

Multi Stakeholder Dialogue as a Possible Way of Conflict Resolution

Training Programme on
**Understanding and Resolving Water Conflicts in
the North East India**

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Who is a stakeholder?

- The origin of the word could be traced to gambling
- Over time it has undergone a change
 - All those who are directly or indirectly related to an intervention or a resource

Stakeholder Analysis (SA)

- What is stakeholder analysis (SA)? What it can do?
 - It is a systematic way of understanding the stakes (concerns, interests, benefits, dis-benefits, etc.) of different agents around an intervention/resource
 - SA is a participatory methodology or approach adapted where resource sharing is difficult and proved unsuccessful by all conventional wisdoms such as legal, economic and other institutional mechanisms
 - SA helps to understand the problem better, to analyse degrees of stakes enjoyed by various stakeholders or users of a resource, to help document their socio-economic and political power and above all paves the way for beginning a dialogue process among all contending stakeholders

The purpose of Stakeholder Analysis

- To identify various stakeholders
- To analyse the degree of stakes enjoyed by them
- To differentiate between primary and secondary stakeholders
- To differentiate between primary and secondary disputes
- To document their strengths and weaknesses of stakeholders
- To examine the coping strategies and responses of various stakeholders
- To analyse conflicts in the appropriate socio-economic and political context
- To build the timeline of conflicts

Going beyond, it can also....

- Examine the prevailing and enabling conditions required for a fruitful dialogue process
- Identify areas for further work (both for action and for research) with a view to fulfilling gaps in knowledge
- Explore and analyze the potential utility of the MSD, to examine popular and political support for such a dialogue and above all to rule out a possibility that such a dialogue might take place in policy vacuum
- Explore the possibility of converting a win-lose situation to a win-win situation

Identification of stakeholders & stakeholder analysis: Chennai peri-urban case

- The urban and peri-urban context
- Is urban expansion an inevitable process?
- If we say urbanization is an inevitable process, should we let the peri-urban population / areas suffer?

Or

- Is there a way in which the spread of urbanization could be used for the best use and advantage of both the populations?

Who are the stakeholders?

- Two sets of stakeholders could be identified who have diagonally opposite interests:
 - State
 - Peri-urban population

State is represented by

- Metro-Water Supply and Drainage Board
- Tamilnadu Water Supply and Drainage Board
- Chennai Metropolitan Development Authority
- Village Administrative Officer (VAO)
- Block Development Officer (BDO)
- Thasildar (the Revenue Department taluk-level head)
- District Collector
- Public Works Department (water resources)
- State and Central Groundwater Boards
- Chennai city Municipal Corporation
- Departments of Agriculture, Revenue, Forest and a few others who are concerned with water
- Tamilnadu Pollution Control Board
- MLAs and MPs
- Ministers

Peri-urban population is represented by

- Farmers who live in peri-urban villages
- Village Panchayats
- Village level informal institutions
- Farmers
 - Land and well owners
 - Water sellers
 - Non-water sellers
 - Land owners but non-well owners
 - Tenant cultivators
 - Landless agricultural labourers
- Non-agricultural population:
 - Artisans,
 - Workers in non-agri. Sectors
 - Traders

Those with indirect interests in the urban and peri-urban water supply and conflicts

- Tanker-truck operators and their Associations
- Water companies who sell purified drinking water
- Hospitals, hotels, educational institutions, government offices
- Commercial enterprises, industries, SEZs
- Flat promoters, Residents' Welfare Associations and other urban water users

Civil society

- Non-Governmental Organizations (NGOs)
- Activists
- Researchers
- Media

Stakeholders: power, strengths and weaknesses

- Four sets of stakeholders:
 - State
 - Other urban stakeholders
 - Peri-urban agricultural and non-population
 - Civil Society

Clashing view points of various stakeholders

Stakeholders	Reasons for conflict	Fighting against whom
Farmer – water sellers (WS)	Reduction in Profit	Those who protest water sales
Farmers – non WS	Loss of livelihoods and GW depletion	WS, MWB and TWAD Board
Landless Agri. Lab	Loss of livelihoods and GW depletion	WS, MWB and TWAD Board and those who protest against sand mining
MWB, TWAD Board	Under stress to supply water to the city and adjoining areas	All protesters of water sales and sand mining
Tanker operators	Reduction in profit	All protesters of water sales and sand mining
Water companies	Reduction in profit	All protesters of water sales and sand mining
City dwellers / Civic Associations	Lack of DW supply	WS, MWB and TWAD Board and Govt
Civil Society Organizations	Loss of ecology, environment and livelihoods in PU areas	WS, MWB and TWAD Board and Govt.

What is a dialogue?

