The Ecuador National Plan of ‘Buen Vivir’ and the Possible Contradictions that Arise from the End of the Yasuni ITT Initiative

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ABSTRACT

The traditional discourse of economic growth has separated the consequences of environmental damage that can emerge from countries’ pursuit of development goals (Alam & Islam 2005). Due to the threats that economic growth presents to the stability of the environment, recommendations have arisen for states to include new strategies in their political agendas that reconsider the impact of environmental deterioration on development discourse.

In this context, this review describes the case of Ecuador, a country which has, for decades, suffered the environmental consequences of extractivists’ activities and which, from 2007, has moved forwards into the implementation of a new political agenda for sustainable development. This new development agenda has become rooted in the discourse of Good Living (Sumak Kawsay in Kichwa), a traditional indigenous concept which goes beyond the economic interests of capitalism to become a new system enabling harmony and sustainability between human beings and nature. Additionally, the constitution of 2008 has become the first constitution worldwide to grant rights to nature. As a result of this shift in Ecuadorian development discourse, the country has moved towards the implementation of a biodiversity conservation initiative called ‘Yasuni-ITT’. The initiative looks to keep oil underground in one of the country’s largest oil reserves in the Yasuni National Park in exchange for economic compensation from the international community (Martin 2011). However, despite initial commitment to realize this initiative, it was cancelled in 2013.

The aim of this paper is to review relevant literature regarding the construction of the discourse of Good Living, examine the reasons behind its construction and, through analysis of the Yasuni-ITT initiative, show the contradictions in the alternative discourse proposed by the Ecuadorian government and the practice. The review suggests that, although the new legal perspective of Ecuador is noteworthy for representing a progressive development model, clashes persist between economic and political...
interests, diminishing the scope of its legal framework. In addition, the study indicates that the *Sumak Kawsay* discourse has resulted in controversy about its significance, raising the possibility that it has become a governmental slogan rather than a true symbol of transformation. Moreover, through analysis of the Yasuni-ITT initiative, the review argues that some technical and legal failures have taken place in the way that the initiative was proposed, meaning that structural changes should be implemented to underpin the materialization of the Yasuni-ITT initiative. Finally, the review concludes that the cancellation of the Yasuni-ITT initiative shows that the neo-extractive interest of the government has prevailed over the interests of Good Living.

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INTRODUCTION

This Literature Review Research deals with the tensions and contradictions between the Ecuadorian Government interests and the rights to nature granted by the Constitution of 2008. To illustrate this, the indigenous principle of Sumak Kawsay (Buen Vivir in Spanish, Good Living in English) will be explained. At first glance, as will be discussed in Chapters 1 and 2, the new Constitution appears to be biocentrism-oriented. However, there are some contradictions between the rhetoric and practice, as will be demonstrated with the critical analysis of the case of Yasuni ITT in Chapter 3. Finally, some failures in the Yasuni ITT initiative will be discussed in Chapter 4.

From all these issues together, a final question arises: Is it possible to continue with the extractivist Government orientation and still respect the constitutional rights of nature and the Good Living concept? (Lander & Stockholms universitet 2014).
CHAPTER 1: THE VALUE OF NATURE IN THE DEVELOPMENT DISCOURSE.

As Alam & Islam (2005) express, the traditional discourse of economic growth has separated the consequences of environmental damage to achieve development goals. In this sense, according to Acosta (2010), it is not possible to deny that capitalist models have forced human beings to subordinate nature to satisfy their interests. Since the Stockholm Conference in 1972, the resulting environmental concern has been extended beyond national borders, as it has become inevitably an international problem. Moreover, in the Rio Declaration on Environment and Development (1992), recommendations for the States included proposing preparation of an integrated plan in their political agenda, considering the value of nature in the development discourse. From these events, global initiatives have arisen to underpin the transition towards a sustainable development future (Brennan 2014).

