

Institutionalisation of the RNP model abroad: Uruguay



Image credit: Sistema Nacional de Areas Protegidas, Uruguay

In the context of its commitments with regard to the Biological Biodiversity Convention, Uruguay is busy updating its National Biodiversity Strategy, including the establishment of a National System of Protected Areas (SNAP). The Uruguayan government is also working on the implementation of territorial management models drawing on French regional nature parks (RNPs).

The longstanding tradition of co-operation and exchanges between France and Uruguay has revealed similarities between the two countries and pinpointed the RNP as a suitable model for application in the Uruguayan context.

France supported the initiative as part of a co-operation project funded by the AFD and the FFEM, with the assistance of the Federation of French Regional Nature Parks (FPNRF) and the Network of Regional Nature Parks (RNPs).

TERRITORIAL ORGANISATION

The Republic of Uruguay is divided into 19 départements, which are in turn divided into municipalities. Each département is governed by an “intendente” (municipal manager or mayor), who is elected by universal suffrage for a 5-year term of office, and by a “Junta Departamental” (Départemental Committee or Assembly), which is the legislative authority at the level of the départements.

ORIGIN

Since the enactment of a law establishing the National System of Protected Areas (SNAP) in 2000 and the adoption in 2005 of the decree bringing this law into force, Uruguay is in the process of establishing a National System of Protected Areas as part of a UNDP support project, with GEF (Global Environment Facility) funding. In this context, Uruguay has also received the support of the French Ministry of the Environment and Ministry of Foreign Affairs, through AFD and FFEM funding.

The project was therefore launched in 2008 with the support of the FPNRF and the Network of Regional Nature Parks, which provide expertise and technical assistance.

The project focused on two main areas of co-operation, i.e.:

- Contributing to the development of the SNAP ;
- Experimenting with new types of governance and sustainable territorial development in relation to protected areas on two pilot sites (Quebradas del Norte and Laguna de Rocha)

Uruguay and France have a longstanding tradition of exchanges and co-operation in the cultural, technical and scientific fields, which has played a major role in the adoption of the French RNP model. The fact that such exchanges have taken place meant that the Uruguayan actors were already familiar with the RNP model; the exchanges had also provided the opportunity to ascertain the similarities between the territories, thereby justifying its adoption.

The RNP model provides a balanced perspective between biodiversity conservation and economic

development, which is exactly what is required in the Uruguayan context. In Uruguay most land and most protected areas are privately owned; it therefore seems more appropriate to introduce new ways of managing such areas that include both protection of the natural and cultural heritage and economic development, than to impose regulatory constraints. The Uruguayan authorities have found the RNP concept particularly suitable for protected areas that fall into IUCN Category V (protected landscapes).

In this sense the RNP model corresponds to a territorial planning and sustainable development approach; indeed, Article 4c of the 2008 territorial planning and sustainable development law stipulates that territorial planning and sustainable development include the identification and definition of areas that require special protection on account of their ecological relevance, their heritage, their landscapes, their culture and the conservation of the environment.

LESSON TO BE LEARNED

The adoption of the RNP model in Uruguay makes perfect sense and is in keeping with the steps taken by the Uruguayan government to develop a National System of Protected Areas. The model is also very appropriate in a local context which is very specific from the landownership standpoint and the introduction of collaborative models of sustainable management is far more appropriate than imposing regulatory constraints.

ESTABLISHMENT PROCESS

The implementation of the SNAP and the creation of territorial management models drawing on the French parks model has been in progress for the past five years. The body responsible for its implementation is the Ministry of Housing, Territorial Planning and the Environment (MVOTMA), and the executive body is the National Directorate of the Environment (DINAMA).

- Six regular **technical assistance missions**, a number of one-off expert missions by the Directors of the Vercors and Camargue RNPs, and the visits to French RNPs by the Uruguayan teams involved in implementing the SNAP have improved the understanding and ownership of the RNP model.
- **Consultations with the different stakeholders** have provided the opportunity to study the relevance and feasibility of these projects. Subsequently, the work concerned the formalisation of the two Protected Areas. The FPNRF and RNPs have made experts available to assist these initiatives and provide technical expertise during the 5 years of the project.
- **Working groups** have been set up, comprising in particular technical staff from the different **ministries** (territorial planning and the environment; animal husbandry, farming and fishing; tourism), of the **departmental governments**, and **local stakeholders** including producers' organisations, tourist operators, and small-scale-fishing organisations.
- A **consultation** and **participation** exercise provided the opportunity to review the management plan for these protected areas and led to the **drafting of the Charters** of the two Parks, which were adopted into local governments' territorial management systems by Decrees but have not yet been implemented.
- This work led to the establishment of a **Regional Nature Park** in the Laguna de Rocha region and a **departmental Park** in the Quebradas del Norte region. Each of these territories **includes a protected area** that has been incorporated into the SNAP under the "**Protected landscape**" category V. The territory covered by the Laguna de Rocha Nature Park overlaps with the territory identified for the establishment of a biosphere reserve validated by UNESCO.

LESSON TO BE DRAWN

A participatory process with broad consultation led to the identification of two nature parks, the drafting of the respective charters and, more importantly, the acceptance of the RNP principles by local governments, which are now endeavouring to promote them beyond the boundaries of their parks.

