

**Supporting Community Forestry through good  
Governance: Role of Federation of Community Forestry  
Users Nepal (FUCOFUN) on equity**

**(A case study report submitted to Nepal Administrative  
Staff College**

**(In partial fulfilment of the requirements for the training  
of Class II officers of HMG/N an advance Course on  
Management and Development)**

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### **About Western Regional Forestry Directorate (WRFD), Pokhara**

WRFD, Pokhara is one of the five Regional Forestry Directorates that are located in each of the country's five regional headquarters. The directorate is responsible for supervising, monitoring, evaluating and supporting the programmes, projects and activities implemented by all offices under the Ministry of Forests and Soil Conservation in the region. The districts included in the western region are Nawalparasi, Rupandehi and Kapilabastu in the Terai; Gorkha, Tanahun, Lamjung, Kaski, Syangja, Palpa, Gulmi, Arghakhanchi, Parbat, Myagdi and Baglung in the hills; and Manang and Mustang in the Himalayas/Trans-Himalayas.

Currently a number of projects are operating in this region. Their focuses range from nature conservation to community forestry and forestry-based livelihoods. The major programmes/projects include:

- NARMSAP (Responsible for Community Forestry in Kaski, Syangja, Palpa, Gulmi, Arghakhanchi, Tanahun, Lamjung, Gorkha and Manang and Soil Conservation and Watershed Management Programme in Baglung, Myagdi, Tanahun, Palpa and Lamjung)
- LFP Hills/Terai (Involved in livelihood focussed forest conservation in Parbat, Baglung, Myagdi, Nawalparasi, Rupandehi, Kapilbastu)
- JICA (Participatory soil conservation in Kaski, Parbat and Syangja)
- TAL (Wildlife corridor development/conservation in Palpa)
- ACAP/MCAP: (Nature conservation in Manang, Mustang, Lamjung, Kaski, Myagdi/Gorkha)
- HLFDP (Leasehold forestry development in Tanahun, Gorkha, and Lamjung)

WRFD strives for participatory and pro-poor natural resource management and believes that there is no known recipe for the same. It aims for an experiential learning mode of intervention, which revolves around the principle of action research, based on 'learning by doing principles'. Consequently, we consciously look at the interventions so as to learn from the strengths and weaknesses those make while implementing the programmes.

The current series is meant to share our knowledge so that the overall understanding would become much richer from valuable feedback from you all. **The views expressed in these series are the outcomes of the studies and in no way should be considered as official policy of NASC, WRFD, or HMG.** Please do not hesitate to contact us if you have comments/queries on the subject or have an interest for future collaboration. We are grateful to Nepal Administrative Staff College for granting permission to reproduce this copy for dissemination. *Likewise we sincerely acknowledge the help of Miss Elizabeth Meilander, Peace Corps Volunteer at DSCO Pokhara who helped us to edit this report.*

## **About This Report**

This case study report as a partial fulfilment of the requirements for the training of Class II Officers of HMG/N on “**Advance Course on Management and Development**” conducted by NASC is a result of week long field work and report writing put up by the study group which is further supported by theoretical knowledge gained in the class room.

Keeping in mind, the depleting forest resource, and its overall impact on Nepalese society, the success achieved through community forestry in the preservation of the forest is undoubtedly admirable. Our group has tried to peep into the role and responsibilities played by Federation of Community Forestry Users Nepal, (FECOFUN), and the challenges it faces in maintaining equity among various stakeholders.

Due to limited time, adverse security condition prevailing in the country, and other limited resources, the study group was not able to cover the wider area of study, although, some relevant and important information have been gathered which, we believe will be beneficial for all the concerned.

The study group would like to extend its special thanks to NASC and its staff members for organizing this valuable course. The study group would be failing in its duty if it did not acknowledge the constant inspiration, encouragement and support extended by the Course Co-ordination Team comprising of Mr. Dinesh Raj Sharma, Mr. Braham Deo Ray, Ms. Sheela Manandhar, and Mr. Hari Gyawali. Also, the group would like to extend its humble thanks to all the trainers and resource persons for their words of wisdom, which are implanted in our minds for eternity.

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Lastly, we would like to thank all our batchmates for their moral support, which enabled us to make this study fruitful.

**The authors**

## **ABBREVIATIONS AND ACRONYMS**

AB:	Advisory Board
AFO:	Assistant Forest Officer
BISEP-ST:	Biodiversity Sector Programme – Siwalik and Tarai
CF:	Community Forest
CFE:	Community Forest Extension
CFUG:	Community Forest User's Group
CFDD	Community Forest Development Division
CFDP	Community Forest Development Project
DDC:	District Development Committee
DFO:	District Forest Officer
DoF:	Department of Forest
DFID:	Department for International Development
DBWC:	District Board Working Committee
FOP:	Forest Operation Plan
FPC:	Forest Protection Committee
FUC:	Forest User's Committee
FUG:	Forest User's Group
FECOFUN:	Federation of Community Forestry Users, Nepal
GA:	General Assembly
HH:	House Hold
HMG/N:	His Majesty's Government of Nepal
LFP:	Livelihood Forest Project
MFSC:	Ministry of Forest and Soil Conservation
MIS:	Management Information System
NEA:	Nepal Electricity Authority
NASC:	Nepal Administrative Staff College
NGO:	Non- Government Organization
NEC:	National Executive Committee
NTFP:	Non Timber Forest Product
OFMP:	Operational Forest Management Plan
OP:	Operational Plan (of Community Forest)
PF:	Panchayat Forest
PPF:	Panchayat Protected Forest
RPLC:	Range Post Level Committee
RCC:	Regional Coordination Committee
SNV:	Netherlands Volunteer Organization
SWOT:	Strength Weakness Opportunity and Threat
SC:	Steering Committee
TCN:	Timber Corporation of Nepal
ToT:	Training of Trainers
UG:	User Group
VDC:	Village Development Committee

## EXECUTIVE SUMMARY

The report starts off by introducing community forestry, which, since latter part of 1980s, has moved away from a blueprint to a process oriented approach inspired by an idea of achieving consensus for allocating resource to the indigenous use right holders and for ensuring an equitable system. By following this very general spirit, over a million hectares of forest patches scattered in different parts of the country have now been handed over to some 13,000 local user groups. In the future, the state intends to hand over all forests, particularly in the hills, to the extent that people are willing and capable of managing them. Since 1995, the user groups of handed over community forest patches have federated into a civil association called Federation of Community Forest Users, Nepal (FECOFUN).

While forest resource in the handed over patches has been generally regenerating, equity implications are evident there. These may be found in micro level (intra-user group tier), the meso level (the inter-user group tier and the group versus non- group tier) and the macro level (national tier).

It is emphasized that while the role of FECOFUN is largely relevant and conspicuous in helping the concerned groups towards better forest management and towards insuring equity issues in the intra-group, its role tends to be blurred in the latter two tiers. This has implication particularly in situation like that of the Tarai where the 'resource-stakeholder' relationship are complex and the forest resources have continued dwindling more than ever before. Though the GOs (Department of Forests) and NGOs (FECOFUN in particular) tend to have common concerns about this rather chronic issue, their roles in dealing with the same, so far, have rather been conflicting than complementary. It is argued that the real solution may lie in more intensive open dialogue among all sections of stakeholders including HMG, FECOFUN, rest of the civil associations (ethnic groups, Dalits etc.) as well as the individual HHs or groups who have a dependency upon the resource.

Unless, the situation of inequity, especially at meso and macro tiers is not addressed properly and justifiably, a time may come where rural Nepal might be further divided into two echelons: one having forest resource and the other who are deprived of it i.e. ***“Ban Hune Ra Ban Nahune”***. Such inequity problem is bound to even affect national integrity by creating massive civil unrest.

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## 1. GENERAL BACKGROUND

### 1.1 Introduction

This Report is prepared in partial fulfillment of the requirements for the training of Class II Officers of HMG/N entitled **“Advance Course on Management and Development”** conducted by Nepal Administrative Staff College (NASC), Jawalakhel from August 4, 2003 to September 17, 2003. In preparing this Report, the combination of knowledge gained in the classroom on management and development and the field-based information extensively collected at the site was used.

