



USAID
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Treasure, Turf and Turmoil: The Dirty Dynamics of Land and Natural Resources Conflict Course

Participant Workbook

May 2013
Washington, D.C.



Presented by USAID's Bureaus for Economic Growth, Education, and Environment, Office of Natural Resource Management and Democracy, Conflict, and Humanitarian Assistance, Office of Conflict Management and Mitigation



TREASURE, TURF AND TURMOIL:

THE DIRTY DYNAMICS OF LAND AND NATURAL RESOURCE CONFLICT COURSE

OBJECTIVES

This 3-day course aims at developing awareness of the skills and abilities required to manage complex USAID programs that deal with environment, Land Tenure and Property Rights (LTPR) and conflict.

At the end of the course participants will be able to:

1. Identify critical connections among NRM/Biodiversity, LTPR and conflict.
2. Use key USAID tools and resources for integrated programming in complex scenarios.
3. Apply concepts to design and manage integrated strategies and programs.

AGENDA

Day One

8:30

Welcome and introductions

Startup activity - Emerging Issues

Objectives, agenda, guidelines for working together, logistics

Overview presentation: The 3Ts

Getting up to speed: Parallel technical sessions

- NRM
- LTPR
- Conflict

Lunch

Applying Systems thinking to 3Ts

Conflict and climate change

5:00

End of the day reflection and feedback

Day 2

8:30

Start-up activity

Conflict over specific resources

- Forests
- Extractive industries
- Pastoralist resources

Integrated assessment

Mau Forest assessment introduction

Lunch

Designing integrated programs

Group Work: Mau Forest Causal Map

Mau Forest – What really happened

5:00

Reflections and end of the day feedback

Day 3

8:30 Start-up activity

Sequencing Activities in Complex Integrated Conflict Sensitive Programming

Sequencing Case: Land, natural resources and conflict management in Colombia

Lunch

Monitoring and Evaluation (M&E) and Adaptive Management

Application Planning – applying the course to your job

Taking it forward

4:30 Course closing



TRAINER BIOS

Cynthia Brady is a Senior Conflict Advisor with the Office of Conflict Management and Mitigation (CMM) in USAID's Bureau for Democracy, Conflict and Humanitarian Assistance. She is the Field Support Team Leader and is currently acting as Deputy Director of CMM. Ms. Brady is also the technical lead on natural resources and conflict and serves on CMM's Africa Regional Team. Ms. Brady's primary responsibilities include identifying and analyzing sources of conflict and instability; supporting early responses to address the causes and consequences of fragility and violent conflict; and integrating conflict mitigation and management into USAID's analyses, strategies, and programs. Previously, she served as a foreign affairs officer for the U.S. Department of State and worked for the Organization for Security and Cooperation in Europe (OSCE). Ms. Brady holds a master's degree in international affairs from the Fletcher School of Law and Diplomacy, Tufts University, and a bachelor's degree in political science from Denison University.

Chris Huggins is an independent consultant specializing in the relationships between land rights, governance of natural resources, violent conflict, and post-conflict development, particularly in Africa. He has practical experience addressing these issues in countries such as Burundi, D.R. Congo, Kenya, Rwanda, Sudan, Tanzania, and Timor-Leste. He spent the last decade in Eastern and Central Africa as Research Fellow for an Intergovernmental organization, the African Centre for Technology Studies (ACTS), and consulting with many non-governmental and UN organizations. He has published extensively, and is co-editor (with Scott Leckie) of 'Conflict and Housing, Land and Property Rights: A Handbook on Issues, Frameworks and Solutions' (Cambridge: Cambridge University Press, 2011) and (with Jenny Clover) of 'From the Ground Up: Land Rights, Conflict and Peace in Sub-Saharan Africa' (Nairobi: ACTS Press/ Pretoria: Institute for Security Studies, 2005). He is currently a PhD candidate in geography, with a specialization in political economy, at Carleton University, Ottawa.

Kelly Macías is a trainer and organizational development specialist with twelve years experience working with government, non-profit and educational organizations on issues related to training, facilitation and program design. She has worked in 15 countries in Africa, Asia and Latin America and her areas of specialization include: leadership development, diversity and cross-cultural communication, strengthening health systems and migrant populations. Her TRG client portfolio includes: the International Finance Corporation/World Bank Group, the United States Agency for International Development (USAID), the Consultative Group for International Agricultural Research (CGIAR) and the Millennium Challenge Corporation (MCC). She holds a Master's degree in Sociology: International Training and Education and is currently pursuing coursework toward a doctoral degree in Conflict Analysis and Resolution at Nova Southeastern University. She is fluent in Spanish.

Diane Russell serves as a specialist in the Natural-Resource Management Office of USAID. Over the last 25 years, she has worked in agricultural and rural development, research, knowledge management and biodiversity conservation/natural-resource management (NRM). As a member of the Biodiversity and Forestry Team, Ms. Russell helps to manage USAID's flagship global biodiversity program, SCAPES, and assists USAID Missions in assessment, design and implementation of integrated NRM programs. She is a core trainer in the Environment and NRM Learning Initiative and participates in several professional fora on social science and NRM. Previously she worked for the World Wildlife Fund (WWF), USAID/DRC, and the World Agroforestry Centre (ICRAF). At ICRAF, she led the agroforestry

Sarah Schmidt is the Assistant Program Manager for USAID's Capitalizing Knowledge, Connecting Communities (CK2C) project. Ms. Schmidt manages bilingual web content, communications, and partner outreach for www.frameweb.org, a collaboration and knowledge-sharing tool for approximately 2,460 natural resource management (NRM) practitioners around the world. She also manages training events for USAID staff working in the environment sector, over the last five years she has helped train over 300 staff. Her role with CK2C draws on her previous experience as DAI's Knowledge Management Specialist, where her work supported DAI's thought leadership and new business initiatives. Ms. Schmidt's twelve years of professional activity in Latin America, the Middle East, and Washington, D.C., has given her solid experience working in multiple sectors of development with national governments, nongovernmental organizations (NGOs), and communities, including in conflict areas. Before coming to DAI, Ms. Schmidt worked for the International Monetary Fund performing research and analysis and for Peace Corps Panama as both a volunteer and staff member. Ms. Schmidt holds an M.A. in international relations from the University of St. Andrews, Scotland, with a concentration in Middle East conflict. In addition to her native English, Ms. Schmidt is fluent in Spanish.

TAB INSERT

DAILY AGENDA

Day One	
8:30	Welcome and introductions
	Startup activity - Emerging Issues
	Objectives, agenda, guidelines for working together, logistics
	Overview presentation: The 3Ts
	Getting up to speed: Parallel technical sessions
	<ul style="list-style-type: none">• NRM• LTPR• Conflict
	Lunch
	Applying Systems thinking to 3Ts
	Conflict and climate change
5:00	End of the day reflection and feedback



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An Overview of the 3 'T's



Multiple meanings of land and natural resources

Why are land and natural resources important to local communities? In what ways?



Multiple meanings of land and natural resources

Land and natural resources are important to local communities in many different ways:

- **Group & Territorial identity**
- **Spiritual significance**
- **Political autonomy**
- **Assets** (economic and social)
- **Economic benefits**
- **Hopes & fears of commercialization**

Multiple meanings of land and natural resources

Important to the state as well:

- Economic assets
- Administrative territories
- National image
- Geopolitical importance
- Possible global or regional importance
- 'Obstacles' or 'triggers' for economic growth?



Photo: Tetrattech ARD

A rapidly changing world

Multiple drivers and symptoms of change: **economic/ political/ environmental.**

- Global climate change
- Urbanization
- Rising food prices
- Changing consumer appetites
- Oil & gas: new technologies & sources
- Accelerating *enclosure of the commons*
- 'Green Revolution for Africa', biotech, biofuels...
- China; and changing models of aid and trade



Photo: Tetrattech ARD

Terminology: disputes, conflicts, violence...

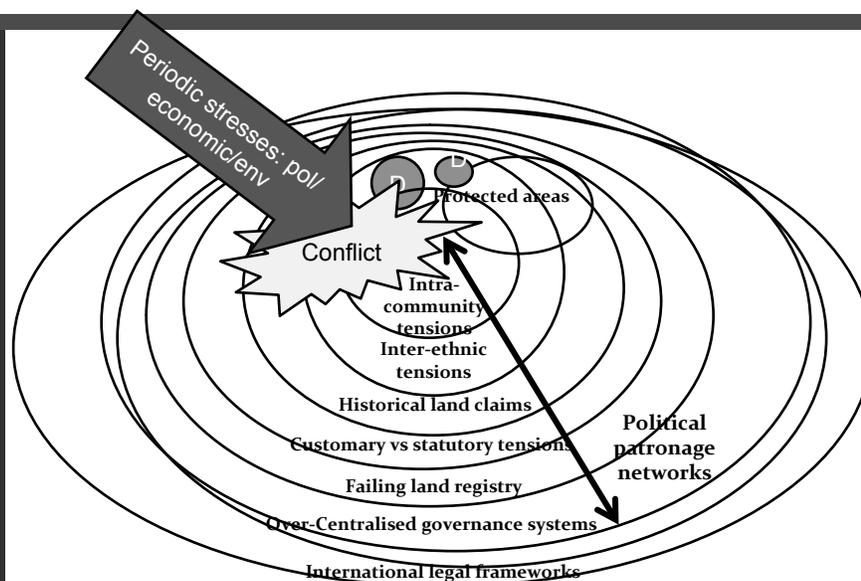
How do we use these terms? Pair task:

- Turn to the neighbour on your left and define and discuss these terms:
 - Disputes
 - Conflicts
 - Structural Violence
 - Participatory Development
- Try to identify 'indicators' or criteria that differentiate one term from another
- Are your definitions the same or different?
- You have 7 minutes

Land and natural resources in developing countries

- Many 'local' conflicts have *global & regional aspects*.
- Multiple & overlapping uses by different kinds of users of different status
- Mismatch between customary & state tenure
- Overlapping jurisdictions/ watersheds/ communities: 'messy' multiscalar governance
- Only minority of land holdings are registered
- Women's rights are precarious

Example: "Nested" conflicts



Beyond 'Greed or Grievance', 'Scarcity or Surfeit'

- Conflict due to *both* 'scarcity' and 'abundance'
- The 'greed' literature tends to underestimate grievances: both are important
- 'Resource curse' mitigated by fiscal governance initiatives: but is enclave extraction inherently problematic?
- "availability *in nature* of any resource is not in itself a predictive indicator of conflict... practices shaping the political economy of any resource can prove conflictual" (Le Billon)

To define something is to influence it...

- Conceptualizing complex links between natural resources, biodiversity, property rights, and conflict is itself a conflictual process, with potential impacts
- "*There is competition over resources... the competition, however, is not just to win but to define the rules, the players, and the extent of the playing field*"

(L. Schiff, N. Van House & M. Butler, 1997, *Understanding Complex Information Environments: A Social Analysis of Watershed Planning*)

Struggle and conflict over access to resources

- LTPR and natural resource management are essential aspects of 'good governance'
- "USAID's objective in governance is to promote effectiveness as well as transparency, accountability, and participation in government institutions and public policy reform processes at all levels"
- 'Good governance' as a buzzword?

Pair task:

Turn to your neighbor:

- How will you define 'good governance'?
- How is power, legitimacy incorporated?
- How might we measure it?
- 5 min.

Land and natural resources and large-scale conflict

- Left to fester, *resource disputes end in violence*
- 75% of conflicts since 1980s were in agrarian states with customary tenure
- Large-scale conflicts linked to grievances: MOTIVE
- High-profile resource disputes trigger violence: OPPORTUNITY
- Resources in 'war economy' sustain violence: MEANS



Land and natural resources and large-scale conflict

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What are some examples of natural resources and large scale conflict you have seen in your work at USAID?

Post-conflict disputes

Common issues in post-conflict disputes:

- Overlapping rights and claims
- Lack of relevant land/ NRM policies
- Dysfunctional or corrupt land administration
- Land grabbing/encroachment
- Calls for compensation
- Ambiguous, contradictory or unenforceable laws



Photo: Tetrattech ARD

Analyzing conflict (large- and small-scale)

- Conflict has multiple causes
- Conflicts evolve over time
- Common situation of 'no war, no peace'
- Conflict affects the legitimacy and effectiveness of institutions
- Conflict is experienced differently by men and women, young and old
- This affects how, and with whom, USAID may work

Vulnerability and control over land and natural resources

- Threats to the environment impact vulnerable people severely
- The poor, landless, women and indigenous peoples may be displaced during struggles
- *Subsidiary rights* are often critical to vulnerable groups
- When rights are abrogated, low level conflict can erupt that often involves environmental damage



Photo: Chris Huggins

Vulnerability and control over land and natural resources

On the other hand, “vulnerable” groups can demonstrate amazing resilience. Poor farmers in Niger fostered the regeneration of vast semi-arid areas, assisted by new policies that assured them rights to trees.

Resilience policy seeks to improve lives through:

- increased adaptive capacity
- Improved ability to address and reduce risk
- Improved social and economic conditions of vulnerable populations



Photo: Tetrattech ARD

Costs of ignoring rights to land and natural resources

Projects which don't account for all potential claims to resources and social tensions, or unrealistically raise expectations, risk causing violence.

- E.g. Water schemes which divert water from downstream users may be destroyed
- E.g. Trees planted may be uprooted if planted on contested land
- Demarcation of rights can help vulnerable groups, or 'shut them out' completely
- Promises of 'resilience' to crisis vs expectations of exit from poverty

The good news...

- Land and natural resources reforms can make substantial improvements to livelihoods
- Improved management of land and NR can represent concrete forms of participatory governance
- Adaptation to climate change requires localized governance linked to macro-planning
- Land and NR are entry points with potential for progressive change



Photo: Tetrattech ARD

Learning points from this presentation

- Land and natural resources have multiple meanings for different actors
- Contested governance of land and natural resources is a major source of conflict
- Conflict is rarely linear or 'local': look for connections and patterns
- Environmental fluctuations and long-term changes make governance more challenging
- Improving governance of resources can reduce conflict, secure livelihoods, and protect the environment



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Applying systems thinking to USAID program planning and implementation



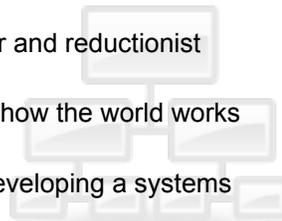
Systems Basics

Systems thinking (ST) is a way of understanding reality that emphasizes relationships among parts

“The whole is more than the sum of it’s parts”

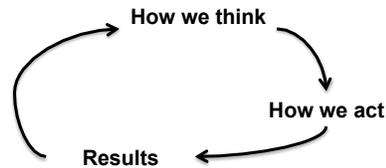
-Aristotle

- ST is a necessary complement to linear and reductionist analysis
- ST entails different assumptions about how the world works (theory of change)
- Systems mapping is one process for developing a systems view (rich picture) of a context



Thinking in Systems

Our stories impact how we think and what we do

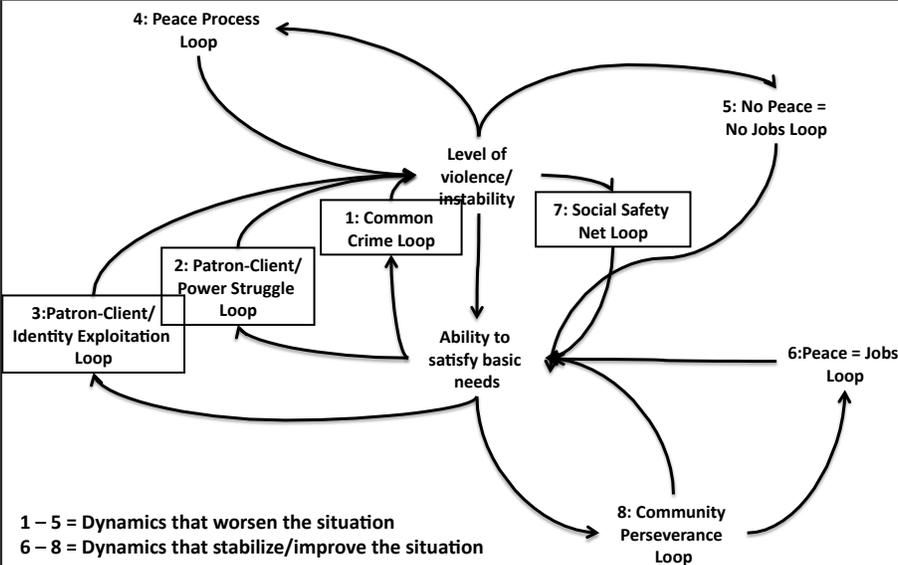


Systems thinking produces richer stories than conventional means; **richer stories can lead to more effective action**

Why systems thinking?