- Dialogue is a form of informed conversation and interaction
- Dialogue: more informed, sustained, persuasive, inclusive, pluralistic and democratic
- This approach is often more successful in deep-rooted, value based conflicts where negotiation is impossible
- It warrants breakdown of stereotypes, willingness to listen, respect for each others' views, and a willingness to open oneself to new ideas

A key question

- If you do not believe in MSD as a conflict resolution tool what is the alternative in a democratic governance?

Steps

- Pre-dialogue, brainstorming meetings
 - Give a platform for all stakeholders to get together
 - The purpose is to get the steam out from ones system
 - Have a well informed and unbiased panel (acceptable to all stakeholders) to respond to observations made by the stakeholders
- Formation of an inclusive stakeholder committee
- Filling up of data and knowledge gaps
- Development of different scenarios and alternatives - in a positive sum game framework
- Final solution: consensus amongst the stakeholders

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The case study of Palar basin

Some facts about the Palar basin

- The second rice bowl of Tamil Nadu, next to Thanjavur, irrigated by tanks and wells
- Highly urbanized with flourishing rural-urban water market
- Very high concentration of tanneries;
 - 75% of the tanneries in the state are concentrated in this basin
 - Contributes to 30% of total leather exports of the country
 - Earns about Rs.50 billion towards forex
- Tanneries are highly water intensive and polluting
 - Generates about 38 mld of effluent (high TDS and chromium and some traces of cyanide)

Impact on agriculture, water, health

- Agriculture is very badly affected
 - Decreased yield
 - Abandoned wells
 - Polluted surface and groundwater
 - Acute drinking water problems
 - Serious health problems
 - Rapid decrease in agriculture employment
 - Large scale migration

Mitigation and regulatory measures

- Public interest litigation and Supreme Court's intervention through the historic 1997 judgment
 - 'The tanneries might earn foreign exchange and provide employment and therefore that did not give them the license to pollute the river and the environment; hence ordered for the closure of all tanneries'
- Comprehensive failure of CETP
- TNPCB and its role - lack of effective monitoring and law enforcement mechanism

Multi-Stakeholders' Dialogue

- The first MSD meeting - or brainstorming meeting - in January 2002 in Chennai
 - 120 participants representing the various stakeholders
- Objectives of the meeting:
 - To take stock of use and abuse of water in the basin in the overall context of urban and industrial expansion, poverty, food security and hunger
 - To assess and examine who are the defaulters of law, their positive and negative contributions to society and economy
 - To bring together various stakeholders for a fruitful dialogue with a view to hear, debate, document and make public their voices

Multi-Stakeholders' Dialogue

- Objectives of the meeting:
 - To find ways for preventing further degradation of natural resource in question and to work towards sustainable development with a common agenda within a framework acceptable to all stakeholders
 - To find ways to turn situations of conflict and distrust into opportunities for mutual aid and cooperation

The dialogue centered around these main issues

- Deteriorating livelihoods and local water supply options
- Rapid environmental degradation, the use environmental laws - Do we need new laws?
- Legal remedies - filing public interest litigation cases; would it help the cause?
- Technologically more efficient IETPs and CETPs; Use more cleaner technologies and recycle the treated water. Do we have an efficient monitoring mechanism?
- Put pressure on the Loss of Ecology Authority for the reversal ecology. Is it possible?

Outcome of the first MSD meeting

- The formation of the *Multi-stakeholders' Committee of Water Users'* of the Palar river basin with 32 members drawn from all sectors
- Publication of proceedings of entire dialogue as a book - a kind of public document

Objectives of the Committee

- Reversal of ecology: Reversal of ecology is a package, which involves:
 - Revamping of traditional irrigation sources such as tanks and springs as a measure of providing adequate irrigation water as well as to recharge groundwater
 - Channeling water into the Palar River in order to increase water flow
 - Preventing sand mining
 - Preventing polluted water (both from industries and from domestic sewage) from entering the river - whether treated or untreated
 - Removing encroachments in the Palar River
 - Suggesting cleaner technology for water treatment (RO technology)
- Developing a rapport with various government agencies

Major outcomes of the MSD process in the Palar basin

- Stakeholders have been meeting periodically with the mindset of finding a solution
- Unanimous agreement that the closure of tanneries is not the solution
- Agreement to share information among members:
 - it is significant that tanners have agreed to part with their information on all aspects concerning tanneries
- Tanners have agreed to provide access to other members, including farmers, into the tanneries and CETPs - regular monitoring
- Proposal to handover the entire effluent to a private company for treatment; still exploring this option
- A few individual tanners have set up their own facilities for treating TDS in the effluent

Lessons

- It is a messy job; may not work in all situations
- A credible agency for handholding
- Recognise that stakeholders are heterogeneous, unequal - power relations
- Need to create a level playing field
- Inclusive normative framework
- Access to reliable information/data