires action and change need to be analysed by the institutional actors with the help of the facilitator.

“Clarifying” means obtaining a coherent common understanding of the issues/ problems at the present moment. In particular, can everyone agree on what constitutes a “problem” and thus by definition requires change? If people disagree on this point, a helpful question may be “Is this blocking/ impeding/ slowing down the achievement of the common vision of our desired future?”

“Analysing” means setting the issues/ problems within a meaningful context of root causes and consequences, in particular with respect to the vision of the ideal future agreed upon by everyone. Such an analysis is vital to direct energy and resources in an effective way. Can everyone see the same causes and consequences for a given issue or problem? A good analysis is comprehensive and investigates several dimensions of a given context, but can be completed in a reasonable amount of time and, most importantly, is understood by everyone. Graphic conceptual frameworks are very useful to organize and communicate a situation or problem analysis (see below).

- **Conceptual frameworks.** A conceptual framework is a schematic illustration of the relationships between an issue or problem, the phenomena contributing to creating and maintaining it, and the consequences arising from its existence. Usual forms may be a graph of boxes and arrows or the drawing of a problem-causes-effects tree (see Annex 1). Ideally, a conceptual framework is coherent and comprehensive, for instance able to accommodate the potentially multi-sectoral nature of problems, but it is also simple. If possible, it includes some consideration of the time dimension (history, seasonality, processes of social and environmental change, etc.).

A conceptual framework can be produced collectively during a meeting to analyse the existing situation. Once a problem has been identified, the facilitator asks what are its caus-



es and consequences. The participants in the exercise draw symbols and / or write names or very short phrases on cards and pin them on the drawing of a tree. The main problem is usually pinned over the trunk and the causes and consequences close to the roots and branches. Alternatively, cards can be spatially arranged on a board and connected by lines and arrows. Dealing with movable cards is better than dealing with a single drawing on a sheet of paper, as cards can be moved and changed much more easily at the suggestion of the participants in the meeting. ***In this way, the collective thinking of the group can be developed and expressed.*** The discussion on the conceptual framework should continue until everyone is satisfied that all the main causes and consequences of a problem have been identified, and no more ideas are offered or corrections requested.

- **Breaking down large problems/issues into smaller or sectoral components.** A problem that is too large and complex is often very difficult to analyse, and even more difficult to treat. One way of overcoming an impasse is to break it down into smaller sub-issues or problems and to assign them for discussion to sub-groups and task forces of the participants in the meeting. Time, however, should be set aside for common discussion of the overall strategic view.
- **Analysing strengths, weaknesses, opportunities and threats/limitations (SWOT).** SWOT is a powerful tool a group can use to assess an issue of concern, in particular a project, an organisation or a public service, and to identify opportunities for action and change. Basically, it is a group brainstorming on the positive factors (strengths), the negative factors (weaknesses), the possible improvements (opportunities) and the constraints (threats and limitations) related to the initiative or entity at stake. Usually the results of the session are listed on a four-column matrix, drafted on flipcharts on a wall.

At times, participants have different opinions or express contradictory statements. In such cases, the facilitator can ask further questions to deepen the arguments, but a consensus among group members is not necessary. Contrasting views and alternative options can be listed on the same column in the matrix. In particular circumstances, it may be necessary to gather more information once the meeting is over, information that will be communicated to the whole group in the next meeting (see Annex 1 for details).

### **3.5 Agreeing on a strategy towards the common vision**

When institutional actors have had time to discuss current issues and trends, the common vision of the desired future is recalled and compared with the present situation. What are the main points of difference? Do the trends identified and discussed indicate that society is moving towards or away from the common vision? What are the key problems and obstacles blocking progress towards the common vision? What opportunities, resources and assets can be relied on? After a realistic discussion of these points, the facilitator may ask the institutional actors to focus their attention on identifying the ***components*** (dimensions of work, key performance areas) ***of a strategy*** to achieve the common vision from the present starting point. Basically, these would be the ***areas in which it is necessary to act in the short to medium term in order to achieve some tangible results and change*** (objectives). Such results

will constitute the building blocks of the common vision i.e. will help transform the desirable into the possible and/or real.