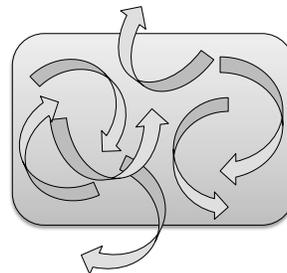
- Approach complex development issues holistically
- Challenge conventional wisdom and 'magic bullets'
- Organize data streams into coherent narratives
- Generate system maps and models that show connections and flows
- Facilitate cross-sectoral Theories of Change that flow into Results Frameworks
- Craft robust indicators

Draft Mindanao Systems Map



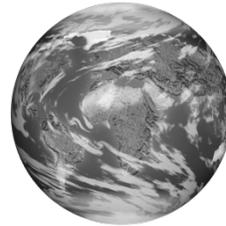
Systems thinking 101

- Difficult to impose change on a system: **nurture changes** already happening in the system
- Impacts do not necessarily add up; rather **impacts “interact out”**
- Changes to a system are not linear – **ripple effects**
- There are **points of leverage** in a system, which if you influence them, allow a greater chance of being amplified by the system



Systems thinking 101 – resilience

- Systems are resilient and **changing individual pieces** in a system is not likely to lead to sustainable change
- If you try to change one piece in a system, other forces/parts will counter the change and return the system to its previous state



ST: Questioning conventional wisdom

Seemed logical but failed...

- Protected areas increase threats to resources/wildlife
- Job training programs increase unemployment
- “Get tough” prison sentences fail to reduce fear of violent crime
- Drug busts increase drug-related crime
- Food aid leads to increased starvation

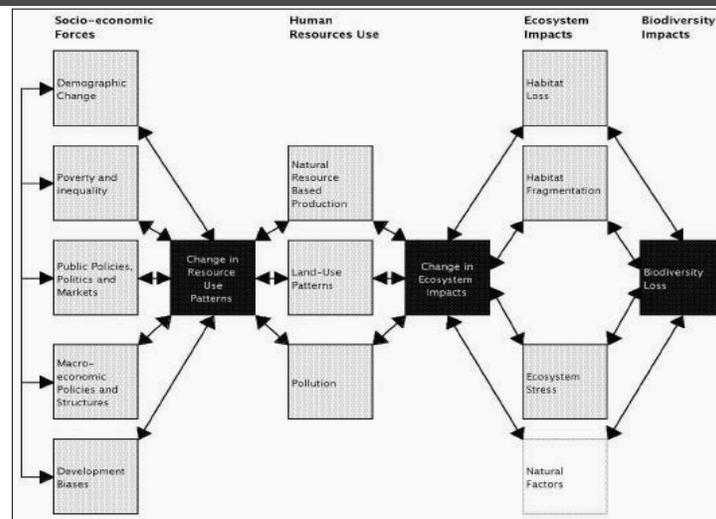


Why “obvious” solutions fail or fall short

Characteristics of failed solutions:

- Obvious and often succeed in the short run
- Short-term gains undermined by long-term impacts
- Negative consequences are unintentional
- If the problem recurs, or impacts undone by “outside forces” we don’t see our responsibility

Modeling systems

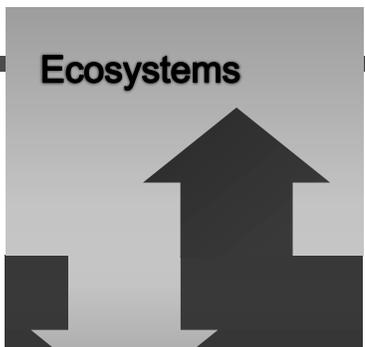


Pamela Stedman-Edwards. SOCIOECONOMIC ROOT CAUSES OF BIODIVERSITY LOSS:AN ANALYTICAL APPROACH PAPER FOR CASE STUDIES. <http://awsassets.panda.org/downloads/analytic.pdf>

Intersecting systems: TTT

- Ecosystems (various scales)
- Social system of laws, regulations, and rules (codified, “informal”)
- Interactions between the two
 - Environmental and natural resource governance (semi-predictable interactions)
 - Rapidly emerging change

Ecosystems



*Humans were inevitably going to be part of the fossil record. But the true meaning of the **Anthropocene** is that we have affected nearly every aspect of our environment — from a warming atmosphere to the bottom of an acidifying ocean. —New York Times editorial, February 2011*

Affecting the System

- Tipping Points
- Leverage Points
- Getting the Scale Right
- Building Resiliency

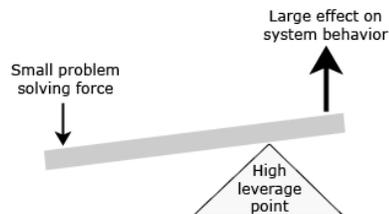
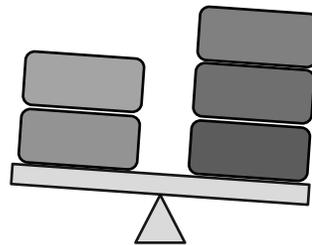
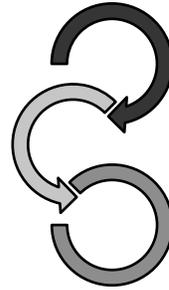


Table Exercise

Discuss the following question at your tables:

1. What are some key intersections of biophysical and socioeconomic systems? Provide a few examples.
- You have 15 minutes
 - Chart your responses (feel free to draw a systems map!)





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DAILY RESOURCES



TECHNICAL BRIEF

OIL AND CONFLICT

December 2011 | DCHA/CMM

Introduction

Oil is an essential, high-value commodity for both industrialized and developing countries. Owing to the diverse uses of oil and its direct links to economic and social well-being, the demand for it continues to grow as incomes rise and populations expand in most developing countries. Oil prices have risen markedly in recent years, making control over oil resources an important potential driver of development. Oil income can be a source of national prosperity, bolstering public finances, encouraging investment, and providing employment in a range of activities directly and indirectly related to the oil itself. However, oil extraction and trade, and the associated revenues, can also bring significant challenges, especially in countries with fragile social and political institutions. Among other challenges, countries with an abundance of non-renewable natural resources such as oil often experience lower levels of economic and human development than countries with fewer natural endowments. This paradox is referred to as the 'resource curse'.

This technical brief examines political, social, and economic scholarship on the relationship between oil, governance, and armed conflict. Its purpose is to provide USAID staff and partners with an evidence base to facilitate further analysis and decision-making. The brief is organized in three parts, looking at the effect of oil on (i) democratization, (ii) the onset and continuation of civil conflict, and (iii) the outcome of civil conflicts. This technical brief summarizes two streams of research that indicate a complex relationship between two factors that can be mutually reinforcing: those that impede democratization and those that heighten the risks of armed conflict.

Oil and Democratization

A large number of studies have considered the effect of oil on democratization and regime type. Resource-rich governments, or 'rentier states,' often use low tax rates, high public spending, and patronage to maintain their authority, resulting in lower levels of democratic accountability.¹ In a seminal 2001 article, Michael Ross

of UCLA argued that "oil hinders democracy," and many subsequent studies reached a similar conclusion.² The rentier effect is the most widely-cited causal mechanism to explain this relationship, but there may also be other anti-democratic effects of oil.³ For example, scholars have argued that elites in petrostates impede democratization for fear that it will lead to expropriation of their assets, or that oil generates corruption, which in turn prevents democratization.⁴ The geopolitics of oil may also lead powerful oil-importing states to support friendly autocratic regimes in petrostates, thereby limiting democracy.⁵ In short, however, the proliferation of hypothesized micro-mechanisms linking oil to authoritarianism generates some uncertainty about the precise nature of the causal relationship, and the subject remains contested.⁶

As one possible way to increase domestic accountability, some argue for the importance of oil revenue transparency. Autocratic leaders often seek to hide the extent of oil revenues from the public to give them a free hand in spending and patronage. For instance, the patronage system in

Saddam Hussein's Iraq necessarily involved corruption and waste of public expenditure. Accordingly, few knew how Iraq's oil money was spent, and publication of economic statistics relating to the oil industry was a criminal offence.⁷ Governments, civil society, industry and international donors observing this tendency have called for increased transparency as a way to bolster domestic accountability and a sense of national ownership over the oil income.⁸ Although USAID's experience indicates some anecdotal evidence in support of the idea that increased transparency leads to more desirable outcomes, there is little systematic empirical evidence that establishes that linkage. Efforts such as the Extractive Industry Transparency Initiative, the UN's Global Compact, and the Voluntary Principles on Security and Human Rights are consistent with this idea.⁹



An officer guards the Barjusiya oil fields in Iraq, February 2009 (Essam Al-Sudani/AFP)

Oil and the Onset of Domestic Conflict

There is empirical evidence that oil creates conditions under which domestic conflicts and civil war are more likely than in non-petrostates.¹⁰ For instance, one study found that countries that derive at least one-third of their export revenues from fossil fuels face twice the risk of civil war than those countries that do not have such exports. Specifically, “the ‘median country’ had a 10% chance of civil war over a decade, whereas the same country as an oil exporter would have an estimated 21% chance.”¹¹ While illuminating, that finding is based on global historical data and should be applied cautiously in the case of any single country. The presence of large oil reserves is not, of itself, a decisive driver of civil war or poor governance.¹² Given the multitude of mechanisms by which oil influences conflict risk, the effect of oil in a particular country is likely conditioned by other factors that relate to the presence (or absence) of conflict mitigating forces in that society.

Oil is believed to affect the onset of conflict through a variety of mechanisms that can be grouped into two basic hypotheses, grievance and funding. The grievance hypothesis is that the processes around oil exploration, extraction, and distribution can create especially severe grievances among segments of the population, motivating them to rebel. In countries with poorly-developed governance systems, oil revenue is often ineffectively or inequitably distributed, generating significant (real or perceived) economic and political inequality.¹³

Sometimes the distribution of resources is perceived (perhaps accurately) to follow pre-existing patterns of elitism or exclusion. In Iraq, for example, oil is primarily located in areas dominated by Kurdish and Shi’a ethnic groups, while the elites controlling the state—including oil income—have historically been Sunnis. At the same time, population groups affected by a decline in an oil-producing state’s terms of trade as a result of the “Dutch disease” may grow disenfranchised with their government.¹⁴ Moreover, the local population in the area of the oil fields may be exposed to significant hardships, including forced displacement, land expropriation, or environmental hazards and degradation of agriculture.

In Nigeria’s Niger Delta region, for example, oil-related pollution has created public health risks by contaminating drinking water sources and damaging livelihoods through impacts on agriculture and fisheries. In June 2009 violence erupted in Bagua province in Peru as Amazonian indigenous groups clashed with national police over oil exploration rights on indigenous lands. The weak institutions sometimes found in petrostates may engender widespread corruption and dysfunctional governance. These dynamics could limit the capacities of the state and local communities to form effective and legitimate arrangements for managing disputes and allocating rights over property and resources. Plausibly, the incentive structures arising from these patterns create conditions ripe for domestic conflict or communal violence.¹⁵ Finally, note how the grievance-inducing impact of oil aligns with the findings described in the previous section where oil impedes democratization. Where oil inhibits democratization, grievances related to the oil industry may be exacerbated insofar as authoritarian govern-



A man surveys the damage done to the Cano Limon-Covenas oil pipeline after it was bombed by FARC guerillas in August 2001. (Efraim Patino,AFP)

ments are less responsive to them. Rebel funding is the second major hypothesized link between oil and domestic conflict. One possibility is that oil provides a stronger incentive to potential rebels to fight because the “prize” for victory is larger than in most non-petrostates: if they are successful, rebels gain control of the state’s oil income. This was Paul Collier and Anke Hoefler’s original notion of rebel “greed, not grievance.”¹⁶

More recently, they and others have argued that ‘lootable’ resources like oil are not simply a prize of victory, but a strategically crucial source of funding, enabling rebels to purchase the weapons, supplies, recruits, and other goods and services needed to sustain the fight.¹⁷ In Nigeria, for example, large quantities of oil are ‘bunkered,’ meaning that it is taken by rebels directly out of the pipelines and sold on the informal market. Another source of rebel funding comes from taking oil industry workers hostage and extorting the oil companies or the workers’ families for money.¹⁸ Further, in some cases foreign actors may actually fund or assist the rebels directly, as they seek to form relationships that will pay off once the rebels secure victory.¹⁹ Some research suggests that increases in oil prices may even be associated with increased conflict.²⁰ There is also evidence that rebel groups in resource-rich states are more abusive of civilian populations during the fighting itself.²¹

Systematic evidence about the financial rewards of fighting in a rebellion or domestic conflict is very difficult to obtain. Nonetheless, in his analysis of thirteen resource-related conflicts, Ross finds that looting played a significant role in at least ten of them.²² For instance, two rebel groups in Colombia, the ELN and FARC, extorted by various means an estimated \$140 million annually from the oil industry in the late 1990s.²³ How this total income translates into rebel wages or individual incentives is unclear but it was enough to theoretically provide each rebel roughly \$7,000-14,000 in gross annual income—in a country in which GDP per capita was \$2,340. The rebels' oil revenue is in addition to their other sources of revenue (in Columbia, chiefly the illicit drug trade), which increases the financial incentive for a rebellion. Similarly in Nigeria, studies of the conflict in the Niger Delta suggest that rebels are “commanding monthly salaries of over N50,000 (\$320 USD)—well above the wage that can be plausibly commanded by an educated youth in the formal sector.”²⁴

Both the grievance and funding mechanism are likely at work in many conflicts, and they may even be mutually reinforcing.²⁵ Weak institutions could mean that the state has difficulty maintaining law and order, creating opportunities for rebels to steal oil from pipelines, hold oil industry hostages, and otherwise capture resources to finance their operations. Conversely, the self-financing operations of the rebels could break down domestic institutions, as local governors, police, and judges are bought off or threatened by the rebels. For this reason, USAID's conflict assessment framework examines the ‘means’ and ‘motives’ sides of the ‘conflict equation.’

Of course, it is important to remember that under the right conditions, oil may also play a role in more functional, virtuous cycles, whereby oil revenues are seen to be allocated in a generally fair or legitimate manner and serve to support more effective service delivery and governance.

Oil and Conflict Outcomes

Another factor can compound the mutually reinforcing dynamic described above in which oil hinders democratization and generates multiple societal grievances. Recent research suggests that oil income has an additional effect: it reduces the probability of regime overthrow, which in turn reduces the potential for democratization.²⁶ Just as the oil industry is a potential source of funding for rebel operations, it also can fund government military and political campaigns. Building up financial, military, and political reserves is easier in a petrostate than in a non-petrostate because the government generally faces less domestic accountability about how it spends the income from oil sales. There is significant evidence that petrostate governments spend more on military arms and personnel than non-petrostates.²⁷

Consequently, when a petrostate regime is threatened, typically it can shift resources to meet the threat. The manner in which the regime does this will depend on the situation and on the regime's preferences, leading to a considerable variety of strategies. In Libya's civil war in 2011, Qadhafi chose to use his financial reserves to employ African mercenaries to fight against domestic rebel forces. In Nigeria, authorities have tried to use amnesty of-



Conflict over oil in the Niger Delta, September 2008. (Pius Utomi Ekpei/AFP)

fers that include cash and job opportunities to try to purchase peace in the Niger delta. In Angola, the government simply outspent the rebels in weapons purchases and military expenditure. Faced with widespread protests in 2009, Iranian officials used the Iranian Revolutionary Guard and various state-sponsored militia groups to repress political activists.

Of course, even leaders of wealthy petrostates who govern poorly can and do lose power: the Shah of Iran in 1979, King Faisal of Iraq in 1958, and Colonel Qadhafi in 2011 are examples. Petrostate regimes appear to be particularly vulnerable to overthrow at times of transition from one leader to the next, or when an incumbent leader's health is failing. Still, most of the time oil provides the government with the resources needed to quell political dissent.

In sum, oil income provides a government with significant resources to address potential rebellions, which in turn means that rebels have a lower probability of overthrowing the government in petrostates than in non-petrostates.²⁸

Conclusion: Next Steps

The purpose of the present report, as with other technical briefs in the series, is to provide development practitioners with a succinct summary of the existing evidence-base and academic research related to topics pertinent to USAID's work. It is not intended to guide policy or programs. DCHA/CMM recommends that country teams designing or implementing development projects related to oil—particularly in fragile or conflict-affected environments—should incorporate a conflict assessment into their planning process. DCHA/CMM can provide technical assistance to that end. Further, country teams have at their disposal a considerable number of existing program guidance resources from USAID's Office of Democracy, Human Rights, and Governance (DCHA/DRG); Office of Infrastructure and Engineering (EGAT/I&E), Office of Natural Resource Management (EGAT/NRM), and Office of Environment and Science Policy (EGAT/ESP); as well as Regional Bureau technical offices, such as the Africa Bureau Office of Sustainable Development (AFR/SD); and the U.S. Government Interagency, such as the State Department and Department of Energy.

