

Governance and the role of civil society: The case of oil and gas extraction in the Andean Amazon

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Abstract

This paper analyses the relationship between oil and gas activities and sustainable development in the Andean Amazon, with a special focus on environmental conflicts, indigenous peoples and ecologist movements. A state of the art is presented of studies on environment and fossil fuel extraction, in relation with the theoretical debate on governance and democratic governability. The second part reviews the main environmental and social consequences of the global energy governance for the Amazon. Finally, the paper introduces to sociology of environmental conflicts in the region. Since both the lack of redistributing effect of oil and gas activities, and the political instability are major obstacles to sustainable development in the Andean region, it is quite uncertain that energy governance and democratic governability would go along with each other. Still, the way the civil society can influence energy governance connects to a threefold phenomenon: the convergence of social movements – especially environmental and indigenous, but also peasant – which was already notorious in the Earth Summit of Rio, in 1992; the constitutional reforms, which led to the recognition of indigenous rights in the whole region; and important legal reforms in the environmental, the social and the oil and gas activities areas. What is at stake here is the definition of priorities in public policies, which would guarantee sustainability through new standards of development.

Key words

Amazon, oil, gas, environmental conflict, indigenous, ecologist, energy governance, democratic governability.

Summary

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Introduction

Since the decade of the 1990s, the Amazon has become a major scenario of globalisation [1], especially for natural resources exploitation. Not only conservation policies, but also drug trafficking, bioprospection, intensive timber exploitation, mining, oil and gas, and infrastructure mega projects are all topics of the international agenda which affect the region and its inhabitants. In the specific case of fossil fuels activities, these challenges are not entirely new. As a matter of fact, since the beginning, the oil and gas industry has been characterized by its oligopolistic and worldwide dimensions. Actually, what is new is the increasingly strategic importance of the region in the world market of oil and gas, which comes along with a series of threats for local communities and the environment.

Energy policies will dramatically affect the region during the forthcoming half-century, not only in areas of production, but also around any infrastructure facility of processing and transportation. Therefore, for the Amazon region, the 21st century will be marked by the confrontation between those in favour of expanding extractive activities and those willing to limit them in order to facilitate environmental conservation – within indigenous territories and protected areas. Symptomatic of that phenomenon is the multiplication of conflicts in the last two decades, after many critics were addressed to governments and the oil and gas industry, for the permanent pollution and massive oil spills. From a government and company point of view, this situation has a great incidence on the energy policy and economics, especially because it becomes an obstacle to many projects – see for instance the 10-year conflict between the uwa and Occidental and Ecopetrol in Colombia, or the 6-year conflict between the quichua and CGC San Jorge in Ecuador. From a civil society point of view, there is a growing claim for economical, social and cultural rights, as well as advocacy for social justice, especially within the international system – throughout the Human Right Commission of the Organization of American States (OAS) and the

International Labour Organization (ILO) – and financial organizations like the World Bank or the Inter American Development Bank (IADB). Thus it is clear that conflict-solving techniques, alternative dispute resolution and communitarian conflict management are not sufficient to bring out institutionalised solutions and can even worsen the situation in all countries of the Amazon, especially the Andean ones (Fontaine, 2003 a).

The consolidation of democratic processes still implies deep reforms, in particular to guarantee the institutionalisation of agreements and the elaboration of sustainable development policies. Thus, ideally speaking, the institutional system should be based on a clear separation of areas and competences between the executive, the legislative and the judicial power. This would grant to citizens in general and indigenous peoples in particular with such fundamental rights as accurate information, transparency, effective participation throughout previous consultation, social equity and final control on the government agenda. Yet it is generally admitted that this situation does not coincide with the reality of the Amazon countries, and even less with that of the indigenous peoples of the Amazon (with many variations coming from distinct theoretical, political and ideological positions). There is also a general consensus to denounce the excessive determination of democratic processes in these countries by the globalisation of economical and financial markets.

Given the complexity and magnitude of the challenges that derive from the tensions between sustainable development and fossil fuels exploitation, this paper proposes an analysis of environmental conflicts in terms of democratic governability, from the sociology of action. The first part analyses the theoretical framework of democratic governability and relates it to the problem of sustainable development. The second one deals with the problems brought out by the energy governance for the Andean Amazon, as a conflictive context for democratic governability.