Since last two decades, local communities have been involved in the management and utilization of forests in Nepal. The policy of the government was originally intended to meet the basic needs of communities through the active participation of individuals and communities in forest development and management. Later it was expanded to include the mobilization and empowerment of the Community Forest User Groups (CFUGs) in the development of their communities, numbering approximately 13000 as of April 2003. This gave rise to the birth of the Federation of Community Forestry Users, Nepal (FECOFUN), a national network of forest users groups of the country.

Although, community forestry program has minimized the trend of forest degradation since handing over of the community forest to local people, second generation issues such as social justice and good governance have come to the surface as we move further down the road on improving the community forestry in Nepal. Thus, the aim of the study is to take into account the common objective of the NASC, the Project Team and the FECOFUN i.e. ‘good governance’. Since the term good governance encompasses the wider field of activities, the Project Team has confined itself into the equity aspect of the good governance only.

## 1.2 Objectives of the study

### General objective:

The broad objective is to examine the role of FECOFUN in supporting the community forestry through good governance.

### Specific objectives:

Under specific objectives studies shall be made with regards to:

- Organizational and the institutional structure of FECOFUN so as to see its role in engendering innovative, democratic, transparent system required for good governance.
- Equity in the intra-group (at micro level)
- Equity in the inter-groups or groups vs. non-groups (at meso level)
- Equity in the national level (at macro level)

## 1.3 Scope of the Study

### 1.3.1 Development of community forestry in Nepal

Nepal's current community forestry concepts and practices are not a matter of sudden upsurge. Rather, they are the outcome of a series of trials and errors conducted in a bid to conserve the nation's ever depleting forestry resource *vis-a-vis* to fulfill the basic forestry products needs of the local population. Three distinct phases may be recognized:

- Forest Nationalization of 1957
- Panchayat forests (PF) and Panchayat Protected Forests (PPF) concept of early 1970s to mid 1980s.
- Community Forest User Group (CFUG) concept of present time

The dawn of democracy in 1951 prompted the government to nationalize private forests through its Forest nationalization Act, 1957. This move was inspired by the idea that the forests given away by the feudal Rana regime (mostly as *Birtas* and *Jagirs*) could be directly controlled and managed by the state itself. The basic interest was to increase the revenue required by the democratic form of government. The District Forest Officers (DFOs) were entrusted to control the resource on behalf of the government. However, a decade of government control showed that local people did rampant destruction to the resource. The DFO-machinery was simply incapable of ensuring effective control over the bits and pieces of forests scattered all over the country.

The government was gradually forced to realize that it must find some ways by which the forest degradation trend could be checked. This eventually gave rise to a policy in 1976 (Forest Development Plan, 1976) that was followed by amendment in the Forest Act 1961 and the promulgation of Panchayat and Panchayat Protected Forest Rule in 1976. These policy/legislation suggested; made provision; and had specified procedures for handing over the part of the national forests to the local people through the village council (then Panchayat). This, people centered policy apparently motivated



a large number of donors to fund forestry projects virtually all over the hills, particularly in later part of 1970s. The emphasis was given to plant, on forestlands with tree saplings and handover those to the Panchayats as Panchayat forests (relatively bare areas) and Panchayat Protected Forests (areas with higher degree of tree cover). The attempts continued for about a decade only to realize that the results were disappointing. A large sum of money was being spent on plantations on which the local people hardly felt any sense of ownership. The degradation continued and some professionals found no choice but to look for a more participatory ways in community forestry. This resulted into two parallel streams of activities; one, relating to study of indigenous systems of forest management so as to see what had actually worked in the village settings (Gilmour and Fisher 1991; Fisher et al 1989; Baral 1991 and Baral and Lamsal 1991), the other was trial activity in a number of sites to see for sure what intervention modality would be appropriate (Gilmour and Fisher 1991).

Based on the overall learning, *Operational Guidelines* were conceptualized which was for the first time released in the initiatives of Nepal Australia Community Forestry Project (a leading community forestry project) in 1989 (HMG 1989). The Department of Forests eventually capitalized the idea, which approved the same after a scrutiny (HMG 1992). By now the guidelines have witnessed revisions for a number of times, last being that of 2001 (HMG 2001).

The eventual outcome was that the later half of 1980s witnessed a paradigm shift in Community Forestry (CF) intervention modality. This shift was essentially to do with intervention as a social process (this was at least in theory if not always in practice) from the concepts that had prevailed, which saw the same as a blueprint. An inevitable need had been realized to handover the local forestry resource to the people who have had an indigenous system of use rights (which might not necessarily be a *de jure* right) compared to an earlier practice, which provisioned such handover to the village council. Important prerequisite for such handover has been a *broad-based consensus* for ensuring equity in benefit sharing, compared to the prevailing system, which essentially failed to have such thrusts. The role of the District Forestry Office (DFO) staff like rangers also differed in a significant way in the two paradigms. The new paradigm acknowledged the role of the local community in a way that they were free to make all-important decisions about forest management and benefit sharing where the DFO staff restricted themselves in facilitating the overall process. The outcome thus is consensus-based simple *Operational Plan (OP)* and the accompanying *User Group (UG) Constitution*. This sharply contrasted with the earlier paradigm in which DFO staff essentially prepared a technical management plan on behalf of the people. Latest version of the *Operational Guidelines* (HMG 2001) are now available that guide the rangers how to go ahead with facilitating the overall process especially in the context that they had to change their traditional policing role in favour of devolution and empowerment. The overall concepts have been backed by legislative arrangements through Forest Act 1992 and Forest Rules 1995 (HMG 1995).

The current policy, legislative arrangements and guidelines include:

- Master Plan for Forestry Sector, 1989
- Forest Act, 1992

- Forest Rules, 1995
- Operational Guidelines 2001

The new policy document (Master Plan for Forestry Sector, 1989) stipulates:

*... phased handing over of all the accessible hill forests to the communities to the extent that they are able and willing to manage them.....*

*.....to entrust the users with the task of protecting and managing the forests. The users to receive all of the income...(HMG 1989a: 14)*

*.....community forestry ...will have a priority among other forest management strategies. Priority will be given to poor communities, or to the poor people in a community (HMG 1989a:10)*

*..... Retraining the entire staff of the Ministry of Forest and soil conservation for their new role as advisers and extensionists (HMG 1989a : 14)*

*.....Strengthening the forestry organization so that it can give full support to community and private forestry (HMG 1989b:15)*

The new CF policy has been popular amongst a number of donor agencies, which are extending helping hands for facilitating community forests handover. By now, almost million hectares of forests have been handed over to nearly 13,000 Community Forest User Groups (CFUGs) (MIS data, CFDP 2003) who are actually managing those as per agreed OP and UG constitution.

*Table 1: Community forestry national profile*

<i>Total area of the community forests handed over</i>	<i>996,710 Ha</i>
<i>Average size of the community Forest</i>	<i>79.48 Ha</i>
<i>Total number of CFUGs</i>	<i>12,540</i>
<i>Total number of households involved</i>	<i>1,400,030</i>
<i>% of total population benefited</i>	<i>33.5%</i>
<i>Average number of committee members</i>	<i>11.82</i>
<i>Average size of CFUG</i>	<i>111.6 HH</i>
<i>Average number of women in Committee</i>	<i>2.59</i>
<i>% of women in the Committee</i>	<i>21.9%</i>
<i>Number of women only CFUGs</i>	<i>556</i>

*Source: CFD (as of April 1, 2003\*)*

- *For latest MIS data, please refer to Appendix II.*

### **1.3.2 Solidarity Initiatives of CFUGs**

It may be noted that a number of innovative forestry officials did not wait for the full-fledged legal provision to come. A circular from the department of forest was enough for them to abandon the Panchayat based community forestry handover process in favour of the user based one. By 1995, some 300 forest user groups had already been formed and some pro-active DFOs had started foreseeing a need to unify community forest user groups into a form of solidarity institution. The endeavor would start from the small number of user groups formed within each district, which would gradually

move to the zonal level, then, to the regional level and ultimately to the national level federation. The endeavor was inspired by an idea that such institution would be a necessity at least for solidarity purpose, which could work, in the best interest of the group both through advocacy and through exchange of knowledge and experience amongst them. Palpa and Kabhre Palanchok were the districts, which had actually done some initial ground works in that direction. Unfortunately, the endeavour failed to get continuity when the concerned DFOs departed for their academic pursuits and the idea had remained dormant. The area of Nepal-UK Community Forestry Project (now LFP-Livelihood Forestry Project) is another location where the concerned DFOs and the expatriates had seen an advantage in creating a network amongst the various user groups. Apparently the idea was similar to that of what had been initiated in Palpa and Kabhre Palanchok but that the activity was pursued more seriously under the project support.