Some of the components will deal directly with natural resource management, whereas others will bear upon it in more indirect and complementary ways, i.e., via interventions geared towards economic development, health, education, social organising, governance, culture and so on (see the example in Annex 3). Indeed, it would be neither effective nor wise to conceive a management plan for natural resources in isolation from the socio-economic reality in which they are embedded. Coordinated interventions in several sectors are also important to allow an equitable distribution of the social costs and benefits of sound natural resource management.

At this stage it is not yet necessary to clarify the details of what needs to happen, but just to specify:

- the key areas or problems that need to be tackled (i.e., the components of the strategy); and
- the broadly desirable outcomes (objectives) for each such component.

If the discussion proceeds well, the facilitator may challenge the participants not only to identify the main components of the strategy, but also to understand and evaluate the links among them, so as to assemble a coherent overall plan. If at all possible, the result of the discussion should be summarised on a sheet of paper and posted on the wall on the meeting premises, possibly next to the description of the agreed vision of the desired future.

### **3.6 Negotiating co-management plans and agreements for each component of the strategy**

For each component of the strategy, the institutional actors need to identify what needs to be done to progress towards the desired future. The objectives identified up to this point are generally broad (e.g. “to manage the forest on top of the hills in a sustainable manner”) and need to be transformed into work plans that answer specific questions such as “What exactly shall be done? Who shall do it? By when? Where? How? With what financial means and human resources? Towards what specific aims? What indicators will be used to measure progress?” This is the moment when everything becomes concrete, a multiplicity of strategic options and choices becomes apparent to everyone, different points of view abound, and conflicts surface in all their power and complexity.

At this time, it is expedient to **form a working group for each component of the strategy**, making sure that the actors most directly affected are represented in the relevant group. It is also a good idea for each group to have its own facilitator/moderator, perhaps one of the parties themselves, who could take on the neutral role learned by watching the professional facilitator at work (the latter could remain available for all eventualities).

The groups have to come to terms with the great many avenues and options open to them to achieve a given objective and, among them, select the one best suited to the conditions and needs of the given context. Since different avenues and options will bring different costs and

benefits to the institutional actors, each actor may have strong interests and concerns attached to one course of action versus another. How can they all reach a consensus or at least a broad accord among themselves? The tools already used for the situation analysis (e.g. brainstorming, conceptual frameworks, SWOT) can help again, but other methods can also be useful. Among those are the ones listed below:

### Methods and tools to agree on a course of action

- **Listing alternative options and facilitating their direct comparison.** Alternative options can be examined on the basis of various **criteria**, such as effectiveness, feasibility, cost in human, material and financial resources, expected benefits and impacts (in particular impacts in terms of environment and social equity), sustainability, and so on. The open comparison of alternative options is a very useful tool to help a group decide which option it should select from amongst the many available. The discussion can easily be summarised on a board, with alternative options listed in rows and criteria in columns. For all the criteria chosen by the group the alternative options can be scored, and the matrix will then offer a broad comparative view of options and scores. It is to be stressed that the scores should not be assigned from the top of the head, but only after a discussion of concrete issues. For example, with regard to feasibility, who is ready to take on the major responsibility for each alternative option? In what time frame? Using which material and financial resources? With regard to impact, what are the expected environmental but also the social and economic consequences of the proposed options? What degree of certainty are we dealing with in those previsions? Are there any options expected to have a positive impact on *all* the components of the strategy? Are there any options expected to have a negative impact on one or more strategic components?
- **Stimulating explicit discussion** of the hypotheses and basic assumptions underlying alternative options. Why is it thought that a certain action will lead to a certain outcome? Taking a natural resource management plan as an example, the results expected from implementing the plan should be specified (including the values expected to be attained by biological and environmental indicators) and the ecological plausibility of achieving these values should be examined in depth. The results to be expected from socio-cultural or economic interventions should also be specified (values expected to be attained by social or economic indicators) and lessons learned from similar interventions in the past or in other places should be examined as well.
- **Facilitating** the achievement of **satisfactory compromises** through the use of **flexible instruments**, such as the **zoning** of the territory or area to be managed and/or the specification of **detailed conditions of resource use** (such as by type, time, season, users, techniques, tools, etc.). Zoning basically involves subdividing a territory or area into sub-areas subjected to different objectives, conditions and rules. Examples of detailed conditions of resource use include type of resources, time of day or season, legitimate users, technologies that can and cannot be employed, etc. Zoning an area and specifying the detailed conditions of natural resource use in each zone greatly enhance the spectrum of options available to the negotiation partners, the flexibility of an NRM plan and the chances of achieving effective compromises.

