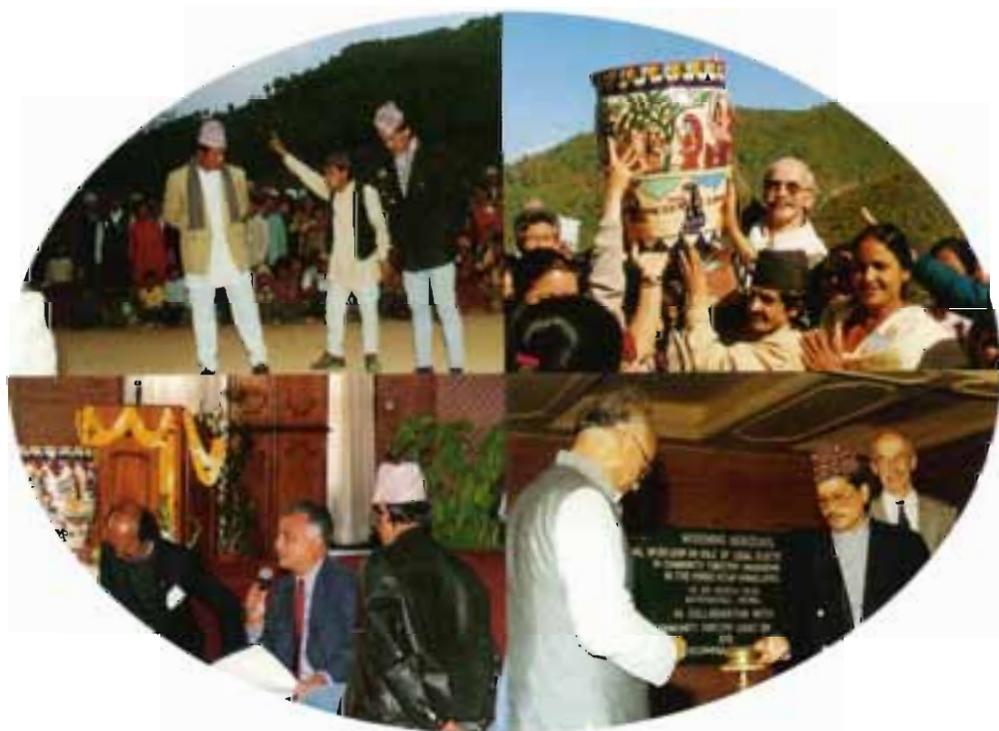




WIDENING HORIZONS

**Regional Workshop
on the Role of Local, Elected Institutions in
Community Forestry Management
in the Hindu Kush-Himalayas
16-21 March 1998**



Organized by
**International Centre for Integrated Mountain Development
Kathmandu, Nepal**

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Supported by
**UNDP's Governance Resource Facility
Islamabad, Pakistan**

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Kathmandu, Nepal**

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Cover photo: clockwise

- i) Handing over the pot of earth from the HKH to the Director General of ICIMOD
- ii) Joint Inauguration by Rt. Honourable Ministers for Local Development and Forests and Soil Conservation
- iii) Chairperson, Dr. M.M. Sainju
- iv) A glimpse of the street play performed especially for the workshop participants

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Foreword

This workshop marks a new phase in ICIMOD's efforts in the area of governance, particularly decentralization and participation in the management of natural resources in the Hindu Kush-Himalayas. The forum brought together women and men who had been elected to local institutions at village and district levels with members of village, district, or national community forestry groups and networks and non-government organizations.

Decentralization, local self governance, and participatory governance are emerging as major national concerns in the Hindu Kush-Himalayas. Local community participation and the delegation of power and roles and responsibilities have been recognised as an effective strategy for sustainable mountain development. In this way the ecological, social, and cultural diversities in mountain areas are respected, and local communities play a greater role in decision-making and planning. Questions of governance, such as who has the right to decide how local resources should be used and by whom, have become increasingly important. While in large parts of this region degradation of the natural environment is continuing, we can also see highly encouraging examples of reversal.

ICIMOD's mission is to help promote an economically and environmentally sound mountain ecosystem for the 140 million people who live within the Hindu Kush-Himalayan region. ICIMOD recognises that mountain people, who often live within marginalised and isolated environments, are particularly vulnerable to external influences that affect the integrity of their cultural heritage and tradition. They need to be provided with opportunities for equitable, social, and economic development that sustain livelihoods in harmony with the mountain environment.

In recent years, community-based and informal village-level institutions have demonstrated their ability to manage forest resources, and there is today increasing engagement with elected village and district-level institutions. New laws and rules and regulations related to decentralization and devolution of powers and responsibilities to elected institutions have accelerated this trend. We now recognise that forest resources cannot be managed sustainably in isolation from issues related to governance, decentralization, and devolution.

Several countries of the Hindu Kush-Himalayas have recently initiated decentralization as a precondition to participatory development. Locally elected institutions are facing new challenges and opportunities in trying to match economic development and poverty alleviation imperatives with the need to ensure the integrity of natural resources in mountain areas.

The terms of engagement, coordination, and complementarity between locally elected institutions and informal or formal community forestry institutions are new and evolving. Strategies are required to bring these two important stakeholders together and to evolve collaborative approaches to sustainable natural resource management in the Hindu Kush-Himalayas. We want to work towards a set of best practices that will lead to democratic governance based on principles of equity, transparency, and accountability in managing community forestry resources and in sharing its benefits. Such strategies are best designed through close consultation, collaboration, and cooperation between locally elected leaders, such as members of village development committees or local *panchayat*(s), and office bearers and individuals from community forestry user groups, village forest development committees, and *mahila mandal*(s) or other informal bodies concerned with forest management.

I would like to take this opportunity to thank the Association of Chairpersons of District Development Committees, Nepal, and the Federation of Community Forestry Users' Groups, Nepal, for collaborating with us in this unique forum. I would also like to thank the UNDP for its financial support to the workshop and the UNDP, Nepal, for its collaboration and assistance. Without the continuing support of the Ford Foundation, New Delhi, to ICIMOD's Participatory Natural Resources' Management Programme, it would not have been possible to host this forum.

I am confident that the major objective of this workshop, viz., sharing experiences that will widen our horizons, will be met. This will lead to the emergence of development plans that could lead to self-sufficient, economically viable mountain communities whose desires and opinions are heard and respected and where natural resources are managed, protected, and preserved for our present and future generations.

Egbert Pelinck
Director General

ACKNOWLEDGEMENTS

The design, planning, and execution of a six-day forum involving 80 women and men from different countries is always a challenge. More so in the case of this workshop where, for the first time, ICIMOD was proactively engaging a new constituency of elected representatives in its programme.

The workshop would not have been possible without the commitment and support of many individuals and institutions who gave freely of their time and resources. While it is difficult to mention everyone by name, the following deserve our special appreciation for their contributions.

- We would like to thank all the participants who travelled from their homes and institutions and made a major effort to be present at the workshop. They shared their concerns openly and made individual and institutional commitments.
- We would especially like to thank Madhav Poudel for agreeing to collaborate with us through the Association of District Development Committees of Nepal, Madhav Poudel was instrumental and gave substantial time during the planning of this workshop and deserves special mention. We hope he can convey our appreciation to his other colleagues at the ADDCN for their contributions to this workshop. On a similar note we would like to thank Hari Prasad Neupane, the Executive Committee, and the staff of the Federation of Community Forestry Users' Group Nepal for their collaboration with this forum.
- On behalf of ICIMOD and on behalf of the participants we would like to thank all the individuals who contributed papers to this workshop. These papers set the background context of issues and enriched the discussions and the outcomes.

- On behalf of ICIMOD and all the participants we would like to thank Dr. Mohan Man Sainju for agreeing to chair the opening plenary session. That he did so despite a pressing schedule, is indicative of his deep interest in local governance and natural resource management.
- We would also like to thank the *Sarwanam* group for taking up the challenge of creating the street play based on a true life story and in using their skills to bring home to us the importance of collaboration between elected institutions and community forestry management institutions.
- The contributions of Bhumi Raman Nepal, Akal Bahadur Basnet, and the members of the *Hariyali Sangeet Samuha* added to our understanding of using music and culture as an effective mode of communication. We would like to thank them for their inspiring performance and for sharing their original lyrics and songs with us.
- Music and dance has the ability to cut across linguistic barriers. For helping us do this and to provide a glimpse of Nepal's folk music, we would like to thank Manjul Nepal and his group.
- We would also like to thank Amar Bahadur Pahari, Shyam Ghimire and the women and men of Badikhel village for agreeing to host the field visit. This gave everyone an opportunity to see community forestry at work in Nepal and has been an inspiration for many of us.
- The film crew from NEFEJ have documented the complete workshop and we would like to thank them in anticipation of their producing an effective film. We hope that this film will capture some of the essence of this workshop and will become an effective tool for sharing the workshop findings with a wider audience.
- We would also like to thank the management and staff of Godavari Village Resort for providing efficient arrangements for the workshop.
- A forum of this scale requires the contribution of a team of people. We would especially like to thank the Nepal Swiss Community Forestry Project for providing the professional services of Khagendra Siktel to this workshop. It has been a pleasure to work with Khagendra Siktel and we hope that there will be more such opportunities in future.
- We would also like to thank Judith Amtzis for her ability to provide a diverse range of valuable professional skills to the planning and organization of the workshop. She will continue to be involved with the challenging task of documenting this interesting workshop and in assisting with the production of a workshop report.
- The challenge of having different languages was adequately met by our team of interpreters and rapporteurs. They were the critical bridge in ensuring that language was not a barrier at this workshop. We would specially like to thank Nivedita Mishra, Tribhuvan Poudyal, Rajiv Singh, Mrinalini Rai, Binod Subedi, and Bishnu K C.

I would also like to thank all my colleagues at ICIMOD who have worked quietly and efficiently behind the scenes during the past few months for this workshop. More specifically I would like to thank Govind Shrestha, Reeta Rana, and Sarita Joshi from the Mountain Natural Resources' Division for their assistance with this forum.

Anupam Bhatia

ABSTRACT

The text covers the issues of decentralization and participatory and local self governance. The Workshop represents one of a series of concerted efforts to bring together the voices of people from across the Hindu Kush-Himalayan Region and give them a forum in which to address questions of governance and rights over the use of local natural resources in a climate in which the natural environment is undergoing serious degradation.

This workshop marks a new phase in ICIMOD's efforts in the area of governance, particularly decentralization and participation in the management of natural resources in the Hindu Kush-Himalayas. The forum brought together women and men who had been elected to local institutions at village and district levels with members of village, district, or national community forestry groups and networks and non-government organizations.

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Introduction to the Workshop

Over the last three years, through its Participatory Natural Resource Management Programme, ICIMOD has facilitated the emergence of new institutions to address issues related to natural resource management. The Programme has supported processes that have led to the emergence of several autonomous national and regional institutions and networks.

These innovations in institutional development focussed on the need to address the state of the art issues in participatory development through creating a national network institution called the Nepal Participatory Action Network; the Federation of Community Forestry User groups in Nepal; the Nepal *Madhyasthata Samuha*, which is a network devoted to conflict resolution mechanisms in natural resource management; and NAVRACHNA, a non-government and community-based network in Himachal Pradesh, India. In addition two regional networks are moving towards formalisation; namely, HIFCOM, the Hindu Kush-

Himalayan Forum for Forest Conservation and Management, by senior forestry professionals from Bhutan, India, and Nepal, and Himalayan Grassroots' Women's Natural Resource Management Network (HIMAWANTI), the Grassroots Women's Natural Resource Management Network, involving women from Nepal, India, and Pakistan.

Today, some of these institutions are independent, receiving funding and membership support from many organizations, while others continue to receive intellectual and financial support from ICIMOD. A key focus of these institutions is lawful advocacy – enabling policy that will promote appropriate practices in community forestry. These institutions have also demonstrated their ability to provide a broad forum for debate on policies affecting the quality of life and to encourage discussion on issues and strengthen the involvement of civic society in development interventions. One of their key contributions is promotion of best practices for good gov-

ernance based on principles of dialogue with stakeholders, right to information, transparency in decision-making, and accountability.

An important lesson learned over the last three years is that forest resources cannot be sustainably managed in isolation from issues related to governance, decentralization, and democratisation. While the emphasis on community-based natural resources has been growing and informal village-level institutions have demonstrated their ability to manage forest resources, today there is an increasing engagement with elected village- and district-level institutions. This trend accelerated with the formulation of new laws and rules and regulations related to decentralization and devolution of powers and responsibilities to elected institutions.

Recent trends in the Hindu Kush-Himalayas have led to the promotion of decentralization as a precondition to participatory development. The concept of participatory development is based on self-reliant and self-sufficient development interventions that provide appropriate opportunities for people to articulate their concerns and needs through elected and formal or informal civic institutions.

While processes of decentralization and the emergence of civic institutions are appropriate forms of governance, they acquire a special dimension in the context of mountain specificities. Decentralization and delegation of power and roles and responsibilities are now well recognised as effective strategies for sustainable mountain development. These processes help to nurture respect for the ecological, social, and cultural diversity of mountain areas, and they augment the role of local communities in decision-making, planning, budg-

eting, and monitoring of development programmes.

Local, elected institutions face new challenges and opportunities in trying to match economic development and poverty alleviation imperatives with the need to ensure that the integrity of natural resources in mountain areas is maintained. It is evident that their new role can be supplemented by the experience, knowledge, and involvement of local communities.

Workshop Objectives

The workshop was designed with the following objectives.

- To provide a forum for representatives of local, elected institutions and community forestry institutions and networks to enhance appreciation of their roles in natural resource management with a focus on community forestry
- To improve understanding of policies, rules, and regulations related to decentralization laws and forestry laws and practices
- To improve understanding of decentralization processes and their linkages with community forestry management
- To identify potentials for mutual-ity between local, elected institutions and formal or informal community-based institutions
- To identify approaches and methodologies to mitigate present and potential conflicts between local, elected institutions and community-based institutions
- To identify best practices leading to sustainable governance systems based on principles of equity, transparency, and accountability to manage community forestry resources

Workshop Participants

Workshop participants came from Bangladesh, India, Nepal, and Pakistan. In keeping with the workshop objectives they were selected on the basis of the following criteria.

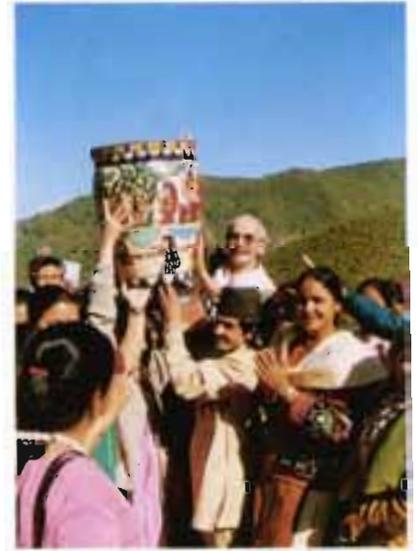
- Elected representatives of self-governing institutions from village and district or equivalent administrative units from each country
- Office bearers of district or national community forestry net-

works or appropriate institutions depending on the circumstances in each participating country

Seventy-nine participants attended the workshop, 54 men and 25 women. Women's participation was actively encouraged and provisions were made for two women to come together rather than invite single women. Child care support was offered to ensure that women participants were not prevented from participating.



Dr. M.M. Khan from Bangladesh offering soil from Bangladesh in the Mato Milan (Earth Ceremony) at the workshop inauguration.



Participants handing over the pot with earth from different countries of the Hindu Kush-Himalayas to Mr. Egbert Pelinck, Director General, ICIMOD

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Inaugural Session

Archana Karki of ICIMOD welcomed workshop participants and guests to the opening ceremony. The chairperson of the Inaugural Session was the Honourable Bhakta Bahadur Rokaya, State Minister of Forests and Soil Conservation. Ms Karki invited the other guests to their places on the stage: Mr. Egbert Pelinck, Director General of ICIMOD; Ms Kesang Chungyalpa, Deputy Resident Representative, UNDP/Nepal; Madhav Poudel, Chairperson of the Association of District Development Committees of Nepal and Chairperson of the Lalitpur District Development Committee; and Hari Prasad Neupane, Chairperson of the Federation of Community Forest User Groups of Nepal.

Before inviting the guests to give their welcome addresses, Ms. Karki described the previous day's informal but symbolically important 'Earth Ceremony'. She pointed out the design on the clay pot which portrayed the mountains and the mountain life with men and women standing in a

circle with joined hands. The continuous circle symbolised the common problems facing mountain people and the commitment needed to solve them. *"The soil within the urn is of even greater significance as every participant has brought soil from their homes to be mixed together in this urn. This soil, or earth, is what our very lives are made of, a most important thing."*

Ms Karki requested each guest to place into the urn some soil from Lalitpur, which had been collected

Joint Inauguration by the Rt. Honourable Ministers for Local Development (left) and Forests and Soil Conservation (right)



earlier, and thus participate in the Earth Ceremony, as a token bonding with the workshop and as a token of belief that mountain earth from different parts of the Hindu Kush-Himalayas had one thing in common; that it provided life to millions of people and many other important natural resources. Proceeding with the inauguration, she requested Mr. Egbert Pelinck to deliver his welcome address.

Welcome address by Egbert Pelinck, Director General, ICIMOD

Mr. Pelinck said that the meeting brought together representatives of elected local institutions, members of community forestry groups and networks, and non-government organizations. It marked a new phase in ICIMOD's efforts in the area of governance, particularly decentralization, and local community participation in the management of natural resources and the environment. In recent years, the importance of local communities playing a greater role in decision-making and planning had been recognised and questions of governance, such as who had the right to decide how local resources should be used and by whom, had grown in importance.

Welcome address
by Egbert Pelinck,
Director General,
ICIMOD



Despite continuing degradation of the natural environment in some areas of the Hindu Kush-Himalayas, there were also encouraging examples of reversal, and these rays of hope were the focus of the workshop. Mr. Pelinck noted that, in recent years, community-based and informal village-level institutions had demonstrated their ability to manage forest resources, and that engagement with elected village and district level-institutions was growing. Several countries in the Hindu Kush-Himalayas had introduced decentralization as a precondition to participatory development, attempting to provide people with appropriate opportunities to articulate their concerns and needs through elected and formal or informal civic institutions. The terms of engagement, coordination, and complementarity between local, elected institutions and informal or formal community forestry institutions were new and evolving; strategies must be developed to bring these two stakeholders together.

The best way to design strategies that would lead to democratic governance based on principles of equity, transparency, and accountability was through close consultation, collaboration, and cooperation between locally elected leaders and individuals from community forestry user groups, village forest development committees, *mahila mandal*, or other informal bodies concerned with forest management. The workshop was organized in order to bring about self-sufficient, economically viable mountain communities in an environment in which local opinions would be heard and respected and natural resources protected and preserved for future generations. Mr. Pelinck stated that, because of the importance of guaranteeing that local voices be heard, the proceedings would be conducted in Hindi, Nepali,

and Urdu rather than in English. He thanked the UNDP for its support to the meeting and the Association of District Development Committees of Nepal and the Federation of Community Forestry Users of Nepal for their collaboration in the planning and execution of the workshop. He also thanked the Ford Foundation, New Delhi, for its continual support to ICIMOD's Participatory Natural Resources' Management Programme which had organized the workshop.

Ms. Kesang Chungyalpa, Deputy Resident Representative, UNDP/ Nepal

Ms. Chungyalpa began her remarks by requesting everyone gathered to reflect on the important issue of the linkage between local government institutions and natural resource management. She noted that lack of access to resources was the main reason for poverty, and that experience indicated that decentralized governance could lead to both increased access to resources by local communities and to better management by the communities themselves. Since self-governing community organizations flourished only where policies and institutions supported them, the relationships between community institutions and local government, and between local and central government were crucial. Policy-making must be based on local reality and therefore micro-level experience must be fed back to the centre. UNDP's programmes in Nepal had tried to develop linkages between community, local, district, and central level institutions. Ms. Chungyalpa concluded by expressing UNDP's pleasure at being associated with a workshop which brought to-

gether different experiences from the countries in the region. She said that she was confident that the interaction would result in new insights in the processes of decentralization and natural resource management in mountain areas.

Madhav Poudel, Chairperson, Association of District Development Committees of Nepal (ADDCN), and Chairperson, Lalitpur District Development Committee

Mr. Poudel emphasised that the issue being discussed had great importance, not only for Nepal but for other countries in the region as well, and that during the workshop representatives from different countries would be expressing their views about how to take up the challenge of developing natural resources. He mentioned that the objectives of the District Development Committee Association were to help the country through the four Ds of Democracy, Decentralization, District Governance, and Development. DDCs in Nepal had been facing various legal obstacles, and he hoped that suggestions that had been made to Parliament would be considered and passed.

