

LATIN AMERICA: ELITES,
NATURAL RESOURCES AND
CONFLICTS

INDEX:

Editorial	1
<i>Fran Espinoza</i>	
P@X Theory	
"The Barons of the East. Power in Santa Cruz yesterday and today"	
<i>Ximena Soruco Sologuren</i>	2-3
"The right of the indigenous peoples to their land and natural resources: the AWAS TINGNI case"	
<i>Felipe Gómez Isa</i>	4-6
P@x Observatory	7-9
P@x Studies	
"Minerals without borders? Conflict and development in the mining regions of Peru"	
<i>Javier Arellano Yanguas</i>	10-11
"Natural resources, power elites and conflict in Guatemala"	
<i>Renzo Lautaro Rosal</i>	12-13
PS Attic	14-17



P@X

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Editorial

The process of approaching a specific issue is not free from theoretical and empirical difficulties. This is also the case of the theme presented in this P@x edition. The term "elite" can be, for example, interpreted in different ways: the media generally interpret "elites" as something positive and healthy, whereas, in Political Science, the term is usually perceived in a more critical way. However, due to the origins of the term, it is not easy to find within the Political Science arena a minimal consensus on a sole definition able to congregate all the essential elements.

In this area the contribution of Waldmann (2007) is an important reference, since the author analyses the concept "elite" within the Latin-American context, going beyond the historical and conceptual approach of the term, and reflecting on both the role of the elite and the rest of the population- "la masa". According to the author, there are three elements that should be taken into account in order to guarantee a minimal consensus around the definition. He summarises them as follows. Despite divided into different groups, an elite is always a

minority. In the modern states, elite would be composed by a maximum of 2,000 to 3,000 people. They would highlight their distinction towards the majority by means of their status, prestige and authority. The other criteria would be the sector's heterogeneity that would form the elite: from the Church to important executives, intellectuals and artists. Finally, to be part of the national elite it is important to hold different merits. This selected minority should be able to influence public opinion on political and economic decisions. It is important to highlight that the selection is made based on the capacities and virtues of those who aim at being part of the elite.

Within the Latin-American context, it is very common to find alliances between business elites, land owners and local political elites who are interested in the ownership and exploitation of the natural resources, which, in turn, are situated in the territories inhabited by indigenous peoples and peasants. The first ones were recently recognised in different Constitutions as the legitimate owners of the aforementioned properties as they have lived there since ancestral

times. The second ones have experienced less juridical and political recognition ending up being converted into more vulnerable subjects and with less capacity to claim for their rights. The elites which know these realities consider themselves the best leaders to extract and commercialise raw materials: energetic resources, precious minerals, timber, etc. Indigenous as well as peasant communities are aware of that those resources are their last card as far as their development and survival. They, hence, face the elites by means of social protest in order to give visibility to this problem. As such, a fourth element joins the triangle elites-natural resources-conflict – the mobilised people demanding that the State and the international organisations recognise their right to their own natural resources.

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Reference:

Waldmann, P. (2007). "Algunas observaciones y reflexiones críticas sobre el concepto de elite(s)". In Birle, Peter et al. (eds.), *Elites en América Latina*, Madrid: Iberoamericana p. 9-30

P@X Theory

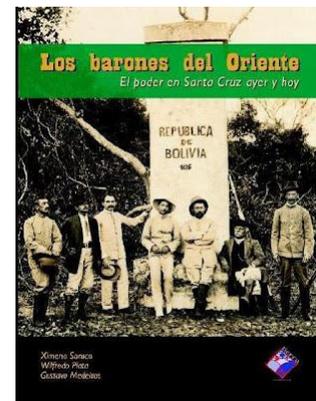
The barons of the East. Power in Santa Cruz yesterday and today

The research that led to the publication of the book *Los barones del Oriente. El poder en Santa Cruz ayer y hoy* intended to comprehend history, the socio-economic configuration and the political projection of the elite of Santa Cruz, in a moment in which it generated a profound political instability with its explicitly racist and separatist discourse.

This situation emerged when Evo Morales, the first indigenous president of Bolivia, was elected in 2005, which was followed by the Constituent Assembly and the approval of the State's political Constitution in 2009. Against this backdrop the Santa Cruz elite accentuated its regional discourse as a mechanism of confrontation with the indigenous government and the radical version of this discourse evolved into a separatist nationalism. The key argument in the dispute between the elite and the indigenous government was the rejection of an indigenous government in the west region of the country and the defense of a model of production, life style and the political and cultural (mestizo) self-determination of the east region, whose centre is Santa Cruz.