- **Calling for an expert opinion** on controversial issues. If disagreements among the institutional actors exist over matters of fact, it may be useful to call on the service of expert professionals (such as a biologist to explain the characteristics of a viable habitat, a hydrologist to estimate how much water can be extracted from a source in a sustainable way, a community elder to recall traditional range rehabilitation practices or cost-sharing mechanisms within the community, and so on). This is not to say that expert opinion should be followed, nor that, indeed, different experts may not disagree. On the contrary. But expert opinions (especially when free from economic and political conditioning) can be a helpful means of shedding light on controversial issues under discussion.
- **Providing effective conflict mediation.** Conflict mediation focuses on the fact that an agreement that satisfies every party (a win-win solution) is likely to be more long lasting and more satisfactory than win-lose results. In the long run, compromise may be the best way to serve everyone's interests, especially when overt conflict is replaced by the stability and predictability of a mutually agreeable solution. An effective mediator brings the conflicting parties to agree upon a compromise solution with the help of several expedients.

One expedient is to provide space and time for everyone concerned to clearly explain their views and positions: what they want and why. They should not be interrupted except for points of clarification. Another expedient is to recall the common vision of the desired future (coming back to the present from the future). If all institutional actors have agreed upon, and perhaps even ritualised, a common vision of the desired future, it is difficult for anyone of them to abandon the negotiation table. The mediator can in fact reduce the disagreements to a matter of different paths taken to reach the same goal. Such paths can be compared, as described above, on the basis of various criteria.

- **Asking the institutional actors to devise incentives** that will encourage them to agree on a given option. If one option that otherwise appears particularly interesting demands major costs and sacrifices from one or a few institutional partners, all the partners could figure out how to compensate the relative losers for everyone else's benefit. This could involve the provision of specific incentives and clauses in the plans and agreements. The very actors who would be compensated may advance suggestions about the incentives that they would like to receive, which could then be discussed by everyone (costs, feasibility, assurance of benefits to be obtained, etc.).
- **Facilitating** the setting up of **Community Investment Funds** for sustainable development, which benefit both entire communities and the individuals or groups engaged as partners in various productive and conservation activities and services. While discussing NRM plans, one often encounters the case of a community with customary entitlement to a set of natural resources (say a forest or a fishing area) but not yet organised to invest the means and human resources necessary to manage it productively or to defend its own rights. As a consequence, the natural resources may be falling into an open-access status, and being used in an exploitative fashion by all sorts of entitled and non-entitled actors. In other situations, although the local resources may not be mismanaged or threatened, there still may be a clear need to generate financial resources for sustainable community development.

In such cases it is useful to establish a productive partnership among the community (which may contribute natural resources such as land, water or access to the fishing area), certain individuals (who may contribute their labour, including surveillance labour) and other partners who may bring in the missing factors of production (such as seeds, water, boats, engines and nets, a tourism business, etc.). Once the productive partnership is active, the benefits can be divided among the production partners, one of which is then the community in its entirety. The community share of such benefits (or an initial “factor of production” provided from the outside, such as pumps for irrigation water, boats for fishing, tractors for ploughing or vehicles for transport) can be utilised to set up a Community Investment Fund (see the Table on the next page).

The rules governing a Community Investment Fund are devised by the members of the specific community, who generally set up a specific management committee. The fund is usually not loaned nor replenished by payments. It is, instead, invested in productive activities, which *generate* a suitable wealth for the community and income for those directly involved in its operations. This tends to make a Community Investment Fund grow rather than shrink under the effect of inflation and missed repayments. At the end of each production cycle, the growing Fund can be partially or totally re-invested for community-based productive initiatives, with or without partnerships with other groups or individuals.

Community Investment Funds for sustainable development have important and natural applications in the field of co-management, both as an approach that promotes and strengthens collaboration in society and as a co-management institution in its own right, with internalised incentives for using natural resources in a sustainable way.