Endnotes

1. Mahdavy, 1970; Crystal, 1990; Karl, 1997; Ross, 2001
2. Ross, 2001; Jensen and Wantchekon, 2004; Bellin, 2004; Epstein et al., 2006; Ulfelder, 2007; Gassebner et al., 2008; Tsui, 2007; Goldberg et al., 2008; Morrison, 2009; Ramsay, 2011
3. Bellin, 2004; Ulfelder, 2007; Goldberg et al., 2008; Morrison, 2009
4. Boix, 2003; Fish, 2005: 133
5. Bellin, 2004
6. Haber and Menaldo, 2011; Acemoglu et al., 2008; Herb, 1999; Dunning, 2008
7. Tripp, 2002
8. Ross, 2011; Humphreys et al., 2007; Barma et al., 2011
9. Extractive Industries Transparency Initiative, accessed at <http://www.eiti.org>; The Voluntary Principles on Security and Human Rights, accessed at <http://www.voluntaryprinciples.org>; and Publish What You Pay, accessed at <http://www.publishwhatyoupay.org>.
10. Fearon and Laitin, 2003; Collier and Hoeffler, 2004; Ross 2004a, 2004b, 2006; LeBillon 2005, 2007; Buhaug et al., 2009; Lujala, 2010. Note that while there is broad consensus on this point, it is not universal; see Smith, 2004.
11. Fearon and Laitin, 2003: 85. See also Collier and Hoeffler, 2004; Humphreys, 2005; and Lujala, 2010 for other quantitative estimates.
12. Luong and Weinthal, 2010
13. Crystal, 1990; Chaudhry, 1997; Karl, 1997; Wantchekon, 2002; Vandewalle, 2006.
14. Humphreys, 2005. "Dutch disease" is the idea that an increase in export revenues from natural resources will cause a country's exchange rate to appreciate, thereby making the country's other exports more expensive, resulting in the manufacturing sector being less competitive. The term itself was coined by *The Economist* in the 1970s to describe the experience of the Netherlands after the discovery of natural gas in the North Sea.
15. Fearon and Laitin, 2003
16. Collier and Hoeffler, 1998
17. Collier and Hoeffler, 2004; Ross, 2004a, 2004b; LeBillon, 2005, 2007
18. LeBillon 2005, 2007
19. Ross, 2004b, 2005
20. Dube and Vargas, 2007
21. Weinstein, 2007
22. Ross, 2004. Note that while Ross finds no evidence that oil-related looting provides funding for the startup costs of rebels, the expectation of looting during the course of the fighting nonetheless generates an incentive for the onset of rebellions in petrostates.
23. Dunning and Wirpsa, 2004
24. Watts, 2007: 640
25. Fearon and Laitin, 2003: 81

26. Colgan, n.d.
27. Chan, 1980; Ross, 2001
28. Colgan, n.d.

References

- Acemoglu, D. et al. 2008. "Income and democracy." *American Economic Review* 98(3): 808–842.
- Barma, Naazneen et al. 2011. *Rents to Riches? The Political Economy of Natural Resource-Led Development*. World Bank Publications.
- Bellin, Eva. 2004. "The Robustness of Authoritarianism in the Middle East." *Comparative Politics* 36(2).
- Le Billon, P. 2005. *Fuelling War: Natural Resources and Armed Conflict*. Routledge for the International Institute for Strategic Studies, London.
- . 2007. "Geographies of War: Perspectives on 'Resource Wars'." *Geography Compass* 1(2): 163–182.
- Boix, C. 2003. *Democracy and redistribution*. Cambridge University Press.
- Buhaug, H., S. Gates, and P. Lujala. 2009. "Geography, rebel capability, and the duration of civil conflict." *Journal of Conflict Resolution* 53(4): 544.
- Chan, Steve. 1980. "The Consequences of Expensive Oil on Arms Transfers." *Journal of Peace Research* 17(3): 235–246.
- Chaudhry, Kiren Aziz. 1997. *The Price of Wealth: Economies and Institutions in the Middle East*. Ithaca: Cornell University Press.
- Colgan, Jeff. n.d. "Oil, Domestic Conflict, and Opportunities for Democratization." Working paper.
- Collier, Paul, and Anke Hoeffler. 2004. "Greed and Grievance in Civil War." *Oxford Economic Papers* 56(4): 563–595.
- . 1998. "On economic causes of civil war." *Oxford economic papers* 50(4): 563.
- Crystal, Jill. 1990. *Oil and Politics in the Gulf: Rulers and Merchants in Kuwait and Qatar*. 1st ed. Cambridge University Press.
- Dube, O., and J. Vargas. 2007. "Commodity price shocks and civil conflict: Evidence from Colombia." *Unpublished working paper, Harvard University and UCLA*.
- Dunning, T., and L. Wirpsa. 2004. "Oil and the political economy of conflict in Colombia and beyond: a linkages approach." *Geopolitics* 9(1): 81–108.
- Dunning, Thad. 2008. *Crude Democracy: Natural Resource Wealth and Political Regimes*. Cambridge University Press.
- Epstein, D. L. et al. 2006. "Democratic transitions." *American Journal of Political Science*: 551–569.
- Fearon, James D., and David D. Laitin. 2003. "Ethnicity, Insurgency, and Civil War." *The American Political Science Review* 97(1): 75–90.
- Fish, M. Steven. 2005. *Democracy Derailed in Russia: The Failure of Open Politics*. Cambridge University Press.
- Gassebner, M., M. J. Lamla, and J. R. Vreeland. 2008. "Extreme bounds of democracy."

- Goldberg, Ellis, Erik Wibbels, and Eric Mvukiyehe. 2008. "Lessons from Strange Cases: Democracy, Development, and the Resource Curse in the U.S. States." *Comparative Political Studies* 41(4-5): 477-514.
- Haber, S., and V. Menaldo. 2011. "Do Natural Resources Fuel Authoritarianism? A Reappraisal of the Resource Curse." *American Political Science Review*: 1-26.
- Herb, Michael. 1999. *All in the Family: Absolutism, Revolution, and Democracy in the Middle Eastern Monarchies*. Albany: State University of New York Press.
- Humphreys, Macartan. 2005. "Natural resources, conflict, and conflict resolution: Uncovering the mechanisms." *Journal of Conflict Resolution* 49(4): 508.
- Humphreys, Macartan, Jeffrey Sachs, and Joseph E. Stiglitz. 2007. *Escaping the resource curse*. Columbia University Press.
- Jensen, N., and L. Wantchekon. 2004. "Resource wealth and political regimes in Africa." *Comparative political studies* 37(7): 816.
- Karl, T.L. 1997. *The Paradox of Plenty*. Berkeley: University of California.
- Lujala, P. 2010. "The spoils of nature: armed civil conflict and rebel access to natural resources." *Journal of Peace Research* 47(1): 15.
- Luong, Pauline Jones, and Erika Weinthal. 2010. *Oil Is Not a Curse: Ownership Structure and Institutions in Soviet Successor States*. 1st ed. Cambridge University Press.
- Mahdavy, Hussein. 1970. "The Patterns and Problems of Economic Development in Rentier States: The Case of Iran." In *Studies in Economic History of the Middle East: From the Rise of Islam to the Present Day*, London: Oxford University Press.
- Morrison, Kevin. 2009. "Oil, non-tax revenue, and the redistributive foundations of regime stability." *International Organization* 63: 107-138.
- Ramsay, K. 2011. "Revisiting the Resource Curse: Natural disasters, the price of oil, and democracy." *International Organization* 65(3).
- Ross, Michael L. 2006. "A closer look at oil, diamonds, and civil war." *Annual Review of Political Science* 9: 265-300.
- . 2005. "Booty futures."
- . 2001. "Does Oil Hinder Democracy?" *World Politics* 53(3): 325-361.
- . 2004a. "How do natural resources influence civil war? Evidence from thirteen cases." *International Organization* 58(01): 35-67.
- . 2004b. "What do we know about natural resources and civil war?" *Journal of Peace Research* 41(3): 337.
- . 2011. "Will Oil Drown the Arab Spring?" *Foreign Affairs*.
- Smith, B. 2004. "Oil wealth and regime survival in the developing world, 1960-1999." *American Journal of Political Science*: 232-246.
- Tripp, Charles. 2002. *A history of Iraq*. Cambridge University Press.
- Tsui, K. K. 2007. "More Oil, Less Democracy: Evidence from Worldwide Crude Oil Discoveries." *The Economic Journal*: 121 (March): 89-115.
- Ulfelder, J. 2007. "Natural-resource wealth and the survival of autocracy." *Comparative Political Studies* 40(8): 995.
- Vandewalle, Dirk. 2006. *A History of Modern Libya*. Cambridge University Press.
- Wantchekon, L. 2002. "Why do Resource Dependent Countries Have Authoritarian Governments?" *Journal of African Finance and Economic Development* 2: 57-77.
- Watts, Michael. 1987. *State, Oil, and Agriculture in Nigeria (Research Series)*. University of California Press.
- Weinstein, Jeremy M. 2007. *Inside rebellion: the politics of insurgent violence*. Cambridge University Press.

TAB INSERT

DAILY AGENDA

Day 2

8:30

Start-up activity

Conflict over specific resources

- Forests
- Extractive industries
- Pastoralist resources

Integrated assessment

Mau Forest assessment introduction

Lunch

Designing integrated programs

Group Work: Mau Forest Causal Map

Mau Forest – What really happened

5:00

Reflections and end of the day feedback



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Integrated Assessment

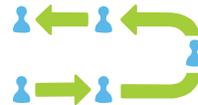


Assessment types

- Strategy assessments
- Sectoral assessments
- Program and project level assessments

So what is an “integrated assessment”?

...Or an assessment that integrates



Bottom line

- Synergy and efficiency → Entry point



- Disconnect and conflict → Take care



Principles

- Involve stakeholders early and often
- Build capacity
- Assure strong team leadership
- Develop integrated research questions
- Integrate data collection where possible
- Carry out joint fieldwork
- Share findings early and often

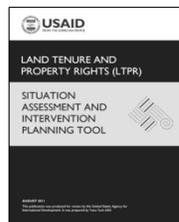
USAID Land Tenure Division Tools

Tool/Methodology	Purpose
1. LTPR Matrix	Conceptual “Matrix” connecting LTPR issues with interventions
2. Situation Assessment and Intervention Planning	In-depth assessment tool of LTPR issues and interventions to inform programming
3. Intervention Assessments	In-depth tools to assess the impact of LTPR interventions and their sequencing
4. Country Profiles and Tenure Indicators	Synthesis of LTPR issues and interventions in USAID presence countries along with LTPR indicators
5. Tenure Issue and Program Briefs	Short papers on current topics, more detailed country profiles and country program summaries
6. Web Portal & Knowledge Management	Knowledge management system to capture, store and make LTPR information more accessible to USAID and the public

LTPR Situation Assessment and Intervention Planning and Impact Assessment Tools

Integrated set of tools to provide guidelines to:

- Undertake a diagnostic assessment of LTPR issues and challenges
- Regularize the identification and assessment of issues comprising the LTPR Matrix
- Prioritize LTPR issues in order of importance for possible intervention or dismissal
- Design interventions and consider how they should be sequenced
- Quick Sheets—implementing tools, scopes of work, resources



<http://usaidlandtenure.net>

USAID LTPR portal <http://usaidlandtenure.net/>

Property Rights and Resource Governance Information Portal
A Companion Site of the RM Portal

Home About News Events Library PRRG Products USAID Projects Contact Help

you are here: home → prrg products

PRRG Products

Country Profiles
Reports that capture land tenure and property rights constraints and donor interventions for 62 USAID presence countries
Read More...

Issue Briefs
A series of policy briefs used to inform USG policymakers on the nexus between land tenure and property rights and pressing issues of the moment.
Read More...

Program Briefs
A series of briefs that capture country-specific land tenure and property rights successes and challenges.

SEARCH FOR CONTENT

On the portal:

only in current section

Advanced Search

Add to the PRRG Products

MAP SEARCH

Search by Country or Region

RECENT ITEMS

Sudan Land Policy State Consultation - Yei - Central Equatoria State: Workshop Report March 2010

NRM tools and analyses

- 118-119 Assessments and ETOAs
http://www.usaid.gov/our_work/environment/biodiversity/118_119_analyses.html
- Reg 216 Environmental Impact Assessments
- Biodiversity Threats Assessments
- Nature, Wealth and Power
- CBNRM stocktaking
- Biodiversity Handbook—in Press!
- Conservation governance toolkit—New!
- Community of practice: www.frameweb.org
- Case studies
<http://rportal.net/library/content/translinks/translinks-collection-nrm-governance>



Working with the tools

LTPR Assessment

- Describe systems of ownership, access, use, and control of land and natural resources
- Show differential impact of LTPR systems and policies

Conflict Equation

- Identify conflict actors and link to means and motives
- Describe and locate contested areas and triggering events

Biodiversity Climate/ Assessment

- Map key natural resources and biodiversity
- Describe direct and indirect threats to biodiversity; climate vulnerabilities

Integration

- Select system and sub-system components
- Map system dynamics: feedback loops, ripple effects, triggers, leverage points

Crosscutting analyses

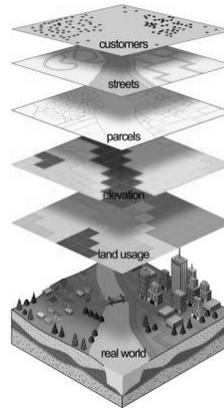
- *IEEs*
 - Determine where environmental issues intersect with conflict and LTPR
 - Develop conflict sensitive mitigation plans
- *Sustainability* issues for 3Ts
 - Address drivers/root causes of problems
 - Build on existing systems and networks
- *Gender* issues for 3Ts
 - Assess vulnerability and differential impacts
 - Expand potential for peace-building
 - Move toward more comprehensive Social Soundness Analysis

Integrative methodologies



<http://www.iapad.org/>

Community mapping and (participatory) GIS



Stakeholder and actor mapping

Mapping
stakeholders

Engaging
stakeholders

Building on
networks and
connections



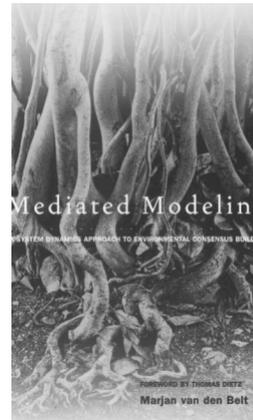
<http://mportal.net/library/content/usaid-scale-collection/scale-materials/scale-training-documents>

Old and new fangled

Participatory Rural Appraisal Rapid Rural Appraisal

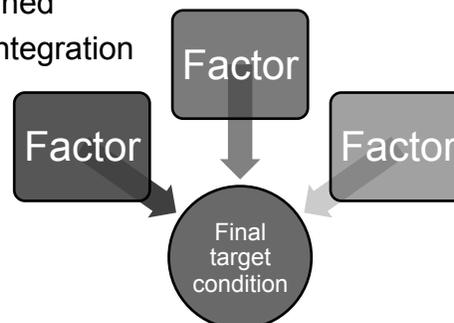


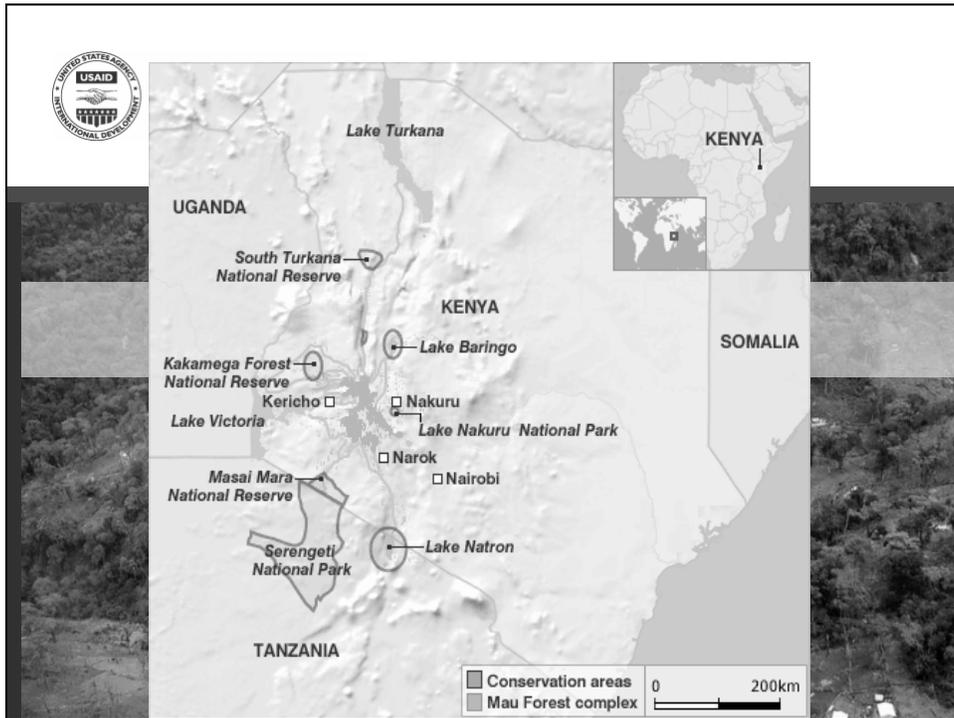
PRA ranking exercise being carried out by members of a Farmer Field School in Bangladesh, 2004 Source: Wikipedia



