



Institute of Social Studies

Graduate School of Development Studies

**THE CONCESSION OF ECOTOURISM SERVICES IN THE
COLOMBIAN NATIONAL PARKS - THE REALITY OF THE
POLICY MAKING PROCESS**

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This is the ending of an amazing process and the beginning of another. It is the realization of some of my dreams and the product of effort and commitment. Great opportunities and possibilities are coming shaped and crafted by this experience.

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ABSTRACT

This study presents a decision-making policy case in Colombia, related to the concession of the ecotourism services in the National Natural Parks in 2004. The study poses the question of why the government took the decision to give in concession the ecotourism services in the parks. The policy-process resulted to be a solution driven-type of policy reform. In the document is explained and analyzed the factors behind that influenced the decision-making. The study highlights how solution-driven policy decisions are highly influenced by the international context and lesson drawing practices, are more likely to happen in a top-down perspective of policy making and are also influenced and shaped by the characteristics of a national context and the political pressures and interests of some society groups. In this sense the policy does not followed a normative and linear approach for policy making but an interactive, showing the reality of policy-making process in which politics plays an important role.

Key words: Policy-analysis, decision-making, solution-centric approaches, realism in policy making, planning, politics, ecotourism, environmental polices natural parks, lesson drawing practices and state reforms.

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document then goes on to describe the various methods and techniques used to collect and analyze data, highlighting the need for consistency and reliability in the information gathered.

In the second part, the author details the specific steps involved in the data collection process, from the initial planning and design of the study to the final analysis and reporting. This section provides a comprehensive overview of the entire research process, ensuring that all necessary components are covered and that the results are presented in a clear and concise manner.

The third part of the document focuses on the interpretation and application of the findings. It discusses the various factors that can influence the results and provides practical advice on how to use the data to make informed decisions. The author also addresses the potential limitations of the study and offers suggestions for future research to further explore the topic.

Finally, the document concludes with a summary of the key points and a call to action for all those involved in the research process. It stresses the importance of ongoing communication and collaboration between all parties to ensure the most effective and accurate results possible. The author expresses confidence in the findings and hopes that the information provided will be helpful and informative to all readers.

Acronyms and abbreviations

BOT	Build, Operate and Transfer
BOOT	Build, Own, Operate and Transfer
CAR	Regional Autonomous Corporation
CBT	Community Based Tourism
CBD	Convention on Biological Diversity
CENSAT	Colombian Environmental Organization
CONPES	National Council of Economic and Social Policy
DNP	National Planning Department
EIA	Environmental Impact Assessment
ECLAC	Economic Commission for Latin America and the Caribbean
ECOFONDO	Colombian Environmental Corporation
FEDESARROLLO	Colombian Fund for Development and Higher Education
FONAM	National Environmental Fund
GDP	Gross Domestic Product
IADB	Inter American Development Bank
INDERENA	National Institute of Environment and Natural Resources
IDEAM	National Institution of Hydrology, Hydrometeorology and land restoration
MCIT	Ministry of Commerce, Industry and Tourism
ME	Ministry of Environment
MMAVDT	Ministry of Environment, Housing and Territorial Development
MP	Master Plan
NCNR	National Code of Natural Renewable Resources and Environment
NGO	Non-governmental Organizations
NDP	National Developmental Plan
NR	Natural Resources
NRM	Natural Resource Management
NP	Natural Parks
NPS	National Park System
NNP	National Natural Parks
LFA	Logic Framework Approach
SD	Sustainable Development
SFF	Fauna and Flora Sanctuary
SINA	National Environmental System
ST	Sustainable Tourism
SNE	Official Press Bulletin of the Presidency of the Republic of Colombia
NP	National Park
PA	Protected Areas
PM	Park Management
RP	Research Paper
TIES	International Ecotourism Society
UAESPNN	National Park Agency
UNWTO	World Tourism Organization
WWF	World Wildlife Found

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1. Introduction

1.1 Case and Objectives

This research is based on a policy process in which the Colombian government decided to give in concession to private operators the ecotourism services of the National Natural Parks in 2004. The new scheme was thought to be applied in the most attractive Natural Parks (NP) of the country; combining beautiful landscapes and potential tourist demand in relative secure places of the territory. Till the moment the policy has been applied in four of the 49 protected areas of the Natural Park System (NPS). The main remark of the policy is it was not developed in a normative way or as is stated in the theory policies are supposed to be done; other political and social factors were involved in the definition and decision of the policy. The president as the highest decision-making level in the country took part in its definition, even though this kind of policy could have been developed and decided in lower decision-making levels. For this reason the main research question is why the government took the decision to give in concession the ecotourism services in the NP? And as sub-questions, why the President was involved in a "minor" decision like NP management? And what were the factors behind that influenced this process of reform.?

The political and social requests give interesting sights for the analysis of this policy-process. At first glance is strange that a minor management decision captured the attention of the highest levels of decision-making in the executive, not to forget that Colombia has other major problems deserving the closer attention of the President, furthermore based on the relatively advanced decentralization stage of the state-institutions the ministries and specialized agencies are able to decide on these issues. The different policy factors inscribed this process in a solution-driven type of reform awakening the interest to make research in the topic. Inclining the research to find answers to this policy-making puzzle contributing to the understanding of policy-making processes in the national context and of policy-making issues in a more general level; both linked to the actual policy-analysis theories.

The analysis is placed between existing policy theories or models for understanding and explaining policy processes that debate between the rationality and irrationality, the linearity and interactivity, the problem-driven or solution-driven policies. In this sense it is not surprising and not disturbing the existing differences between the theory and the practice that characterized the policy-making debates. The fact the policy was solution-centric instead of problem-centric is not innovative per-se since solution driven interventions are practiced by governments around the world. The attractiveness is the interaction of socio-economic and political factors, the external contexts and the game played among them producing a real policy-making case while contributing towards the understanding of the Colombian institutionalism.

1.2 Analytical Method of Research

In order to find the answers to the policy puzzle the case is inscribed and analyzed between linear and interactive approaches to policy-making. Within those two some remarks and the differences between theory and practice, idealism and realism, problem-centric perspectives and solution-centric perspectives are recognized.

The analysis starts acknowledging how helpful is the classical model for understanding and explaining the way the process should happen and how we reach good policy outcomes. It ends acknowledging and explaining a reality in policy-making with the factors that are behind it and the implications for good policy-making. The analysis is supported with the thinking and ideas of scholars like Dewey (1933), Dunn (2004), Grindle and Thomas (1989,1991,2001), Dolowitz (1996) among others. This body of literature supported the explanation and analysis of the different levels, perspectives and dynamics of the policy-process.

The classical approach for policy-making decomposes the process in general stages: problem definition, formulation of options, evaluation of alternatives, decision-making, implementation and later evaluation. Following a logic sequence they are used to help clarify and organize the stages, drawing boundaries to the object of analysis. "The policy-cycle brings a system and a rhythm to a world that might otherwise appear chaotic and moldered" (Everet,2003:66). The importance of this

model for policy analysis lays in the conviction of its normativity and in the essentialism for proceeding with it, also for the achievement of better results. Even if it has received critics and questioning in a large extent, it has retained its dominance in the discourse (Colebatch,2005).

This case in Colombia was not a replica of this policy-cycle project, rather than a process that starts in problem structuring, going to an evaluation of the different solutions, passing through a decision stage and ending with the implementation and the evaluation of the chosen policy. The present policy followed a different logic; it started in the decision stage changing the whole logic of the life of the policy-cycle, converting it into a solution-centric approach to policy-making.

It is a necessary and constructive practice to recognize each stage and logic of the policy-cycle from a normative perspective, but also move to recognize that the rational decision-making logic is easily altered; presenting the stages of the policy-cycle in different order, with different emphasis; from what ought to be to what happens in reality. Every policy-making process has a degree of complexity, this is not always completely acknowledged in the classical perspective; many different variables come together at the same time influencing from different angles giving birth to nonlinear processes. Policy-making has appeared as one way to solve the problems of the society, but can be more accurately described as machinery for finding problems. The inherent complexity of policy-process is the result of its inscription in social contexts, which diminishes the possibilities to follow the pre-established cycle-stages in the same order.

Two major political contexts provided the answers to the research question. They are the set of reforms adopted in the national context, that favor certain groups and interests of the population and the big influence of lesson-drawing in a more global context. Furthermore, this research is relevant and useful for any person that would like to understand similar process in a national or international level. It clears misunderstandings and lack of information in relation to the content of the policy and the way it happened. This policy is another example of the contemporary dispute between economic demands and environmental concerns placed in a political space where more or less powerful groups and interests are competing

1.3 Structure of the Research

Following the introduction, Chapter two explains the theoretical framework in which the research is inscribed, guiding the analysis in every section of the document. Chapter three describes the policy process presenting the policy solution and its logic behind. Chapter four describes the problems of the NP matching the policy solution divided in economic and administrative. Chapter five provides deeper analysis about the role of lesson drawing in promoting solution-centric reforms, and indicates the societal interests in favor and against the policy decision. The last chapter makes a short summary and poses final remarks; in addition the limitations of the study are highlighted.

2. Analytical Framework

2.1 Policy Making

Policy-making is a process in which actions take place in order to produce outputs. Those are understood to be the product of policies, projects, programs that aim to improve the people and environment conditions. The conceptual understanding of policy process is of fundamental importance for the analysis of public policy¹. "Policy-analysis is a discipline that draws on theories, methods, and substantive findings of the behavioral and social sciences, social professionals, and social and political philosophy...is a process of multidisciplinary inquiry designed to create, critically assess, and communicate information that is useful in understanding and improving policies" (Dunn,2004:2). This process gives insight about the functioning of the political system; how it acts or reacts or not, to the demands of the socio-economic environment. The understanding of the way policies are made will result in better means for future courses of action and two general perspectives are found to study and explain policy-making processes. The first one is the linear model: it is ideal in type and includes problem-centric perspectives for analyzing policy-making process. The second is the nonlinear or interactive: it is often more realistic and the solution-centric perspectives for policy-making can be found within this model.

2.2 Linearity Versus not linearity of the Policy-making Process

The first says Dunn (2004) is deeply rooted in the western type of thought and responds to the most classical approximation to solve problems. Laswell (1902-1978) was one of the firsts to approach the overall process in explicit stages and phases. He made reference to a set of separate successive steps, taken in chronological order. It is a normative approximation that presents the way we should solve problems, responding to a classical methodology for doing policy analysis and understanding the structure of public policies and the policy-making process:

¹ Analysis for policy (working out the best choice) and analysis of policy (how the government made the choice it did) (Colebatch 2002:85).

“Political scientists who study the policy process attempted to provide a framework that will guide students from the foundation to the final solution of the problem. This is showed in sequential stages of activity” (Theodoloulou,1995:86) and

“It is a process and not merely a decision in one place at a particular moment in time” (Miyakawa,2000:3).

The linear process is presented in a policy-cycle, in this sense the linearity refers to the order and pre-establish sequence in which the cycle happens.

