

PARTICIPATORY ENVIRONMENTAL MONITORING COMMITTEES IN MINING CONTEXTS

LESSONS FROM NINE CASE STUDIES IN FOUR LATIN AMERICAN COUNTRIES





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Programme undertaken with the financial support of the Government of Canada provided through Global Affairs Canada.

The views presented in this report do not represent the Government of Canada or Global Affairs Canada.

The authors are grateful for the comments and revisions of the Advisory Committee and the Project Working Group.

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Available at www.undp.org

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Acknowledgements

This report would not have been possible without the help and willingness of the communities to share their successes, and also their difficulties. In the same way, this report was made possible thanks to the mining companies and government representatives that took the time to answer our questions.

We also appreciate the diligent and professional work performed by the consultants in each country, who carried out the field work in Argentina, Bolivia, Panama, and Peru. Respectively, Ana Cabria Mellace and Graciela Tapia, Ángela Lara Delgado and Rene Núñez Mendizábal, Alexis Rodríguez Mojica, and Nancy Bahamonde, thank you very much for your efforts.

We would like to offer a special word of thanks to the UNDP country offices for their unwavering support and ongoing feedback for the project. We also recognize the constant assistance and collaboration from Ainhoa Mingolarra in the earlier stages of the project and from Alexandra Gil Taboas and Javier Muñoz in the later stages, supporting this project from the UNDP Latin America and Caribbean Hub in Panama.

Finally, we wish to thank those who helped review the first draft of this report in Spanish, namely Nancy Bahamonde, Ana Cabria Mellace, Mitzy Canessa, Bernarda Elizalde, Angela Lara Delgado, Javier Muñoz, Rene Núñez Mendizábal, Alexandra Palmquist, Graciela Tapia, and Jessica Young. Our English report reviewers included Jordi Honey Roses, Casper Sonesson, Vesna Markovic Dasovic, and Tove Lundeberg. Special thanks to Maria Cruz Gonazalez for reviewing the Spanish and English reports for coherence. This report was greatly strengthened as a result of the comments and advice of each of our reviewers.



Executive summary

The report entitled “Participatory Environmental Monitoring Committees in Mining Contexts: Lessons from Nine Case Studies in Four Latin American Countries” [Comités de Monitoreo Ambiental Participativo en Contextos Mineros: Lecciones a Partir de Nueve Estudios de Casos en Cuatro Países de Latinoamérica] presents the results of simultaneous investigations conducted in Argentina, Bolivia, Panama and Peru. The report identifies the contexts in which Participatory Environmental Monitoring Committees have been created, their membership, and the relationships to government systems in order to prevent and mitigate environmental degradation. Likewise, the report shows practical examples of leading practices to overcome the challenges, and also action-based policies that can strengthen monitoring committees as an approach contributing to the achievement of the Sustainable Development Goals (SDGs).

Participatory monitoring committees are well positioned to contribute to the attainment of various SDGs. Some of the committees studied have improved the way mining companies, other industries, and the community are carrying out environmental management by identifying possible contamination sources. This directly contributes to meeting SDGs 6 “Clean water and sanitation” and 15 “Life on land”.

In addition, in some of the cases studied, monitoring efforts have identified pollution present in food sources and its impact on health, looking at ways to mitigate these effects. This contributes to achieving SDG 2 “Zero hunger” and 3 “Good health and well-being”. Because mining pollution problems tend to affect certain areas, particularly rural or semi-rural regions, the mitigation of mining pollution risks through monitoring contrib-

utes to achieving SDG 10 “Reduced inequalities”. In addition, through mining companies that work with monitoring committees, SDGs 9 “Industry, innovation and infrastructure” and 12 “Responsible production and consumption” are advanced. Specifically, companies are finding improved ways of doing business, engaging more effectively with communities, and implementing new ways of reducing pollution and other potentially negative effects on communities.

Finally, through their processes and practices, some of the committees have become a new dialogue space where women can effectively voice their concerns and act upon them, contributing to SDG 5 “Gender equality”. Although some monitoring efforts were born from conflict situations, the committees’ existence provides a channel through which communities, governments, and companies can engage in meaningful, systematic dialogue. This contributes directly to SDGs 16 “Peace, justice and strong institutions” and 17 “Partnerships for the goals”.

In each case studied by the monitoring committees, consultants conducted in-depth interviews and focus groups with key stakeholders connected to committee work. Interviewees included individuals who participate in monitoring initiatives, officials and government authorities at the relevant level of government, and employees of mining companies or cooperatives. The research assumed that monitoring committees usually go through four steps in their development: 1. Convene and form, 2. Prioritize and create a vision, 3. Perform monitoring and communicate results, and 4. Follow up. Further, at each step, four fundamental and interrelated dimensions were considered, namely: A. Internal governance, B. Learning, C. Socioeconomic context, and D. En-



vironmental context. Finally, to facilitate the comparison between different cases, committees advised the project team to clearly identify different levels of committee participation, according to its specific context. The different participation scenarios considered were: i. the stage is executed by outsiders, for example, by the government or the mining company, ii. the stage is executed by outsiders, but supervised by the committee, iii. the stage is executed collaboratively, and iv. the stage is executed autonomously by the committee.¹ Note that here we refer to the participation of the committee and not the participation within the committee.

To ensure consistency, the project team prepared ad hoc interview guides for each country's use. Later, and after consolidating each country report

into a regional report, a first draft was presented at the "Regional Workshop on Participatory Environmental Governance for Sustainable Natural Resource Management in Latin America: Focus on Participatory Environmental Monitoring Committees" held in Panama in October 2018. At this workshop, participants of committees and consultants from each of the countries made specific comments on the draft document and discussed the initial findings.