Introduction to causal models

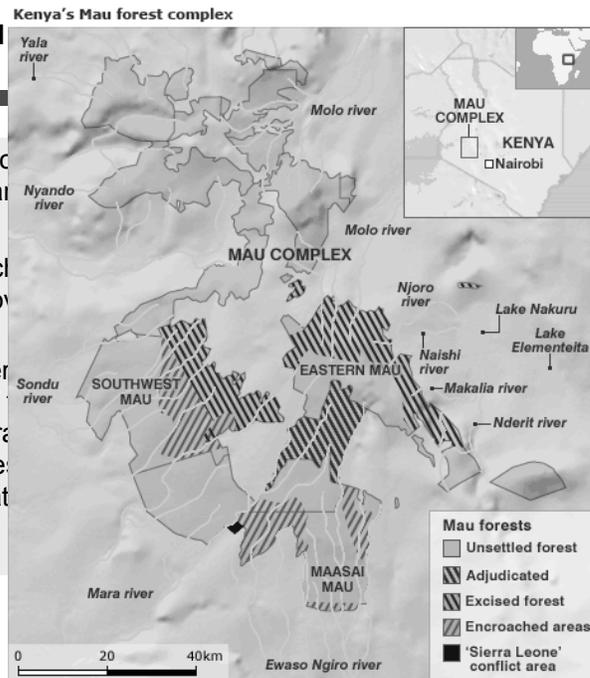
- Assessment findings identify sectoral and system factors (variables, elements) and draw connections, linkages
- Systems model → causal model
- Show how factors impact final target condition
- Model can be rough or refined
- A tool for discussion and integration





What is the Mau

- Largest remaining block of forest in Eastern Africa—an area of over 400,000 ha.
- 21 Forests, 1 of which is managed by local government (Mau Forests Management Board, Nandi County Council)
- One of 5 'water towers' in Kenya: upper catchments of Nyando, Sondu, Mara rivers → E. Africa lake Victoria, Baringo, Natron and Naivasha



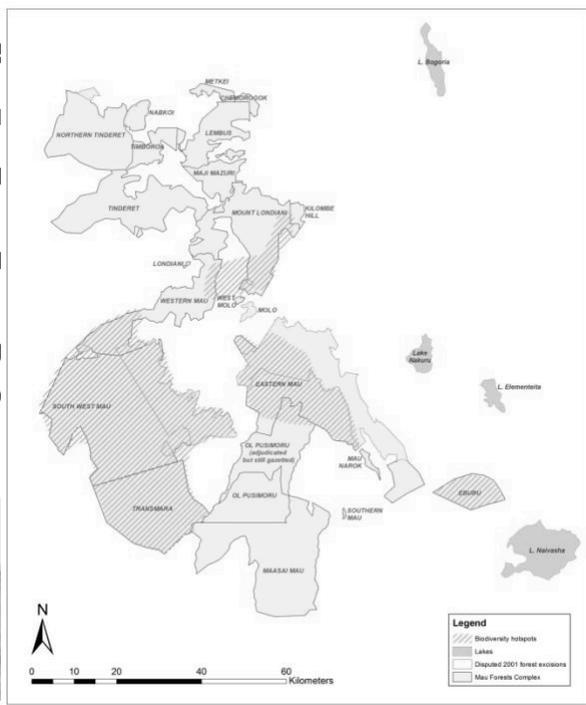
Importance of the Mau

- The Mau complex nourishes Kenya's two largest foreign exchange earners—tea and tourism—in addition to many smallholder livelihoods (cattle, crops, forest products)
- A significant portion of Kenya's—as well as Tanzania's—key wildlife populations depend on the Mau complex for water



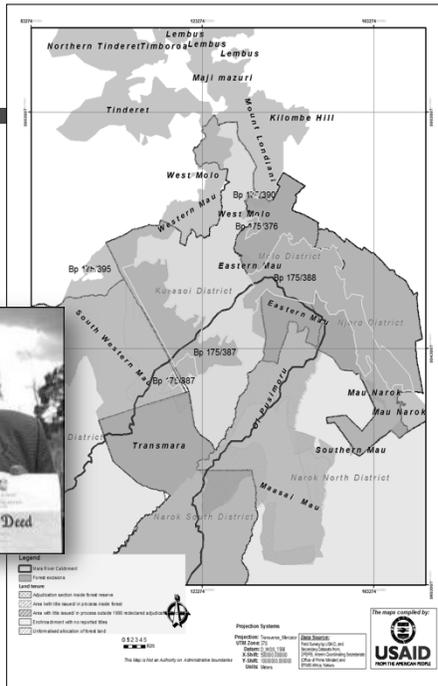
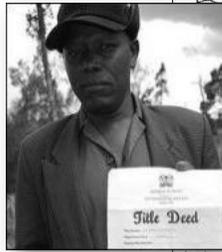
Biodiversity values

- Contribution to prior conservation areas
- Freshwater biodiversity
- Indigenous forest
- Important Bird Area
- Farms & agrobiodiversity



LTPR dynamics

- Reserve forests (government owned)
- Customary tenure zones (Maasai)
- Ogiek territory
- Titles
- Legitimate
- Non-legitimate
- ???
- Refugee camps



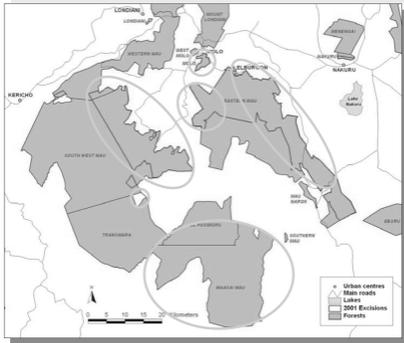
LTPR dynamics

Indigenous people



Direct conflict drivers

Excisions



Removals

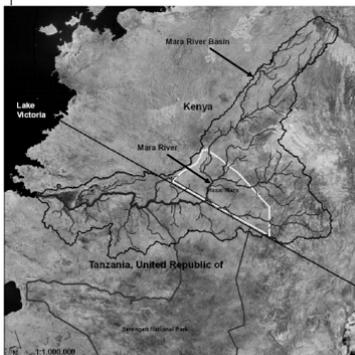


Unsustainable and inequitable forest management



Underlying dynamics: demand for land and water

Population pressure and immigration



Uncontrolled water use

Underlying dynamics: power struggles and patronage

- Corruption and ethnically-manipulated land concessions combined with drought led to violence and population displacement
- Lack of opportunity for youth
- Proliferation of management units, no coherence; struggling over jurisdiction and benefit
- Marginalization and “developmental distance”



Integrated Assessment – Group Exercise

- You will look at the Mau Forest Case in Kenya through the lens of three sectors using specific tools provided (LTPR, ENRM and CMM)
- You are a program manager and you have been asked to conduct assessment and use a specific tool:
 - Group 1: Conflict equation
 - Group 2: LTPR
 - Group 3: Biodiversity Threats Assessment

Suggested group process:

- Before the break, please read your handout and other material provided and ask for clarification questions to the assigned trainer
- After the break, come back to work on your assignment. You have 45 minutes.
- There will not be full report in plenary, however you will be asked to respond to the question:
 - What did you learn from using this tool?

Integrated Assessment – Group Exercise

Using the handouts provided, discuss and decide the following:

- How will you use the tool assigned to your group for integrated assessment?
- How to expand or adapt the tool?
- Who should be on the team? What expertise is needed?
- You have 45 minutes

Integrated Assessment Exercise Part II

- You are now an integrated team in your new groups. You are still in-charge of the Mau Forest assessment and responsible for ensuring that the assessment SOW has key elements for your sector. Discuss how you can work together:
 - What kind of expertise do you need?
 - What stakeholders will you interview so all the sectors are represented?
 - What sites do you have to visit?
- You have 30 minutes.



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Getting to Design



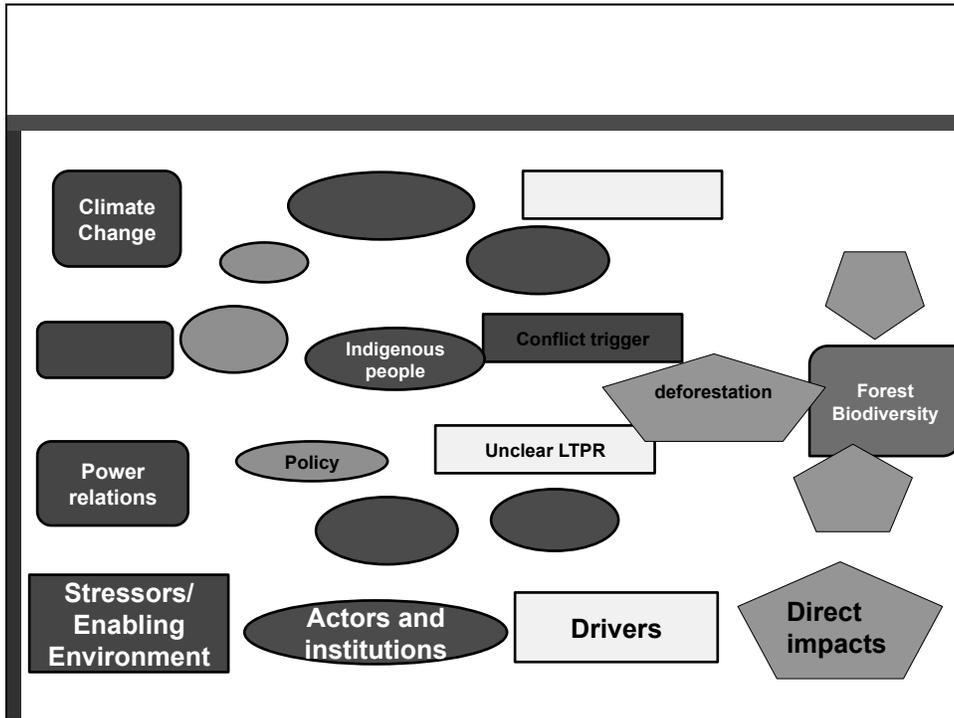
Assessment findings → causal model

Select final target condition/result

Pinpoint **direct impacts** of conflict and poor NRM

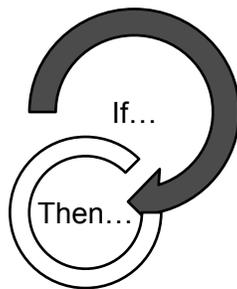
Work back from impacts to **drivers** and stressors/enabling conditions

Draw the connections, play with the model

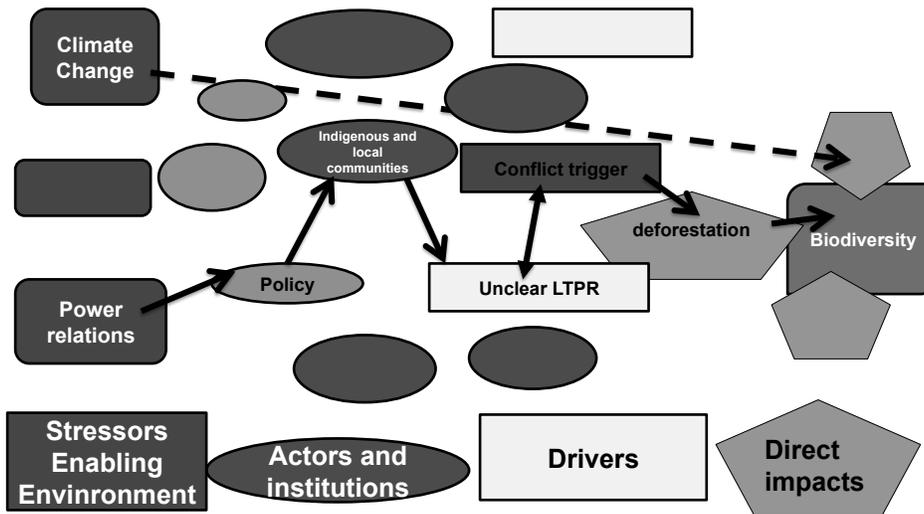


Theory of Change

- Associates actors and actions with drivers in the causal model
- Creates development hypothesis (if...then)



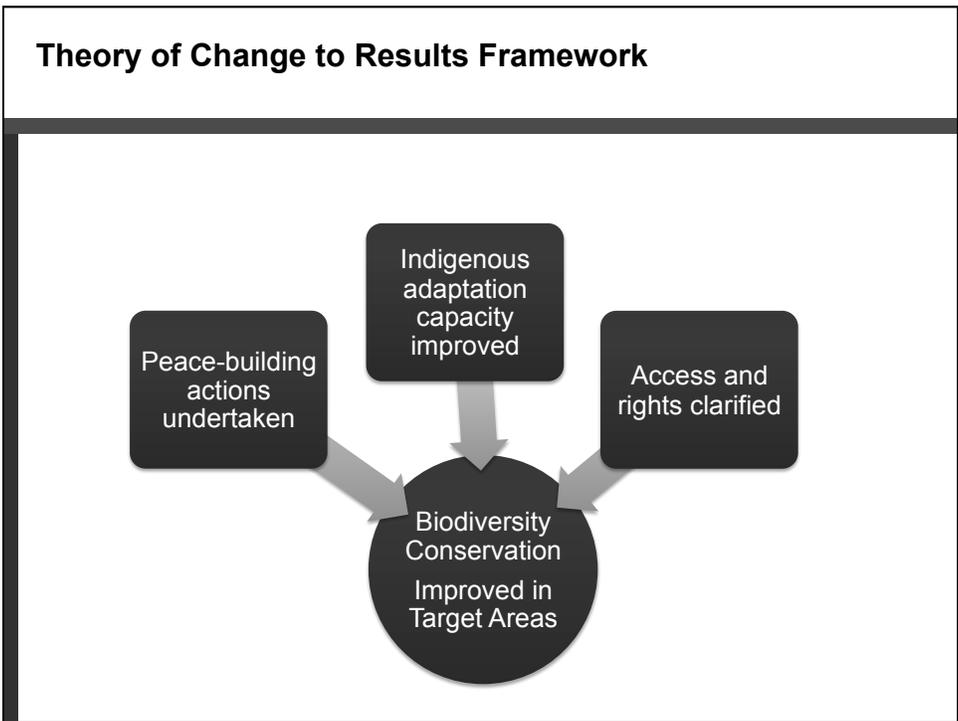
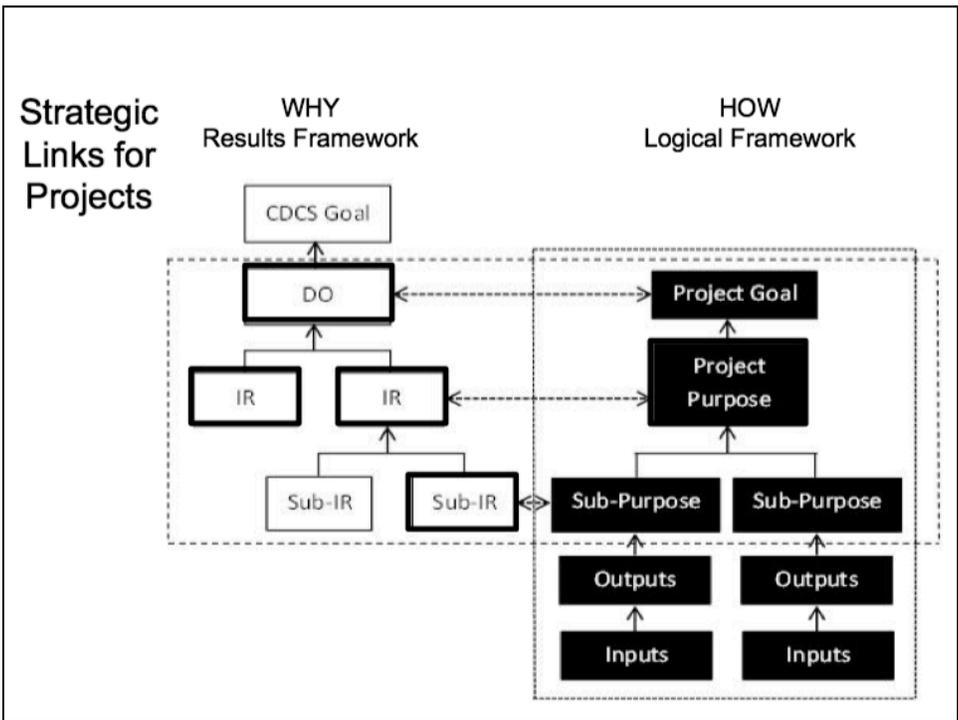
What's the Theory of Change?