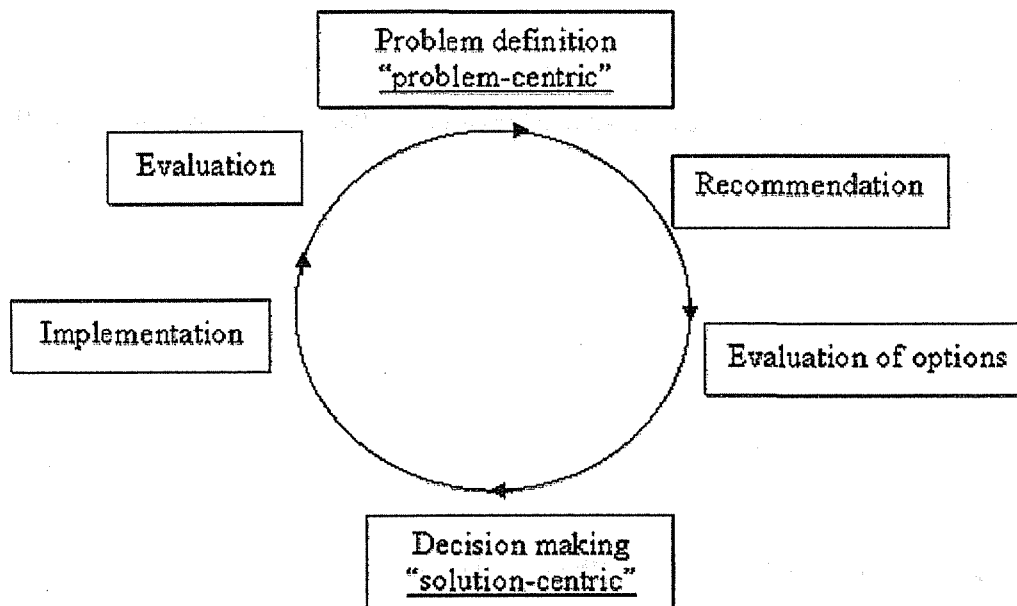


Figure 1: The Policy Cycle
Author's creation

Between the linear and nonlinear perspective there is no disagreement about the stages of the policy, but there is disagreement on the impact of each stage upon the next, in the arrangement they appear in the policy-making cycle and in the emphasis of the stage as entry point for explaining the process. This lineal model is greatly oversimplified, but “becomes more reasonable and useful as it various interactive possibilities are explored conceptually and in the practice” (Bewer and the Leon.1993:41 in Miyakawa 2000). Various empirical studies have corroborated that policies are not produced in the linear, classical and rational mode.

The linear models start with a troubled situation and the consideration of the set of alternatives to address and overcome a problem. After all, the alternatives and their consequences are evaluated, then a best alternative is chosen to solve the problem, finally the implementation and evaluation of the chosen alternative take place. The five stages of the model are: problem structuring (conditions giving rise to a policy problem); forecasting (supplies information about future courses of action, policy alternatives); recommendations (provides information about the relative values or worth of these future consequences in solving the problems); monitoring (yields information about the present and past consequences of acting in policy alternatives); evaluation (provides information about the value or worth of the consequences in solving the problem) (Dunn.,2004:4).

In contrast to that model, Dunn (ibid:44) presents and invites to “visualize this process as a series of interdependent activities arrayed through time-agenda setting, policy formulation, policy adaptation, policy implementation, policy assessment, policy succession, and policy termination.” This creates more than one type of policy-cycle model in opposition to the classical. The newly created can have various linkages between each stage, with the next or the previous; they can be connected in back and forward loops; the process could not have a definitive beginning or end; parallel cycles may occur. In some cases “policies are adopted first and then justified by working backwards to agenda setting, where problems are formulated or reformulated to fit in policies” (ibid:44). This is the type of model that will serve to explain the policy case in Colombia. It is important to strength the own particularities of each policy and the fact that each one is developed differently; there is no definitive structure and process; the phases can be linked in different ways with no causal and pre-established sequential order because policy is eclectic on nature.

2.3 Idealism Versus Realism in Policy Making

In ideal and normative terms policy-making should be done following the policy-cycle stages from means to ends. Going back to John Dewey (1933) he argues: policy-makers establish clear goals identify complete ranges of options selecting the best alternative by doing comprehensive analysis of the options and

consequences. However the rational-comprehensive or linear approach model has received critics; even if “virtually everyone aggress with it, this model is impossible to follow in a strict sense” (Forester, 1989:50). The lack of reality of the model produces some sort of difficulties for putting it in practice. “It should be noted that the model fails to embrace the complexity of the policy-making process and the reality that policy rarely acts in linear progression within the cycle. The stages sometimes are skipped or compressed and the idiosyncrasies, interests and preset ideological dispositions of the people involved often usurp the process.²” If we acknowledge a nonlinearity in policy and we apply that to the studies and analysis of policies this is further more useful since it reflects the real nature of them, the variety of external influences and the complexity of any social activity.

Authors like Herbert Simon (1963) and James March (1972) proposed other course of action. They introduced behavioral and empirical perspectives which allowed for more reality. Simon introduced the term “bounded rationality” stressing the cognitive limits of the decision makers. Later additional constraints were introduced, which are not independent from the political structures that press on public administrators and policy-makers (Forester., 1989). In this respect the ideas of Grindle and Thomas (1991) help for understanding how reforms or policies are hammered out and how decision-makers are influenced by broader contexts determining the type of reforms or changes. They recognize policy makers are not completely isolated from the political context that includes: the national context, administrative capacity of the state, other policies, international context and finally, societal pressures and interests. The present research some factors of the international and national context gave answers and contributed for reasoning about the adoption of the policy. Authors like Murrel and Surel (1998) in Roth (2003) criticize the rational model, arguing that in reality the policy-making objective is to come with solutions to problems like in solution-centric or driven policies. In this respect Dunn (2004) argues that for some cases the policy decisions are adopted first and then justified by working backwards to agenda setting where the problems are formulated or re-formulated in order to fit into the process, “Solutions and problems are in constant flux.” (Dunn, 2004:44). The degree of complexity allows for a change in the rational logic of the policy-cycle, the solution became the point of entry

²http://www.ozpolitics.info/theories/policy.htm#_ftnref16

to the policy-making cycle. Subsequently the solution is achieved by the implementation of the strategies of the actors in the government. "Public policy is not done to resolve problems as the starting point, but to construct a new reality of problems that find socio-economic conditions that structure the state action." (Muller and Suler, 1998:31 in Roth, 2003:54). In relation to the "*Politics of Muddling Trough*" Forester (1989:64) argues:

"The role of theory is not to predict what will happen if..."; instead, is to direct the attention of the decision-makers, to suggest what important and significant actors and events and signals to be alert to, to look for, to take as tips or warnings. Thrown into situations of great complexity, decision-makers need theories to simplify their words, to suggest what is most important to attend to and what can safely and decently be neglected."

The classical point of view of the policy-making cycle is challenged with the previous quotation, where it is suggested that policy-making is not just an organizational strategy to solve identified problems but has to be understood and analyzed as part and product of social and political spaces. The real understanding of policy process lies in the recognition that policy can not be divorced from the context in which is made, accounting for the society and state relation and recognizing that every policy has its own politics. In this regard public-policy can not only be thought as a rational reaction of the organization of the state to the problems of the society³; many other factors influence and/or constrain the process of decision-making. There are often cases in which it is possible to visualize a change in the style public policies are made; from a problem-centric to a solution-centric approach, accounting that policy-making is not always a rational activity and has some practical limitations.

³ If we assume a rational and logic process the state has to be conceived as a single entity, with a mind of its own; coherent, instrumental and hierarchical (Colebatch, 2002:51).

2.4 Problem-centric Versus Solution-centric

Policy-making is not always linear in practice, is not ordered in stages and do not respond to normative perspectives like the ones associated with problem-centric dynamics. Therefore, solution-centric perspectives are a promising method to analyze this process since it fits into the characteristics and dynamics of the policy-process and into the political context of the policy. In this sense of ideas the policy-cycle is converted; the starting point becomes the solution or policy recommendation and not the analysis of the problem.

Authors like Michael D. Cohen, James G. March and Johan P. Olsen (1972) have studied how in decision-making processes there is a break and disconnection between the problem and the solution. They argue that some decisions do not follow an orderly process from problem to solution, that is, problems trigger solutions as it is a logic assumption. Instead solutions or decisions are already taken, they already exists, or are influenced by other factors outside this problem-solution rationality or problem structuring way of doing policy. "The usual assumption is that decision makers before acting identify goals, specify alternatives and ways of getting there, asses the alternatives against standards, such as costs and benefits and then select the best alternative. However, as Palumbo and Nachmias (1983:9-11) cited in Long (2002:32) argue: "policy-makers often are not looking for the best way or most efficient alternative for solving a problem. They are instead searching for support of actions already taken and for support that serves the interests of various components of the policy shaping community".

Policy-making that follows linear processes may tend to be more rational or, at least, will tend to rely on various methods of analysis for selecting and providing the most reasonable or rational alternative to solve any fixed problem. In contrast, one could see how non-linear policy-making or solution-centric approaches for policy-making processes do not rely on such methods. Scientific methods are often used to help determine the likelihood and consequences of different candidate options. The solution-centric approaches does not tend to use analytical techniques for evaluating alternatives like CB, EIA or LFA which are useful to choose the most rational, efficient and optimal decision.

Solution-centric approaches are linked with *policy transfer* and *best practices* and *lesson drawing* notions. Policy transfer is easily associated and responds to political and structural types of situations which shape the adoption of policies. In particular it is associated and has strong role in solution-centric reforms that are at the same time socially constructed. Authors like Lindblom (1956) and Long (1989, 2001) have made research and illustrated the social nature and cultural construction of policies. For them the content and outcome of policies do not emerge from a normative framework. This is linked with what Dolowitz (1996) argues about policy transfer and lesson drawing and its strong association with pluralistic perspectives on power and policy process. Those are not often the product of a participative method or bottom-up approaches, is more often associated with top-down approaches where high levels of decision-making are involved in taking the decision. those are the product of what is happening in the international or national political arenas, where actors and discourses support the adoption of fixed solutions a situation that is more political than rational.

“The realization that the policy process is not simply about governments addressing problems, but also involves the circulation of possible solutions, has generated a research interest in policy transfer and policy learning, ie. in the way that governments adopt (in whole or in part) policy answers from other jurisdictions” see (Dolowitz and Marsh, 1996,2000 in Colebatch,2000:135).

In the policy world we can see how problems are looking for solutions and solutions looking for problems, leading us to a social construction of policies.

3. The solution: The Policy Process of the Concession of the Ecotourism Services

3.1 Introduction

The solution of the problem is presented first and then the trouble situation following the same logic of the solution-centric perspective to policy analysis and as the process happened in reality. The findings are product of the research, analysis, documents reading, media extracts, telephonic interviews and informal chatting with key actors that participated and/or were related with the policy from their own position and interests. The persons to whom I talked are: Carolina Gonzalez, Sustainability and Environmental Services UAESPNN; Esteban Payan, PhD Student, Institute of Zoology, Zoological Society of London; Julio Cesar Uribe, ECOFONDO, Director of technical Unit and Gianpiero Renzoni, Environmental Unit, DNP.

I strength the uniqueness of any policy-making process, in Colombia as in the rest of the countries policy-processes depend on a multiplicity of factors and connections between type, topic, stakeholders, underlining interests, opponents, supporters and other related factors of the policy. Every policy has to be understood with its own process and not only as the final result of projects or outcomes. To truly comprehend a policy it should be placed in a period of time, the actors who influenced it must be identified, in other words use a socio-political perspective for its analysis.

