

# 3

## Other Issues

### 3.1 Indigenous Forest Management in Nepal

Management of forest resources by local communities is not a new concept in Nepal. *Kipat* can be considered as one of the most ancient types of land tenure representing common property resource management (Arnold and Campbell 1985, as quoted by Joshi 1990). *Kipat* was without any legal title and this system was common among the Limbu ethnic group of the eastern mountains of Nepal.

Another ancient, indigenous collective forest management system is the *shinga naua* system of the Sherpas of Solukhumbu district (Furer-Haimendorf 1984). The *shinga naua* were locally appointed officials with the responsibility of allocating forest resources and ensuring that individuals adhered to rules on forest use. Furer-Haimendorf argued that the replacement of this system by an ineffective national Department of Forest contributed to forest degradation in Solukhumbu.

Many other Indigenous Forest Management Systems (IFMS) have been identified in Nepal. Joshi (1989), Tamang (1990), and Fisher (1991) have reviewed the literature on IFMS. Indigenous forest management systems can be defined as systems of collective forest management that are generated by the internal initiative of a local community. Fisher *et al.* (1989) emphasise that the term 'indigenous' should not be confused with 'traditional', because the latter implies some degree of antiquity whereas an indigenous system may be a new development. This differen-

tiation is significant in the discussion of local forest management in Nepal because many local practices and organizations are relatively recent in origin. Another reason for avoiding the term 'traditional' is that it does not necessarily indicate whether a system is a local initiative or imposed by outside agencies. For example, the forest management by *talukdars* during the Rana period can be described as traditional (because it is old), but it was not indigenous, since it was sponsored by the feudal State and not based on a local initiative.

Reviews of the literature show the existence of diverse kinds of IFMS in different parts of Nepal, mostly in the mountains. Despite this great number of systems, some generalisations can be made about the characteristics of IFMS. These are discussed below.

#### 3.1.1 Forest Use Rights

IFMS are based on the use rights of a certain local community group. The composition of such groups is not limited by politico-administrative boundaries. Use rights usually depend on residential proximity to a forest. Sometimes use rights are restricted on the basis of clan or kinship, or a combination of residential proximity and kinship. In general, forest users believe that non-users have no rights to make decisions about their forest.

#### 3.1.2 An Element of Consensus

A feature common to all effective IFMS is an element of consensus within the user group

about the need to impose certain restrictions on forest use. In small groups with extensive social ties and day-to-day contact, the threat of social ostracism is usually a powerful force for compliance.

### **3.1.3 IFMS as a Response to Need**

The existence of IFMS is directly related to the difficulties people face in obtaining forest products. Where forests are plentiful and accessible, it is unlikely that people will form organizations or arrangements to protect and manage them. Wherever there was a perceived need, people have proved themselves to be capable of positive response.

### **3.1.4 Control of Access**

Access by humans and livestock is controlled in various ways. The most common are as follows.

Households using a particular patch of forest hire watchers to protect the forest. Each household contributes an agreed amount of grain and or cash to pay for the services of the watcher. When payment is made in grain, it is referred to as a *mana pathi* system. This type of protection was common all over the mountainous region of Nepal. In some areas, forests were also 'watched' by allocation of duties for 'watching' to each household on a rotational basis.

Sanctions or punishments are imposed on users who break the agreed rules governing the use of forest resources. Imposition of fines, confiscation of 'illegally' collected products and tools, and other application of social pressures as sanctions are common features of many IFMS.

### **3.1.5 Secondary Users**

In some areas several neighbouring villages agree to allow their residents to collect grass, leaf litter, and dry fuelwood for a limited period in each other's protected forest areas. Collection of fodder, green fuelwood, and timber is usually not allowed.

### **3.1.6 Protection versus Utilisation**

The main aim of most IFMS is to limit access rights to a particular forest area or particular products rather than to achieve any specific silvicultural objective. Even in cases where silvicultural objectives are built in, they tend to be conservative. Most systems tend to stress protection rather than utilisation. The reason for this may be that it is easier to reach consensus among users on protection than on distribution. In addition, protection is less risky than utilisation with respect to the response from forestry officials.