Turning to the important issue of forest resources, Mr. Poudel stated that, in Nepal, forests provided about 90 per cent of the people's fuel needs and 40 per cent of the fodder, in addition to sheltering wild animals and playing an important role in soil conservation.

"We must consider and take measures soon to repay the environment for its water and air. How can we preserve the earth and use the forest's natural resources in the most efficient way?"

* Horticulture in this context means market gardening.

Forests could also play a role in social development and community forestry had great potential for non-timber forest products and horticulture'. The role of local government in community forestry must be identified and clarified.

Mr. Poudel noted that some people doubted the role of local government, and he criticised the politicisation of elected representatives' involvement in community forestry. The proper role for elected representatives was to improve the implementation of the community forestry rules and regulations and to coordinate among different user groups.

Since the problems throughout the Hindu Kush-Himalayan region were similar, Mr. Poudel said that ADDCN was trying to organize a workshop in Mustang district to discuss the issues and problems of mountain development. In conclusion, he requested the Honourable Minister of Forests and Soil Conservation to assist in having ADDCN's proposed suggestions to the Decentralization Bill passed by Parliament in order to facilitate the role of local institutions.

Hari Prasad Neupane, Chairperson, Federation of Community Forestry User Groups of Nepal

Mr. Neupane began by stressing the important role that forest development could play in uplifting marginal communities. He said that large projects, small institutions, and even single individuals were working to restore the environment and forestry in Nepal. He thanked ICIMOD for organizing the workshop in which participants from different countries could come together to discuss common problems related to forestry and

local, elected institutions. Mr. Neupane commented on the progress made by community forestry in Nepal, saying that, since the new Forest Act had begun to support community forestry development, areas, in which previously not even a blade of grass had been growing, now had dense forests.

Using the example of a baby and saying that giving birth was not enough, but nurturance was also needed, Mr. Neupane said that there were still certain problems to be resolved regarding how to preserve our precious resources. The concept that the community destroyed the forest needed to be corrected, but merely handing over the forest was not sufficient. Capacity building of FUGs was important. As the proverb said, "*Cut your coat according to the cloth,*" the problems must be acknowledged in their particular context and practical solutions devised. Likewise, providing the key without the technique for opening the lock was also useless. Both forest technicians and forest users must work together to formulate a better Act, rules, and regulations and implement them properly.

Another problem was that politics had been serving the local communities badly, and communities were becoming mere tools of politicians without looking after their own particular interests. Natural resource management should not be politicised, said Mr. Neupane. Consensus and collective decision-making were important tools for natural resource management. Forests were community resources and should not be used for personal or individual benefit. The export of timber to foreign nations must be stopped. Mr. Neupane hoped that the distinguished Minister of Local Development would se-

riously consider the role and responsibility of local, elected bodies and forest user groups (FUGs) in forest development and management and take steps to ensure better coordination.

Noting that legal awareness was generally weak in FUGs, Mr. Neupane estimated that, out of about 7,000 FUGs currently working, about 6,000 were functioning effectively and the remaining 1,000 were not effective. He urged the government to take strict measures to discipline ineffective institutions and, at the same time, to encourage the others. Whereas in some cases FUG funds were abused and the community was clearly disorganized and lacking in harmony, and some type of remedy or punishment must be devised, FUGs that were functioning properly must be recognised and supported by the government as they could play an important role in improving the living standards of the people of Nepal, both socially and economically.

Ms. Karki then invited the Honourable Minister of Local Development, HMG/Nepal, Gajendra Narayan Singh, and the Honourable Minister of Forests and Soil Conservation, HMG/Nepal, Bhakta Bahadur Rokaya, to light the lamp jointly as a symbol of their collaborative efforts.

Keynote Address by the Honourable Gajendra Narayan Singh, Minister, Local Development, HMG/Nepal

Minister Singh said that, although deforestation was not a new phenomenon in Nepal, it had increased in a frightening way in recent years and had taken on the evil face of a potential disaster. "If it is not controlled soon, we cannot imagine the future scenario." Noting that serious work

in this area cannot be carried out by a single individual or organization or even single country, he praised the forest preservation and conservation efforts by the workshop participants. Such work must be done jointly, with all stakeholders encouraging, supporting, and advising each other. People's awareness about this issue must increase throughout the world. Minister Singh was delighted to see that the workshop was aimed at finding a regional solution to the denudation of forest areas. He said that participatory programmes had helped in the management of natural resources and, moreover, that programmes based on participation affected discussions and decisions related to policy and therefore the lives of local people.

Referring to Mr. Poudel's comment about parliamentary consideration of the new decentralization bill, he said he also hoped that it would be passed soon. Without increased self-governance one could not move forward in the direction of sustainable forest management. The new laws should answer certain questions about the role and responsibility of local, elected institutions and formal and informal social organizations and provide people with opportunities to express their views openly and independently. He mentioned that other countries in the region, such as India, were also working towards decentralization of power as a precondition for the implementation of programmes based on participation. He concluded by saying that the Government of Nepal was aware of the problems of people in the mountainous regions, who comprised the bulk of Nepal's population, and was interested in working for their development.

Minister Singh hoped that the workshop would offer specific recommendations on approaches that would

increase collaboration between elected bodies and community forest users in the HKH region.

Ms. Karki then invited representatives from the countries participating in the workshop to make a few remarks. One participant from each of the countries represented at the workshop was requested to address the audience.

Dr. M.M. Khan, Professor of Public Administration, Dhaka University, Bangladesh

Dr. Khan expressed his pleasure at being able to attend such an important workshop and said that the crucial issues had already been highlighted by the other speakers. He wanted to bring two key issues into focus. First, although elected local bodies did exist, the devolution of power to them had been insufficiently delegated. Moreover, they frequently lacked adequate finances and necessary skills and leadership could be a problem in some cases. Regarding community forestry, Dr. Khan said that many laws, regulations, and rules were vague and inadequate, or were formulated long ago. He felt that the linkages between Forest Departments, local, elected institutions, and community organizations were inadequate.

Radha Bhatt, Laxmi Ashram, Almora District, U.P. India

Radha Bhatt began by thanking ICIMOD for providing an opportunity for gathering together to think about the important issues facing mountain people in the Hindu Kush-Himalayas. She urged her fellow participants to recognise the responsibility they would have after the workshop on return to their home coun-

tries and villages to implement the decisions and conclusions that would be reached. Agreeing that strict rules must be made to regulate usage of the mountains' important natural resources, she stated that, without encouraging autonomy at the village level, mere policy and regulations from the top would not be effective. Grass roots' level people had their own talents and expertise, their awareness and indigenous knowledge should be recognised and encouraged. This workshop had brought representatives from both government and village organizations together and should be the beginning of a historic process. As messengers from our communities, we should take an oath that we would make the workshop successful.

Ganesh Shrestha, Chairperson, Bokhim Village Development Committee, Bhojpur, Nepal

Mr. Shrestha welcomed the participants and said that everyone should work together to search for answers to the question of how to develop ourselves, our institutions, and our natural resources. Just as the Ministers of Local Development and Forests and Soil Conservation jointly lit the *panas* that officially opened the workshop, representatives from both types of institution represented at the workshop must work together. The issue was how to identify mechanisms for coordination between local, elected bodies and forest user groups and community-based organizations with regard to community forestry. Certain weaknesses had been identified such as problems with legislation, politics, and the lack of linkages between forest officials and grass roots' level people. We must work together to develop solutions that can correct these weaknesses. Community forestry was a

means for empowerment of local people and one important task was to define the role of local, elected institutions in the development of community forestry and empowerment. The Federation of Community Forest User Groups of Nepal (FECOFUN) was already involved in community forestry development, working on overcoming problems faced by FUGs and assisting in conflict resolution. We must consider how to further strengthen and activate FECOFUN. Most especially we needed to discuss the complementarities between the Village Development Committee (VDC) and District Development Committee (DDC) acts and the Forest Act. These laws had created problems of authority and responsibility. We needed to discover common solutions to the common problems facing people in the Hindu Kush-Himalayas.

Mohammad Iqbal, Divisional Forest Officer, Pakistan

Mr. Iqbal noted that the mountainous areas of Pakistan were facing the same problems that had been described by previous speakers. There also grass roots' level people were the genuine stakeholders of the forests, but trees were being cut down and natural resources were being mismanaged and improperly exploited. Precious resources were not being properly preserved. Now non-government organizations (NGOs), such as AKRSP, with practical approaches had come into being and participatory processes were beginning to emerge. He said that the participants from his country were looking forward to learning a great deal from the discussions and sharing of experiences that would be part of the workshop. They were also hoping that ICIMOD and UNDP would be able to support programmes that

could bring positive changes to the northern areas of Pakistan.

After these comments, Ms. Karki invited the Chairperson, the Honourable Bhakta Bahadur Rokaya, State Minister of Forests and Soil Conservation, HMG/Nepal, to deliver his address.

Honourable Bhakta Bahadur Rokaya, State Minister of Forests and Soil Conservation, Ministry of Forests and Soil Conservation, HMG/Nepal

Minister Rokaya began by citing the historical, geographical, social, and cultural importance of Nepal's relationships with her neighbouring countries. He said that forest conservation was a relevant topic for consideration at such a regional workshop. He hoped that the workshop could develop ways of establishing a relationship between FUGs and local, elected institutions. Politicisation of forestry or forest-related institutions was a proven hindrance to forest development. In general, it had been seen in Nepal that political representatives were less liberal and practical when it came to community forest development and management, and therefore the Forestry Act had given responsibility to users, realising that, without involving users in development and management, conservation was impossible. However, local, elected leaders also had an essential role. Any conflict between the role of FUGs and local institutions should be cleared up, since these institutions were both directly involved once a forest was handed over to the community. User' groups and local, elected institutions should work hand in hand.

Community forests also had a great potential for various income-generating activities such as growing valu-

able trees, herbs, and other non-timber forest products. Local, elected bodies must provide essential assistance to FUGs in this area, ensuring that the relationship between local, elected institutions and FUGs would improve in the near future. The workshop could provide suggestions concerning what was lacking in the Decentralization Act amendments could be incorporated.

Since local people had become empowered and aware of the importance of forests, there had been a reduction in theft and smuggling of forest products. The previous year when the minister was a member of Parliament, a bill was presented to ensure that the income from forest resources should go only to VDCs and DDCs. At that time the minister had tabled an amendment stating that the income should go only to community forest user groups. Should that bill be presented again for consideration during the coming winter session, all groups with an interest in that bill should approach the Parliamentary Committee on Natural Resources and Environment with their suggestions. The Minister hoped the workshop would proceed to discuss policies that would

lead to better coordination among related institutions.

Thanking the Honourable Minister, Ms. Karki remarked that he had referred to the geographical, historical, social, and cultural importance of the workshop and had underlined the problems of forest development and decentralization, as well as the important role communities should play in natural resource management. Ms. Karki thanked all the speakers as well as everyone who had helped directly or indirectly to organize the workshop.

Ms. Karki said that communities form the basis of society and all communities together create the pillar of nations. Autonomous local institutions and the leaders working in them played a great role in mobilising community activities. When the endeavour was consistent, the foundations of community development and long-term national and regional development were laid. It was hoped that the gathering would contribute to the laying of such a foundation in community forestry management at national and regional levels in the Hindu Kush-Himalayas.

3

Plenary Session

The opening plenary session consisted of a panel discussion entitled: **WIDENING HORIZONS: CHALLENGES TO INTEGRATE LOCAL GOVERNANCE AND NATURAL RESOURCES' MANAGEMENT IN THE HINDU KUSH-HIMALAYAS.** The objective of this session was to provide an overview of issues related to local governance and natural resource management in the Hindu Kush-Himalayas.

The session was chaired by Dr Mohan Man Sainju, Executive Chairperson of the Institute of Integrated Development Studies, Kathmandu. Panelists had been chosen on the basis of the country they represented and their particular area of work and expertise. The following workshop participants served as panel members.

Chairperson : Dr Mohan Man Sainju
Bangladesh : Dr M. M. Khan
Pakistan : Mr Haidar Khan
Mr Shafa Ali

India	Mr Ramesh Sharma Dr B.P. Maithani Ms Radha Bhatt Mr Kulbushan Upamanyu Mr Chandi Pd. Bhatt
Nepal	Mr Hari Pd. Neupane Ms Maya Devi Khanal Mr Mahdav Poudel

The session began with Anupam Bhatia welcoming and introducing Dr Mohan Man Sainju, Executive

Chairperson
Dr. M.M. Sainju



Chairperson of the Institute of Integrated Development Studies, Kathmandu. Mr Bhatia said that, IIDS was one of Nepal's oldest and well-established research and development organizations. It carried out action research as well as implementation.

Dr Sainju had held a number of important national positions, including Rector of Tribhuvan University, Member and Vice Chairperson of the National Planning Commission, and Royal Nepalese Ambassador to the USA and Canada. In addition he had served in various leadership roles at several premier institutions in Nepal, including the National Council for Conservation of Natural Resources and the High Level Committee on Integrated Rural Development. Dr Sainju had been honoured with several national awards and decorations for his contributions to Nepal.

Before opening the discussion, Dr Sainju introduced each of the panelists, providing a brief description of their work and area of expertise. He said they had brought sincerity, dedication, and enormous experience to the workshop discussions.

BANGLADESH

Dr M.M. Khan, Professor of Public Administration, Dhaka University
Dr Khan is the author of Rural Development in Bangladesh, as well as many articles on issues of local governance and democracy.

Dr Khan opened the session by reminding the participants of the specific agenda for the discussion: how to integrate local government with community forestry initiatives. He identified the two prevailing prob-

lems as problems of locally elected bodies and problems related to community forestry management.

Dr Khan said that, historically, local government in British India was always seen as an adjunct of the central government and was used to garner support for the central government. Despite rhetoric about empowering local bodies, they suffered from four constraints:

- lack of autonomy;
- inadequate finances, inability to generate their own funds;
- shortage of skilled people - the central government placed civil servants, but they were not accountable locally; and
- elected local leaders were not always effective and might not be truly representative of the local population.

In the case of Community Forestry, the forest department mentality was still control oriented, leading to mistrust between forest department employees and local people. The whole structure of the forest department was hierarchical and top down. Forest officials were trained only in technical matters and not in behavioural sciences. Forest laws and rules were mostly outdated and lacked appropriate amendments. Forest policy was not specific or clear enough. There was a considerable amount of rhetoric, but little substance.

Dr Khan proposed the following solutions.

- Devolution of power and local autonomy - once people had power and responsibility, the local bodies must improve.
- Encouragement of community-based organizations - they arose

spontaneously, but had problems of finance and leadership, and their development needed to be supported.

- Promotion of linkages between the forest departments and local, elected institutions – this came down to a question of political will and wisdom on the part of national-level leadership to chart a new course of action. Behavioural reorientation of government officers was essential so they would learn to work with and not over local-level institutions.
- The ‘bossism’ of civil servants must be overcome. This was a prevalent problem in all South Asian countries.

PAKISTAN

Mr Haider Khan - Member, Northern Areas’ Council
Elected to the Local Council, Mr Khan was appointed Forest Advisor to the local government, with a status equal to that of a Provincial Minister. His role is policy formulation in forestry activities, and it includes advocacy, community mobilisation, and financial matters.

Pakistan had two kinds of forests: government protected forests and private forests. It was very difficult for the government alone to manage and control forest resources. In community forests, the community took care of protection, plantation, and cutting trees, illustrating that if the community had a feeling of ownership towards the forest and the confidence to manage it, the forest would benefit. If forest policy and community interests were to clash, violation and depletion of the forest would take place. The community’s feelings about the forest were therefore very important.

Political leaders and NGOs could play an important role in coordinating the activities of the government and the community. When NGOs came to work with the community, they coordinated both with the local, elected bodies and the government. Local, elected bodies should become involved in community forestry. Forest policies and rules should meet the wants and needs of the community.

Training provided by the Government for local people on how to manage forest areas was also inadequate. Governments should consider the problems and constraints of the community in the Hindu Kush-Himalayan Region.

Mr Shafa Ali - Community Mobiliser, Northern Areas, Pakistan
Mr Ali is active in community mobilisation with groups who successfully manage their forest areas.

In Mr Ali’s area of Pakistan, the forest was previously controlled and protected by the state. In 1972 the central government took control. Instead of improving, the condition of the forest deteriorated. The community members themselves then organized a group and with the approval of the government started managing the forest, banning the export and cutting of trees. Currently, there was a deadlock between the government and community because neither could cut trees. Without the approval of the community users’ group, the forest department could not cut trees and the community, lacking funds, was facing a problem of ensuring forest protection. This was where the community; local, elected bodies; and the government could begin to negotiate about their roles. There were legal barriers and NGOs could come forward to help coordinate the user groups;

local, elected bodies; and the central government.

INDIA

Mr Rakesh Sharma - Deputy Director, Uttar Pradesh Academy of Administration, Nainital, Uttar Pradesh

UPAA is responsible for improving the capabilities of civil servants in order to provide an efficient and sensitive administration to the state of Uttar Pradesh.

The basic issue of the workshop was how to create community forestry that would benefit grass roots' level people by linking with the administrative level. In the context of India, in Kumaon, district forest management was in the hands of the forest department and forest officials did not understand the relationship of the community to the forest. The forest officials kept village people isolated from the forest system. Since 1930, Kumaon and Garhwal had had a *Van Panchayat* system that had basically a community forest. Looking back at this system, it appeared very effective. It was a community-based forest management system in which the community got together and formed a committee to manage the forest. But this system had not been linked with the local system of governance. At that time 4,500 *Van Panchayat*(s) existed, incorporating 15,000 villages in Kumaon and Garhwal. The forest areas of the communities that had been able to manage them well were in very good condition, but not all of the groups had been able to manage the forests well. There was a World Bank project coming to the area and it was generating the idea of trying to link the system of the *Van Panchayat* with the local governing bodies.

There was a constitutional amendment in India that aimed to decentralize power to the *Panchayat*. The policy of community forestry differed from state to state in India. A system had to be devised whereby the village *Panchayat* could have direct links with the forest groups and work together for development. So there must be coordination. Another point was how to build the capacity of the people working in the community forest? Local people should be provided with the knowledge necessary to improve their capabilities. This was crucial for sustainability of the programme.

In mountain areas men did not collect wood from the forests; the women did because men considered this to be women's work. The system was completely gender biased, so community-based organizations and NGOs had to work on strengthening the capabilities of the community and on having a strong gender focus.

Local institutions and local, elected bodies were not coordinated. Attitudes had to be changed. The speaker felt that coordination, changed attitudes, and capacity building were three important issues for the future.

Dr B.P. Maithani - Director, National Institute of Rural Development, Gauhati, Assam

Dr Maithani is member/convenor of the Council for Advancement of People's Action and Rural Technology, an institution that promotes rural development through voluntary organizations and aims to establish close relationships between voluntary organizations and local government.

It was characteristic of the Eastern Himalayas of India that the community owned the forest and land resources. More than 200 tribes lived in the area, and they managed and

used the forest in their traditional way. Thus, the scenario of forest ownership differed there from that of the rest of India. Currently, 40 per cent of the forest land was under government control and 60 per cent was under public management. Every village had a traditional institution, for example, village chiefs and village councils, to manage the forest, and the villages had their own rules and regulations. Shifting agriculture was the main occupation and was linked to the forest. The reserve forest owned by the government in Arunachal Pradesh constituted 25 per cent of the total forest area, in Manipur it was three per cent, in Meghalaya four per cent, in Mizoram 56 per cent, and in Nagaland 12 per cent.

Forest management was carried out by the village council. The tribal chiefs were not greatly concerned about forest conservation because they did not make a living out of it, and they were not aware of its importance. Natural resources were facing degradation because control of the forest was in the hands of the village chiefs. Industries established in the region had also caused a lot of forest degradation. Petitioned by public interest litigation, the Supreme Court of India had now ordered all the forest-based industries to be removed from the area. The government had enacted legislation, recognising the traditional local bodies for forest management and that they had their own judicial, administrative, and management systems. The speaker felt that voluntary organizations with knowledge must also become involved and convince the community that the forests they were cutting down could help increase their incomes. The local chiefs felt they were the sole owners of the forests. Therefore, a democratic spirit also needed to be generated

amongst the local community to bring transparency to forest management decision-making and sharing of benefits.

Ms Radha Bhatt - Laxmi Ashram, Almora, Uttar Pradesh

Ms Bhatt has been a member of Laxmi Ashram, a Gandhian organization in Uttarkhand, since 1951. Her primary work is organizing communities at the local level, especially women, for the conservation and management of all types of natural resources — such as water, soil, and forests. She has been involved in the Chipko movement protests against felling green trees, organizing around plantation efforts, saving the soil from open mining, and preventing big dams in the Uttarkhand Himalayas.

