

Environmental Justice Implications of Protected Areas: Evidence from Misiguay Forests, Colombia

Executive summary of key findings and recommendations

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Context

Nature-based solutions such as area-based conservation, especially protected areas (PAs), are spreading worldwide and are now considered an essential policy tool for achieving global conservation goals. Between 2010 and 2020 alone, global protected area coverage increased by 42%, covering now 16% of terrestrial areas and 8% of the world's oceans. The Kunming-Montreal Global Biodiversity Framework, the Aichi Targets Strategic Plan for Biodiversity 2011–2020, which preceded the framework and the UN 2030 Agenda, sparked such expansion. According to conventional wisdom, PAs can combat natural resource degradation and contribute to sustainable development, benefiting people, the economy and the environment.

However, PAs remain underfunded and biodiversity loss inside and outside PAs continues to increase. State authority within PAs is often weak and increasing the size of protected areas does not automatically translate into more and better conservation, as the effectiveness of a protected area depends on other factors beyond its size, such as its design, financing, management, location, connectivity, representativeness and other factors beyond them (e.g., climate change, invasive alien species). Another very important determinant is its social acceptability. Negative social impacts can limit public acceptance of PAs, foster conflict and reduce the effectiveness of the long-term sustainability of PAs. Scientific studies have shown that communities living in or around strict PAs or with little community involvement in their management have negative attitudes towards them, not least because of the socio-economic disadvantages of their establishment, especially restricted access to natural resources. However, holistic assessments of the social and environmental implications of PAs remain scarce. Moreover, assessments of their effectiveness often do not consider who defines what is effective and who benefits from a protected area.

Objectives and research process

Scientific evidence shows that when PA management considers environmental justice, the well-being of communities and their conservation outcomes are improved. In this context, this research project examines the impact and environmental justice implications of the Bosques de Misiguay Natural Regional Park in Santander, Colombia. More specifically, the study addresses the following questions:

- 1. What are the socio-economic outcomes of this PA?**
- 2. How are (in)justices created in PA and what are their consequences?**
- 3. What elements promote socially just governance of this PA and others?**

Based on environmental justice and political ecology studies, our research focuses on the distributional, participatory and recognition consequences of establishing and managing this Natural Regional Park and analyses how power dynamics influence them.

Historically, the environmental justice movement has pointed to the unequal distribution of the environmental impacts of conservation policies. Consequently, environmental interventions must consider whether their economic, social and ecological costs and benefits are equitably distributed. Procedural (or participatory) justice implies a sound understanding of the quality and type of involvement of local communities in participatory processes around an environmental intervention and a clear and complete exchange of information. Recognition refers to what values and worldviews (ontologies) are considered relevant, what forms of knowledge matter, and what practices, rights and

relationships between humans and nature and associated identities are considered when designing, implementing and evaluating environmental interventions and policies.

Based on these conceptualisations, our research examined the three dimensions of environmental justice in the Bosques de Misiguay Natural Regional Park. We conducted **54 interviews** and **three focus groups** with owners and holders located partially or totally within the park in the villages of Aguada, Agua Blanca, Panamá sector Las Cruces, Misiguay, Villa Paz and Galanes (Municipality of Rionegro) and Sinaí, Plazuela and Quebraditas (Municipality of Matanza - Corregimiento Santa Cruz de la Colina). The study evaluated the changes created or reinforced by the establishment of the park. It assessed how the declaration of the park improved or worsened the living conditions of the communities in the area. In addition, the analysis included an assessment of stakeholder participation in decisions regarding the establishment and management of the PA. Finally, the research examined the recognition of worldviews and values, analysing whether perceptions of nature and its contribution to conservation are officially recognised. The analysis also considered how these different ways of understanding nature relate to the good conservation status of the Misiguay Forests, the reason that justified its declaration as a PNR. The research used various qualitative methods and had a participatory approach based on dialogue with free and informed consent with all parties interested in or affected by the park. This ensured that the study met their needs and respected their values and livelihoods. In addition to the qualitative approach, this research used a geospatial tracking technology application on mobile phones to identify which properties are partially or wholly within the park and how the park boundaries cross each property. This application was developed with a topographer and followed the communities' request to understand the exact location of the Natural Regional Park. Additionally, the research collected visual ethnographies with different members of the communities to make visible how they perceive and interact with nature.