Democratic governability and the problem of sustainable development

Studies on environment and fossil fuel extraction: a state of the art

The research on environment and fossil fuel activities in the Andean Amazon focuses on three areas: studies on the geopolitics of oil, Amazon studies and studies on conflicts for oil and gas.

Studies on the geopolitics of oil in Latin America specifically underline the relationship between the extractive model implemented in the Amazon region from the 1960s, and problems created by the external dependency and the increasing of public debt, that led to structural adjustment programs in the eighties (Acosta et al., 1986; Doryan Garrón and López Castro, 1992; Campodónico, 1996). Until the beginning of the 1990s, Amazon studies used to focus on problems created by the economic development, actors and public policies (Ruiz,

1993), colonization and indigenous people (Herrera, 1997; Chase Smith and Wray, 1996), natural resources exploitation, land use and land property (Bustamante et al., 1993; Murphy et al., 1997). Then appeared studies on the socio-ecological impacts created by oil activities, such as those inherited from the “Texaco era” in the border area of Colombia, Peru and Ecuador (Kimerling, 1991; Jochnick et al., 1994; Fundación Natura, 1996; Avellaneda, 1998; Wunder, 2000).

Since then, case studies on conflicts related to oil and gas multiplied. Conflicts in Ecuador have been particularly studied, for they were the most publicized in the media at national and international scale (Tassi, 1991; Garzón, 1995; Narváez, 1996; Real, 1997; Ortiz, 1998; Jezic, 2001; López et al., 2002). More recently, conflicts in Bolivia, Peru, Colombia and Venezuela have been studied by ecologist and indigenous NGO (Gavaldá, 1999; Gruenberger, 1999; ONIC, 1995; Roldán et al., 1999; La Torre López, 1998). Comparative studies may also be mentioned, especially for they underline the relationship between resource-based conflicts and oil policy, the communitarian management of conflicts, companies’ community relationships (Varea, 1995; Ortiz, 1999; Petroecuador, 2000), governments’ strategies, the companies’ and indigenous organizations (Wray, 2000), and the relation between environmental conflicts, democratic governability and sustainable development (Fontaine, 2003 b).

Governance and democratic governability

As it is known, the debate on governability was launched in 1975, with the publication of *The Crisis of Democracy: Report on the Governability of Democracies to the Trilateral Commission*, by Michel Crozier, Samuel Huntington and Joji Watanuki. Twenty years later, this commission charged a group of academics, politics and economists known as the Group of Lisbon to analyse the relationship between globalisation and governance (Petrella, 1995). Meanwhile, the Meridian International Institute from Washington D. C. organized a series of conferences on the same topic, from 1992 and 2000, with members of the World Academy of Art and Science, the International Commission on Global Governance, the Club of Roma, the Brundtland Commission, etc.

Simultaneously many reports on governance were published under the influence of development organizations, in order to analyse – and eventually try to overtake – the obstacles faced by the majority of Latin American countries in the democratic consolidation phase [2]. (See for instance, Vega, 1996; Camou, 2001 b; Verdesoto Custode, 1998; Mayorga, 1992). In the context of institutional engineering and structural adjustment plans of the 1980s and 1990s, the focus was on governance in spite of its confusing translation to Spanish by the term “*governabilidad*” (Solà, 2000; Sosa Martínez, 2000), at least until the translation of

“Governance in the European Union – A white paper” (Comisión de Comunidades Europeas, 2000).

Yet, the problems of democratic governability are merely political and social ones, and should not be confused with those of governance, as acknowledged by Joan Prats, from the *Instituto Internacional de Governabilitat de Catalunya*. While governance defines the interaction between strategic actors, conditioned by the institutional system, governability refers to the ability of the socio-political system to maintain itself throughout this interaction (Prats, 2003: 244). The efficiency of governance should be measured through the capacity of a society to reach stability on the basis of social and political integration, pluralism, capacity of negotiation and democratic accountability. In other terms, governability is articulated with governance (i.e.: the institutional framework of social action) and governing (i.e.: politics, public policies and public administration).