In Ms Bhatt's opinion the mentality of the forest department was responsible for the degradation of forest resources in mountain areas. Government officials had a false impression that village people did not know anything as they were not educated. They always felt that the mountain men and women had to be taught and, as long as they maintained this feeling, the speaker did not think that self governance would ever occur. In the process of delegation of power and decentralization, there must be confidence in the local people. The first process was developing belief and faith in the local people. One should move according to the pace and desire of the people and only then might changes occur.

When talking about local communities, all the people should be included in decision-making processes. One should not talk about the majority, but should instead emphasise consensus. Even in the *Panchayati Raj* system the decision-making power was still in the government's hands.

The *Panchayati Raj* system provided many opportunities for the people to make decisions, but it was not complete. Finances were controlled by the revenue department, the forest department, or the district council, and the speaker felt that, unless the issue was resolved, the question of self governance would not move forward. In Almora, the revenue of the *Van Panchayat* was over Indian Rs 100 million, but it was controlled by the government. This kind of control could not bring self governance and forest and natural resources could not be conserved. So the concept and the working methodology had to be put into the hands of the local communities in the context of self governance; and this included monetary control, budgeting, planning, monitoring, and follow-up.

Unless the national forest policy took account of the issues raised about self governance nothing could be done. National forest policy still emphasised control over the forest. Mountain natural resources should be taken into consideration in a holistic way instead of fragmenting resources into different, individual parts such as forests, water, and soil. This was what national policy-makers should take into account when formulating mountain-specific plans and policies. To make changes one had to start from the grass roots' village level with the help of NGOs. If this happened then dramatic changes could occur.

Mr Kulbhushan Upamanyu - Navrachna, Himachal Pradesh
Mr Upamanyu is a founder member of Navrachna, a network of community-based organizations and NGOs in Himachal Pradesh working towards increasing people's control over natural resources. He is also an activist with the Himalaya Bachao Andolan. His interest is to promote

collaborative programmes between village community groups and government at all levels. The main aim is to achieve sustainable development based on the concept of self-reliant communities in mountain areas.

In mountainous areas, integrated and holistic planning for water, forests, land, and livestock was essential because people depended on all of these. The key issue was who controlled these natural resources in mountain areas.

As long as these resources were controlled by the elite through remote control, they would not be protected, because the elite did not depend directly on these resources for their survival. They were not familiar with the destruction of these resources and did not feel the pain of it. For example, mining and dam construction in mountain areas affected local people's lives, but the benefits of these interventions were enjoyed by people who were far away from the mountains. This contradiction could be seen equally at the community-level and in national-level planning. Although there was no true contradiction between the community and the nation, because the community was the nation. Elite classes that made the plans considered that the benefits of local communities were contrary to their own. This resulted in conflicts between the forest department and local communities, as well as between those who would construct dams and those affected by them. The main issue was how to understand these conflicts and move towards solutions.

The development model that had been put before them created a deficiency within the community because people came to believe that, if they agreed with the model, benefits would accrue to them, but this was a

false hope. The sustainable development of natural resources in the uplands was not sufficiently considered. When talking about development one thought of building a new room for the school, or widening roads rather than concentrating on survival issues such as problems of unemployment in villages.

In this context, decentralization needed to be reconsidered. Right now, decentralization really meant deconcentration of power. Decisions not taken at the centre were passed on to state and district levels, whereas the critical issue was giving real autonomy to local communities. Only when communities made decisions related to issues of their own survival would decentralization have a meaning. This community management must have a holistic approach, involving forest, land, water, and livestock, and must move towards real autonomy.

In Himachal Pradesh, after the 73rd Constitutional Amendment was passed in India, they had been hopeful that true decentralization would result, but only cosmetic changes occurred. The *Panchayat(s)* were to work as agents of the government. In this role they could not properly manage and conserve forests and other natural resources because they would act according to government wishes rather than the wishes and needs of the community. The *Panchayat* or any other local institution must understand the needs and problems of the community.

In India, villages had no legal status. The *Panchayat* consisted of 10 or 12 villages, and they did not share common interests. One village could not solve the problems of another. Although some rights were devolved to the *Gram Sabha*, everyone did not come to the meetings, and so 10 or

20 members made decisions for 3,000 people; that was not good enough. If they wanted to have appropriate management the natural community would have to be legalised. This did not exist in HP or in Garhwal. There were revenue villages, but the government was concerned only with revenue, not with the problems of the village.

It should be stressed that the community should make the plans related to natural resources. The people who made the plans did not know the villagers' actual problems, and the people themselves did not participate in decision-making. In order to bring homogeneity to the villages, responsibility for management should be given to the community.

Today, one could not depend solely on traditional types of employment, so employment opportunities must be created based on resources, and these plans must be designed by the people ourselves. Throughout India one found no concentration on technical research related to village development. All the people in the speaker's village had livestock, but no attention was given to creating good livestock equipment such as ploughs, etc.

In Himachal Pradesh different management systems had been introduced to manage the forest, and thus there was confusion among the programmes. Coordination among elected bodies was needed and people should be given the right to choose which organization should manage the resources. In addition the attitude of the forest department should change to one that sought active participation at the level of control from the people. The same was true with autonomy in all areas.

Mr Chandi Prasad Bhatt - Dasholi Gram Swarajya Mandal, Gopeshwor, Uttar Pradesh
Dasholi Gram Swarajya Mandal is a Gandhian Sarvodaya organization committed to empowering local communities to take control over the management of natural resources crucial to their livelihoods and the survival of their traditional way of life. It is known as the cradle of the Chipko Movement which successfully challenged forest department policies of commercialisation of the forests of Uttarkhand, the mountainous districts of UP state.

These days people were assessing the problems of natural resource management not only at the local and national levels but also on a global scale. However the problems were being analysed at different levels according to individual needs and perceptions, which of course differed from one another. The *Chipko Andolan* was a direct challenge from the local people to the forest department on the issue of why certain trees should not be felled. *Van Panchayat(s)* were fighting with the authorities, but those who really struggled with the officials were the people whose livelihoods were connected with natural resources.

India's first national forest policy was formulated in 1952 and the second policy was formulated in 1988. Although ten years had passed, no laws or byelaws had been enacted to implement this policy. The joint forest management programme was operative in some areas of India only. The speaker said they were insisting that it should be a people's programme and the government's role should be one of a facilitator. The concept of the joint forest management programme was still vague and they were not satisfied with it. The speaker believed that decision-making power should

be given to the people who were directly linked to the forest. Women should have the majority in decision-making because they were directly linked to natural resources in mountain areas.

The speaker recommended that *Van Panchayat(s)* should work under the supervision of the *Gram Panchayat*. Every Himalayan village should have a *Gram Van* that should be managed by a *Van Panchayat*. Each *Gram Van* had nine heads. The speaker suggested that out of the nine, five should be women so they could play an important role in policy-making.

NEPAL

Mr Hari Prasad Neupane - Chairperson, Federation of Community Forest User Groups of Nepal (FECOFUN)

FECOFUN's mandate is to support community forest user groups at all stages of activities, from initial development through handing over of the forest and implementation. FECOFUN's main focus is on policy advocacy, networking, information sharing, and training. FECOFUN works with all levels of government, from the VDC and DDC up to the Ministry of Forests and Soil Conservation, to promote community forestry management in Nepal.

Mr Neupane stated that they had crossed many stages to reach the present stage of community forestry. Community forests that had been handed over were doing well in some areas, but, on the other hand, the user groups did not always know how to manage and coordinate well. The problems community forestry was facing were duplication of laws, regulations, and legislation. There were also obstacles to full community participation, mainly regarding gender

equity, as this was directly related to tradition and culture. The other prevailing problem was the economic condition of the people who could not afford to give time to the programme. The actual user groups should organize meetings and activities to make people aware and interested. There was also a lack of coordination with outside agencies. Regarding local, elected institutions, relations and coordination should be fully assimilated. A continuous dialogue was required.

Certain conflicts existed in the provisions of the law pertaining to community forestry and other laws outlining the rights and duties of municipalities and district and village development committees. These should be rectified to establish the priority of the Forest Act which asserted the autonomy, right of ownership, transaction, and rights in forest areas handed over to user groups. Other conflicts in the functioning of user groups arose out of ignorance or lack of clarity about their rights and duties. Three main areas of conflict were in regard to authority, control, and coordination, and appropriate and effective conflict resolution measures were required. In general, however, the activities and performance of user groups had been exemplary and were being extended.

VDCs and DDCs needed to coordinate their activities in matters of forestry. There were instances of power conflicts among the UGs, local, elected bodies, and government agencies. This workshop should come up with ways to ensure coordination and a spirit of inter-dependence amongst UGs, VDCs, DDCs, government agencies, and the Federation, so that local farmers and the general public would not be deprived of the promises of community forestry. The stark reality was that the Act and related

regulations lacked coherence and were nullified by *ad hoc* circulars and directives from Ministries; telephone-imposed instructions prevailed over law. The speaker stated that he hoped the workshop would address those issues and would suggest modalities of equitable benefit sharing from forest resources and collaboration between elected bodies and forestry user groups.

Maya Devi Khanal - Chairperson, Himalayan Grassroots' Women's Natural Resource Management Network (HIMAWANTI)

HIMAWANTI works to support and empower grass roots' women working in natural resource management throughout the Hindu Kush-Himalayan region. The current focus is on organization and training and formation of women's groups and linking them up with other women throughout the region.

Participation of women in decentralization was important. Through HIMAWANTI they were trying to encourage women to come out and feel free to participate in the struggle for survival and also to make them more independent.

Women in villages still covered their heads and hid their faces when they had to come before men or elders. They could not talk openly with men. When some women made efforts to undertake development and work for people's welfare or, in short, when women stepped out of the house, they were bound to be misunderstood. In villages people still believed that women could not make any decisions by themselves.

HIMAWANTI expressed gratitude to ICIMOD for inviting them to the workshop and encouraging them to go ahead. Sharing views with different stakeholders was helpful. This

would give them more power and would increase the involvement of women in the efforts towards decentralization. Women could do a lot together and could give each other support and encouragement. Nothing would be impossible in such circumstances.

Gaura Devi, the woman who had started the *Chipko Andolan*, had inspired them. Women should be given some authority. They should be made aware of the laws and their implementation. Although women had to face considerable difficulties in looking after the household, children, husband, etc, they should not lose heart and should keep working towards their goals. Slowly men too would change their attitudes and their support would help a lot. The speaker expressed the hope that, by the end of the workshop, they would come to some conclusions and solutions that would show them the way forward.

Chairperson's Remarks

Dr Sainju noted how much had been learned from the panelists' experiences.

Dr Sainju said that, while none of the problems should be isolated, it was necessary to focus and to reach conclusions pertinent to the basic objective. He identified the major issues related to the role of elected institutions in forestry management and problems of local level government, especially in the context of the Hindu Kush-Himalayan mountain region.

Each country had issues that related to democratisation, governance and decentralization, and the need for accountability on the part of elected officials. Local, elected bodies had a definite role to play in natural re-

source management, and we needed to see how they related to the various movements addressing different issues and how local institutions were responding to what was happening in the different Hindu Kush-Himalayan countries.

Increasing engagement and conflicts were being witnessed because of the new movements and expectations emerging; for example, conflicts between forest user groups and elected institutions, village development committees, and individuals. As changes in roles and expectations occurred, new conflicts emerged and these had to be solved. New legislation and rules had been developed, but they were not performing as well as expected. Despite positive policy measures, problems of conflicts and overlaps existed and needed to be addressed. The main point to keep in mind was how to bring improvements to people's lives.

Dr Sainju summarised the major issues raised in the panel discussion in the following points.

1. There was an urgency to bring our way of life and natural resource management into harmonious balance as part of our culture, so in this regard we were not talking about something imposed from outside. We honoured natural resources and refrained from destroying them because they were part of our life. Deterioration had taken place late in our history, only recently, and was therefore correctable; attitudes and behaviour could change. The problems were definitely soluble and could be solved if taken up one by one. We had to remind ourselves of our traditional values.
2. We had recognised that community forestry management could not be undertaken alone by com-

munity forestry groups. Coordination and linkages with elected institutions were very important and this had to become a major focus of future work.

3. Changes in attitude had to come not just from foresters, but from policy-makers, planners, and politicians also.
4. Participation of women in the political process at national and local levels was important. Women needed better representation and participation in decision-making in community forestry user groups.
5. Decentralization should mean devolving power to the people and to local, elected institutions. What did autonomy mean in this context? How was it to be defined? Autonomy had to be accompanied by decision-making power. What was required was equitable participation, not exploitation.
6. Linkages had to be developed between organizations working on forest conservation, local government institutions, and elected bodies. Better support and communication systems were required.
7. Both capacity building and trust for people's own knowledge and experience were needed. The introduction of new technology required new skills at the local level

to meet new challenges. This included training in management skills. Women's participation had to increase and that required increased awareness and education.

8. A holistic approach to common property management in mountain areas had to emerge.
9. Problems related to duplication and lack of clarity of rules, regulations, and legislation existed. Conflicting resolutions were found at different levels. Conflict resolution was required at different levels between individuals, and between groups and local institutions. Some problems could also be resolved through prevention if they were addressed early enough.

Dr Sainju said that we had to initiate processes that would empower the women and men of the Hindu Kush-Himalayas to participate in all aspects of decision-making that affected their lives. This had to become the overall goal of all stakeholders. He thanked the organizers for the opportunity to chair such an interesting and important discussion. Dr Sainju said that it had been a unique forum and was bound to lead to increased interaction in the area of governance and natural resource management.



A floral representation of the ICIMOD logo



A participant from Nepal planting a sapling at ICIMOD's Demonstration Site at Godawari, Lalitpur, Nepal

4

Paper Presentations

Prior to the workshop, papers had been commissioned on several issues relevant to the workshop theme. This session was set aside for the presentation of these papers concurrently in order to allow time for them all to be presented to the workshop participants. The presenters were clustered into three groups to incorporate different countries and topics and to maximise the exposure of the participants to various aspects of the issues. Participants were free to choose

which of the sets of presentations to attend. A subsequent plenary session incorporated summaries of the papers so that all participants could be familiar with the issues presented in the concurrent sessions.

GROUP ONE

Conservation and Fundamental Aspects of Natural Resources in Uttarakhand

by Chandni Prasad Bhatt and Ramesh Pahari



Mr. A.L. Joshi, Chief Planning Officer, Ministry of Forests and Soil Conservation, Nepal, giving a presentation on forestry.

It was not so long ago that tribal areas could consider natural resources as the basis of livelihood, and resource conservation was an integral part of culture. The reasoning behind such a lifestyle was that it established the tribal peoples as independent societies. Stories related to these cul-

tures were famous in the Himalayan region; their independent economies allowed for the development of reli-

gious, social, and cultural aspects of the area. The Himalayan region had been home to many societies for centuries. Despite different lifestyles, natural resources remained the main source of livelihood, so conservation and proper use were common.

The Himalayas were storehouses of water and forests and thus regulated the weather for the continent of Asia. Uttarakhand, in the middle of the Himalayas, provided water for a large part of India and was rich in forests, minerals, and natural beauty. It was famous for religious places, and considered a *deo-bhumi*, abode of the gods. Despite the difficult geographical location, the people of the area managed easily thanks to the abundance of fertile agricultural land, water, and forests. Up to 80 per cent of their needs were met from the natural resources, and the culture flourished. Two centuries ago, Uttarakhand was considered rich in grain, livestock, herbs, and other forest products, and, for this reason, many royal families tried to capture it. Finally, it was conquered by the British. Since that time forest resources had declined drastically.

From early in the 19th century, the people of Uttarakhand were kept from using their resources without disturbance as the British began exercising their authority over the land and forests. Measurement and organization of forests for revenue were carried out between 1817 and 1823, and forests were given to contractors for commercial exploitation. Thus the destruction of the forests began. The Forest Department (FD) was formally established in 1878, and over the following 50 years more and more forests were declared 'protected', seriously affecting the lives of local people and their traditional management strategies. Village people began neglecting forests and fires

broke out frequently. Dissatisfaction against the government was voiced as people protested the portering and forced labour that were imposed.

In an effort to reduce people's grievances, the U.P. government established a Forest Grievance Committee, between 1911 and 1917, that made several recommendations. As a result, two classes of forests were delineated: Class I included forests with no commercial value in which people could have tenancy rights and Class II forests were a definition as in Class I kept under FD control. In addition, the Committee suggested that forests located near villages should be handed over to the *Panchayat(s)*. In 1927, the Indian Forest Act was passed, and it clearly defined the role of forest officers and *Van Panchayat(s)*; in 1931 *Van Panchayat* rules were approved.

The *Panchayat* tradition was a well known and positive institution of local governance throughout India, popular as well in Uttarakhand. Under British rule, however, the *Van Panchayat(s)* became pro-government institutions, and, even after 50 years of independence, they maintain this pro-government stance. Currently three classes of forests are found: *Van Panchayat(s)* under *Panchayat* control, Protected Forests under the Forest Department, and Civil Forests under the Revenue Department. At present, only 10 per cent of Uttarakhand's total forest area is under *Van Panchayat* control.

It was well known that, whatever arrangements the British made concerning natural resources, they were for their own purposes and not to benefit the local population. The biggest effect of their rule was the crippling of traditional institutions and an increase in people's dependence

on the government. The very forests that used to support people's livelihoods were destroyed by the people. Independence did not bring a reorientation or any attempt to re-establish the relationship between forests and local communities, and the 1980 Forest (Conservation) Act increased centralization and did not lead to expected forest development. In 1988 a new Forest Policy was announced that dealt with the relationship of forests and the people who depend on them. This policy emphasised protecting local people's rights.

Two hundred years of exploitation by the government and alienation of people from forest resources and their traditional protective attitude had taken a big toll. Forest degradation meant that both government revenue was declining and the environment was suffering in many ways, the drying up of water sources to soil erosion and increased flooding showed this. During the 1970s, when discussions of environmental problems were beginning at the international level, the *Dasholi Gram Swaraj Mandal* (DGSM) was beginning its creative work in the remote Uttarakhand district of Chamoli.

The declared aim of the DGSM was village self-government and an equitable society. It also worked for proper use and conservation of forest resources and advocacy of people's traditional rights. In addition, local people's organizational capacities were to be strengthened and women organized to take up issues of particular concern to them such as fighting against alcohol. The work of DGSM in fighting for people's traditional rights brought it into conflict with forest officials. A devastating flood in 1970 caused by large-scale deforestation made DGSM realise that forest conservation was necessary to be safe from natural disasters.

The Chipko movement started in 1973 to save trees from government exploitation and auction. This movement spread rapidly and became well-known. The movement emphasised non-violence on one hand and the love people have for the trees on the other. Women members of the movement declared the forest their mother, since the forest cared for human beings. Recognising that development of the forest was the development of the people, the movement put forward six demands.

- Forest policy was to establish forests as the protector of soil and water and was to fully ban cutting trees for business purposes in the sensitive Himalayan region.
- Proper inspection of forests was to be made and forest products were to go to those who depended on forests for their daily needs.
- Afforestation was to be carried out on barren land by local people in programmes related to village employment. Social forestry and agro-forestry was to be encouraged.
- The contract system was to be completely abolished in regard to forestry work and local people were to be fully responsible for all types of forest work.
- Small-scale industries based on forest products were to be established in forest areas. Raw materials and timber were to come from the forest and technical assistance was also to be provided.
- Plantation programmes were to be based on natural plant species that helped meet people's needs rather than rapidly growing trees used for commercial purposes.

Had these demands been honestly implemented, positive results would have resulted, but the government had not implemented many of these

programmes. Nevertheless the Chipko movement became a pioneer and many other forest protection movements followed. Not only had many forests been saved but other fundamental issues had been brought to the fore also such as women's rights in decision-making, Forest Act violations by Forest staff themselves, and how people would meet their fuel needs if all dry trees were sold by the department.

DGSM also worked on organizing village women and started a series of camps on the subject of forestry and environmental protection aimed at saving land from soil erosion and making barren land fertile and green. Many positive results were seen. Stability was returning to the soil and water supplies were being replenished. These programmes were more successful than various government-sponsored forest development projects which did not achieve their goals despite major expenditure. The difference was that whereas the government was seeking to fulfil targets, the people were putting their full hearts, minds, and emotions into the work.

