

# INTERSECTION OF POLITICS AND ECOLOGY: CONSTITUTIONAL BIOCENTRISM IN ENVIRONMENTAL PERMITS REGARDING MONTECRISTI HILL IN MANABÍ, ECUADOR

INTERSECCIÓN DE POLÍTICA Y ECOLOGÍA:  
BIOCENTRISMO CONSTITUCIONAL EN LOS PERMISOS AMBIENTALES CON  
RELACIÓN AL CERRO DE MONTECRISTI EN MANABÍ, ECUADOR

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## Abstract

The management of “Cerro de Montecristi” (Manabí, Ecuador) faces challenges in both the environmental and administrative spheres, despite the biocentric safeguards established by the 2008 Constitution. This study focuses on exploring the gap between local policies and the principles set forth in the Constitution, particularly regarding the management of environmental permits and community engagement. For this purpose, field and documentary research methodologies have been utilized to analyze how local administrative practices challenge the biocentric nature of the constitutional legislation. Additionally, measures are proposed to improve environmental management, aimed at being more effective and better aligned with respect for the environment.

**Keywords:** Constitutional Biocentrism; Montecristi Hill; Community Participation; Environmental Management; Rights of Nature.

## Resumen

La gestión del Cerro de Montecristi en Manabí (Ecuador) enfrenta desafíos ambientales y administrativos a pesar de las protecciones biocéntricas establecidas por la Constitución de 2008. En el presente estudio se examina la desconexión entre las políticas locales y los principios constitucionales en el manejo de permisos ambientales y participación comunitaria. Se emplean al efecto, métodos de investigación de campo y de tipo documental para analizar de qué manera las prácticas administrativas locales desafían la legislación biocéntrica de índole constitucional y se proponen mejoras para una gestión ambiental eficaz y más respetuosa con la naturaleza.

**Palabras clave:** Biocentrismo Constitucional; Cerro de Montecristi; Participación Comunitaria; Gestión Ambiental; Derechos de la Naturaleza.

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### 1. Introduction and central problem

Cerro de Montecristi, located in the Manabí province of Ecuador, is not only a site of great natural and scenic beauty but also a space of significant cultural and historical importance. Its heritage significance was endorsed by the decision of Montecristi's own Constituent Assembly upon completing the constitutional drafting cycle, uniquely establishing it as the first heritage space declared under the current regime<sup>1</sup>. This place, known for its unique geological

1 Regarding its landscape, cultural, and historical importance, this dates back to the foundation of the current homonymous city in 1741 and its significance as a reference point for maritime navigation towards the coast (ARAÚZ, Maritza. *Pueblos indios en la costa ecuatoriana: Jipijapa y Montecristi en la segunda mitad del siglo XVIII*. Quito: Ediciones ABYA-YALA, 2000). The hill was declared a Historical, Cultural, and Natural Heritage of Ecuador by the National Constituent Assembly on January 28, 2008. Previously, on February 18, 1976, the Cantonal Council of the city approved the 'Ordinance for the Conservation and Maintenance of the Cerro de Montecristi', later elevating it to the status of a protective forest for the conservation of

formations and exceptional biodiversity, is integrated into the natural and cultural heritage of continental Ecuador. The richness of the ecosystem represented at the site includes a variety of flora and fauna<sup>2</sup>, this includes documented endemisms<sup>3</sup>.

This biodiversity testifies to the importance of preserving unique ecosystems for the maintenance of global environmental health. However, Cerro de Montecristi currently faces significant threats such as the growth of the urban sprawl of the city of Montecristi, its namesake and adjacent; the extraction of natural resources and unregulated human activities, which have endangered its ecological integrity. Likewise, climate change is a growing threat to the delicate ecological balances that sustain life in this habitat. A thorough review of the normative and institutional aspects related to the management of the site, in turn, reveals other elements that deserve to be considered in the management of this site. In particular, the complexity implicit in the application of environmental legislation, referring to biocentric constitutional principles<sup>4</sup>, and local adminis-

water basins, to prevent landslides, and for the protection of the ecosystem through Ministerial Agreement No. 24 of April 30, 1996. Among other relevant legal precedents is the exercise of nature's rights in the safeguarding of this Hill's ecosystem, through extraordinary protection actions such as case No. 1431-22-EP before the Constitutional Court of Ecuador.