Regarding this context, according to Tanasescu (2013), in the case of Ecuador, new perspectives of change have evolved in the development discourse. Ecuador is a country that had been immersed in extreme political instability for more than two decades, during which eight presidents passed through the Ecuadorian Government between 1984 and 2006. It was only after the election of economist Rafael Correa in 2007 that Ecuador started a period of seven years of political stability and new perspectives of change from the traditional capitalist discourse. The new orientation of Correa’s Government has allowed the country to move forward into a new political agenda for a more equalitarian, inclusive and sustainable development (Chimienti 2013). Moreover, according to Lalander & Stockholms universitet (2014), with the introduction of Sumak Kawsay or Good Living in the politics and discourse of President Correa, a new legal framework for the Ecuadorian Government was established.

Due to the new orientation of the Ecuadorian Government, as Lalander & Stockholms universitet (2014) discuss, to make the new discourse of President Correa visible into the Sumak Kawsay concept, the New Constitution of Ecuador (2008), served as a pathway to reflect this idea. Moreover, by the new
Constitution approval, President Correa promised a profound political and economic change in Ecuador and the continuation of the governmental plan for an alternative model of development (Tanasescu 2013). Hence, the changes in the Constitution of Ecuador were aligned to the discourse of President Correa to fight against capitalism and neoliberal policies (Tanasescu 2015).

Furthermore, Ecuador, a country with one of the richest biodiversity in the world, which were threatened for decades by extractives activities, stepped ahead by introducing a new relationship between human beings and nature though the new Constitution of 2008 (Lalander & Stockholms universitet 2014). This new proposed relationship allowed the establishment of rights for nature or, as stated in the Constitution in ‘kiwchua’, to the Pacha Mama. This was a way to recognize indigenous knowledge, as well as the plurinational and intercultural qualities that characterize the country (Acosta 2010). Here, the inalienable rights of the environment to exist, persist and be respected were written into a legal framework to allow future actions (Whittemore 2011). This principle intends to introduce environmental concern into a new form of rights that go beyond social and economic human rights, the so called ‘Third Generation Rights’ (Gudynas 2010). According to Tanasescu (2015), the purpose of introducing nature rights in the legal framework was to make nature more visible, not as a passive component and object for development, but as an active subject of rights. In this sense, the importance of this event is that Ecuador has become the first country to grant rights to nature in its legal framework, which has had positive impact in the public opinion, recognizing this action as noteworthy for a progressive development model.

As Tanasescu (2013) analyses, among the 400 constitutional articles from which the National Constitution of 2008 is framed, the ones that directly deal with rights of nature are composed by Articles 71, 72, 73 and 74. It is Article 71 especially that establishes granting of rights to nature:
“Article 71. Nature, or Pacha Mama, where life is reproduced and occurs, has the right to integral respect for its existence and for the maintenance and regeneration of its life cycles, structure, functions and evolutionary processes.”

The relevance of this event lies in the radical shift from the past anthropocentric orientation of the Government where the value of nature was centred on the value that human beings give to it, to a biocentrist perspective, by which the intrinsic value of nature is recognized in its own, independently of how nature benefits humans (Preston & Ouderkirk 2007). Although, as Acosta (2011) mentions, giving rights to nature does not mean that activities such as agriculture, fisheries and livestock production should stop, but to defend the sustainable and balanced use of them. In this sense, the innovative point of the Constitution of 2008 is that it presents an integrative legal framework, maintaining two systems of rights, the social rights, and the rights of nature (Gudynas 2009).
CHAPTER 2: SUMAK KAWSAY: A NEW ALTERNATIVE OF GOVERNANCE.

According to Villalba (2013), in the historical context of Latin America, the concept of Good Living grounded in Andean consmovisions appeared after the era of neoliberalism; therefore, it is an expression of the post-neoliberalism model. This has presented an opportunity for countries to improve their rights-based orientation to enhance people’s well-being, their collective rights and the rights of nature (Radcliffe 2012). In this regard, according to Mejia (2015), Good Living has arisen as an alternative to the western economic model imposed in the Latin American region and to which has been attributed as the cause of social inequalities and the current problem of climate change. In this sense, Good Living is not another alternative to development in a large list of options, but in the Latin American context it emerges as an alternative that goes beyond all other alternatives (José Manuel 2014).

Nevertheless, Good Living is a proposal that is still evolving; it has become an open strategy under continuing construction that integrates a variety of definitions and interpretations depending on the context in which it arises (Gudynas 2011).