5

Results Framework

- Final target condition = DO
- IRs address direct drivers and reflect actions needed to achieve DO
- Also address enabling and indirect drivers that will impact on result



Summary points

Use assessment findings to map system relations

Define target/objective

Develop theory of change

Use causal model to craft Results Framework

Next step: Activities and Sequencing

Integrated Design Exercise

Based on the information you have so far about the Mau Forest and the assessment phase, your task is to develop your Mau Forest causal model using the cards provided:

- First identify your final objective knowing that we have biodiversity money
- Identify categories and assign colors to each category
- Create the skeleton of the causal map
- Identify at least the primary or most relevant connections

Capture all of this information clearly on flipchart as we will be doing a gallery walk as part of the report out process.



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TREASURE, TURF AND TURMOIL COURSE

DAILY RESOURCES





MAU FOREST COMPLEX

BACKGROUND INFORMATION ON THE MAU FOREST COMPLEX

Introduction

The Mau Forest Complex (MFC), which feeds into numerous major rivers, has experienced large-scale forest loss over many years. Government of the Republic of Kenya (GoK) forest excisions, settlement schemes, private land sales, exotic plantations and illegal encroachments have resulted in loss of large indigenous forest areas and a transformation to a range of agricultural, sometimes densely settled landscapes.

Deforestation has caused reductions in water quality and quantity, affecting major economic interests in the surrounding areas, as well as the Serengeti-Maasai Mara cross-border ecosystem. This jeopardizes biodiversity, and bilateral relationships with neighbouring countries.

Politically motivated clashes have arisen due to manipulation of the ethnic demography of “winners and losers” from land allocations and evictions in the Mau. Some internally displaced people (IDPs) remain in camps. Local communities have not yet fully healed or reconciled. The next elections have the potential to generate even greater violence.

Natural Resources and Livelihoods

Most residents depend upon the natural resources and recognize the need for conservation. However, poverty, lack of capacity and lack of effective community engagement by the GoK leads to conflicts, and continuing degradation of resources. Decentralized forest governance structures are weak. Kenya Forestry Service (KFS) reforms are moving slowly and the organization is historically associated with for corruption and command approaches to forest management.

Agriculture

Agricultural productivity is low because of a range of general constraints including:

- Perceptions of insecurity due to social conflict and uncertainties regarding planned evictions. This adversely affects the land market and agricultural investments.
- Lack of appropriate credit system (with the exception of barley and wheat production)
- Lack of marketing and appropriate storage facilities and resulting high costs.
- Weak extension services (e.g. few extension staff, limited technical skills, and mobility).
- Poor roads infrastructure leading to high cost of transport and product losses.
- Weak farmer organization leading to proliferation of brokers (who often cheat farmers).

Tea, Forests and Income Generation

“Tea buffers” planted on Forest Reserve (FR) land, managed by a parastatal company, are intended to limit encroachment and wood harvesting. Both tea and exotic trees have been used to plant the buffers as a means of demarcating boundaries, creating local employment, and reducing illegal activities. The transparency of the parastatal is questionable, but the concept has promise for combining forest conservation and income generation.

Hydrology

There is evidence that river flows have declined in recent years in the Mara catchment, especially in the critical dry season. The upper Mara River catchment in the Mau is particularly important from biodiversity and hydrology perspectives.

Biodiversity

The MFC does not contain unique flora and fauna, or habitats, but is important in maintaining a representative sample of montane ecosystems. Parts of the MFC are rich in mammals, six of which are of international conservation concern. The MFC is an Important Bird Area (IBA). No major cases of human-wildlife conflict were reported. Changes in land cover in the Mau forest blocks indicate accelerating loss in indigenous habitats as well as their fragmentation.

Land Tenure and Property Rights (LTPR)

Kenya has comprehensive land and natural resources laws and policies but they have been poorly or selectively implemented. Ineffective implementation of these laws and policies is due to:

1. Lack of awareness on the part of citizens;
2. Lack of capacity and resources for institutions to effectively deliver; and
3. Limited civil society presence and/or capacity to pressure the government.

The National Land Policy acknowledges that the distribution of land is inequitable and unjust, and repudiates the longstanding priority of converting customary land tenure into individual ownership. Implementation faces obstacles (political, technical, and financial).

Tenure Issues – Gender and Vulnerable Groups

Despite the appearance of gender neutrality, Kenya’s laws restrict women’s access and control over land. The Constitution of Kenya, for example, allows customary law to apply to limit women’s access and rights to land. Under customary law within the MFC, land is vested in the male head of the family. On his demise, the property is formally inherited by his sons, not daughters or wives. Women only access land as wives, daughters or mothers of title holders. Purchase of land by a woman is generally considered negatively. When titled land is expropriated, there will be little compensation or resettlement benefits accruing to women.

Women provide water and firewood for their households and depend on forests for medicinal plants. Forest destruction therefore affects them particularly. Due to cultural factors there is weak participation of women in community decision-making fora.

Customary Tenure

The main customary tenure issue within MFC is that of the Ogiek, a hunter/gatherer people. In 2006, their population was approximately 20,000. Historically, the Ogiek depended on honey, wild plant products and wild meat, but they now engage in farming and pastoralism because these are no longer easily attainable (hunting is illegal). Traditionally Ogiek women have access to land but cannot own it.

Since colonialism, the Ogiek have been frequently displaced due to government settlement plans. In 2001, the Government excised 61,586 hectares of forestland to settle the Ogiek. However, beneficiaries included wealthy elites rather than the Ogiek. The Ogiek, like some local Kalenjin, have historical grievances over land but are encouraged by the efforts of the government to restore the Mau and are willing to help in the same.

Previous Evictions

People began encroaching on the FR 30 years ago. In November 2009, KFS repossessed approximately 19,000 hectares of forest. As a result, 2,620 families, including some Ogiek, now reside in IDP camps along the forest border. Given the squatters' alleged illegal status, there are no plans to compensate or resettle the squatters. This position is contrary to international best practices.

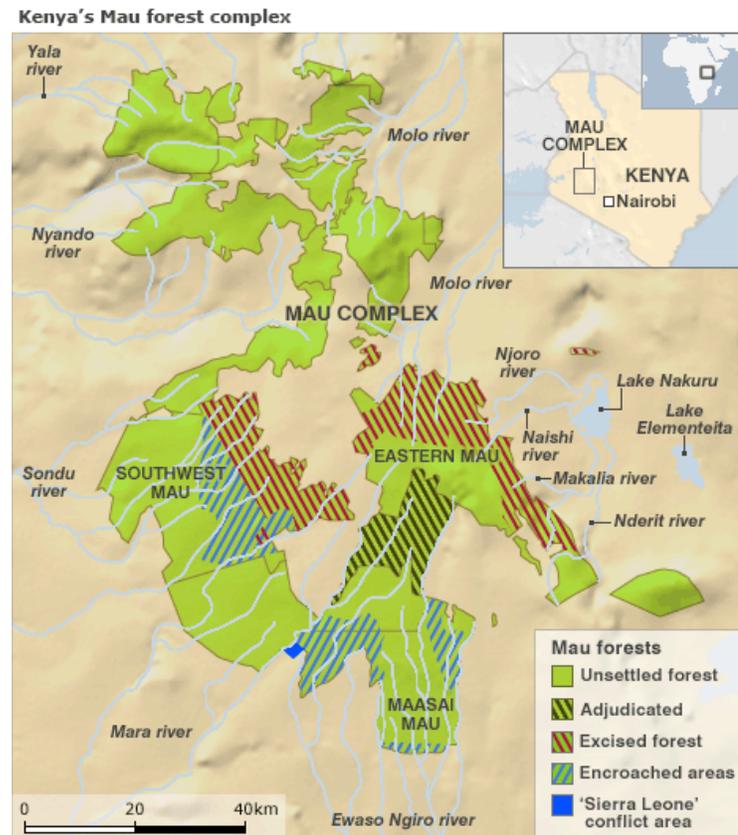
Planned evictions

The GoK plans to reclaim up to 133,000 hectares of FR land, affecting up to 34,000 households. Between independence and 2001, the GoK excised FR for government settlement schemes. Allocation of land under those schemes was corrupt, and irregular allocations will be overturned through evictions. Entitlement to compensation/resettlement remains unclear, as well as when the evictions will commence (before or after compensation). Also, where evictees will be resettled. The government information campaign is ineffective. As a consequence, investment has slowed and residents are frustrated.

Internally Displaced People (IDPs)

As mentioned above, approximately 2500 households were evicted in 2009 (including some Ogiek). They now reside along the forest border. They are not entitled to compensation.

There is concern amongst IDPs and the Kenya Red Cross about their food security among because they can no longer cultivate land in the forest. IDPs have not planted anything this year since they lack alternative land. Neighbouring communities are worried that when IDPs' food



supply runs out, they will seek food nearby. The GoK has informally asked the Red Cross to stop assisting the IDPs because it prolongs their stay in the camp.

Women IDPs are in a particularly difficult situation, having been abandoned by their husbands upon eviction or widowed by post-election violence. Women-headed households are the last to acquire IDP benefits because of structural sexual discrimination.

Social Relations

Many members of the community believe there has not been real inter-community reconciliation although communities are now living together peacefully. Tensions between groups are rooted in questions about who really “belongs” in the area and are frequently manipulated by politicians for political gain. The result is continued self-segregation and mutual suspicion. In many communities, there is limited interaction between ethnic groups.



BIODIVERSITY THREATS TO THE MARA RIVER BASIN (MRB)

BIODIVERSITY THREATS TO THE MARA RIVER BASIN (MRB)

Introduction

Excerpted from **Biodiversity Strategy and Action Plan for Sustainable Management of the Mara River Basin** published jointly by the Lake Victoria Basin Commission of the East African Community (EAC) and Worldwide Fund for Nature (WWF) Eastern & Southern Africa Regional Programme Office (WWF-ESARPO). Funded through USAID's GLOWS (Global Waters for Sustainability) program.

There are major threats to the biodiversity of the MRB, including habitat loss and/or modification due to increasing human population, deforestation, farming, overgrazing, human settlements, illegal hunting, infrastructure development and tourism. Over-abstraction of water and alteration in river flow regimes particularly pose a threat to biodiversity and livelihoods in this semi-arid region. Global warming and climate change have also been identified as emerging threats for most habitats and species. Limited bilateral cooperation in policy implementation and law enforcement, among other institutional difficulties, has hampered biodiversity conservation and management in the area. Other threats include weak transboundary legal and policy framework in biodiversity management; institutional barriers leading to inadequate use of the available scientific information on the MRB in decision-making processes; and minimal scaling-up and application of best practices for integrated management of natural resources that balance conservation with sustainable land and water management.

Threats to forested habitats

The major threats to the forested habitats in the MRB include encroachment by settlers, unclear forest boundaries, and ownership conflicts, including issuing of fake titles, illegal logging and inadequate law enforcement. The situation has been complicated by political interference.

There has also been extensive loss of riverine forests to small and large-scale cultivation, and the laws protecting riparian buffer zones along rivers have not been adequately enforced. Previously the Forest Act was limited in its jurisdiction to gazetted forests only, leaving the remaining categories vulnerable to deforestation. Moreover, the penalties to illegal trade in forest products were very low.

To properly manage the Mau forest resources, clear boundaries need to be established and marked, illegal settlement and fake title deeds need to be addressed, and innovative strategies must be developed to reduce land use conflicts.

Threats to Serengeti-Masai Mara Ecosystem (SMME)

Conservation and management problems in the protected areas include mismanagement of the resources, increasing pressures exerted by a growing human population, increasing

socioeconomic demands such as tourism activities, encroachment of human settlements, hostile neighbors with conflicting interests, and poaching. As a result, the conservation status of the protected areas can be considered precarious unless immediate actions are taken to remedy the situation.

The annual average decline of large herbivores in the SMME ranges from 1.7% to 8.1% for Thomson's gazelle and buffalo, respectively (Kaelo et al. 2007). Poaching is partly responsible for the decline in biodiversity of the protected areas, as even subsistence hunting for bush meat can push certain species to extinction (Alroy, 2001). Hunting is allowed in game reserves in Tanzania but prohibited in Kenya. Hunting can have severe consequences on biodiversity if not well managed and controlled. Alternative options to hunting do exist, such as capturing animals to sell or provide to conservation institutions, and these options can be utilized in the case of local overpopulation of certain species of wildlife or instances of negative human-wildlife interactions.

The community lands around protected areas are also being increasingly converted to provide land for settlements, cultivation and grazing. The exploitation of biodiversity resources in the community lands has traditionally been minimal due to the low human population and partly due to the seasonal pattern of use by semi-nomadic pastoral tribes. However, with the adoption of new modes of life by the surrounding communities, these areas are now facing undue pressure. The biodiversity in these areas lacks adequate legal protection, and its utilization is often unplanned and uncontrolled.

Many of the above threats are caused by trade-offs between biodiversity conservation and other income generating activities. There appears to be strong economic incentives for individual landowners to develop their land at the expense of biodiversity. It is important to identify and develop biodiversity-friendly alternative land uses, which would yield acceptable levels of income to landowners. It has been argued that the current revenues to landowners from wildlife-based tourism are simply not adequate to stop land development. It also appears that the community based Integrated Conservation and Development Projects (ICDPs) in the SMME do not generate the scale of revenues needed to prevent the development of land (Norton-Griffiths, 1995). These institutional, market and policy failures have been identified by economists as the link between economic growth and "excessive loss" of environmental resources, and they pose a significant threat to biodiversity conservation and management.

Loss of habitat due to farming, grazing and settlement are increasing in the MRB. As wildlife habitat is lost, biodiversity is also lost. Although areas with moderate agricultural development provide good habitat for some species of birds and small mammals, large mammals are generally lost as agriculture expands. Studies have shown that agroforestry is one way to conserve biodiversity, because it allows coexistence of natural and agricultural habitats. In addition, agroforestry attracts species beneficial to farming, such as pollinators, and improve farm conditions by reducing soil erosion; thus, it is economically beneficial to farmers (Bichier, 2006).

Threats to aquatic habitats

Agricultural land use in the MRB has increased by 200% over the past three decades (Mati et al., 2005), and this has been associated with deforestation, degradation of natural rangelands and poor soil conservation efforts. As a result of loss in vegetation cover in the upper catchment, the water cycle has been reduced, resulting in rapid runoff, high peak flows and soil

erosion during rainfall events. These changes have not only affected the quantity and quality of water in the Mara River itself, but also the Mara Swamp downstream. The Mara Swamp has increased in area by a factor of 131% in the last 15 years (Mati et al., 2005), an increase that has been associated with the buildup of sediments downstream from upstream erosion processes.

In addition to land use changes, water abstraction from the river is increasing to sustain growing urban areas, irrigated agriculture, tourism facilities and the mining industry. These water uses are also increasing pollution of the river. Most of the urban centers and tourism sites lack facilities for solid waste disposal or waste water treatment. Fertilizer input and topsoil from agricultural lands often end up as runoff from the steep slopes during rainfall events, a situation which has been exacerbated by the loss of riparian vegetation. Small and large scale mining activities rely on toxic chemicals, such as cyanide, arsenic and mercury, which can also result in pollution in the river.

There are also some threats which are specific to the Mara Swamp. Unsustainable agricultural and fishing practices, livestock grazing, mining and harvesting of wetland products have had negative impacts on biodiversity of the swamp. The main fishing gear used in Musoma Bay and Mara Swamp are gillnets, longlines and handlines. Monofilament gillnets, undersized gillnets, beach seines, fixed stake-traps and poison (mainly insecticides and herbicides) are illegal; however, they are sometimes used and their control is a major problem in management of the fisheries in the lake. Another major threat is burning of the wetland when hunting or opening up land for agriculture especially in the dry season. Control of this practice is of great relevance for biodiversity conservation.