According to Camou (2001 a: 39), the balance between social demands and the responses of the institutional system depend on two kinds of factors: on one hand the perception, values and beliefs of the society in a concrete socio-political situation; on the other one, the capacity of pressure over the government, that depends on the degree of organization of the civil society and political actors. When these demands are not immediately processed, discrepancies with the institutional system can turn into “tolerated conflicts”. Thus, an “ideal governability” depends on a perfect balance between these demands and responses, whereas a “normal governability” depends on their dynamic balance. There is a “deficit of governability” when demands and responses are in constant tension, resulting in “anomalies” unacceptable to organized actors, which then threaten the institutional stability with political pressure. When these “anomalies” spread in the economical, social or political area, conflicts may turn into crisis, whose resolution depends on the relationship between the State and the civil society, that is to say, the model of governability. Finally, a crisis of governability appears when these anomalies spread and shift towards a unexpected or unbearable unbalances between social demands and political responses.

The problem remains: how to reach “normal governability” needed for the stability of a society? The answer to that question mainly depends on the ideological options valued by the government. One can basically identify three different focuses on governance and governability: neo liberal, neo marxist and neo institutionalist.

According to the neo liberal focus, which coincides with the World Bank, IMF and OECD policy, “good governance” is supposed to facilitate the economical reforms promoted by the Washington Consensus, in conditions of political stability and within the context of

financial globalisation and market deregulation (Hewitt de Alcántara, 1997; USAID, 1998). Therefore, governance itself refers to an efficient system of rules, that only works when accepted by the majority or more powerful actors, and it is based on common purposes that do not necessarily derive from legal obligations, neither are formally issued by laws and political constitutions. Some would eventually understand governance as the capacity to make things happen, without necessarily having the legal competence to order them to happen: while governments apply rules, governance uses power (Rosenau, 1992: 4-5; Czempiel, 1992: 250). Eventually, this focus can deny the democratic dimension of agreements between actors, and may come along with minimalist forms of governability, in a wide range of situations between O'Donnell's "delegative democracy" and dictatorships such as Pinochet's in Chile, including new forms of authoritarianism as Fujimori's second mandate in Peru.

The neo marxist focus is particularly worried by poverty problems, that were deepened by the structural adjustment programs of the 1980s (Stolowicz, 1996; Yánes Quintero, 1996; Torres-Rivas, 2001). Some see in governance theories a way to justify conservative models of domination and the neo liberal ideology, but they do not clearly distinguish governance from governability. This focus questions the achievements of globalisation and global governance, and considers that the debate on governability overvalues the governments capacities to control the status quo, through a growing separation from politics (Nogueira, 1995: 55).

Finally the neo institutionalist focus underlines the need to recover the democratic control on processes of economical and institutional reforms, and value the complementary roles of institutions, the State and the civil society in the making out of new social contracts. This would require the adequate use of natural resources, mechanisms of solidarity and responsibility for the coming generations, an opened and dynamic framework of promotion, integration and dialogue between cultural identities, the major possible participation of individuals and groups in decision making, sustained by a network of information and communication pluralistic and public-interest oriented. (Petrella, 1995; Mayntz, 2002; Feldman, 2001; Prats, 2001).

As we shall see in a forthcoming section, the latter interaction between the systemic and social dimensions of governability is particularly relevant for sociology of environmental conflicts. But this will be better understandable after analysing the implications of energy governance for the Andean Amazon.

Energy governance and the problem of oil and gas activities in the Amazon

The problem of energy governance

Preparing the Summit of Johannesburg of September 2002, a commission composed by the UNDP, the UN Department of Social and Economic Affairs and the World Council of Energy wrote a 500 pages report called “World Energy Assessment” (UNDP, UNDESA, World Energy Council, 2000 and 2004). Two considerations made by this commission particularly called for the attention of USAID and the OECD. On the one hand, the access to affordable sources of energy is considered as a fundamental need in the fight against poverty and for the improving of living condition. On the other one, more than two billion people do not have access to these services. A central conclusion of this report is that oil, natural gas, carbon and uranium reserves should be sufficient to satisfy the growing demand for energy, at least until 2020, although massive investments are needed, to adequate the energy production and transportation infrastructures, as a priority to reach the “energy governance” (Willems and Pershing, 2002: 6).

In 2001, fossil fuels represented 86% of primary energy sources in the world, and oil and natural gas together represented more than 61%. Not only these power sources are the most contaminating, but also their consumption is concentrated in industrialized countries, while production relies mainly on developing countries. In 2001, the United States, the European Union and China cumulated 51% of the global consumption of energy and carbon emissions in the atmosphere (Williams, 2003: 5-6). Therefore, a concrete implication of the “World Energy Assessment” should be looking for alternative energy sources environmentally friendlier than oil, gas and carbon, and less dangerous than nuclear power, so that massive access to domestic energy – presented as a need to achieve the millennium goals of the UNDP – would not undermine the Agenda XXI. Nevertheless, this evolution faces two kinds of problems, as analysed by the Nautilus Institute: first, there is no alternative solution that can compete at the moment with natural gas and oil in terms of extractive costs, security and practicability of transportation; second, the market and the private industry are not able to integrate the social and environmental externalities, and neither the public sector nor the institutional system could incorporate these elements for the public interest (*Ibid.*: 3).