### **3.1.6 Effectiveness of IFMS**

Rural people have demonstrated that they are capable of managing common property forest resources. However, IFMS have or do not exist everywhere in Nepal, nor have all IFMS been successful in maintaining healthy stands of natural forests. Many limitations are apparent with obvious implications for the role of IFMS in the future growth of community forestry.

- IFMS may be 'reasonably' equitable, but the issue of equity has not yet been studied in detail. This is where government forestry officials can play a key role in building in equitable distribution of products and services when FUG Constitutions and Operational Plans are prepared.
- IFMS are often conservative in silvicultural terms. Effective social arrangements for forest protection and the allocation of certain forest products are common, but the systems fail to take opportunities for non-destructive utilisation of the forest. Again, this is where extension and training of the users is important, as is the incorporation of silvicultural prescriptions in forest Operational Plans.
- IFMS are based on fulfilling the subsistence requirements of users; they are rarely monetised. Gilmour and Fisher (1991) suspect that it is precisely this non-monetisation that enables IFMS to operate with a reasonable degree of consensus. Attempts to monetise the activities of community forest management will require

more formal organization of FUGs. Training of FUGs in office management, record keeping, bookkeeping and conflict management will be needed because more and more FUGs are starting to monetise their operations.

Where indigenous systems exist, they should be strengthened and built upon through extension, training, and technical back-up by government forestry officials.

### **3.2 The Status of Community Forestry in Nepal**

The Forest Act of 1993 defines community forests as those forest areas handed over to FUGs for protection, management, and utilisation. Two chapters of the Act deal solely with community forestry and FUGs.

In Nepal, FUGs are the legally recognised, local community institutions responsible for managing community forest areas. An FUG has to be registered with the District Forest Office (DFO) together with a Constitution. After registration, the FUG requests the DFO to hand over a part of the national forest. An Operational Plan for the management, protection, and utilisation of the forest area is prepared and submitted together with an application to the DFO. The Operational Plan is prepared by the FUGs with technical assistance from the District Forest Office. Each FUG has an executive body called the Forest User Group Committee (FUGC) responsible for running the day to day affairs of the FUG. The affairs of the FUG are governed by its Constitution.

An FUG is an autonomous and corporate body. The Act also has a provision for an FUG fund, which can be generated from grants from HMG/N or others, donations, assistance received from any individual or institution, amounts received from the sale of forest products, amounts collected through fines, and amounts received from other sources. Expenses for the development of community forestry are met from the fund and the balance may be used for other rural development activities.

Within about a decade of initiating community forestry activities, the number of FUGs has risen rapidly. On 16 February 1998, the total number of FUGs in Nepal was 6,062 and the total area of handed over forest 403,688 ha.

The increase in FUG formation has both positive and negative implications. On the one hand, it indicates a greater willingness by the DOF to support community forestry as well as a greater confidence of the local people in government policy. On the other hand, concerns have been expressed that the DOF does not have sufficient capacity to support a large number of FUGs. Table 3.1 shows the number of FUGs formed and the area of community forest handed over under different community forestry projects.

Extension and training are now the most important component of government support provided to FUGs. The concept of sustainability is built into the extension and training programme. As such, the level of understanding of sustainability is quite high among the FUGs. In fact, they are more conservative than necessary for the sustainable use of their forest resources.

Surveys have shown that literate and relatively well-to-do users are the ones who have some understanding of current community forestry policy. Experience has shown that many villagers, especially those belonging to disadvantaged groups, think that the community forests were handed over to the FUGC members, who are often the village élite. They use the term "*samiti ko ban*" (committee's forest) rather than "*samuha ko ban*" (group's forest).

