

## CHAPTER 5

### Conflicting rights, environmental agendas and the challenges of accountability: social mobilisation and protected natural areas in Mexico

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This chapter explores the contradictions between the agendas and accountability strategies of different social actors in two protected natural areas (PNAs) of rainforest in Southern Mexico. Different interests and perceptions over the actors' rights are at the root of these contradictions, which undermine the construction of accountable practices around conservation and sustainable development strategies in PNAs. The two case studies are both situated in south-east Mexico: the Tuxtlas Biosphere Reserve in Veracruz, and the Montes Azules Integral Biosphere Reserve in Chiapas. These cases highlight questions about how to establish formal accountability mechanisms for defining development policies for environmental resources.

Divergences over land rights and knowledge rights have resulted from historical power imbalances, institutional complexity, and the different political and economic interests of the actors involved. Conflicts over land rights centre on disputes about how land rights are guaranteed and how land is used. Conflicts over knowledge rights, on the other hand, have emerged from different views about 'traditional' or 'indigenous' knowledge, who has the right to knowledge about plants, medicine and other resources in the rainforest, and how these resources should be used. Given these conflicts over land and knowledge rights, and the institutional and historical complexity that underlies them, this chapter explores the difficulties in building meaningful accountability. What this chapter shows is that divergent and contradictory views of rights over resources can lead to and sustain conflict that makes building accountability extremely difficult.

The challenge of establishing accountability mechanisms in natural reserves in Mexico is sharpened by an underlying and fundamental

tension: the different actors involved in the PNAs have radically divergent views and discourses about the nature of the resource (the environment) that should be protected and thus of the rights that follow from their competing conceptions. The most important actors involved in PNAs are federal, regional and local governments, multilateral and local NGOs, transnational corporations, universities, indigenous communities, and community-based organisations. For some of these actors, such as conservationist NGOs, natural resources should be conserved and protected because of their intrinsic value, while for others, such as transnational corporations, natural resources are considered as economic goods. Priorities for the indigenous population are access to land and territorial rights, which in some cases they were entitled to before the creation of the reserves.

Cooperation between these different actors is necessary to reach environmental, economic and social objectives, but it is not very common and has been unstable when it occurs. This can be explained in part by the lack of trust between different actors, which is an underlying factor that contributes to the difficulties in building accountability. The obstacles to accountability are compounded by the absence of spaces for participation in the way these resources are controlled and managed, where the different views of nature and the environment could also be expressed and at least partially reconciled. This chapter will explore how diverse interests generate conflict, contributing to a lack of accountability in the way that the environment is controlled and managed. It will also explore examples of when different actors have succeeded or failed in constructing accountability, where accountability is understood as a two-way relationship in which different actors mutually claim their rights and define their obligations (Gaventa *et al.* 2002).

The main issues at stake are, on one hand, that indigenous people have traditional as well as constitutional rights to their land, and, on the other, that they have physical access and knowledge rights to the natural resources contained there. However, these rights seem to be in conflict with the conservationist agenda, advanced by both the federal government and environmentalist international NGOs (INGOs), which asserts the need to conserve remaining natural resources. The approach to creating PNAs to achieve this goal has been pursued without establishing adequate procedures for the participation of the local population, or consideration for how to protect livelihoods – yet both these requirements are essential to making rights real as part of a broader agenda of human development.<sup>2</sup> This omission is important in the light of the different understandings of the environment that lie at the heart of some

of the conflicts over rights and the lack of accountability in southern Mexico. Arturo Escobar's (1999) categories of different discursive formations on resource management are useful in terms of classifying these different understandings of nature as a resource because the range of views he presents are those expressed by the key actors in these cases:

- 1 The *globally centred* perspective is shared by most NGOs from the North, and is based on representations of threats to biodiversity. The extinction of species is a main focus. Nature is seen as a global resource that must be protected. This perception is related to three concepts: conservation, sustainable development and benefit sharing (either through intellectual property rights or other mechanisms).<sup>3</sup>
- 2 The *sovereignty* perspective, advocated by some governments, focuses on the ability of Southern countries to negotiate the terms of treaties and biodiversity conservation strategies. Nature is seen as a resource that individual countries should control, a principle that has been affirmed by successive environmental treaties.
- 3 The *biodemocracy* perspective focuses on democratic control of biological resources. The social movement against biodiversity prospecting, discussed in this chapter, would be an example of a social movement based on a biodemocracy perspective. Nature is seen as a resource belonging to communities who have traditionally held the land where the rainforests exist.
- 4 The *cultural autonomy* perspective is part of a critique of neoliberalism, and emphasises different cultural approaches to nature and the need for an intercultural dialogue. Many indigenous movements in Mexico and Latin America have adopted this perspective, including the Zapatistas in Chiapas. Other groups, less politically motivated, also try to conserve their modes of livelihood on the basis of a specific type of relationship with their environment. For example, one movement opposes the PNAs as top-down approaches to conservation, and advocates community-run reserves as an alternative. From this standpoint, autonomy from the government is a necessary precondition for demanding collective rights in a diverse and heterogeneous society. Nature is seen as a politically contested resource, with joint responsibilities for its conservation.

Each of these discourses about nature also connects to the co-construction of separate discourses and practices of accountability – with different approaches to who should control ‘nature’, the way the environment should be used and managed, and which rights claims should be upheld.