As Villalba (2013) recognises, in the case of Ecuador, the approved Constitution of 2008 praised the concept of Good Living as the engine of change in the country. Since then, this notion became observed as the milestone of a democratic, political and collective process for Ecuador (Walsh 2010). Moreover, as Cletus (2014) recognises, this notion is in part the effort of indigenous self-organised movements such as the CONAIE that is struggling against the injustices of the western model of development, which according to Vanhulst & Beling (2014) makes the concept worthy for the reconstruction of alternative forms of governance. Moreover, as Mejia (2015) discusses, Good Living becomes more than a constitutional principle, since from this concept a new harmonic relationship of complementarity and coexistence between and within nature, human beings and society emerges. As Edwin (2014) states, this relationship means that it must be beneficial for both sides (nature and society), not as a utilitarian relationship where only one side gets the benefits, but a relationship based on mutual respect.
According to Guardiola & Garcia-Quero (2014), Good Living seeks to enhance the value of nature rather than dominate it. In these terms, this new paradigm is framed outside the manipulation of nature since it rejects the western traditions of individualism and dualism and the linear idea of progress rooted in the unmeasurable accumulation of resources. Conversely, this idea of Good Living is driven by notions of plurality and universality (Vanhulst & Beling 2014) and also in the idea that progress can have multiple directions (Gudynas 2011). The concept of Good Living is grounded in principles of “reciprocity, complementarity, solidarity and relationality” (Villalba 2013, p.1434) that makes the concept able to complement approaches to development.

a) The Indigenous Cosmovision of Sumak Kawsay

The Sumak Kawsay, an indigenous cosmology of ‘life fullness’ (José Manuel 2014) accordingly to Mejia (2015), transcends the political sphere to become an opportunity for collective action, where all people are called to construct a new social lifestyle through, as Gudynas (2011) describes, a cultural transformation and a redefinition of people’s necessities. In this sense, the concept of Good Living (Sumak Kawsay) is rooted in the worldviews of indigenous peoples that do not see the development as an extractive activity whose goal is the depletion of the natural resources, but according to Edwin (2014), they consider nature as an active and independent agent where all forms of life reproduce. Thus, it is a change in the way of making economic and social policy (Calisto Friant & Langmore 2015) now inspired by the traditions of the most marginalised people (Martí i Puig et al. 2013). As José Manuel (2014) comments, this is a proposal from the periphery to the periphery.
b) The Academic, Social and Political Roots of Good Living

Moreover, the indigenous basis of Good Living concept has transcended the social, academic and political rethinking, since these translate the indigenous knowledge into ideas of progress and development (Edwin 2014). The idea of Good Living has evolved from the Andean traditional knowledge to be incorporated in ideas of modernity (Calisto Friant & Langmore 2015), which makes this discourse relevant for the common global interest (Julien & Adrián 2013). Therefore the different authors have integrated the Good Living ideas into a frame of a post-development utopia (Cubillo-Guevara 2014) which overpasses the traditional discourse of development (Acosta 2015). As a result, elements related to social equality and other contributions of the so-called Citizen Revolution aim to make the indigenous concept a most integral part of complex government practices (Cubillo-Guevara et al. 2014).

Furthermore, according to Mejia (2015), since Good Living is a reaction against the western economic models, its objective is to influence the public debate to draw an alternative vision to development that, according to Guardiola & Garcia-Quero (2014) goes beyond capital accumulation to reach economic growth. Moreover, this alternative model pulls apart the idea of an extractivist economy that relies on non-renewable resources, and which has caused violence against communities and nature (Fernandez et al. 2014). However, this concept arises as an alternative to the development model; it is better to understand the term as the new referent for modernity rather than as a negation of this (Julien & Adrián 2013).

c) The Good Living National Development Plan

As Villalba (2013) stresses, the plan recognised as the Good Living National Development Plan proposed for (2009-2013) and (2014-2017) has started a post-neoliberal transition to construct an ‘alternative development strategy’. This long term strategy accounts for 12 components linked to 12 national
objectives. In the document, Good Living is described as an alternative way of life that replaces the neoliberal economic model. Therefore, the Good Living concept is understood as “the style of life that enables happiness and the permanency of cultural and environmental diversity; it is harmony, equality, equity and solidarity. It is not the quest for opulence or infinite economic growth” (SENPLADES 2013, p.14). In fact, of this definition, the Good Living National Development Plan introduces a new expression of “Socialism of Buen Vivir” that advances further in the political sphere, to promote social justice and equality without harming nature (Vanhuist & Beling 2014). Thus, the proposed plan promotes a detachment from the extractivist practices, and satisfying the necessities of current generations without compromising the future of coming generations (Acosta 2015).
CHAPTER 3: THE YASUNI-ITT INITIATIVE – BACKGROUND INFORMATION.