- 2 Numerous thematic publications exist on this aspect, among which official information stands out: CONGOPE. Conservation Areas System of the Province of Manabí. 2013 – Provincial Government of Manabí. Tourism in the province of Manabí. 2018. Available at: <http://www.manabi.gob.ec/turismo-manabi> – Ministry of the Environment. Protected Areas of Ecuador. 2016. Available at: <http://suia.ambiente.gob.ec/documents/10179/346525/Areas+Protegidas+del+Ecuador.pdf/390b099f-6f57-4d38-bf17-cea3a138caf5>
- 3 The case of species such as *Pseudolmedia manabiensis*, documented in: CORNEJO, X.; MONTÚFAR, R. *Pseudolmedia manabiensis*. In: LEÓN-YÁNEZ, S.; VALENCIA, R.; PITMAN, N.; ENDARA, L.; ULLOA ULLOA, C.; NAVARRETE, H. (Eds). *Red Book of Endemic Plants of Ecuador*. Quito: Publications of the Herbarium QCA, Pontifical Catholic University of Ecuador, 2017. Available at: <https://bioweb.bio/floraweb/librorojo/FichaEspecie/Pseudolmedia%20manabiensis>. Date of consultation: December 28, 2023.
- 4 Biocentric principles can be understood as an epistemological and normative approach that places life and all its manifestations at the center of attention, contrasting with anthropocentrism, which positions the human being as the central axis of knowledge and development. Biocentrism as a current of thought recognizes the intrinsic equality and value of all forms of life and advocates for harmony between human activities and natural systems. This approach challenges practices that put ecological stability and biological diversity

trative actions, which in the case of Montecristi are often not aligned, can be noted. This disconnection between the law and its practical implementation in the GAD of Montecristi, highlights the need for a more integrated approach to address the inherent environmental and legal challenges.

In this context, the Constitution of Ecuador, adopted in 2008<sup>5</sup>, is seen as a milestone in global environmental legislation. This Constitution is, probably, the first in the world to recognize nature or “Pachamama” as a subject of rights<sup>6</sup>. Under this perspective, nature is granted the right to exist, persist, maintain, and regenerate itself. This biocentric approach has marked a radical change in relation to the traditional anthropocentric view, according to which nature consists of a mere stock of resources to satisfy human needs.

However, despite this legally guaranteeing and avant-garde characteristic, a tangible disconnection can be observed between the constitutional vision and the implementation of policies at the municipal level; especially in terms of the Autonomous Decentralized Government (GAD) of the Montecristi canton. This lack of coherence between constitutional principles and local administrative actions is particularly reflected in the management of environmental permits<sup>7</sup> and in decision-making related to land use and natural resource protection.

Cerro de Montecristi is illustrative of this problem. Despite its ecological and cultural significance, municipal policies and practices do not always reflect the biocentric spirit of the Constitution. This situation poses conflicts and challenges<sup>8</sup> that need to be addressed, such as environmental degradation, loss of biodiversity, and the marginalization of local communities in decision-making processes.

at risk, promoting ecological sustainability, which refers to the compatibility of human actions with the natural and human resources of the environment.

5 Ecuador. *Constitution of the Republic of Ecuador* (CRE). Official Register 449, October 20, 2008.

6 The Constitution of Bolivia, technically one of the most similar, does not involve a declaration of this kind.

7 Municipalities must create and implement plans for environmental restoration and conservation, following a biocentric approach.

8 The GAD Montecristi is an essential actor in terms of adapting and applying biocentric principles at the local cantonal level.

Furthermore, this situation reveals multiple layers of complexity<sup>9</sup>: Firstly, the existence of challenges in terms of the interpretation and application of national law at the local level. Secondly, the manifestation of a certain resistance to change traditional practices and adapt to a legal framework that prioritizes the rights of nature<sup>10</sup>. This scenario is further complicated by the influence of economic and political interests that often prioritize short-term development over long-term environmental sustainability. The research seeks to identify and analyze these tensions, proposing alternatives for greater coherence and alignment between constitutional legislation and municipal policies. It focuses on the need for environmental management that is both effective and respectful of the rights of nature, promoting community participation and sustainable development.