The ideas were eventually picked up by some NGOs in 1995, though in rather different form. A series of events took place, which culminated, into the birth of formal Federation called FECOFUN. Different phases involved in the course of formation are presented in the following box.

- District level workshop of CFUG representatives in Dhankuta (2048/4/9-11).
- The First National Workshop of CFUG representatives in Dhankuta (2049/10/18-22).
- The Second National Workshop of CFUG representatives in Kathmandu 2049/11/11-14).
- The First Regional Workshop of CFUG representatives in Kathmandu (2052/2/8-13).
- Budol Workshop, Kabhre (2052/2/15-17): FECOFUN born.
- Interaction workshop in Kathmandu (2052/2/18): Formal declaration made.
- Formal registration in Kathmandu. (2052/5/28).
- The first General Assembly 2052/11/27-29.

Source: Smarika , 2058

It may be pointed out that FECOFUN, though is the more conspicuous form of civil association federation concerned with forest resources, this is not the only one. More lately, some dissatisfied section of the federation decided to split who argued that the FECOFUN has been parochial both in terms of area of coverage and its overall vision. It considered that FECOFUN has been limiting itself to community forestry user groups and had failed to embrace a number of other co-existing groups (e.g. forest user groups in buffer zone, soil conservation user group etc). Besides, it was alleged, the FECOFUN played a confronting role than a reconciliatory role with the government and the collaborative initiatives were not forthcoming. The eventual split resulted into NECOFUG which is also now in existence, though in a relatively less conspicuous profile.

HIMAWANTI is another civil association, which intends to focus itself in empowerment issue of the women in the natural resource management sector. This association, though has a wider coverage, it is also concerned in empowering the women affiliated with community forestry. For the purpose of this study we concentrate on FECOFUN.

Thus, keeping in view of the above, it was decided that the study should explore the role played by FECOFUN in sharing the forest resources with social justice and equitability through the different tiers of equity.

#### **1.4 Limitations of the Study**

In the course of preparing this report, the study team used both primary and secondary techniques of data collection. Interviews, questionnaires, discussions and observations were carried out as primary source and relevant journals, literatures, prevailing Acts and Legislation were used as secondary source. However, the study team was constrained with several limitations like time limit, available resources, and vastness of the subject. The main constraint, among others was time. Only three days were allocated for fieldwork and three days for Report writing.

### **2. METHODOLOGY**

**Methodology is a combination of:**

- Interviews with FECOFUN staff and other stakeholders or collaborators viz. Department of Forest officials. The interviews were in the form of informal discussions and observations based on checklist of questions listed in Appendix - I
- Review of available literature on the subject.
- SWOT Analysis.
- Formulation of recommendations based on SWOT Analysis.

### **3. INSTITUTIONAL STRUCTURE OF FECOFUN**

#### **3.1 Organizational Profile**

The Federation of Community Forestry Users, Nepal (FECOFUN) is a national network of forest users groups of the country. The Community Forest User Groups (CFUGs), as they are called, are autonomous bodies entitled to manage national forests as community forests, and to make independent arrangements for the sale and distribution of forest products and other benefits arising out of such management. FECOFUN was established in 1995 with a realization of the need of this sort of network as already described above. At present there are approximately 13000 CFUGs in Nepal, out of which around 75% are affiliated to FECOFUN through its seventy established district branches. It has its National Executive Committee (NEC) Secretariat based in Kathmandu and the district branches have their own offices in corresponding district headquarters.

FECOFUN consists of two categories of membership, general and special. The CFUGs registered in concerned DFOs are eligible for general membership. Besides, there is provision of special membership for those individuals and institutions, national or international who contribute to the visions and missions of FECOFUN.

The hierarchical structure of FECOFUN is as follows:

1. General Assembly
2. National Council
3. National Executive Committee
4. Steering Committee
5. Advisory Board
6. Regional Coordination Committee
7. District Branch
8. Range Post Level Committee
9. Village Level FECOFUN

The General Assembly (GA) is the supreme body of the FECOFUN, which meets once in every five years at a time and place recommended by NEC. GA is composed as follows:

- One male and one female representative from those District Branches, which have 10 to 50 members.
- Two male and two female representatives from those District Branches, which have 51 to 150 members.
- Three male and three female representatives from those District Branches, which have members more than 151.
- Members and officials of National Executive Committee.
- Special category members as Observers.

The National Council (NC) is the second supreme body of FECOFUN, which meets every year at a time and place recommended by NEC. NC is composed as follows:

- One male and one female representative to be recommended from each District Branch on annual basis.
- Members and officials of NEC.
- Special category members as observers.

In order to uphold the visions and missions of FECOFUN, following three Committees are formed:

1. National Executive Committee (NEC)
2. Steering Committee (SC)
3. Advisory Board (AB)

The National Executive Committee (NEC) is elected from General Assembly and has tenure of five years. NEC is composed as follows:

- One male and one female member from each Zone totaling 28.
- NEC nominated members on regional basis representing at least 1 member from each Region totaling 5.

- On the basis of mutual consensus, the zonal representatives elect Chairperson, Vice-Chairperson, Secretary and Treasurer. Out of the four positions, there must be one female for Chair or Vice-Chair and one female for Secretary or Treasurer. For the sake of gender equality, it can be noted that there can be either four or at least two females on the top four positions.

Steering Committee headed by the Chairperson is responsible for day-to-day administration, command and control activities which is composed as follows:

- Vice-Chairperson, Secretary and Treasurer as ex-officio members.
- Three members, at least one male and one female selected from NEC members.

In order to translate the objectives of FECOFUN more effectively and efficiently, Advisory Board not exceeding 11 members is nominated by NEC from its special members. The ex-Chairperson of NEC is the ex-officio member.

FECOFUN Constitution 2052 (with amendment 2058) has laid down the composition of above mentioned organizations and composition of rest is mentioned in FECOFUN Organizational Rules 2055 (with amendment 2058) which is as follows:

The Regional Coordination Committees (RCCs) in five development regions are composed as follows:

- One representative from each district from within the development region. This representation is based on alphabetical order of the districts where the first district sends female and second district male. This order is repeated throughout the region.
- One representative from the District Branch where RCC office is located and where either Regional Forest Training Center or Regional Forest Directorate is located.
- All the NEC members from that region.

The District Branch Working Committee (DBWC) is composed as follows:

- One representative from each Range Post Level Committee.
- DBWC nominates Chairperson, Vice-Chairperson, Secretary and Treasurer.

The Range Post Level Committee (RPLC) can be constituted only when a minimum of three FUGs are affiliated with FECOFUN.

The Village Level FECOFUN Committee is constituted if minimum of three FUGs are located in one particular range post area:

- One representative from each FUG with equal representation between male and female.

### **3.2 Vision, Mission and Program Strategies of FECOFUN**

The FECOFUN has a long list of Vision, Mission and Strategies but they all can be summed up as follows:

## **Vision**

- Greatest possible number of FUGs will have been affiliated to FECOFUN.
- FECOFUN will have assumed a position to ensure an empowered and leveraged leadership.
- FECOFUN will have been increasingly self-reliant in most of its organizational dimensions.
- FECOFUN will have established its unique identity among organizations working at national and international levels in the field of forests or environment.
- FECOFUN will have made positive influences towards the process of formulating the national policies and regulations on forests, environment and biodiversity.
- FECOFUN will have effectively assumed the responsibility towards the interests and welfare of FUGs.