- **Developing a simple logical framework** for the course of action agreed upon. A simple framework lists the relevant responsible actors, activities, times, resources, expected results, monitoring indicators and key assumptions. Very detailed logical framework analyses can be painful intellectual exercises, listing layers of objectives, multiple assumptions and the like. When the participants in the negotiation are from different cultures and backgrounds such exercises may be useless, if not outright counter-productive. In contrast, simple and concrete logical frameworks— each dealing with only one strategic objective—are easily understood and appreciated by everyone, including people unable to read and write.

### Comparing types of community-funding mechanisms

(adapted from Farvar, 1999)

<b>community investment fund</b>	<b>community revolving fund</b>
is managed by, and benefits, the whole community;	may be managed by the whole community but loans are made to, and benefit, individuals;
does not need to be in cash, it can be a factor of production (e.g. land or natural resources owned by the community, or an initial outside input);	is in cash;
is invested in productive activities, usually in partnership with community groups or individuals;	is loaned as cash to individuals in the community;
produces wealth and capital for the community to re-invest;	produces income or emergency support for individual members of the community;
is subject to production risks, which are shared by all the partners;	is subject to re-payment defaults and inflation risks;
stimulates community initiatives and joint activities between the community and other partners;	stimulates individual initiatives (may even weaken community spirit and cohesion);
accommodates for and sustains common property resources.	fosters the privatisation of natural resources;
accommodates for cultural values opposed to interest charges;	where interest is charged, is unfit for cultural values opposed to the practice (e.g. some Islamic societies);
the owners or contributors of each factor of production receive a share of what is produced;	the “beneficiaries” receive loans, which they need to pay back, possibly with added interest;
the community and partners have the same incentive to improve production;	incentives are for individual production only;
the partners have incentives to use the factors of production, including communal NRs, sustainably;	incentives are for sustainable use of individual property only;

### Example Box 7

#### Units of natural resource management and zoning of the territory

Mount Cameroon hosts an important wealth of biological diversity. It is now five years since a project has been active to conserve such biodiversity with support from GTZ and the British Cooperation Agency. The approach they adopted is the co-management of the relevant natural resources. The Social Forestry Unit of the project was charged with facilitating the CM process. The Unit started by gathering information on the key ecological and social issues in the territory, identifying the main stakeholders, assisting the weakest stakeholders to organise and identifying the units of natural resource to manage.

The approach used for defining the units of natural resource management has responded to both ecological concerns and social concerns expressed by the local population and the other stakeholders. This implied preliminary work by the project staff on the basis of an ecological analysis. The technical and scientific data were compared with the points of view of the local communities and the other stakeholders. In this way, the units of natural resources to manage were identified following criteria that accommodated both conservation values and the interests of traditionally entitled and dependent resource users.

The two dimensions of space and species appeared important to define the management units. The first involved three main levels: the entire region of Mount Cameroon, the two forest reserves classified by the State (including the one named Small Mount Cameroon), and the village traditional territories. This space configuration is characterised by a mosaic of small management units within several larger and more complex systems such as the forest reserves of Bomboko and Mokoko and the Mount Cameroon region. The borders between the small management units are not considered fixed once and for all: they can be slightly moved following various events and compromises among local groups.

The second dimension concerns the local endemic species of fauna and flora, some of which are in an endangered state. Data collected by biologists show that about ten species are in critical condition. Each endangered species defines a management unit. Currently, only *Prunus africana* or pygeum, endemic on volcanic soil, has been the subject of specific negotiations. The tree is highly appreciated by local communities for its traditional medicinal properties. It also supplies raw materials to Plantecam, a pharmaceutical company specialised in extracting and exporting the active ingredients in pygeum.

#### Agreements, disagreements, consensus and compromise

Despite its best efforts, a working group of stakeholders may not arrive at a consensus on any given option for a strategic component. In this case, one possibility is to present all the alternatives to the broader group of all institutional actors and ask for everyone's advice. The broader group may again examine and compare alternative options on the basis of a number of specific criteria, but also look at the courses of action required for the other components of the strategy. By examining all the components of the strategy at once, it may be possible to reveal, for instance, that the "losers" in one of the dimensions are the "winners" in another one. Or the discussion may advance with the help of proposals for cross-component compensations and incentives.