The first chapter of the book analysis the moments of economic and subjective accumulation of this elite. One of the main findings of the book is that unlike the elites of La Paz, which had national hegemony (the liberal elite in 1899, the elite that emerged from the 1952 Revolution and the elite that was formed during the current government), the elite of Santa Cruz hasn't had a process of renovation, that is, it has reproduced without disruption or questioning from the social movements, the modern business sector or the middle class (rise by merit rather than clan relations). This feature is key, since it enables us to understand the internal cohesion of this elite, which is based on the undervaluation of the indigenous peoples, internal and external to the region. According to this interpretation, the Santa Cruz's elite surfaced between 1880 e 1915, with the rubber boom. This explains the blatant maintenance of its Darwinist discourse since the beginning of the XX century until today.

As a product of peak moments in the extraction of specific products (rubber, cotton and soya), highly connected to the international market, this group was not object of a "national" questioning by the internal market nor established a more horizontal dialogue with the indigenous and urban mestizo population of Santa Cruz, as conducted by the La Paz elite of 1952 and of today.



Book cover "Los barones del Oriente. El poder en Santa Cruz ayer y hoy", by Ximena Sologuren, Wilfredo Quispe and Gustavo Medeiros (Santa Cruz, Bolivia, Fundación Tierra, 2008)

The early fall in rubber prices generated a geographical isolation of the East from the internal national market until the 1952 Revolution, when the nationalist agrarian policy invested capital (the mining surpluses) in the building of roads and mills and in the setting up of credits for the agro-industrial bourgeoisie, in order to guarantee food self-sufficiency in Bolivia. However, the clientelist delivery of lands and credits during the dictatorship regimes (1964, 1971-1978) gave this elite a commercial-financial character (non-productive). The (free) assignment of lands (proprieties between 10-50 thousand hectares) during this period transformed the agrarian structure in Santa Cruz.

The chapter two of the book analysis the main characteristics of the autonomist discourse of the elites of Santa Cruz in a two-fold way: the construction of a particular regional history and the development of a own political

P@X Theory

project. Wilfredo Plata claims that the elites of Santa Cruz have historically managed the axis of autonomy and separatism in its struggle for the hegemony in the region and in its relation with the State.

The imagery built by this sector is based on the (racial) difference of the “Nación Camba” in relation to the rest of the Bolivian society. Accordingly, an epic history is built, one in which the Santa Cruz’s “conquerors” faced the colonial and republican State in order to conquer firstly their territory and then their autonomy. This section also addresses “the dark side” of this narrative: the exploitation and near-extirpation of the indigenous population of the low lands and the silencing of this other history which had its peak in 1887, with the uprising of the moxeños indigenous peoples, led by Andrés Guayocho, and in 1892, with the *Kuruyuki* battle protagonised by the guaranis in defense of their territory.

Finally, the last chapter, by Gustavo Medeiros, analysis the current situation of the soya agro-industry. Through a description of the international conditions and the development of the soya production in the region, Medeiros demonstrates that despite the fact that the soya production has shown impressive growth over the 1990s, it is currently limited by its own internal logic.

The dominant economic model in Santa Cruz requires an aggressive expansion of the agricultural frontier in order to maintain income production and consequentially their competitiveness in the international market. The consequences of this expansion are a) land speculation, big lands with low levels of investment or non-explored provide the growth requisites of the agro-industry; large landholdings and capitalist enterprises are, thus, complementary, b) this intensive use of ever growing areas and mono production generate deforestation and environmental damage which, in turn, violate the reproduction of the model; and c) the pressure for land increases the likelihood of violent conflict over land, among big and medium landowners, peasants from the Andine region who have migrated to the East and indigenous people from low lands.

“*Los barones del Oriente*. El poder en Santa Cruz ayer y hoy” is not a regional history but a history of an elite and its discourses and economic model, based on a region, Santa Cruz, but interpreted in face of the national context at a time when the Bolivian society risen to surpass the internal colonialism against the indigenous population, which corresponds to the majority of the population, and rebuild and strengthen the State.

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P@x Theory

The right of the indigenous peoples to their land and natural resources: the AWAS TINGNI case

In the past years we have witnessed a growing interest in the prospection and exploitation of natural resources. These resources have become strategic both economically and geopolitically. Many of these resources, namely hydrocarbons, oil and minerals, are found in territories inhabited, since ancient times, by indigenous peoples and whose land is depositary of a vast part of the planet's biodiversity. In this context a great number of conflicts have been emerging between States and transnational companies, on the one hand, and indigenous communities, on the other, which convey different visions of the exploration of resources and their contribution to development.