Cerro de Montecristi faces not only environmental experiments but also legal and administrative ones. The research underscores the urgent need to harmonize policies and practices at the municipal level with the biocentric principles of the Ecuadorian Constitution as an essential approach to effectively protect the values represented in Cerro de Montecristi and ensure that the rights of nature recognized in the Constitution are respected and promoted in practice. This review aims to contribute to the effort to improve environmental management in Montecristi and in similar contexts, providing a detailed analysis and practical recommendations. This study, focused on understanding constitutional biocentrism in the case of Montecristi, offers new perspectives for the development of more effective environmental management that is consistent with biocentric principles.

9 KIMERLING, J. *Amazon Crude*. Natural Resources Defense Council. USA: Brickfront Graphics, 1991.

10 As one of the most tangible examples of the high level of representation that constitutional criteria observe in the internal legal system, one can refer to the field of criminal law, which, despite its condition as a last resort, has had the virtue of incorporating a broad corpus of guidelines aimed at safeguarding the right to a healthy environment and the rights of nature, in development of constitutional guarantees and principles. The Comprehensive Penal Code of Ecuador – COIP includes criteria to, among other reasons, attribute criminal responsibility to legal persons, as well as specific types of crimes and misdemeanors to safeguard ‘urban fauna’, as a result of the most recent reform of this instrument. See: Ecuador. *Comprehensive Organic Penal Code (COIP)*. Official Register Supplement 180, Feb 10, 2014.

## 2. Definition and Epistemic Relevance of Biocentrism

Biocentrism, as an emerging epistemological approach, places life and its multiple manifestations at the center of attention. Contrary to anthropocentrism, which positions the human being as the central axis of knowledge and development, biocentrism recognizes the intrinsic equality and value of all forms of life. It presents itself as an approach opposite to the notion that human well-being is the sole criterion for development and decision-making which, beyond its philosophical considerations, has been established by virtue of the contents of the Montecristi Constitution<sup>11</sup>. Generously expressed around the criteria of Good Living and the Rights of Nature. Instead of the traditional anthropocentric perspective, biocentrism advocates for harmony between human activities and natural systems, emphasizing the importance of biodiversity and ecological sustainability.

Biocentrism prioritizes life in all its forms, proposing a radical change in how we understand and relate to the natural world. It also proposes a holistic vision that recognizes the interdependence and connectivity of all forms of life, challenging practices that risk ecological stability and biological diversity.

## 3. Incorporation of Biocentrism in the Constitution of Ecuador and Its International Relevance

The 2008 Constitution of Ecuador incorporated biocentrism into its regulatory framework, marking it as a milestone in global environmental legislation. This constitution recognizes nature, or 'Pachamama', as a subject with rights, which involves its right to exist, regenerate, and maintain its vital cycles; this legal recognition is a model for environmental protection at a global level and fits within the United Nations Sustainable Development Goals (SDGs)<sup>12</sup>.

11 This is the designation given to the current Ecuadorian Constitution, as this same city was the official seat of the Ecuadorian Constituent Assembly from November 29, 2007, to October 25, 2008.

12 *Ecuador Constitution*, Arts. 10, 71, and 72; and: Galeano (GALEANO, E. *Nature is not Mute*. Spain: Brecha Weekly, 2009.) and Díaz Narváez (DÍAZ NARVÁEZ, V. P. *The Concept of Science as a System, Positivism*. Barranquilla: Salud Uninorte, 2014.) on the origins of biocentrism and its inclusion in the Constitution

These goals<sup>13</sup>, adopted by the United Nations, address significant global challenges including those related to environmental sustainability, climate change, and biodiversity conservation. The biocentric perspective of the Ecuadorian Constitution aligns with these, offering an innovative legal framework to address contemporary environmental challenges.

However, on the other hand, it is necessary to recognize that the practical application of constitutional biocentrism in the case of the GAD Montecristi, reflected in the management of environmental permits and related decision-making, faces obstacles to be put into practice. Despite the broadly guaranteeing legal framework of the so-called 2008 Montecristi Constitution, the implementation still fails to be clearly reflected in the commitments made within the territorial level of the GADs, particularly the municipal ones, understood as direct managers of state heritage in the territory.