The following graphic summarizes the main findings, considering each of the steps:

¹ It is important to point out that this model is one simplified version of the broad range of possible monitoring options and, consequently, it should not be taken as a normative framework.



COMMITTEES HAVE SEVERAL TYPES OF DIFFICULTIES TO OVERCOME DURING STEP 1, CONVENE AND ORGANIZE

Before commencing work, a committee must navigate some challenges, such as long and difficult travel in rural areas and the need to coordinate multiple communities. Turnover of committee members is also high, which makes formalization and capacity-building difficult.

Committees must sometimes manage conflict, such as that between companies and communities. Committees that formed before instances of conflict were the result of early company engagement or were a response of the companies to the communities' request for direct dialogue. Either way, monitoring committees usually build on existing organizations within the community. Monitoring is usually part of a broader strategy of the company to build community relationships.

A key part of the organization of the committees is financing. This is usually delivered by the company to cover committees' direct expenses, but can generate suspicion in the communities. Indirect expenses, such as the time invested by participants, are covered individually by the people themselves.

Although legislation can assist the creation of committees, committees tend to work without state institutions.



COMMITTEES FORM CONSENSUS DURING STEP 2, PRIORITIZE AND CREATE A VISION

Monitoring priorities and the high-level strategy are generally decided collaboratively (such as at roundtables) between the mining companies and the committees. Supervising mining operations and preventing possible environmental pollution are the main objectives of the committees.

Some committees foresee enhancing citizen participation, building trust, and maintaining a constructive relationship with the company and the government. Others may seek to raise awareness about environmental and community issues.



STEP 3. MONITORING AND COMMUNICATION ARE COMPLEX ENDEAVOURS

Members of the committee typically do not participate in the detailed design of monitoring activities, although communities, through the committees, sometimes give input about the design. Design involves choosing the specific parameters to monitor, the sampling sites and the timing for taking the samples.

In all initiatives, the committee participates or supervises while samples are taken, which can include accompanying the sample from the analysis site to the laboratory.

Most committees have a “technical secretariat” – NGOs, universities and consultants – that supports their work. Capacity-building for the participants also can overcome the technical challenges.

An important part of the monitoring process is the constant communication with communities, the monitored company, and the government about the process and the results. Communication with communities and the company is assisted by the technical secretariat. Committee-government coordination depends on the personal availability of the officers, which complicates long-term planning.



INCREASINGLY DURING STEP 4. FOLLOW-UP, COMMITTEES HAVE POSITIVE EFFECTS

Committees’ most important contribution is the implementation of relevant mitigation measures, which can even improve operation of the mining company. Furthermore, committees allow communities to express their concerns. Thus, the committees provide early warnings to companies and governments.

The monitoring activities also provide information about sources of problems unrelated to mining, such as pollution from non-mining productive operations or from activities carried out by the communities themselves.

Monitoring efforts do not always have a baseline for comparison, so it can be impossible to know whether there is an improvement vis-à-vis “undisturbed” conditions.

Finally, mutual trust among committees, companies and government is a prerequisite for and an outcome of the monitoring process: Trust enables stakeholders to listen to one another, while stakeholders’ transparent, consistent action gradually builds trust.



The learning dimension was critical at all stages of operation for three reasons. First, learning to decide and lead: without basic knowledge about what to do and the context, the committees cannot decide among the various options that are presented, let alone lead the process. Second, it is important to learn how to trust and communicate: it is difficult to trust someone else who uses another language and operates differently. Specifically, companies, governments and communities must learn a common language that

recognizes the others and must create a way of working that makes sense to all parties. Third, it is crucial to learn how to monitor: studying the environment is the operational goal of the committees and, therefore, the training they receive is vitally important.

In order for committees to continue making their contributions to the SDGs, we recommend specific short-term and medium-term actions for each stakeholder.

	GOVERNANCE	SOCIAL + ENVIRONMENTAL	LEARNING
Suggestions for the committees	<p>Deepen inclusion Monitoring committees must not reproduce the usual patterns of exclusion. It is important to include youth, indigenous peoples, and women. Some cases have shown the importance and effectiveness of working towards gender equity in committee participation to enable oversight by the whole community. This means seeking gender equality in terms of participation, leadership composition, and the decision-making process.</p> <p>Formalize management The committees have room to standardize and formalize their management and communications.</p>	<p>Networking Once the committees are known in their territories, they become involved in other opportunities for participation with different stakeholders. Cases show that coordination between committees and other stakeholders and organizations through networks should be pursued.</p>	<p>Identify and address context-specific needs for training Governments, mining companies, the international community, universities and other stakeholders can provide training to committees. However, committees can assess their particular training needs and opportunities.</p>
Recommendations for Governments	<p>Use and expand existing mechanisms to promote committees Governments should use existing processes, such as the Environmental Impact Assessments, to promote the creation and operation of the monitoring committees. Governments could also allocate some tax revenue or mining royalties to participatory monitoring initiatives, thereby institutionalizing the committees.</p> <p>Listen actively especially regarding monitoring results</p>	<p>Provide guidance Governments could create protocols and methodological guides that community organizations can use in their monitoring, which can improve the standardization and validation of the results. These guides could consider environmental aspects, but also leadership, results</p>	<p>Provide training Training for government officials and for committee members in topics such as leadership and constructive communication can be promoted.</p>

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