A similar pattern could be seen throughout the world where declining natural resources, especially forests, were no longer sufficient to meet people's needs and practical programmes to solve this problem had not been developed. One of the main causes was the imperialistic attitude that abolished local people's control over natural resources and governments and worked only for their own purposes. The termination of imperialism had not changed this attitude or the structures that it built. In fact, regarding natural resources, the government's role should have been to provide technical guidance and planning to build people's expertise in these areas once again.

As a first step, rules and regulations were to be cooperative and programmes were to be people-oriented and not government-oriented. Although, in India, Joint Forest Management had initiated people's participation in forestry work, its success was doubtful since people's cultures, values, and traditions had not been put at the centre of this programme. The government needed to abandon the notion that natural resource conservation was the duty of the government alone and that only the government could carry it out. As long as the government thought that the development of the population was its responsibility, the theory of people's participation would only be an exhibition of the government's pride.

People were to be engaged in conserving resources and making working plans according to their traditions and needs, and the government needed to support their efforts. Such a venture would awaken the sleeping mentality of the people and would trigger their enthusiasm and capabilities. Attempting to re-establish the actual *Panchayat* system of ancient times was unrealistic talk, but certain positive aspects should not be ignored. The goal was to consider the village society as a basic unit. However, the *Panchayat(s)* were neither given the right to regulate natural resources nor village citizens encouraged to attend the *Gram Sabha* meetings. They were not truly representative institutions.

DGSM experience showed that there was neither scarcity of forest lands nor scarcity of human resources. What was needed was to establish consistency between them, but the mentality of both the government and the people did not allow this. Such thinking could not be changed at once, and an administrative struc-

ture that would persuade two different mentalities to move in the same direction was to be created. DGSM's vision was that the village management system that prevailed two centuries earlier again be made practical, that every village was to possess its own forest managed by the villag-

improve the conditions of village resources, and village institutions themselves were to avoid conflict and work properly. DGSM was to establish the concept of developing people's resources and only then could it face the challenges that had emerged from their decline.

Lessons from the Chipko Movement

- Each group and community had its own particular situation. Problems were to be solved by working together although people had different political viewpoints.
- The Chipko movement worked for the preservation of forests and natural resources and also for development of villages and local people. It had created awareness and women's empowerment through *Mahila Mangal Dal(s)*.
- People spread awareness among other local people so that they had the opportunity and came forward and helped in this quest. DGSM could use their potential and skills for natural resource management and that was a big step.
- Environmental policies were to accord with people's own traditions. DGSM believed that everyone had an equal share in forests and the environment and so everyone was to participate in helping preserve this precious heritage before it was lost.
- People had been paying too much attention to Western methods and techniques. Why could they not act on their own? They had been going towards the Western culture and had left their own values behind.
- DGSM believed that forests belonged to the people and that the grass roots' level people could take care of forests properly. Therefore, forests were to be handed over to communities and freed from government control.
- Resources were the people's, but people's participation was also needed. The government was to provide a supportive role. Government programmes were not to serve the government but the people.

ers themselves. As people were suffering from the effects of deforestation, they would accept the opportunity of revitalising their forests if it were to be offered.

Van Panchayat(s) were to be kept free of government interference and only those who worked within the village were to be members. Women were especially to be encouraged. Government was to provide technical guidance, resources, an appropriate environment, and capacity building of the people as needed. Government officers were to stop putting themselves above the common people. Arrangements were to be made to

Contemporary Panchayati Raj: Pro-People Forest Management—Is There a Meeting Point? by Subhash Mendhupurkar

This presentation began with an introduction to *Panchayat(s)* as local self-government institutions and moved into a history of control over forests in Himachal Pradesh, including people's dynamic relationship with forests and its effect on women and marginal people. Himachal Pradesh's particular *Panchayati Raj* system was analysed and possibilities explored for making *Gram Panchayat(s)* into bodies to further pro-people management of forests.

A system of *Panchayat(s)*, literally 'five wise men' had been established as a local governance system before the first millenium in the Indian sub-continent. Derived from a caste-based strongly patriarchal system, women and non-Aryan caste people were excluded from participation in these bodies. The *Panchayat(s)* functioned to distribute natural resources and to resolve conflicts arising therefrom. They had the strongest social sanction, and there were no appeal mechanisms for such decisions.

The British era brought in a Justice Delivery and Conflict Resolution system based on written records and officially caused to recognise the caste hierarchy. Land records began to be kept and a court system was introduced, making everyone equal before the law. The British also defined the village on the basis of land revenue collection rather than as a site of natural resource management. Realising that people could be controlled through their natural resources, non-private land, forests, and water became government property. *Panchayat(s)* lost support for village-level governance and lost legitimacy. Nonetheless, social approval prevailed.

The *Panchayati Raj* system was debated during the preparation of the Constitution of the Republic of India. Aware of the caste system and domination by Aryan castes, 'depressed classes' opposed providing Constitutional sanction to this system. The definition of a 'village' was apparently not debated and remained as defined by the British. Similarly, ownership of common natural resources rested with the government. Shortly after independence, the Government of India appointed the

Balwant Rai Mehta Committee to study *Panchayati Raj* systems and make recommendations. The general recommendations were to establish elected and organically linked democratic bodies at village, block, and district levels; to entrust planning and development activities to these bodies; and to provide them with adequate resources to discharge their duties. Some scholars advocated a non-party based group nominated by consensus as *Panchayat(s)* while others believed in a party-based, democratically elected body.

The Committee went beyond delegation of power and aimed at devolution whereby the government completely divested itself of certain responsibilities and devolved them on to another authority. The institution to which power was to be devolved was to be located at the intermediate level, the *Panchayat Samiti*, an institution assumed to be democratically structured at the lowest possible level, and yet commanding sufficient resources for development work. In 1977, the Ashok Mehta Committee was appointed to assess the functioning of the *Panchayati Raj* system and to make recommendations. Breaking some new ground on equity and gender, this Committee essentially conceived of the *Panchayati Raj* Institutions (PRIs) as delivery systems. Neither committee, however, discussed the definition of a village nor established any links between natural resource management and livelihood.

Some states accepted these recommendations and created PRIs. These in turn became models for the 73rd Constitutional Amendment in India. Thus, the amendment also failed to address the issue of 'what constitutes a village?' and it did not address the

dichotomy of 'self-managed units' and 'self-governing units'. To address gender and equity, reservations of seats were mandatory, but its manner of devolving power was vague and left room for manipulation. It was in this context that the H.P. *Panchayati Raj* Act 1994 was to be examined.

H.P., as with the rest of India, retained control over most forest land and used revenue raised from forests to carry out development and provide basic services after independence. To satisfy the demands of Scheduled Caste (SC) people for land, the government promulgated the H.P. Village Common Lands' Act and distributed a large part of the common land between 1975-77. Essentially, instead of taking over surplus land owned by high caste people, the state converted community assets into private assets. For various reasons there was no organized resistance to this move.

In H.P. itself people had had a dynamic relationship with forest resources. The state recognised various 'rights' of the people over forests and had fulfilled them to a certain extent. Since 1948, the amount of timber extracted to fulfill the needs of right holders had increased relative to the amount extracted for commercial purposes, but the section of society that had access to these benefits was generally the affluent who least depended on the forest for daily sustenance. In addition to timber, people relied on the forest for fodder, fuelwood, and medicinal herbs. An assessment of the Forest Department's plantations in H.P. revealed that most planting had been done for timber and not to meet people's basic needs. This had adversely affected the people since undergrowth (grasses and shrubs) was minimal in forests heavily populated by timber species.

The people most affected by this were women, who traditionally collected fodder and fuelwood, and poor families from the upper hills who depended on extraction of medicinal plants for cash income. When, in the early eighties, certain village common lands were closed to grazing and fenced by barbed wire after plantation with timber species under a World Bank project, people in certain districts revolted, opening the eyes of the Department and project monitoring committees, and this led to the planting of broad-leaved species. Donor pressure led to the inclusion of representatives of *Mahila Mandal(s)* in project-sponsored village development committees (VDCs). The department favoured their inclusion instead of NGO representatives because they were easier to manipulate. Despite extensive formation and institutionalisation of *Mahila Mandal(s)* in H.P., most of them were headed by women from influential families and had developed a dependency syndrome that had lost them their bargaining power with the government.

Other factors also influenced H.P. forests. After gaining statehood, the government carried out large development and welfare activities, requiring a large number of employees, every 16th adult by 1988. Steady cash income and male urbanisation reduced dependence on agriculture and supported the perception that forests were meant for timber supplies. At the same time, horticulture was spreading on so-called waste lands, and decreased fodder and fuel supply as well as grazing land.

Different sections of society reacted differently to this divorce of livelihood from local resources, and it led to a new stratification. Three socio-ecological classes developed: people

still dependent on natural resources for subsistence, people deriving their livelihood from state employment or trade; and those who lacked access to natural resources and lacked access to state largesse.

Turning to H.P.'s *Panchayati Raj* system, the original Act of 1968 apparently conceived of these bodies as agents of the state government involved in planning development activities and providing certain civil services. The 1994 Act indicated the purpose of ensuring "effective involvement of the PRIs in local administration and developmental activities." The question arose as to whether there was a desire to make these *Panchayati Raj* bodies real units of self-governance. The State totally controlled the formation of the *Gram Sabha*, which generally included five to six villages, spread over eight to 10km and could be formed with considerations of 'administrative convenience', although 'people's convenience' was nowhere mentioned. In addition to the query about whether such an administrative unit could become a functioning body, a typical village in H.P. contained a variety of socio-political interest groups, and there were no indications concerning what principles of gender, equity, or social justice were to be followed in planning or carrying out development activities. Likewise the governing rules regarding quorums and requesting meetings made it easier for a chairperson to push through his/her decisions with a small number of participants rather than for unsatisfied members to call a meeting against his/her will.

A chasm existed between the people and their elected representatives and people of poorer classes were totally unable to put pressure on the elected representatives to act for their wel-

fare. Widespread corruption existed and people failed to participate in *Panchayat* planned development activities. The *Panchayat* Secretary assigned to several *Gram Panchayat(s)* hindered activities rather than facilitating them and acted as a bureaucratic overlord. Together with junior engineers and administrative staff, they blocked any development synergy that could be generated at the village level. The underlying assumption of the H.P. *Panchayati Raj* Act saw *Panchayat(s)* as agents of the state; while the state entrusted functions to *Panchayat(s)*, *Panchayat(s)* needed approval before taking any initiative. While provisions had been made for Standing Committees to oversee *Panchayat* work and Vigilance Committees to monitor it, these had either not been formed or were not functioning.

The important question that arose was whether PRIs could play a role in pro-people management of common property resources. The law permitted the government to transfer to any *Gram Panchayat* management of a forest, wasteland, pasture, or other vacant land situated in the village area and to provide funds for such management. Were this to be implemented, the *Panchayat(s)* were to actively manage nearby forests to provide daily needs, especially to women and the poorest people. However, no rules had been framed in support of implementation. Similarly, although the Forest Department had a list of powers and functions entrusted to *Gram Panchayat(s)*, analysis revealed widespread confusion and inconsistency. The main issue was how the Forest Department could create a system of accountability toward *Panchayat(s)*. The *Gram Panchayat(s)* had to be made accountable to the *Gram Sabha* and processes were to be initiated to cre-

ate such accountability among the people's representatives of PRIs in relation to common property resources.

Gram Panchayat(s) had to work effectively if the *Gram Sabha* functioned effectively, as the *Panchayat* was created out of the *Gram Sabha*. However the H.P. *Panchayati Raj Act 1994* did not provide much space for the *Gram Sabha* to act, and its decisions had little value. In addition, neither women nor marginal people participated. In order to activate this institution, the *Gram Sabha* needed to be organized, and they needed to create an environment that encouraged participation regardless of gender or class. Separate discussions with each socio-political group in the village were necessary before each group's plans for meeting various needs could be brought before a larger group or representatives of the common interest groups. These *Gram Sabha* could be asked to take over common lands or demarcated non-reserved forest for regeneration.

The larger *Gram Panchayat(s)* would then function to give strength and credence to the work of the *Gram Sabha*. Their current resources were inadequate for this task, but local human resources were to be generated. This would not only be cost-effective; it would also ensure people's participation, resulting in transparency in dealing with the *Panchayat(s)*. Institutional arrangements were also to be developed between the *Panchayat(s)* and other local level groups such as *Mahila Mandal(s)*. For this to occur, there had to be attitude change among the *Panchayat* leaders. One strategy was to develop a mechanism for continuous interaction and dialogue among local-level groups and *Gram Panchayat(s)* in Himachal Pradesh.

Public Awareness Enhancement: Role of Autonomous Organizations in Community Forest Management In Nepal

by Hari Prasad Neupane

Although forest resources were very important for Nepal's population and national economy, there had been a decline in forest-derived government revenue over the years. Management of forest resources was not going well, and the 1992 Forest Act, promoting community forestry, had to be properly implemented and followed to effectively conserve and protect forests. Community Forest Users Groups' (UGs) should be formed and made active in the *Terai*, and the hill and forest areas outside the community management system were to be managed in a participatory manner that involved local people in forest management activities.

A historical perspective of forest regulations in Nepal revealed that until the Forest Development Master Plan in 1989 recognised the importance of community participation in forest management, forest management rested in the hands of the government. However, the Forest Act and Regulations (1993) ensured community participation in forest management. The community forestry concept gave local people new hope. By the end of 1996, 5,300 user groups had been formed and had community forest areas handed over to them. The forming of community forest user groups and handing over community forests to their management resulted in improving the condition of Nepal's forests. Community forestry also helped promote a number of other important policy objectives such as fulfillment of people's basic needs, sustainable use of forest resources, people's participation in decision-making processes and gain sharing,

and general socioeconomic progress. At the same time, authorities had to be careful about the local capability to take over and manage community forests. Local people had to know about and be trained in community forestry, user group formation, work plan preparation, active participation, and programme implementation; otherwise, the whole concept of community forestry, people's participation, and gain sharing would remain mere provisions in the law and regulations. The efficiency of UGs was the backbone of the success of the community forestry policy in Nepal. Government officials played a key role in educating the people about legal provisions concerning forest related matters. They guided, initiated, and facilitated the activities of UGs and took a lead role in institutional coordination, conflict resolution, work plan formulation, and planning activities in the process of guiding the UGs. Therein lay the success of the community forestry process.

When forest resources were used for industrial purposes, proper attention was to be paid to the matters relating to the environment, as stated in the Forest Development Master Plan and the Forest Act. Users were greatly concerned about using forest resources productively. Not opposed to forest-based industries, people wanted assurance that they would not be deprived of use of the forest to meet their basic needs and needed to be convinced of the un-exploitative, non-monopolistic, and non-destructive use of the forest for industrial purposes.

The Federation of Community Forest User Groups was founded in 1995 as a result of several earlier workshops among members of FUGs. The Federation's first convention, held in Kathmandu in April 1996, was attended by 178 representatives from

40 districts and inaugurated by the Minister of Forest and Soil Conservation. The convention formed a National Working Committee with one man and one woman representative from each development zone of Nepal.

The Federation aimed to strengthen solidarity amongst user groups and promoted their institutional development in order to promote proper implementation of government forest policies, acts, and regulations. Local users were the guardians of the forest and environment and had priority preference in harnessing local resources. They had to have a say in all aspects of forestry. Accelerating the process of community forestry in the Himalayan Region with full adherence to the Forest Act was essential. Special programmes had to be launched on government initiative to increase awareness and to empower rural people in various ways to use forest resources and to infuse a sense of belonging, a participatory attitude, and sustainable use of forest resources. The Federation sought to institutionalise those issues with commitment and conviction and to this end had been conducting a mass media programme through radio in collaboration with the Nepal Federation of Environmental Journalists and foreign donor agencies.

In Bara district in the *Terai*, there were rumours of a plan to hand 32,430 hectares of forest over to a company from Finland in a joint venture with three Nepali business companies. If it did not come about, it was said that the government of Finland might stop its grant and assistance to Nepal's forest development programme. Although this was a matter of public concern, as it would have led to desertification of the *Terai*, the government was keeping quiet. The Federation was showing

concern over this issue. Since the user groups in the local community were quite competent and willing to take over and manage the forest in that area, why should the forest be given to a foreign company and a few commercial concerns? Did this not ridicule Nepal's Law? It was essential to protest against such a wrong approach, but the government remained silent. Ironically many inhabitants of Bara were unaware of the issue. Mr. Neupane wished to raise the question of whether people were to support such actions or repudiate them with a common voice.

Another issue concerned some proposed revisions in the Forest Act presented by the Forest Ministry in the winter session of Parliament (1997). This might have been against the interests of user groups. Such issues were to be discussed with stakeholders in consultation with legal experts and a consensus was to be reached amongst parties concerned. The government's duty was not simply to transfer forests to User Groups but to make certain the transfers were sustainable. Certain necessary prerequisites had to be met prior to the hand over, and this was

Major Concerns

The following issues were raised by participants.

- Local bodies and CFUGs should have more authority and power to coordinate.
- When politicians came to the villages asking for votes they all talked and made a hundred and one promises, of which hardly any were fulfilled once they were elected. The people should be made aware of and examine the politician's background and the work he/she has done for the people. Then only should they elect those who deserve the vote. Generally, many people won votes with money, which was unfair and criminal.
- Contractors were also very corrupt. If one *lakh** came for village development, the contractor gulped down fifty per cent of it as his/her commission. Something had to be done to stop such practices. Strict rules and regulations were to be made.
- Women had to be brought forward and made aware of their rights.
- Auction of forest products in mountain areas should be banned.
- Commissions and government corruption had to be stopped.
- Local bodies had to be given power and responsibility.
- Misuse of PRIs needed to be stopped.
- Corruption was increasing day by day. People argued about this law and that law, but what was the use of laws when they were not used in the proper way? In villages, forests were under the control of forest officials and they too were corrupt. When there was a permit for one tree, four were chopped down.
- The forests were to be given to the people and they were to be given some authority to make rules for the preservation of the forests. They were to be given a chance to demonstrate their potential. The *Gram Panchayat* could help in a big way. In villages, where awareness had spread, the villagers were working towards saving forests and natural resources. But when people had to go into the forests they had to ask the permission of forest officials. People have done a lot for the forests and think they should be given some rights too.
- In the decision-making process, people's views and suggestions should be given importance. The *Gram Panchayat* knows better than outsiders what needs to be done in their villages or in the region. The government should not have an authoritarian approach to management of common resources in mountain areas.
- There must be linkages between local bodies and community forestry for decentralization to take place.

* A lakh is a hundred thousand rupees. Exchange rates vary, in Nepal there are Rs 68.40 to one U.S. dollar

an area in which the Federation could come forward to help. Some problems had been aggravated by surveys and land reform administration; for example when the forest handed over to a community belonged to an individual and was registered in his/her name. Such conflicting situations had to be prevented and solved by persons holding local leadership and local representative positions. Coordination and a spirit of inter-dependence amongst UGs, VDCs, DDCs, government agencies, and the Federation were necessary in order to bring forth the promises of community forestry for both local farmers and the general public in Nepal.

GROUP TWO

Conflicts between Local Institutions and FUGs in Community Forestry Management and Solutions

by Dil Raj Khanal

Equal participation in governance means that every citizen should have equal opportunities to participate. Decentralization is considered to be the backbone of a democratic system, with various tiers of government from the local to the central levels ensuring the system of local self-governance; facilitating economic growth, social development, and cultural progress; and improving living conditions through collective efforts.

This paper was about collective ownership of natural and forest resources in a democratic way. Resources could not be preserved for future generations until their collective and continued ownership system was legalised. To some extent, legal provisions had been made regarding the rights and responsibilities of local, elected bodies in the process of local, self-governance and community participa-

tion in management of forest resources. Community forestry user groups had been playing an important role in local community forestry management. Leasehold and religious forest management groups had also played an effective role. Despite these achievements, however, the use of forest resources in Nepal had remained a sensitive issue, and they had often been misused in the course of political change. Likewise, the current legal framework and regulations had led to a situation of possible conflict among local, elected bodies and community forestry user groups. There was a lack of clarity and transparency in enforcement of rules and regulations. Moreover, the forthcoming Local Self-Government Bill in Nepal and revisions of the Forest Act might further increase the possibilities of conflict. Timely corrective measures should be identified and implemented to minimise the conflicts and to strengthen the relationship of local institutions and community forestry groups.

Nepal lacked a well-established tradition of local self-governing institutions because of the past tradition of centralized government. Community-based traditional institutions that had been successful during ancient times had mostly been demolished under the Rana regime and by 1950 almost all forest areas were privately owned. Later efforts at giving local bodies responsibility for development activity and natural resource management were weak and generally failed. Lack of community participation in forest management led to wide-scale encroachment and destruction of forests. The Forestry Sector Master Plan, introduced in 1988, contributed substantially to the promotion and development of community forestry by providing for user group ownership of community forests.