## **Mission**

- At least seventy five percent of FUGs of Nepal will have been affiliated to FECOFUN.
- FECOFUN will have established its District Branches in all of seventy five districts of Nepal.
- At least sixty percent of FECOFUN representatives will be in a position to impart effective leadership at their levels.
- FECOFUN National Executive Committee, District branches and Range Post Committees will be able to cover at least sixty percent of the administrative and material expenses.
- FECOFUN will be self-reliant of human resources in terms of workforce in sociological discourse.
- Equal and effective women participation will reach a level of sixty percent while empowered and efficient women leadership will reach at least forty percent.
- FECOFUN will reach to a stage to adopt participatory democratic processes and transparency at all tiers of the organization.
- FECOFUN will have established a Liaison and coordination with national and international organizations and will be able to represent and effectively communicate its activities at both levels.
- FECOFUN will have created an environment in which policy makers relating to forests, environment or biodiversity sector will adhere to the concerns of the Federation.

## **Strategies**

- FECOFUN will coordinate with diverse stakeholders to carry out specifically focused programs and projects for women, disadvantaged ethnic groups, the poor and Dalits.
- FECOFUN will draw attention of diverse organizations, individuals, journalists, pleaders and others towards community forestry process and FECOFUN activities.

- FECOFUN will engage in lobbying and advocacy through liaison and coordination with local governments, lawmakers, and professionals/specialists and governments officials.
- FECOFUN will develop and carry out programs to affiliate greater number of FUGs into the FECOFUN.
- FECOFUN branches will assume greater responsibility towards member FUGs.
- FECOFUN will engage in carrying forward its activities through broader level of networking with other organizations.
- FECOFUN will undertake activities within limits defined by prevailing policies, laws and regulations.
- FECOFUN will keep FUGs informed and update of the periodic policy confusions in community forestry.
- FECOFUN will provide affirmative recommendations to HMG.
- FECOFUN will engage itself as a pressure group to rectify laws and regulations that stand against the interest and welfare of forest user groups.
- FECOFUN will enhance and establish its identity at international levels.

#### 4. TERMINOLOGY DEFINED

##### 4.1 Good Governance

The term ‘**Good Governance**’ is derived from the Greek word ‘**Kybernan**’ and ‘**Kybernets**’. It means to steer and to pilot the things. While the term ‘government’ indicates a political function for policy making, the word ‘**governance**’ denotes both the political and administrative functions. It also implies ensuring moral behaviour and ethical conduct in the task of governing. **Good Governance** is both goal and process. It helps us find solution to poverty, inequality and insecurity.

*“Good governance is perhaps the single most important factor in ..... promoting development.” ( Kofi Annan)*

*“Good governance .... arouses the sharpest disagreements and inspires the greatest introspection.” (H. Root)*

*“Let the people think they govern, and they will be governed.” ( William Penn)*

*“Good governance comprises the rule of law, effective state institutions, transparency and accountability in the management of public affairs, respect for human rights, and the participation of all citizens in the decisions that effect their lives. While there may be debates about the most appropriate forms they should take, there can be no disputing the importance of these principles.” (Quoted in Dams and Development. A New framework for Decision-making,2000:209)*

*“Good governance has many attributes, it is participatory, transparent and accountable. It is effective in making the best use of resources and is equitable. And it promotes the rule of law.” (Ibid : IV)*



For the purpose of our study, we can summarize that the ‘**Good Governance**’ is making the best use of resources in **equitable** way.

## 4.2 Equity

One of the definitions of the term ‘**equity**’ as given by The New Webster Dictionary is:

*A free and reasonable conformity to accepted standard of natural right, law, and justice without prejudice, favouritism or fraud and without rigour entailing undue hardship.*

There are number of definitions given in the same dictionary but all of them would translate to *Fairness* and *Impartiality*.

In the past people involved in the judiciary, development economics and natural resource management have tried to define and use the term, but with varying connotations even within a single field of study.

Baker and Longan (1982) try to define the term in a legal sense and say that no satisfactory definition of the term in a technical sense can be given. They however, have explained the term in different ways:

*In its broad popular sense equity is practically equivalent to natural justice or morality.*

*Equity is...(a) body of rules or principles, which form appendage to general rules or law or a gloss upon them.*

*... In modern English statutes, provisions relating to what is equitable will usually be construed as merely referring to what is fair (Baker and Longan 1982).*

Other people involved in participatory forest management also have failed to give an objective definition of the term. Malla and Fisher, in various papers, make the following points:

*Discussion about equity tends to founder upon a lack of agreement as to what constitutes an equitable outcome. It is not necessary to insist that equity requires precisely equal sharing of benefits, although some people may use this as a definition. The word equity has connotations of "fairness" and "justice" not necessary of equality...*

*Equity is a subjective issue, a matter of policy, not a question, which can be decided by objective definition. (Malla and Fisher, 1987).*

*Equity involves getting a ‘fair share’ not necessarily an ‘equal share’. What is regarded as a ‘fair share’ varies according to different situations (and different cultures) (Fisher, 1989).*

*While it is not necessary to assume that equity involves equal distribution of products, it is reasonable to define highly disproportionate benefits to the relatively wealthy as being inequitable (Fisher 1990).*

*Messerschmidt (1981) also essentially thinks that equity does not essentially mean equality but is something to do with fairness. What is fair is defined differently in the hierarchical societies.*

Although the term equity lacks an objective definition, there is unanimity that it equates approximately to 'fairness', 'natural justice' and 'morality'. In this report we adopt this rather loose and subjective definition of equity and accept that any system which is 'fair' and 'morally just' in the eyes of larger (and weaker?) section of the population is equitable and contrary to that is inequitable.

## **5. EQUITY TIERS IN COMMUNITY FORESTRY**

Over one and half decade of implementation of new community forestry policy in Nepal has shown that there are clear equity implications in community forestry. Those are evident in three different level or tiers viz.:

- Micro tier (Intra-group level)
- Meso tier. This would consist of
  1. -Inter-group
  2. -Group vs. Non-group
- Macro tier (National level)

### **5.1 Micro tier**

Intra-group or micro level inequity issues are observed within the user group. Following examples may depict the mixed nature of problem:

#### **Example 1**

*Fuel wood collection in Jherdi Nindhara Forest in Palpa has been restricted once it was handed over as community forest in the year 1992. It gets opened for fuel wood harvesting once in a year during winter and the sole purpose is to remove the unwanted vegetation. The committee decides the harvesting mode, technique, time schedule and price and informs the same to the general public in the general assembly and the people find no alternative but to comply. Women and poor often complain that the committee decisions are impractical and claim that such impractical decisions would mean that they are either forced to stay away from taking part in harvesting or do so at a formidable cost. They view that forests though regenerating very well served the purpose of the well off than that of the poor.*

#### **Example 2**

*In 1997 Jiba Khorla community forest user group in Siraha had made substantial sum of money by Khair to the local contractor. There was a difference in opinion in terms*

*of how the accrued money could be utilized. The more affluent higher caste people wanted use the money for building a temple and a village road. The untouchable poor on the other hand, saw that both of the investments did not carry much sense to them. The untouchables did not at all have an access in the temple and mostly the rich accessed the roads. They proposed to divide the whole sum of money amongst all participants. However their proposal was not listened for one or other reason and the money was spent for the road and the temple.*

### **Example 3**

*The Purnakot Forest user group has closed its forest for grazing since several years in the past. At least, some of the ox-owning households argue that the forest now needs to be open for grazing (arguably, the oxen may not be solely stall-fed for maintaining their stamina for the purpose of ploughing). There is large-scale frustration among such households who have actually decided to continue staying away from the group.*

Three reasons are apparent why the equity problems are so paramount within a group. These are:

- Social heterogeneity
- Domination of rich over the weaker section
- Patron-client relationship in the community

Communities in Nepal, unlike what has often been considered, are truly heterogeneous in nature. Men and women; rich and poor; elite and ordinary citizen; educated and illiterate; professional castes and the higher castes; bazaar people and non-bazaar resident are frequently part of the same community forestry user groups. This heterogeneity is reflected upon their diverse interests and capacity. Thus it is unlikely that one patch of forest can precisely meet the interest of so many regardless of the fact that community forestry policy pleads for a true form of consensus amongst all.