In this regard, the contribution of the Human Rights Commission and the Inter-American Court, part of the human rights protection and promotion system of the Organisation of American States (OAS), should be highlighted. In mid 1990s, a poor and isolated indigenous community of the Atlantic Coast of Nicaragua – the community Awas Tingni of the Mayangna's people – resorted to the Inter American system to denounce the Nicaraguan government's timber exploitation concessions in a territory inhabited since ancient times by indigenous communities, without asking for their opinion. The decision of the Inter-American Human Rights Court, based at San José, Costa Rica, on the case of the Community Awas Tingni Against Nicaragua (August 2011) set an important precedent for the evolution of the rights of the indigenous peoples to their land and natural resources in the international legal system. The interpretation conveyed by the Inter-American Court in relation to property rights in this case constitutes a real challenge to the traditional concept of property rights mentioned in the most relevant international human rights instruments. In addition to this, this new and brave jurisprudence was followed and deepened by the Inter-American Court in other cases where indigenous communities were involved in the defence of their ancestral lands.

Some of the most significant cases are the *Yakye Axa*, the *Moiwana*, the *Saramaka*, the *Sawhoyamasa*, the *Xákmok Kásek*, amongst others. The Court followed what it labelled as an “evolving” method of interpretation, opening the door to the use of normative developments in the field of human rights produced in external contexts to the Inter-American system. This understanding enabled the Court to surpass a strictly formal criteria when it came to interpret the meaning, the nature and the scope of the indigenous rights in terms of land and natural resources property.



Awas Tingni. Credits: Kenneth González

Despite the fact that the article 21 of the American Convention on Human Rights (1969) [1] does not explicitly refer to the collective property of the indigenous peoples, the interpretation provided by the Court is that this disposition includes not only the traditional and orthodox conception of property rights, namely individual rights, but also the protection of communitarian property of the indigenous peoples as defined by its uses and customs. As a result of this new interpretation, the Inter-American Court concluded that the State of Nicaragua had violated the property rights of the Awas Tingni community by making concessions to a timber company without asking for the community's consent and without having had demarcated, entitled and registered the

P@x Theory

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On the right, Mrs. Melba McLean, and Mr. Marcial, on the left, Mrs. And Mr. Peru. Credits: Melba McLean

Relying on the testimonies of the leaders of the Awas Tingni community and experts on the rights of indigenous peoples, conducted in a public hearing at the headquarters of the Court, in San José, Costa Rica, the most important Court in the Americas in the field of human rights concluded that “amongst the

indigenous peoples there is a community tradition of collective property of the land, in the sense that the ownership of the land is not centred on the individual but rather on the group and community” (para. 149). In this sense, the Court claimed that “the close relation that the indigenous communities maintain with the land should be recognised and understood as the fundamental basis of their cultures, spiritual lives, integrity and survival” (para. 149), emphasising the cultural and spiritual meanings of the land to the worldview of the indigenous peoples.



Tuno's handicrafts of the Awas Tingni community.

Credits: Melba McLean

Other key point was the ultimate foundation of the property rights of the indigenous peoples. According to the Court, the foundation of such right is not based on the State's recognition, but rather on the very own practices and customary uses of the indigenous communities. In the words of the Court, “as a product of customary law, land ownership should be enough for the communities that lack an actual land property title and wish to obtain the official recognition of such property and, as a result, its registry” (para. 151).

For these reasons, the Court convicted the State of Nicaragua for violating the indigenous property rights of the Awas Tingni community and, consequentially, the State has the obligation to delimitate, demarcate and title the territory of the community of Awas Tingni and the rest of the indigenous communities in Nicaragua.

P@x Theory

Despite the great difficulties that the Awas Tingni community faced during the process of sentence execution (in fact, the community only received the property title in December 2008, seven years after the issuing of the sentence) we should recognise that this ruling has opened the door to the progressive development of the rights of the indigenous peoples to their lands and territories and also to a certain empowerment on the part of the indigenous peoples' defense of their own rights. However, as in many other contexts, there is a huge distance between law proclamations and the recognition of the rights of the indigenous peoples and the cruel reality which they continue to face everyday in their struggle for accessing to natural resources.

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Notes:

[1] The article 21.1 of the American Convention on Human Rights points out that "Everyone has the right to the use and enjoyment of his/her property. The law may subordinate such use and enjoyment to the interest of society."

P@x Observatory

Resources on Conflicts over natural resources

Fellet, João (2012), “Indígenas latinoamericanos se unen contra megaproyectos”, *BBC Mundo*, 23 April.

http://www.bbc.co.uk/mundo/noticias/2012/04/120423_indigenas_desafian_fronteras_jgc.shtml

United Nations Environment Programme (nd.), *Del conflicto a la consolidación de la paz. La función de los recursos naturales y el medio ambiente*. Nairobi: The United Nations.

http://postconflict.unep.ch/publications/ES_pcdmb_policy_01_s.pdf

Peace Builders

Observatorio de Conflictos Mineros de América Latina (OCMAL):

<http://www.conflictosmineros.net/home>

The work of the *Observatorio de Conflictos Mineros de América Latina* (the Observatory on Mineral Conflict in Latin America, in English) is focused on building solidarity towards the communities and organisations impacted by the mining industry. Decision are taken by consensus, guaranteeing the participation of all those working at the Observatory and respecting the autonomy of each institution/member organisation. OCMAL as well as its members do not take funding from multilateral organisations, mining companies or any other institution associated to those. OCMAL’s main activities are the dissemination of information, campaign support, the organisation of solidarity actions and the articulation of the initiatives developed by each member organisation.