3.2 The Policy Process

Public policies are generally made by policy-makers and can be done in one of two ways: from a bottom-up or a top-down perspective. The hierarchy of policy-makers depend on the level of decision and his/her participation on the execution and/or design of the policy. The decision-makers with direct relation to the policy of giving in concession the ecotourism services in the NP are listed from higher decision-making levels to lower decision-making levels, accounting for the top-down perspective the policy was done. The list starts with the President of the country⁴, followed by the ministers of MMAVDT⁵ and MCIT⁶, after the director of the

⁴ Alvaro Uribe Vélez.-President of Colombia (2002-2006) and (2006-2010)

⁵ Sandra Suárez-Minister of MMAVDT (2002-2006)

UAESPNN⁷ and other policy makers of the DNP⁸ in charge of designing the policy document CONPES 3296-2004⁹. It is the final outcome of the policy process; it presents the definitive guidelines and recommendations to proceed with a concession scheme that propose the involvement of private investors for providing the ecotourism services in the NPs as the solution to the problems of the agency. The list of decision-makers continue with the rest of functionaries that helped to designed and finding concrete viability to the policy; finishing the policy cycle steps towards its implementation.

All the analysis of policies in the national level can not disregard the institutions mentioned previously specifically the DNP and CONPES. They are the major technical and advisory bodies of the executive branch; they have a "relative" authority and autonomy in planning policies; they design, orient and evaluate the public policies of the country. Even a non-partisan a-political and technocratic type of public agency like the DNP, is not completely isolated from political pressures and societal issues. This makes sense with what Grindle and Thomas (1991) and some other authors argue about the characteristics of decision-makers in the executive. They are conceived as not fully autonomous agents who can not take decisions alone because of a bounded rationality, structural and/or political constraints. As they are part of the society, it is impossible to isolate them from the dynamics and pressures of it. There is always room for politics in other words "the politics of policies", it is there where the rational logic is broken and policy-making starts to be the product of different dimensions like the socially constructed forces of the society. One can not see policy-makers as agents isolated from the dynamics and pressures of the society in any international, national, regional or local context in any country.

This policy started with the recommendation stage and not with the problem-structuring, which should be the stage to start the rational or classical policy-cycle model. This conclusion is supported on the research and analysis made but also confirmed in the interviews made to people in the government. In that sense, it is possible to state the policy followed a solution-centric approach, in which a policy

⁶ Jorge Humberto Botero-Minister of MCI

⁷ Julia Miranda-UAESPNN Director

⁸ Santiago Montenegro, Director of DNP; Directors and Subdirectors of the Environmental Unit DNP

⁹ Hereafter CONPES

was chosen and decided from the top of the government. After the recommendation was made the other stages of the policy-cycle had to come to the scene finding the way to complete the policy-cycle. As Muller and Suller (1998) in Roth (2003) or Dunn (2004) argue, the policy-cycle does not have a predetermined beginning nor and end. The faces of the cycle are interdependent, plus there is no one way or order in which they happen in reality. It is then, possible to see how policies can start in a stage different than problem structuring, and then how a process finds a new logic to support and backing taken solution; this converts the process into a solution-centric one.

The highest level of decision-making of the government took the decision and then it was supported by the MMAVDT and the UAESPNN. This statement was confirmed by government¹⁰ and non-government sources to whom I spoke during the research period. An extract of one of my interviews shows that: "... *it was a direct and final order from presidency*", in which other decision-making stages did not have much to say and therefore, consent the idea. This decision was the result of the combination of particular political aspects related to the country's context. Following Grindle and Thomas (1991) for understanding reforms and policy-making we must include in the analysis the bigger context which definitely crafted the definition of solutions and the way governments govern. Product of the research, reading, analysis, understanding of points of view and language used we can depict how and where two factors influenced the foundations of the decision-making stage. In the first one, the national, the policy is placed within a wider context of reforms and protection of certain interests for at least the last two decades. In the second, the international, lesson drawing¹¹ practices influenced and shaped decisions. These factors came together in a particular time and influenced the decision-making process from the top or highest level of decision-making, allowing us to think why certain processes of reform do not happen before or after. The forces, interests and conditions that come together in a specific point of time enables the environment for change. Some past and present functionaries of the DNP to whom I talked stated that the President had acquired previous compromises with certain political and economic groups who had an interest to exploit the NP with the tourism development. In a presidential type of

¹⁰ Functionaries of DNP and UAESPNN.

¹¹ Lesson drawing implies a voluntary decision while policy transfer implies a coercive decision. (Dolowitz and Marsh,2000:344)

government like the Colombian where lots of power is concentrated in the executive made possible to the President to take this decision, he has the discretionary power to do so.

After all, the policy-process followed the subsequent steps in which the rest of the policy-makers were found in a position of finding support, cooperation and executing this decision in legal and technical terms. In other words, to construct and reconstruct an environment in which this decision can take place coherently. The socio-economic and political environment and the interests of the particular were accommodated into a policy-decision, in a policy document that seems at first glance to be the product of rational thinking and inquiry, from problem to solution.

3.3 The Logic Behind The policy

3.3.1 Previous Reforms

State values and public management practices influenced to an extent this decision. Twenty years ago and caused by the exhaustion of the previous developmental model (protectionism and imports substitution model) the country rethought its role, duties and practices in relation to the society. The change has been done progressively since then, the state has been reducing its participation in the activities that can be done properly and efficiently by the private sector (Montenegro, 1994:32-40). All these reforms gave the private investors the possibility to enjoy a bigger role in the economy and in this respect the policy is not innovative in managerial terms.

In Colombia from 1991, state reforms were clearly materialized with the political, administrative and fiscal decentralization and the formal liberalization of the economy. Economic sectors like: airports, roads, financial markets and education have received the participation of the private sector in covering a big range of activities from the provision of services to the building of infrastructure. Additionally a defined set of laws and statutory-decrees¹² allowed proceeding with an activity of this

¹² Decree 216-2003, Decree 2170-2003, Natural Resources Code and Law 93/99. Law 99/93 article 31: gave the bases for the delegation of duties in NP like the development of specific activities and programs, environmental education, vigilance and control, territorial re-organization, ecotourism, research, disclosure and planning. If delegation of functions is to be adopted it has to be on the bases of improvement of the management of

type in the NP. The trend of privatizations, liberalizations and deregulations and reduction of the state's size, in which most of the Latin American countries joined in the last twenty years, is touching the environmental sector and that is the innovative part. Although this is not the first and not the last time the Colombian government will decide and/or support policies with these characteristics. "Today policy planning in Colombia recognizes the importance of the market forces as factors for the efficient allocation of resources and the actions are towards creating the conditions for competitiveness and transparency, eliminating restrictions and privileges" (Cardenas,1994:439). In Colombia the planning has been lead by economic fundamentals and the principal objective has been the economy (ibid:130). The CONPES responds to: "these guidelines to continue with the involvement of the private sector in the ecotourism services follows the logic that the concessionaries are going to be better managers than the state, which is always running in deficit. This will lead to a positive change in which the ecotourism will no longer be a marginal activity but will be placed with strength" (Semana Magazine, Edition 1196, 04/03/2005¹³).

The set of reforms that favor economic fundamentals is moving to the environmental sector with the externalities that implies to mix directly business with nature and environment in fragile places like the NPs. Any economic activity produces impact to the environment, it involves production and consumption and can not be isolated from the place in which they are produced. For Ilich (1989) and Kames et al (1989) cited in Wight (2002) sustainable is a concept that refers to a language of balance and limits, while development is the language of more. During the last years the state is giving up the role as provider of services and acts as controller and monitoring agent in the new created relation. Thus the private sector has gained a bigger space producing many benefits for them besides the strictly associated with the business-profit. The private sector has been able to develop more freedom and space for maneuver at the expense of a "weaker" state. The state is not in a good position to control the performance of the private investors and for the environmental sector this constitutes even a bigger problem. The fact that the

technically, operative and/or financially aspects. The concession scheme followed the requirement. The arguments in pro are that it will contribute to improve the quality of the services and the income for nature conservation activities

¹³ Hereafter Semana Magazine.

environmental public institutions and NGOS associated with the environment are not strong enough in Colombia to act, control and balance the performance of the private sector could produce big environmental losses in the future.

The economic groups with large amounts of capital to invest in infrastructure and who are able to take advantage of the new businesses space and opportunities the state offers as it rolls back are the winners of the process, not the small or medium enterprises. The first group supports politically and economically governments which follow this ideological position. Colombian citizens have been electing governments that support these practices and interventions; moreover in the country the "left" is not a political force or defined option with strong ideas. There is an institutional environment which allows and provides space for the private companies to perform activities previously associated with the duty of the public sector. The link between business and politics is of importance since both actors create a win-win situation.

The primarily beneficiaries are the economic groups which are powerful enough and had the possibility to influence the decision-making process winning the public bidding¹⁴. Even if this process was conceived to be democratic, it ended to be a procedure in which only one group participated; there was no real competition in the contest. To go further the economic groups are able to pressure the policy-elites in three senses: they have democratically elected them, they have supported them with money to win the elections¹⁵ and they influence policy from the top, high level politics. As a consequence the governments look after their interests and tend to favor them with policies that support their interests. If this is the normal situation happening in every day politics less scope for designing and implementing policies which are product of more rational thinking will take place, thus solution-centric approaches are more prone to happen.

¹⁴ It was also open for international companies.

¹⁵Decamerón Hotels and Aviator contributed with 100.000 and 5.000 million Colombian pesos respectively to the presidential campaign. <http://www.ipliberal.org/noti3.htm> October 14, 2006

3.3.2 Ecotourism in the World

The decision is framed in a bigger debate in which SD, ST and Ecotourism are included. There is an accepted blueprint to manage ecotourism activities in countries with NP and certain willingness to take advantage of this in business terms. This favors the tourism economic groups because it includes the private tourism operators as part of a solution. Additionally is linked with the set of reforms, privatizations and liberalizations adopted in the countries, there is a whole environment and ideology supporting business groups and for this case they are part of the solution to the problems that the park agencies face. The notion of a private sector performing better activities with more quality, efficiency and effectiveness in contrast to the pure performance of the public sector is very strong.

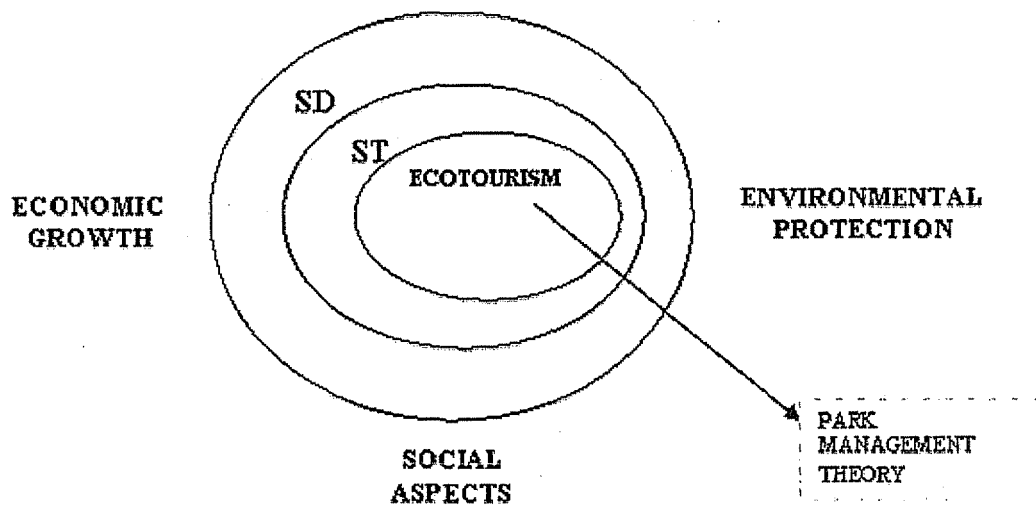


Figure 2: The Policy in a Broader Context
Author's creation

The policy transfer explicitly has to do with a clear tendency in relation to the practices related to NP Management. "Where once park management might have been essentially, if not entirely, in the hands of a NP service, growing interest is now being given to the respective roles and responsibilities of both the public and the private sector, with private concessionaries"(Butler,2000:226). Thus the general world tendency is to use ecotourism as a finance strategy for conservation duties.