Historically, from the 1970s onwards, oil was the basis of much of Ecuador’s economic activity (Davidsen & Kiff 2013). To begin with, petroleum was considered a way to solve economic problems, but the Human Development Index has ranked Ecuador 89th among 177 countries, showing that petroleum, rather than improving the social and economic conditions in countries dependent on oil revenues, can exacerbate a country’s poverty (Espinosa 2013). Moreover, as Larrea and Warnars (2009) argue, dependence on revenues from petroleum exports, which account for 54% of Ecuador’s total exports and almost a third of the national budget (Finer Moncel & Jenkins 2010), has left the country vulnerable to changing oil prices, which affects long term economic growth in the country. To address these issues, Ecuador has started to explore diversifying its productivity and propose new strategies that provide opportunities for sustainable growth. Ecuador, a country which for decades has suffered from the expropriation of natural resources by foreign countries, through the Yasuni-ITT Initiative, has gained a new sense of sovereignty, making the country a pioneer of environmental alternatives (Pellegrini et al. 2014).

Description of the Yasuni-ITT Initiative

Since 1989, the Yasuni National Reserve been classed by UNESCO as a ‘Man and the Biosphere Reserve for Humanity’ (Larrea & Warnars 2009). According to Vallejo et al. (2015), this reserve is considered invaluable due to its high biodiversity in terms of flora and fauna, gaining the park global attention. The Yasuni National Park is therefore a mega-diverse wilderness area with a variety of endemic species, including amphibians, birds and endangered mammals (Davidsen & Kiff 2013). Despite its ecological importance, the park has suffered from the attentions of oil companies, which extracted oil from the area for years before the Ecuadorian Government declared the park a national reserve in 2008, after
which no more concessions were granted for extractive activities. Almost 65% of the Yasuni National Park is divided into licensed blocks.

In this context, as Vallejo et al. (2015) explain, the Yasuni-ITT initiative offers a trade-off between conservation and exploitation within the Yasuni National Park. The initiative was initially proposed by academics and other people from civil society, including the ex-Minister of Energy and Mining, Alberto Acosta, then became part of the political discourse in Ecuador after President Correa was elected in 2007 (Pellegrini et al. 2014). The objective of the initiative is to keep 846 million barrels of oil underground, which corresponds to 20% of the oil reserves (Espinosa 2013). This has garnered attention both domestically and internationally. The initiative focuses on the ITT (Ishpingo-Tiputini-Tambococha) area, representing 200,000 of the 928,000 hectares in the Yasuni National Reserve (Figure 1).

![Figure 1: Yasuni National Park (Pellegrini et al. 2014)](image-url)
Another objective of the Yasuni-ITT initiative, according to Larrea and Warnars (2009), is to prevent greenhouse emissions of around 407 million metric tonnes of CO₂, as would otherwise result from exploitation and deforestation. Furthermore, as well as conserving biodiversity, the initiative seeks to protect the settlements of the indigenous Tagaeri and Taromenane people, who live in voluntary isolation within this area. Therefore, this initiative is a valuable strategy for conservation of both biodiversity and the cultural heritage of the people that live in the region (Silva & Frián 2015).

In order to make this possible, two stages were identified in the proposal (Finer Moncel & Jenkins 2010). First, in 2007, Ecuador presented a strategic plan for climate change mitigation and conservation to the United Nations, calling for international cooperation and economic compensation for keeping the oil underground (Rival 2010). As President Correa declared in his speech to the General Assembly of the United Nations:

“Ecuador doesn’t ask for charity, but does ask that the international community share in the sacrifice and compensates us with at least half of what our country would receive, in recognition of the environmental benefits that would be generated by keeping this oil underground” (Correa 2007).