Observatorio Latinoamericano de Conflictos Ambientales (OLCA)

<http://www.olca.cl/oca/octext.htm>

The *Observatorio Latinoamericano de Conflictos Ambientales* (the Latin American Observatory on Environment Conflicts, in English) provides assistance to communities in conflict in order to maximise their management capacities towards the defence of environmental rights. It monitors environmental conflicts; develops conflict management tools for these conflicts; researches and disseminates aspects related to environmental protection and citizenship rights; conducts documentation and specific researches and promotes the transfer of conflict management tools. OLCA’s main objectives are: perfect methodologies in order to systematise, analyse and manage participatory solutions to environmental problems; provide technical and juridical assistance to communities affected by environmental conflicts; empower communities in the defence of the environment; and put knowledge to the service of civil society which seeks environmental protection namely through the diffusion of experiences of relevant environmental conflicts.

Observatorio Petrolero Sur

<http://www.opsur.org.ar/blog/>

The *Observatorio Petrolero Sur* (the Observatory on the South Oil in English - OPSur) was established in 2008 as a militant answer against the aggressive policies of promotion of the oil extraction in Argentina. OPSur is integrated in the Public Policies Centre for Socialism (CEPPAS) and is part of the international network *Oilwatch*. After a stringent policy of federalisation implemented in mid-1990s and consolidated in the past years, all Argentinian provinces took on the full ownership of their natural goods/resources, becoming the new interlocutors of the oil industry. Most provinces launched an aggressive bidding campaign for the use and exploration of hydrocarbons areas while others are still adjusting their regulation frameworks.

Plataforma de Política Energética

<http://www.plataformaenergetica.org/content/2>

The *Plataforma de Política Energética* (Energy Policy Platform, in English), led by the *Centro de Estudios para el Desarrollo Laboral y Agrario* (Centre for Studies on Agrarian and Labour Development, in English - Cedla) is a participatory space, plural and democratic, which aims to share and systematise information and analyses, produce knowledge, promote research and public debate on energy oriented towards the broad participation of experts, research centres, public and private institutions and social and business organisations.

Rio + 20 Earth Summit

<http://rio20.net/en-camino-a-rio>

The Rio+20 Earth Summit – officially named as United Nations Conference on Sustainable Development - – will take place on 20-22 June 2012 in Rio de Janeiro, Brazil. This Summit represents a new attempt, in the beginning of the new millennium, under the auspices of the United Nations, to advance the commitments of States and the international community towards major changes in the XXI century. The Summit will be held twenty years after the historical summit of Rio de Janeiro and ten years after the Johannesburg Summit.

The United Nations' call to action is an ambitious one. It urges States, the civil society and citizens to “launch the bases for a world of prosperity, peace and sustainability”, and has three main objectives: 1. Securing renewed political commitment to sustainable development. 2. Assessing the progress and implementation gaps in meeting already agreed commitments. 3. Addressing new and emerging challenges. The Summit has two main themes agreed upon by the member States: 1. Green economy within the context of sustainable development and poverty eradication; and 2. Institutional framework for sustainable development.

Training programme in Human Rights for Indigenous Peoples in Latin America

www.idh.deusto.es

The Training programme in Human Rights for Indigenous Peoples has begun in 2000. It results from a partnership between the United Nations Office of the High Commissioner for Human Rights and the Human Rights Institute Pedro Arrupe, based at Deusto University. The Programme is supported by the Basque government. The training activities of the programme are included in the research programme "The time of Rights " (Huri-Age) Consolider-Ingenio 2010. In the past twelve years, more than 80 "Abya Yala" indigenous leaders were trained by the programme.

The Programme provides the indigenous people, men and women alike, the opportunity to gain knowledge on human rights in general and on Indigenous People's human rights in particular. The overall objective is to contribute to their participation and provision of assistance to the organisations and communities in terms of human rights protection and promotion. Through international advocacy activities, the Programme facilitates the insertion of trainees and fellows in international networks of human rights defence of the indigenous peoples.

Minerals without borders? Conflict and development in the mining regions of Peru

P@X Studies

The connection between mining exploitation and social conflicts is not surprising and has been extensively studied in many countries. However, there is something new and perplexing in the Peruvian case: the conflicts multiplied after the government in collaboration with mining companies implemented a set of policies expressly designed to reduce social conflict associated with mining exploitation, convince the population of the benefits of the mining industry and project a more amenable image of these companies. These policies comprised two main innovations. The first was the redistribution of an important amount of fiscal income generated by the mining activity to the sub national governments of the mining regions (*el canon minero*). The second innovation was the greater participation of mining companies in social development activities. These policies are not exclusive to Peru, but rather integrate an attempt led by the international financial institutions and transnational mining companies to project a more responsible and development-oriented image of the mining industry.

