CONFLICT MANAGEMENT IN PROTECTED AREAS

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Introduction

India's widespread network of Protected Areas (PAs) in the form of National Parks and Wildlife Sanctuaries has been the most ambitious strategy for conserving India's wildlife and natural habitats. Presently there are about 80 National Parks and 441 Sanctuaries in India with their current coverage extending about 4.6% of the total geographic area of the country. These areas are important tourist attractions, protect watersheds, help define national identity, and conserve biological diversity. Our society would be much poorer if Protected Areas had not been established (Lewis, 1996).

However, wildlife management in India suffers from a variety of problems - governmental neglect, insufficient financial resources and incentives, a lack of training and conservation education and poor or non-existent regulatory structures. The most perplexing. problem has been the development of a system that perverts historical practice by denying local communities the traditional benefits of wildlife utilization except in violation of the law. This problem has been caused, at least in part, by the failure of established management structures, generally colonial or post-colonial adaptations of centralized legal and bureaucratic models, to accommodate traditional methods of wildlife usage and to provide more flexible means for the conservation of wildlife. Recently, attention has been directed towards a thought of providing local communities with a certain measure of control over natural resources in recognition of the fact that, without their involvement, wildlife conservation efforts are destined to fail. At the same time, there is an increasing awareness of the value of wildlife, particularly from the viewpoint of biological diversity.

Given that the government has accepted Protected Areas as an important conservation measure, and that such areas now cover about 4.6 per cent of the country's land, what does that mean for the people who live in such areas or consider them as part of their ancestral lands ? What about the people who are economically dependent on the resources that have now been "locked away" inside areas given legal protection by the Central Government ? These questions form the basis of conflict between local people and Protected Areas. Furthermore, illegal exploitation of resources by urban dwellers and pressures from commercial activities in and around these areas has made the situation more complex.

Protected Areas are refuges of tranquility and peace, yet they are also places where conflict occurs. In a world in

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which the bio-physical environment and socio-cultural systems are changing rapidly, conflicts involving Protected Areas are inevitable. Protected Area managers are likely to find themselves occupying a variety of roles in conflicts that affect their Protected Areas : they may be mediators, negotiators, conveners, experts, advocates, or decision makers. Often they will find themselves in more than one of these roles at once. Regardless of the roles Protected Area managers occupy at any particular time, they can be critical players in conflicts and may be in a position to help find a resolution.

In almost all the cases, the conflicts relate to :

(i) A lack of attention to the process of involving local people and others who care about the Protected Area in the planning, management and decision making for the area, and/or

(ii) People in nearby communities having needs (e.g., for grazing land, firewood, building material, fodder, medicinal plants, etc.) that conflict with the objectives of the Protected Area.

Exclusion of local people

Lack of livelihood security ultimately undermines conservation objectives as poverty and rates of environmental degradation intensify in areas surrounding National Parks and Sanctuaries. Furthermore, there is a real risk that the growing real conflict induced by such management schemes will actually destroy within a very short period what has been protected with a great deal of effort and time. Open protest and rallies against Protected Areas, attacks on forest guards,

poisoning of animals and deliberate burning of forests have become commonplace. For example, villagers have set fire to large areas of national parks such as in Kanha National Park of Madhya Pradesh (Gadgil and Guha, 1992). In the Nagarhole National Park in Southern India, which displaced the Jen Kurumbas and Bette Kurumbas people, about 20 km^2 of forest were burnt after wildlife guards were accused of killing a poacher (Roy and Jackson, 1993). The Manas Tiger Reserve in Assam is located on the former traditional homeland of the Bodo tribal people. The Bodo have begun to demand the establishment of an independent Bodo state and have taken up arms to achieve this. Taking advantage of the remoteness of the Manas area and the resentment of local Bodo who lost lands to the reserve, the insurgents have been found killing wildlife to provide funds to arm their movement (Kumar, 1993). In Southern Madhya Pradesh, 52 villages of Maria tribals were evicted from their lands in 1984 to create the Kutru Tiger and Buffalo Reserve. The resentment of the Maria people to the tiger conservation programme has encouraged them to side with Naxalite insurgents who have championed tribal rights (Furer-Haimendorf, 1986). Insurgents have invaded reserves and harassed park guards.

Conflict resolution overview

It is important to emphasize that conflict is not necessarily bad. Conflict can represent the productive interaction of competing interests and values, an ever-present function in a dynamic society. Conflicts that are properly addressed can be opportunities for problems to be identified and solved and progress achieved. Many conflicts, however, can become counterproductive and destructive, leading

to detrimental results and hostile relationship. Protected Area managers face the challenge of trying to respond to conflicts so that unproductive consequences can be avoided while human well being and the natural environment are protected.