The complexity element rooted in the heterogeneity is further exacerbated by the 'patron client relationship' in the community. Often the poor are dependent upon the rich and the elite during the social and financial crisis and hence are obliged to them. Such obliged individuals or groups of people can hardly express their concern nor can make a real bargain for the same with the supposedly 'superior' neighbors especially when their interests tend to clash with that of the former. Consequently stronger voices of the rich and elite do often undermine the feeble voices of the weak. This very situation also paves the way for misuse of the financial resources the group may have in their account.

## **5.2 Meso tier**

The meso tier would consist of:

- Inter-group
- Group vs. Non-group

Unlike the problem in the micro level described above, the regional or meso level issue crosses the formal user group boundary. Two different types of problem situations are evident in this tier. One relates to the problems in the inter-group level and the other extends to a much wider geographical area and embraces the issue concerning with those who have acquired the community forests and the ones who completely lost their use rights from such handover.

The first issue normally would relate to undue taking over part of forests by a group and consequently affecting the actual share of those who used to have indigenous use rights over the same parcel of land. Unclear boundary between two FUGs leads to conflict. Boundary related conflict is the most common conflict emerging in Lalitpur district (Mathema, 1996). According to Mathema, this type of conflict occurred between Sirsing and Chandol FUGs of the district. Size and condition of community forests is another issue where FUGs would differ. The areas of the CFs owned by some FUGs are excessively large and are more than enough for their needs while those owned by some FUGs are small for the fulfillment of their needs. The big and small sizes of the CFs are thus the causes of dissatisfaction. On the other hand, the conditions of CFs handed over to the users within a VDC also creates dissatisfaction between the FUGs as some CFs possess good stocking of trees whereas some do not.

The second issue is to do with complete loss of use rights owing to the reason that the whole parcel of land might have gone elsewhere. While the former issue is a matter of common occurrence in the hills, the latter is so in the extensive forest tracts in the Terai. The group vs. non-group problem is more conspicuous in the Terai where resources are rich and, unlike in the hills, are normally segregated to a corner away from the principal communities who depend upon them.

The following examples may help clarify the two types of issues described above.

### **Example 1**

*Resha and Sigana VDCs of Baglung district are fighting for control of the Buchhung forest each disputing the other's boundary line. The people of Sigana insist on the Sang Khola and its small tributaries as the boundary lines, including major forest areas like Buchhung, Mulabari, Baura Patal and Chitre Pipal within their VDCs. Resha people insist that the boundary line is the trail to Damek village, thus keeping those forest areas for themselves. Prior to the strengthening of the concept of separate VDCs, the Committees were able to share Buchhung's resources. For example, during 1960/61, the people from both the VDCs had a meeting initiated by the Chairperson of the then Sigana Village Panchayat, and decided to donate the income from the grass of Buchhung forest to the local school of Sigana. However, when another school was later established in Resha, Sigana people refused to agree to donate proceeds from the Buchhung's grass income to this school, claiming Buchhung's forest as their own.*

### **Example 2**

*Four thousands hectares of rich sisoo-khair-sal forest on the bank of Karnali river in Kailali district has officially been handed over to 1,600 HHs mostly from Kailai district (Chhatiwan community forest). Most of members of this FUG are immigrants from the hill district of Achham, who came some decades ago. The local people we*

*talked to estimated that prior to this handover a substantial number of people from 11 different villages (the total population of this village is between 44 and 66,000) on the southern side of Karnali used to also benefit from these forests. These people were predominantly Tharu ethnic communities in the Rajapur area of Bardiya district on the other side of the Karnali River. With the exception of a few HHs, they have not been included in the FUG. The few that were included lived along the river on the other side and were considered to provide effective protection against encroachers.*

*The southern flank of Karnali virtually has no forest because it is surrounded by the Royal Bardiya National Park to the east, India to the south and the Chhatiwan forest in the west. Previously, they had used the forest on the northern flank of Karnali when the current of the mighty Karnali calmed down in the post-monsoon period and they were able to cross. Being excluded from this forest has been a serious blow on their traditional use rights and they tried to rectify the situation. They complained to the district administration, claiming that the forest used to be under their jurisdiction, but as poor ethnic group, they have little hope of winning. (Source: Baral and Subedee, 2000)*

### **Example 3**

*In Siraha district, over 6000 hectares of forestland have been handed over as community forest to nearly 60 user groups. The concerned forest patches lie in the southern fringe of Churia range, the only remaining tract of forestland (28,000 ha) in the district. While the said handover has contributed to regeneration of the resource in the area and helped generate funds for commissioning local development works, it has a clear implication to the main tract of Churia that just adjoins those handed over patches. While restrictions are imposed in the community forests, the demand for forest products has continued both within the forest user groups, and the settlements extending as far as to the Indian border. These groups of people though resort to some alternative measures (for example, meeting parts of the needs from private plantation), are unlikely to meet their demands in a significant way, and therefore have no options but to continue rely on Churia more than ever before. The restrictions in the community forests have resulted into more extensive use of inner part (main-land) of Churia. This as a consequence, causes massive destruction in the Hinterland Chure. (Source: Baral, 2002)*

Root of the problems may be attributed to:

- Vested interest of intervening agency/local elite
- Complicated nature of the problem

It is apparent that local groups of elite are tempted to have a control over the resource for one or other reasons. They may use their political influence for the transfer of tenure and the intervening government staff might complement to help achieve their mission. 'Handing over' is often juxtaposed with 'centralisation' or even 'forest destruction' and they tend to make a strong case for a prompt handover. The resource thus gets out of control of the government without having done an adequate level of homework with regards to whether the handover embraces all relevant stakeholders of

the forests under consideration and whether the concerned groups of people are adequately empowered.

This is not to mean that vested interest is only the culprit for erroneous results. In fact, the complex nature of resource-stakeholder relationship complicates even in situations where there is a genuine level of attempt on the part of the local people and the staff of the intervening agencies. The use rights in itself is a 'contestable issue' and clear 'yes' or 'no' answers are lacking (Baral 1990). The problem is even more complicated in the Terai situation where the resource and the a huge number of possible contestants are not necessarily located next to each other but are often segregated in vast geographical area.

### **5.3 Macro Tier**

Not all parts of the country are endowed with equal amount of forest resource in terms of quantity and its monetary value. Possibly, the government income from forests has dwindled in recent years, which may have implications on development works in the areas with poor resource. This dwindling of royalty from forest resource can be attributed to handing over of timber rich forest of Terai to the local Communities. Besides, deviation of FUGs from Forest Operation Plan and objective of community forestry can have adverse effects on national economy. One such example can be cited in *Patle Pansing* CF in Dhankuta district (Shrestha, 1995).

#### **Example 1**

*A section of mixed sal forest that had been handed over to a user group had only a sparse vegetation of young sal because of a rocky-out-crop. It had been a stone quarry 30 years ago. The user group had been protecting this forest without any problem. Following the government's plan to build a major hydro-power project of considerable national importance in that district, a private company was awarded contract to construct an approach road originating about a kilometer away from the community forest. Upon the contractor's request, the DFO issued a permit to quarry a rocky part of the community forest on the basis of a rule made 24 years ago, which authorizes DFO to issue such permits in the case of national forest. The contractor quarried the area. The forest user group did not challenge the validity of such a permit but, instead decided to levy a tax on the basis of truckloads of stones. This continued for some time till it came to the attention of the center which at once ordered an enquiry, stopping the quarry and affecting the construction of the approach road. This prompted the NEA to request the DoF to permit quarrying from the area of 100,000 cft of stone. NEA cited the high quality of stones and said no other potential quarry with similar quality exists within a radius of 100 km. Further, the cost of transporting such a quantity as far as 100 km. would be exorbitant. Under community forestry rules, quarrying is not permitted.*

The above example demonstrates the inequity in the sharing of natural resources at the national level.