The results of the implementation of this strategy in Peru are important for mining companies intending to invest in the country. Additionally, the implementation of this strategy made Peru a test laboratory for the implementation of similar strategies in other developing countries.

My book “¿Minería sin fronteras? Conflicto y desarrollo en regiones mineras del Perú” [*Minerals without borders? Conflict and development in the mining regions of Peru*, in English] seeks to answer to two questions: 1) why have social conflicts in mining regions increased significantly after the implementation of these policies?; and 2) is there any evidence that the implementation of these policies has led to the improvement of the economic and social well-being of the inhabitants of the mining regions?

Book cover of *¿Minería sin fronteras? Conflicto y desarrollo en regiones mineras del Perú*, by Javier Arellano Yanguas. (Lima: Instituto de Estudios Peruanos y Pontificia Universidad Católica del Perú, 2011).

Two clear answers emerge from the research:

- 1) The new criteria of distribution of the benefits generated by mining operations encourage local actors to use conflict in order to gain access to and/or maximise their participation in the distribution of these benefits.
- 2) These policies have not had a significant impact on the economic indicators and social well-being of the municipalities and the regions that received large transfers of resources resulting from mining extraction.

This book analysis the ways in which these policies have not only failed to reduce the number of social conflicts, but also have contributed to its increase. Thus, the book challenges and modifies the conventional explanations which consider that the negative impacts of the mining activity on the environment and on the well-being of the population are the main triggers of conflict. Without dismissing these negative effects of mining extraction, this book maintains that these elements are not sufficient to explain the rapid increase in social conflicts registered in Peru between 2005 and 2008.

This book presents an alternative analysis to the situation, demonstrating that social conflicts have become more frequent in regions with profitable mining industries and, therefore, which received larger tax transfers.

Two distinct mechanisms explain this “entry effect”. The first one is that the government allowed the two mining companies to retain most part of the extra revenues generated by the spectacular increase in the price of minerals and presented the mining companies as a key development actor. To the public opinion this reinforcement meant that the companies would have an obligation to take care of and protect the population of the mining regions. In a context lacking functioning and effective institutions, the population, especially the peasant communities closer to the mines, utilised the conflict to negotiate greater economic compensations and employment opportunities in the companies. The second mechanism is all the more surprising: the increase in taxes generated disputes about the access to and the use of these financial transfers. Different sectors of the population and sub-national government competed and fought over the control of these resources.

The new policies have not, thus, fulfilled their promises of development. In spite of the importance of the transfers received by the regional and municipal governments in mining areas and the budget increase of the social projects supported by mining companies, during 2002-2008 the economic and social indicators have not improved more in these areas than in the rest of the country. The official version attributed this failure to the “lack of management capacity” of the sub-national governments. However, the analysis of the processes of resource allocation in mining municipalities reveals a far more complete picture in which the existence of political incentives to spend hastily is more important than the “lack of capacity”. The population as well as the municipal and regional authorities were caught up in a blind game that prioritised short-term resource redistribution, through the job creation in the public sector, in detriment of long-term benefits which could have been achieved with better planning. The very own government and the mining companies reinforced this short-term spending trend.

This book underlines the fact that the transfers made to the sub national governments of the producing areas and the greater involvement of mining companies in local development are clearly insufficient if political and institutional reforms, aimed at regulating the mining sector and reinforcing the presence of the State in the rural areas, are not also put in place. In addition to this, these policies are perverse whenever they try to avoid the need to address these reforms.

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P@X Studies

Natural resources, power elites and conflict in Guatemala

1996 marked the beginning of a new era in Guatemala: the peace agreements were signed after 36 years of armed conflict and brought about change in almost all spheres of social life.

The forms and dynamics of organisation, power and incidence changed and adjusted to the new times. "The stability crisis, the fragmentation of the elites, the transformation of several social actors into new political actors, the environmental awakening of groups highly impacted by climate change, the threat of natural resources exploitation, the growing socio-environmental conflict and the change of priorities of the international community towards Central America mixed and designed a new context that modified not only the conditions, but also the means to influence action in favour of the environment" (IARNA, 2010).

The exploitation of natural resources in Guatemala

Since colonial times Guatemala has produced laws privileging the exploration of natural resources such as gold, silver and so forth. The first exploitation began in 1908, with the approval of the first mining law. Both this law as well as the current one recognise the importance of non-renewable resources to the State, attributing to this type of exploitation "a concessionary nature which consists of an administrative act of the State through which it recognises a natural or legal subject the rights of use and exploration, benefits and the rights of mineral trade in the most broad and unrestricted manner. This is a principle of the very own liberal state" (Rosal, 2012).