#### 4. Environmental Law and Relation to International Agreements

Environmental law, both at the national and international levels, has played an important role in the promotion and protection of biocentric principles<sup>14</sup>. International treaties and agreements on the environment, such as the Earth Summit in Rio de Janeiro and the Stockholm Conference, have established a framework for global action on sustainability and environmental conservation. These agreements, although often not legally binding, have significantly influenced national laws and policies by promoting the adoption of principles and practices that reflect respect for biodiversity and ecological integrity.

The relationship of national environmental law with these international agreements is fundamental to ensure a coherent and effective response to en-

of Ecuador.

13 The United Nations Sustainable Development Goals (SDGs) promote sustainable practices in various areas, including environmental protection, which align with the principles of Ecuador's constitutional biocentrism: United Nations. *Millennium Development Goals Report 2015*. New York: UN, 2015. Available at: <https://acortar.link/FMubKf>

14 DUPUY, P. M. "Soft Law and the International Law of the Environment". *Michigan Journal of International Law*. 1991, vol. XII, pág. 428.



vironmental challenges<sup>15</sup>. In the Ecuadorian case, environmental law has the virtue of serving as a bridge between international commitments and local actions, ensuring that biocentric principles are translated into concrete policies and practices that protect biodiversity and promote sustainability.

Understanding constitutional biocentrism as a significant advance in environmental legislation, it is a reference area that provides a legal and ethical framework for the recognition and protection of the intrinsic rights of nature, aligned with the SDGs and reinforcing international commitments. However, the challenge, despite the vehicle in which environmental law has been instituted to materialize these new principles and values, continues to be ensuring that municipal policies and practices; which are autonomous in character and regulated by a complex competence regime, achieve harmonization with the biocentric approach of the Ecuadorian Constitution<sup>16</sup>.

## **5. Application of Biocentrism in Montecristi: Environmental Permits and Municipal Participation**

The application of biocentrism by the GAD Montecristi, especially in terms of environmental permits and municipal participation, represents a significant challenge in aligning constitutional theory with administrative practice<sup>17</sup>. Although the 2008 Constitution establishes a legal framework that can be understood as progressive, recognizing nature as a subject of rights; the implementation of these principles in this GAD –as has been said– represents obstacles, as it does not reflect the constitutional commitment to the protection of nature.

15 United Nations Conference on Environment and Development (UNCED). *Earth Summit Rio de Janeiro*. Rio de Janeiro, 1992. Available at: <https://acortar.link/fGge3N>

16 Aretxaga (ARETXAGA BURGOS, R. *La Ciencia Astrobiológica, un Nuevo Reto para la Humanidad del Siglo XXI*. Bilbao: International Congress, 2003.) and Dryzek (DRYZEK, J. *Strategies for Ecological Democratization*. In: LAFERTY, W.M. & MEADOWCROFT, J. *Democracy and the Environment. Problems and Perspectives*. Great Britain: Cheltenham, 2006.) on the relevance of environmental protection in the international arena and the impact of international agreements on national laws.

17 To delve deeper into this complexity, the best reference is normative: *Ecuador. Organic Code of Territorial Organization* (COOTAD). Official Register Supplement 303. 2010, October 19.

This can be evidenced in decisions regarding the development of projects, resource exploitation, and land management, which are often made without an adequate assessment of their ecological impact<sup>18</sup>. This has led to situations where economic and development interests prevail over environmental conservation, risking the biodiversity and ecological health of the place. An examination of the normative evolution after the 2008 Constitution in the GAD expresses that although the Ecuadorian Constitution establishes an innovative legal framework for environmental protection, its translation into effective municipal policies and practices continues to be a challenge, particularly in terms of environmental permit management and the regulation of development projects; which often reveal a tendency towards economic and development priorities, instead of environmental conservation and the protection of biodiversity. This aspect demonstrates a significant gap between legislation and its practical application.