## **6. MAJOR INITIATIVES OF FECOFUN**

It may be observed that FECOFUN, in line with the set vision and objectives, is steadily moving towards more robust institution in terms of engendering solidarity in its constituent community forestry user groups. Anecdotal account suggests that, in the beginning, it limited itself to either rhetoric alone or the token initiatives towards group solidarity. The situation has largely changed now. The fourth and the latest National Council Meeting suggests that FECOFUN is keenly involved both in institutionalising activities within itself and in uniting the constituent groups towards group solidarity and collective action. It is apparent that DFO machinery has been too inadequate in terms of supporting the group after their formation and the FECOFUN seems to have fulfilled the gap to a large extent.

The progress report presented by the Member-Secretary in its 4th Council Meeting held in Nepalgunj reflects that FECOFUN's thrusts and accomplishments are remarkable. The accomplishments may be grouped under two major heads:

- Structure related Initiatives.
- Group Solidarity related Initiatives.

### **6.1 Structure related Initiatives**

This relates to organisational overhauling where attempts have been made towards a more capable and efficient institutional arrangements suited for better service. These essentially include:

- Constitution of Regional Co-ordination Committee (in place of its predecessor: Zonal Committee).
- Activating rather inactive CFUGS and stimulating them to join the Federation.
- Reorganising the secretariat in keeping with the new demand. Eight different divisions are established in this connection. These are: Administration, Account, Public Advocacy, Resource and Communication, Group Service, Training, Women's Programme, Non Timber Forest Products.
- Preliminary works towards constructing a permanent building of its own.

### **6.2 Group Solidarity related Initiatives**

These initiatives essentially consist of activities related to Human Resource Development, Resource and Information Management, Support to CFUGs, Women Focussed Activities, Non-Timber Forest Products and several of Advocacy Campaigns.

### 6.2.1 Human Resource Development

The following table demonstrates the human Resource Development related activities carried out after Aswin 2058.

Activity	Women	Men	Total	Remarks
Facilitation skills for CFUG formation	17	63	140	
Operational Plan preparation skill	51	52	103	
Awareness raising for rights	7	13	20	
Conflict management	13	11	24	
TOT	10	13	23	
Proposal and report writing	20	22	42	
Account keeping (Computerised)	1	1	2	
Library management	-	1	1	
Team building	14	16	30	
Public advocacy	9	14	23	
NTFP identification and awareness raising	15	34	49	
Leadership training for Women	45	-	45	(For district and central level)
Legal awareness	54	88	142	
Good governance	46	48	94	
Self-motivation	-	1	1	
Women's package	16	1	16	

### 6.2.2 Resource and Information Management

This includes following activities:

- Publication or procurement of books, brochure, audiovisuals.
- Radio programmes.
- Email/Internet access for the central office.

### 6.2.3 CFUG Support

Over the years this activity has received a higher priority. The '**group service programme**' under this head has been increased to 35 from the earlier level of 15. Currently 69 trained people have been helping in terms of CFUG formation and constitution/plan preparation. The following is the achievement in the first six-month of fiscal year 2059.

No of district	No. of groups which received service	No. of Households	No. of heads	No of committees formed	No of constitution	No. of working plan
21	34	4,306	23,402	292	28	4



#### 6.2.4 Women Focussed Programme

FECOFUN appears to have given an emphasis on women involvement in community forestry. Besides putting a conscious attempt to emphasise women in the overall programme in general, a concerted effort seems to have been made in a way that women are brought to forefront. Literacy seems to be at the heart of the women programme in which four districts are covered under women package programme. 235 individuals in Bhojpur, Sankhuwasabha, Dhankuta and Terathum coming from 12 CFUGS were made literate through 14 women trainers.

#### 6.2.5 Non-Timber Forest Products (NTFP)

FECOFUN, to some extent, is also known to be involved in promoting non-timber forest products in handed over community forests. NTFP awareness (in some hill districts) and NTFP conservation (in Baitadi and Darchula districts) are the basic activities that are being pursued under this head.

#### 6.2.6 Lobbying and Advocacy

Lobbying and advocacy is probably the most intensively pursued theme of FECOFUN. Thrust of lobbying seems to be both in the area of forest hand over and in defending the rights of the groups. Advocacy and lobbying has often occurred in pressurising the government in handing over the rich forests in the Terai and in admonishing the government not to curtail the rights of CFUGs that have already been provided by law.

##### **Lobbying for Terai Forests hand-over**

- Initially, the attempt was started through '**Terai Forestry Action Team**' and '**Stakeholder Group**' and the FECOFUN was involved in both. Currently the two initiatives are merged under '**Forest and environment co-ordination committee**' and FECOFUN continues to play leading role in the new institution.
- With an intention to know ground-level situation in Tarai, FECOFUN and a NGO called WATCH have acted together for a brief field-based study in some districts of Tarai. The districts include Rupandehi, Kapilbastu, Nawlparasi, Sarlahi, Mahottari, Sindhuli, Siraha, Kailai, Kanchanpur, Banke, Dang and Surkhet.
- Lobbying against new policy in Tarai which aimed to manage Churia forest as '**protected forests**' and large tract of forest as '**government managed forests**'
- Lobbying against the '**Operational Forest Management Plan**' and '**Collaborative Forest Management**' concepts put forward by the government. The allegation was that they discourage community forestry in the Tarai.
- Lobbying against Nepal Bio-diversity Strategy with an allegation that it does not promote community forestry in the Tarai

##### **Lobbying against change in policy/legislation in miscellaneous issue**

FECOFUN has raised serious concerns against all types policy and legislative changes. It made a resistance:

- Against the first amendment of Forest Act that made it mandatory not to sell the products from community forests below the government rate.

- Against the same amendment which allowed DFO to take actions as per the Forest Act 2049, in case if the committee executives are responsible for destroying the forests beyond what is provisioned by the approved operational plan.
- Against the government policy which maintained the monopoly of TCN in timber trade.
- Against policy change in leasehold forestry, which stipulated that community forestry does not necessarily would get a priority over leasehold forestry.
- Against the circular/or ordinance, which requires that, 40 per cent of the income from community forests needs to be deposited in the government treasury.

## **7. ROLE OF FECOFUN IN EQUITY: A REVIEW**

We have observed that nearly 13,000 patches of forests are under community forest management and their conditions, in general, are improving. It may, however, be noted that our motto is not just forest regeneration but goes beyond that. We want to see that the forest management system is equitable; the basic prerequisite for good forest governance.

The forgone section signalled that there is equity implication in community forestry, which may be either in micro level, or meso level, or in the macro-level. Some of those may be inherent to the characteristics of the hierarchical Nepalese society; some due to erroneous intervention on the part of the DFO staff; and some due to the policy problem.

It is however encouraging to note that the users themselves have wanted to be federated into a form of civil society which declares itself to strive for an equitable forestry system. Let us try to review the role of FECOFUN to see to what extent it is likely to address the relevant equity issues.

### **7.1 Strengths or Positive Aspects**

Consequently, Department of Forests has realised that the local communities are most appropriate social units to whom the forests could be handed over so as to achieve the twin goals namely: conserving the forest; and fulfilling the basic forest product needs of the community concerned. Accordingly, the District Forest Office (DFO) staff are annually handing over large parts of national forests to a vast number of user group scattered all over the rugged terrain of the country. At the moment, the number of user groups stands at about 13,000, which is bound to rise every year. Given this situation, the government may be contended to note that the users themselves are being federated into a group for their own benefit and that of the forest resource they hold. It is certainly inspiring that these groups often meet, exchange ideas, learn from each other and are committed for a solidarity with relatively meagre external support.