The last amendment to the law took place in 1997 and limits the veto or opinion power of the communities affected by the exploitation of natural resources; not contemplating mechanisms of inclusion, participation and consultation of the impacted communities despite the existence of laws regulating the participation of citizens (namely the International Labour Organisation's 169 Agreement). The 1997 law entitles the State to exclusive mining licenses or rights, reducing to 1% the benefits of the declared metallic minerals.



'Mi familia vale mas que el ORO. Tenemos derecho a decidir sobre la mineria'; in English, 'My family is worth more than GOLD. We have the right to decide on mining'- www.calas.org

Since 2003, and with the support of the new law on mining exploitation, the government began to yield territories for the exploitation of metallic minerals. In that year, the mine Marlin was set up, propriety of the Canadian company Goldcorp. Hitherto 274 mining licenses were issued, concerning metallic and non metallic minerals. 815 licenses are still being processed. This number of licenses issued reveals the interest of multinational companies in the exploitation of natural resources. However, the issuing process has not taken into consideration neither the opinion of the communities nor the potential harms of socio-environmental conflict.

The world of development and "the local"

Robinson (2003) states that major globalisation constitutes a determinant element in the recent history of Central America. As the countries integrate in the global economy, the interdependency between national and international processes grows (IARNA, 2010). The author identifies five global trends that influence national processes: a) the transition from a world economy to a global one which involves growing transnationalisation of the States, social classes as well as political and economic processes; b) a new global mobility of the capital which began reorganising world production according to political considerations and the relative costs of production factors; c) the national production's bases began fragmentising and integrating

P@X Studies

into new global accumulation circuits. Guatemala adopted as priority the attraction of foreign investment; and d) the developing countries started being pressured by western industrialised countries in order to adopt the model of liberal democracy, perceived as the political system able to generate “development”. This type of new institutionalisation emerged without adequate support processes of social dialogue, sidelining the local cultural, political, and economic specificities, and at times replacing local effective and legitimate institutions which contributed to governance; and e) in the field of cultural globalisation the struggles for recognition and identity re-affirmation of social movements have become significant traits.

New dynamics and local power expressions

It is important to underline the capacity of citizens to formulate power strategies that respond to local reconfiguration and capacity-building and that have many implications, namely the capacity to mobilise and articulate processes and the participation of the citizens as well as reveal the political weight that results from the exercise of citizenship. One of the examples of the new types of local power appropriation is the organisation system of the indigenous peoples which mixes a spiritual worldview and a public one in the demand for the rights of indigenous peoples. Local capacity-building of the indigenous peoples has led to communal initiatives that seek to establish and develop advocacy strategies to defend and uphold their rights in many areas. Community consultations are ancestral practices conducted by the indigenous peoples in order to discuss socially relevant topics, such as the extraction of natural resources.

These new dynamics of local power reverse the paradigm of the paternalist State and the power symbolism which limits the spaces of citizen participation neglecting the organisational bases, the alliances and the struggles of the indigenous peoples. In the past, the indigenous communities were affected by many factors, namely by the internal armed conflict. Today they have given up resistance and reconfigured themselves as subjects and actors. They are no longer “locals” but rather agents capable of regional action with

potential national impact.

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References

IARNA/URL. (2009). *Gestión Ambiental y Gobernabilidad Local*. Guatemala: Instituto de Agricultura, Recursos Naturales y Ambiente.

Instituto de Agricultura, Recursos Naturales y Ambiente. (2010). *Conceptualización, diseño y bases para la puesta en marcha de una nueva etapa de incidencia política a favor del ambiente en Guatemala*. Guatemala: Instituto de Agricultura, Recursos Naturales y Ambiente.

Interview with K'aqchikel, C. d., March 2012. (Interviewers: A. Pacheco, D. Suazo, and K. García-Ruano).

Interview with K'iche, C. d., April 2012. (Interviewers: A. Pacheco, and D. Suazo).

Interview with Mam, C. d., Mar2012. (Interviewers: A. Pacheco, and D. Suazo).

Martínez, J., & Villagrán, C. (2009). *Conflicto por el uso de la tierra*. Guatemala: Instituto de Transformación de Conflictos para la Contrucción de la Paz en Guatemala.

Ramos, B., & Sosa, M. (2011). *Un Estado otra Nación*. Guatemala: Instituto de Investigaciones y Gerencia Política.

P@X Studies

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PublicationsGEP

Cardoso, Katia (2012), "**Insegurança**" in Observatório das Crises e Alternativas, *Dicionário das Crises e das Alternativas*. Coimbra: Centro de Estudos Sociais and Almedina.