## 6. Specific Cases and Administrative Actions in Montecristi

A clear example of the aforementioned problem can be observed in the management of natural resources<sup>19</sup> in areas such as Cerro Negro and El Chorrillo in Montecristi. These areas are the focus of resource exploitation, Generating ongoing conflicts between environmental preservation and the economic

18 It is worth noting that the guidelines for the administration of environmental permits provided by the *Organic Code of the Environment* and its regulations are fundamental to understanding how policies and practices in Montecristi, as described in this segment, should align with national standards for environmental protection and sustainability. Observance of these regulations is crucial to ensure that local actions reflect not only the spirit of the Ecuadorian Constitution but also the specific technical and legal requirements for effective and responsible environmental management. In this sense, municipalities in Ecuador have an important role in applying constitutional biocentrism at the local level, especially in the management of environmental permits.

19 As of this date, the following mining concessions closest to the hill of Montecristi are known: Cerro Negro: Concession "A MAN CERRO NEGRO", 26.69 hectares (Code 3500); El Chorrillo: Concession "A MAN EL CHORRILLO", 61.36 hectares (Code 2414). Additionally, in the surrounding areas, the following can be referred: "CERRO DE HOJAS" with 95.75 hectares (Code 211) and "CERRO DE HOJAS 2" with 23.81 hectares (Code 700790).

development interests of the canton and the province. A detailed analysis of environmental management focused on areas like Cerro Negro and El Chorrillo reveals a significant discrepancy between theoretical environmental policies and their practical application. According to the information gathered, the Director of Environmental Management of the municipality has admitted to working ‘outside the law’<sup>20</sup> in the concessioned areas, plans for reforestation are mentioned, but there’s no detail on their effective implementation or compliance with environmental regulations. This acknowledgment raises serious concerns about the effectiveness and adherence to environmental policies in the region. The lack of effective programming in environmental management, which ensures the protection and restoration of biodiversity and the care of nature, also underscores a lack in considering the long-term environmental impact of exploitation activities. This situation highlights an administrative approach favoring resource exploitation without a deep and responsible assessment of its environmental impact.

Furthermore, the documentation and monitoring of actions in Cerro Negro and El Chorrillo do not seem to align with the principles of constitutional biocentrism, which promotes the well-being of communities and the conservation of the environment. The lack of proper documentation and transparency in exploitation activities reveals a disconnect between the constitutional approaches regarding biocentrism and administrative practice in Montecristi. This deviation from biocentric principles and the lack of consideration for the ‘Good living’ of local communities suggest that the current efforts in environmental management not only fail to comply with established regulations but might also be compromising the environmental sustainability and long-term well-being of the region. These findings point to the need for a critical review and a reformulation of environmental management strategies in Montecristi to better align administrative practice with constitutional principles and commitment to sustainability.

On the other hand, these decisions indicate that community participation in environmental decision-making in Montecristi is an essential component that is not yet fully realized. Although the Constitution promotes prior and active consultation with local communities on environmental matters, this process is –in

20 Engineer Jónathan Mero López, personal communication, October 2021.

practice— often insufficient or symbolic<sup>21</sup>. Communities affected by development projects rarely have the opportunity to influence, through their participation, in a significant way the decisions that directly impact their environment, their quality of life, and their future.

## 7. Challenges and Possible Solutions

The challenges in Montecristi are not unique in Ecuador, but they offer a critical perspective on the difficulty of implementing a biocentric approach in a complex environment like the territorial one, where multiple interests and pressures are at play. To address these challenges, greater transparency and accountability in the decision-making process are essential. The effective inclusion of the community in these processes is not only a constitutional mandate but also an essential step towards sustainable and environmentally respectful development.

The adoption of more rigorous environmental impact assessment practices based on technical and scientific criteria is also crucial; these practices must be accompanied by political will<sup>22</sup> a genuine approach that prioritizes environmental protection over short-term economic interests is needed. Furthermore, environmental education and awareness at the local level can play a significant role in promoting greater awareness and citizen participation in environmental matters. Apart from focusing on the need to align municipal policies with the Constitution and the importance of strengthening community participation, it is crucial to consider the lessons learned from specific cases and current legislation, as evidenced by the observations made. While the constitutional theory of biocentrism can be seen as a step forward in environmental legislation, its effective implementation at the municipal level, especially in Montecristi, requires detailed attention to administrative practices and community involvement. This synergy between law and practice, enriched by the learning obtained from specific cases,

21 DRYZEK, J. S. "Deliberative Democracy in Divided Societies". *Political Theory*. 2005, vol. 33, no. 2, pp. 218–242. Active and effective community participation in environmental decision-making is a key component of constitutional biocentrism, promoting an inclusive and respectful approach.