The danger is that without adequate planning and leadership in all levels of decision-making "it runs the risk of moving away from its initial promise to be a force for education, local development, and conservation to one that is just another vehicle for big business to make money at the expenses of local people and the environment" (Fennell,2002:220). In this sense, concessions are a difficult aspect in PM because they are introduced in an environment in which two contrasting aspects exist: conservation and business logics. As ecotourism is an attractive business big companies are looking forward to it and push policy-elites for attaining its interests. As a response governments try to find the way to adapt the policy inside the SD concept for balancing the opposing values of economic growth and environmental protection.

3.4 Ecotourism and Sustainable Development

The rise of ecotourism has been a controversial issue in the context of the ST debate (Swarbrook,1998). During the last years it has become a buzz word used to take advantage of its positive marketing values. Ecotourism is normally performed in fragile areas and if it is done without regulations it can produce more harm than mass tourism for example. The governments benefit the interests of private investors when they follow a market logic, ecotourism is one way to do so when is given to private investors. They will be willing to exploit and produce profits by taking advantage of the beautiful landscapes of the NP and where less space for the social and environmental sustainability is left.

The government of Colombia uses the definition proposed by TIES: "*Responsible travel to natural areas that conserves the environment and improves the well-being of local people.*" The ones who implement and participate in ecotourism activities should follow the following principles: Minimize impact, build environmental and cultural awareness and respect, provide positive experiences for both visitors and hosts, provide direct financial benefits for conservation, provide financial benefits and empowerment for local people, raise sensitivity to host countries political, environmental, and social climate, and support international human rights and labor

agreements¹⁶". Policy-making is about choices and governments make choices that depend on the values and understandings of the subject of intervention. Eckersley (1992) identified five different trends for practicing ecotourism; moving from an anthropocentric view to an eco-centric one. For example, one pole looks for the fulfillment of the humans in an ecological sustainable society, and the other one goes to the extreme by acknowledging the rights of non-human life forms. As Fennell (2002) argues, the first perspective has been adopted by the business community and advocates of SD, also adopted in Colombia with the policy. The second has been adopted by the more radical conservationist groups and/or NGOS. In Colombia those groups are not strong enough and can not mobilize themselves in consequence their positions and policy perspectives are not taken into account. Fennell (2002) as Weaver (1998) "believe that the relationship between business and *pure* ecotourism is one of mutual incompatibility. This difference to some extent illustrates the contrasting perspectives of the more extremes cautionary platform and the more moderate advocacy platform." Usually people create a link and correspondence between ecotourism practices and SD. The eco-label may contribute to this wrong association. In reality no form of tourism is done without environmental impacts, and negative or positive consequences to the society in which is being developed. The quote "there is nothing inherently sustainable about ecotourism" (Swarbrooke, 1999:318) is clear and reflects the policy implications of adopting a policy in which the private concessionaries will be in charge of the business for a period of 10 years.

The Government of Colombia chose the moderate approach to ecotourism which fits the SD approach and which also fits the interests of the economic groups. In the National Ecotourism Policy working document is recognized "ecotourism as one of the activities in which is more viable to incorporate SD¹⁷; it offers to the visitor the possibility to enjoy the environment, in change of a retribution (income) that benefit the communities in first instance" (Swarbrooke, 1999:15). At the same time the SD approach goes in the same line with business activities trying to balance moderately the effects on the environment.

¹⁶ www.ecotourism.org 2006

¹⁷ SD is considered a moderate approach to development

The idea of ST emerged after “mass tourism became a phenomenon from the 1960’s onwards” (Swarbrooke,1999:8) when its externalities began to be evident. ST is influenced by the SD approach, emphasizing the environmental, social and economic dimension of the tourism system. The Brundtland Commission proposed the following definition of ST: “forms of tourism which meet the needs of tourist, the tourist industry, and host communities today without compromising the ability of future generations to meet their own needs. The definition reflects and implies a desirable balance between diverse interests”.

Based on the business type characteristic of ecotourism the role of governments in relation to its provision has been changing during the last decades. The state is no longer conceived as a direct provider of services but is an actor that contributes and promotes the development of a business environment, not giving up its role as planner, regulator and enforcer of laws. “In fact, unless ecotourism is well planned and monitored and, in addition, seeks wide participation of local communities, the pursuit of maximizing economic benefits may actually accomplish the opposite, namely to harm the ecosystem and deprive the local communities even further” (Müller,2000:250).

As we know SD has been a fashioned concept since the Brundtland commission¹⁸ came with a definition for it: “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. This concept involves three pillars (economic, social and environmental) and seeks for a balance between them it is also stressed the need to integrate environmental decisions is policy-making. For some analysts SD is one of the most moderate views for managing the relation between humans and environment. Somehow is controversial because it implies a trade-off between economic growth and environmental protection. All economic activities always have an impact of the environment because they involve production and consumption, and they can not be isolated from the environment in which they are produced. For Ilich (1989), Kames et al, (1989) cited in Wight (2002) the concept has been viewed as an oxymoron because sustainable is a language of balance and limits, and development is a language of more. It is difficulty to put in practice the concept because the two

¹⁸ Meetings of the World Commission on Environment and Development

notions are pulling in different directions. SD is criticized because of its vagueness, is a concept that can not be put in practice easily. Nevertheless if sustainability is to be operationalized there are different ways of doing so. Starting from a very weak position, to a weak, to a strong, and then to a very strong one. See Hunter (1997) adapted from Turner (1994)¹⁹.

The SD²⁰ approach is the moderate way for solving environmental problems as it looks for balances to cope an actual situation. In contrast this approach is helpful for policy makers in the sense it is flexible, it finds the way to deal the different points of views and confrontations between social, economic and environmental issues, finding more or less a balance between them. Colombia follows this tendency as the majority of other countries; is the most practical approach for decision makers, it balances economic growth and environmental protection, but at the end they are supporting more the economic values. This policy responds to interests of the economic groups and the interests of the government, UAESPNN, etc.

3.5 The Policy Decision

This policy decision is sensitive in itself because of the environmental and social consequences; it tends to move away from conservation activities and builds closer relation with the SD paradigm which is moderate in type. It is supposed to find "balance" between the economic effects on the environment. But this characteristic and this sensitivity constitutes one of the reasons for this policy to look for extra support. The policy was not taken following the classical policy-cycle. The MMAVDT and UAESPNN did not use the normal channels for making effective or in first instance for taking the management decision. As the policy or decision needed extra support it look for it in the CONPES document. Even if the legal body²¹ of those institutions gives the decision-makers mandate to decide PM issues, the type of policy, the interests and the logic behind produced the necessity for additional endorsement. Other management decisions which are not sensitive and/or create political or ideological conflicts do not need to be taken in the same way.

¹⁹ <http://www.ctahr.hawaii.edu/oc/freepubs/pdf/RM-14.pdf>

²⁰ Ministry of Environment created with the Law 99/1993 in response to the agreed principles of the Rio declaration.

²¹ Decree 216, 2003.

Not every policy is designed and approved through CONPES, this was the case because the decision was sensitive, created debates and had political appeals. The CONPES is a council where all ministers and high level elites get together to accord, negotiate and approve national policies to be implemented in the country. Urrutia²², who makes part of the policy-elites of the country make reference to the CONPES as an institution that "guarantees some degree of coordination between ministers, in a country in which the tendency is to act in an independent way. Moreover it warrants some kind of coherence between the policies of the ministers in the NDP" (Urrutia,1994:106). In theory a CONPES document means that the most technical agency, where the technocrats of the country work, design and give policy recommendations product of technical evaluations and research; not just the product of political manipulations.

The other side of the coin of the DNP is presented, but without failing to recognize the important role this institution has for a relative good performance of the country. Some Colombian scholars have stated: Even if "Colombia is one of the Latin American countries with more history and tradition in the formal experience of planning" (Vallejo,1994:119) and "In an institutional sense the DNP, as the head of planning in Colombia has succeeded, as none of the other homologues in Latin America" (Ibid:24), this institution still presents some patterns as any other institution in a developing country that affects its performance as institution, "It does not have its own political power to object to projects, nor to define the investments of the country, the efficiency of the DNP depends in the support given by the President or the international institutions. If a President is determined with a project with low Benefit/Cost ratio, DNP can not oppose. This was the case of the Metro of Medellin" (Urrutia,1994:105). Another more radical perspective of the agency fails to recognize its importance to Colombia and views it as a purely advisory organism of the presidency, who changes its recommendations into policies with the reliance of the CONPES (Ibid:105). The policy case we are studying can support this perspective in the sense that the process of policy-making started from a solution and went backwards constructing the policy and fitting it into the problem.

²² ex-director FEDESARROLLO
ex-director DNP
ex-director Central Bank of Colombia.

This situation appears to respond to diverse factors: the policy needed negotiation and coordination of the different stakes and instances; the factors, costs and benefits of taking this decision are better shared between all the primary stakeholders. For example, the ministry of MMAVDT (policy-elite that has high levels of decision-making) could have taken the decision because it has the discretionary power –legal power- to do it, but the political costs stopped it from doing so. Decision-makers are careful with the decisions they take as public functionaries because the outcomes it might produce the policy after the implementation. Another factor which contributed to look for support in other political instances is the fact that the MMAVDT has not a strong role in the political sphere in Colombia. In 2002, the elected government introduced a new strategy to reduce the fiscal problems the country faced being part of a restructuration strategy of the public sector.

Some institutional changes were done to favor the coordination of the existing institutions based on efficiency and effectiveness criterias. Under the period of President Uribe, the ME created in 1993 was transformed into the MMAVDT. The changes produced negative effects for the environment institutions, the environmental part was put aside in a vice ministry with small role and insufficient resources to accomplish its mandate. The director of the UAESPNN assures that in order to function properly, the needed income must be around 14.000 million Colombian pesos and currently they are receiving 7.000 million. Half of that comes from the national budget, and the rest from other services, which include ecotourism. Miranda²³ responds in the newspaper "El Colombiano": "We need more staff in order to accomplish our objectives. We need from the National Government the authorization to create more jobs. The national policy has been directed to reduce the size of the staff, which is in contrast to the goal of enlarging the protected areas and create more NP. This is the reason why the government should provide the areas with the minimum personnel, able to guarantee the protection."²⁴ These are some examples to note the weak position the Ministry has in the government, unfortunately it does not have the money and power to act independently and achieve its policies in an independent way, in this case acting as a poppet.

²³ UAESPNN director

²⁴ <http://www.elcolombiano.com>.September,25-2006

In that order of ideas, the high level elites of decision-making in the executive gather to coordinate and give the guidelines of action to the initial decision. A PRE-CONPES meeting preceded the CONPES which was approved in Bogotá on July 26 of 2004. The document was previously studied and designed by the DNP technocrats, (which had a sort of skeptical position to work on a CONPES document when in legal terms it was not needed, but could not oppose to it)²⁵, in collaboration with the functionaries of the MMAVDT, the UAESPNN and the MCIT. It was a product of the common effort between the different parties. They defined a policy and guidelines that responded to the decision taken, which was coherent and viable at the same time, and which intended to give more strength and structure to the concession scheme for the benefit of the NP, the DNP defended and supported the idea of designing a concession scheme and contracts that does not allow for space to make the same mistakes the government have done in previous concessions in other sectors.