Still, the UNDP underlines the importance of strategic alliances between the private and public sectors, throughout new mechanisms of governance that would support public policies, market rationality, national development objectives and private direct investments (UNDP, 2002: 15). On another hand, USAID established a direct relationship between the level of foreign direct investments and the improving of energy governance, measured by the regulation on private investments, the existence of independent regulatory authorities, the commercialisation of profits, the privatisation of existing assets and the level of market competition (USAID, 2002: 3-6). According to a comparative study of 23 cases, the six

countries where the best governance reforms were achieved in the energy sector are Argentina, Colombia, El Salvador, Chile, Guatemala and Brazil, although in terms of direct foreign investments, this group is quite heterogeneous. Indeed, Brazil is first, with around 30-35.000 million dollars, followed in Latin America by Argentina (6th with 10.000 million dollars), Colombia and Chile (8th and 9th with 5-10.000 million dollars), Guatemala and El Salvador (13th and 16th, with less than 2.000 million dollars) (*Ibid.*: 3-3).

Generally speaking, this phenomenon reflects into the opening to private capital, the flexibility of contract regimes for exploration and exploitation of oil and gas, privatisation of downstream activities and, sometimes (as in Bolivia), the complete dismembering of national companies of the sector (Villegas, 2002; Mariaca, 2004). As for Latin America, two series of factors add to this situation: the financial and technical dependence to the North, and the energy dependence from the North towards the South.

Extreme forms of financial and technical dependence are expressed by the effects of Dutch disease and the correlation between oil chocks and the increasing of the foreign debt, as experienced by Ecuador and Colombia in the 1970s and 1980s (Puyana and Thorp, 1998; Wunder, 2000). Evidences of the northern dependence towards the South come from the gap between production and consumption between the NAFTA zone and Latin America. According to the official figures used by the Latin-American Organization for Energy (OLADE), the United States and Canada produce an annual volume of oil equivalent to that of Latin America, but they consume 3.3 times more. They also produce 3.9 times more natural gas – at least before the boom of Bolivian and Peruvian gas production, expected in 2004 – but they consume 4.3 times more. (See table 1)

Table I. Energy dependence between north and south in America

	Oil (10 ⁶ Boe / year)		Gas (10 ⁶ Boe / year)	
	Consumption	Production	Consumption	Production
Latin America	2.135,40	3.520,60	955,50	1.126,00
US and Canada	7.098,10	3.469,50	4.119,60	4.350,00
Ratio	3,32	0,99	4,31	3,86

Elaboration: G. Fontaine; Source: OLADE, SIEE 2002.

Implications for Latin America and the Andean Amazon

Beyond the general relationship between northern and southern countries, the energy situation of Latin American countries is quite heterogeneous. Although the evaluation of proven reserves is quite imprecise and can change notoriously according to the sources

(Campbell and Laherrère, 1998), it helps to understand what is at stake for the energy governance of the region. Thus, Venezuela and Mexico have respective reserves of 77.9 and 22.4 billion barrels. Next come Brazil (8.5 billion), Ecuador (4.6 billion), Argentina (2.9 billion) and Colombia (1.8 billion). Finally, Bolivia and Peru are marginal producing countries, with proven reserves of less than 500 million barrels. In terms of proven gas reserves, Venezuela and Mexico are also well advanced, with respective volumes of 4.2 and 1.1 trillion m³. They are followed by Bolivia and Argentina, with almost 800 million m³ each. A third group is composed by Peru, Brazil and Colombia (between 200 and 250 million m³). But Ecuador has hardly any proven gas reserves. (OLADE, 2002; EIA, 2004 a, 2004 b, 2004 c, 2004 d and 2004 e) (See table 2)

Table II. Proven oil and natural gas reserves.