Conflicts can be resolved in a variety of ways. One side may defeat the other side through armed combat. Or a formal legal or institutional mechanism (such as a court proceeding or legislative action) may be utilized to resolve the conflict. The conflict resolution framework is usually oriented toward informal/formal mechanisms or as stand-alone processes. The assumption behind the framework is that a good conflict resolution process is one in which stakeholders (those individuals or groups who are directly involved in the conflict, or who may be affected by how the conflict is resolved) have the opportunity to really understand each other's needs, develop a range of alternatives for how to address those needs, and reach a mutually agreeable solution. The emphasis is on communication. Another way to think about this kind of conflict resolution approach is as joint problem solving or decision-making when there is disagreement, something we all do every day, with our families, friends and co-workers. Many of the same common-sense approaches we use in those settings can be applied to Protected Area conflicts.

Fundamental Principles

All conflicts occur and must be addressed, within a particular cultural, political and social context. Any conflict management approach must be appropriate for the context in which it happens and must take local conflict resolution customs and institutions into account. Nevertheless, there are three general principles that should be applicable to the majority of Protected Area conflicts :

(a) *Focus on Underlying Interests*

A major challenge in resolving conflicts is to address the underlying interests that are really at stake rather than getting stuck arguing over positions. The term "interests" is used to mean people's fundamental needs and concerns. The term "positions" is used to mean the proposals that people put forward to try to satisfy their interests.

There are probably a variety of positions that might serve the same interest. Too often, however, individuals involved in a conflict decide on a single position and then spend all their time and energy defending that position instead of trying to understand the interest at stake and identifying and exploring a variety of positions that might satisfy those interests. Usually only by examining a variety of possible positions can parties in conflict come up with a mutually agreeable resolution to the conflict (or at least a resolution that represents a fair compromise).

A conflict management effort in which all interests are satisfied (i.e., a mutually agreeable or "win-win" outcome) is which more likely to result in a lasting and satisfactory resolution than one in which the interests of only one side are addressed (i.e., a "win-lose" outcome). A 'win-win' solution indicates that all parties believe they have gained something. The reason conflict participants do not always strive for a mutually agreeable outcome, of course is that to do so often involves some amount of compromise. Unfortunately,

therein lies the root of what so often makes conflict destructive and enduring.

Nevertheless, compromise is often the best way to serve everyone's interests in the long run, especially when overt conflict is replaced with the stability and predictability of a mutually acceptable solution. For example, in the context of Protected Area management, allowing some use of an area's resources may ultimately serve a Protected Area's interests of adjacent communities as well. The alternative (perhaps uncontrolled poaching) could be worse.

(b) *Involve all significantly affected stakeholders in a fair and respectful process*

To resolve conflicts, there has to be an effort to involve all significantly affected stakeholders. Stakeholders are those individuals or groups who are directly involved in the conflict, or who may be affected by how the conflict is revolved. People want to be involved in decisions when their interests are at stake, they want to have their opinions and ideas heard and valued, and they want to be respected as individuals.

Lack of affected stakeholders' inclusion in the establishment and design of a Protected Area and in decisions affecting the management of the area after it has been established are major sources of conflict. If affected groups are not included, their interests and concerns cannot be known or considered. Therefore, the Protected Area manager may create or exacerbate conflict out of ignorance about how his/her decisions may adversely affect others. If significantly affected stakeholders are excluded from attempts

to address the conflicts, they are likely to remain disgruntled over time, because they believe their interests are ignored and because they have no ownership in the outcome. Whereas, if their interests are explicitly considered in the process, they will be more inclined to support a proposed solution to the conflict. Inclusion also gives people a sense of ownership.

Conflict Assessment

The conflict assessment is the systematic collection of information to be used in designing a conflict resolution process. Assessment is usually a ongoing process throughout any conflict resolution effort because the initial assessment almost always reveals the need for additional information that needs to be acquired as the conflict resolution effort proceeds.

The first step in designing a conflict assessment is to decide what information to collect. The questions most commonly asked in a conflict assessment are :

● What are the issues at stake in the conflict ?

● Who are the significantly affected stakeholders (either individuals or groups)

● Who are their leaders ?

● What are their underlying interests ? What do they want and need ?

● What positions have they adopted ? What are they asking for to try to get their needs met ?

● What other positions might serve their interests ?

- How much and what kind of power do they have ? How might their power affect the conflict resolution strategy ?

- What are their incentives and disincentives to resolve the conflicts ?

- What are the relationships between the stakeholders ? How well do they communicate with one another ? How much trust is there between the stakeholders groups ? Is there a need for some sort of neutral mediator to help resolve the conflict ?

- What is known/unknown about the scientific and technical aspects of the conflict ? How much information do the various stakeholders have ? What additional information needs to be collected and/or disseminated to help all stakeholders participate effectively and to arrive at a good solution ?