The final policy document gave to the UAESPNN recommendations to proceed with private participation in general for the delivery of ecotourism services in SPNN. It listed out other ways of involving the private sector like: “outsourcing, operation contracts, contracts of management or renting, capitalization, BOT, BOOT and joint ventures among others (CONPES:14). But the decision was already pre-agreed and the government knew the final decision would be to adopt concessions. The document also presents guidelines in relation to the objectives to be achieved by the concession scheme and some recommendations based on the evaluation of private participation as the best alternative: i) Catch new resources. ii) Work with a specialized operator that would have an integral vision of the business, able to make the necessary investments in infrastructure, able to operate them and to deliver them with quality. iii) Distribute the risks and responsibilities in order to minimize the factors of uncertainty, depending on the extent of control of the state or the private. The CONPES states in the paper that any final decision to be chosen by the UAESPNN should take into account the preservation and conservation of the environment; guarantee the conservation of the NR; contribute to the financial sustainability of the NP System; promoting SD in the regions and enhancing

25 Interview with Renzoni, G.

competition, with clear, open and competitive bidding processes, as the Colombian laws mandate.

Accordingly, the DNP gave the guidelines for the UAESPNN to act favoring the private participation in the provision of ecotourism services and the agency proceeded with the concessions. The document shows how the decision was taken based on the principles of coordination between different interests. The policy also fits in the legal framework and previous policies; it promotes economic growth and tends to generate employment, principles of the government. Moreover it acts accordingly the guidelines of the General Tourism Law (1993), the Social Participation for the Conservation policy (2001), the Sectorial Plan for Tourism (2003) and the National Ecotourism policy working document (2004). A majority of these laws use a market and business language. To the end the CONPES constituted a sort of political process that was needed by the MMAVDT and UAESPNN to legitimize a decision taken previously which was influenced by the factors and contexts explained before.

4. The problem: The Situation of the Natural Parks in Colombia

4.1 Introduction

The policy started at the level of recommendation and not at the level of problem recognition as mentioned previously. As the recommendation was decided in the high levels of the executive, product of a political contest no use of analytical methods to choose from different solutions a best alternative took place. Subsequently policy makers worked and designed a policy from the solution, moving to the other stages or steps of the policy-making process, reflecting the complexity of the policy-making processes. Problem or trouble state of affairs is a situation that needs intervention to produce changes, ameliorating some previous conditions. Certainly there were various problems which needed promptly to be address. The objective with this analysis is not to deny the importance of adopting the policy and the possibility of improving the situation of the park agency in relation to ecotourism and conservation, but to understand how this process of reform came about. The choice was made without previous analysis of the different possible alternatives to choose the best alternative for running the NP. The problems of the UAESPNN are introduced with deeper analysis of the influences of lesson drawing and the Colombian context.

The UAESPNN faces economic and administrative problems, the second as the consequence of the first. The policy choice was developed and argued in a way that shows how it will find a solution to both problems, is presented as the best "solution" and without doubts all the arguments and language use is coherent, it matches a proposal with a problem in all sense. The UAESPNN has financial constraints that are explained by the decrease in the amount of resources provided by the national government general budget and the insufficiency of its own resources. Thus, the conservation and administrative activities can not be cover properly with the budget. An ecologist that is doing research in the Amazon region²⁶ states "there is no money for conservation, so the staff simply does what it can." An apart of the Los Nevados MP explain the situation, "There is a constant uncertainty referred to the financial resources for the implementation of the annual operative plans, this associated with

²⁶ Payan,E. Interview September 20-2006.

the difficulties of the administrative structure for the execution, made a lot of delays” (p:160).

The second problem refers to the inefficiency of the previous managing scheme in relation to the operation of ecotourism. The agency main role is the conservation of the environment and not the development of ecotourism businesses. The UAESPNN does not have “the technical expertise to manage an adequate process of planning for delivering ecotourism” (CONPES:11). As we know, ecotourism is catalogued as part of the tourism business industry and the park agencies have a principal objective which is to conserve the environment. Previously these services were delivered by contracting with privates of the region, but it was done in a fragmented and short vision way. For the last the agreement on ecotourism has grew, is something politically accepted in national and international contexts, and is correct to proceed with it, almost no one opposes to that. For example in the Andean Community forum in 1999 the General Secretariat supported a program to “turn the sub-region in a pole of attraction for the international tourism, taking advantages of the abilities of the countries to develop ecotourism services.²⁷” As this one many examples supporting the ecotourism development in the country, tendency that is supported in many laws like the Social Participation, the ecotourism working document policy, the sectorial plan for tourism and the security policy report.

The following quotes pictures how the ecotourism situation was. For example: it was not providing high quality service, as it was just responding with fragmented services in high season months (ibid:11). “Although the human resources working at the park are engaged with their work, there is not enough personnel to respond to the adequate conservation of the area. The activities related with the control of the visitors are limiting the implementation of systems for monitoring the natural resources” (Los Nevados MP,2002:160); the parks were facing problems related with the maintenance of the infrastructure and with the underutilization of the existing facilities.

²⁷ <http://www.comunidadandina.org/prensa/discursos/zuleta25-08-99.htm> November 15,2006

4.2 Economic Problems

The bad economic situation since the 1990's affected the nation economic performance, all the national sectorial budgets and especially the environmental was cut through the years (Uribe,2005). For governments in bad economic situations the used way to cope is to reduce the environmental budgets and give preference to other sectors with deeper needs. Being familiar with the complexities that governments face when having to allocate resources under scarcity conditions, often governments decide to spend on education or health rather than in the construction of nice ecotourism complexes in the protected areas. Swarbrooke (1999:205) mentioned in his book that in "in developing countries there is always the question of to what extent scarce resources should be devoted to ecotourism rather than others- perhaps more pressing-problems such as health and education".

If we look at the budget percentages it is estimated that only 1.02% of the GDP of the country is assigned to environmental investment including the contributions of the private sector (ECLAC, 2002:19). Other sectors like education receive 4.4%²⁸, military 3.3%²⁹, health 3.7%³⁰ of the GDP. Between 1996 and 2004 the resources assigned to the NPS present a falling tendency. Environment investment was cut by 81% between 1995 and 2002 and as a consequence no resources for proper investments and for the environmental protection in the country. "The presence of the state is null. The budget has been reduced up to a begging situation. The resources of the UAESPNN represent only the 10% of the whole environmental sector, each park has \$284.810.676 millions³¹. This is a problem if we consider the areas are a 10% of the territory with ten million hectares.

The UAESPNN has three main sources of income, moreover the agency has been depending in a majority in the national budget which is the one with more reductions. This financial situation started to be a real problem for the agency, in 1996 the own resources as a proportion of the general investment of the park agency were 8.1%, in 2004 this changed to 45.5% (CONPES). As a consequence the park

²⁸Source:Unesco 2001

²⁹Source:Presidency of the Republic of Colombia 2006.

³⁰Source:Cuentas de Salud. PARS. DNP/MPS 2002.

³¹<http://www.censat.org>,September,25-2006

agency was forced to look for other ways of finance in order to cope with this situation and meet the conservation and administrative duties.

The study made by (ECLAC 2002) explains "The UAESPNN is one of the institutions of the environmental sector that can finance itself with more autonomy due to its relation with the use of the natural resources. But is evident that its minimum the amount of own resources produced, not achieving two million dollars annually from 43 natural protected areas." (Ibid:23). It is true for Colombia that the income associated to the use of natural resources is relatively small and insufficient, not covering even staff expenditures, general administrative duties and conservation activities.³²

The concession scheme is presented in a way that matches perfectly with the financial problems the UAESPNN or any other park agency in the world. The "solution" was not forced or applied into a non-existing or unreal problem as sometimes happen in other public interventions; in this sense the process flowed naturally. "In a time of widespread government financial retrenchment, it is increasingly difficult to justify public expenditure to subsidize the recreation of one segment of the population. Governments around the world are using this logic, in part, for the reduction or freezing of grants for park management. The reduction of budgets has been documented in Canada and the USA (Eagles,1995b) and has developed new forms of park administration and new pricing policies" (Van Sickle and Eagles,1998).

Considering the powerful existing trend in the ecotourism world that proposes and supports concessions schemes as the auto-financial strategy for parks; the policy is part of that stream it coinciding with the Colombian context and the agency problematic. The director of the Sustainable Tourism Office of the UNWTO argues that it is a way to recover or find finance investments; local newspapers make the same references: "The agency does not have the economic resources to finance the maintenance of the infrastructure. The facilities are in bad physical conditions. The government wants the private sector to invest their capital and asking for minimum

³² Taken form the different MP of the NP

investments in infrastructure. Amacayacu NP is already awarded to three big companies which are Aviatur, Decameron and Cielos Abiertos.³³

The whole economic arguments used to favor and support the scheme plus the PM tendency opens a space for analyzing the issues, real intentions and interests behind the adoption of these reforms. A number of academics have studied the implementation of concessions in several countries in Africa, South America, Central America, North America, Australia. For example Eagles and Mc Cool (2002:268) argue that many parks agencies chose it because they lack the legal structure to function and are not able to run the business efficiently and effectively. "For example, they may not be able to retain revenue from sales because all revenue must go to central government. Other examples include lack of ability to access private capital, inflexibility in pricing policies and rigid labor contracts. In these situations, private companies are used to provide specialized services and products. Such companies can quickly adapt to the market with innovation and rapid response to demand changes". Then, the whole arguments come back from a bigger set of reforms based also in the market logic, in which the private sector is the one who is able to perform this type of activities. In this sense PM is part of a broader movement or force with business type characteristics that favor the retrenchment of the public sector. The state is conceived as an actor that moves away from the provision of certain activities because those can be better done by privates. Like roads and infrastructure contractions, telecommunications, electricity provision etc. If this is the case and we agree with those arguments, the following question is which are the benefits for the society? The minister of MMAVDT argues that the ecotourism effort will increase revenues and efficiency, so the benefits derived are: financial support for conservation activities, better quality of services for the tourists, the agency staff would be able to focus in its tasks, but no clear benefits for the local communities living or surrounding the areas. This is another interesting topic for future study, the evaluation of the policy that is not under the scope of this research. In fact, one year after implementing the policy, skeptical attitudes about the "miracle solution" to the financial problems are coming up. The critics say the economic problems of the UAESPNN are not going to be solved only with this ecotourism strategy. Moreover, there is not big difference in economic terms. In the 5th World Parks Congress in

³³ <http://www.elcolombiano.com>. September 25, 2005

South Africa 2003, a representative of the UAESPNN presented the following financial strategy and corresponding figures:

Table 3: Private Participation in the Provision of Ecotourism Services

Parks	Minimum annual Income by concession	present contract costs
PNN Tayrona	48.879	11.211
PNN Amacayacu	26.385	12.108
PNN Gorgona	39.286	16.143
PNN Los Nevados	38.835	11.211
SFF Iguaque	18.403	10.762
SFF Otun Quimbaya	51.418	6.726
TOTAL	224.187	68.161

Source: Financial Strategy for Colombian National Parks System. MMAVDT
<http://www.conservationfinance.org> September 25/2006

The economic problems came out with frequency in the research interviews, also the necessity to find other ways of finance in the future. For example the changes in Amacayacu not make a big difference. "During 2004 the park produced 11 million pesos of ecotourism activities, its operational costs were 91 million pesos. The alliance Aviatur and Decameron under the concession scheme will pay 26 million pesos annually or the 5.91 % of the total income it produced, plus the required infrastructure investments" (Semana Magazine).

4.3 Administrative Capacity Problems

The agency was presenting performance problems caused by the lack of economic resources (CONPES). In this respect Gonzalez argues that the ecologists and conservationists are concentrated in working in ecotourism and even more worrying six to seven functionaries are in charged of extensions of 200.000 hectares, besides all the infrastructure of the parks has not receive an adequate maintenance through the years.