Country	Oil (10 ⁶ barrels)	Country	Natural gas (10 ⁹ m ³)
Venezuela	77.923,6	Venezuela	4.200,0
Mexico	22.419,0	Mexico	1.102,9
Brazil	8.485,2	Bolivia	774,8
Ecuador	4.630,0	Argentina	763,5
Argentina	2.878,0	Peru	245,1
Colombia	1.842,0	Brazil	219,8
Bolivia	477,0	Colombia	213,0
Peru	323,0	Ecuador	28,5
Total Latin America	120.622,6	Total Latin America	8.105,6

Elaboration: G. Fontaine; Source: OLADE, SIEE 2002.

The energy ranking of each country changes when looking at the capacity of production. Of course, Venezuela and Mexico keep leading, with a daily production capacity of 3 million barrels, but Brazil is not that far, with a capacity of 1.3 million barrels daily. Follows a group composed by Argentina, Colombia and Ecuador, with a production capacity of 400 to 800.000 b/d., and finally Peru and Bolivia (less than 100.000 b/d.). Another surprise appears with the natural gas production capacity, since Argentina is following Mexico and preceding Venezuela (the three of them with an annual production capacity of 38-57 million m³). Follow Brazil, Colombia and Bolivia (7-12 million), and finally Peru and Ecuador (less than 2 million). [3] (See table 3).

Table III. Oil and natural gas production capacity.

Country	Oil (10 ³ b/d.)	Country	Natural gas (10 ⁶ m ³ / year)
Mexico	3.127,0	Mexico	56.907,6
Venezuela	3.042,1	Argentina	42.718,6
Brazil	1.329,4	Venezuela	38.280,9

Argentina	780,6	Brazil	12.098,2
Colombia	604,4	Colombia	8.497,0
Ecuador	407,5	Bolivia	7.074,8
Peru	93,1	Peru	1.960,6
Bolivia	34,8	Ecuador	1.038,3
Total Latin America	9.631,1	Total Latin America	188.280,7

Elaboration: G. Fontaine; Source: OLADE, SIEE 2002.

Given the actual volume of extraction, oil and gas producing countries in Latin America are facing very diverse situations in terms of self-sufficiency. The useful lifetime of Venezuelan proven reserves is 70 years, compared to less than 40 in Bolivia and Ecuador, less than 20 years in Mexico and Brazil, and less than 10 years in Argentina and Peru. As for natural gas, the group composed by Peru, Venezuela and Bolivia's energy self-sufficiency goes theoretically beyond 100 years, compared to less than 30 years in Ecuador and Colombia, and less than 20 years in Mexico, Brazil and Argentina. (See table 4).

Table IV. Energy self-sufficiency for oil and gas (years).

Country	Oil	Country	Natural gas
Venezuela	70,2	Peru	125,0
Bolivia	37,6	Venezuela	109,7
Ecuador	31,1	Bolivia	109,5
Mexico	19,6	Ecuador	27,4
Brazil	17,5	Colombia	25,1
Argentina	10,1	Mexico	19,4
Peru	9,5	Brazil	18,2
Colombia	8,3	Argentina	17,9
Total Latin America	34,3	Total Latin America	43,1

Elaboration: G. Fontaine; Source: OLADE, SIEE 2002.

Sociology of environmental conflicts

Oil and gas projects in the Andean Amazon

Most of oil and gas activities in the Andean Amazon are located within indigenous territories or protected areas (if not both at the same time). Thereby, they become a major cause of conflicts, which involve organizations of the civil society such as the environmental and the indigenous movements, occasionally supported by international networks of NGO. The sociology of environmental conflicts is the study of these conflicts from the actor point of

view, that is to say the analysis of relationships between social actors, the State and companies. It is based on the sociology of action developed by Alain Touraine and the study of new social movements in Latin America (Touraine, 1992; Le Bot, 1994; Gros, 1997). Such sociology is particularly concerned with the rationality of actors and the interactions between the four structural dimensions – economical, political, social and ethical – of resourced-based conflicts. (Fontaine, 2003 c and 2004).