According to Espinosa (2013), the proposal framework implies that the international community should contribute at least US$3.6 billion over a period of 10 years (approximately US$350 million per year) (Finer Moncel & Jenkins, 2010). Ecuador was to assume the other half of the opportunity cost of non-exploitation (Larrea & Warnars 2009). According to Pellegrini et al. (2014), the contributions provided to the initiative could come from governments, private entities, non-governmental organisations and any person willing to support the initiative.

By June 2008, the second stage of the initiative had started, based on ideas of mobilisation and institutionalisation through financial mechanisms (Martin 2011). This shift from the first stage of the
Yasuni-ITT Initiative included the introduction of Yasuni Guarantee Certificates (CGYs’), which was partly a response to the global financial crisis (Finer Moncel & Jenkins 2010). As Larrea and Warnars (2009) explain, CGYs were designed as an alternative financial mechanism to attract contributors, with certificates sold to prevent emissions. However, the certificates were not compliant with carbon market regulations or the Kyoto Protocol, so they had to be adapted to be tradable on the European Union’s carbon market under a post-Kyoto framework (Warnars 2010). The CGYs are expected to earn US$6.9 billion for non-emission of CO₂ into the atmosphere, with their monetary value based on the CO₂ stored rather than oil prices due to the unpredictability of the oil market (Rival 2010). From this point onwards, the initiative was received with enthusiasm by some members of the European community, especially in Germany, as well as by American parliamentary institutions, multilateral agencies and civil society organisations (Alberto et al. 2009).

As a consequence of the funding received, especially from the CGYs (Vallejo et al. 2015), the Ecuadorian Government suggested the creation of a Trust Fund administrated by the United Nations Development Programme (UNDP), which monitors and evaluates the Yasuni-ITT Initiative. The Trust Fund is supposed to guarantee sovereignty of the country in the allocation of resources, as well as ensuring the continuity of the proposal in the long term (Benítez 2009). According to Larrea and Warnars (2009), the Trust Fund is supposed to do a number of things: 1) ensure effective conservation of protected areas; 2) promote reforestation programmes in areas affected by degradation; 3) transform the energy production matrix and improve energy efficiency by increasing renewable energy generation; 4) improve social services in areas covered by the Yasuni-ITT Initiative by investing in health, education and training programmes, focusing on sustainable employment generation, such as ecotourism. The Trust Fund’s board includes representatives from civil society and members of the global community (Martin 2011).

In fact, according to Espinosa (2013), the deadline set by President Correa for collecting $US4.5 billion passed in June 2008 without the target being met, doubt about the commitment of the Ecuadorian...
Government emerged. Furthermore, in 2010, when the UNDP Trust Fund terms of agreement were put in place, President Correa claimed that they were an attempt to dishonour the sovereignty of the country (Martínez Alier 2011), throwing the implementation and viability of the project into question. As reported by Vallejo et al. (2015), on the 15th of August 2013, President Correa announced that the Yasuni-ITT projects was to be discontinued due to a lack of support from the international community. Then, on the 4th of October 2013, the National Assembly approved the exploitation of two oil fields within the ITT zone, with extraction currently underway (Silva & Frián 2015).

According to Pellegrini et al. (2014), some organisations within civil society such as the renowned Yasunidos have reacted against President Correa’s announcement and called for a national referendum, based on the established in the Constitution of 2008:

“Article 407. Activities for the extraction of non-renewable natural resources are forbidden in protected areas and in areas declared intangible assets... Exceptionally, these resources can be tapped at the substantiated request of the President of the Republic and after a declaration of national interest issued by the National Assembly, which can, if it deems it advisable, convene a referendum.”