The inability to perform conservation and tourism at the same time and do both correctly is a constraint. "For operating the ecotourism infrastructure, the unit has been forced to use its functionaries, conservation specialists, in ticket duties, lodging, maintenance of infrastructure, supporting the ecotourism duties. Also signing contracts for the provision of services, like cafeteria, restaurants and others" (CONPES:11). This feature was corroborated in the interview with Payan³⁴, for him the policy is a good idea because the staff of the UAESPNN does not know about ecotourism in itself in that sense the activities are performed with improvisation, like the functionaries who are spending time in tourist attention and not in conservation and protection of the parks. "Here, in NP, there are biologists, forestry engineers, anthropologists performing tourism services, and the conservation mandate is being neglected". People working in the field agreed that in terms of planning and management the experience has been a disaster, the income generated by the previous contractors³⁵ was fully kept in their hands and the UAESPNN was not receiving money for this concept.

Parks agencies share the same problem of lack of experience in the provision of ecotourism services, duties and tasks and while this happens nature conservation suffers.

"The majority of park agencies are weak in tourism competencies. Very few agencies, and almost no parks, have professional expertise in leisure pricing policy, in tourism economics, in marketing, in tourism management, in social statistics, in service quality or in leisure studies. However, this situation is changing rapidly in several countries. For example, Parks Canada is one of the leaders in the development of high levels of competency throughout the agency in tourism management. This increase is stimulated by the need of the agency to gain operational income from tourism" (Eagles,2001:27).

³⁴ Payan, E. Interview September,20-2006.

³⁵ Disorganized sub-contracts with different persons to provide certain activities. For example subcontracting the parking, the cafeteria, the boating services each to a different person. And without clear rules, performance and quality measures, plans.

This had an influence in the decision of reform, as is an easy answer and way to solve the existing park problems. The government does not have to spend time and resources in making studies and previous evaluation for finding the best alternative; there is already a model answer for similar types of situations in which a specialized agency will perform the ecotourism aspect, while the park agency will concentrate in its other duties.

Ecotourism in Colombia is on an early or primitive stage of development (Bruggemann et al,2001:24) practiced without planning reflected in the actual situation of the agency. The country is far behind others like Costa Rica which have been establishing ecotourism practices and developed its tourism industry by adopting concession schemes. The adoption of this solution is introduced as a way to keep and follow the other countries and adopt they stage of development in that respect. Thus the first steps towards the consolidation and organization of ecotourism provision in Colombia are done with this concession policy.

The UAESPNN entered in a vicious circle logic; the low economic resources affects the agency performance of its tasks (ecotourism and conservation), the bad quality of this performance reinforces the fact that no proper income will be produced to address the problems and if there is no income, no proper performance of the tasks could be done. The concession scheme proposed by the President, MMAVDT and UAESPNN was introduced showing it will break this circle down, building the solution for the agency problems; both conservation and ecotourism provision while at the same time is harmonic with the political and tourism industry interests. "The CONPES approved this week offers guidelines to promote this services and optimize the technical, administrative and operative resources of some parks of the country. (SNE,July,28.2004). In words of Suarez³⁶ this policy aims to improve the efficiency and quality of the service delivery of the existent services, contribute to the financial sustainability for the management of the lodging, restaurants, parking lots, promoting the number of visitors and the conservation of the NP (Ibid).

³⁶ Minister of MMAVDT

This reform suited in the need for efficiency and effectiveness, founded in the notion that the private sector performs better certain activities. The government very strongly believes the way to solve performance and financial problems is involving the private sector and delegating certain functions to them, benefiting from private capital and/or expertise. In countries like Colombia a set of reforms has served as the umbrella for adopting privatizations and liberalizations practice and the argument of the efficiency of the private sector performance in is recurrent for the adoption of this type of reforms. One example is the case of some public schools in Bogotá, which were given in concession since the beginning of 2000. As a reward the public agency receives economic and administrative benefits, it releases the state of performing some duties and allows for concentration in conservation activities. The fact ecotourism activities in Colombia are in an immature stage permitted for a change in which an efficient and effective private sector will be involved. In this case the private sector is one of the biggest tourist companies in the country who gained the right to lead the ecotourism sector in NP for the next ten years as minimum.

All policies are open to critics running their own risks and this one is not an exception. If the UAESPNN was not able to perform its duties while was dealing with conservation and ecotourism at the same time, it can be improbable the agency can guarantee strong controls and monitoring activities of the contracts, plus the conservation activities it has to perform. With the concession the activities to be performed by the agency will change and there is a need for an effective management body to oversee and correct any problems arising with ecotourism within the park. More effort is needed to involve the tourism operators in the development of the park and to gain their commitment to the work of the UAESPNN (Bruggemann et al,2001).

The implementation of this policy started in 2005 and is the first time a scheme like this is implemented in the environmental sector. In the future, the agency will have to change, adapt and cope with the different problems that would arise, furthermore it can not be confident this scheme is a meta-solution. It should act in a more conservative and skeptical way and should have evaluated carefully the costs and benefits of adopting such policy beforehand. The fact that policy-making is an incremental process of constant adjustment and steering (Lindblom,1959) in which

you can not control and know before hand the effects of the implementation of any policy. Perhaps the agency did wrong in adopting this scheme without making serious evaluation of the alternatives and its consequences. In fact if the tendency continues to "give" in concession to the same groups of operators all the parks this will lead to the creation of a monopoly in the ecotourism activities³⁷. For Rodriguez, M.³⁸ the implementation of the concession has to be a gradual process of learning and steering. All the parks are different, they may not be also attractive to any operator, but that does not mean the other parks have to be forgotten (Semana Magazine).

"This model can be problematic when the size and power of the private sector tourism overwhelms a politically weak government agency. In this situation the selfish individual interests of the tourism operators can lead to tourism overuse. Very severe environmental degradation often occurs with this model, due to the lack of budget for the agency to handle tourism pressures". (Eagles,2001:31) Signing a contract for a period of ten years with private companies can be very dangerous, the private concessionaires will always want to maximize their own benefits at expenses of the government or the other party, is even more serious if the principal lacks in capacity and in resources to control and monitor the relation. In many occasions governments loose in transactions where private capital is involved. Margarita Marino, director of Colegio Verde and ex-director of INDERENA accepts the concessions idea but only if it is possible to apply strict controls in order to place first the environmental priorities instead of the economic ones. In this respect "The staff of the UAESPNN is exceptionally good, but there are political pressures over the decision of the technical experts" (Semana Magazine). To sum up, there are some inherent risks in all this process that were not taken seriously when the decision was made in first instance.

³⁷ See annex

³⁸ First Minister of Environment (1993)

5. The Role of Lesson Drawing in Promoting Solution-centric Reforms

5.1 Lesson Drawing

The previous sections gave the elements to identify the contexts influencing the policy choice. The present will focus in the role that international context and factors have in promoting and deciding policies in national contexts. It goes deeper in analysis and attempts to give more evidence for the understanding of the complexity of this policy-making process.

The submission of the national context under the international is done by practices called lesson drawing or policy transfer which are spread by policy communities, international consultants and/or academics reaffirming or reassuring positions, interests, discourse, theories etc. In the era of global governance and globalization practices, governments are no longer sovereign in the way they define policies. Policy-elites in the executive branch are not isolated from external (international) pressures, alliances, bilateral and multilateral relations, world organizations, positions and styles that do not correspond to the national sphere. The use of direct power or domination is sometimes used to pursue reforms as government policy-makers are likely to be in contact with ideas, ideologies, discourses that come from international spaces; shaping the minds and influencing the craft of policies in the national level. Moreover, is common to see how countries in developing stages rely heavily on the proficiency of international experts and consultants of certain fields and apply their ideas and solutions in their own contexts, in a voluntary scheme.

5.2 The Influence

Starting with Dolowitz (2000) and making an analysis of the differences and likeliness of lesson drawing to happen in the different policy-cycle stages. For example, if the policy process starts in problems structuring it will not have much inderence because the stage is related to the analysis of the problems that are taking place. Moving in the policy-cycle from recommendation to analysis and finally to

decision-making the role and influence of policy transfer increases. What is more if the policy process starts in the decision stage as the one under study, the lesson drawing influence is highly likely to occur and definitely pushes the adoption of certain solutions and policy answers. The policy received high influence as was confirmed by the director of the UAEPNN who argued than in other Latin American countries like Chile, Argentina, Costa Rica and Peru, as well as in other European countries this scheme of private participation of the ecotourism services has been applied before, showing positive outcomes. "Concessions are a common modality in the world, even in areas that are world heritage."³⁹

Dolowitz and Marsh (1996) explain lesson drawing, its implications and relevance those have in policy terms and for policy analysis research. It "refers to a process in which knowledge about policies, administrative arrangements, institutions etc. in one time and/or place is used in the development of policies, administrative arrangements and institutions in another time or place. For the case study it was kind of a voluntary selection and not imposed by power. The director of the UAEPNN confirmed the high influence of previous policy experiences in the definition of it, stated in the virtual and online forum organized by the newspaper "El Tiempo"⁴⁰. For some analysts this attempt tries to legitimize policy decisions reducing the uncertainty about the type of decision taken. "Governments committed to new right free market economic policies, used lessons drawn from countries which had already privatized, to legitimate their decisions to implement particular forms of privatization" (Dolowitz and Marsh, 1996:347). This fits into this policy case and the strong link between policy transfer, lesson drawing, NPM style of governance and set of previous reforms, all under the same umbrella.

From an academic perspective Child (2004) explains the innovations of PM tested in Southern African countries. In that continent, the tourism industry is highly developed and he argues that as mandates for park agencies grows "outsourcing is a logical step and we look at this in terms of tourism enterprises, the support of NGOs and even contracting of the entire parks to private sector" (Child, 2004:165). For the author regional wild life agencies or any kind of environmental agency have traditionally provided the management of tourism accommodation, restaurants and

³⁹ <http://www.elcolombiano.com> September 25, 2006

⁴⁰ August 2006

shops. But this is not their core task, "putting commercial and conservation functions together in the same budget also confounds financial management and analysis" (ibid:166). The arguments from the academia and from a more technical and managerial perspective support the rolling back of the government, making it look as process as normal and desirable.

Management Theory recognizes the technical and financial advantages of outsourcing a range of PM activities, even in some cases to outsource the entire PM. The theory argues management can be used as a solution for both weak and strong park agencies. For weak park agencies it can result in good quality services and new sources of revenue for environmental protection, if they can design a good contract. When the park agencies are strong the results are better because they can enforce and design better contracts. "The logical end-point is for agencies to become contracts managers, with particular strength in regulation and monitoring" (Child,2004:170). This is an important aspect that policy makers or academics must be aware of for the moment that evaluation of performance and implementation of the concessions in the NP will take place.

The technical arguments for outsourcing or adopting concession schemes are the internalization of costs and benefits and the fact that makes relations more transparent improving the efficiency and effectiveness of the PM. Julia Miranda⁴¹ responded in the virtual forum organized by the newspaper "El Tiempo" in August of 2006 that "the concessions allow us to optimize resources and protect the areas, improve the efficiency and quality of the service, encourage competence, strength the presence of the state in the park, improve the financial sustainability and support the sustainable development of the regions."

The influence of international consultants and the role they play in the processes of reform is a key element of analysis within the international category. For the ecotourism case the role of the international consultants like Hector Ceballos-Lascurain⁴² was of big importance as the study and evaluation of the Ecotourism MP of Tayrona National Park made for the MMAVDT shows that. His recommendations

⁴¹ Actual director of the UASPNN.