The team socialised and discussed these findings with the communities of Santa Cruz de la Colina, Misiguay, Aguada and Agua Blanca and with landowners living in Bucaramanga. In addition, a documentary has been released at these meetings based on the images and videos recorded during the IDOS team's stay in the communities. All participants in the research will have access to the documentary, the final report, and the summary. The results will also be shared with, among others, the Ministry of Environment and Sustainable Development (Colombia), Alexander von Humboldt Institute (Colombia), German Ministry for Cooperation and Development, German Evaluation Institute (DEval) and the Convention on Biological Diversity as inputs to inform the implementation of the Global Biodiversity Framework.

Results

In analysing the distributional, procedural and recognition consequences of the declaration and management of the Bosques de Misiguay Natural Regional Park, we found several shortcomings and opportunities to improve its environmental justice.

First, **in procedural terms, there are serious problems related to low and incomplete information sharing**. The process of socialisation of the park, as different interviewees said, was done "from the office". For example, we were able to see that the CDMB worked with the official list of owners, which does not reflect the processes of succession or purchase, so that the calls for the few socialisation meetings did not reflect the land situation on the ground. Therefore, the **information did not reach about 80% of the landowners and holders**. Some owners and holders were also unable to understand

the invitation because the invitations arrived only in written form. In addition, the invitations did not specify the purpose of the meetings, which **meant that many people from remote villages could not attend the meetings** (e.g., Panama-Las Cruces or Aguada-Aguablanca). No one in the communities - even the members present at the meetings - knew specific information about the geographic boundaries, for instance, how the line crossed each property. Therefore, people were unable to gauge the real impact that the protected area would have on the areas and zones of their farms. Another problem related to information sharing is **the lack of specific information about the land uses allowed** within the park area, in particular what kind of "traditional uses" are still allowed. On some occasions, meetings were interrupted by disagreements between the corporation and the community as well, and thus no information relevant to the natural park could be shared. Finally, the entire design and implementation process lacked consultation and **opportunities for landowners and holders to participate in decision-making**. For example, the community had no say in deciding where the line of the park would run.

Second, **there is an asymmetric distribution of costs and benefits of conservation**. One of the main objectives of the park is the protection of the Samacá and Santacruz water sources that supply the Lebrija River and which in their course benefit different domestic and industrial water users from the downstream municipalities of Rionegro and Matanza. Thus, the protection of biodiversity and water-important forests **benefits the public in general, businesses and private individuals who even live at great distances from the park**. In turn, the **costs of conservation are borne exclusively by the people living in or around the park**. These costs include **land-use restrictions** (e.g. prohibitions on cultivating coffee and fruit trees within the park) or **restrictions on domestic forestry**. Such restrictions are particularly detrimental to families who have their land partly or wholly within the park and put **their food security and sovereignty at risk**. In terms of taxation, **landowners are forced to continue paying property tax** on land within the park and face a **reduction in the value of their land** because potential buyers demand lower prices due to use restrictions. Due to the lack of clear information, another cost of the park **is the great uncertainty** that exists within the communities and the **fear that the park will result in the expropriation of their land and thus their livelihoods**. When it was explained to people that the declaration of the park did not mean expropriation per se, many of them said that in practice it was as if it was because they no longer "ruled" over their land. Another cost faced by the communities of Bosques de Misiguay NRP is the risk of the CDMB releasing wild animals (e.g. snakes) near the park without the communities' consent.

These arbitrariness and inequalities have added to the social resentment that exists in the communities towards the corporation. The communities perceive it as an entity that comes to punish them and not as one, that promotes their development and wellbeing. Although the PNR Bosques de Misiguay Management Plan approved in 2018 contains a series of measures that can generate economic benefits for the communities, offering incentives for conservation, for example, this plan has not been implemented to date.