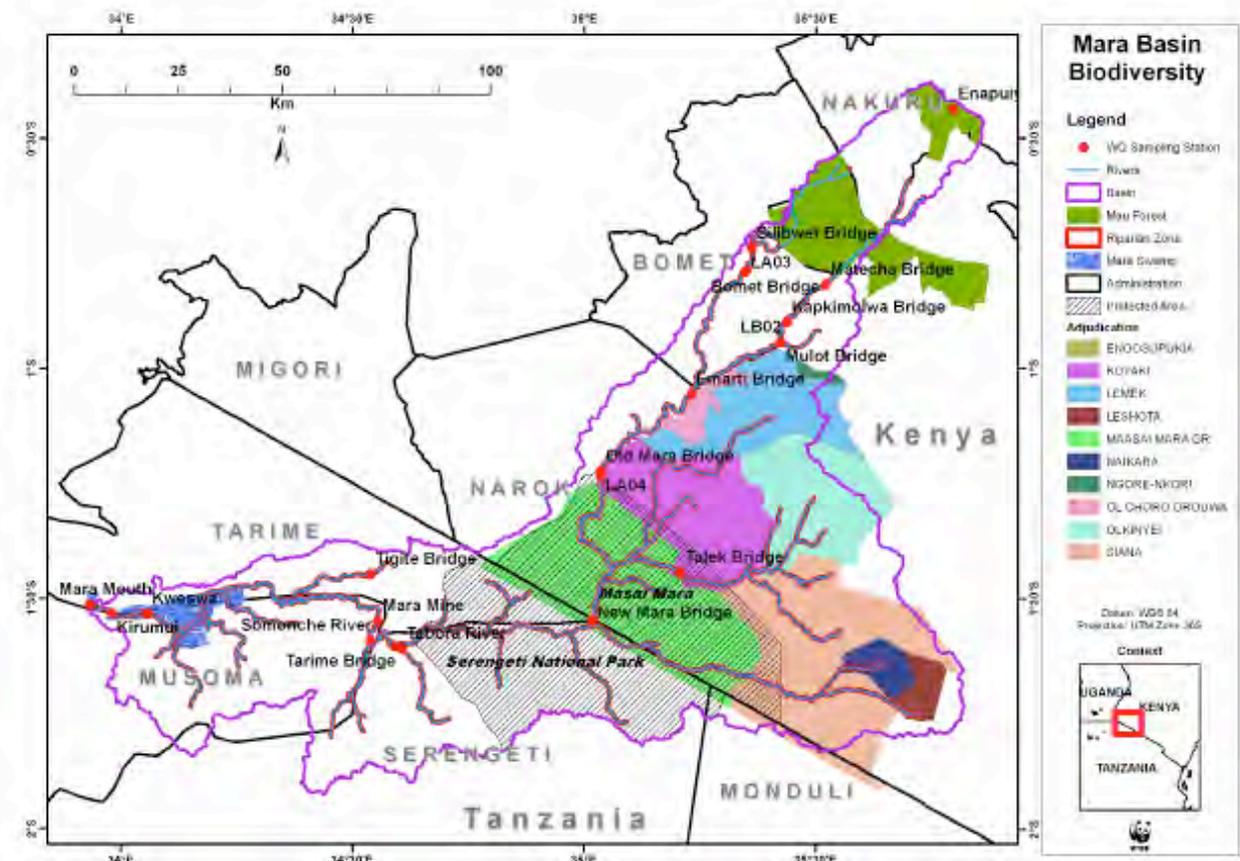


Figure: Map of Mara River Basin showing complexity of ownership and management

Threats to biodiversity resources in Kenya and Tanzania

Some of the general threats to biodiversity in both Kenya and Tanzania include human encroachment, habitat destruction, poaching, over-abstraction of resources, deforestation, pollution and introduction of invasive species and genetic materials. The main challenges identified in the management of protected areas include weaknesses in policy and regulatory mechanisms, inadequate institutional arrangements to foster effective collaboration and networking, inadequate financial resources, and declining earnings from the tourism sector. In addition, there are gaps in biodiversity research, information and data. There is also inadequate community participation in wildlife management. The NBSAPs of Kenya and Tanzania are founded on the CBD and provide, A Vision, Guiding Principles, Strategic objectives, Methodologies and Actions which can guide conservation of biodiversity in MRB.



TOOLS FOR INTEGRATED ASSESSMENT: BIODIVERSITY THREATS ASSESSMENT

BIODIVERSITY THREATS ASSESSMENT

Overview

An analysis of threats to biodiversity helps planners to be more strategic about biodiversity investments. It hypothesizes that identifying and addressing both direct and indirect threats to specific biodiversity conservation targets will lead to more concrete and measurable results. A biodiversity threats assessment is a site specific analysis that identifies both direct and indirect threats to biodiversity including major stresses, trends and actors impacting targeted ecosystems and species.

It is not the same as a Tropical Forestry and Biodiversity (FAA 118-119) Analysis, which is undertaken at the country level as part of a country strategy plan. A biodiversity threats assessment may build on the 118-119 analysis but goes into much greater depth on the type, location, severity and causes of threats to a specific ecosystem, location or species, and may also seek to draw out causal connections among the threats and to wider trends and conditions in the country or landscape.

A threats assessment can range in intensity from a desk study overview to a scientific investigation of specific threats to a species. Typically threats assessments for USAID activities involve literature reviews, field visits and interviews. They should be carried out at the beginning of any USAID funded biodiversity activity per the Biodiversity Code, which governs use of earmarked funds:

The Biodiversity Code

The Biodiversity Code guides USAID in determining which activities are considered biodiversity conservation, and therefore count towards the biodiversity earmark. The code stipulates four criteria, all of which must be met to be considered a biodiversity activity:

1. The program must have an explicit biodiversity objective; it isn't enough to have biodiversity conservation result as a positive externality from another program.
- 2. Activities must be identified based on an analysis of threats to biodiversity.**
3. The program must monitor associated indicators for biodiversity conservation.
4. Site-based programs must have the intent to positively impact biodiversity in biologically significant areas.

For more information on the biodiversity code see:

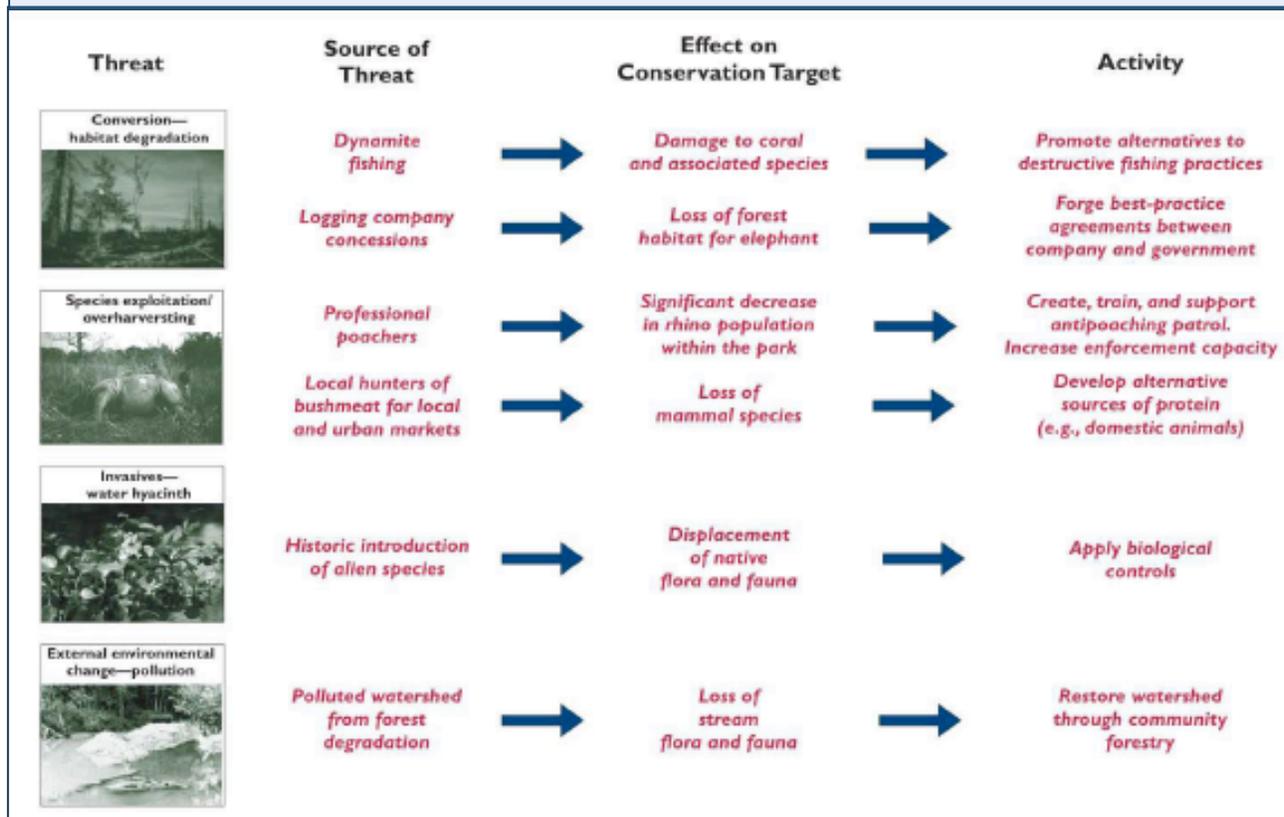
http://www.usaid.gov/our_work/environment/biodiversity/code.html

Steps

- Select conservation target(s) for the activity. Targets may be within an ecoregion, landscape, ecosystem, protected area, watershed or community conserved area; or be a species, range of species or collection of species. Be specific and parsimonious in conservation targets.
- Review and synthesize relevant literature that describes location of biodiversity, pressures, stresses, trends and actors impacting biodiversity.
- Interview key actors and stakeholders, ideally at the sites.
- Triangulate! Look at data from different points of view—threats are in the eye of the beholder.
- Prioritize threats based on literature, field observations, and interviews.
- Link direct threats to indirect threats. For instance, direct threats such as deforestation may be linked to lack of secure tenure for farmers around a forest; increase in hunting pressure could be due to commercialization of hunting, involvement of new investors.

Linking specific threats to specific actions

Source: *Biodiversity Conservation: A Guide for USAID Staff and Partners (2005)*



Using the Biodiversity Threats Assessment

- Highlight **emerging trends** such as demographic shifts, new extractive or agricultural industries, or changes in land policies. Use this analysis for scenario planning and adaptive management.
- **Make it participatory** and ongoing so that key stakeholders are involved in identifying and monitoring threats. This approach will help program planners to understand the “insider” view of threats, which may also be impacting local livelihoods and security. It will assure buy in to the threat reduction activities.
- **Update it regularly.** Threat type and level can change quickly. New policies and laws, new industries and infrastructure can dramatically reshape the threat landscape.
- **Link to CMM Theory of Change.** Per the Biodiversity Code, “The program must monitor associated indicators for biodiversity conservation.”

This section of the Code implies that you have a theory about how your actions will reduce or mitigate threats to biodiversity. Make these assumptions explicit in a Theory of Change, and select indicators that will show changes in level and type of threat.

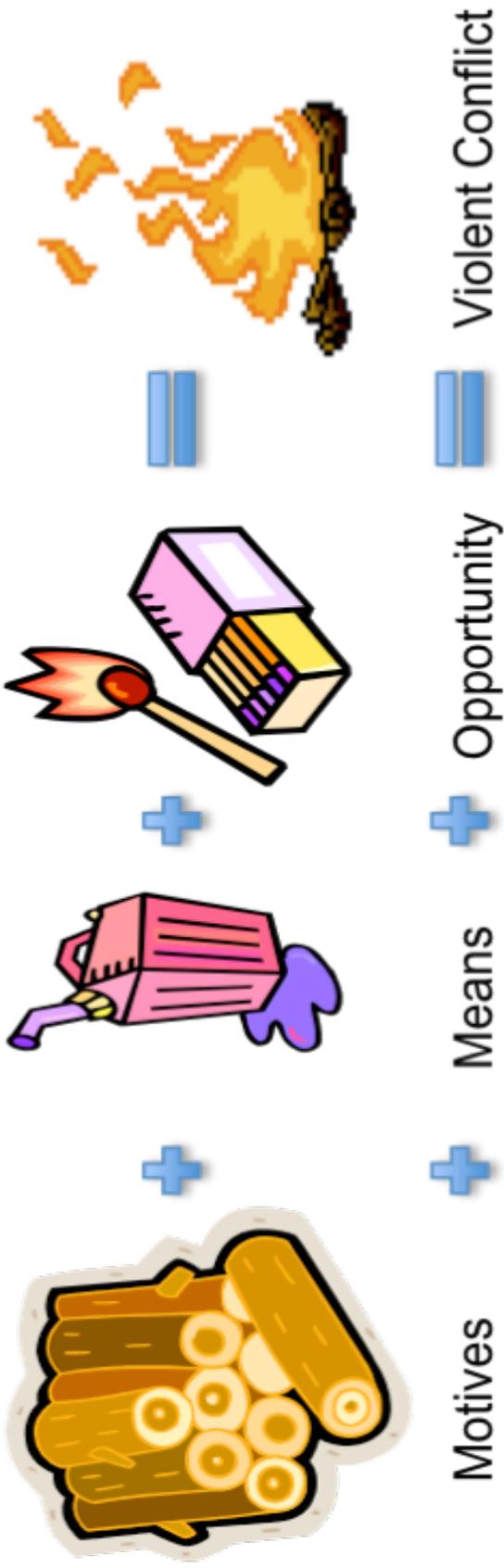
The tricky part is attributing changes to your activities. Be realistic but not overly cautious. USAID investments may not be the only contributing factor to impact but may be an important additional or catalytic factor. Test these assumptions using principles of **adaptive management**.



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TOOLS FOR INTEGRATED ASSESSMENT: THE CONFLICT EQUATION

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LAND TENURE AND PROPERTY RIGHTS BASE MATRIX

		BASE MATRIX					WOMEN'S VULNERABILITY	
		LAND TENURE AND PROPERTY RIGHTS	TREES AND FORESTS	FRESHWATER LAKES, RIVERS, GROUNDWATER	MINERALS			
		CONSTRAINTS						
		Resource Conflict and Displacement	Weak Governance	Insecure Tenure and Property Rights	Inequitable Access to Land and Resources	Poorly Performing Land Markets	Unsustainable NRW/Biodiversity Loss	
INTERVENTIONS		Institutions and Governance						
		Legal and Regulatory Framework						
		Rights Awareness and Empowerment						
		Conflict and Dispute Resolution						
		Restitution, Redistribution, and Consolidation						
		Rights Delivery and Administration						
		Resource Use Management						

TAB INSERT

DAILY AGENDA

Day 3

8:30

Start-up activity

Sequencing Activities in Complex Integrated Conflict Sensitive Programming

Sequencing Case: Land, natural resources and conflict management in Colombia

Lunch

Monitoring and Evaluation (M&E) and Adaptive Management

Application Planning – applying the course to your job

Taking it forward

4:30

Course closing



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Sequencing for complex integrated conflict-sensitive programming



What is sequencing?

- Sequencing involves **determining what type of intervention needs to happen, when, and why**
- Sequencing and program design are linked
- Specific activities can be sequenced according to different criteria

Sequencing often seems intuitive, hence it is under-theorized and under-documented

Sequencing steps

- Use conflict/sector **assessments and system maps** to understand relationships among key actors and factors
- Identify desired outcomes (clear **theories of change**)
- Consider **entry points**
- Determine **priorities and parameters**
- Do **scenario planning**: Be prepared to respond and adapt iteratively



What is 'Different' about Conflict-Sensitive Sequencing?

- Consider how the dynamic **conflict context may affect program objectives and ability to implement**
 - Access, locations, stakeholders, etc.
- Consider likely **intended and unintended impacts of interventions** on the context
- Be aware of differences in and reasons for **phases of conflict and levels of fragility**
- Be prepared to **modify and adjust** approach as needed (unpredictable environments)

Questions to Guide Sequencing

- **Governance Gaps:**
 - Are there important institutional/technical gaps or weaknesses?
 - Are there critical legal and/or policy needs?
- **Operational/Technical Gaps:**
 - Are there informational barriers? Transparency, evidence, common definitions/constructs
 - What are the human and structural capacity gaps?
- **Special Considerations:**
 - Trends and trajectories?
 - Likely triggers (actual and latent)?
 - USAID's comparative/strategic advantages and limitations
 - Who else is doing what?

Sequencing lessons

1. **Peace and Stability.** If basic conditions of stability are not assured, it may be very difficult to achieve positive outcomes. This should be considered first.
2. **Process is key.** Awareness of local context is essential, the “how” often matters more than the “what” for success.
3. **Good Governance.** A degree of functional governance or organizational capacity (formal or informal) is often a prerequisite.
4. **Addressing proximate vs. underlying issues.** Don't rush to your goal, be cognizant of how issues relate and be open to non-traditional points of entry.

Sequencing lessons (cont.)

5. Flexibility and adaptability in program design and implementation is critical.

6. Interventions should be guided by objectives: not the other way around.



7. Consideration of stakeholder engagement (spoilers and advocates) is essential during all stages of program design and implementation.

