

Scope and Focus

Scope and Focus



One

Left Barren slopes after cutting down trees - Northern Areas, Pakistan
Vaqr Zakaria

Right Top Soil erosion in Lu Quan County, China
Cai Yunlong

Right Bottom Land use in Yunnan, China
Cai Yunlong

Chapter One

Scope and Focus

Land Policy

In 1998, the International Centre for Integrated Mountain Development (ICIMOD), with support from the Global Mountain Programme, initiated a comparative study entitled 'Land Policies, Land Management and Land Degradation in the Hindu Kush-Himalayas' in six countries: Bangladesh, Bhutan, China, India, Nepal and Pakistan. The study demands that primary attention be paid to the causal linkages between land policy, land users, their land management strategies and the environmental outcomes. Its key focus is the impact of policy on land management and environmental outcomes. It must also be able to make constructive suggestions on how to improve policy in terms of its actual or potential environmental and socioeconomic effects and reduce adverse impacts where they can be shown to have occurred. The second focus is on the way in which land policy is made in the countries under study, its assumed environmental justifications, and the socioeconomic effects it has upon the livelihoods of resource users. This implies that issues of environmental justice, democracy, participation, and equity — socioeconomic and political issues rather than narrower technical ones — should be discussed. This chapter deals with the scope of the research, and the following one with its approach.

There are three substantive areas that the study must examine — land policy, land management, and land degradation. The intersection between land and policy, therefore, constitutes the central focus of this research. However, a reasoned and justified excursion into the non-intersecting parts of the three sets is also necessary. On the policy side, the politics and realities of policy-making, the international ideologies and styles of environmental policy, national priorities and preoccupations, why policies turned out the way they did, and what are the ground realities of implementation will all, at different points, have a bearing on environmental impact. On the land management and degradation side, the dynamics of land-use change and land management quite outside policy effects are usually far more

important in shaping land management practices (and sometimes leading to land degradation) than policy itself. Thus, it is important to have an understanding of the socioeconomic context in which hill farmers and pastoralists earn their livelihoods. They are the principal targets of any land policy that attempts to bring about changes in the use and management of land-based natural resources. They may actively build upon policy opportunities, or passively, covertly, and even actively resist these policies. To understand their response, it is necessary to refer to the circumstances under which they live and to their own institutions that govern collective action. Much has been written already about the dynamics of the society-environment relationship in the region and this research did not attempt any substantive contribution in this area. Rather, it drew upon existing literature, when relevant to land policy, on a need-to-know basis, and, more importantly, delved into more complex socioeconomic issues.

A broad interpretation of land policy could include any policy taken by the state or other institution that affects the use and management of land, directly or indirectly. The potential range of choice includes policies restricting land use (e.g., prohibition of shifting cultivation or urban land-use planning), land taxation (rates, revenue classes), mortgaging, tenure, ownership, titling and cadastral surveys, policies on share-cropping and renting land, forest policy (including social and community forestry), national parks, urban-zoning, trekking and tourist regulations, national environmental policy (e.g., national environmental strategies), industrial policy, energy policy, hydroelectric schemes, settlement and resettlement policy, and road construction and hydroelectric projects plus policies that include foreign-designed and foreign-financed integrated rural development projects and other decentralised, formal policy-making and implementing institutions, which, by their project activities and local policies, affect land use and management. This is a formidable range of policy areas. In addition, there are six nation states, at least twenty subnational administrations (e.g., states, provinces, autonomous regions), and several projects and programmes that might also be said to make land policy and have implementing powers in the Hindu Kush-Himalayan region. Clearly, choice has had to be exercised. The following policy areas were selected by the authors of this report and the country teams for each of the participating nations in this study.

- Forests. This includes a range of management structures (e.g., state, reserve, joint management, social/community, private and commercial, as well as forestry components in integrated and multisectoral projects).
- National parks and wildlife. This includes parks, bioserves, and wildlife projects managed by national administrations, and those

designed (and sometimes partly implemented) by international and bilateral donors.