Third, **the arbitrary declaration of the PNR Bosques de Misiguay ignores campesino (peasant) conservation practices**. The Bosques de Misiguay Park was declared, among other reasons, because of the good state of conservation of the forests. This means that the communities were conserving these forests before the park was declared, often without knowing of their existence. Considering that the management plan has never been implemented in the field, it is refutable that the declaration of the park has had real effects on conservation. Therefore, other factors explain the actual conservation that exists in the park. Even today, its good state of conservation is reflected in the fact that while the

whole country was suffering from an extreme drought, water in Misiguay was always plentiful during our stay. One, forest conservation is a key part of the communities' food and water security and sovereignty. Two, the armed conflict caused a slowdown in agriculture and livestock farming due to the forced displacement of communities. Three, the characteristics of the campesinos, such as their age, strength, descent and own resources, also influence their use of the land, as well as the characteristics of the terrain itself, such as slope and accessibility. The declaration of the park did not recognise the historical forms of campesino conservation and defined them as part of the problem rather than involving the owners and holders to learn about the sustainable agricultural practices already being carried out on the land, and without investigating in the field how they were part of the solution.

Using the property grid of the Agustín Codazzi Geographic Institute (IGAC) and corroborating the information with local inhabitants, it was found that in terms of properties, the Bosques de Misiguay Natural Regional Park is made up of 78% of properties that share some percentage of their area with the park and 22% of properties whose total area is within the PA. No agriculture is carried out on these plots. On the other hand, to this figure of land within the PA can be added a further 12% corresponding to vacant land. Thus, it can be said that only 66% of the land within the park is used for agricultural activities. Moreover, agriculture is carried out in what is recognised as the park's buffer zone. Three types of agriculture are practised on these plots: Ecological or organic agriculture, which corresponds to 8.3% of the plots. Those who practice this type of agriculture define it as a practice focused on conservation and food sovereignty for their families. Intensive agriculture is practiced on 8.3% of the plots, whose productivity is based on the implementation of techniques to maximise yields, such as the application of chemical inputs and animal husbandry. The predominant type of practiced agriculture (83%) is subsistence farming, which is characterised by combining traditional techniques with intensive techniques on a very low scale.

The lack of recognition at the local level is replicated at the national and global level, as the Colombian government reports the conservation of this area in the World Database on Protected Areas (WDPA). It monitors progress on Target 3 of the Kunming-Montreal Global Biodiversity Framework, which aims to achieve that by 2030 at least 30% of terrestrial, inland and coastal waters and marine areas are effectively conserved and managed through protected area systems and other conservation measures, respecting the rights of indigenous peoples and local communities.

Thus, one of the main messages of the **communities in the Misiguay Forests is that they are not against conservation. What these communities reject is the imposition of state conservation with no participation or recognition as well as the imposition of all the costs on them despite their already existing contribution to conservation.**

Next steps

During a meeting that the IDOS team organised between the communities, the CDMB, the Municipalities of Matanza and Rionegro (Mayors and Personeros) and various producer associations (e.g., Coffee and Cocoa growers) in Rionegro on 23 April 2024, the communities were able to clarify many of their concerns regarding the Bosques de Misiguay PNR from the CDMB directly. One of the main clarifications that the CDMB made during this meeting was the confirmation of the communities' constitutional right to work, thus ratifying that those people with working areas within the park have

the right to continue to do so, as long as they do not expand. It also acknowledged and accepted the deficient socialisation and action in the field in relation to the management plan.

When the communities asked about the compensation and incentives for conservation contained in the PNR Management Plan, the CDMB informed that they intend to obtain funding through an application to a Ministry of Environment call for proposals called "Call for the conservation of strategic environmental areas and environmental management in municipalities with less than 50,000 inhabitants". This project proposal also considers, among others, funding for the creation of a pilot co-management of the PNR, possibly between the communities and the CDMB, as well as a study to implement ecotourism in the area. However, one of the requirements of the call for proposals is that the communities support the project. To certify this, community signatures are needed. During the meeting on 23 April, the CDMB tried to get these signatures, as there was only one week left until the deadline. They asked for the communities' signatures without sharing written or specific information prior to the meeting. In response to this, the communities requested that the project proposal should be presented and discussed in more depth with the communities. Two meetings were organised in Misiguay and Santa Cruz de la Colina on 25 and 26 April 2024, respectively. The haste and short timeframe with which the CDMB shared its plans to apply to the call did not allow the communities to be fully informed. There was also no space for communities to share their ideas or priorities for projects that should be included in the application. The communities also emphasised that the process between the communities and the CDMB is not reduced to a call for applications, but that a more in-depth and extended process should be undertaken to re-establish community trust in the CDMB. The day before the application deadline, the CDMB organised a meeting in Bucaramanga where the community of Misiguay decided to support the project through the signature of some of its representatives. Therefore, the project was submitted. Feedback is expected in August of this year.

