

*Internet Forum on Common Property Resources
Thematic Discussion #1: CPRs and Poverty Reduction*

Much of the current literature on common property suggests that the majority of conflicts over CPRs are addressed through customary practices, particularly for disputes that arise within communities. Many of the case studies, however, noted that as access to vital natural resources diminishes, there is both a greater potential for conflict among users and a decrease in communities' abilities to manage or resolve conflicts.

Because conflicts themselves can lead to greater insecurity over resource access, this creates the possibility of a vicious circle. Conflicts can become even more difficult to manage when external interests are involved, such that disputed over CPRs are between local users and outsiders who have little or no connection to local customary institutions.

The effectiveness and durability of institutions responsible for decisions concerning CPRs – including both customary and state institutions – may be important factor in the determining the effectiveness of conflict management and prevention efforts. Mediation or arbitration of disputes over CPRs is one approach that has emerged, with the state, civil society or international bodies acting as mediators or facilitators. Collective action and revitalization of local - often customary – institutions is another approach being used to address the problem of conflict over CPRs.

The next 10 days of discussion will focus on this theme of conflict and conflict management with respect to CPRs, with the goal of improving our analysis of the roots of conflict over CPRs as well as developing policy-oriented recommendations on approaches to manage and prevent such conflicts. With this in mind, we would like to propose the following key questions for discussion:

- A. Why do conflicts occur over the use of CPRs? What forms do these conflicts take?
- B. To what extent are conflicts internal, between people within communities? To what extent are they external, between community members and outsiders?
- C. Are men and women affected differently by conflict over CPRs? Is there a link between the level of women's participation in decision-making and the effectiveness of conflict management?
- D. What are local strategies or practices for conflict management? When might these need to be complemented or replaced by new approaches?
- E. What attempts have been made by government, civil society or international bodies to address conflict over CPRs? What have been their strengths and weaknesses?
- F. How are conflict resolution agreements enforced by customary and/or statutory law? Are there links or interactions between customary and state institutions in addressing conflicts over CPRs?

Examples from the case studies and literature review include:

- In the Muzarabani district of Zimbabwe, the authority of customary institutions is breaking down, in part because of an increase in migrant farmers from other regions. Collective compliance to customary rules is based on respect for these local authorities, not on sanctions following violations; with this migration, conflict over CPRs greatly accelerated and customary institutions have been overwhelmed. The emergence of cotton as a cash crop, and accompanying government support for migration to the area, is creating both conflict and new stress on common property resources.

- In the Chabe region of Benin, there are frequent conflicts between farmers and herders.

Contributing factors include shifting cultivation practices that cut off herders from grazing corridors, the negative impact of cattle on crops, and limited access to water during the dry season faced by all. In response, in Kemon village a dialogue with herders was opened, encouraged by local leadership. A boundary exercise identified where cattle could graze to avoid conflict with farmers. Kemon residents had economic interest in good relations, because they relied on herders for milk, cheese and meat, and also sold goods to herders.

- Karamajong elders in Ethiopia have recognized a decline in their authority, which reflected (and perhaps reinforced) a lack of cooperation among pastoral groups. The imperative of conflict resolution encouraged local leaders to establish new rules between groups involved in armed conflict, and to revitalize communication by holding smaller peace meetings at the neighborhood level. Outside institutions such as the Organization of African States (OAS) played a role in bringing together government and customary leaders, particularly where conflicts extended across national borders.

- In Guinea Bissau, a country with strong local customary institutions and vocal grassroots organizations, the land law of 2003 has provided for a complex and representative system of conflict resolution, with the articulation of traditional representatives and state organizations in land commissions at different levels. Local representatives who lack a horizontal relation with their peers in other parts of the country are thus linked through quasi-state local public organizations. This may, for instance, put into contact common property regimes in cropland areas with common property regimes of mobile livestock owners who have rights in the same areas, but in different times of the year.

- In Peru, mining concessions have been granted more frequently since the start of the 1990s, reflecting a government policy to attract foreign investment. These are often granted without consent of communities whose common lands lie within concession areas, creating disputes and fueling local opposition