- Agriculture. This is a broad area of policy with many potential impacts on land management and degradation — including agricultural research and extension policy, promotion of particular technologies and crops, and credit provision managed both nationally and by international and bilateral projects.
- Property, tenure, titling. This includes land reform, common-property institutions, new arrangements of rights and obligations under community forestry, and policies that alter property regimes and are linked to changes in land taxation.
- National environmental policy for each country (including national environmental strategies and action plans). These were considered necessary to provide a context in which land policies are made and carried out. Much environmental policy in the region is primarily concerned with land anyway. In addition, it might be expected that there should be legal, institutional, and policy changes that follow from the adoption of a national environmental policy that are relevant to more specific policy areas. Thus, national environmental policy, insofar as it is linked to land policy, was also included.

Within the five main policy areas, the range within which to concentrate is large, and strategic thinking had to be brought to bear at an early stage to avoid spreading effort too thin. The criteria used for choosing areas within the five were as follow.

- Comparability of themes and issues between countries
- Major policy controversy and debate
- Support from good secondary data, academic studies, project evaluations and other sources

It was also decided that each participating country team should be able to choose up to two optional policy areas that were of particular importance in their country but which lay outside the four common ones. It is common place to emphasise the diversity of the Hindu Kush–Himalayan region, and where there were seven country studies (including two from India), it was not surprising that there were important policy issues that were specific to one country. In spite of the self-imposed limitations, the scope of this study remains wide, and the literature on many of the topics is formidable. Therefore, it was felt that the best way to make an original contribution to any part of this much-researched and written about subject was to take a different and innovative approach to the environment and to policy-

making, in general, and to collect and use data in a distinctive manner to serve this approach. The reader, therefore, will not find the conventional approach used in many consultants' reports in this field. Instead, many of the assumptions on which the conventional approach is often based are themselves questioned.

Participating Countries

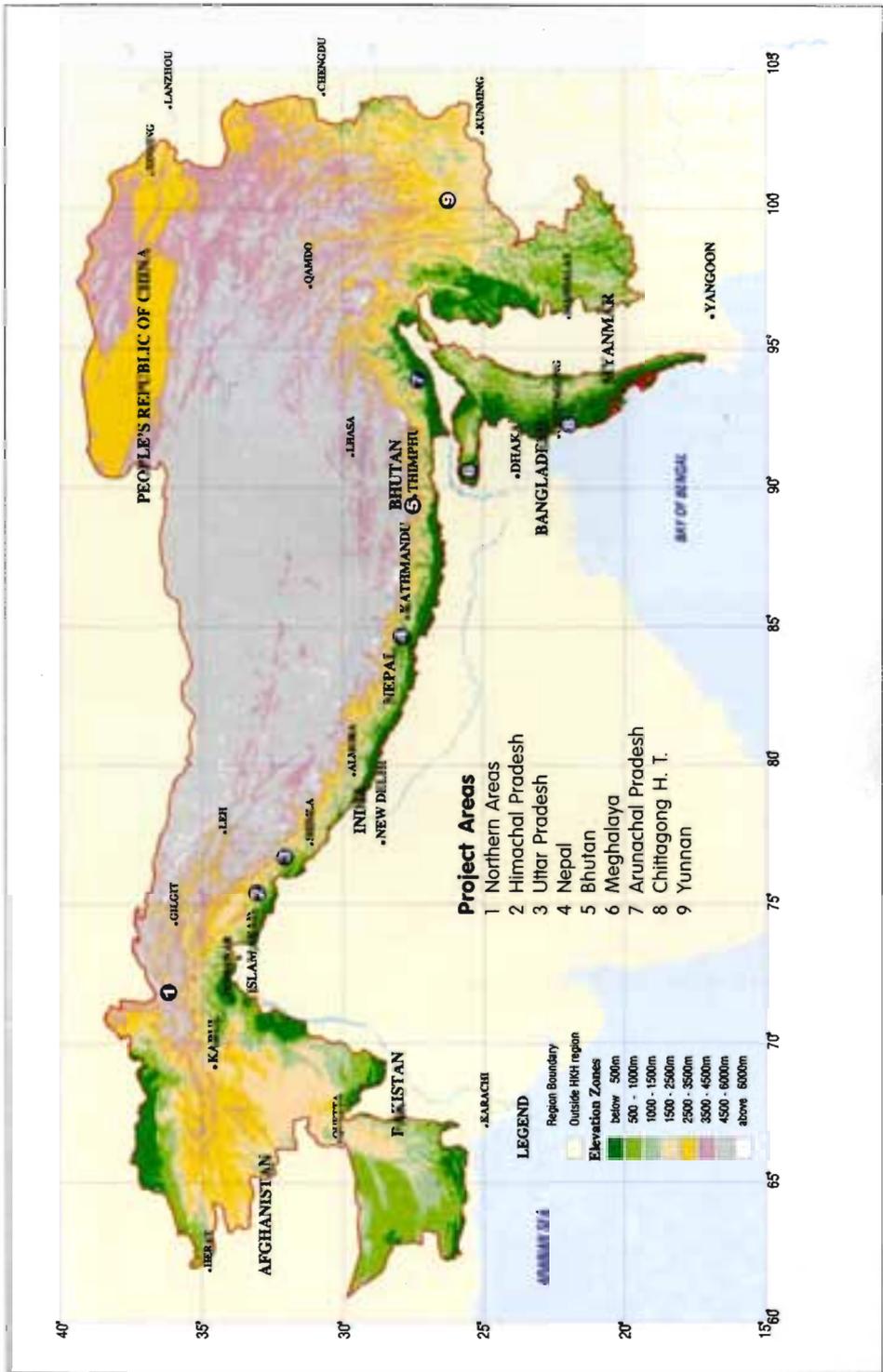
The participating countries in this project were Bangladesh (Chittagong Hill Tracts), Bhutan, China (Yunnan Province), India (two studies: one in the northeast and one in the northwest), Nepal and Pakistan (North West Frontier Province and Northern Areas) (Map 1).