The Forest Act 1993 and the 1995 Forest Regulations had legally established the community forestry and user group committee concept. CFUGs were bodies organized to manage forest resources for the benefit of the community. Once registered, the UG could function as an autonomous body in the capacity of a legal person with legal rights and responsibilities under the administrative system. At the same time, other acts had given rights over and duties towards management of natural and forest resources to locally elected institutions, the VDCs, municipalities, and DDCs. This situation led to conflicts in community forestry management.

Two case studies were presented to analyse the nature of these conflicts. The conflicts studied arose because of dual authority over local natural resources and forests. The UGs concerned refused to honour the authority of the VDC even to intervene in conflicts between them. Other conflicts resulted from provisions requiring NGOs to maintain coordination with the VDC in matters of project implementation. It was unclear what types of NGOs were required to follow this rule, since CFUGs registered with the District Forest Office and Water User Groups registered with the Department of Irrigation. Conflicts occurred because of uncertainty whether these groups and community organizations were required to function under locally elected institutions or local administrative agencies. Conflicts arose in matters of natural resource use and management; and these were mainly related to income derived from forests, irrigation canals, and mining activities.

The Local Self-Governance Bill pending in Parliament promised to delegate considerable autonomy to local bodies, and it could not be denied

that it would curtail the authority of other community-based organizations (CBOs). If passed, locally elected institutions would have considerable control over the activities of CBOs, and the CBOs would be subjected to dual control. The report on Decentralization and Local Self-Governance (1996) had recommended amendments to the Forest Act and suggested that community forests be handed over for management to the local government. It also recommended amendments in other acts that would put local CBOs under the control of local government to a greater extent than currently was the case.

The areas of present and possible conflicts revolved around issues of authority, control mechanisms, and coordination. Various efforts had been made to resolve conflicts related to these matters. Some had been successful and others remained unresolved. Taking legal action to resolve conflicts might be the most agreeable approach, but it had its own problems such as procedural delays, legal formalities, and win-lose situations that lacked egalitarian principles and social justice in the sensitive issue of forest use that greatly affected the day-to-day survival of communities who relied heavily on forests.

Alternative approaches, such as negotiation, arbitration, mediation, and conciliation, were suggested. Arbitration was used to resolve conflicts between labour and management in industry, but it had not yet been used effectively in Nepal. Conciliation and mediation sought to convince parties to resolve conflicts through mutual understanding for common benefit. These approaches might prove effective in resolving community forestry conflicts. Negotiation was practised through participation of representatives from both conflicting groups

and could be effective in CF matters. It was not expensive or time consuming and the parties concerned could openly discuss ways to solve their problems. It could be mandatory as the first option to resolve community conflicts and other approaches could then be tried if it failed.

Preventative measures could be used even before conflicts arose. These included increasing community awareness, educating the UG in legal matters, and regularly listening to their views and problems. Authorities and local leaders kept information on legal matters to themselves, and their tendency to be secretive and uncommunicative had left local

Community Forestry Management: Reflections from the Garhwal Himalayas on Forest Policy, Panchayat(s) and Van Panchayat(s)

by S. Shreedhar and Hem Gairola

India's federal polity presented a complex scenario regarding control and access to physical and economic resources. Garhwal's forests had been subject to successive measures eroding community control and restricting community access. Nearly 50 years after Indian independence, the imprint of colonial history was so strong that most people's lives had not changed at all. From the early '90s, balance of payments' problems

Acts Related to VDC, Municipality and DDC Rights to Manage Natural Resources and Forest Resources

Act	Elected Institution	Legal Rights and Duties
VDC	Village Development Committee	<ul style="list-style-type: none"> • Right to forest resources • Right to change forest resources into its own property • Right to sell forest resources
Municipality	Municipality	<ul style="list-style-type: none"> • Right to protect forest property • Right to change forest resources into its own property
DDC	District Development Committee	<ul style="list-style-type: none"> • Right to sell-forest resources • Right to raise taxes on forest resources

people uninformed or misguided. This must change. Communities should be informed, educated, and counselled about community forestry use and management. Laws could also be amended based on feedback about the reasons for conflict and policy cohesiveness. This was an effective preventative measure.

Whatever measures were adopted to resolve conflict, the resolution process should ensure that solutions were long term and provided social justice and equity.

forced India into globalisation and a reform era, with the current uncertainty being characteristic of a transitional period. The 73rd and 74th Constitutional amendments and the recognition of the need to bring about an equitable Centre-State relationship would alter the basic framework of the national structure, but these changes would not lead to the necessary outcomes for communities without conscious attempts to focus on the benefits and distribute control and access in a judicious, democratic manner.

Conflict Management Options

Solutions through judicial bodies have the following drawbacks

- ♦ traditional court process
- ♦ sustainable decisions
- ♦ full victory, full defeat
- ♦ very expensive

Solutions are through semi-judicial bodies and have the following drawbacks

- ♦ decisions in favour of one party to the detriment of the other
- ♦ decisions for the party related to the institution that takes the decision

Mediation

- ♦ discussion by an institution not related to the conflict
- ♦ DDC, DFO, or other institution
- ♦ by arbitration
- ♦ by people elected by the parties in conflict
- ♦ by those eligible to be elected

Negotiation

- ♦ solution of conflicts from amongst conflicting parties
- ♦ antagonism replaced by harmony
- ♦ capacity development due to direct involvement in the process

Prevention

- ♦ building people's awareness and legal knowledge
- ♦ appropriate legal amendments
- ♦ uniformity in policies

The final aim of conflict management is long-term solutions, social justice, and equality and equity.

India's federal framework provided for a hierarchy of legislation and enforcement with central legislative enactments governing the sectors allocated throughout the country. Forest and wildlife resources were a sector area in which progressive centralization had occurred. Centralization was so pervasive that the State had usurped the right to deal not only with forest resources but also with timber output from private lands. Similarly, the Central government had taken over decision-making on alienation of even the smallest tract of forest land. In addition, the laws were succeeded by specific rules and regulations, and the current administrative control was such that administrative orders were often used beyond the framework of the law and

policy, especially where there was possible ambiguity.

Currently, the most glaring national example was the Joint Forest Management programme supported and funded by the World Bank. The Joint Forest Management (JFM) order came through an administrative order of the Ministry of Environment and Forests, a subordinate instrument to the *Van Panchayat(s)* that had legislative sanction for raising resources and managing areas in their control. The *Panchayat(s)* could not exercise their power under the 73rd Amendment without access and control of forest resources.

Many critical comments could be made about current forest policies,

especially as forests continued to be treated completely as state property (as they were under the British) and the policy reflected a loss of faith in people for forest conservation, seeking only servile participation and ignoring that certain tribal communities depended entirely on forests for their livelihood. The objective of increasing productivity to meet 'essential national needs' referred only to commercial and industrial needs, not to people's needs for fuelwood and fodder. In minimising pressure on forests, commercial exploitation - the main cause - was ignored. New objectives had to be incorporated; for example, generating employment through afforestation and conserving India's natural heritage by preserving the remaining natural forests that represented great biological diversity and genetic resources.

Faced with growing feelings of alienation as a result of the progressive dilution of the role of local communities in governance, the *Panchayati Raj* Act was finally enacted in 1993, enjoining States to ratify its provisions and to establish a State Finance Commission to devolve financial benefits between the State and local bodies. However, despite ratification, the State governments kept executive functions to themselves, grossly violating the spirit of the amendment that aimed at assuring that resource management was undertaken with the people's consent and according to their needs. Complementary legislation, vesting powers out of the existing functionaries, was lacking. Similarly there was no specific legal provision for forming *Van Panchayat(s)* as bodies within the *Panchayat* so that the *Van Panchayat(s)* only acted to legitimise the use of forests. To be effective, the *Panchayat* Act had to address issues that were controlled by different institutions, but it was being discussed

as there was no infrastructure to undertake these tasks. The *Panchayat(s)* were now only a facade for continued strengthening of the current power structures.

Van Panchayat(s) were an important institutional form in the hills, having been originally established to provide local control over forests in limited areas. The provisions had been geographically extended and now, although the *Van Panchayat* offered a mechanism for local control, formation and subsequent operations faced severe problems. A meeting of local representatives in March 1994 identified a variety of important issues that needed to be addressed. These included concentration of power in the *Sarpanch* and consequent alienation of other members, the negligible role of women, ignorance about administrative procedures, lack of awareness of rights and duties, lack of proper guidelines for operations, and other specific problems.

The current period was that of a development scenario in a state of flux, especially in the U.P. hills. Initiatives being considered were eroding the capacity to transform local conditions into a semblance of providing sustenance. The new cluster of programmes initiated through bi- and multi-lateral aid touched on fundamental elements of sustenance for local communities. For example, the Swajal Programmes addressed drinking water and environmental sanitation, issues directly under the *Panchayat*. However the government had established an NGO to look after the programme. The water sources might be in forests, under the *Van Panchayat* or the Forest Department, so this institutional framework was ignored and conflicts emerged. The JFM programme raised many issues of control and access that were already problems.

Thus, without a clear framework of legal, administrative, and governmental policy, local communities were alienated from forest management and suffered. An integrating framework and adherence to the constitutional intent were necessary to enable sustainable management of forests and other resources in the Garhwal Himalayas of Uttar Pradesh.

Issues and Challenges for Community Forestry and Local Governance in Chittagong Hill Tracts of Bangladesh

by Dr. M.M. Khan

The Chittagong Hill Tracts (CHT) in south-east Bangladesh were mountainous areas with an estimated population of about 974,445. With 5,098 square miles, the CHT covered about one-tenth of the Bangladesh land mass with hardly one per cent of the population living in the area. Most of the CHT was suitable only for afforestation and about a third of the total area was either Reserved or Protected government forest, controlled by the Forest Department. The most serious problem confronting government forests was alleged to be appropriation of forest resources for sale in the lucrative black market.

The paper reviewed and compared various acts and regulations pertaining to the area and highlighted certain issues and challenges pertaining to community forestry and local governance in CHT.

These hills, located in south-eastern Bangladesh, had an estimated population of 974,445. Under British rule they were governed somewhat differently from the rest of the country. In 1900 a CHT Regulation was promulgated with the objectives of "*protecting the rights and interests of tribal*

people, their customs and practices; their local and racial peculiarities and prejudices and thus preserve their cultural identities." All powers - executive, judicial and financial - were vested in the Deputy Commissioner of Chittagong District and the Divisional Commissioner of Chittagong Division. Possession of land by people who were not from the hills and migration from outside were restricted. In 1964, the then government of Pakistan lifted the restrictions against non-tribals, causing dissatisfaction among local tribal people who feared increased movement of non-tribals into their area and encroachment of their lands. This led to insurgency against the government by certain tribal groups in the CHT.

Subsequently, in March 1989, the President of Bangladesh assented to three Acts of Parliament pertaining to governance of the Hill Districts. In December 1997, a peace treaty was signed between the Bangladesh government and CHT residents, ending two decades of insurgency. The treaty was of critical significance for the devolution of power and authority through local government institutions and a regional body in CHT.

Having provided this history, Dr. Khan went on to discuss differences between the Chittagong Hill Tracts' Acts and the Forest (Amendment) Ordinance of 1989. This Ordinance substantially revised the Forest Act of 1927. Although these two pieces of legislation were dissimilar acts with different objectives, they were similar in spirit, both being very control-oriented laws. The Acts sought government control of all aspects of the Hill Councils, and the Ordinance assumed forests to be government property and gave forest service and administration officials wide powers and responsibilities to protect the

forest and its resources, giving no scope for involving local people in the protection and management of forests. Likewise, local government councils created under the Acts had almost no opportunity for meaningful participation in forestry-related activities. The Ordinance was premised on distrust of the people and emphasised punishment of alleged violation of forest rules rather than collaboration among forest officials and local people.

Dr. Khan's conclusions discussed the prospect of community forestry and local governance in Chittagong Hill Tracts. He found the situation discouraging. Actual forest cover in Bangladesh was about six per cent and per capita forest land had shrunk to 0.002ha, the lowest in the world. The annual deforestation rate was an alarming 3.3 per cent, compared to 0.6 per cent for South Asia. In CHT 750,000 acres had been completely deforested in the past few years. Local governments in Bangladesh had never been allowed the autonomy and resources required to make them viable and functional, but had also been used by the central government as mere adjuncts and mechanisms for garnering support at local levels for political purposes or military rule. Although devolution of power and authority had been talked about, nothing meaningful had been done to make local bodies effective entities. The CHT Peace Treaty was an exception, but it had yet to be ratified in parliament and made operational.

In 1978 the forest department launched a community forestry project under which the department was to cooperate with local groups to establish, manage, and protect mono-culture and exotic plantations on public property. These projects failed; even the pilot projects were unsuccessful. Looking into the rea-

sons for failure, it was found that the attitudes and values of FD officials were not conducive to CF programmes. They felt community forestry was a technical programme to be planned and run only by professionals. The prevalence of punitive laws and policies, moreover, turned foresters into policemen and villagers into thieves and continued the long-standing animosity between forest officials and villagers. In addition, most FD officials and employees involved in community forestry lacked relevant training.

Dr. Khan offered the following suggestions to improve the situation.

- Autonomy for local governments was critical and a step in the right direction. If implemented autonomy would lead to devolution of authority and power to the representatives of the people of the CHT.
- Empowering local bodies financially was a prerequisite for maintaining their autonomy. The Treaty had provisions along these lines.
- Bureaucratic control over local bodies must be reduced, and provisions of the Treaty did this.
- Recruitment, training, retention, and development of local council officials and employees were required to ensure that the councils' decisions were implemented properly.
- Honest, hardworking leadership committed to local development must emerge.

The Evolution of Community Forestry and Linkages with Local Governance in the Northern Areas of Pakistan

by Ali Gohar and Muhammad Iqbal

The history of forestry in Pakistan revealed that strong bureaucratic,

aristocratic, and technocratic institutions had disassociated forestry from the country's native society and culture. This process had created a gap between the people, with their long-standing attachment to the forests, and government departments which have taken power and authority over them. In this context, notions such as community forestry, social forestry and village forestry were meaningless.

The main challenge for the Hindu Kush-Himalayan region was the democratisation of forestry. This required institutional, legal, political, and organizational reform in order to develop effective and sustainable partnerships between stakeholders. Democratisation implied making government officials accountable to the communities. This could be done by empowering the community through skill development and by organizing them into powerful institutions.

Historically, the Moghul Empire's administrative culture was not conducive to the introduction of a modern bureaucratic model. Therefore, the East India Company formulated its forest regulation by grafting a forest bureaucracy on to the Moghul system. Its main focus was the maintenance of law and order rather than providing services to the people. Forestry staff were selected from the police, army, and other branches of the Public Service, and throughout the 19th century, forests were exploited.

The Indian forest law of 1878 introduced two main categories of forests: Reserved Forest and Protected Forest. Investigating an incident in which thousands of acres of forest were set ablaze in Kumaon, the Wyndham Commission concluded that the forest department should

devolve control of new forest reserves to villagers (Knudsen 1895). In 1923, the new forestry plan granted more control (concessions) to villagers and entitled them to a percentage of revenue resulting from commercial felling. Private forests reverted to state control in 1950 and, in reaction, people started clear cutting trees.

Pakistan had very limited forest reserves and was experiencing a growing imbalance in the extraction and production of timber and fuelwood. Pakistan's forest resources had been destroyed and degraded by various inside and outside forces over many centuries. The history of forestry in Pakistan revealed that there had been initiatives towards community involvement in management and protection of forests as well as government imposed barriers against it. In particular, since 1978, a number of initiatives, both government and donor-funded, had been taken to involve communities as stakeholders of forestry development programmes. Despite these efforts, a wide variety of constraints to the success of community and social forestry had been identified.

Nevertheless, Pakistan had experienced several successes. One example came from Chalt - Chaprote, in the Northern Areas, where six villages had taken over forest management and replaced the existing system by a traditional regime. The Chaprote case had provided new hope for the Northern Areas' forests. The immediate question for the Aga Khan Rural Support Project (AKRSP) and other agencies concerned with preservation of ecological balance and sustained development was how they could assist the community in making this new regime viable.

Public servants and elected representatives could play a wide variety

of supportive roles in the context of community forestry, most specifically in devising a policy that would lead to its implementation. However, in Pakistan and similar countries, where a small well-off group of people dominated the political system, the needs and aspirations of the common voters were usually not valued and/or ignored. Elected representatives who had contributed to fostering the forestry and other sectors were personalities who did not represent the political mandate/system. Nevertheless, the potential role of elected institutions in community forestry could be significant.

Pakistan and the countries falling in the Hindu Kush-Himalayan region faced more or less the same challenges with regard to forest management. Major challenges in community forestry related to national policies and legislation, community empowerment, integration of forestry management with related fields, and reorientation and retraining of forestry officials.

Village forestry in Pakistan was authorised by granting provincial governments the authority to assign any village community the rights of the Government over land and constitute a reserve forest. However, community participation in forest management needed an organization in which human values, a sense of responsibility, integrity, mutual trust, dedication, and accountability were more important than prestige and bureaucratic power. Unfortunately the foundation of forest organization in Pakistan was laid by police and army men who had a brutal attitude and illegitimate high-handed behaviour. Since this attitude had developed among forest staff, this had created an irreversible social gap between them and the village people. Therefore, various reforms were

needed to make participatory forestry function properly. These included policy and legal reforms as well as institutional reform designed to improve the efficiency of the forest department.

GROUP THREE

Forest Management in Nepal and the Role of Local Organizations in Forest Management

by Madhav Poudel

In Nepal, forests played an important role in maintaining the socio-economic conditions of the population. Experience indicated that, if Nepal's forests were well managed, they could satisfy national demands and even provide opportunities to raise the living standards of the Nepalese people. However, the lack of active people's participation, political commitment, public awareness, and the condition of natural resources and sluggish agricultural growth were taking their toll on forest resources. Programmes to use, protect, and develop Nepal's forests were urgently required.

Although Nepal's forests were famous for their bio-diversity, this feature had been seriously affected by massive forest destruction since 1950. Over-grazing, use of marginal land for cultivation, deforestation for settlement purposes, and floods had degraded Nepal's forests. Lack of effective programmes to educate and raise people's awareness regarding forest protection and management were other factors that affected the forests. Nepal's growing population depended on forests for fuel, food, fertilizer, and fodder. The high rate of population growth, poverty, and lack of alternative employment opportunities had led to increased pressure on forest resources. Nepal's geographical structure was also partially

responsible for wide-scale environmental degradation. Due to heavy rainfall four months per year, many fast flowing rivers, and steep terrain, topsoil was easily swept away.

Until the 1950s Nepal's forests were managed in a traditional manner, some being used to raise revenue and others, primarily in the hills, managed sustainably for community benefit. Private ownership of forests was abolished with nationalisation in 1956 and forest preservation activities became the responsibility of the government. Private forests came under government ownership, and the former forest owners started using the forest recklessly since they felt that they no longer owned the forest. Forest degradation began to increase rapidly and government control and supervision were not adequate. Although Nepal's system of five-year plans made many provisions for forest development, the progress achieved was well below expectation. Sectoral policies lacked an integrated approach; linkages amongst central, regional, and local development related policies and programmes were very weak; and implementation of programmes was also poor. Forest destruction, desertification, and land erosion continued. Agricultural productivity had not improved, alternative employment avenues had not developed and poverty was increasing.

Nepal's constitution stated that the nation's natural resources should be harnessed in a beneficial way, that popular awareness should be increased to maintain a clean environment, that adverse environmental impacts from physical development activities should be halted, and that special provisions should be made to protect the nation's rare flora and fauna. Legal and institutional provisions had accordingly been made to

conserve forests, wildlife, natural resources, and the environment, and Nepal was considered to have a pioneering forestry legislation.

Following many unsuccessful attempts, the concept of community forestry gained ground after 1987 and efforts were made to hand forests over to community user groups. This process was further strengthened after the restoration of democracy in 1989 and local elections in 1992. The Forest Development Master Plan also supported this approach. At the same time, the ideals of decentralization and good governance considered the citizens themselves the masters of the development process and catalysts for change. Local organizations were committed to the principle that they should have a major say in decision-making, ownership, and responsibility, especially since past experience proved that development imposed from the centre was ineffective and inappropriate in addressing local needs and problems.