CHARTER

The park charters were drafted at the same time as the parks were established: the perimeters of the parks have now been officially approved and the management plans and charters were drawn up with a very high level of consensus. Although the latter have not yet been implemented, it is worth mentioning that they henceforth provide a source of inspiration for territorial development.

These charters contain the agreements drawn up with regard to the protection, enhancement and development of the territory, as well as the main policy orientations and the commitments entered into by each of the actors for a ten-year period.

The Charters of the two Parks combine elements of a binding nature to regulate certain activities and non-binding guidelines. They form part of the legislative framework of the Law on the spatial planning of the territory and sustainable development.

ACCEPTANCE BY THE LOCAL AUTHORITIES AND POPULATIONS

The main difficulties encountered by the project, on account of its ground-breaking nature and the inertia and resistance that often emerges when new ideas are presented, had to be overcome.

Nevertheless, the initiative rapidly aroused the interest of local governments, which saw these instruments as a means of shifting the centre of gravity from the capital to the regions.

Those working in the tourism and services sector were also very open to the initiative. The exchange trip to France was a key element in changing the point of view of a number of local stakeholders, in particular in the animal husbandry sector, which opposed the establishment of a protected area because it was seen as a threat to productive activities. The trip provided the opportunity to adjust the proposals for managing the territory, so that the role of this sector was reviewed to ensure its effective integration into the project.

LESSON TO BE LEARNED

The exchange trips to France to observe the RNP model onsite led to a better understanding of the model and dissipated the fears of some productive sectors.

INSTITUTIONAL FRAMEWORK

There is, to date, no specific legal framework at national level to define, support and regulate the RNP model. However, current thought is that the establishment of the parks should be governed by the 2008 territorial planning and sustainable development law and the 2000 law on the establishment and management of the National System of Protected Areas.

Three possible ways of incorporating the RNP model into the national system were studied:

- Officially incorporating the model into the Law on the spatial planning of the territory at national level. The idea is to include in national spatial planning directives an item which would make these models a territorial spatial planning instrument to be implemented in areas adjacent to Protected Areas.
- By amending Article 16 of the Decree implementing the law establishing the RNP category as a model to be applied in areas adjacent to Protected Areas.
- By defining a new PA category in the law governing the establishment of the SNAP.

Current discussions also concern co-operation between the DINAMA (which is in charge of the SNAP) and the National Directorate of Territorial Planning (DINOT), which would make it possible to define the status, advantages and obligations of these specific areas more precisely.

LESSON TO BE LEARNED

In Uruguay, the RNP approach can a priori be governed by an existing legal and institutional framework, i.e. the law on the spatial planning of the territory and sustainable development. The exact relationship between the two national directorates in charge of the environment and territorial planning still has to be defined.

MAIN INCENTIVES AND OBSTACLES

One of the main challenges was to establish a national framework for territorial management models at local level.

Another difficulty was that of running two projects at the same time: on the one hand the setting up of the SNAP and, on the other, the establishment of the RNP model, which is not part of the SNAP. The difficulty here was the need to differentiate between and clearly define the different categories – those included in the SNAP and those which are not.

However, the fact that the RNP model is aimed at striking a balance and harmony between productive, economic and social development and the preservation of different types of heritage, while ensuring the broad consultation and participation of different actors, roused the interest of the various stakeholders. The work in conjunction with the FPNRF and the French Parks was therefore very useful in supporting the development of the project.

OUTCOME OF THE PROCESS

To date, the project has made it possible to incorporate the different categories of PA into the SNAP, to define two territorial management projects based on the RNP model and to draft their charters. Following the work carried out in the context of this project, a work schedule has also been drawn up for the coming months and years in the context of further co-operation with France. The second project should begin in the 2nd half of 2015 for a 4-year period.

The steps that will be taken during this second phase are: implementing the RNP model at territorial level and incorporating it into national legislation, i.e. the law on the spatial planning of the territory. This law provides an appropriate framework for the introduction of the RNP model but also constitutes a major problem as the objective is to give a national dimension to an initiative that should be anchored at local level. This second project will also support the development of a high-quality sector (agriculture, tourism, etc.) on the territories occupied by the Parks coupled with the governance of these territorial projects.

Another interesting outcome of the project has been noted in the Rocha département where the Junta Départemental has decided to promote the charter guidelines beyond the boundaries of the Park, through territorial planning instruments. This shows that the principles of the charter have been accepted and is the first sign of its success.

CONCLUSIONS

In Uruguay the process for the adoption of the French RNP model is part of the project for the development of a National System of Protected Areas, which was implemented in 2008.

The parks based on the RNP model have been included in the SNAP. They are not a category of protected area like the other areas in the SNAP but an instrument for the spatial planning of the territory that should be implemented in areas neighbouring on Protected Areas. As a result each of the two Parks (regional nature park and départemental park) “includes” one of the protected areas that form part of the SNAP. If the current proposal is approved, the legal framework of the parks will be the Law on the spatial planning of the territory and sustainable development.

The 2008 Law on the spatial planning of the territory and sustainable development authorises departmental governments to establish territorial management models such as the parks by Départemental Decree.

The Charter is the document by which the various signatories (local government, départemental governments and private groups) undertake joint commitments. As in France, the charter is first and foremost an agreement on the non-compulsory measures to be taken; however, a number of elements will be binding on the signatories. The Charters should be the outcome of a participatory process and will be valid for 10 years.

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