22 The responsibility of the Ecuadorian State in relation to environmental damage has been strengthened under the framework of biocentrism, emphasizing the active protection and restoration of ecosystems.

is fundamental to overcome existing challenges and achieve truly sustainable environmental management that respects the rights of nature.

The application of biocentrism in Montecristi, in the context of environmental permits and municipal participation, represents an opportunity to align local practices with constitutional principles. Through the analysis of specific cases and critical evaluation of administrative decisions, this research highlights the importance of adopting a more coherent and committed approach to environmental protection. The effective implementation of biocentric principles is essential to ensure respect for and promotion of the rights of nature, ensuring sustainable and equitable development for present and future generations.

## **8. Research Methodology**

The study's methodology combines field research and bibliographic–documentary analysis. Field research involved visits and interviews in the municipality to obtain direct perceptions from officials, community members, activists, and experts in environmental law. This approach provided qualitative data on experiences and opinions of those affected and involved. In parallel, the bibliographic–documentary research examined legislation, academic literature, and reports from NGOs and government entities. This theoretical and contextual analysis helped to place the findings from Montecristi within a broader framework and identify trends and challenges in the application of biocentrism.

This combination of methodologies allowed for a holistic understanding of how environmental policies are implemented and perceived in the GAD, facilitating the identification of areas for improvement and alignment with constitutional biocentric principles.

## **9. Analysis and Discussion**

### **9.a Analysis of the Collected Data**

The data collected through field and bibliographic–documentary research in Montecristi offer a perspective on the practical application of constitutional biocentrism in the local context. Although Ecuador's 2008 Constitution marked a milestone in recognizing the rights of nature, the analysis of administrative

practices in Montecristi shows that the implementation of these principles faces significant challenges.

In specific cases examined, such as development projects in Cerro Negro and El Chorrillo, it was evident that environmental permit decisions often prioritized economic development over environmental protection. This approach conflicts with biocentric principles and reveals a gap between legislation and its practical application. The analysis of these decisions shows a tendency to minimize or ignore long-term environmental impacts, risking the biodiversity and ecological stability of the area.

In an analysis of the practical application of constitutional biocentrism in Montecristi, Ecuador, discrepancies between constitutional ideals and their effective implementation are evident. Through interviews with key informants, perspectives are gathered that reveal both efforts and challenges in environmental management.

The Cerro de Montecristi is in a situation of exploitation, contrary to its treatment as a subject of right, as revealed by most informants. On the contrary, the Director of Environmental Management of the GAD of Montecristi, Eng. Jónathan Mero López, states that technical studies and environmentally respectful planning are being carried out<sup>23</sup>, however, this statement is nuanced with observations from the community members of El Chorrillo, such as Edgar Isaac Delgado Santana, a local resident, who warns of a “chasm between what the rule dictates and what happens in reality”<sup>24</sup> and Washington Demetrio Delgado, a community member of El Chorrillo, who criticizes the lack of community participation in important environmental decisions. Likewise, policies regarding consultation and community participation are described as inadequate. The Director of Environmental Management of the GAD Montecristi mentions that communities are considered, but acknowledges that “there are no concrete policies”<sup>25</sup> for effective participation. For his part, Delgado Santana argues that restoration actions lack “a true technical study conducted by experts”<sup>26</sup> and

23 Engineer Jónathan Mero López, personal communication, October 2021.

24 Edgar Isaac Delgado Santana, personal communication, October 2021.

25 Ibid. Engineer Jónathan Mero López.

26 Ibid. Isaac Delgado Santana.

questions the effectiveness of municipal management in protecting the environment and biodiversity. Regarding the practical application of biocentrism, Jhon David Castro Mero, former vice-president and current environmental activist of the Chorrillo community, emphasizes the need for citizen empowerment and knowledge in the defense of the rights of nature, arguing that “nobody defends what they do not know, and nobody can demand the restoration of what does not exist or is not inventoried”<sup>27</sup>.