The process for identification of users and the hand over of community forest are clearly defined in the Community Forestry Manual developed by the DOF. However, in practice some steps in the process often appear to have been bypassed or ignored. This is perhaps the main reason why many users have an inadequate understanding of the community forestry policy, their rights and obligations.

**Table 3.1: FUGs and Community Forest Areas under Different Projects**

Project and Donors	FUG Member	Community Forest Area	Remarks
Hill Community Forestry Project, World Bank	3,530	236,656	Excluding Udayapur, which is also covered by the Churia project
Nepal-UK Community Forestry Project, DFID, UK	1,191	72,351	
Environment and Forest Enterprise Activity Project, USAID, USA	336	28,145	Records of 3 districts only
Nepal-Australia Community Resource Management Project, AUSAID, Australia	463	21,552	
Churia Forest Development Project, GTZ, Germany	105	17,703	Including Udayapur
Nepal-Swiss Community Forestry Project, SDC, Switzerland	147	13,430	
Other districts not covered by donor funded projects	290	13,851	Records of 9 districts
Total	6,062	403,688	

**Source:** FUG Database of the Department of Forests' Management Information System

### 3.2.1 The Gender Issue

The involvement and participation of women is crucial for the success of community forestry because they are the primary users of forests. Field experience suggests that women spend more time in the forests than men collecting various forest products. Thus, scarcities of forest products immediately affect women who have to endure the hardship of walking further to collect fuelwood and fodder. Women can contribute in the identification of the real users of the forest area and have an intimate knowledge of tree species. Thus women should play a vital role in decision-making processes related to forest resource management and utilisation.

In spite of this, it is generally observed in FUG assemblies and other meetings that women rarely voice their concerns or ideas and are merely silent spectators. Participation of disadvantaged people and women in the decision-making process remains low, (Shrestha 1996). Although it has been recognised that women play a vital role in forest management, the representation of women in FUGs has generally

been low. Many factors constrain women's participation in community forestry.

When asked why they are not interested in serving on committees, rural women respond that they can spare too little time from domestic chores. The social norms, in which women are discouraged from speaking publicly and interacting with male members of society and professional staff, also limit women's participation. This is compounded by the prevailing high illiteracy rate among rural women. As such, most of the women members of the FUG have no option but to agree to what the men decide in FUG meetings.

However, things are changing, if slowly. There is now a gradual realisation of the importance of women's participation in community forestry. More activities focussing on women are being incorporated to enhance women's participation. Female workers or extensionists are being recruited to implement women-centred activities such as literacy programmes and special training and study tours for women. Examples of all women FUGs are growing. The DOF database shows that 162 of the 6,062 FUGs

recorded up to 16 February 1998 were all women FUGs.

### **3.2.2 Disadvantaged Groups**

It is quite normal in most FUGs to find a mix of different ethnic households. There are generally a few households from lower caste or disadvantaged groups (such as *kamis* [blacksmith], *damais* [tailor], and *sarkis* [cobbler]). These people are mostly dependent on the village elite as they either work as tenant farmers or farm labourers. As a result, they find it difficult to voice their opinions and interests in FUG assemblies.

Poor people who depended on 'open' access forest resources for their livelihood, e.g., charcoal makers, firewood sellers, and sellers of medicinal plants, no longer have access to the forests because they are now 'closed' by FUGs. These people have been forced to change their way of life; most of them now work as labourers at construction sites and stone quarries, or as porters.

### **3.2.3 Income Generation and Local Development**

Experience from many parts of the country shows that FUGs have been making sizeable income from the sale of forest produce. Some FUGs have even adopted innovative ideas of entrepreneurship. For example, Thuloban FUG in Lalitpur district has been selling Christmas trees to big hotels in Kathmandu since 1994 (price US\$50 per tree). A number of FUGs are utilising their funds in local development work. The fund is generally used for repair or construction of schools, temples, and trails and for upgrading drinking water facilities. For example, Karkitar Sathimure FUG in Sindhupalchowk district in Central Nepal was able to spend nearly NRs 140,000 (US\$ 2,100) on drinking water, irrigation, and temple repair projects in their village. Baghmarey FUG in Dang district is running a secondary school paid from the funds generated by selling forest products. Kumari FUG in Lalitpur district has used its own funds in the improvement of a foot trail in the village.