The aim of the negotiation is a consensus on what needs to happen— such as specific objectives, actors, means and activities— to foster each component of the strategy. As mentioned, this is likely to include specific *co-management plans for the relevant unit(s) of natural re-*

*sources*, but also *complementary agreements dealing with other building blocks leading to the common vision of the desired future*. The co-management plans will specify a share of functions, benefits and responsibilities and will be signed by all institutional actors involved (see the first box on the next page). Formal agreements on the other building blocks, also signed by the actors concerned, may include project implementation contracts, a letter of intent, a municipal by-law, etc. (see the second box in the next page). The more actors and the more finances involved, the more advisable it is for the plans and agreements to be made binding (such as formal or legal contracts). The signatories should be those individuals who are directly assigned responsibility in the plans and agreement (and *not* the authorities who represent them!).

All NRM plans and the associated agreements should specify actors, activities and means, but also a follow-up protocol, including the anticipated results and impacts to be monitored, the indicators and procedures to be followed and the individuals to be held accountable. It should also be noted how long the actors concerned will wait before meeting again to assess whether the chosen course of action has been effective and/or needs to be adjusted (for example through evaluation reviews). Finally, it is good to specify a set of indicators and follow-up procedures for the co-management *process* itself (see Section 4.3).

Copies of the co-management plans and agreements— written in terms that are simple, easily understandable and in the local language(s), or also in the local language(s)— need to be disseminated to the institutional actors and to the public at large. If a system of zoning has been agreed upon, the maps illustrating it will also need to be reproduced and disseminated.

It is important to keep the institutional actors informed about what has happened in the negotiation meetings, and especially to communicate why certain options have been retained and others excluded. The social communication system set up during the preparatory phase will again be very useful for this purpose.

### 3.7 Agreeing on specific CM organisations

Socio-economic development and the management of natural resources require a variety of initiatives and activities, as well as on-going experimenting and learning. In fact, the process of negotiating and implementing plans and agreements is never “finished”, and some organisations need to remain in charge of executing and reviewing these plans and agreements on an on-going basis. It is also important to make sure that a pluralistic perspective in NRM is internalised in society and becomes the norm rather than the exception. In other words, it is useful to “institutionalise” the process in line with local practices and needs.

*‘institution’ —  
the complex of organisations, rules, behaviours and values by which society pursues a goal*

One of the crucial ingredients of a social institution is *time*. Only a day-by-day experience through time can give people the sense of normality and the confidence associated with spontaneous, acquired behaviour and its associated social values. Another essential ingredient is a relatively stable organisational set-up, developed on the basis of the agreed pattern of entitlements.



### **Elements of a co-management plan**

- the geographical limits of the territory, area, or set of natural resources at stake;
- the complex of functions and sustainable uses it can offer;
- a co-coordinated series of objectives, priorities and activities for the management of natural resources;
- the recognised institutional actors;
- the *functions* and *responsibilities* assigned to each institutional actor;
- the *entitlements* and *benefits* granted to each institutional actor;
- procedures for negotiating on-going decisions and managing eventual conflicts;
- procedures for implementing and enforcing decisions;
- expected results at given times;
- rules for monitoring, evaluating and eventually revising the co-management plans and agreements (follow-up protocol).

### **Examples of agreements associated with a co-management plan**

- A training initiative for one or more local community groups (elders, youth, women, farmers, pastoralists, forest dwellers, etc.)
- The building of local infrastructures (e.g. a road, a health centre, a school, a communication network, water supplies, power supplies)
- The setting-up of a Community Investment Fund
- A by-law to assign some exclusive rights to one or more local stakeholders (e.g. the right to set-up a tourist businesses, the right to collect defined quantities of specific products from a protected area)
- A public health initiative (e.g. training and supporting community health workers, providing safe water supply systems, public and private baths and toilets, etc.)
- A project to intensify/ improve local agricultural production
- Economic and technical support for the creation of local small industries
- Assistance to the commercialisation of local products

## Functions and characteristics of co-management organisations

The organisations that may be set up to sustain the co-management plans and agreements through time may be of different types (e.g. a Board, a Council, a formal or informal Association, a Fund). Their functions (Terms of Reference) may also be fairly different, including:

- **executive bodies** (responsible for implementing plans and agreements on the basis of decisions produced by others, e.g., an association of local businesses responsible for executing a project negotiated between the director of a protected area and the bordering communities)
- **decision-making bodies** (fully responsible for the management of a given territory, area or set of resources, e.g. the Co-management Board in charge of a state forest, or the committee in charge of a Community Investment Fund)
- **advisory bodies** (responsible for advising decision-makers, e.g. a Coastal Council, directly linked with the regional authorities charged with the NR management mandate)
- **mixed bodies** (for instance holding partial management responsibility and partial advisory responsibility, such as an Advisory/Management Committee responsible for advising a Park Director on the decisions to be taken in park management but fully in charge of decisions and activities pertaining to the areas at its periphery)

The institutional actors could decide to set up several CM organisations for the same NRM unit(s), for instance an advisory body and a management body, including an executive secretariat. Other important characteristics of CM organisations are:

### History and duration

Does the organisation pre-date the co-management plans and agreements or has it been set-up on an *ad hoc* basis? The former is sometimes preferable, as organisations and rules are a form of valuable social capital that require time and resources to develop. Yet, the perpetuation of a society's organisations may also mean the perpetuation of its internal systems of power and social inequities. Also, is the organisation permanent or is its life-span limited to a given period or activity?

### Composition

The members may be representatives of *all* the institutional actors who developed the co-management plans and agreements, representatives of only a few of them, or mere professionals who do not represent any of the actors concerned (which may be the case for executive bodies). For a decision-making body, composition is a crucial issue. It is important to know who is being represented and what the balance of power is among the different institutional actors (e.g. relative number of members with entitlement to decide).

### Internal rules

Is the organisation formal (legally recognised) or informal? Is it voluntary and self-organised or mandated by the State? Is it an open-membership organisation or a closed body, whose members can only be elected or appointed? Can anyone become a member or are there specific requirements? How is membership terminated? Is there a Chair? If so, how is the Chair

elected? Is there a Secretariat? What are the terms of reference for the Chair and/or the Secretariat? How often and how are the meetings organised and held? Are the decisions taken by consensus? How are conflicts managed? Is there recourse to mediation or arbitration? Can the public, or stakeholders in general, attend the meetings? Are there reporting rules and/or arrangements for the dissemination of the proceedings? Etc.

### **Economic resources**

How is the organisation sustained? Does it have any economic assets of its own? Are there membership fees? Are there income-generating activities? If some members regularly spend time on delegated tasks, are they compensated? If so, does compensation take the form of wages or a share in the proceeds?

As mentioned, a social institution is something more than a body and a set of rules. It is akin to an internalised state of normality in doing things, including expectations and routine reflexes (in particular the sense of shared responsibility in managing natural resources), social norms (the habit of discussing decisions with various stakeholders, and accepting the value of different points of view) and the use of specific terms and concepts in everyday life (such as co-management, but also entitlements, equity, linking of benefits and responsibilities, etc.). In other words, agreeing on an NRM plan and setting up a multi-stakeholder board are crucial but not sufficient steps towards institutionalising a co-management regime. This will be achieved only when— besides and beyond the rules— behaviours and ideas become spontaneously pluralist and respectful of a variety of entitlements and concerns in society.

### **3.8 Legitimising and publicising the co-management plans, agreements and organisations**

The end of the negotiation process is marked by a meeting in which the results of the participatory process are made known to the relevant community or public. The meeting is usually held in the presence of authorities with more extensive powers than those who participated in the negotiations. The institutional actors review the common vision of the desired future, the components of a strategy designed to move from the present situation to the common vision, the co-management plans for the natural resources, the agreements set up for each component of the strategy and the organisations and rules developed to accompany implementation. For each agreement involving an NRM plan or any other major initiative or project, someone also describes the follow-up protocol (results anticipated, progress indicators, responsible individuals and/or organisations, etc.).

This meeting is an excellent opportunity to acknowledge the work of the negotiators and institutional actors and, in general, to celebrate the new hope generated for the entire stakeholder community. At this meeting, the institutional actors can also publicly vow to respect and “collectively guarantee” the co-management plans and agreements, which are presented for all to see, for example by exhibiting copies.