Despite a long-standing concern to establish autonomy in local-level organizations, there remained an unwilling attitude towards decentralization and delegating power to local bodies. The people's elected representatives were not trusted and the tendency to centralize authority still prevailed. The idea of decentralization had not been infused in people's attitudes nor had it been implemented as an effective process to directly influence common people's lives. Prevailing laws and regulations had some provisions related to the authority and responsibility of local organizations, but major problems were encountered when strengthening and empowering local organizations to solve local problems, implement development work, and play the role of facilitators of local devel-

opment processes. These problems arose because of overlapping authority and responsibility, fears of politicisation, lack of complementarity among sectoral programmes, unclear delegation of authority, and lack of authority among local representatives to deal with day-to-day problems.

A variety of measures was necessary to make the people's representatives responsible in matters of forest management, environmental protection, and land erosion control. Clear delineation of functions, duties, and responsibilities among central, district, and village organizations was needed. Complementarity among central, sectoral, and local organizations must be strengthened. It was necessary to evolve a process of planning at the grass roots level and ensure complementarity and a coordinated approach in the local development process. Special efforts should be made to increase popular awareness.

The community forest concept had emerged as an exception to the tendency to neglect popular participation. Yet many gaps in leadership and coordination remained due to the lack of authorised and efficient institutions. In addition, certain high ranking officials and policy-makers still seemed to have narrow attitudes towards Nepal's community forestry. In general, lack of popular awareness on forest related matters, *ad hoc* approaches to the Centre's decision-making process, lack of effective programmes, and lack of coordination among concerned stakeholders still persisted.

Other problems arose from the absence of consolidating community forest management partners. The current system of community forestry bypassed locally elected organi-

zations. Therefore, local bodies had uncooperative attitudes toward community forest user groups. This had affected forest development programmes. Roles and responsibilities of local, elected leaders and FUGs were not clear. The Decentralization Act should address these problems. Decentralization not related to community forestry would be incomplete. Therefore, the role of local, elected institutions (LEI) in community forestry should be clarified. At the same time, elected organizations were eager to develop public-private partnerships in matters of infrastructural development, raising the living standards of local people, and promoting new technology for income-generating employment. This could be done in conjunction with community forest user groups. Forest policy also encouraged investments in community development activities, and local organizations could promote public and private partnerships.

The people believed that all elected representatives were guided by political ideologies. If an elected representative acted in such a way his/her role in development would be minimised and s/he would lose popularity among the voters. Elected representatives should try to work on the basis of consensus rather than on the basis of the majority of one party's members or workers. Elected representatives could play a leadership role in creating awareness among community groups, and all elected representatives did not misuse funds. All related parties should control and help elected representatives who had been elected on behalf of their parties. Moreover, they should prepare programmes on the basis of consensus among all representatives. The main issue was to ensure involvement and participation of elected representatives in community forestry, not their control over the resource.

Issues and Challenges for Community Forestry and Local Governance in the North-Eastern Region of India

by Dr. B.P. Maithani

The seven states of India's north-eastern region constituted a rich treasure house of bio-diversity, ethnic plurality, indigenous knowledge and local institutions. They formed a distinct geographical unit. Contrasts in physical features could be seen: from the plains of the Brahmaputra valley to high mountain ranges of the Eastern Himalayas. Although two-thirds of the geographical area was shown to be covered by forest vegetation, much of this cover had been disturbed, either by logging or by farmers practising

shifting cultivation. The area was home to over 200 tribal communities that represented great ethnic diversity. Each tribal and non-tribal community had its own peculiar socio-cultural patterns and this gave rise to a striking cultural mosaic.

Rapid demographic change over the last century had had a dramatic impact on the size and nature of the population (over 31 million in 1991). Despite the people's cultural and ethnic diversities, certain features were common to all. These were a subsistence economy characterised by shifting cultivation and strong traditional institutions that regulated and managed resource use and the communities' socioeconomic efforts. Significant portions of land and forests were

Recommended Strategies

- Each VDC has 53 elected representatives. If they are made aware, they can play a better role in development, protection, and management of forests.
- Elected representatives are not generally involved in FUGs so they are unaware of the FUG activities. They should be invited as VDC representatives to FUG meetings.
- The benefits and products of community forestry could be used in other social development activities if we could generate income from community forests. FUGs do not have funds to begin such income-generating activities. Therefore, loans with or without interest should be provided.
- Capacity building and skill development training are needed for FUGs and VDCs.
- Forest-based industries should be established with the initiative of the national government in conjunction with FUGs.
- The Himalayan region has a high potential for eco-tourism. Eco-tourism should be promoted while protecting forest resources.
- Complementarity between the Forest Act and the VDC, DDC, and Industries Acts is essential.
- All users in FUGs need to be mobilised equally, therefore, elected representatives should not be on the executive committee if they are users. There have been problems when elected representatives have been on executive committees. However, discussion between elected leaders and FUGs helps coordination.
- Conflicts between local, elected leaders and FUGs over control of funds and resources—similarly an individual on both the FUG executive committee and the locally elected institution is not heedful of FUGs. This must be considered seriously.
- The leadership role of FUGs should not be given to elected representatives, but should remain with the community forest user groups.
- Participation of women in politics and forest user groups should be encouraged.

owned by the community rather than by the government. Although traditional institutions were breaking down with more exposure to formal institutions, most people still sought recognition and respect for their identity, which was frequently woven around lands and land-based resources.

The situation and governance systems in the eastern Himalayas of India were completely different. Governance through the *Panchayat(s)* was the basic law in India, but it had not been implemented in the Eastern Himalayas. Special types of state government existed in this region, and these had been recognised by the national government. Each state had its own decentralization laws and regulations, and each had a variety of local, self-governing institutions, both formal and informal. Historically, different tribal groups, engaged in shifting cultivation to earn a living, had enjoyed more or less sovereign powers over their territorial jurisdiction, each being organized under a chief within a defined territory. With land (including forests) as the major and perhaps the only economic resource, all the activities and powers of the traditional institutions centred around sharing and using it. This had resulted in strong, regulatory institutions at the village level that managed common property resources and maintained law and order in conformity with customary laws. The most common traditional institution was the '*Gaon Bura(s)*', clan leaders who constituted the village council, a powerful institution based on self-governance and self-management of common property resources by the community. These traditional institutions continued to influence and guide the community, particularly in their interfacing and interaction with the authorities of

modern institutions. State governments had formalised these institutions by enacting laws conferring powers and functions on them.

Panchayati Raj and Tribal Councils were the formal statutory institutions of decentralized administration. Five years had elapsed since the 73rd Amendment Act, but progress towards decentralization had been tardy. All the states had enacted the State *Panchayat Raj* laws, but, except in Tripura, little had been achieved in activating the *Panchayat(s)*. In general, north-east India's tribal hill tracts remained isolated from the national mainstream for various reasons. When India achieved independence, a sub-committee of the Constituent Assembly examined the issue of providing constitutional safeguards for administration of tribal hill areas. The Sixth Schedule was adopted to provide hill tribes with a measure of autonomy. Accordingly, Autonomous District Councils (ADCs) were formed to interface between the state and traditional tribal institutions in many areas. They had a variety of law-making powers in subjects related to the use and management of natural resources and preservation of customary practices, and they were vested with executive, judicial, legislative, and financial powers to operate as organs of tribal self government. The ethos of the Sixth Schedule of the constitution was thus self-management and autonomy, while the new *Panchayati Raj* Act emphasised the local bodies' developmental role. The ADC's law-making power was however constrained by the fact that the laws it enacted must also have state Government approval. Other states had adopted their own particular models of local self-government dealing with decentralized resource management and rural development.

India had no specific state policies for managing forest and other natural resources. State governments generally followed national policies and legislation. The current national forest policy was announced in 1988. Its main objectives were to ensure environmental stability and maintain ecological balance. The policy subordinated the derivation of direct economic benefits to this principal aim. In Sixth Schedule areas, the Autonomous District Councils operated independently of State Government intervention. Both legislation and enforcement of law on land and forests were thus the prerogative of the ADCs, which had largely adopted the State forest acts. Each ADC had its own Forest Act, primarily for bringing about order and better conservation practices to shifting cultivation practices; their major concern. A distinctive feature of north-east India was that very little forest land was under the effective control of state governments. Less than 40 per cent of the forest was under Government control and more than 60 per cent was under people's control. People's control over the forests was of three kinds: (i) family ownership, (ii) clan ownership, (iii) village ownership. The relative size of these ownership categories was not known, but a family's right to use its forest was subject to clan or village council control, and this was where people's participation in forest policy could have a major impact.

Village chiefs and clan leaders, by virtue of their superior positions, could appropriate larger than proportionate shares of the benefits from village common property resources and, consequently, motivating people to reach a consensus on community resource management posed a challenge. Communities resented the current practice allowing the village leader to retain 50 per cent of the

income from sale of products, while the remaining 50 per cent was shared by members of the clan. There were incidences of the community destroying afforested trees before they were mature enough to harvest. However, the prevailing institutional and sociocultural setting offered a condition conducive to meaningful community participation in developing common property resources, especially forests.

The greatest advantage was the favourable institutional factor. Since control over most land and forests still remained with the people, this could be the starting point for a strategy of participatory resource management. The approach should be to create consciousness among the masses about the advantages of preserving the forests and increasing their productivity for long-term sustainable development. The second advantage was the presence of strong, local institutions of self management and governance. These institutions had been in existence for a long time, and their main function was to regulate the use and management of land and forest resources lying within their jurisdiction. However, this advantage was negated by the fact that the law-making power, judicial function, and financial power of these institutions were diluted by procedural hurdles as a result of ambiguities in the legislation and the schedules. Service could be effectively rendered in this area by intermediary, informal community-based institutions and voluntary organizations.

Much of the forest in the north-east mountain areas was unclassified; and this included private or community-owned forest. Only a small part was actually managed by local government agencies, and the resultant large-scale degradation had led to local self-government institutions - ADCs or village councils - leasing

these degraded lands to forest or soil conservation departments for plantation and regeneration. Due to inadequate preparatory work, however, community participation was not only lacking but at times negative. The presence of a third agency, an NGO or informal community-based institution, in the area might not only prevent such incidents from recurring but might also reinforce the process of participatory resource management and use. A local land revenue law would slow down the privatisation of community lands. For this to happen, democratisation of traditional institutions was crucial, and this would require political will.

For joint forest management to work in the north east, the role of the forest department and that of community-based informal institutions had to be more facilitatory and enabling in providing technical and financial support rather than simply sharing the benefits. Models of indigenously-evolved resource conservation and management were found in all the states. The problem was not having voluntary organizations in the north east to address the other issues involved in JFM. In addition, the powerful timber and forest Mafia and their agents and accomplices among the communities, who had been enjoying the profits of unhindered forest exploitation, remained a serious challenge.

Forestry and Local Governance in Himachal Pradesh

by Kulbhushan Upamanyu

Forests had long been central to the area which was now Himachal Pradesh for both their timber supply and their aesthetic value. However, the last two decades had witnessed a vigorous debate on the health and future of these forests. The presentation attempted to share the processes that had affected the forests, analyse the forces behind their changing characteristics, and suggest alternatives for the future.

For the past 150 years, forest areas in Himachal Pradesh had been subject to competing claims of local communities, colonialism, and development, resulting in the 'growth of the artificial at the cost of the natural'. Local communities had claimed forest areas for terraced agriculture and for pastoralism, both sedentary and nomadic, as well as for daily needs. To meet these demands, the characteristic vegetation on forest lands had been changed to suit community needs, and people had worked to maintain the landscape as desired, divided between agricultural land, pastures, and forests, rather than in concert with processes of natural succession and regeneration. The landscape represented the equilibrium between the forces of nature and culture.

Features of Local Governance in the Eastern Himalayas of India

- All the states have village councils and structures that have judicial and administrative authority.
- All the land and forest resources belong to the community and not to the individuals or the state.
- The local institution (village council) uses and manages the land and forest resources. Only one institution is responsible for governance and natural resource management.
- There are no adequate voluntary organizations in the region.

Problems and Constraints

- **Special land laws do not exist.** The government has introduced a programme to get rid of shifting cultivation; and it is oriented towards horticulture. This has enabled the community elite/leaders to capture land as individual property and begin horticultural farming. All community members cannot do this, so the process has facilitated the privatisation of lands and forests.
- **There is no equitable sharing of benefits.** Half goes to the village leader and the remainder to other community members.
- **Internal stratification is prevailing** and the rights of the poor have been marginalised.
- **The status of women is better than it used to be but their role in traditional/customary institutions is weak.** They do not have decision-making power. The 30 per cent provision in *Panchayat* governance is not prevailing.
- **Traditional/customary institutions lack of skills and technology needed for resource management**

Under British colonialism, supplying timber was the main objective of forest administration. Through a process termed 'forest settlement', local communities' forest use was controlled to minimise the pressure on forests producing good quality timber. In addition scientific forest management and improvement forestry were initiated to prevent depletion of growing stock and to increase the proportion of timber or revenue-yielding species. This increased exploitation profoundly affected local livelihood strategies within a relatively short time. In the post-colonial era, the welfare state's development objectives replaced commercial exploitation, diverting forest lands to use for horticulture and land reform. The process of marginalisation and dispossessing local communities of control over forest resources continued. Both colonial and post-colonial forest exploitation perceived forests as a commercial resource, subordinating local usage to commercial exploitation.

The first impact was to convert customary community forest usage into inalienable rights, treating any transgression as a crime. Restriction

on grazing and use of fire contributed to the decline of pastoralism as a means of earning a living, and growing numbers of people and livestock had to subsist on a declining resource base, leading to forest destruction and shortages of fuelwood and fodder. Women, pastoralists, and rural artisans suffered most from these changes. Perhaps the most adverse impact was on biological diversity, the substitution of monocultural plantation for natural forests having led to a decline in species' diversity and destruction of wildlife habitat.

Conservation of forest wealth was a post-colonial policy and growing awareness of the impact of forest destruction had led the H.P. government to embark on various initiatives designed to arrest forest degradation and lead to rehabilitation. These initiatives fell into three categories: biodiversity conservation, forest regeneration, and community involvement. Until recently, state forestry's principal objective of revenue maximisation guided plantation efforts. Coupled with the marginalisation and alienation of local communities from the forest resources critical to their livelihood,

forests were plundered by competing interests. Recently, the JFM concept had tried to remove the contradiction between local and Forest Department priorities. However, JFM had failed to gain momentum in H.P., being unable to break through the shackles of a department that did not seem to have accepted JFM in principle. Since joint forest management was not recognised legally by the district forest offices, forests that were managed jointly by the people and forest department could be taken back by the department.

Despite government antipathy to community initiatives in forest management, local systems persisted and sometimes thrived, even in the face of official hostility. The most successful of the traditional conservation systems was the tradition of sacred groves, spread across the state. Other systems that still prevailed regulated the extraction of resources with the objective of sustainability. These involved various regulatory mechanisms: over time, location, or seasonally. In addition, forest protection groups sprung up across the state as a community response to scarcity of resources such as fodder and fuelwood. These groups had a high degree of participation in decision-making, gave priority to local needs, and were flexible enough to allow for diverse requirements. These initiatives were generally more successful, even in terms of physical criteria such as survival rates and infringements of regulations. Women's participation was high, with women's groups taking the lead in many areas. Collaboration had taken place with many agencies and institutions.

One outstanding initiative was the popular movement against commercial forestry during the '80s in Bhatiyat *tehsil* of Chamba district. This movement challenged the com-

mercial orientation of state forestry on the grounds of destruction of livelihoods and successfully negotiated to introduce pro-people changes in the forest administration; e.g., a ban on planting Eucalyptus, protection of Ban Oak, and restrictions on commercial species. This movement remained the forerunner of pro-people changes in forest policy and practice in H.P.

Although forests always have had and will continue to play a major role in the subsistence strategies of people from H.P., many changes had occurred in the last 150 years. People had shifted their sources of resources, such as fuelwood and fodder, from the commons to private lands and the market, reducing their interest in the well-being of the local forests. This divorce of livelihood from resources had led to a new stratification of society. Ecosystem People were dependent on biomes collected from forests; the Omnivores could afford to buy their resources from the market; the Ecological Refugees, a growing group, were displaced ecosystem people, living on the margins without access to forests or purchasing power.

The Omnivores had benefitted disproportionately from the development process – the divorce between livelihoods and local forest resources – and forced the state to provide forest resources for their use. This was the growth of the urban at the cost of the rural, and the movement towards centralization of power and concentration of wealth. This process was not only socially undesirable but also ecologically unsustainable. Recent increases in landslides and flash floods indicated how much nature had been plundered and pointed to a worsening future. Both the fruits of development and its costs were unequally divided. Unequal access to

livelihood opportunities had divided even ecosystem people into different categories, some of them hostile towards prudent use of forest resources. A disproportionate burden was put on those who collected biomass directly from the forest. No section of society was positively inclined towards sustainable forest use, and the resulting uncertainty about future availability led to irresponsible harvests by all forest users. Shortages of natural resources for livelihood requirements increased steadily, leading to conflicts caused by competing claims on a shrinking resource base.

The only hope was in local communities challenging the Forest Department and devising local adaptive strategies against scarcity. These initiatives, combining the objectives of livelihood and sustainability, had generated fresh insights into the fundamental issues of governance and natural resource management. These included the link between responsibility for biomass collection and commitment to its regeneration and sustainable use, pointing to a need to reorient the target group to include both men and women. The diversity of livelihood strategies and its correlation to biodiversity were also highlighted. The rights' regime, whereby rural Omnivores, no longer dependent on forest resources, continued to have rights over forest produce without any responsibility for forest protection created obstacles to the protection efforts of ecosystem

people. Local protection groups had found the ideal unit for forest management, a group of hamlets using the same forest area. Transparent decision-making in open meetings with all members participating pointed to the positive role of participatory and direct democracy at the grass roots' level.

In H.P., 65 per cent of the development work was executed by the central government. These projects were executed to fulfill central targets, and a sense of local ownership was lacking. *Panchayati* governance was also not involved in natural resource protection, conservation, and management but only in the implementation of central projects. While local people elected the local *Panchayat* representatives, they could be dismissed by the district magistrates, so they became responsible to the magistrates rather than to the voters.

Different ministries and government departments were trying to increase the yields of agricultural products, but they had a sectoral approach. Since activities were not coordinated between departments, duplication of effort occurred in the name of people's participation. The lives of rural people were resource-based, but there was no holistic approach to resource management.

The H.P. forests were burdened beyond their productive capacity. To manage them sustainably, ecological limits to extraction would have to be

Strategies For Himachal Pradesh

- The village community should be a constitutional entity and legally recognised.
- Gender and equity issues should be solved on the basis of direct democracy not representative democracy.
- The roles of elected representatives should be those of facilitators and coordinators, but decision-making power should be based on community institutions and channelled through the village council.

determined, appropriately divided among various users, and costs passed on to those who used the produce without protecting the forest. New ways of earning a living needed to be linked to the health of the forests. Management priorities must be redirected towards the production of resources for local needs rather than supplying industrial or commercial ventures. The importance of diverse livelihood strategies to counter fluctuations in nature and markets needed to be emphasised in the long-term interest. Due consideration must be given to equity.

New institutions must be created to undertake the responsibility for judicious forest management. The most important kind of institution needed was a group of local users. Community rights to forest produce must replace individual rights divorced from responsibility. The Forest Department's role needed redefinition in order to cater to specific local requirements. Its efforts should move from policing toward facilitating and overseeing local units to ensure their proper functioning in an equitable and sustainable manner. Legal changes, such as re-ordering the rights' regime and granting legal recognition to local units, were required. Finally, concerted efforts must be made to reorient attitudes in society, in general, to ensure that the initiatives and legal changes had a strong social base and an enabling environment in which to meet the needs of the people in Himachal Pradesh.

Forests and Village Community Land in Uttarakhand

by R.S. Tolia

A large proportion of natural resources, such as land, forests, water, and fisheries, was used by people in common, and these were known as

common property resources (CPRs). These CPRs directly provided a living for countless numbers of people, particularly the rural poor, and contributed, directly and indirectly, to agricultural and economic growth, as well as to the quality of the environment. The CPRs were badly degraded with low productivity and must be regenerated so that they could contribute fully to economic growth and development. Managing CPRs sustainably required careful consideration, and the CPRs themselves must be properly valued. Lack of equitable access could lead to misappropriation and exploitative use. The causes of CPR-related problems must be identified and solutions explored. The presentation dealt with the historical relationship of land and forests with village communities in Uttarakhand, U.P. India.

CPRs in India include diverse types of property; all protected forests, all unclassified forests and degraded forest lands, and over one third of the total endowment of non-forest lands. Attention and resources must therefore be devoted to their restoration, development, and management. Forest resources were especially important to people in India's mountainous areas. Uttarakhand went through a series of land settlements in the mid 19th century and certain customary rights to village commons had survived to the present in the minds of the villagers.