Thus FUGs are becoming more effective as local institutions for supporting various types of rural development work. People have become more supportive of the community forestry programme as a result of the rural development work being financed by funds generated through community forestry. In future, with increasing institutional maturity of FUGs, community forestry has the potential to become a vehicle for overall rural development.

### **3.2.4 Transparency**

The affairs of FUGs and committees need to be made more transparent through proper record keeping, bookkeeping, and auditing. Some FUGs run by educated executive members are doing a commendable job in this respect. However, the majority of FUGs are not able to do these effectively because they lack the necessary skills. FUGC office bearers often lack adequate administrative and organizational skills. The government training programme has now begun to address this important issue. Capacity building at the local level is absolutely essential to institutionalise FUGs as effective organizations.

### **3.2.5 Conflict Resolution**

Major conflicts in FUGs are related to land encroachment, unclear community forestry boundaries between two or more FUGs, and violations of the Operational Plan by the users themselves. An ability to resolve conflicts is an important factor in making an FUG an effective community institution. Experience shows, however, that FUGs depend greatly on the DOF when it comes to resolving conflicts. The FUG committee usually resolves less serious conflicts arising from the violation of FUG rules and regulations. Local elected bodies also have an important role to play in resolving conflicts related to community forestry.

Unresolved conflicts can threaten social harmony and, in the absence of social accord, community forestry cannot be successful. Therefore conflict resolution needs to be brought into the mainstream in policy, guide-



lines, and training programmes. Traditional dispute settlement mechanisms should also be encouraged when resolving conflicts in community forestry. It is through the traditional methods of conflict resolution that powerless people can have equity and social justice, as they cannot use the formal methods for resolving the conflicts.

### **3.2.6 Coordination between FUGs and Local Political Units**

In some instances the elected representatives of Village Development Committees (VDC) are also office bearers in FUG committees. In such cases, there is better cooperation and coordination between FUGs and VDCs. Some FUG committees also invite VDC officials to their meetings and FUG assemblies. There are also cases in which the help of VDC officials has been sought by FUGs to settle disputes related to community forestry.

Even so, many FUGs tend to have no connection with local political units on matters related to forestry. In principle, local political units should have an active interest in the management of all local resources within their political boundary, including forests. However, both legally and in practice, local political units are not considered to be stakeholders in community forestry. The coordination between FUGs and VDCs is often merely coincidental, when the VDC officials are also office bearers in the FUGs.

In some cases, an FUG as an institution has the potential to have more funds than the VDC, and thus more political effect than the VDC. This could be a potential source of conflict between the two institutions. Realising this problem, discussions are proceeding to identify approaches and methodologies to mitigate such conflicts. It is necessary to develop formal linkages between VDCs and FUGs. Some of the ways in which this could be achieved are: participation of a VDC representative in FUG assembly meetings; VDC facilitated networking of FUGs within the VDC boundary; and coordination of local development work of the VDC and FUGs. This linkage is necessary to ensure

sustained and coordinated strengthening of local institutions related to political decentralization and forest management.

### **3.2.7 Impacts**

Local control of community-managed forest has led to increased productivity and forest biomass as a result of strict protection from fires, free grazing, and uncontrolled cutting. These protection activities have also encouraged natural regeneration of forest and helped in stabilising slopes subject to erosion. Because of increased forest cover, water regimes (both yield and quality) have improved at micro-watershed level. However, as a result of the lack of baseline data, it is not possible to provide empirical evidence of the impact of community forestry in terms of forest growth, increase in biological diversity, and improved water regimes.