- What is the institutional/legal context for the conflict and what institutional/legal avenues are there for resolving it ? Is there an existing forum for resolving the conflict (one that includes all stakeholder groups) ? If not what kind of forum(s) would be most useful ?

- What resources are available to deal with the conflict (Financial/Human/Institutional) ?

Once a list of questions has been developed, the next step is to choose a methodology for collecting the information. The methodology may be as simple as writing down in an organised fashion, what is already known about the conflict. Understanding people's attitudes in the context of Protected Area management is important for long conservation strategies (Furze *et al.*, 1996). It may also involve consultation with knowledgeable colleagues, interviews with stakeholders, questionnaires, environmental and social impact assessments, and advisory groups.

Involving affected stakeholders

A very important component of the conflict resolution framework is to involve affected stakeholders in the search for a solution to the conflict. This is the problem solving and/or negotiation phase of conflict resolution. Someone or some group (the convener - probably the same entity that has conducted the assessment) needs to design and initiate the effort. The design of a process to involve affected stakeholders will be based on the assessment. It should be developed with local customs and institutions in mind. If possible, it should build on existing communication channels. The intent should be to include all significantly affected stakeholders in a fair, credible, equitable and respectful process that leads to an outcome in which everyone's interests are considered.

Stakeholder involvement can occur along a spectrum from minimal to very intensive involvement. At the minimal end of the spectrum, stakeholders have opportunities to provide some input to decision makers about what they think about the Protected Area. What they want from it, what their concerns are, and how the conflict should be resolved. Approaches for getting stakeholders input include communicating with stakeholders one at a time (e.g., through meetings).

At the intensive end of the spectrum, stakeholders are actually involved in negotiation with the decision makers to

develop alternative solutions and try to agree on a resolution to the conflict. Approaches for intensive stakeholders involvement include : census-building forums, advisory groups, task forces and management committees.

In any case, the authority to make the final decision about how to resolve the conflict usually remains with the PA management. Of course, asking stake-holders what they want, carries with it some responsibility to try to do something with the answers.

Sometimes it is also important to choose a mediator who can be trusted by all sides. This almost always means selecting someone who is neutral, who does not himself or herself have a stake in the conflict and can understand the various interests. It might be a village elder, religious figure, or someone from an institution or NGO.

Providing benefits to local people

Providing benefits to local people and/ or mitigating the adverse impacts of the PA are the keys to addressing conflicts in many situations. The kind of benefits and mitigation will vary, but the theory is the same in each situation : opposition to PAs, and the conflict that comes with opposition will be reduced if local people think the Protected Area serves rather than hurts their interests.

Some of the approaches that can be employed to provide benefits to local people include :

● Providing local people with alternatives so that they do not have to depend on Protected Area resources.

● Offering employment, a portion of fees or other direct benefits from the PA.

● Improving the socio-economic conditions of local communities, and.

● Providing compensation to local people for losses they have incurred as a result of the proximity of the Protected Area.

Enforcement

In some instances, conflict resolution may reduce the need for enforcement, especially when the conflict resolutions address the real interests that underline the conflict. However, in most cases, enforcement will continue to be a necessary complement to the conflict resolution effort. There are several reasons why enforcement is important and necessary :

● Enforcement may be required to protect the resources of the Protected Area while the conflict resolution effort is underway.

● Strong enforcement may provide an incentive for violators to enter into discussions about how to resolve a conflict. Without strong enforcement, there may be little reason for violators to consider any alternatives to illegal behaviour that is contributing to a conflict.

● Enforcement is usually necessary to ensure that agreements arising from a conflict resolution effort are implemented.

● There always seem to be a few individuals who continue to operate outside the law, in spite of attempts to address their needs and interests.

Enforcement can be labour-intensive and costly. Faced with insufficient resources to staff, many Protected Area enforcement systems remain woefully inadequate. There are a number of ways in which enforcement can be integrated with the other aspects of a conflict resolution process and in which enforcement capacity may be enhanced.

● Consider enforcement as an integral part of any conflict resolution strategy.

● As part of the conflict assessment process, determine the root causes of violations on the Protected Area. Determine the interests at stake for the violators and try to develop solutions that address those interests.

● Consider collaborative efforts/ partnerships in designing and conducting enforcement efforts. If possible, use local community members as enforcement personnel.

Conservation Education

Local people and Protected Area users may be aware of the conservation values associated with the area. It is unrealistic to expect them to support protection measures or accept compromises that may be necessary to resolve a conflict unless they have a sense of those values. Therefore, education and public relations are key elements in most conflict resolution processes. Educating the public about the potential benefits associated with a Protected Area can be a important tool in avoiding and resolving Protected Area conflicts, especially over the long term, and can be critical in gaining support for the establishment of a Protected Area in the first place. In addition, educating the public

about their responsibilities as Protected Area users can be critical in safeguarding Protected Area resources. Almost in all situations where Protected Areas have been established without prior public education, consultation, or dialogue with local communities regarding the reasons for and benefits of the area, the predictable outcome is conflict, especially when there is a negative impact on local communities associated with the Protected Area.