Many issues relating to forest management and local practices regarding land use required an understanding of the complicated issue of *nap*, 'measured' vs. *benap* 'unmeasured' lands, and all land in Uttarakhand fell into one or the other of these categories. Different rules prevailed for determining the category of a piece of land in different parts of Uttarakhand. While all unmeasured

land was the property of the state, villagers had certain customary rights to forest areas, and, in fact, only a small portion of Uttarakhand's area was 'measured', meaning it was private property.

Liberalisation moves introduced after independence made it possible for local communities to extend their agricultural holdings to up to one acre of *benap* land. Liberalisation led to uncontrolled exploitation and encroachment, and fears arose that these areas would completely disappear. The latest land settlement, which took place from 1955 to 1966, measured all land situated within the village boundaries and shown as *benap* in earlier settlements, thus eliminating the very concept of *benap* land. Currently, the *Khatauni* (record of rights) of the hill areas referred to two types of land: *Zamindari Abolition Khatauni*, land measured prior to this settlement, and *Non-Zamindari Abolition Khatauni*, measured following the present settlement. Under this system, certain land was classified as 'forest land', bringing it under the provisions of the Forest Conservation Act 1980, which stipulated that "*forest land cannot be diverted to non-forest purposes without prior approval of the central government.*"

Forest management in Uttarakhand had a long history of government action, both exploitative and protective, and people's reactions. Massive resentment in the early part of this century led to more than 30,000 hectares of forests being burned down. The report of the Grievance Committee charged to investigate this incident included many findings supportive of the community position and made a number of recommendations that were, for the most part, accepted by the government—to the dismay of the Department of Forests.

The report noted the large amount of reserve forest that the settlement of 1911-17 had declared and the numerous rules that had been issued to regulate the residents' conduct in exercise of their forest rights, many of which were only vaguely understood by the area residents. The committee also observed that, along with their grievances, which were categorised into 11 major areas, the witnesses generally recognised that, subject to their rights, the commercially valuable forests should be protected and exploited if the profits earned from their management were returned to the locality. Side effects of the forest policy, such as the fact that forestry operations drew labour away from agriculture and tea cultivation and thereby impoverished many local people, were also noted.

Four general remedies were recommended. In brief these were: 1) exclusion of certain classes of forests from government control; 2) revision of demarcation to move the existing boundaries of the reserves further away from villages; 3) enquiry into cases of government land acquisition over which grievances had not been resolved; and 4) removal of rules and regulations in forest reserves wherever possible; this involved separating these into two classes of Reserved Forests, one in which restriction was nominal and use by local residents was allowed. Community forests, called *Panchayati* Forests or *Van Panchayat(s)* in the hills, emerged from these four remedies suggested by the Kumaon Forest Grievance Committee, as far back as October 1921.

The Kumaon Forest Grievance Committee Report had previously been considered for the role it played in creating space for community forestry. It also promoted the popular movements opposing the might of the

British Empire. However, the remaining issue was how much the other grievances related to a genuine concern for sustainable forest development or the issues of other marginalised groups living in the area. These other grievances were also significant, addressing issues relating to the economics of sustainable forest management and the interests of marginalised groups.

Other grievances regarding grazing land and fee collection from traders were considered and recommendations made. Likewise, certain allegations that temple trees and groves had been included in reserved forests were found to be correct in some cases; it was ordered that this be set right. The Committee urged the introduction in all schools on the importance of forestry and the necessity for forest protection, hoping this would result in people adopting protective measures on their own, even in forests outside reserves.

As the Government accepted the Committee recommendations, it was interesting to examine the steps taken to implement better forest management practices in the Class I reserves. For many years the people of Kumaon had been agitating for the withdrawal of Kumaon from the operations of the Scheduled Districts' Act, and a committee was established to examine this issue in 1927. However, the opportunity to provide Kumaon with flexibility was lost when, in 1937, under the Government of India (Adaptation of Indian Laws) Order, Kumaon laws were merged into the various all India Acts and Rules. This thoroughly undermined its distinctive requirements, especially those relating to common property resources such as land, forests, and water, causing severe damage to the hill areas of Uttarakhand which still continued.

The state government at the time felt that the administration of the Kumaon Division had to be brought into line with the administration of the rest of the Province and appointed a Kumaon Law Committee to make the necessary recommendations. While the earlier Kumaon Forest Grievance Committee was involved with one common property resource; i.e., forests, the Law Committee was grappling with others, e.g., land and revenue administration. When the Committee's report was submitted in 1940, the provincial government decided not to enact any new legislation as recommended but rather to amend the Rules to whatever extent possible without legislation.

During the 1920s the *Panchayati* forest movement was initiated by the Government of Madras. Its successes led the U.P. Government to depute a Special Officer to study their methods in 1927. The movement then began in U.P. and *Panchayati* forests began springing up in many places in Garhwal and Almora. Regarding Kumaon, the Kumaon Forest Advisory Committee had been constituted to assist the Commissioner in forestry matters.

The Kumaon Forest Grievance Advisory Committee, in its deliberations, also discussed the rights and concessions of the villagers in Class II forests and Old Reserves. The Committee published a report entitled 'An Investigation into the Villagers' Rights in the Reserved Forests of Kumaon'. Grazing rights were relaxed and other recommendations made. Meanwhile, *Van Panchayat(s)* continued to make progress into the 1940s and subsequently, so that, by 1993, as many as 4,064 of Uttarakhand's 15,951 inhabited villages had acquired their own Community Forests and the trend was

gathering momentum through the Joint Forestry Management (JFM) programme.

A 1976 amendment in the Indian Constitution removed Forest and Wild Life Preservation from the State List and brought them into the Concurrent List, giving them more importance. The 1980 Forest Conservation Act, the first Act passed after the transfer, prohibited State Governments from declaring any reserved forests to be non-reserved without prior Central Government permission. Amendments in 1989 widened its scope to all forest lands in an attempt to adjust the balance between peoples' requirements, on the one hand, and proper preservation of the forests on the other. In 1985 a Ministry of Forests and Environment was established. This Ministry has been given supervisory powers over the activities of State Forest departments. These various centralization measures once again destabilised this perilous equipoise, and the increasing demand for forest usufructs led to increasing conflicts, illicit felling, and alienation of the people from the forests; this time at an all-India level. Peoples' rights to management of forests and their usufructs were then conceded through the Government of India's Forest Policy Resolution of 1988 and its Policy Circular of 1 June 1990, creating space for Joint Forest Management all over the country.

These new policies facilitated the involvement of local communities and Voluntary Agencies in protecting forests and developing degraded lands, by considering them as partners with the Government. Meeting the needs of local people was given primary importance. This represented a very radical departure from all earlier policies in which the Forest Department considered the local people to be destroyers of forests who needed

to be controlled. Actually, long before the phenomenon now called Joint Forest Management was formally recognised and recommended by the Ministry of Forests and Environment, it was well established in Uttarakhand as *Van Panchayat(s)*. Similar community forestry practices also existed in several other states or have recently been initiated with the help of the Forest Department.

Van Panchayat(s) had several special features compared to community forestry practices in other states. They evolved from protests by local communities against the government's tendencies to look at forests as an economic resource, successfully asserting people's rights and privileges over them. They were still the only JFM village mechanism with the full legal backing of the 1925 Forest Act; and once created on forest land they could not be alienated. There was endless potential for their extension into all Class I reserves, and they could also be created out of Class II reserves, even out of the old reserves. Thus *Van Panchayat(s)* were the only JFM mechanism in the country that could be extended over all forest land. Creation of new *Van Panchayat(s)* did not require permission under the Forest Conservation Act, 1980. This leeway was not enjoyed by any other known JFM mechanism in the country. Thus, Uttarakhand's *Van Panchayat(s)*, as a unique JFM mechanism, were well-suited village-level forest sub committee easily manageable by any village panchayat.

Decentralized planning, brought to India in 1992 by the 73rd Constitutional Amendment, enabled *Panchayati Raj* institutions to manage their own affairs in a most democratic manner, and gave them a range of decentralized powers, many of which fell under the purview of the Village

Panchayat. Some of these directly related to *Van Panchayat(s)*, and if the *Village Panchayat(s)* were willing to take their assistance and if the *Van Panchayat* had sufficient external resources, it could be eminently suited to undertake their implementation.

Earlier the *Van Panchayat(s)* suffered from overall neglect by both the Forest Department and the Revenue Department which controlled and managed them as well. Since 1992, however, many steps had been taken to improve their overall con-

dition. A major forestry project aided by the World Bank commenced work in U.P. in March 1998. One of its objectives was to assist Uttarakhand's *Van Panchayat(s)*, once they accepted the strategy approved by the World Bank for implementation of Joint Forestry Management. This unique hill village institution was formally accepted as the ideal village mechanism for introduction of JFM in Uttarakhand, the latest vindication of the community's will to manage its own common property resources.

5

Mirror Group Discussions

The 'mirror groups' were small groups for discussion about issues raised in the plenary and other sessions. There were four in all, and they were asked to discuss the core issue of politicisation of community forestry user groups and ten other key issues. All the groups were requested to address the core issue and to discuss at least three others. Selection of the other issues and the priority given were left to the groups themselves. Groups could also identify their own issues.

Core Issue: Politicisation of Community Forestry User Groups

Fear of the negative aspects of politicisation, such as involvement in party politics, factionalism, and lack of transparency led many community forestry user groups to avoid interaction with the local, elected institutions and political activity of all kinds. The groups were asked to consider the appropriateness of this fear and the consequences of such avoid-

ance. The question of the advantages and disadvantages of engagement in or disengagement from local, elected institutions was also raised.

Key Issues

- Issue 1 :** Strategies to make local, elected institutions and community forestry user groups accountable and transparent
- Issue 2 :** Strategies to enhance co-ordination between local, elected institutions and

Participants at a discussion



community forestry user groups

- Issue 3 :** Strategies to ensure that laws, rules, and regulations related to decentralization and the forestry sector
- Issue 4 :** Strategies to reduce and mitigate conflicts occurring between local, elected institutions, community forestry user groups, and other stakeholders in implementing user group measures
- Issue 5 :** Strategies to reduce duplication and optimise use of resources
- Issue 6 :** Strategies to empower women in politics and in community forestry user groups
- Issue 7 :** Strategies to enhance the role of community forestry user groups in planning, budgetting, implementation, and monitoring of development programmes undertaken by local, elected institutions
- Issue 8 :** Strategies to influence local, elected institutions to increase the resources allocated for local development
- Issue 9 :** Strategies to enable poor and marginalised people to have equal access to forest products
- Issue 10:** Strategies to influence locally, elected institutions so that they can advocate on behalf of community forestry user groups

The groups were requested to come up with specific responses to these issues at village level, district level, national level, and inter-country level.

Plenary Presentations on Mirror Group Discussions

GROUP ONE

Priority One: Strategies to enable poor and marginalised people to have equal access to forest products

- Increase people's participation in establishing rules and regulations for community forestry user groups.
- Seek to involve local people's representatives and local communities in the identification of poor and marginalised people.
- Distribute forest products at reduced rates or even free of cost to poor and marginalised people according to their needs. Enable the poor and marginalised people through training and provide jobs on a priority basis wherever possible.
- Community forestry user groups earning income should work for the betterment of the poor and disadvantaged.

Priority Two: Strategies to enhance women's roles in politics and community forestry management

- A reservation of 50 per cent of the seats should be given in law in order to ensure women's participation in the executive committees of community forestry user groups. Until such a legal arrangement is established, representatives should help women to provide their own leadership. Similarly, local representatives should arrange for the participation of the poor in community forestry user groups.

Priority Three: Strategies to reduce and mitigate conflicts occurring between local, elected institutions,

community forestry user groups, and other stakeholders in implementing user group measures

- Rules and regulations should favour community groups and local, elected institutions and representatives of community forestry user groups should take the initiative in this respect.
- Conflicts arise because existing laws and the proposed decentralization legislation give the right to use forest products to both local, elected institutions and community forestry user groups. Forums to address these issues are required.
- Assistance should be provided in order to solve border disputes among community forestry user groups.

Priority Four: Strategies to make elected institutions and community forestry user groups accountable and transparent

- The representatives of the people must become honest.
- The monthly income and expenditure records of local, elected institutions should be made available for inspection to local communities.
- Groups and organizations that work under local, elected institutions must be persuaded to make their income and expenditure available for public scrutiny.
- Awards should be provided to individuals and organizations that do commendable work.

Specific local, national, and inter-country responses

- Local, elected institutions and FECOFUN should provide the assistance needed to solve problems at the local level. Problems that

cannot be solved at the local level should be referred to national level institutions.

- Interaction programmes should be arranged among HMG, local, elected institutions, and FECOFUN.
- Workshops should be arranged to discuss the integrated development of hilly areas of the Hindu Kush-Himalayas and the formation of an organization that will include people engaged in natural resource management.

GROUP TWO

This group made a good suggestion that all institutions, community forestry user groups, locally elected bodies, and other organizations working in forestry in the Hindu Kush-Himalayan region should form an alliance. They emphasised that a relationship between locally elected institutions and the forestry user groups is very important.

Priority One: Strategies to make elected institutions and CFUGs accountable and transparent

Accountability

- The locally elected institutions should be made a major decision-making institution with authority to take decisions, plan, and implement programmes. As for natural resources, responsibility should be given to the village committee for community forestry, the locally elected body, or the forestry user groups.
- All community members and forestry user groups should have an equal share in the decision-making process. All decisions should be made by consensus.
- If any elected representative does not meet the expectations of the electorate or acts contrary to the

people's welfare, there should be a legal provision to recall them and to revoke their election.

- Elected institutions and forestry user groups should plan together after due consideration for ecology and the environment. Women should be included in a major way in this process.

Transparency

- There should be transparency in all the undertakings and at all levels.
- All institutions and committees should present openly to all people a complete account and financial statements of income and expenditure. This should be made a local tradition.
- Expenses incurred in campaigning for local elections should be made public.
- Provision should be made that all citizens can obtain any information they need without cost. This should be a major function of the people's representative.
- Elections must be held on time.
- In order for this transparency to become operational, people need functional education and need to be made aware of their rights. These are the tools that will help us to achieve transparency in civic society.

Priority Two: Strategies to bring about complementarities between laws, rules, and regulations related to decentralization and the forestry sector

- Decentralization and forest related work require that laws be based on ground-level realities. Laws should be made at the *Gram Panchayat* level or thereabouts, as they can be worked on more properly and effectively at that level. If any amendments are required, they can easily be made.

- Byelaws and rules to manage and govern local forest resources should be made through locally elected bodies.
- Recommendations should be taken from the *Gram Panchayat* and the locally elected committee should forward these to policy-makers and laws should incorporate these suggestions.
- Feedback from local people should be sought before finalising any law.
- Laws and rules regarding water, forests, and the land should not overlap. National-level laws must complement laws and policies at the community level.

Priority Three: Strategies to empower women in politics and in community forestry user groups

To improve the operations of both locally elected institutions and forest user groups, and to improve the relationship between them, participation of women is important. However, thus far, whenever this has been mentioned, people's responses have been very uncertain and the resolve has been limited to rhetoric.

- Strong and effective laws are needed to give women a better chance to participate in the decision-making process.
- There should be reservations for women and the underprivileged, but for an agreed time period only. If the time is not limited, the reservation provision could be misused.
- There should be awareness programmes for women, and they should be given an equal opportunity to participate in politics and community forestry management.
- Specific programmes and information on alternative income generation should be provided to women.
- It is important that women who

are involved in natural resource use be given opportunities to express their views and give recommendations openly.

GROUP THREE

Priority One: Coordination between community forestry user groups and locally elected institutions

- The increasing emphasis of community forestry user groups on commercial exploitation of forest produce and locally elected institutions' perceptions of community forestry user groups as a source of 'money power'
- Failure on the part of the 'creators' of community forestry user groups to provide them with an organic link to the local governance chain.
- Community forestry user groups are sadly and poorly pitted against:
 - political masters (ministers),
 - forest and other officials (DFOs),
 - 'mafia' groups, and
 - environmental protection groups.

Each of these groups aims to exploit the forests at the stage when conservation and protection is achieved and commercial exploitation is possible.

- Absence of conflict resolving mechanisms between community forestry user groups and forest officials as well as community forestry user groups and elected institutions
- Community forestry user groups' own capacities and capabilities to resolve conflicts and have better appreciation of their role with locally elected institutions and other outside vested interest groups are also limited.

Priority Two: Strategies to enhance coordination between community forestry user groups and locally elected institutions

- Capacity building of community forestry user groups must increase their management skills and understanding of the intentions of each outside vested interest group trying to use them, and they must proceed with caution.
- Focus of community forestry user groups should be more on protection of forests for meeting their daily needs for fuel, fodder, and conservation of water resources.
- Community forestry user groups should not be organically linked to locally elected institutions without any fear of being politicised. In any democratic system, politicisation is not so bad. Community forestry user groups must sharpen their skills and enhance their capacities to live successfully within the 'environment' in which they are born and grow.

Community forestry user groups must continue to raise their voices for more autonomy in the preparation and management of their working plan vis-a-vis the forest department. In fact the micro-plan of each community forestry user group's command area, made through community involvement, must replace the working plan guided by the forest department. Improvement of the capabilities and capacities of community forestry user groups must take place concomitantly with this.

- The forest department should change its attitude and its process to bring it into line with the changing scenario in natural resource management. DFOs must begin to acknowledge the capabilities and inherent strengths of community forestry user groups

and give them support rather than looking upon them as a threat to their power and existence.

- Innovations in conflict management at the local level were needed and space within the overall setting in which community forestry user groups and locally elected institutions was operated, being created.

Priority Three: Strategies to bring complementarities between Laws, Rules and Regulations related to decentralization and the forestry sector

- We cannot govern forestry at the village level in isolation, and thus the need for complementarity between Forest Conservation Acts and laws governing the forest sector and the laws bringing in the decentralization process.
- Each nation will have to achieve this by carefully analysing the areas of conflict at each level of decentralization being attempted within their historical perspective and make amendments in the laws governing the functioning of the forestry sector at each level of decentralization.
- Lessons can be learned by the countries of the Hindu Kush-Himalayan region by looking at the best mechanisms that are evolving in this region and the complementarity achieved.
- Lessons learned from the functioning of community forestry user groups and locally elected institutions over the last few years also provide insights into the areas of conflict(and attempt amending laws and rules which put them in a situation of an 'either-or' scenario.)

Priority Four: Strategies to empower women in politics and in community forestry user groups

- Equal participation of women both in politics and in community forestry user groups is a *sine qua non* for bringing about their empowerment.
- Reservations at various levels of governance is not the answer; it only gives them space within the system to make a start.
- The beginning should be made at each level of family and village institutions.
- Focus on women's education and health issues can facilitate empowerment and by enhancing their understanding and analysing the issues from the right perspective.
- Economic activities for women, such as women's dairy cooperatives, women's community forestry user groups, etc, can also help the empowerment process.
- Women's groups should be increasingly exposed to the outside world and given the opportunity to develop their skills in negotiation and in decision-making processes.
- Everyone must make an effort to generate space for women's initiatives at all levels.

GROUP FOUR

The members of this group selected and prioritised three issues by voting and then formed four small groups, each one considering the task from a certain perspective: village level, district level, country level, and inter-country level.

Priority One: Coordination between community forestry user groups and locally elected institutions

Village Level

- Formation of a coordination committee. The representative of the coordination committee, elected representative from the elected

body, and representatives from other stakeholders should form this coordination committee at the village level.

- Information on activities of every community forestry user group should be sent to the village-level, locally elected institution every three months.
- The locally elected institutions must use a part of their budget for programmes related to increasing people's awareness about forestry.

District Level

- There is no forest committee at the district council level. In India, a forest committee should be created at the district level to bring coordination between the district council and the forest committees. In order to activate this forest committee, the DFO should be the secretary of this committee.
- People who depend on the forest for their livelihood should give a memorandum to the government.
- To make the district forest committee more active, elected representatives from different villages should give memoranda related to forestry to the government.
- To make the DFO more aware of forest-related problems, he/she should be invited to district forest committee meetings. These meetings should be held once or twice a year.
- District council members should also be invited to the meetings.
- To protect national forests, a sub-committee should be formed under the supervision of the district forest committee.
- To increase women's participation, there should be elected women representatives on forest committees and sub-committees.

National Level

- Formulation of those policies that can encourage people who are en-

gaged in agroforestry and in private forestry

- Role of locally elected institutions in assisting with monitoring and planning of community forestry user group programmes
- The government should provide grants for forest conservation.
- Policy formation related to forest-based industries
- Move to remove double taxation on forest products
- Arrange for the use of community forestry income through cooperatives for development programmes.