The main projects in Venezuela are located in the fields of Chaguaramal and Furrrial (State of Monagas), Corocoro (Gulf of Paria) and the Orinoco belt (Zuata, Cerro Negro, Sincor and Hamaca projects). Offshore gas projects are located in the Deltana Platform and Urica (States of Monagas and Anzoategui). Carbon mining is concentrated in the basin of Guasaré. Furthermore, this country is equipped with the major refining system in the western hemisphere (with a capacity of 1.3 million barrels daily), 6.300 km of main oil pipelines and 5.000 km of gas pipelines. (EIA, 2004 a). The priorities of the Venezuelan energy policy consist in reverting the decreasing of productivity in the traditional fields, develop the new fields of Monagas and the Gulf of Paria and reactivate the production of ultra heavy crude in the Orinoco belt throughout joint-ventures. The government also seeks to develop the gas project of the Deltana Platform and the production of liquefied natural gas, as well as finalize the construction of the gas pipeline Guajira-Maracaibo to export to Colombia. Yet, besides the economical crisis, the main obstacles faced by the government are the political and the social conflicts, as well as the strong politisation of the State-owned company PDVSA, and the growing opposition of indigenous peoples to non-renewable resources exploitation and the construction of roads in their territories.

In Colombia, the main oil projects are located in the fields of Cusiana and Cupiagua (department of Casanare), Caño Limón (Arauca), Guando (Valle Magdalena), Condor (Llanos), Capachos (Arauca) and La Hocha (Huila). There is a gas project in Barranca and a carbon one in the Cerrejón Norte (Guajira) and La Loma (Cesar). This country is equipped with three main oil pipelines (Caño Limón-Covenas, Orensa and Transandino) and three gas pipelines (Mariquita-Cali, Ballena-Barrancabermeja and Barrancabermeja-Neiva-Bogotá). (EIA, 2004 b). The priorities of the Colombian energy policy consist in achieving the restructuration of the State-owned company Ecopetrol, proceeding to the licitation of new blocks in order to compensate the decreasing productivity of traditional fields, and developing the new fields Guando, Condor, Capachos and La Hocha. There is also a “natural gas massification plan” and the project of increasing carbon exports. This policy has to deal with the intensification of the armed conflict and the militarization of the southern province of Putumayo, as a consequence of the Colombia Plan supported by the US since 2000.

In Ecuador, the main extractive projects are located in the oil fields of Shushufindi, Sacha, Libertador, Lago Agrio, Auca (provinces of Sucumbíos and Orellana), and in a minor degree, in the blocks 15 (Sucumbíos and Orellana), 16 and 31 (Orellana) and 10 (Pastaza). This country owns two 500 km pipelines running almost parallel: the SOTE and the OCP (the later conceived to transport heavy oil). (EIA, 2004 c). Priorities of the Ecuadorian energy policy are the restructuring of the State-owned company, Petroecuador, and consolidating the dollarization of the domestic economy, launched in 2000. The government also seeks to develop oil exploration and extraction in the southern Amazon provinces of Pastaza and Morona Santiago, and sign association contracts with the private sector, in order to revert the loss of productivity in some fields operated by Petroecuador. They also wish to start the production of the biggest field ever discovered in the country, ITT (Ishpingo, Tiputini, Tambococha), whose proven reserves amount to almost one billion barrels. Yet, a major obstacle to this policy is the conformation of an anti-oil movement in the Amazon provinces and the reactivation of the Texaco case, after the judge of Supreme Court of Lago Agrio accepted the demand in 2003. The government also faces several tax conflicts with multinational companies, and the opposition of the Congress to the reform of Hydrocarbon law.

In Peru, the main oil projects are located in the sedimentary basin of Tumbes-Progreso, Pisco, Marañón and Ucayali. But the major extractive project is the gas exploitation in the Camisea area (San Martín and Cashiriari, basin of Ucayali), which was licitated in 2000 for 40 years. (EIA, 2004 d). So far, this country had only one pipeline (Norperuano), but the priorities of the Peruvian energy policy include reverting the external dependence on energy that has been affecting the country since 1989, concluding the construction of two gas pipelines in 2004 in order to develop the Camisea project and achieve the integration with the Bolivian network of liquid gas transportation and export to Mexico and the US.

In Bolivia, 25 blocks were licitated between 1997 and 2003 for oil exploration and exploitation, in the whole Amazon region. The main gas projects are located in San Alberto, San Antonio, Itau and Margarita (Department of Tarija). The country is equipped with four gas pipelines (Yabog, Gasyrg, Río San Miguel – Río Grande – Sao Paulo). (EIA, 2004 e). The priorities of the Bolivian energy policy consist in developing the liquid gas production, accelerate the integration of the national gas transportation system with Brazil and Argentina, and integrate the gas market of Mexico and the US. This policy faces government instability and strong opposition to the gas transportation through Chile – which was the ultimate cause of the withdrawal of Sánchez de Lozada in November 2003. In 2004 started the negotiation

on the participation of native communities to the royalties and the reform to the Hydrocarbon law.