Typically, the intent of education and public relation is to inform affected groups of the Protected Area's goals, regulations, activities, and benefits; build a supportive system for the area and help generate understanding of why enforcement measures are necessary, making them more acceptable.

Conclusion

Managers of National Parks and Wildlife Sanctuaries have been increasingly challenged to make resource allocation decisions that balance competing interests and needs of a growing population with a dwindling natural resource base. Given the divergent views regarding appropriate long term management strategies for Protected Areas, serious conflicts have developed among the range of National Park and Wild life sanctuaries. To ensure successful long-term management, the development of a relationship based on trust and cooperation between the key Protected Area stakeholders, namely government agencies, private interests and the public is critical. This can be achieved through a public task force or advisory group which will assist Protected Area manager in their planning and management decisions.

SUMMARY

Wildlife Management in India suffers from a variety of problems - governmental neglect, insufficient financial resources, a lack of conservation education and poor or non-existent regulatory structures. The conflicts resulting from these problems relate to the lack of process of involving local people in the planning, management and decision making for the area, that conflict with the very objectives of the Protected Area. There may be certain general principles applicable to the majority of Protected Area conflicts in the form of evaluation of underlying interests and involvement of significantly affected stakeholders in a fair and respectful process while trying to resolve a conflict. Providing benefits to local people and mitigating the adverse impacts of the Protected Area along with enforcement and conservation education are the keys to addressing conflicts in many situations. To ensure successful long-term management, the development of a relationship based on trust and cooperation between the key Protected Area stakeholders is critical.

रक्षित क्षेत्रों में होने वाले झंझटों का प्रबन्ध

संजय श्रीवास्तव

साराशं

भारत में वन्य प्राणियों का प्रबन्ध करने में कई तरह की समस्यांए झेलनी पड़ती हैं । सरकारी उपेक्षा, अपर्याप्त वित्तीय संसाधन, सरक्षण शिक्षा की कमी और विनियामक संरचनाओं की न्यूनता या पूर्णत: अभाव । इन समस्याओं के परिणामस्वरूप होने वाले झंझटों का सम्बन्ध उस क्षेत्र की आयोजना बनाते, प्रबन्ध करते और निर्णय लेते समय स्थानीय जनता को साथ लेने की प्रक्रिया न रहने से है जो रक्षित क्षेत्रों के प्रबन्ध के मूल उद्देश्यों के ही विरोध में चली जाती है । अधिकांश रक्षित क्षेत्रों के झंझटों को निबटाने के लिए कुछ सामान्य सिद्धान्त तो बने हुए हो सकते हैं जिनसे अन्तर्निहित हितों तथा अच्छी व सम्मानित प्रक्रिया में अधिक प्रभावित होने वाले हितधारियों को साथ लेते हुए प्रयास किया जा सकता है । अधिकांश स्थितियों में स्थानीय लोगों को कुछ लाभ देकर तथा सरक्षण लागू करने के साथ सरक्षण शिक्षण भी करते हुए रक्षित क्षेत्रों में प्रतिकूल प्रभावों को न्यूनतम बनाते हुए झंझटों का सुलझाना ही इसकी कुजियां हैं । दीर्घकालिक सफल प्रबन्ध सुनिश्चित करने के लिए रक्षित क्षेत्रों में प्रधान हित रखने वाले लोगों के साथ विश्वास और सहयोग के आधार पर सम्बन्ध बनाना विकसित करपाना क्रान्तिक महत्व का कार्य है ।

References

Furze, B., T. de Lacy and J. Birckhead (1996). *The social dimension of linking local level development and conservation through Protected Areas*, John Wiley & Sons, Winchester, England.

Gadgil, M. and R. Guha (1992). *This Fissured Land : An Ecological History of India*, Oxford University Press, Delhi.

Kumar, S. (1993). Taiwan accuses princess of smuggling Rhino horn. *New Scientist*, 16 Oct. : p. 11.

Lewis, C. (1996). *Managing conflicts in Protected Areas*, IUCN, Gland, Switzerland, and Cambridge, UK.

Roy, S.D. and P. Jackson (1993). Mayhem in Manas : The threat to India's wildlife reserves. (E. Kemf, Ed.) *Indigenous Peoples and Protected Areas - The law of Mother Earth*, Earthscan, London.

Von Furer-Haimendorf, C. (1986). *Statement to the Fourth International Conference on Hunting and Gathering Societies*, (8-13 September, London).