On the other hand, the lack of communication and effective participation in environmental decisions is a recurring issue. Washington Demetrio Delgado points out that “it has always been lacking in the Municipal GADs”<sup>28</sup> community involvement in important decisions is crucial. Furthermore, Edgar Isaac Delgado Santana adds that restorations are part of the protection plan but lack “a true technical study carried out by experts”<sup>29</sup>.

### **9.b Discussion on community participation**

The participation of local communities in environmental decision-making is a fundamental pillar of constitutional biocentrism. However, research in Montecristi revealed significant limitations in this regard. Communities affected by environmental decisions are often marginalized from the decision-making process, which contradicts not only the biocentric principles of the Constitution but also international norms promoting community participation and consultation.

Interviews and surveys conducted during the field research showed a perceived lack of representation and voice in decisions that directly affect the environment and quality of life of the communities. This disconnect between municipal policies and the needs and desires of the local community highlights the urgent need to strengthen community participation mechanisms in Montecristi.

### **Challenges encountered and reflections for the future**

One of the main challenges identified in Montecristi is the need for greater alignment between administrative policies and practices and the biocentric

27 Jhon David Castro Mero, personal communication, October 2021.

28 Washington Demetrio Delgado, personal communication, October 2021.

29 Ibid. Isaac Delgado Santana.

principles of the Constitution. Despite the guaranteeing legal framework, implementation at the local level is inconsistent, suggesting a lack of understanding or commitment to the rights of nature.

Another challenge is the resistance to change in administrative practices and the influence of short-term economic interests. This situation underscores the need for greater awareness and education on the importance of biocentrism and rights of nature at both government and community levels.

The research also suggests the need for more effective strategies to integrate biocentric principles into decision making. This includes strengthening environmental impact assessments, promoting greater transparency in the decision-making process, and implementing effective mechanisms for community participation.

The discrepancy between theory and practice in the application of constitutional biocentrism is manifest. Addressing these challenges, promoting greater community participation and ensuring that municipal policies and practices truly reflect the biocentric principles of the Ecuadorian Constitution are essential to move towards more coherent and effective environmental management. This approach is not only crucial for the protection of Montecristi's biodiversity and ecological integrity, but also for the fulfillment of the rights of nature and the promotion of sustainable and equitable development.

## **10. Conclusions and recommendations**

### **Summary of key findings**

The research on constitutional biocentrism and environmental permits in Montecristi has revealed as a key finding the existence of a notable discrepancy between the biocentric principles established in the Constitution of Ecuador and their practical application in the municipality of Montecristi. Although the fundamental norm recognizes nature as a subject of rights, administrative practices and decisions regarding environmental permits do not correspond to this commitment.

In specific cases such as Cerro Negro and El Chorrillo, it was observed that administrative decisions often prioritize economic development over environmental conservation. In addition, community participation in environmental



decision–making is limited, in contradiction to the principles of community consultation and participation promoted by the Constitution and international regulations.

### **Recommendations to improve consistency between municipal regulations and the constitution.**

Strengthening the enforcement of environmental legislation at the municipal level in the case of GAD Montecristi is imperative to align environmental permitting decisions with the biocentric principles of the Constitution. The implementation of training and awareness programs for municipal officials focused on the importance of biocentrism and the rights of nature is proposed, including workshops, seminars and educational materials that highlight sustainable environmental management.

Second, environmental impact assessments require greater rigor and transparency, prioritizing the long–term conservation of biodiversity and ecosystems. It is crucial to create spaces for dialogue and consultation with communities affected by development projects, allowing their effective participation in environmental decisions.

To strengthen community participation in the protection of nature, it is recommended to implement transparent community consultation processes, develop mechanisms for citizen participation in environmental management, encourage environmental education in the communities and promote an active environmental culture.

Coherence between municipal regulations and the Constitution, together with active community participation, can be seen as essential for environmental management that respects the principles of biocentrism, as well as crucial for environmental conservation and the wellbeing of local communities.

## **11. Documentary index and bibliography**

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