Programme of Work

The intellectual framework was developed in a participatory way between the country teams, ICIMOD staff, and the authors of this report. The first author was the external consultant while the second author was the ICIMOD staff member in charge of the project. The framework was discussed by the country team leaders at an induction workshop held at ICIMOD from 27–29 May 1998. The framework was comprehensively reviewed and changes were made and agreed upon, ensuring that the revised framework was deemed appropriate by all country teams and that a sense of common ownership of the approach was established. The country teams then started work (with varying lengths of delay for three of the country studies). The authors of this report visited as many of the country teams as possible (Bangladesh, China, India, Nepal, and Pakistan). Unfortunately, a visit to Bhutan could not be arranged. Discussions about preparation of the country studies were held, field trips organised, and a number of interviews with key actors in each country arranged by the country team leaders. The field visits by the authors of this report were particularly useful, enabling first hand experience to be gained and a comparative perspective to be developed for each country visited. Final country reports were due on 1 November 1998, a final round-up workshop was organised from the 4–5 November 1998, and a draft final report was delivered four days after that. The report was subsequently revised into the present format.

Levels and Scale

A multilevel and nested hierarchical research approach in each country was followed. Firstly, a perspective was formed in which global environmental agendas were defined, and the various ways in which these had become international policy, negotiated by multilateral, bilateral, and non-governmental organisations (NGOs) with national actors were examined. Secondly, national environmental policy, as far as it concerned our definition of land policy, and specific policies



Map 1: Countries participating in the research

concerning land were identified and evaluated. In some cases, there was an additional subnational tier (e.g., the state in India, the province in Pakistan and the province in China) that had important repercussions on policy-making and implementation. Thirdly, case studies were chosen from secondary sources, either alone or followed up by brief field visits. The choice of these was determined by the degree to which they illustrated general themes in the country study. The project did not have the resources to undertake any more than limited primary data collection other than that collected from key interviews at state level and local case-study level. Thus, there are many policy issues that have had to be illustrated with only a few local case studies, then filled out by other secondary sources at the local or subnational level, whenever possible, to illustrate national themes. The issue of responsible generalisation from one scale to the next and from one country to another is important in such a diverse area from the environmental, cultural, and political points of view.