The referendum was denied by authorities, despite organised groups having obtained signatures from 5% of the national electorate in support of the referendum, due to allegations from the government about the validity of the signatures (Silva & Frián 2015). Moreover, according to Pellegrini et al. (2014), declarations from President Correa against indigenous and environmental organisations, in which he called them infantile environmentalists and accused them of creating instability, have worsened the situation. However, Correa did announce that they would exploit only 1% of the oil available per 1000 hectares of the Yasuni National Park, as well as promising stringent environmental standards to safeguard biodiversity and the people that live on the reserve (Silva & Frián 2015), there still tensions between the government and the civil society.
Five Dimensions of the Yasuni-ITT Initiative

According to Vallejo et al. (2015), to evaluate the trade-off between conservation and exploitation of the ITT zone within the Yasuni National Park, five different impacts need to be considered: the economic and financial dimensions, the cultural dimension, political dimension, the environmental dimension and international opinion.

\[a) \text{ The Financial and Economic Dimensions}\]

As Vallejo et al. (2015) show, the financial and economic factors in this situation are the revenues that Ecuador would receive by keeping oil underground or, alternatively, by exploiting oil reserves. By keeping oil underground, it is expected that Ecuador would receive nearly US$20 billion (US$6.8 billion from international contributors to the Yasuni-ITT initiative, US$6.9 billion from investment in various schemes, including hydroelectric projects, and US$6.3 billion from avoiding CO$_2$ emissions). Conversely, by exploiting all oil reserves, Ecuador could earn revenues of about US$33.4 billion. However, both scenarios were calculated using oil prices from 2009, so it is important to consider the unpredictability of international prices in the oil market when interpreting these results.

\[b) \text{ The Environmental Dimension}\]

This dimension concerns the environmental impact of continued oil extraction in the Yasuni Reserve. According to Vallejo et al. (2015), the main effects of oil exploitation are loss of biodiversity, deforestation of the Yasuni-ITT and surrounded areas due to the creation of infrastructure, and pollution from oil extraction activities. Moreover, building new roads will cause habitat fragmentation and colonisation (Espinosa 2013), while the degradation of hunting areas and pollution of waterways would
affect isolated groups that have so far survived within the core of the reserve (Finer Moncel & Jenkins 2010). As Vallejo et al. (2015) suggest, however, despite much uncertainty remaining around these impacts and the act that they are unquantifiable in financial terms, based on the precautionary principle drilling activities should be prohibited in areas of environmental sensitivity.

c) The Cultural Dimension

As Espinosa (2013) explains, in regard to cultural identity, there are two groups of indigenous communities settled in and around the ITT zone: the Tagaeri and Taromenane. For years, these groups, which belong to the Waorani clan, have resisted domination by refusing contact with outsiders and living in unexplored zones of the Yasuni region. Therefore, due to the proximity of the ITT to the zone inhabited by these populations, two factors should be considered: cultural heritage and social cohesion. In terms of their cultural heritage, the Yasuni-ITT proposal offers a way of protecting and enhancing the livelihoods of indigenous communities (contacted and non-contacted) in the area. Under a non-extraction scenario, the groups’ traditional knowledge, territorial identity and costumes would be preserved (Finer Moncel & Jenkins 2010). Conversely, if oil is extracted, negative consequences include loss of cohesion between communities and loss of identity, among other effects that will affect the way these peoples live (Vallejo et al. 2015). However, after much effort from international organizations, the Ecuadorian Government through the Constitution of 2008 offered to protect these peoples by delimitating the area they inhabit as an ‘Intangible Zone’. According to Davidsen and Kiff (2013), the ‘Intangible Zone’ has granted protection to groups living in voluntary isolation, with approximately 20% to 30% of the ITT in this area. Therefore, due to the proximity of these isolated communities to the ITT oil blocks, extracting oil would contravene the Constitution of 2008 and could be cause of ethnocide (Warnars 2010).
d) The Political Dimension

From an international political perspective, the Yasuni-ITT Initiative is important because of its relevance to mitigating global climate change and conserving biodiversity, both of which are highly valued by the international community (Vallejo et al. 2015). According to Espinosa (2013), this has inspired government policy to position Ecuador as a global environmental leader. The political success of the Yasuni-ITT Initiative lies in the fact that the idea came from a small country that is highly dependent on oil revenues; by promoting this strategy, Ecuador is breaking with this dependency and pioneering a transition to a new post-Kyoto context (Rival 2010). In this sense, the Yasuni-ITT Initiative can be seen as both a way of addressing climate change and a way to enhance Ecuador’s position internationally (Warnars 2010).