Cravo, Teresa Almeida (2012), "**Ajuda externa**", in Observatório das Crises e Alternativas, *Dicionário das crises e das alternativas*. Coimbra: Centro de Estudos Sociais and Almedina, 22-23.

Cravo, Teresa Almeida (2012), "**O significado de François Hollande**", *Mundus*, NERIFE/AAC, June.

Cunha, Teresa (2012), "**Karau timor ínan ferik. O fado ou a fúria da búfala velha? Um ensaio feminista sobre a polirracionalidade da emancipação**". In Kelly Silva; Lúcio Sousa (orgs.), *Ita mau alin. Afinidades antropológicas em torno de Timor-Leste*. Lisbon: Edições Colibri, 257 – 275.

Kanet, Roger; **Freire, Maria Raquel** (orgs.) (2012), **Competing for Influence: The EU and Russia in Post-Soviet Eurasia**. Dordrecht: Republic of Letters Publishing.

Freire, Maria Raquel (2012), "**Russian Foreign Policy in the Making: The Linkage between Internal Dynamics and the External Context**", *International Politics*, 49, 4.

Freire, Maria Raquel; Simão, Licínia (2012), "**ENP and post-Soviet transition in the South Caucasus: Linking democracy and security**", in D.Bosold, P.Drulák e N.Hynek (org.), *Democratization and Security in Central and Eastern Europe and the Post-Soviet States*. Berlin: Nomos Verlag, 209-228.

Moura, Tatiana; Santos, Rita (2012), "**Seguranças públicas, inseguranças privadas: violência doméstica e armas de fogo**", in Susana Durão (org.), *Polícia, Segurança e Ordem Pública. Perspectivas portuguesas e brasileiras*. Lisbon: Imprensa de Ciências Sociais.

Santos, Rita; Roque, Sílvia; Moura, Tatiana; Araújo, Sara (2012), "**Women and gun violence: Key Findings from Rio de Janeiro (Brazil), San Salvador (El Salvador) and Maputo (Mozambique)**", *Brussels: Initiative for Peacebuilding*.

Santos, Sofia José (2012), "**Primavera Árabe**", in Observatório das Crises e Alternativas, *Dicionário das Crises e das Alternativas*. Coimbra: Centro de Estudos Sociais and Almedina.

Simão, Licínia (2012), "**Central Asia in US and Russian foreign policy: between continuity and 'reset'**", in M.R.Freire e R.E.Kanet (org.), *Russia and Its Neighbors*. Basingstoke: Palgrave, 152-173.

Simão, Licínia (2012) "**The problematic role of EU democracy promotion in Armenia, Azerbaijan and Nagorno-Karabakh**", *Communist and Post-communist Studies*, vol.45, nº 1/2, 193–200.

Simão, Licínia (2012) "**Do leaders still decide? The role of leadership in Russian foreign policy making**", *International Politics*, vol. 49, no. 4, 482–497.

ABRI**APRIL**

André Barrinha presented the communication “**The Construction of European Security in Euro-Mediterranean Relations: A Discursive Analysis**”, International Studies Association Annual Convention, 1-3 April 2012.

André Barrinha Co-organised and participated in a roundtable on “**Critical, normative and emancipatory? Re-thinking the future of Peace and Conflict Studies**”, 53 Annual Convention, International Studies Association (ISA), San Diego, EUA, 1-3 April.2012.

Daniela Nascimento presented the communication “**From the dilemmas of humanitarian intervention to the possibilities of Responsibility to Protect?: a critical analysis**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, USA, 1-4 April 2012.

Daniela Nascimento presented the communication “**Humanitarianism, Development and Security: (Un)tying the Knots?**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, USA, 1-4 April 2012.

Licinia Simão presented the communication “**The EU’s coming of age as a security actor: the case of EUMM in Georgia**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, 1-4 April 2012.

Licinia Simão participated in the roundtable on “**Domestic and International Dynamics: Agency and(Re)action in Russian Foreign Policy**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, 1-4 April 2012.

Maria Raquel Freire and **Licinia Simão** presented the communication “**The EU’s coming of age as a security actor: the case of EUMM in Geórgia**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, USA, 1-4 April 2012.

Maria Raquel Freire presented the communication “**Russian Foreign Policy in the Making: The Linkage between internal Dynamics and the external Context**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, USA, 1-4 April 2012.

Teresa Cravo presented the communication “**The Politics of Representation: Western Narratives on the African Failed State – The Case of Guinea-Bissau**”, 53rd Annual Convention, International Studies Association (ISA), San Diego, 1-4 April 2012.

Teresa Cravo presented the session “**A Estratégia da União Europeia para situações de fragilidade: como intervir em Estados frágeis**”, Curso de Gestão de Crises, Instituto de Defesa Nacional, Lisboa, 10 April 2012.