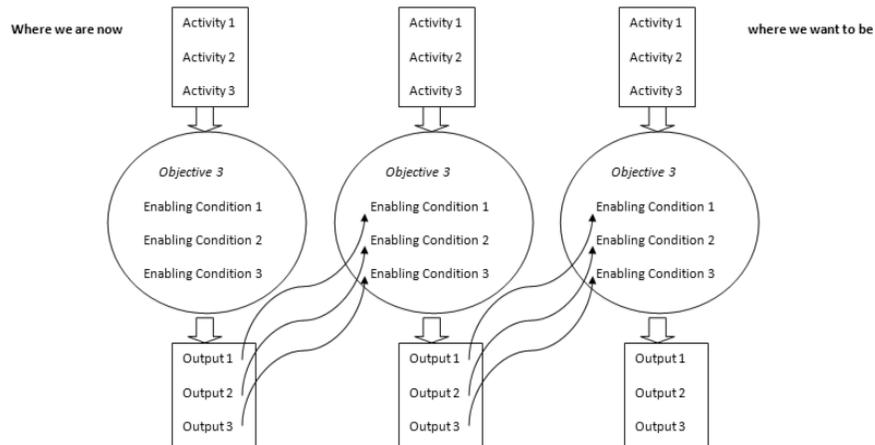
Sequencing: practical experiences

Let's talk about the real world!

Please share your experiences with sequencing



Example: Sequencing Model



Adapted from: Ferris, S., R. Best, M. Lundy, C. Ostertag, M. Gottret and T. Wandschneider (2006) *Strategic paper: A participatory and area-based approach to rural agroenterprise development*. Cali: Centro Internacional de Agricultura Tropical (CIAT)

Daily Reflections

- Please complete the reflection questions on page 3 of your journal.





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Resolution of Land and Natural Resources Conflicts in Colombia

Bruce A. Bayle

Biodiversity & Forestry Advisor

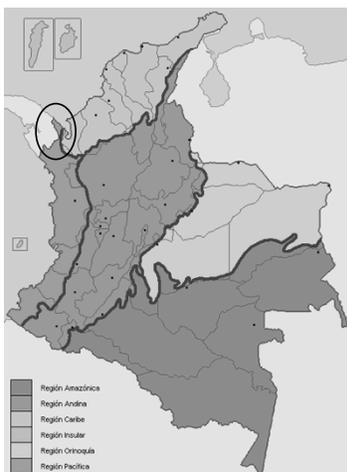
Office of Regional Sustainable
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USAID/Bureau for Latin America
and the Caribbean



Photo Mercy Corps/Colombia

A Mercy Corps Program in the N. of Chocó



Map of geographic regions of Colombia



Map of administrative departments of Colombia

Overview of the Program Area

- A densely forested area (rainforest, mangroves)
- 90% of the area is under collective land tenure
- High biodiversity
- 95% of the population is indigenous or Afro-Colombian
- One of the poorest departments in the country



Photo by Ocha Colombia

Overview of the Program Area

- Local livelihoods depend on natural resources
- *Legal* commercial crops include palm oil, rubber trees, and tobacco
- *Illegal* crops include marijuana, and coca
- Artisanal mining and logging: legal and illegal
- Environmental degradation: deforestation of old-growth forest, water pollution from coca processing and mining, etc

General Challenges

- Poor state governance practices
- Limited state presence due to remoteness and danger from armed actors
- Illegal armed groups, intermittent violence
- Intra- and inter-community conflicts over land access
- Conflicts exacerbated by land registration by the state (without site visits, maps, local consultation)
- Land use conflicts (subsistence vs commercial; legal vs illegal)

General Challenges

- Women's rights to land are protected in law but rarely enforced, due to customary and institutional issues
- While indigenous communities have national-level leadership and enjoy a high international profile, Afro-Colombians lack both



Photo by Alejandra Quintero Sinisterra [CC-BY-2.0]

The Dispute Resolution Program

- Aims to transform individual attitudes and behaviors through training in ADR, gender and ethnic equity
- Aims to resolve land and natural resources conflicts on 228,076 hectares of land, benefitting 20,236 Afro-Colombians and Indigenous persons
- Builds on lessons learned from Mercy Corps' experience in Guatemala since 2003
- Formal 'legal' methods had failed in Guatemala: mediation succeeded in resolving hundreds of disputes
- 'Legal' and state-driven approaches had largely failed in Chocó

How would you achieve these goals?

Turn to the person sitting next to you, or form groups of three, and discuss:

- What kinds of activities would be involved in this program?
- Make a rough list. It doesn't have to be in order.

You have 10 minutes. We will then discuss your ideas in plenary.



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Resolving Land and Natural Resources Conflicts in Colombia: How it Was Done

Bruce A. Bayle

Biodiversity & Forestry Advisor

Office of Regional Sustainable
Development/Environment

USAID/Bureau for Latin America
and the Caribbean



Photo by Yolanda Pinzón Uribe via redtierra

Sequence of Project Activities

South-South Information-Sharing

Consultation with indigenous and Afro-Colombian communities

General Assessment of Land Disputes

Identification of key local actors

Sequence of Project Activities

Awareness-raising on women's rights to land

Capacity-Building in Alternative Dispute Resolution

Capacity-Building in Geographic Information Systems

Establishment and Strengthening of Land Dispute Mediation Centres

Sequence of Project Activities

Adaptation of Existing Mediation Methodologies

Development of Community Land-Use Management Plans

Targeting of Extra Resources to Disputes involving External Actors

Documentation of outcomes of Land Dispute mediation

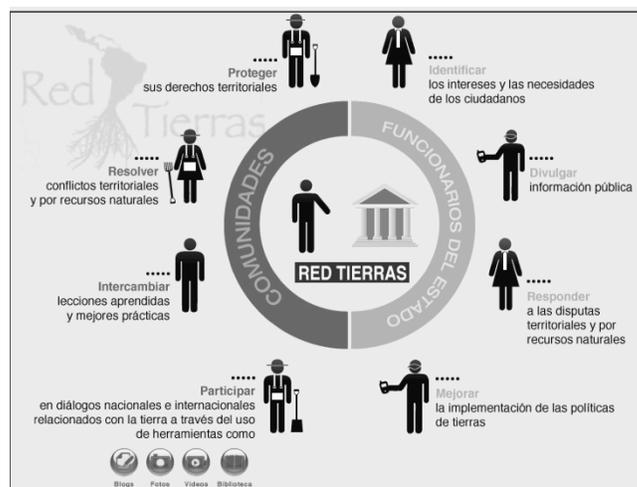
Sequence of Project Activities

Networking and Information-Sharing

Policy Advocacy

Expansion of Program Activities to other Departments

Online South-South Networking and Advocacy Platform



Source: Mercy Corps

Program Impacts

- 173 disputes resolved
- 1,889 people trained from local institutions.
- 35% of these were women
- 90% of the cartographers were local teenagers. Ancestral knowledge regarding the local geography, land use, and history is being transferred to the youth through this process
- Through the training for administrators, the Government now has a better understanding of the *collective* impacts of violence
- Sustained networking and advocacy activities through *RedTierras*



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Taking it Forward



Take away messages

Integration is a challenging process: never 'finished'

A tool is only as good as the data you put into it
...teams, assessments, M & E systems...

A methodology is only effective if you use outputs in
useful ways
...inter-agency communication, host governments,
contractors, etc

Take away messages

- You are not alone! There is internal and external expertise...
- Ongoing conversations on integration within USAID
- Integration, conflict prevention and an emphasis on environmental sustainability demand significant investments
- ...but they bring real, long-term, multi-dimensional results



USAID Resources



- The 3Ts course will be available online!
- USAID produces relevant, readable *Issues Briefs*
- LTPR portal: <http://usaidlandtenure.net/>
- CMM homepage: http://www.usaid.gov/our_work/cross-cutting_programs/conflict/
- Frameweb: <http://frameweb.org/>
Includes webinars and other interactive tools

External Resources

- University of Wisconsin-Madison Land Tenure Center:
<http://www.nelson.wisc.edu/ltc>
- CAPRI working papers on collective action and resource conflict: <http://www.capri.cgiar.org/pubs.asp#wp>
- Post-Conflict NRM project:
www.eli.org/Program_Areas/PCNRM/ongoing_research.cfm
- Special Journal issue on NRM and conflict:
<http://www.wcl.american.edu/org/sustainabledevelopment/documents/SDLPNaturalResourceConflicts.pdf?rd=1>



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TREASURE, TURF AND TURMOIL COURSE

DAILY RESOURCES





SEQUENCING CASE: COLOMBIA

COUNTRY PROFILE AND BACKGROUND INFORMATION

By Chris Huggins¹

Introduction

The history of violence in Colombia, and the dynamics of contemporary economic growth, provide very good examples of some of the linkages between land, the environment, and conflict. During the training course, we will work on a detailed case study of a land dispute resolution program in Northwest Colombia. This part of the distance learning course provides a background to that case study, situating it within the broader Colombian context.

Land Tenure

Land distribution in Colombia is among the most unequal in the world, and has become more, rather than less unequal, over time: in 1954, three percent of landowners held more than half of all farmland in the country; currently, 52% of farmland is in the hands of just 1.15% of landowners, according to a study by the United Nations Development Program. The latifundia model dominates commercial farming and ranching. Historically, large landowners enjoyed influence on local government, while at the national level, politicians were more varied in their perspectives on land and often tried to balance the interests of poor farmers and large landholders. However, the central state has in some cases exacerbated tensions by registering land claims in remote rural areas without properly verifying claims to ownership. There are therefore many overlapping and disputed land titles across the country. In addition to individual title, Colombian law permits a form of collective land ownership: a third of the total national land area is under this form of tenure. Indigenous groups and Afro-Colombian communities often own land under collective tenure systems but often suffer from encroachment on their territories.

It is access to land that has, along with other questions, been at the heart of conflict in Colombia. Rebel movements such as the Revolutionary Armed Forces of Colombia (known as the FARC, and founded in 1964) used grievances around access to land to justify its attempts to overthrow the government. Over time, especially as the FARC came under attack from paramilitary groups (often connected to large land-owners) it started to fund itself through illegal trade in narcotics. Both the FARC and paramilitary groups such as the United Self-Defense Forces of Colombia (AUC) have been heavily implicated in extortion and drug trafficking.

According to Government estimates, Colombia's five decades-long armed conflict has produced more than 4 million internally displaced people who have lost access to some 7 million hectares of land. The reintegration and return of large populations of rural inhabitants remains a significant challenge. Law 387 of 1997 was intended to address internal displacement,

¹ Chris Huggins is an independent consultant. His findings and descriptions do not necessarily represent the views of the United States Government or USAID.

establishing mechanisms to prevent further displacement, and to provide IDPs with immediate humanitarian relief and longer-term support for livelihoods. It was considered by some commentators to be one of the most progressive laws on IDP protection in the world. However, the law was not comprehensively implemented.

In 2011, the Government passed a “Victims’ Law” which included a property restitution mechanism that aims to give back land to up to half a million IDP families who lost it since 1991. This has been viewed favorably by most observers. The law gives the President powers to decree special measures to protect the land of indigenous and Afro-Colombian communities, following consultation with the affected groups. There now appears to be political will within government to address the ‘land question’.

Natural resources

Colombia contains one of the world's largest areas of intact tropical forest, holds 60% or more of the world's high-altitude tropical ecosystems known as Paramó eco-systems, and is considered one of the most bio-diverse countries in the world. This enormous natural wealth represents a critical resource that provides the country with economic livelihoods, ecosystem services, a natural mechanism for carbon sequestration, and other intangible benefits. The challenge for Colombia is to preserve these precious resources during a period of unprecedented economic expansion and incorporate them into national planning. While some of the most ecologically important areas have protected status, the majority is found in areas inhabited by indigenous communities, afro-Colombians, and poor smallholders. Some of the debate over conservation and development in Colombia revolves around the ‘agricultural frontier’, which is constantly expanding into forested or other uncultivated areas.

Politics and Conflict

After several decades, of conflict, the country was plunged into a particularly severe, violent political crisis between 1980 and 1990. As part of the solution to the crisis a new constitution was promulgated in 1991, which enabled extensive administrative decentralization, the political recognition of ethnic and cultural diversity, and environmental regulation. For example, the constitution provided rural Afro-Colombian communities ‘ethnic group’ status and the same rights to collective property as indigenous groups.

Colombia is now one of the most decentralized nations in the world, with over 50% of the nation's annual budget managed at the local territorial level. Colombia's 32 departments and 1,123 municipalities have administrative autonomy to plan and execute local government service delivery. National planning and budgeting is done on a sectoral basis with no reference to regional planning processes. Yet, policies for rural development, consolidation, and victims' assistance require a coordinated multi-sector and multilevel response from all levels of government. This has led to significant challenges.

From 2002 onwards, the Colombian government, with USG assistance, mounted a significant military effort against armed groups (particularly the FARC) as part of a ‘democratic security’ policy. The aim of the policy was to increase the reach of the state through using military means to deny insurgents access to territory. The policy was successful in reducing violence: Colombia's homicide rate almost halved between 2002 and 2006. While outright conflict has decreased since 2002, displacement has continued, and paramilitary and criminal elements have infiltrated government institutions, including those responsible for safeguarding the land rights of IDPs. The result has been a very patchy implementation of existing laws. In addition,

while the political stabilization of the country has resulted in very rapid rates of economic growth, some of the commercial projects responsible for this growth are associated with environmental degradation, and some of those behind the projects are implicated in crime and violence. Intimidation of advocates for restitution of land and other human rights issues is relatively common.

Key USAID Policies and Programs

In 1999, USAID commenced PLAN Colombia, a multi-year program intended to strengthen the state, recuperate the economy, and establish control of illegal crops. Its goal was to reduce by half the area under coca and opium poppy production. It met its goal for poppies, but was unable to achieve its goal for coca production. The strategy was re-designed over the years in order to balance the 'hard' security components – implemented by the military – with the livelihood components, which focused on providing alternatives to illicit crops. The program received some criticism for emphasizing security at the expense of credible economic development programming.

Until recently, some 80% of U.S. development assistance to Colombia was directed to the military and the police. The anti-narcotics policy was also linked with the 'war on terror', with the FARC being described as a terrorist organization. In August 2002, Congress approved a law to allow American military aid to Colombia (previously only used to combat narcotics production) to be used in a "unified campaign" against drugs and terrorism. As mentioned previously, the military role in the 'democratic security' policy resulted in a reduction in the level of outright violence in the country.

In the mid-2000s, the Colombian government, in conjunction with the US military, developed a strategy often termed 'integrated action', which brings together various military and development activities in a geographically-targeted integrated program. Activities aimed at biodiversity conservation or other similar activities had to fall within the integrated action program. Currently known as the National Consolidation Plan (NCP), this approach is supported by USAID. Program activities are geographically-specific, implemented according to the extent of the presence of government institutions and/or illegal armed groups. The first phase, in a zone characterized by the presence of illegal armed actors, is a 'control' phase characterized by military action as well as immediate, short-term, high political value, socioeconomic interventions. The next phase is 'stabilize', and in the last phase development gains can be 'consolidated'. A key part of the consolidation process is the restitution of property belonging to internally displaced persons (IDPs) and the establishment of villages that are equipped with basic infrastructure and targeted for development assistance. The US military played a major role in training the Colombian armed forces to implement this strategy. USG support to the NCP involves USAID, the Narcotics Affairs Section, U.S. Milgroup, Department of Justice, and the Political and Economic sections.

In the last five years, US financial support for the Colombian military has declined, while resources for development, judicial reform, human rights and humanitarian aid have increased. Biodiversity conservation, as in the past, is not a major strategic interest, but does receive USAID funding. Since 2009, overall US assistance to Colombia has declined slightly, in a context of very rapid economic growth in Colombia. Nevertheless, Colombia continues to receive by far the most assistance in the Latin American region. US assistance is generally concentrated on a few regions of the country, which includes parts of the administrative department of Chocó.

Department of Chocó (the Darién)

The administrative department of Chocó is in the north-west of Colombia. Also known as 'the Darién' zone, it borders the Pacific Ocean to the West, Panama to the North, and the Andean region to the East. It is a thickly-forested and highly bio-diverse area with extremely high levels of precipitation, and is often classified as part of the broader Chocó bio-geographic region (which runs from Panama, south through Colombia, and into Ecuador). Chocó has the greatest concentration of biodiversity in the world in terms of the number of species per hectare.

The department of Chocó is a priority area for USAID in Colombia. Current programs assist in the areas of environment, human rights, and public policy. Environmental programs in Chocó including BioREDD+ activities that include strengthening environmental governance, enhancing climate change mitigation and adaptation, and improving biodiversity conservation.