- *Encompasses grass-root level organisation*
- *Pressure group against deforestation*
- *High degree of commitment*
- *Efficient/ sustainable*

- *Emphasis on women empowerment*
- *Puts pressure on government staff for transparency in development works*
- *Puts psychological pressure to work more sincerely*
- *Raise finger when government wants to be too autocratic.*

They seem to be quite efficient in terms of outputs and services they provide. Examples can be cited from the money they have been providing to some field level community mobilisers who receive as low as Rs1000/ per. Month. Very high level of commitment seems to be within the people who are placed in the central office in Kathmandu. It was observed that they are prepared to work even during the weekends or on government holidays. Besides, they have their own budgetary system and the government does not provide financial support to this civil association. Though, they do receive support from national and international donors who possibly wanted to support it by virtue of its rather altruistic objective and a transparent accounting system. Thus promising feature exists for institutional sustainability. It appears that it has actually withstood the test of time.

FECOFUN seems to have been volunteering itself to work as “*creative manager*” who wants to employ someone in his organisation to constantly raise critical issues so that the same could be looked upon and addressed for the long-term benefit of the institution. It appears that FECOFUN has often been raising critical issues and thus is providing opportunities for the policy makers to be critical of the policy changes they might have planned for.

FECOFUN also seems to have infused psychological pressure on the DFO staff, relatively less committed to their work. Delay in community forestry handover or review means that pressures are likely on the part of the FECOFUN who, in turn, is likely to work more seriously out in the field. Besides, staff of FECOFUN who are prepared to work for long hours in difficult rural conditions on a modest level of pay is likely to force the DFO to at least towards working with a better efficiency. This seems to have an implication also in transparency in the financial expenditure they make in the field in connection with various types development works.

It has demonstrated that it can act as an effective pressure group to the government whenever it perceives that the government intends to change its policy in a way that affects interests of the group in general. It seems to be able to mobilise majority number of user-groups when it realises that there is a dire need to demonstrate group solidarity so as to resist or make influence on the likely decisions from the government. There were instances where a number of CFUG representatives made a demonstration in Kathmandu or the district headquarters when they realised that government was likely to change the community forestry policy in a way that affects their interests. The institution has been able to politicise their issue when need arose. They seem to be able to effectively mobilise the mass media like newspapers and radio programmes in their advocacy/lobbying campaigns.

Their strength lies on a large number of people at the grassroot level rather than those in the centre. Their strength also lies on the women to whom they intend reach through

various measures including training, seminars and workshops. This tends to have advantage. They tend to speak out the aspirations of the local community, which means that it is more realistic and for the same very reason they have a better 'stamina' for strong bargaining.

## **7.2 Weaknesses or Problem Aspect**

It may be observed that despite remarkable degree of success of community forestry in regenerating the resource, it is not flawless. Equity problem tends to percolate to various levels from micro through meso to macro level and FECOFUN naturally may not be expected to address these all. There may be both specific as well as inherent problems that might hinder FECOFUN from attaining an equitable system.

We have noted from the Siraha case that a number of equity problems lie in the intra-group and that FECOFUN has not always been attending to such problems. Equity in hierarchical society is always very difficult to solve, if not impossible. The deep-seated social values that undermine the interests of the weaker owing to a number of reasons including 'patron client relations' really complicate the issues to be addressed. Besides this, a number of problems inherent in FECOFUN also might hinder it from genuinely trying to address such issues. After all, people at the FECOFUN leadership level, like anywhere else, tend to come from higher echelons of the society. Consequently, the severity of the problem tends to be masked behind the number of other more conspicuous issues and hence remains unaddressed.

- *Elitism still in prevalence*
- *Organisation attempt from the top than bottom*
- *Ethnicity is yet to get enough attention*
- *Failed to collaborate with 'DoF' and 'NGOs'*
- *Concerned with 'intra-group' or 'inter-group' interests*
- *Interests more on 'forest handover' than in addressing equity issues*

The problems may have their roots in the very way FECOFUN's structure had been originally conceptualised. The apex body tends to be formed through indirect election of the representatives and that the individual members of the group may have little knowledge about the role the institution is supposed to play for their overall benefit.

FECOFUN tends to concentrate relatively more on getting the forests handedover than in addressing intra-group or inter-group equity issues. Such concern is more for the Terai forests than for anywhere else. It tends to see this as only solution in community forestry and makes a case for a prompt handover. The government, on the other hand, views that scenario of the forest users is complex and that it cannot consider to handover huge and rich Terai forests to a limited HHs that adjoin forest territory. The DoF staff often question the role of FECOFUN who see that their concern over the equity at the intra-group, inter-group, group vs. non-group and the national concerns are least as compared to their forest handover in the Terai. The higher degree of emphasis on forest handover than on equity, particularly in the later two levels may not be taken as a surprise. After all, FECOFUN, like any other federated association, is

bound to strive for group interests more than any thing else. To expect an organisation to speak on behalf of people who are not members (or not likely to be the members for various reasons including the practicality factor) is unnatural and absurd. This is a conceptual issue in general than an issue directed exclusively toward FECOFUN.

The relationship between the DoF and the FECOFUN is thus strained one. They often do conflict than do they collaborate. Sometimes one even views the other as a rival. No wonder, DoF tends to have a more positive view on NECOFUG, another NGO, which is considered to have split from FECOFUN for various reasons and is known to understand the problems faced by DoF in various issues including community forest handover in the Terai. Understandably, the relationship between these two NGO's is rather unfriendly and at least the former virtually views the latter as an official 'competitor'. Apparently the latter considers the former as inconsiderate and power hungry and the former considers the latter as a government puppet. Obviously there is hardly a collaborative situation required for good governance.

### 7.3 Opportunities

Insuring equity at all levels would require a collaborative effort on the part of the government and the relevant civil associations. Currently, the relationship between these is strained and a free and frank dialogue is lacking. However, there is no point to despair. The doors of opportunity remain open. Forest bureaucracy in Nepal, though not superb, may still be considered as one of the most flexible and receptive bureaucracy in the world. It is this very bureaucracy, which was prepared to do a lot of trial and error to finally arrive at a current mode of people centred community forestry. Currently, the degraded vegetation on hill slopes has regenerated due to ceaseless effort on the part of community forestry user groups who depend on those resources.

- *Relatively receptive forest bureaucracy*
- *Civil associations which could 'contest' for their rights as well*
- *New participatory endeavour in the Terai*

The reinstallation of multi-party democracy has witnessed upsurge of a large number of civil societies like women associations, ethnic group associations, youth clubs and a number of associations with a number of specific interests. The number of such associations though, currently tends to be higher in the hills than in Tarai and mountains, rooms exist for their emergence and expansion in the future in Tarai as well. Promotion of such associations in the areas with poor forestry resource, though seemed problematic both for some government bureaucracy and the FECOFUN, they may play key role to ensure equity issues by way of raising their voices and by way of acting upon the emerged situations.

Besides, recently two donor-funded projects (BISEP-ST, a SNV supported project and LFP-Tarai, a DFID supported endeavour) have been initiated in the Tarai and it may be hoped that the endeavours could find some feasible solution to deal with the complex problems prevailed in the Tarai.

The situation with FECOFUN is equally encouraging. FECOFUN has grown into a strong, independent and visionary NGO. Its members are competent and are committed to a good work. They have been able to command the confidence of a large number of people in the rural areas. This situation is quite favourable one to carefully listen to what others have to say for rejuvenation of forest resource and for attaining equitable forestry systems at all levels. Name itself does not matter but what counts most is that the endeavour needs to be instrumental in conserving the resource and that the Nepali citizens who depend upon the resource (directly or less directly) should feel that the system is based on equity than inequity and monopoly. The ceaseless efforts on the part of the people and the government have been able to make the traverse so far. No doubt opportunity exists for further improvement.

## 7.4 Threats

We saw that there are opportunities to improve the situation. However, it may be noted that those are not independent but are associated with some serious degree of threats. Probably the highest degree of threat lies in lack of trust between the Forest bureaucracy and the FECOFUN: the leading civil association in participatory resource management sector. Each tends to be apprehensive about the activity and the intention of the other. In recent years, the problem has grown to such a height that the views expressed by one gets antagonised by the other no matter how valid and robust it might be.