At present FUGs obtain regular supplies of forest products such as timber, fuelwood, leaf litter, and fodder. In addition, FUGs that produce surplus forest products also generate income. Community management of forests has also led to optimal use of forest land through the cultivation of cash crops or medicinal plants as ground cover. This has also helped some FUGs in income generation.

Local people are becoming increasingly aware of the importance of community forests, and, as a result, more people are participating in decision-making processes and thus becoming involved in forest management. Studies have shown that a majority of FUGs are self reliant in decision-making (Chhetri 1997).

The numbers and diversity of wildlife are also increasing. As a testimony to this, news about wildlife attacks on villagers and their livestock is becoming more and more frequent. People do not take their livestock to graze in many community forest areas because of fear of attack by wild animals.

A very encouraging impact of the programme has been the change in attitude of the local people towards forestry officials. The feeling of antagonism that existed before has now been

replaced by camaraderie, and forestry officials now feel that they are getting the social prestige that they deserve!

### 3.2.8 Indicators of Success

Unlike other development programmes in which indicators of success are easily quantifiable, indicators in community forestry can only be largely qualitative. It may not be practical to judge the success of community forestry in terms of what quantities of forest products have been harvested and utilised by the users. Since FUGs are the focal points of community forestry, the success or failure of community forestry should also be based on an evaluation of FUGs. The capability and institutional development of FUGs is the prime determinant of how well community forests are managed sustainably and utilised equitably. Thus the indicators of success of community forestry must encompass institutional aspects of FUGs in addition to some quantifiable parameters. The following could be used as key indicators for ascertaining the success of community forestry.

- Transparency and accountability in the administration of FUGs
- Increased benefit sharing on an equitable basis
- Participatory decision-making within FUGs
- Increased participation of women and disadvantaged groups
- Increase in forest cover and availability of forest products
- Improvement in the quality of the forest
- Income generation from forests
- Use of FUG funds for forestry and other community development work
- Ability to apply the knowledge and skills learned in training programmes

An independent and empirical evaluation of the community forestry programme by a neutral third party is now necessary to ascertain the level of success.

### 3.4 FUG Networking

Various attempts have been made in Nepal to form local, district, and national level FUG

networks, in order to enhance the bargaining power of, and to strengthen, FUGs. The *Samudaik Ban Upabhokta Mahasangh*, or Federation of Community Forestry Users in Nepal (FECOFUN), is the national federation of FUGs. The federation emerged out of a recognised need to link forest users from all parts of the country and represent their interests at the national level. The main goal of FECOFUN is to expand and strengthen the role of actual forest users in policy-making and resource-related activities. Its aims include lobbying, publication, training, and advocacy (Britt 1996). FECOFUN could also offer a mechanism for conflict resolution. Steps have been taken towards some of these aims, particularly in conflict resolution and advocacy. It remains to be seen, however, whether FECOFUN can live up to its mandate. At present FECOFUN is still building up its grass roots' base through information dissemination and district-level assemblies.

FUG Networking Workshops at the district level are an important component of the training programmes of the District Forest Offices. FUGs come together to share ideas and experiences in these workshops. The effectiveness of these workshops is not yet well documented, however.

### 3.5 Community Forestry in the Terai

In the past, the forests of the *Terai* used to play an important role in the national economy. At present, harvesting in the *Terai* forest is confined to removal of dead, dying, and wind-blown trees, and occasionally to clear felling certain areas for transmission lines and roads. The Forest Act of 1993 does not distinguish the mountains from the *Terai* with regard to implementing community forestry. Although the present form of the community forestry programme is considered appropriate for the mountains, its suitability for the *Terai* is still questioned by many professionals.