Indigenous peoples, civil society and environmental conflicts

Among the indigenous peoples threatened by oil and gas projects in Venezuela, are the warao (State of Delta Amacuro), the añú, the barí, the wayúu and the yukpa (Zulia) and the kariña (Anzoátegui). In Colombia, let's mention the inga, the kofan, the siona, the witoto, the koreguaje (department of Putumayo), the uwa (Samoré-Sirirí block, Norte de Santander, Boyacá), the awa (along the Transandino pipeline), the sáliba from Casanare and the maku-nukak from Guaviare (Fontaine, 2003 a). In Ecuador, are the quichua (in the blocks 10 and 23, Pastaza), the shuar, the achuar (block 24, Morona Santiago), the huaorani (blocks 16 and 31, Orellana) and the secoya (block 15, Sucumbíos) (Fontaine, 2003 a). In Peru, are the achuar, the quechua, the urarina (in the block 1 AB from Loreto and Alto Amazonas), the yanayacu (block 8 X, RN Pacaya Samiria), the quichua, the achuar, the shapra, the candoshi, the aguaruna (along the Norperuano pipeline), the yora-yaminahua, the amahuaca, the mashco-piro (block 77, Madre de Dios), the harakmbut, the ese'ija (block 78, Madre de Dios), the yanesha, the ashaninka, the nomatsiguenga (block 66, Oxapampa, Chanchamayo y Satipo), the matsiguenga-kugapakori and the yora-nahua (block 88, río Camisea y alto Cashiriari) (La Torre López, 1998). Finally, in Bolivia, the indigenous peoples affected by these projects, are the weenhayek (in the block Los Monos, from Tarija), the chiquitanos, the guarani-yacuiba (along the San Miguel-San Matías pipeline, in the Chiquitano dry forest), the yuki (block Mamore, Cochabamba), the yuracaré, the moxeños, the chimanes, the mostenes (Sécure block, Cochabamba y Beni) and the yuracarés (Chapare block, Chapare) (Gavaldá, 1999).

The intensification of oil and gas exploration and extraction in the Amazon region had led to the “dialogues on oil in fragile environment” organized by the Program On Non Violent Sanctions And Cultural Survival (PONSACS), from the Harvard University (PONSACS, 2000). The methodology, based on informal discussions between stakeholders, was acknowledged from 1998 by the World Bank “Energy, Environment and People Program”, through regular meetings between delegates from the Coordination of Indigenous Organizations of the Amazon Basin (COICA) [4], the OLADE and the Regional Association for Latin-American Oil and Energy (ARPEL), in partnership with the Andean Development Corporation (CAF) and various development organizations from Germany and Canada. This process, known as the “regional tripartite dialogue”, was achieved in Venezuela, Colombia, Ecuador, Bolivia and Peru, in three areas: information, formation and regulation (OLADE, 1999). No doubt, it can be considered as an example of institutionalisation (at an international

level) of the relationships between an important part of the civil society, governments and companies, for the recognition of the indigenous rights and the future of the regional integration and the harmonization of the environment and energy regulation. Nevertheless, after the 6th meeting in Quito, the COICA decided to quit this dialogue in January 2004, basically because of the strong opposition to oil and gas in indigenous territories sustained by its local organizations, and also in protest against the lack of guarantees for indigenous rights from the governments and the companies involved in the region.

Actually, what is at stake in many of these conflicts is the definition of priorities in public policies, which would guarantee sustainability through new standards of development. Not only this discussion refers to the payment of the external debt and the contribution of oil and gas royalties to public finances, but it also has to do with the previous consultation to indigenous peoples and their informed participation and, generally speaking, with the right of any citizen to live in a contamination-free environment.

The extension of extractive activities in the Andean Amazon, especially from the 1960s in the case of oil extraction, engendered important socio-ecological impacts, rather directly (contamination, deforestation, etc.) or indirectly (colonization, uncontrolled urbanization, etc.). Still, intensive extractive policies never had the expected distributive effects, as evidenced by the contrast between the heterogeneous energy situation we have presented and the homogeneously low regional human development indicators (HDI) [5], compared to European countries (see for instance, Norway's indicator: 0,944): Colombia's HDI is 0,779, before Venezuela's (0,775), Peru's (0,752), Ecuador's (0,731) and Bolivia's (0,652). (UNDP, 2003).