Chocó is one of the poorest departments in the country and has low socioeconomic development indicators and weak state institutions. Almost 65% of the inhabitants live under the poverty line. Approximately 95% of the population is recognized as having 'ethnic' status: either Afro-Colombian or indigenous identity. Indigenous groups (including the Wounaan, Embera, Awa, Chachis, and Eperara-Siapidara) generally live in the lowland plains, and Afro-American communities live on the coast as well as in the sub-Andean hill complexes along the upper San Juan River. Chocó has the highest proportion of Afro-Colombian persons in the country. The socio-economic status of Afro-Colombians is of sufficient concern that USAID-Colombia has developed a strategy specifically aimed at improving their welfare and political representation.

Issues affecting Chocó include lack of socio economic opportunities (the unemployment rate is almost twice the national average) as well as the use of natural resources. Mining is a key economic activity (generating 22% of GDP for the area), as platinum, gold, silver and copper are found in Chocó; much of the mining is illegal. Governance has been problematic due to the fragile state presence and weak civil society institutions: Chocó was ranked last in the country in the 2011 fiscal management rankings compiled by the Ministry of Finance.

In the absence of a strong state presence, armed actors have fought for control of parts of the department, leading to 38% of the population being displaced during the height of the conflict. Chocó was a stronghold of rebel forces for decades until paramilitary forces commenced an offensive against them in the mid 1990s. By 1997, paramilitaries controlled up to 75% of the administrative territory. While much of this has now been reclaimed by the state, coca production reportedly increased in parts of Chocó in 2008, and there was an associated increase in violence between leftist guerillas, paramilitaries, and the armed forces.

Some Afro-Colombian communities were displaced to municipalities such as Turbo, where Mercy Corps is now operating. Paramilitary leaders have been linked to companies growing palm-oil on areas legally under the collective ownership of Afro-Colombian communities; community farms and rainforest areas have been deforested to make way for palm production.

It is within this challenging environment that the Mercy Corps project has achieved significant results, as we will explore during the course.



USAID
FROM THE AMERICAN PEOPLE

Introduction to the Colombia case study

President Obama
at a ceremony to
provide Afro-
Colombian
communities with
land titles
in 2012



President Obama and Sebastian Salgado, leader of the San Basilio de Palenque community.
Photo by USAID/Colombia

Location of the land dispute resolution program

Project locations are in the
northern areas of Chocó

Department of Choco, in
the Pacific Region of
Colombia

Bogota



Land Tenure

- 52% of farmland is owned by just 1.15% of landowners
- Many overlapping and disputed land titles across the country
- A third of the total national land area is under collective land ownership (indigenous and Afro-Colombian)
- Grievances around control over land have fueled armed violence

3

Revolutionary Armed Forces of Colombia (FARC)



Photo: Institute for National Strategic Studies (INSS.) [Public domain], via Wikimedia Commons

4

Forced Displacement and Land-Grabbing

- Five decades of conflict
- Four million internally displaced people (IDPs)
- Some 7 million hectares of land illegally 'grabbed'
- 2011 "Victims' Law" aims to give back land to up to half a million IDP families who lost it since 1991

5

One of the Most Biodiverse Countries in the World



Photo by Gipsy Cat [CC-BY-SA-3.0], via Wikimedia Commons



Photo by sngcanary [CC-BY-2.0] via Wikimedia Commons



Photo by Philipp Weigell [CC-BY-3.0], via Wikimedia Commons 6

Decentralization

- Constitution enables administrative decentralization, political recognition of ethnic and cultural diversity, and environmental regulation
- Afro-Colombian communities have 'ethnic group' status and similar rights to collective property as indigenous groups
- Over 50% of the nation's annual budget managed at the local territorial level
- This presents significant challenges for coordination with central state planning; as well as opportunities

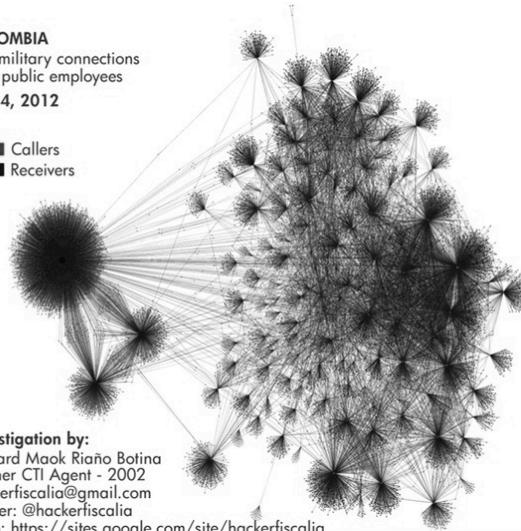
7

Governance and Security Challenges

- Conflict has decreased since 2002
- FARC and government currently in peace talks
- However, some displacement has continued
- Paramilitary and criminal elements have infiltrated some government institutions

COLOMBIA
Paramilitary connections
with public employees
July 4, 2012

■ Callers
■ Receivers



Visual representation of phonecalls alleged y indicating links between paramilitaries and state 8

USG Assistance to Colombia

- Until recently, some 80% of USG development assistance went to security forces
- Since 2002, the military's strong role in the 'democratic security' policy resulted in a reduction in outright violence
- National Consolidation Plan: development activities are geographically-specific, implemented according to extent of presence of illegal armed groups
- Three phases of development: Control, stabilization, and consolidation
- Restitution of land to IDPs is often part of consolidation phase

9

USG Assistance to Colombia

- US financial support for the Colombian military has recently declined
- Assistance for development, judicial reform, human rights and humanitarian aid increased
- Overall levels of aid have decreased, in a context of very rapid economic growth in Colombia



Land titling ceremony. Photo by USAID/Colombia



Photo by Oilpalmmagdalenacolombia.png [CC-BY-SA-3.0]¹⁰

The Department of Chocó

- A thickly-forested and highly biodiverse area
- A priority area for USAID in Colombia
- One of the poorest parts of the country
- 95% of the population is Afro-Colombian or indigenous



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The Department of Chocó

- Platinum, gold, silver and copper are mined in Chocó; much mining is illegal
- Governance has been problematic due to fragile state presence and weak civil society institutions
- 38% of the population were displaced at the height of the conflict
- Paramilitary leaders have been linked to agribusiness companies encroaching on community lands
- It was because of the land disputes and their links to conflict that Mercy Corps chose to work in Chocó

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TREASURE, TURF AND TURMOIL COURSE

DAILY JOURNAL AND APPLICATION PLAN

These daily reflections and application plan are for your personal use during the course. You will have time at the end of each day to capture your thoughts from the day's sessions and to discuss your ideas and perceptions with other participants. You will also be asked to be more intentional and apply specific concepts or analysis to your challenge or opportunity.

On the last day of the course, you will use your notes to prepare a concrete action plan for your challenge and also for your continuous learning.

Day Two - Module 2 – Working the Program Cycle

Conflict over specific resources

Integrated Assessment: - leading to design

Designing an integrated program for 3Ts

Sequencing activities in complex
integrated conflict-sensitive programming

Daily Reflection:

1. What are two key learnings you are taking away from our discussions today that apply to your work?
2. How will these learnings help you address the challenge you identified in the pre-work?
3. What are the two big questions that still remain?

Day Three - Module 2 cont. Working the Program Cycle

Sequencing Case: Colombia

Monitoring and Evaluation - Adaptive Management

Application Plan

- **Action Plan:** Looking back at your key learnings and reflections about the challenge you have, what do you want to do differently when you go back to your office? How will you implement this change (steps, timeframe, who will you involve etc.)? Use the table below to capture your thoughts.

My Key Learnings	My Implementation Plan (Steps, Timeframe, Who to Involve, etc.)
1.	
2.	
3.	

My Key Learnings	My Implementation Plan <i>(Steps, Timeframe, Who to Involve, etc.)</i>
4.	
My Challenge	Concrete actions I can implement to overcome it
5.	

- **Knowledge Sharing:** What knowledge/information from this course do you want to share with others? Who are the key individuals you want to brief?

TAB INSERT



GLOSSARY

Conflict Management and Mitigation

Conflict – has multiple definitions, including:

1. Struggle over values or claims to status, power, and scarce resources, in which the aims of the groups or individuals involved are to neutralize, injure or eliminate rivals. (Coser, A. 1956 *The Functions of Social Conflict*. Glencoe, Illinois: The Free Press: pg 8)
2. Two or more parties with incompatible interests who express hostile attitudes or pursue their interests through actions that damage the other(s)...Interests can diverge in many ways, such as over access to and distribution of resources... control of power and participation in political decision making; identity... status; or values, particularly those embodied in systems of government, religion, or ideology. (Creative Associates International 1998: <http://www.caiidc.com/ghai/>)

As can be understood from these quotations, conflict is rational. Conflicts can arise over objective issues such as access to limited resources such as land, natural resources, money; or subjective issues, such as differing values, perceptions, etc. Most conflicts involve both objective and subjective factors. Furthermore, it need not be violent: in fact most conflicts are not violent. Analysts of conflict, therefore, focus on understanding the various forces at play within a society that affect the choice of using violence to further opinions or principles.

Grievances – those factors that people are fighting about or cause tension. These are factors which bring divisions between individuals and groups. Common causes of grievance include:

- Elitism
- Exclusion
- Chronic capacity deficits (such as systemic stagnation, ungoverned space)
- Transitional moments: unmet expectations
- Corruption/ rent-seeking

Latent Conflict –The first phase of conflict is often described as latent conflict or ‘unstable peace’. This state exists whenever individuals or groups have differences that affect one another, but those differences are not great enough to cause one side to act to alter the situation. The seeds of conflict may exist for some time without actors being aware of them. A

conflict moves out of latency and becomes open when a party takes action. Often, this is healthy and nonviolent. However, when institutional mechanisms fail to provide the space for such changes, when a party's expectations are not met for a long period, or a level of threat against one party increases, conflict may become violent.

Mitigating factors – in the CMM conflict equation, mitigating factors are 'connectors' which bring people together and/or tend to reduce tension. They can include structural conditions, aspects of governance and activities of stakeholders which decrease the likelihood of conflict.

Sources of Conflict – the grievances or situations that provide a foundation for conflict. They must not be confused with *causes* of conflict. For example, unions and management frequently clash, but only rarely do these conflicts become violent. Generally, such conflicts are resolved through established mechanisms like dialogue, bargaining, or strikes. The existence of grievances or situations is not a cause of conflict: rather conflict is complex, and triggered by a combination of many factors. The conflict equation shows how there are many aspects to violent conflict.

Triggers of Conflict – called 'opportunities for conflict' in the CMM conflict equation, triggering events are specific moments in time that crystallize grievances and create short-term windows of vulnerability. Examples include:

- Elections
- Passage of legislation
- Ruling in a court case
- Assassinations/targeted political violence
- Holidays

Violence – often described as either direct, cultural or structural (Johan Galtung). *Direct violence* is the most visible aspect of the conflict as exhibited through the direct behavior of parties in conflict. Cultural Violence is the underlying belief systems and values that legitimize the direct violence. For example the violence may be justified because the group being attacked is seen as 'backwards'. Finally, structural violence is how the institutions in society (such as political and economic structures) establish systems of inequality that are also reinforced by the direct and cultural forms of violence.

ENRM/Biodiversity

Natural Resources Management (NRM) – Systems and practices of access, use, control and ownership of land and natural resources. These include practices such as fishing, farming, pastoralism/animal husbandry, forestry and extraction of natural resources.

Renewable and non-renewable natural resources – Renewable resources such as water,

trees/forests or soil fertility may be severely degraded or diminished in a given locality even if they do not totally disappear. Non-renewables include hydrocarbon resources and minerals.

Biodiversity – exists at three levels: genetic, species ecosystem diversity. Biodiversity conservation is *not the same* as environmental or species conservation, as the emphasis is on conserving diversity over space and time.

Species – A group of plants or animals sharing common genetic material and having the ability to interbreed.

Biodiversity threats – Processes and actions that degrade biological diversity.

Driver – A driver is a natural or human-induced factor that directly or indirectly changes an ecosystem.

- *Indirect drivers*: Drivers that operate more diffusively by altering one or more drivers.
- *Direct drivers*: Drivers that have been empirically proven to influence an ecosystem.

Trends – indicate the general direction or movement of something (increasing, decreasing, improving, worsening).

Ecosystem structure – The age and spatial distribution of species within an ecosystem.

Ecological processes – Processes that maintain ecosystem integrity, such as the nutrient cycling and energy flows.

Resilience – The ability of an ecosystem to withstand pressure without changing irreversibly into a less diverse and productive ecosystem.

Tipping point – A point in a continuum of pressure, such as temperature extreme or drought length, at which an ecosystem irreversibly switches to a less diverse and productive state.

Ecological integrity – The degree to which an ecosystem has all of its components, maintains key ecological processes, and maintains resilience in the face of pressures.

Common Property Natural Resource Management (CPNRM) – Management systems and structures put into place for resources that are communally rather than individually owned such as forests, lakes, rivers; air and water quality can also be considered common property. Communal management could be government led or focused around local communities or co-management.

Co-management – Formal or informal arrangements for government, local communities and sometimes private sector to manage natural resources or natural areas including protected areas.

Open Access – A situation whereby there is a management void or confusion of management over natural resources or a natural area so that there is effectively no or little management and enforcement.

Extractive Industry – Mining, timber, oil and gas industries. Other key industries impacting biodiversity include those harvesting wild plants, wild animals (including fisheries) and converting forest or wetlands to agriculture.

Negative incentives – A negative incentive, defined as any financial instrument that punishes the degradation of biodiversity, can include taxes, fees, fines, levies and other punitive measures.

Positive incentives – A positive incentive, defined as any financial instrument that rewards the protection, conservation and sustainable management of biodiversity, can include market instruments such as premiums and improved market access; reductions or eliminations of taxes, fees and penalties; and direct financial payments, such as payments for ecosystem services.

Perverse incentives – Planners may also want to identify and remove perverse incentives, defined as policies or practices that encourage behaviors that degrade biodiversity, often as an unanticipated side effect. An example is a policy that rewards forest clearing with improved land tenure security and access.

Land Tenure and Property Rights

Customary tenure systems – bodies of norms governing land and resource use, generated and enforced by a sub-state polity; these norms may or may not be recognized by the national state. There are several common fallacies about customary land tenure: that it is unchanging, “communal”; and “informal”. In fact, while based upon tradition, customary systems are complex, evolving systems of private as well as communal property with institutions that enforce them.

Formalization – The process by which forms of tenure, persons, and entities that are not recognized by law obtain legal recognition. This may happen through individuals taking needed steps to achieve legal recognition, or by the state moving to confer such recognition on its own initiative. Informality is the status of assets and operations that lack legal recognition by the state; the activity may simply be unrecognized by law or illegal in the sense of incurring civil or criminal sanctions. In the Global South, the majority of land and natural resource claims are informal.

Land registration – the official recording of legally recognized interests in land and is usually part of a cadastral system. There are several different forms of registration, including:

- *Deeds registration* when the documents filed in the registry are the evidence of title.

- *Registration of title* where the register itself serves as the primary evidence and the State as the guarantor of the information contained in the records.
- *Sporadic registration of land* is the process of registering land on a case-by-case basis usually as the result of a specific trigger such as the sale of the property.
- *Systematic registration* is the systematic approach to adjudicating, surveying and registering parcels on an area by area basis.

Land and resource tenure security – the expectation that rights are secure and cannot be overturned. It is largely subjective, though there are objective indicators that can be used to assess it. Land and resource tenure security has multiple dimensions, including the breadth of rights, the duration of rights, and the assurance of rights (dependent on the rule of law). The state may seek to increase land and resource tenure security through land law reform, building capacity within legal and cadastral institutions, or land registration. Alternatively the state may be a source of tenure insecurity, if it condones or facilitates land-grabbing by elites.

Legal Pluralism – the name given to situations where different tenure systems (such as state-run, customary, religious) overlap. In such situations, a farmer may hold land under a variety of tenures, and a parcel of land may be governed by multiple tenure systems. There may be an informal ‘hierarchy’ of tenures, with some being more authoritative than others, but this may vary from region to region and may be heavily contested. Where legal pluralism exists, disputants will pursue their claims through several dispute-resolution systems (e.g. state, religious, customary) simultaneously in order to achieve the best possible outcome, a phenomenon known as ‘forum shopping.’

Lease – the right of a tenant to use land or resources for a specified period, in return for payment.

Ownership – the basic building block of land and resource tenure; other rights are carved out of this ownership right. Ownership is usually perpetual, alienable (it can be sold or given away), and is not conditional upon many obligations (outside of those commonly demanded by the state, such as payment of property taxes). Land and natural resources may be owned by the state, a group, or an individual.

Mortgage – the provision of land or other property as collateral in return for credit. A mortgage requires that the mortgage-holder enjoys the right to alienate (sell) the property.

Usufruct – Usufruct is the right to use a resource and obtain benefits (such as harvests and profits) from it, but does not include the right to alienate the land or resource. It is more common under civil law systems than common law systems.