e) The International Opinion

According to Vallejo et al. (2015), the commitment of the Ecuadorian Government to keep oil underground indefinitely has garnered positive responses and support from the international community, but there are still doubts about the sustainability of the proposal in the long term. There are two reasons for these concerns. First, should oil prices increase, exploitation of the Yasuni-ITT reserves will become more profitable, which could lead the state to favour exploiting the reserves, even if this means refunding contributors to the Yasuni-ITT scheme. Second, the historical political instability of the country affects international perception of Ecuador, with some sceptical about whether it is a safe country in which to invest. The reputation of Ecuador has improved with Correa’s administration, but this uncertainty has not diminished, so it is necessary to build trust between parties.

"Yasuni is a truly unique place in the world," says Gorky Villa, an Ecuadorian botanist who works with the conservation group, Finding Species. "Our concern is that it will be ruined before we can even understand it." (Walsh 2011).

In this chapter it is necessary to evaluate the interplay that exists between the ecologist discourse of the Ecuadorian government. In terms of Lander and Stockholms universitet (2014), the Ecuadorian legal framework approved in the Constitution of 2008 is driven by a biocentric view of nature and indigenous cosmovisions, and clashes between economic and political interests that diminish the scope of the new Constitution. Although it is undeniable that through the constitutional recognition of the rights of nature, Ecuador has made advances in proposing a new model of progress based on the integration of the state, nature, and society, there exist some contradictions with the current orientation of the government, which, in order to implement an ambitious welfare plan, has boosted oil exploitation so as to increase revenues to sustain its objectives. In this context, as Whittemore (2011) affirms, the Constitution has passed what was an active document capable of driving change, into what is now seen as a passive document: subject to manipulation, for the convenience of the state. Thus, the so-called ‘Latin America paradox’ between the practice and the rhetoric has raised expectations about the real validity of the legal framework of the country (Villalba 2013).

In fact, among the main problems that have been identified in this document, which need to be resolved to give it legitimacy and validity, two elements demonstrate the vague terms in which the document was written. Firstly, the document does not clearly mention who is responsible for making the rights enforceable. There is no institution in charge to make the law enforceable. Secondly, there is no clear hierarchy of rights. Indeed, there is not even a clear division of where the rights of human beings end and the rights of nature start. Those issues together make it difficult to grant rights to nature and make
them enforceable. Therefore, in order to envisage nature as a true subject of rights, substantial new changes should be implemented with regard to nature’s legal representation to strengthen compliance with its rights (Gudynas 2009). However, despite the fact that Correa’s first commitment is to support a biocentric vision of development, his public discourse has changed over time by admitting that although the Constitution is considered the greenest in the world, human beings always remain most important (Correa 2007). This declaration of President Correa demonstrates that his discourse, based on the Sumak Kawsay vision, has now fallen into an environmental pragmatism (Lalander & Stockholms universitet 2014).

Moreover, in the Constitutional context, as Fernandez et al. (2014) reflect, in terms of Good Living, it is necessary to mention that this concept has emerged with some doubts about its definition and significance. Even many Assembly members who supported this vision do not fully understand the concept. Indeed, indigenous groups accuse the state of changing the true meaning of Sumak Kawsay, to make it a governmental concept linked to the well-being of people which contradicts the spiritual dimension of the term. Critics accuse the state of filling the Sumak Kawsay with elements of modernity that diverge from indigenous cosmovisions (Cubillo-Guevara et al. 2014). According to Fernandez et al. (2014), Good Living is perceived more as a marketing concept rather than an element of transformation. However, Sumak Kawsay has been encompassed by all governmental documents in an attempt to give relevance to the concept, and through the way in which it has been implemented, it has become a slogan rather than a vision of action. Therefore, to give true insight into the importance of the concept, it will be necessary to rethink what it really means and make this vision a tool of action, capable of underpinning the development plan.