⁴² General Director of the International Program of Ecotourism Consultancy (PICE), Special Expert on Ecotourism of the World Conservation Unit and the World Tourism Organization. www.ceballos-lascurain.com

that were incorporated in the MP⁴³ are related to general park issues and private participation of investors in ecotourism services provision. "To initiate the implementation of the ecotourism plan it is necessary to develop all the guidelines of action proposed by the consultant Ceballos-Lascurain, one of those is the infrastructure." Or "the results of the supply, attractions, regulation and objectives defined by the ecotourism arrangements, will be part of the terms of reference for the consultancy and the invitations for the private participation" (Tayrona MP,2006:331). The official policy documents like the MP of the Tayrona Natural Park have constant citing and reference to the recommendations of Ceballos-Lascurain (2001), which then were finally adopted by the decision of the President.

Another example is the product of a group of experts in the ecotourism field and conservation as Brüggemann et al., (2001) the report is product of the workshop on Biodiversity and Tourism in the framework of the CBD and the case of the Tayrona NP. The workshop made recommendations to the different governmental stakeholders based on their jurisdiction and duties. The report shows how policies not only emerge in the national context but with greater dependency and influence from the outside world: "...the guidelines of the CBD should be demonstrated through the implementation of pilot projects, and encourage the submission of reports and cases-studies on the findings of such projects and sent to the secretariat of CBD. In taking up this recommendations, the UAESPNN and the bilateral cooperation program hold a workshop with participants and experts from different institutions at the local, regional, national and international level, to elaborate this case study on the Tayrona NP... we hope that his results will be useful for the visitor management strategy of the Tayrona NP and as a contribution to the discussion in relation to the international guidelines for the SD of tourism" (Bruggemann et al,2001:7).

Moving away from the political side to the technical one, some recommendations done were: i) define the national and institutional policy for ecotourism in the parks. ii) promote the introduction of support policies for private initiatives related to ecotourism, recognizing ecotourism as a specialized division in the whole concept of tourism. The concession policy responds clearly responds to this recommendation. iii) strength marketing policy and ecotourism promotion. iv)

43 <http://www.elheraldo.com.co/revistas/informe/noti30.htm> September 8,2006

study the viability for the creation and implementation of a proposal for the establishment of a promoter of ecotourism services for the park. The recommendation about the quality of the services, which are closely related with the concession policy objectives, was: "the Tayrona NP has high degree of recognition at national level as a tourism destination, and it is important that the park achieve high quality standards in the infrastructure and services provided, where tourism is permitted. v) promote in general high standards; park management should develop a strategy for bringing together not only those who supply a service but those external agents like guides from outside the park, who may influence the image of the park and the experience of visitors to it" (ibid,2001:40). In relation to the local communities the recommendation is vi) ensure that agreements for ecotourism activities within the park including agreements in which qualified and unqualified local people benefit from the job opportunities created by the ecotourism. The recommendations were totally accepted by the UAESPNN and are reflected in the concession contracts of each of the parks, as mandates for the private investors to contract people from the local communities as manpower.

Some previous discussions in the policy cycles took place before the chief of the government gave the final and definitive order to go ahead with the policy. This shows the complexity of any policy process in which various aspects through time happen that have less of bigger degree of influence. But what we can be sure is that this decision was never the product of conscious research and rational evaluation. "No one knows about tourism and conservation, a lot of improvisation and problems will come" stated Payan in an interview. Some experienced difficulties to find official studies and evaluations of this scheme and/or other schemes like the ones proposed in the CONPES in relation to private participation, also there are no official studies or evaluations of other types of ecotourism schemes like CBT for example. Based on informal conversations with experts one can assume that no proper studies were done; the decision for concession was the product of an institutional and political environment that favors this kind of decisions. It was not the product of the analysis of policy-makers to counter a problem situation. "There is a general political consensus in the fields of nature protection and tourism development. There is political willingness to develop ecotourism especially in NP. Ongoing projects in these areas are looking at these issues, but there is a need for the ideas of ecotourism to

be incorporated into ecotourism plans that are applied at the regional and local levels.” (Bruggemann et al,2001:15) This responds to the advantages and benefits that come along with the promotion of the tourism industry; it is a way to support the industry and its economic groups friendly to the government. The political climate is then favorable, important and influencing groups are happy with the decision. The insignificant opposition to the government and to the policy, incapable of affecting the course of the decision, gives the decision-makers the liberty to go ahead with it without facing crucial political controversies, which could affect the stability of the government.

5.3 The Business Environment in Colombia Supporting the Policy

Policy-making is culturally embedded, meaning particular values in particular time shape and influence the social construction of policies. Policy change is most of the time influenced by prior policies, conditions or/and expectations shaping and affecting the viability of new policy decisions. Policies can be seen as chains, no policy is isolated from another, most of them share the same background, values, conditions and characteristics; they can also conflict in objectives and ways of attainment. Policies are chosen within political groups that follow different political, social and economic values, setting particular lines and interests in the public sector. Policies “are introduced in environments in which they are affected by other policies, pursued contemporaneously, that fundamentally shape their ability to achieve the goals set for them” (Grindle and Thomas,1991:40). Within the political economy perspective the business groups are defined as dominant forces that engage and control large sectors of the economic and political life of a country.

In fact in Colombia the business environment and market policies have predominated through time. Agreed values converge and implicitly support policies tending to improve the economic conditions of the country. Throughout history the achievement of economic growth has been the principal principle, after it other less important like the environmental ones come in. To make the connection with this case: “The policy is framed in the context of Alvaro Uribe’s government policy, for the promotion of ecotourism as an employment and development strategy” (Semana Magazine). Plus “The opening of the bidding for the ecotourism services of the Otun

NP, is a good business opportunity for the specialized enterprises of tourism services.⁴⁴ In fact there is an agreement that "Colombia will be a country that must strengthen its tourist products and services. They would allow for a harmonic relation in which the public and private national and local sector will play a key role in the generation of optimal conditions for the business to develop" (Policy of Competitiveness, Marketing and Tourism promotion of Colombia,2001:11).

The language used often refers to concepts like: market, business, marketing, micro, medium and small enterprises, competition, incentives and clusters. Within this business tendency one could see that "ecotourism is primarily a contemporary marketing policy, meant to capitalize on the societal concern for the environment. (Edwards et al,1998:12). In that sense the government of Colombia seeks to compete in the international tourism market with other neighbor countries with a much more developed industry by promoting the ecotourism sector with the participation of big companies that will invest in infrastructure and develop the tourism in the NP. This is a first small step to consolidate the tourism in Colombia and to attract international attention.

The State intervention is an essential factor in the creation of a favorable environment for business activities. The concession was thought with a big vision, favoring clear groups of the society with power of influence, protecting and promoting their interests and the interest of the state in economic terms. As a clear evidence the words of the first Minister Rodriguez in the Cambio Magazine⁴⁵ for that respect: "not all the parks are attractive for the private investors, that is why not all have to be run with this scheme, some must be managed differently".

⁴⁴ <http://www.colombiaespasion.com/noticia.php?id=192>. September,25,2006

⁴⁵ www.revistacambiocom/html/pais/articulos/3313 October 10, 2006

5.4 Did the Policy Receive any Type of Opposition?

Competence between groups trying to impose their own interests against each other is part of the characteristics in the political arena. In this case the first group is made by powerful businessmen, the second, by the environmental groups, organizations and individuals with less power of influence and in disagreement with the policy. The later have to oppose against economic groups of characteristics like Aviatur, as an example, a main actor of the private travel agency industry in Colombia. The company participated in the four bidding process making alliances with different companies and winning in four occasions the right to operate the ecotourism parks without any competition (See Annex 1). They were the only bidders, so they were awarded with the contract. This company has 162 offices in 15 Colombian cities, 1500 employees and annual sales of 120 million dollars⁴⁶.

The environmental organizations disagree with the policy but at the same time are unable to influence the decision-making process. Among other reasons they face organizational problems: they are a heterogeneous group who acts accordingly. Even if they have a common interest in terms of a particular policy and values, they are powerless and unable to influence the decision-making process; they do to converge as a tight group. ECOFONDO which is one of the biggest environmental organizations in Colombia and maybe one of the most organized and institutionalized experience of joined forces in the environmental field still does not play the role it should. For some unexplained reasons it does not want to claim itself as the speaker-organization in the country. This information was given by Uribe from ECOFONDO in a telephonic interview, who bared this as one of the main problems of the environmentalist movement in the country. They are conscious the way they work is to support communities and organizations in the resolutions of problems rather than to influence policies in the government acknowledging a top-down perspective. The only recent example in Colombia in which the environmental movement acted as a group with good degree of coordination and a specific proposal, says Uribe, was the National Campaign, "Water a public good". This campaign was able to gather 45 thousand signatures and brought them to the Fifth Commission in the National Senate accompanied by a bill with proposals in relation to the Water Law. For the

⁴⁶<http://www.elheraldo.com.co/revistas/gente/01-07-28/aviatur.htm> September 25,2006

case of the NP and concession policy the situation of inability of group work, the diverse types of communities living in the NP and the different interests of the environmentalist organizations constituted a problem which ended by not influencing the decision-making process even if this was what they wanted. Uribe looks the process and confirms no planned strategy from the environmental organizations was developed, only isolated responses and statements in the media spread their position towards the decision. Still, if they were not called to participate in the decision-making process they also lacked a strong and firm reaction.

Except for SFF Iguaque where a group of peasants of the area with support of CENSAT opposed and stopped the implementation of the policy using the legal participation mechanisms given by the constitutional-law, no other relevant action took place. "The decisive action of the social and environmental movement in the regional and national level has achieved to stop the concession of the ecotourism services in the SFF Iguaque. This experience is now the emblem for the struggle of the defense of the country protected areas⁴⁷. However it is not the general characteristic, it is an isolated exception, "With the absence of the environmentalist groups, against the process, the temporal partnership received the concession for the next 10 years, in relation to the management and operation of the ecotourism services in a part of the park.⁴⁸"

⁴⁷http://www.censat.org/A_A_Actividades_048.htm.

⁴⁸<http://www.colombia.indymedia.org/news/2005/06/27491.php>

6. Final Remarks and Limitations

This study is based on the question why the Colombian government took the decision to give in concession the ecotourism services to private operators in NPS. While providing the answers, contributions for the understanding of a specific policy-process of reform were made. The findings are not case specific; they reflect one reality of the actual political system and in that sense the readers are able to depict similarities and establish links of analysis with other public sector cases.

One of the findings is that the policy process was solution-centric thought to benefit the private investors of the tourism industry. The CONPES (p:4) specifically offered recommendations to be applied in six out of the 49 protected areas, coinciding to be places with more ecotourism vocation and the ones the businessmen showed a special interest. Subsequently the CONPES document was developed to find the political, legal and technical viability of the decision taken by the President. The Document does not make any reference to the other parks and protected areas of the country reflecting the exclusive reasons behind the adoption of the policy solution. The arguments presented in support of private involvement- to curb the economic and administrative bottlenecks or inefficiencies associated with running of the agency and NPS- turn out to be weak. As a matter of fact, to present arguments assuming concessions would solve the problems of lack of conservation resources for 49 areas of over 10 million of hectares of the territory is an overstatement. Indeed if the policy goes by hand with a particular environmental notion that is presented in the NDP, which is commercially oriented (Tobasura,2006) and that fits with the political and economic characteristics of the country which were exposed previously.