- *Stereotype within stakeholder institutions*
- *More on coldwar than on action*
- *FECOFUN considers DoF as forest mafia*
- *DoF considers a threat from own's offsprings*
- *DoF considers FECOFUN as group concerned for grabbing rich resource*
- *Each tend to have 'over confidence' on self*
- *CF seen as a panacea*
- *'Tug of war' between CF vs. government management and Terai people just spectators – Appendix IV; page- viii*
- *FECOFUN has succeeded forest management to stand-still*  
*Consequences are;*
  - *Lack of forest management*
  - *Weaker Terai people; just the spectators \**
- *CF backed by;*
  - *Press/ media*
  - *Donors*
- *NGOs \* This is illustratec in appendix IV (P-viii) where FECOFUN and the government are involved in tog of war. The Terai people who dependupon the resource are just the spectators.*

FECOFUN may often raise its voice for forest handover with a genuine desire of stopping the forest degradation trend of the nation while the forest bureaucracy may interpret the same as a deceitful move inspired by an intention of grabbing the valuable resource. Similarly, On the other hand, the forest bureaucracy might be hesitant to

handover the forest resource particularly of the Terai for so many conspicuously valid reasons described above. However, the move might be interpreted by the FECOFUN as a deceptive step on the part of the bureaucracy to continue making money from their collaborations with *forest mafia*. While forest bureaucracy might consider their supremacy (sometimes erroneously?) over the FECOFUN people on their technical knowledge, the later might be tempted to quickly react over the bureaucratic move, some times solely on the basis of rather superficial feedback received from the others.

Obviously, the genuine point made by one party has not being listened by the other. Citing few examples might not be out of place.

FECOFUN has often been critical of the Department of Forest whenever it has pursued a scientific forest management concept through implementation of Operational Forest Management Plan (OFMP). The allegation is that the concerned plans have ignored the interests of the local communities, thus leaving serious implications to the community forests handover in the future. Apparently, the assumption is that community forestry is a panacea for all types of forestry problem. Thus a planned attempt of scientific forest management has been a matter of serious objection on the part of the FECOFUN and the forests particularly in the Terai have remained unmanaged.

We do not intend to suggest that the approach for drawing OMP has been flawless nor that the allegations made by FECOFUN are baseless. However, our concern has been on forests, which so far have had no opportunity to be managed. It is generally agreed that we would have gained eight fold more by managing the forests compared to the status quo situation of leaving the forests unmanaged. No wonder the Finns who were lately involved in taking nation-wide inventory made a remark, and said that 'we Nepalese were sleeping on a diamond bed and were not aware about the same'. What they actually meant by that was we were being foolish by not manging the forests and hence the incremental benefits.

It is valid for the FECOFUN to have shown its concerns over the process the OFMP was actually formed. However, it is not valid for it to forget the reality that the nation has been losing so much by not managing the forests and it is looking over the whole scenario simply as a spectator.

Let us look at another example. FECOFUN sternly condemned the government for having brought about the following changes in the Forest Act, 2049 (or relevant policy) by alleging that government has effectively robbed off the group's autonomy.

1. The CFUG may not sell forest products to the people outside the group at a price not below the government royalty (e.g. Rs. 225 per c.ft. of sal timber and Rs. 10 per kilo gram of khair) community forestry user group get an optimum price out of their forest.
2. The CFUG may not be immune to the litigation as provisioned by the Forest Act , 2049 if found that there is clear case of non-compliance to the approved operational plan thus leading to the forest destruction.

Let us try to ponder on some of the reasons why the government had chosen to go for such an unpopular decision. One may find that several forest user groups were selling the forest products for an unimaginably low rate as compared to the prevailing market rate leading to a nominal savings in the CFUG account (see for example, Baral and Subedee, 2000). One can also find a number of occasions in which the community forests got destroyed by those very groups to whom the resource had actually been entrusted (Example: Kohidoom Community Forest in Tanahun).

We do not intend to suggest that the new provision did not curtail the user's autonomy but want to emphasise that government might have no choice but to take even a unpopular decision so as to check frauds within problematic groups. Had there been a congenial relation between the two parties, such situations might have a better chance to be listened and to be rectified in a collaborative way. We genuinely believe, as such, neither parties necessarily have a bad motive but problem arise because of lack of communication barrier brought about by severe degree of mistrust. This reminds us of one Nepali folklore:

*Sita, a housewife, was sick and tired of attending so many guests visiting the family everyday. She preyed to the god not to send any more guests to her house, but apparently he denied to listen her prayer. One fine morning, when her husband, Ram, had gone for a short walk, Hari, a close friend of him appeared. The frustrated women naturally wanted to get rid of him. She wittingly fabricated a story and said that Ram had gone crazy who has got a habit of chasing people with a stick the family had in their house. She suggested that he would better leave the place immediately or else he may be in trouble. The man was sorry about what had happened to his beloved friend but decided to leave the place immediately for the sake of safety. Not long after he had left the house, Ram returned to see that his friend was hurriedly running out. He asked his wife what had gone wrong. The deceitful woman had already fabricated a story. She said that he had been asking for the family's 'big stick' but she failed to give out the same as she thought that the family wants that stick in the future. She said, the event made the man so angry that he decided to leave in despair. Ram was mad at his wife who had denied giving out such a minor thing to such a beloved friend of his. He immediately picked up the stick and rushed towards Ram with an intent that he could give the stick that he wanted. But Ram wouldn't stop, as the feedback he had received from his wife was still fresh in his memory. He ran and ran for his life assuming that the story told by Sita proved true!*

Probably the story may have some messages to give in the present context.

Possibly, mission of both the institutions is good governance in resource management. If that is the case, why is there such a mistrust. Is it likely that one has been trying to run out from the other simply due to reasons similar to what has been presented in the story above? Probably the need of a free and frank discussion may not be overemphasised.



## 8. RECOMMENDATIONS AND CONCLUSIONS

After a long trial and error, Nepal has finally identified ways for conserving forestry resource of the nation, at least in the hills where about 13,000 user groups are managing over a million hectares of forests. However, she is yet to come to terms with deforestation problems in all parts of the country and with possible inequitable outcomes. The prevailing mode of community forestry may not be the complete answer specifically in the Terai where the relationship between the resource and the people who depend upon the same is very complex. Probably a new ways are to be identified that would insure resource regeneration, thereby producing equitable outcomes at the same time.

- *Shade away 'stereotype'*
- *Think 'holistically' than 'parochially'*
- *Macro and meso level equity are as important as 'intra-group' equity*
- *Help promote a number of civil associations in Terai*
- *Initiate more open/ free and frank dialogue between all parties concerned*

It is encouraging that majority of community forestry user groups formed so far are unified through the Federation of community forestry users who are striving hard for attaining twin goals of resource conservation and equity. Its role towards conserving the forest in a better way thereby, addressing equity issues within the groups (and some times between the groups) is really commendable and is hoped it will continuously improve in future.

It may however be noted that it is too ambitious (or even unrealistic) to assume that a federation of official user groups is likely to solve the complex problem in the Terai. These are the areas where resources are located far away from the majority of people who depend on them, and are not likely to form into the group and take control over the resource in question. There may be a conceptual flaw to assume that an official association of certain groups is likely to show major interests for the benefit of those who are not (or are not likely to be) part of the group. The idea of handing over forests to those people living in a scattered form within the forest territory or in its fringe may not work either from the point of forest conservation or that of equity.

Some may be tempted to suggest that all such forests must be under government control and management. But it has been seen that forests are not conserved through government surveillance alone. Probably we need to find a collaborative way through which forests may be conserved and the equity issues are addressed better. A joint endeavour between the government, wider civil societies including ethnic groups, Dalits, local people and the project personnel with an experience on the subject may help find the appropriate answer. There is need for an open dialogue among all, more than ever before, if forest resources of all parts of the country are to be conserved and the benefits are to be distributed in an equitable manner – the very foundation pillar of good governance in forestry sector.

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