It is important to note that the co-management plans, agreements and organisations are reconfirmed and celebrated here, but not ritualised and rendered sacrosanct, as it should be the case for the common vision of the desired future agreed upon by all institutional actors. On the contrary, plans, agreements and organisations are to be monitored, evaluated and *modified* in line with their performance, results and eventual impacts.

## Results of the negotiation phase

The negotiation phase generally has some or all of the following outputs:

- A vision of the desired future produced jointly by all the actors concerned. The vision is legitimated by an appropriate socio-cultural ritual that renders it sacrosanct.
- An analysis of the situation/ issues/ problems at stake and a strategy to achieve the common vision, sub-divided into components with clear objectives.
- Negotiated co-management plans and agreements among the institutional actors on specific courses of action (objectives and activities) for each component of the strategy. The plans specify the sharing of functions, entitlements and responsibilities in natural resource management among the institutional actors at stake. The agreements deal with a variety of socio-economic issues relating to the co-management plans, and are often designed to complement one another. Plans and agreements are collectively guaranteed by the partners in the process, are specified in some detail (e.g., via simple logical frameworks) and often have a contractual form.
- One or more CM organisations, with corresponding functions and rules, expressing the plurality of entitlements recognised in society and in charge of the activities and follow-up of the co-management plans and agreements.
- The co-management plans, agreements and organisations are publicised and made socially legitimate by some public event, but are not ritualised and, in fact, are expected to change with time in response to lessons “learned by doing”.
- Follow-up protocols to monitor and learn from the co-management plans and agreements (including indicators, methods, organisations responsible, a time schedule, etc.).
- A shared experience in participatory analysis, planning and decision-making for a variety of institutional actors concerned with natural resource management.

## Example Box 8

### A “double speed” management organisation

The Waza National Park, situated in the Extreme North Province of Cameroon, was created some decades ago. Following the national legislation, the residents of the villages situated inside the park's territory were relocated outside, right at the park's borders. These communities never resigned themselves to the decision, in particular regarding the prohibition of collecting natural resources necessary for their own livelihood. Throughout the years they continued to claim fishing rights on the ponds excavated and managed by their ancestors inside the park, the right of harvesting certain plant products (for instance gum Arabic) from within the park, the right to take their animals to graze inside the park in times of drought, etc. The ensuing conflicts between communities and park management brought the Waza Logone project, implemented by the IUCN and financed by the Dutch Development Agency, to initiate a co-management process to secure the natural resources of the park via agreements among the different stakeholders.

The process of negotiating among stakeholders facilitated by the IUCN brought about the establishment of a multi-stakeholder management structure, with the aim of approving the conventions regulating the management of the Waza park and its periphery. Noticeably, the definition of the terms of the mandate of the structure encountered the strong reluctance of the park conservation service. After several months spent in search of a suitable compromise, the parties agreed on a “double speed mandate”: a consulting role regarding the management of the park itself (whose mandate stays with the conservation service), and a full management role regarding the periphery zone. With this double role in mind, the structure was named the Consultative/Management Committee of the Waza National Park and its Periphery.

The Consultative/Management Committee of the Waza National Park and its Periphery was legalised by the Minister of Environment and Forests of Cameroon with a decision pertaining to its internal organisation and functioning rules. The structure includes members possessing full rights and members with consultative powers only.

The members with full rights are:

- 4 representatives from the Park Conservation Service
- 1 representative from the Provincial Delegation of Environment and Forests
- 3 representatives of the Central Service of the Environment and Forests Ministry
- 5 representatives of the men from the settled communities in the park's periphery
- 5 representatives of the women from the settled communities in the park's periphery
- 2 representatives of cattle-rearing nomads (a man and a woman) and 1 representative of transhumant cattle-rearing people usually interested in the pasture of Waza Park and its periphery.
- 2 representatives of youths (a man and a woman) from the settled communities in the park's periphery.

The members with consultative powers only are:

- the mayors of the interested rural municipalities (Waza, Zina, Petté),
- the head authorities of the relevant Districts (Waza, Zina, Ngodeni, Fadaré, Kossa),
- a representative of the Scientific Council for the Waza park
- three representatives of the Waza Logone project
- a representative of the Management Committee of the Waza-Logone Plain (another multi-party management structure in the same province, also promoted by the Waza Logone project).

