



TRIBAL AND CROSS-CULTURAL MEDIATION

Environmental disputes defy easy solutions. Issues are complex and multi-faceted. Legal and regulatory frameworks are dense. And myriad uncertainties can make it difficult to chart a concrete course forward. Add cultural differences to the mix and the process becomes even more challenging. More often than not, environmental issues transcend political, regional, and national boundaries. Stakeholders with very different backgrounds may clash over how to manage, protect and allocate resources. They may not even have a common vocabulary or means for discussing and resolving concerns.

CONCUR is sensitive to and adept at adapting its consensus-seeking dialogues in a way that helps parties with diverse backgrounds reach stable agreements. Whether it's facilitating trans-boundary discussions in southern Africa's Okavango watershed or mediating a hydro-licensing in California that involves bringing tribal interests to the table, we take a number of specific steps to ensure our processes are culturally appropriate and resonant. What does that mean in practice? We work closely with all stakeholders from the outset of a project to understand and put in place dialogues that are comfortable to all parties around the table. We redouble our efforts to translate technical information into a format readily understandable by all. And we are sensitive to gathering information in a manner that folds in more traditional ways of knowing. As appropriate, we also partner with local facilitators and translate materials into languages other than English. Moreover, virtually all CONCUR project staff have spent significant time living and working abroad and understand the importance of facilitating cross-cultural communication. Several staff also have experience working directly with tribal interests and are familiar with the legal framework guiding tribal participation.

In short, CONCUR is committed to tailoring its mediation practice to fit the cultural appropriateness of a situation, and not just transferring U.S.-based mediation and facilitation approaches to different cultural conflict situations.

Selected Projects

Okavango Watershed and Basin "Sharing Water" project in South Africa: CONCUR was an integral part of this trans-boundary river management initiative led by the Natural Heritage Institute and involving representatives from the basin states of Angola, Botswana, and Namibia. CONCUR assisted the parties in achieving project goals including the creation of long-term sustainable management of the Okavango/Cubango River, shared data management, broadening stakeholder participation, and promoting water management without challenging the sovereignty of the states. CONCUR partnered with the local African Water Research Institute Unit to conduct four workshops providing on-the ground training, coaching, and conflict resolution skills to local facilitators. The workshops enabled the trans-boundary collaboration negotiation process to continue - with local mediators in the lead - after completion of the U.S. AID-funded project.

Assessing Impacts of Oil & Gas Exploration in Ecuador's Oriente Region: The Ecuadorian Oriente Region assessment consisted of an intense document review, a two-week, in-country evaluation of environmental conditions and consultations with Tribal, NGO and Unocal staff. CONCUR Principal Scott McCreary served as a member of an Independent Review Team (IRT), a body charged with interpreting the cultural and ecological significance of the environmental impacts of oil and gas exploration in the area. The IRT provided a foundation for cross-cultural dialogue between indigenous community representatives and North American petroleum company representatives. Imbalances of power and access to capital issues were redressed through the information-gathering phase of the independent review. The IRT visited well sites in Ecuador and multiple local community villages to hold public meetings and hear accounts of environmental and health impacts. In addition, the team sorted competing factual information, briefed indigenous community representatives on their findings, and provided them with translated copies of the findings.

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Crane Valley Hydroelectric Re-licensing: The Crane Valley Hydroelectric facility lies in eastern Maderna County, California. CONCUR assisted parties in reaching project goals by initiating a dialogue between PG&E and area Native American tribes to establish and clarify agreements regarding areas of use, areas of restriction, and points and routes of access. Other issues addressed the Native American community's management activities, practices, and notification requirements. The deliberations involved representatives from the North Fork Rancheria, the Sierra Mono Tribe, the Southern Miwok and the Chukchansi tribe. The discussion resulted in a successful eight-way agreement on the terms of the new FERC Hydroelectric License for the Crane Valley Project

Strengthening Relations between the ARC and the Maori Community: CONCUR Principals Scott McCreary and John Gamman were retained to provide advice on options to improve dialogue between the Maori and the ARC in light of the Maori's strong oral tradition in decision making. Long-term goals included producing agreements that could be implemented by translating spoken informal agreements into written documents. Another long-term goal was the creation of a consultation system that could provide clarity, consistency, and continuity for both the Maori community and the ARC. CONCUR served as lead facilitators and established groundrules, which served as a "cultural bridge." In addition, the CONCUR team determined representation as well as how to handle spiritual and cultural information. Part of the facilitation process included clarifying the Maori principles for resource management promoting mutual understanding and trust. CONCUR also established mutually agreed upon forums and organized bi-cultural teams.

Caribbean Institute for Resource Management: The CONCUR team instructed university faculty members from English and Spanish-speaking countries in the Caribbean on how to incorporate negotiation and environmental dispute resolution cases into existing curricula for natural resource management courses. The training emphasized the role of politics and policymaking in development decisions and recommended how to incorporate the materials presented into local cultural conditions.

Building a Scientific Basis for Restoration of the Mesopotamian Marshlands: The project was convened by the Eden Again Project Iraq Foundation, a team assembled in 2002 with the ultimate goal of restoring the Mesopotamian marshland. Part of the restoration goals involved sustainment of the social and cultural preferences of the Marsh Dwellers, the peoples indigenous to the Marshland. Many Marsh Dwellers were displaced on a large scale and were living in refugee camps in Iran at the time the project was convened. CONCUR provided an overview of the strategic considerations inherent in implementing a stakeholder participation plan as well as an overview of the stakeholder community. CONCUR also provided an overview of the proposed mechanisms for addressing the strategic challenges and ensuring key stakeholders were identified.

For a complete list of projects please visit our website at www.concurinc.com

About CONCUR, Inc.

CONCUR, Inc. provides services in agreement-focused mediation and facilitation, joint fact-finding, conflict assessment, environmental policy analysis, strategic planning, and environmental mediation training. Our staff has a unique dual expertise in both the process and substance of environmental decision-making. We are rigorously trained in the art and science of negotiation and dispute resolution, as well as in environmental planning and policy analysis. This dual expertise is the foundation of CONCUR's philosophy: to integrate different disciplines that strengthen our problem-solving capability so that we can provide clients the highest quality professional services.

For further information about our services please visit our web site at www.concurinc.com or contact us at:

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