Regardless of the outcome of the call, IDOS intends to continue monitoring the management process on an ongoing basis as it has established communication channels with the communities and CDMB and a field visit is planned for 2025. If the call is successful, IDOS could accompany the process of design and implementation of the actions of the Management Plan that are sought to be financed with this call as well.

Recommendations to the CDMB

The following recommendations synthesise the voices of the communities on how to make the park declaration fairer for them and can serve as an input for the CDMB to strengthen and inform the social section of the Bosques de Misiguay Natural Regional Park management plan that has yet to be updated and implemented. They are based on scientific evidence derived from the joint work with both the communities and the CDMB that we carried out from February to April 2024.

Table 1 summarises the wishes of the communities as to how the declaration and management of Bosques de Misiguay NP could be conceived as fairer for the communities involved in the park. These were organised into five categories and within each category, different actions are explained. It is encouraging that these proposed actions from the community coincide for the most part with the projects that the CDMB proposed as a key part of the Management Plan (20.09.2018). This congruence represents a great potential in terms of common interests among stakeholders and thus, if social resentment can be corrected, guaranteeing long-term social and environmental sustainability of the

PNR. It is important to mention that this wish list was validated during the feedback meetings held in Santacruz, Misiguay, Aguada-Agua Blanca and Bucaramanga between 15 and 20 April 2024.

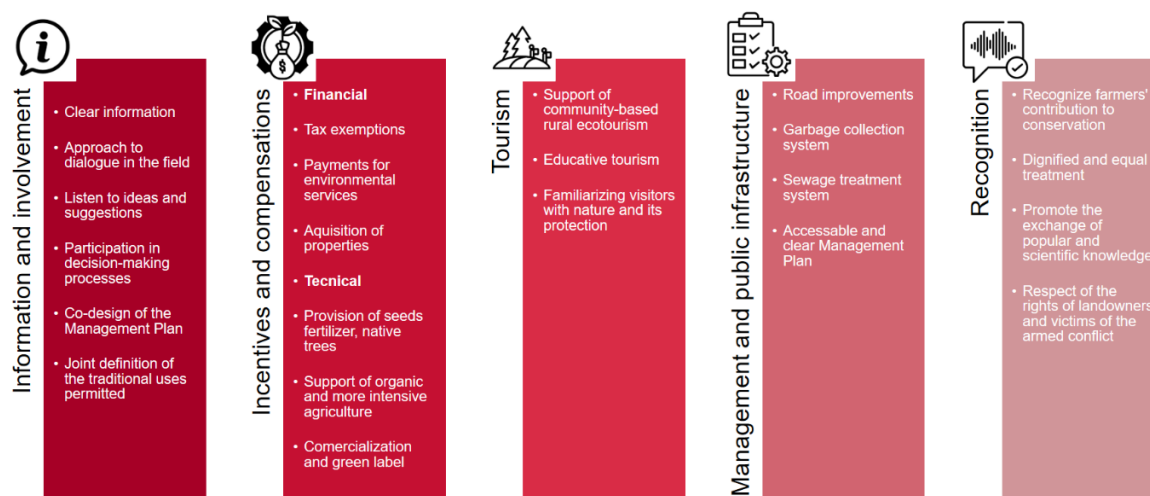


Table 1. Community desires to make the Bosques de Misiguay NRP more equitable

According to the information provided during the interviews and the feedback meetings, the CDMB and the other responsible entities would have to fulfil the following priorities in order to improve the environmental justice of the Bosques de Misiguay NRP:

1. Guarantee material needs and food security of landowners and their families through:

- rezoning
- exemptions from restrictions
- compensations

2. Commit to a joint and comprehensible process based on mutual respect through:

- the exchange of information in a transparent way and in advance
- the coordination with all stakeholders present in and/or affected by the park
- the formation of a council with community stakeholders that has decision-making power over the park's management

3. Respect private property:

- involving the owners in decisions related to the park by offering material incentives and/or buying their property
- offering material incentives and/or the purchase of their land

4. Recognize campesino contributions to conservation through:

- the recognition of sustainable practices concerted support