On the other hand, these countries all have to face political instability, that led to various presidential crisis in the last decade, with the withdrawal of Abdalá Bucarám and Jamil Mahuad in Ecuador, Alberto Fujimori in Peru and Gonzalo Sánchez de Lozada in Bolivia (Pérez Liñán, 2001). It is also to be reminded that Colombia and Venezuela face permanent governability difficulties: the first one because of a generalized violence that was not solved by President Alvaro Uribe's war policy, and the other one because of the strong opposition to President Hugo Chávez.

By bringing out the conflict to the field of power, according to a twofold rationality (in the weberian sense of value-oriented and instrumental rationalities), these actors of the civil society work hard to become strategic actors and influence extractive policies. Therefore, they question the model of governance throughout their participation in democratic governability.

This draws a new light on ecologist and indigenous movements in the region, but also on the role of many NGO and social organizations (occasionally turned into political ones).

Yet, since both the lack of redistributing effect and the political instability are major obstacles to sustainable development in the region, it is quite uncertain that energy governance and democratic governability would go along with each other.

Conclusion

The relationships between the civil society and the institutional system are characterized by continuous flows of information and ideas, which influence the making of public opinion, through regular and alternative media. On another hand, the legitimate process of decision-making within the institutional system has to go through a public-deliberation process (actually, the role of the legislative power). The civil society itself processes and organizes the necessities and demands expressed by the population at a local level, before transmitting them to the institutional system, through political parties or directly by social mobilization. Thus, the correlation between the decisions made in the public sphere and the necessities expressed in the private one depends on the degree of confrontation between the actor and the system. The challenge is for more effective participation in the definition of public policy, in order to achieve better democratic governability.

The way the civil society can influence energy governance – in the sense of getting higher guarantees for sustainable development – connects to a threefold phenomenon, worth recording here. In some cases, environmental conflicts accelerated the convergence of social movements – especially environmental and indigenous, but also peasant – which was already notorious in the World Summit of Rio of 1992. Second, the process of constitutional reforms, launched in Brazil in 1988 and concluded in Venezuela in 1999, led to the recognition of indigenous rights in the whole region. Third, the mediatization of some major conflicts – see for instance the “Texaco case” in Ecuador – led to important legal reforms in the environmental, the social and the hydrocarbon areas, although accurate political changes may still take time, especially in the application of collective rights like those mentioned by the ILO 169 Convention.

What a sociology of environmental conflicts reveals, is that most of these confrontations somehow refer to four structural dimensions of democratic governability. In their economical dimension, these conflicts are at the crossroad between four rational logics: the financial profitability, the globalisation and technology transfers, social and environmental impacts and the common definition of new sustainable development patterns. In their political dimension, they are related to institutional reforms and the quality of democracy, the external

debt pressure and the market liberalization, the regional integration, the periphery areas colonization and the consecutive control of the national territory. In their social dimension, the most characteristic is the interaction between social movements (indigenous, ecologist and peasant), the claim for “the right to life” and environment protection or conservation, conflict management and political incidence. Finally, in their ethical dimension, these conflicts deal with the defence of collective identities and a proper way of life, socio-political organizations and the convergence of indigenous and ecologist movements, the fight against inequity and the advocacy for economical, social and cultural rights.

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Notes

- [1] I assume Beck’s definition, according to which globalisation is a set of processes by which nation States are getting mixed and interdependent through transnational actors, in various dimensions – flows of information, ecology, economics, social and cultural life, etc. (Beck, 2001).
- [2] In 1998-1999 the projects related to governance represented 4.4% of the development aid given by the OECD (Cerrillo, 2001). There were 90 projects of governance or governability in Latin America and some 1.000 projects in Europe (Saldomando, 2000).
- [3] The producing capacity of natural gas in Peru will increase dramatically after the launching of the Camisea project, en 2004. In Bolivia, the opening of the integrated gas transportation system in 2004 will also affect the national production.
- [4] The COICA is an umbrella organization conformed of nine organizations from different countries of the Amazon region. At the moment it is supported by various European development organizations, like IBIS, InWent and the GTZ.
- [5] The HDI is calculated by the UNDP from the life expectancy at birth, adult literacy rate and combined enrolment ratio, and gross domestic product per capita.