The main argument is that the *Terai* has different social and economic conditions, and these necessitate a different model for community forestry. The second argument is that only areas near habitations should be handed over as

community forests. Communities in the *Terai* have a heterogeneous structure and animosity and communalism are common. The farming system in the *Terai* is less dependent on forests. Hill communities have a long tradition of protecting and managing local forest areas, but this has been very limited in the *Terai*. One major problem is the identification of primary and secondary users. The identification and formation of FUGs are much more complicated than visualised by the provisions in the forestry legislation. Unlike in the mountains where the users live close to the forests, the users in the *Terai* are spread across the flat land. There are no forests in some *Terai* districts except along the foothills of the Siwaliks. Traditional users have been continuously distanced from the forests as the forest became depleted and the forest border receded towards the foothills of the Siwaliks. At the same time, people from the mountains migrated and settled near the forests in the foothills, and some of these formed FUGs and controlled access to the forest areas. The traditional users of the *Terai*, by virtue of living far from the forest, were not included in these FUGs and are being deprived of their traditional rights to forest products that they still need. Furthermore, some recent examples in which large chunks of commercial forest were handed over to FUGs far in excess of the users' requirements have raised questions about the appropriateness in the *Terai* of the legal provision of no area limit for community forestry.

Although some *Terai* forest areas are being slowly handed over to users, there is still an ongoing debate about a workable and sustainable strategy for community forestry in the *Terai*. In-depth studies indicate that the policy of community forestry in the *Terai* may need to be modified. Even then, community forestry alone cannot fulfill the need for forest products of the people in the *Terai* without being supplemented by commercial management of the still intact national forest areas.

### 3.6 Future Directions

Community forests — both plantation and natural — need urgent silvicultural interven-

tion. Intense and continued support is needed to ensure that FUGs are institutionally, organizationally, and technically capable of managing these operations.

An action plan should be formulated for enhancing the participation of women and disadvantaged groups in decision-making. Intense and sustained post handover support to FUGs will be needed to build up their technical, social, and organizational capabilities. NGOs should be encouraged to participate more actively in a complementary way, rather than parallel to the government institutions. The workload in the community forestry programme is increasing, but the staff numbers available to DFOs is constant. Thus NGOs have a tremendous contribution to make in the capacity building of FUGs.

A whole series of marketing issues should also be tackled, for example, prices (and their trends) at different levels of the trade, price quality relationships, volumes traded, and overall trends in demand in the market. In fact a whole range of factors in market dynamics needs to be considered. There is also an urgent need to introduce low-cost technologies for processing forest products at the local level.

Community forestry is oriented towards the production of 'major' forest products, especially fuelwood and fodder. However, an increasing number of FUGs is showing interest in the management of non timber forest products (NTFPs) in their forest areas. Some examples are lokta (*Daphne* spp.), timur (*Xanthoxylum armatum*), tejpat (*Cinnamomum tamala*), chiraita (*Swertia chirayita*), and dhasingare (*Gaultheria fragrantissima*). Unfortunately, there is no specialised centre within the Department of Forests or elsewhere to provide technical support to interested FUGs. District Forest Office Staff also lack sufficient knowledge about NTFPs. There is an urgent need to set up a resource centre aimed solely at providing services to FUGs on NTFPs. Field staff also need more training on NTFP management, processing, marketing, and trade issues.

As more experience is gained, there is a need to modify formal and informal training curricula



to take into account new and emerging needs in the community forestry programme. For example, conflict resolution, record keeping, and accountancy, have been included in various training courses after the need was recognised as a result of recent field experiences. Such a process must continue in order to make training programmes more supportive of community forestry. There has already been considerable training of government staff and FUG members, but, although significant progress has been made, the task is endless. The government alone cannot provide all the services required by FUGs. One positive development is the emergence of NGOs that are providing such support services to communities.

As with all novel development concepts, community forestry will continue to change, and its implementation will always involve a learning process. Policy and legislation may have to be refined accordingly to promote the sustainability of community forestry through deregulation, removal of constraints, and mobilisation of local resources.

In Nepal, community forestry has gone beyond the level of a pilot project and has become a major system of national forest management. However, FUGs are not yet capable of running the community forestry programme on their own. They need and will continue to need technical support from the government and NGOs.

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