It is clear that solution-centric approaches bring in particular decisions which are more ideological or political sensitive than others. Its benefits may be restricted to specific categories and exclude a majority and thereby increase or sustain society inequalities. Concerns about the involvement of the President in "minor" management decisions put forward at the beginning of the study finds explanations and may not be minor at all, given the political importance. Politicians in the regions are driven by a combination of political and economic interests- they wish that their regions benefit from the policy and the tourism multiplier effect the policy will give, at the same

businessmen have commercial interests in the ecotourism projects to make profits. For Bessudo⁴⁹, ecotourism "it is a future bet, although is one of the areas of the company that is expanding with more rate."⁵⁰

As a common practice, solution-centric decisions are often top-bottom permitting minimal or no participation, consultation or other democratic features. Decision-makers make use of the discretionary power to take decisions and to protect the interests of the government, preventing it from resistances and destabilizing movements. But this statement may only hold where there is a structurally weak opposition and restrictions on participation and citizens' involvement in policy-making like in Colombia for the present case. Some groups often face difficulties to access and influence decision-making or oppose policy-decisions as a result of the policy-making process which excludes or disadvantages them. This constitutes an advantage for governments able to formulate policies that are politically advantageous with minimal resistance and least costs, ensuring their policy objectives are transformed into policies.

Solution-driven processes are often the effect of external influences and pressures that seek to main the status-quo and not relate with normative policy-process. "There has been much advocacy for a retreat of government to unleash market forces and to hasten economic growth" (Lasam,2004:12). The international context offers lessons drawn from best practices in the ecotourism sector while the national government is robed with a set of reforms promoting NPM practices, market logic, liberalizations and privatizations. In this regard is difficulty to draw the correct lines between the influence that comes from the international sphere and that from the national. This policy could have not emerged from the bottom and find support in large sectors of the population, it only rewards a few and excludes from meaningful benefits the local people⁵¹. This is backed in the fact that the Colombian institutions have long tradition in deciding policy process and reforms first discussed and decided within certain political spaces in the top (Botero,2005:78).

⁴⁹ Aviatur representative

⁵⁰ Newspaper El Espectador, Edition 26/02/2006

⁵¹ See terms of reference of the contracts.

The research created consciousness and awareness of what are the general governance tendencies nowadays. Is it an institutionalized practice or is just an exception to the rule? The answer is that politics comes over policies more often than thought. "We cannot however disregard the importance of politics, ideology and leadership. Politics matters in administrative reform, particularly in terms of politically framing the problem, timing initiatives and setting reform problems" (Toonen,2003:474). State reforms in Colombia have been pushed by political and economic interests building a non-promising scenario if the objective is to pursue change. The prevalence of a political status-quo that is not very different from the clientelism practices that have characterized the political system through history is clear. This is alarming and hopefully changes will come if people in the government, citizens and civil society organizations become aware of it. In the words of a congressman "I am not surprised that a document that is supposed to be environmental in type just refers to the way of how to do business and guarantee its success⁵²".

The analytical framework was useful as it helped to reinforce and distinguish the differences between normativity and realism, theory and practice, complexity and simplicity in relation to the policy-process, allowing for an accurate and organized analysis that facilitated the process of finding the research answers. "Indeed the appeal of public policies as a focus of intellectual endeavor lies precisely in its richness; the complexity of the unit of analysis and appropriately reflects the fact that an action of government is rarely meaningful if conceived of as a discrete, disembodied event, and that impacts of a single government action on society are not understood properly if taken in isolation from one another" (Greenberg,et al,2000:164). The used framework helped to understand a single policy process in relation to the context in which it was produced.

A better understanding and recognition of some of the weaknesses of the planning institutions (DNP and CONPES) and the executive became clear with the research. Those failed to be independent and to act in the most possible "rational" way, even though a complete rationality is unattainable. These institutions supported and backed a decision that is a product of political process and dynamics, which we

⁵²http://www.ajpl.nu/cutenews/show_news.php?subaction=showfull&id=1117262351&archive=&start_from=&ucat=& November 17,2006

saw corresponds to the solution-centric perspectives of policy-making. The institutions did not have their own political power and independence to firmly object to the project even if they disagreed with it. In previous opportunities and depending on the type of policy decision and interests the planning agency turned to be a "purely advisory organism of the presidency who changes its recommendations into policies with the reliance of the CONPES" (Urrutia, 1994:105).

When political power is highly concentrated in the executive as it is in Colombia, solution-driven policies are more likely to become frequent because decision-makers hold a discretionary power to decide and initiate reforms as they want. This happens to be a response to the interests of a minority with high influence or a response of international and national factors. In such situations there is less or no real possibility for effective checks and balances and power is what prevails. Top-down solution-driven reforms are likely to be politically criticized since their objectives are not always shared by a majority of the population, however they do not receive strong opposition and obviously this is not reflected in policy-changes, steering or in the complete reverse of the policy. The influences of the groups that support these types of decisions are much stronger than the ones that oppose them. In this sense there is no political balance and the same reforms will continue to find its own way. In any political context it is more difficult to find strong political support and commitment to certain interests, for this case there is more difficulty in finding support for ecotourism practices that advocate for livelihood or community approaches to sustainability, than finding support for ecotourism enhancing economic and commercial values.

Political provocative decisions where high levels of decision-makers are involved and in which fewer or no democratic process and consultation take place can be approved quickly, due to a lack of opposition or weak resistance. The world faces a reality in which economic arguments and its corresponding values prevail over the conservationist ones. In this sense there is a need for research focusing on the implications and dangers caused to the environment and its sustainability. For Colombia this is more dramatic because of the retrenchment of the environmental institutions; moreover, in the short term no visible and strong forces seem to appear imposing, negotiating or representing alternative view points with specific policies that will move the balance of the economic values and sustainability ones, to the

sustainability side. What will happen to the environment if this is the rule for making the majority of the policies? If planning and decision-making continues to be the result of ideological, political and economic captures and contests policies might continue that long to fail at implementation stage.

In October 2006, the UAESPNN started working in the introduction of a new PM scheme for the Purace and Old Providence Parks. This resembles a turn from a concession scheme with private involvement (as the CONPES recommended) to a concession scheme with community participation⁵³. The point is not to criticize the community participation but to reinforce how easy it is for the institutions involved to accommodate interests of privileged policy makers, putting in danger the institutions and sustainability of the natural resources.

To summarize the process the government gave the concession of the most attractive parks with bigger potential and tourism demand to the private investors due to the combination of factors mentioned previously. The community participation scheme is not being developed through any CONPES document, neither is the President directly involved; the decision is taken through the normal institutional channels.

This is an example of how: A) Decisions that are not politically relevant do not receive all the attention and do not get on the agenda of the high decisions-making levels. Moreover decisions, definitions and development of policies are left in the hands of bureaucrats, like now in the UAESPNN where the functionaries are designing the new PM experience to be applied in some other parks. Reinforcing: B) the private-concession policy was solution-driven, supported and backed by the political power of the CONPES to favor some target interest groups in the society. In addition: C) Sensitive political decisions are prone to be taken by the high-levels of decision makers following a top-down approach. Resembling a non-linear or interactive way for doing policies, in which the policy steps are not presented in order and thus not following the normative policy cycle. Finally, D) All policy-processes are inscribed in national or international contexts, the dynamics and games played there

⁵³ Email conversation with Carolina Gomez.

influence the decision-making processes. For this case the policy promoted the maintenance of a reform that favored economic interests.

There is need for further research in ecotourism management alternatives in Colombia in order to identify appropriate alternatives for PM. If private participation is the best alternative why the UAESPNN is now introducing community participation? What comes out is the fact that planning and policy-making has not been done and has not been taken with the seriousness it deserves. It is responding to few interests at the expenses of the people and the environment. "Giving the tourists areas of the parks to privates will pose in danger the conservation of the system of national protected areas that was more or less consolidated" (Tobasura,2006). Planning has been done more like a game, in which the communities and the environment will end loosing, assuming the costs and freeing the benefits.

The research presents some limitations that are shared with almost all the cases studying policy-process. The lack of access to detailed information remains a major problem, it is not easy for researchers to find all the relevant information or corroborate findings. Moreover, not having the possibility to go back to the country adds some restrictions. As mentioned in the paper, multiple and interactive variables between the policy steps define policies, contrasting the linearity of normative processes. People in government with primarily information about it turns to be skeptical and conservative, they do not talk openly and in detail about reasons, arguments, timing, names, detail facts, etc. This was through this research a major limitation for understanding the policy-process as, policy-making is supposed to be a more technical and normative process and not a highly influence one by socio-economic and political contests. Finally, not to forget that privatization related practices have potentially large distributional and political consequences. Those processed will tend to open new opportunities for the pursuit of private agendas by political decision makers (Vickers and Yarrow,1991:130).

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Annexes

1. Concessionaries in the Natural Parks

NP Concession contract	Value (10 years contract)
<p>Tayrona</p> <p>Aviatur, Chamber of commerce of Santa Marta, Alnuva</p>	<p>Investments of 700 millions Colombian pesos. And payments of 5200 million of Colombian pesos during the 10 year contract.</p> <p>Source:http://www.presidencia.gov.co/prensa_new/sne/2005/julio/05/13052005.htm September 25/2006</p>
<p>Amacayacu</p> <p>Aviatur, Decameron Hotels, Cielos Abiertos</p>	<p>Investments of 80 million Colombian pesos. payments of 520 million Colombian pesos during the 10 year contract.</p> <p>Source:http://www.portafolio.com.co/port_secc_online/porta_econ_online/2005-02-21/ARTICULO-WEB-NOTA_INTERIOR_PORTA-1983006.html septiembre 25-2006</p>
<p>Gorgona</p> <p>Aviatur, Avia Caribbean, Fundación Malpelo.</p>	<p>Investments of 640 million Colombian pesos. Payments of 2.235 million Colombian pesos during the 10 year contract.</p> <p>Source:http://www.portafolio.com.co/port_secc_online/porta_econ_online/2005-07-27/ARTICULO-WEB-NOTA_INTERIOR_PORTA-2160882.html September 25-2006</p>
<p>Nevados</p> <p>Aviatur, Hotel Termales del Otoño, Caja de Compensación Familiar de Caldas (Confamiliares), Instituto de Financiamiento, Promoción y Desarrollo de Manizales – InfiManizales), Instituto de Financiamiento, Promoción y Desarrollo de Caldas (InfiCaldas).</p>	<p>Investments of 600 million Colombian Pesos. Payments of 2.406 million pesos during the 10 year contract.</p> <p>Source:http://www.elespectador.com/historico/2005-10-06/contenido_MI-5019.htm September 25-2006</p>

Author's creation

Diverse sources: www.elespectador.com, www.portafolio.com.co, www.eltiempo.com.co and www.presidencia.gov.co

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the integrity of the financial system and for the ability to detect and prevent fraud. The document also highlights the need for transparency and accountability in all financial activities.

It is noted that the current system of record-keeping is outdated and inefficient. The document proposes a new system that would be more secure, more reliable, and easier to use. This new system would also provide for better oversight and control of the financial system.

The document further states that the proposed system would be implemented in a phased manner. This would allow for a smooth transition from the old system to the new one, and would ensure that all necessary data is preserved and accessible throughout the process.

Finally, the document concludes by stating that the proposed system is a necessary and timely response to the challenges facing the financial system. It is hoped that the implementation of this system will result in a more secure and more efficient financial system for all.

The document is signed by the following individuals:

John Doe, Secretary of the Department of Finance
Jane Smith, Director of the Office of Management and Enterprise Services
Robert Johnson, Deputy Director of the Office of Management and Enterprise Services