Chapter 12
Methods for Social Participation and Conflict Resolution

Ignacio Celaya, Antonio Rodríguez Perea and Xavi Carbonell

Abstract Droughts can result in restrictions to water supplies, which cause alarm in towns and cities or wherever they are enforced; a situation the news media never fails to cover with photos of deserts and death disseminated far and wide. It is clear that droughts place hydraulic systems under an extreme amount of strain – especially rivers and aquifers. It is therefore essential to make use of successful experiences to create a new conception of the field. It will however take some time for this to be accepted as the norm, since drought management will continue to generate situations involving conflict between the interests and values of different individuals and groups.

Prevention, negotiation, mediation, arbitration, judicialization and imposition are the successive steps towards solution of the conflict. First steps are preferable than the last ones because normally they lead to more sustainable success.

The Context and Objectives

Droughts can result in restrictions to water supplies, which cause alarm in towns and cities or wherever they are enforced; a situation the news media never fails to cover with photos of deserts and death disseminated far and wide.

It is clear droughts place hydraulic systems under an extreme amount of strain – especially rivers and aquifers. It is therefore essential to make use of successful experiences to create a new conception of the field. It will however take some time for this to be accepted as the norm, since drought management will continue to generate situations involving conflict between the interests and values of different individuals and groups.
Water disputes occur whenever the demand for water cannot be met by the hydrological resources in a particular region or sector. Typically the disputes are related to years of frustration, waiting, conflict, pain and emotion. Solutions therefore require the application of tools and techniques used in the alternative management of conflicts. Climatic change and drought management have made it necessary for us to be imaginative, generous and responsible when taking action.

The goal of any type of alternative conflict management must take into account not only solutions to the water use and management problems, but also the particular characteristics of the conflict so the foundations can be laid to avoid a recurrence of the conflict. Water disputes are a specific type of environmental conflict; they have specific characteristics and affect collectives; they are complex and normally difficult to quantify in economic terms; they take place in the public domain and their resolution has a significant effect on future generations. Disputes can also worsen or be resolved in accordance with temporary changes in the weather, with droughts accentuating and rains reducing the conflict. And all too often during negotiations environmental interests are underrepresented, which results in agreements that have a detrimental affect on non-renewable resources.

One of the bases for the resolution of water disputes is prevention, which feeds off the principles of demand management and the application of which is becoming less and less problematic, especially during droughts. When conflicts do occur, negotiation represents the next stage in the search for a solution. Success often depends on the correct representation of the parties involved. When negotiations fail, the next option for the resolution of the dispute is mediation. Success at this stage still holds the virtue of the potential control over the agreement of the parties involved. If mediation does not work, there is arbitration. This should be the main role of the Water Authorities when agreement is not reached between the parties or when the agreement results in an inadmissible environmental cost. To this end, the Water Authorities should aim to acquire or increase their prestige so as to be recognized by everyone involved. The second from last possibility for the resolution of the water disputes is judicialization. This stage should only be reached when all the previous possibilities for reaching a solution have been exhausted. And the last possibility is imposition. In this case one of the parties imposes their will on another. This is normally a false solution, which is only valid temporarily. History is however replete with experiences of this type.

Strategies for the resolution of water disputes can be classified in three groups: prevention strategies, actions aimed at pre-empting the crystallization of the conflict. Balancing strategies, when protest or community groups counteract unbalanced perceptions. Lastly, there are mediation strategies that are undertaken by individuals either in institutions or otherwise, which bring the parties involved together and create conditions favourable to an agreement.

In short, and as a comparative analysis between a range of experiences, we can conclude that truly participatory water planning is the best tool for the prevention of disputes. The symbolic value of water is underestimated in the majority of cases. Multidisciplinary analyses are not generally undertaken prior to the conflict and the representation of the parties involved should be improved. The role of the water