Daniela Nascimento lectured on “**Direitos Humanos e democracia no sistema internacional**”, within the Seminar on Governação Global: do Centro à Periferia /PhD Programme on ‘Democracia no Século XXI’, Faculty of Economics, University of Coimbra, 14 April 2012.

Licinia Simão presented the communication “**Comparing EU and OCSE approaches to authoritarian regimes in Central Asia: the role of parliamentary cooperation**”, 40^a ECPR Joint Sessions of Workshops, Antwerp, 10-15 April 2012.

Sofia José Santos presented the session “**Do ‘Family Guy’ ao ‘Twitter’: media, violências e interculturalidade**”, Project “CES goes to School”, Escola Básica e Secundária de Macedo de Cavaleiros, Macedo de Cavaleiros, 17 April 2012; and Escola Secundária de Jaime Cortesão, Coimbra, 18 April 2012.

Maria Raquel Freire, Paula Duarte Lopes and **António Leitão** organised the seminar “**Consolidação da Paz e a sua Sustentabilidade: as Missões da ONU em Timor-Leste e a contribuição de Portugal**”, CES Lisboa, Lisbon, 18 April 2012.

Maria Raquel Freire participated in the roundtable “**Toward a Euro-Atlantic Security Community**”, Euro-Atlantic Security Initiative (EASI), Carnegie Endowment for International Peace, Vienna, Austria, 30 April 2012.

MAY

André Barrinha presented the communication “**Revisiting Turkey’s Position in the Regional Security Complex Theory: the Arab Spring Test**”, Marmara University Research Conference in International Relations: Turkey and the Major Powers in the Middle East vis-a-vis the Arab Spring, Istanbul, 9 May 2012.

Teresa Cunha presented the communication “**Uma mu-canda de amor para Timor-Leste. Sociedade e cultura**”, Seminário Internacional Timor-Leste: 10 anos de estudos em Portugal | refletir e devolver, Espaço Por Timor, Lisbon, 18 May 2012.

Katia Cardoso participated on the Sessão II do Café com Livros - Encontros na Biblioteca Norte | Sul, CES-Coimbra, 24 de maio de 2012.

Maria Raquel Freire presented the communication “**Política Externa em Análise: Uma Abordagem Pós-Positivista e o Regresso aos Clássicos**”, IPRI Lunch Seminar, Lisbon, 25 May 2012.

Katia Cardoso participated on the cluster meeting on “**Youth , Identity and Security**” with NGO and EU representatives within the Project ‘ Initiative for Peacebuilding- Early Action: from analysis to action’, Brussels, 29-30 May 2012.

Licinia Simão organised together with João Soares the seminar “**Cooperação Interparlamentar: contributos para a governação global**”, Beira Interior University, Covilhã, 31 May 2012.

Rita Santos and **Sílvia Roque** led the session on “**Feminism, International Relations and Security**”, , CES’s Gender Workshop series , CES, Coimbra, 31 May 2012.

Sofia José Santos did **fieldwork in Lisbon**, for the project "Mulheres, Paz e Segurança: a implementação da Resolução do Conselho de Segurança das Nações Unidas 1325 em Portugal", coordinated by Tatiana Moura and Teresa Cunha, May-June 2012.

JUNE

Maria Raquel Freire presented the communication "**Estudos para a Paz: uma agenda em redefinição**", Conferência PT-SSN sobre Estudos de Segurança, Estudos Estratégicos e Estudos da Paz: Agendas de Investigação em (Re)Definição, Minho University, 1 June 2012.

Maria Raquel Freire presented the communication "**Rússia e Cáucaso do Sul: a geopolítica dos recursos e do poder em face de estratégias multifacetadas**", Ciclo de aulas abertas, Perspetivas Contemporâneas em Geopolítica e Geoestratégia, Núcleo de Investigação em Ciência Política e Relações Internacionais (NICPRI), Minho University, 1 June 2012.

Sílvia Roque and **Teresa Cravo** organised the roundtable "**A Guiné-Bissau e o golpe de 12 de Abril: interpretações, dinâmicas e estratégias de resposta**", with the participation of Fodé Abulai Mané and Julião Soares Sousa, School of Economics, Coimbra, 1 June 2012.

Teresa Cravo led the seminar "**The Development Aid Community and the Label of Success**", CERI's research seminar, SciencesPo, Paris, 7 June 2012.

Katia Cardoso participated on the panel "Cabo Verde: Constituição, Diáspora e Qualidade da Democracia", at the Conference "Refletir Cabo Verde e a sua relação com o mundo", University of Lisbon, 9 June 2012.

Fran Espinoza presented the communication "**Bolivia: ¿una nueva élite en el poder?**", 6th Conference of Political Science, FLACSO, Quito, Ecuador, 12-14 June 2012.