Finally, to illustrate the interplay that exists between the aforementioned legal framework and the practice, the cancellation of the Yasuni-ITT initiative shows that the neo-extractivist orientation of the government has prevailed over the interests of Good Living (Vanhuist & Beling 2014). In order to explain
the issues involved in the cancellation of the Yasuni-ITT, Silva and Frián (2015) explore some technical and legal problems that have affected the Yasuni-ITT initiative from its beginnings. Although people who celebrate the proposal consider that due to the quality of Yasuni as a global natural patrimony, it is reasonable to think that the international community should bear responsibility for ensuring its preservation, based on the concept of fairness between the north and the south. Critics of the initiative argue that a moral dilemma exists in the financial compensation involved in the initiative since there is a sense of blackmailing by Ecuador to protect nature, in exchange for monetary compensation (Pellegrini et al. 2014). Moreover, according to Gudynas (2009), the Yasuni-ITT initiative has given rise to doubts among members of the international community about its validity as a tool for conservation and addressing climate change mechanism. Some critics have argued that there is a sense in the initiative of utilitarian interest, whereby the environmental commitment has reduced and economic interest has increased. In fact, the transactions are not neutral due to the monetary element, which clashes with the moral meaning (Pellegrini et al. 2014).

In addition, another criticism of the initiative involves doubts regarding the feasibility of the technical studies that underpin the initiative, with some sceptics claiming that CO₂ emissions would not decrease by keeping oil underground because the effects of oil exploitation could be displaced to other locations as a result of the ‘leakage’ effect. The offsets would not regulate the global CO₂ emissions since it would promote a relocation of CO₂ emissions given that another producer would increase oil exploitation to make up for the shortfall (Walsh 2011). In addition, the international community did not encourage or support the proposal when the Ecuadorian Government sent mixed signals by ostensibly supporting the Yasuni-ITT initiative while simultaneously preparing for oil exploitation (Walsh 2011).

Also, President Correa’s 2013 decision to cancel the initiative, contravene of Articles 54 and 57 of the Constitution of 2008, which guarantee the protection of indigenous peoples who have decided to live in isolation and who have to be consulted prior to any action being taken which might affect their
territories (Silva & Frián 2015). No such consultation tool place. Finally, two years after President Correa approved the exploitation of the Yasuni-ITT project, motivated by the lack of commitment of the international community to support protection of the Park, experts have warned that the decrease in the oil price will render the exploitation of the oil reserves unviable. This which means that, currently, the exploitation of the ITT fields would not be likely to reach minimal levels of profitability (El Universo 2015).

All things considered, according to Finer Moncel and Jenkins (2010), although Ecuador’s environmental commitment is being questioned by critics regarding its real validity, it is important to recognize President Correa’s turning point in the long history of oil exploitation. In this regard, as Acosta (2010) suggests, for Ecuador to succeed in promoting environmental leadership, structural changes and coherent strategies should be implemented to lead to the construction of a sustainable and equitable society. Furthermore, it will be necessary to implement a process of plural transition from an economy dependent on non-renewable resources into a sustainable economy involving the production of developed final products, rather than being dependent on primary goods (Fernández et al. 2014). If those suggestions are considered by policymakers in the near future, the dream of the Yasuni-ITT initiative can become a reality, and this important environmental protection policy will not vanish completely (Acosta 2010).
CONCLUSION

This review has explored the interplay between the ecologist discourse of the Ecuadorian government, the legal framework and the contradictions evident in the cancellation of the Yasuni-ITT initiative. The review analysed the biocentric orientation of the constitution of 2008 and the relevance of the recognition of the rights of nature, making this legal document noteworthy for its reintegration of humanity and nature. Moreover, the review explored the discourse of Good Living as a new alternative to governance and an opportunity to construct a new lifestyle through collective action. Finally, the review contrasts the ecological discourse of the Ecuadorian government with practice. However, the Yasuni-ITT initiative has been internationally acclaimed, making Ecuador a pioneer in proposing environmental alternatives, while the way in which the initiative was launched has been accompanied by legal and technical problems ultimately resulting in its cancellation. Moreover, the review demonstrated that clashes exist between economic and political interests of the Ecuadorian government, affecting the implementation of the initiative. Arguably, therefore, the cancellation of the initiative responds to the neo-extractivist interests of the government, which have prevailed over the interests of Good Living. In this context, the review suggests promoting environmental leadership and implementing structural changes leading to consolidation of the Yasuni-ITT initiative.
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