Inter-Country Level

- Politicians, administrators, and community representatives should meet regularly at the inter-governmental level
- Study tours and workshops should be organized.

Priority Two: Strategies to empower women in politics and in community forestry user groups

Village Level

- Women's participation in policy-making is a must.
- There should be arrangements for at least 30 per cent women's participation in locally elected institutions.
- There should be arrangements for at least 40 per cent women's participation in community forestry user groups.
- In order to enhance the capacity and awareness of women, workshops, study tours, and different programmes should be organized.
- Men who work in different institutions should initiate and provide opportunities for their own women family members to participate.
- Legal rights for women to paternal property must be given.
- Awards should be given to those

women members who have worked actively throughout the year.

- To make women more self-confident, locally elected institutions and community forestry user groups should arrange joint training programmes for them.
- Locally elected institutions should play an active role in arranging suitable and reasonable markets for the sale of products made by women's groups.
- Members of locally elected institutions and community forestry user groups should jointly arrange a conference to discuss their problems and identify solutions.

District Level

- To improve the leadership qualities of women in community forestry user groups, arrangements for training should be made.
- Women must be represented on district-level governance bodies.
- Elected women members must arrange meetings once or twice a month, and the president and vice president of the elected district council should be invited to participate.

National Level

- There should be reservations for women in locally elected institutions and community forestry user groups.

Inter-Country Level

- Women's meetings should be organized for comparative study of the issues and potential solutions.
- Study tours and workshops should be organized.

Priority Three: Strategies to bring complementarity between Laws, Rules and Regulations related to decentralization and the forestry sector

Village Level

- Provide information on present laws and regulations to members of locally elected institutions and community forestry user groups.
- Arrange interaction programmes to seek solutions for legal hindrances.
- Arrange talks on positive and negative aspects of legal acts and prepare papers, suggesting possible amendments, to be sent through the locally elected bodies to the central level.
- Duplication of rights between local institutions and community forestry user groups should be removed through interaction programmes of community forestry user groups' representatives and representatives of locally elected institutions. With ICIMOD's assistance, the president of FECOFUN should take the initiative for this process in Nepal.

District Level

- Forest committees/subcommittees should search for experts to make forest policies, and they must be invited to meetings occasionally.
- In order to make pro-public forest laws, the members of forest committees, having prepared the points related to the acts, should work to increase knowledge about them among the community members.

National Level

- The government should consult with different stakeholders before making policy decisions.
- A national forum should be established for discussion related to duplication of related acts.

Inter-Country Level

- Comparative studies should be commissioned.
- Study tours to relevant countries and workshops should be organized.

PLENARY SESSION

Comparative Analysis of the Decentralization Laws and Forest Laws of Nepal

by Narayan Belbase and Dhrubesh Regmi

Narayan Belbase and Dhrubesh Regmi are specialists in environmental law who work with the ProPublic law firm. They are active in the field of developing environmental legislation in Nepal, including bringing Nepal's laws into conformity with international environmental legal accords, in facilitating implementation of such legislation, and in environmental legal research.

Issues and Challenges for Linkages Between Local Governance and Community Forest Management in Nepal

by Amrit Lal Joshi

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Chairperson: Ganesh Prasad Timilsina, DDC Chairperson, Parbat District, Nepal

Comparative Analysis of Decentralization Laws and Forest Laws of Nepal

by Narayan Belbase and Dhrubesh Regmi

Mountain farmers in Nepal have historically established systems to manage local forests on their own initiative. These systems involved locally accepted rules through which a clearly defined group of beneficiaries regularised forest use and excluded outsiders. Rural communities

formed a group and kept some forest area as *raani ban* (queen's forest), using it for a few months every year and leaving it undisturbed to regenerate for the rest of the time. These practices gave birth to Nepal's present day community forestry system. Violating the code of conduct for a *raani ban* was punishable, and these *raani ban* were also honoured by other villages in the area. Even now, examples exist of communities continuing to manage forests successfully irrespective of laws and ownership.

Prior to 1957, local communities controlled forest use themselves, without any question of incentives to regulate forest consumption and invest in forest resources. Following nationalisation in 1957, people reacted negatively, fearing their traditional rights to access and use would be curtailed. Since no compensation was offered for soon-to-be deprived landowners, many purposely deforested their land to prevent its being nationalised. Communal responsibility for forest management disappeared and forests were converted into an open access, common property resource. State control of the forests failed because of lack of institutional capacity.

The Forest Act 1961 provided for state administration of the forests, and sought to restore governmental control by transferring some state-owned forests to the local level, while formalising village *panchayat* usufruct rights over others. By the mid seventies, policy-makers realised that local people's participation was essential in managing the forests on which they depended. Non-government organization (NGO) involvement hit a critical height following a 1975 government-sponsored forestry-management conference in Kathmandu. Forest officers from

across the country met with senior officials in a major forum. Subsequently, a series of legislative enactments brought Nepal incrementally closer to its current emphasis on community forestry. Initial success was limited, however, largely due to the impractical nature of the forestry rules which failed to create an environment for the full participation of all users.

In 1986, the government initiated a formal review of the forest policy that culminated in the formulation of the Master Plan for the Forestry Sector 1988 (MPFS), a policy and planning strategy for forestry stretching into the next century, setting medium and long-term objectives. The priority objectives of the MPFS are to meet the basic needs for fuelwood, timber, fodder, and other forest products, on a sustained basis, and to promote people's participation in developing, managing, and conserving forestry resources. Women's participation is also addressed as the plan's guidelines stipulate that one third of user committee members should be women. Community and Private Forestry is prioritised; the policy being to develop and manage forest resources through the active participation of individuals and communities to meet their basic needs, with phased handing over of all accessible hill forests to the communities to the extent that they are able and willing to manage them. Following changes in the political system in 1990, the community forestry regulations were revised, authorising District Forest Officers (DFOs) to form user groups, hand over forest areas, and provide technical assistance. All tangible benefits from community forestry development go to the user groups. Simultaneously, a process of decentralization was also taking place in Nepal with the emergence of democracy and a multi-party system. De-

centralization policy in Nepal evolved in different stages after 1965 and emerged as enacted under the Decentralization Act 1983. This Act represented a milestone in the government's campaign to surrender resource management to local communities through the user's group concept. Scepticism that the Act represented the national government's attempt to secure power by increasing local political elites' access to development largesse, however, led to its becoming virtually defunct after restoration of democracy. A new High Level Decentralization Coordination Committee (HLDDC) under the chairmanship of the Prime Minister was established in April 1996. Among the Committee's policy recommendations are the following: to follow a participatory development and decision-making approach at the local level, mobilise resources at the local level, and institutionalise local self-governing institutions. The Commission's report also notes that disputes have been caused by contradictory provisions in the Forest Act and by the Nepal Mines' Act relating to income of the local government accruing from natural resources. Consequently it recommends amending or repealing these provisions. The report is, however, silent about the management and use of community forest products. The Local Self Governance Bill (LSGB) has already been prepared and tabled in parliament. Once enacted, it will provide a legal framework for implementing the government's most recent decentralization initiative.

Nepal's 1990 Constitution envisages the people as the source of power through decentralization. Article 26 (3) requires the State to pursue the policy of mobilising the nation's natural resources and heritage in a manner useful and profitable and suitable to the national welfare. Al-

though Article 26 did not specifically mention community forestry, it provided the legal mandate for community forestry which revolves around local user groups for protection, management, and use of the forests. By enacting the new Forest Act 1993 and Forest Regulations 1995, HMG had shown its commitment to institutionalisation of forest users' groups (FUGs) by recognising them as legal entities. Detailed provisions regulated the procedure for forming and registering FUGs, preparing work plans, handing over community forests, managing FUG funds, and organizing the collection, sale, and distribution of forest products. If the DFO found an FUG not working according to the work plan, likely to adversely affect the environment or unlikely to comply with the Forest Act or regulations, the DFO could cancel the FUG's registration and resume ownership of the community forest. The FUG must be given an opportunity to state its case and has the right to appeal to the Regional Forest Director.

The number of forests being handed over was expected to increase with new legislation and intensive training programmes. The targets fixed by DFOs are decreasing every year, because post formation support demands were too high for existing personnel to cover. Statistics showed that the number of FUGs receiving community forests had increased every year since 1987/88. By late 1997, there were 6,022 FUGs; 0.64 million households were involved in FUGs in 59 districts throughout Nepal. However, implementation of community forestry policy, legislation, and programmes differed from area to area. This had already created various problems, and these were likely to increase rather than decrease in the near future. Bureaucratic resistance, especially from

those government officials charged with implementing and overseeing forestry policies, was a major constraint to effective implementation of new community forestry laws. Few government foresters in Nepal actually believed in the unqualified rights of local people to own or manage forest resources.

The Buffer Zone Management Regulations 1996 (BZMR) promulgated under the National Parks and Wildlife Conservation Act 1974 provided another legal instrument likely to be instrumental in promoting users' groups in buffer zones surrounding protected areas in Nepal. Similarly, the Water Resources' Act 1992 (WRA) provided a legal framework for the registration of Water Users' Associations (WUA) for the sustainable development of the irrigation sector.

Regarding decentralization in general, although the Constitution provided a basic framework, its weakness lay in the omission of an effective infrastructure of local government and a clear-cut scheme for decentralization. Three local government acts: the VDC Act 1992, the Municipality Act 1992, and the DDC Act 1992 had been enacted to implement constitutional directives. They provided for two-tier local government bodies, the Village Development Committee (VDC) or Municipality at the grass roots' level, and the District Development Committee (DDC) at the district level, laying the foundation for participatory democracy and local development in Nepal through decentralization and devolving power to locally elected bodies. The government seemed committed to the decentralization process.

A role for non-government organizations (NGOs) had also been provided for in the legislation so that they

could enhance public participation and serve as a link between local government bodies and development activities. The VDC was obliged to encourage NGOs in the task of identifying, formulating, inspecting, evaluating, and maintaining village development projects in each VDC area (section 51(1)). NGOs were required to implement the projects in coordination with the VDC. However, there was a paucity of specifications about their rights, duties, and functions.

Although these Acts were in force and LSGB had been tabled in the Parliament, experts argued that no serious attempt had been made to empower people to participate in their own decision-making for community development. Most development programmes were handed down from the centre, and whether they had a positive impact on people's lives was not monitored at all. DDCs were finding that programmes other than those recommended by them were being approved by the centre. Transparency in decision-making was generally and notoriously lacking at the VDC level and above, and financial irregularities seemed more like the rule than the exception. Audits were rarely carried out and people hardly got to discuss the financial dealings of the VDCs; Municipalities, and DDCs. Decentralization would bring procedural dilemmas for which solutions were elusive. Administrators would perceive a lack of information and professional respect in relationships with their politician colleagues. Bureaucrats were accustomed to being in control and better informed than their 'citizen' counterparts. There was lack of clarity regarding functional boundaries between the roles of parliamentarians and district-level politicians. Local politicians would want parliamentarians to 'stay out' of local politics and focus their en-

ergy on legislation, policy, and Kathmandu. Regarding the relationship between VDCs and FUGs, some experts believed that, in general, VDC members were very cooperative towards users' groups. Community forestry would be most successful if VDCs and FUGs could work with self confidence and good faith. Recognising the importance of coordination between the VDC and FUG, the DoF was beginning to plan orientation/training programmes to sensitise VDC members about the community forestry programme. Undoubtedly, the VDC had a bigger mandate, including overall development of the village area, than the UGs. The focus of UGs on natural resource management, however, had provided them with a certain expertise that most VDCs probably did not have. If linkages and mechanisms for coordination between them developed, these institutions would complement each other. Failing this, it was likely that there would be a broad gap between management and sustainable use of natural resources as well as development activities at VDC levels. This would thwart the principles and policies of decentralization and local autonomy.

Conflicts always occurred in developing situations and, unless they arose, there could be no resolution. People who made new rules and regulations should realise that they lacked field experience. What was needed was a mechanism that could quickly respond and take the initiative in conflict resolution. A variety of conflicts could arise in relation to community forestry, and there were also legal ambiguities regarding community forestry initiatives. For example, contradiction apparently existed in the Forest Act's authority over the decisions and actions of FUGs. According to the Forest Department hierarchy, ultimate author-

ity rested with the MOFSC, not with the people, as stipulated in the 1990 Constitution. Rectifying such inconsistencies in language and the resulting uncertainties in the delegation of authority was an essential prerequisite to community forestry's success. Certain rules seemed to have been deliberately included simply to impose unnecessary conditions and control FUGs without reason.

If the DFO withdrew a community forest from the FUG, an appeal could be made to the Regional Forest Director and his decision would be final. No provision existed for access to a Court of Law. As the DFO and Regional Forest Director were both employees of the MOFSC, it was unlikely that any decision they made would be unbiased, and so this violated the principle of Natural Justice as well. This issue needed to be considered seriously because the DFO could make a decision to withdraw a community forest on the basis of a report prepared by a junior staff member whose technical expertise could easily be questioned. Close analysis revealed other specific ambiguities and contradictions as well.

A related problem had to do with contradictions between the Forestry and Decentralization laws. Members of local government bodies commonly believed, mistakenly, that forests within the area of a VDC or DDC were the property of that VDC or DDC. Because forestry legislation bypassed the political tiers of the VDC or DDC, these could remain unsettled because of lack of funds, while the FUG might have plenty for development work. If the Decentralization Act was fully and strictly followed, the CF programme could get into trouble politically. Thus, awareness and training to bring about attitudinal change among VDC and DDC representatives would be very

useful, since, in fact, FUGs, VDCs, and DDCs were dependent on each other and were striving to achieve common goals.

Confusion also arose from dissimilarities in the language used by the Forest Act 1993 and that of the various decentralization laws. The DDC Act and VDC Act gave DDCs and VDCs essentially unchallengeable authority over UGs, their decision-making procedures, and project implementation. Although there was a big difference between FUGs registered under the Forest Act and users' groups set up under the DDC Act or VDC Act, as long as the District Forest Office was under the DDC, it would be very difficult to maintain the autonomy of FUGs and avoid conflicts. In a similar fashion, contradictions were found between the Forest Act and other laws, including the Public Roads' Act 1974, the Water Resources' Act 1992, and other development-related legislation. The Supreme Court had held that the Forest Act 1961 was a special Act that had given special provision for the management of forests, and therefore that it should prevail in respect to forest management. It had been argued that HMG should not slow down its target just because conflicts arose and conflict resolution was not on the agenda in the Department of Forest's (DoF) work plan.

The VDC Act, the DDC Act, and the LSGB were replete with various complementarities, contradictions, and gaps with respect to management, use, and ownership of natural resources, particularly forest resources, and the scope of UGs and NGOs. This was an appropriate time to define and classify the linkage and coordination between local authorities and UGs. Local authorities would ultimately be more powerful and have the authority to levy and

collect taxes, fees, etc. This could lead to over-harvesting of natural resources, causing their degradation. The authors therefore suggested that gaps and contradictions be corrected with a sense of urgency to manage Nepal's forest resources sustainably in collaboration with locally elected institutions and community organizations.

The Forest Act of 1993, the Forest Regulations, the Environment Protection Act 1996, and the Environment Protection Regulations 1997 had been drafted carefully to ensure that they were both realistic and practical. In addition, the government increasingly recognised and accepted the need to work closely with NGOs and, most important, the local people themselves. As a result, new organizations were evolving, linkages between organizations were being forged, and community forestry cover had been rapidly increasing. Constraints, however, remained daunting. Making policies and reforming them, enacting laws and amending them, and setting targets for large numbers of UGs were all considerably easier than implementing a lasting and equitable community forestry programme.

Among the most demanding of these constraints were problems posed by tenurial insecurity and the lack of effective legal recourse to oppose DoF decisions. Unless their time, effort, and material investments would stand a good chance of paying off, FUGs would be reluctant to participate fully. Conversely, they were sure to pursue management schemes with a proven record of increasing material benefits. A history of institutional inertia needed to be overcome, and, perhaps more important, real disincentives did exist: additional work loads, increased responsibility, loss of some control over (and thus

credit for) successful innovations, and the loss of profit from current loopholes and weaknesses. Until community forestry implementation had more to rely on than the good will of the DoF, these economic and psychological factors might well prevail over both the spirit and the letter of the law.

Moreover, community forestry work plans were still found to set limits to the rights of users' groups. In preparing a work plan, forest users were assisted by district forest personnel. What users could achieve within the limits of the Forest Act was not made fully clear to them, and, thus, many work plans did not reflect the good intent of the policy and legislation. The ongoing lag between practice and policy not only hampered progress but also reinforced the common belief that government sponsored activities were more for the government than for local communities. A protective ideology among forest personnel was unwanted because it could prevent the wise use of forests, which was essentially conservation.

The DoF needed to work with various government agencies as well as the MOFSC to make the various pieces of legislation consistent with the Forest Act 1992. The Act probably needed to be amended to incorporate the role of the VDC as a mediator. The provision of advisors should also be included in the Act and this role could also be entrusted to members of the VDC. The Act should make a provision that FUGs should invite a VDC representative to their meetings when possible and seek advice from the VDC in case of problems. Prior to that, VDCs should see FUGs as autonomous institutions, should respect their autonomy and decisions, and recognise their contributions. VDCs and DDCs should see

their role as being one of promoters and facilitators. They should see community forestry as one of their long-term projects and FUGs as the users' groups that their own legislation required them to promote.

The most significant harbinger of change, however, came not from statutes, but from changes in people's attitudes. Before 1990, many Nepalese villagers referred to the forests as *sarkari ban* (government forest); now they increasingly referred to them as *hamro ban* (our forest). This semantic change was a long way to have come in just four years. Although the community forest programme was one of the most effective programmes for protecting and conserving the nation's natural resources, FUGs were facing various problems. The legal and policy framework should be developed and amended to reduce and mitigate the adverse impacts of different sectoral legislation and policies. The need of the hour was to enter into consultation and serious dialogue with different stakeholders and continue building on the programme's success.

Forest User Groups: Self Governing Institutions for Managing the Forests of Nepal

by A.L. Joshi

Forest land in Nepal covered 4.5 million hectares, roughly 37 per cent of Nepal's land mass; it was mostly located in the hills. In this region the small size of the forest areas and the mosaic nature of settlements meant that community forestry was the only alternative for forest management. The *Terai* had large, isolated patches of forest where commercial forest management at the national level was possible along with community forestry.

Nepal's economy was land based, and most of the population lived by subsistence agriculture. Forests were integral to Nepal's farming system, playing a crucial role in maintaining the productivity of the hill farms. Use of forest products depended on physiographic zone, the highest pressure being in the middle hills, the Siwaliks, and the *Terai* because of the dense newly settled population. The middle hills and the Siwalik forests were used mainly for local and domestic purposes, whereas *Terai* forests were harvested illegally and the timber sold within Nepal and also in the Indian market.

Until 1951, forests were generally used to generate income for the national government, but, in that year, the policy was changed from revenue generation to management. The first step taken by the government concerning forest management was the nationalisation of private forests in 1957. Nationalisation was intended to limit increasing private control and to protect the interests of the majority of the people and the nation. However, failure to communicate the meaning and feeling of the act and the lack of immediate management activities led to *de facto* owners taking advantage, destroying forests, and converting them into private farmlands. No scientific management activities were undertaken following subsequent forestry acts—all relating to protection, revenue generation, selling, and punishment. These policies increased the power of government employees and created a big gap between the government authority and the local users. This process continued for about 20 years until the government realised that it needed to tackle some of the negative consequences of the earlier acts and activities.

Community Forestry legislation was first enacted under the Forest Act 1961 as the *Panchayat Forests and Panchayat Protected Forest Rules* 1978. These rules handed forest areas over to local Village *Panchayat*(s) in places in which the users were the communities around forests. In a practical sense the local *panchayat* could not manage and supervise the community forests. Demands were made to hand forests over to local users, which was more practical. In 1987 the Community Forest Rule was amended to hand over forests directly to users.

In 1989 a political movement abolished the *panchayat* system and democracy was reinstated in Nepal. In the spirit of the new democracy, the Forest Act 1993 and Forest Rules 1995 were enacted, giving more rights and responsibilities to FUGs. Community forests were managed by the people who really needed them and who could manage them, and, at the same time, support came from the government in the form of training and technical assistance through the Department of Forests (DoF). The community forestry section of the Forest Act 1993 became very popular worldwide, being recognised as a progressive, advanced, and unique legislation. A rough study showed about 61 per cent of Nepal's forest area as potential community forest.

However, some gaps, constraints, and conflicts remained to be tackled to make the community forestry programme fully successful. CF required intensive work from DoF staff, especially as more FUGs were added every year, requiring additional field staff to follow up while, in fact, field staff were reduced during Forest Department reorganization in 1992. While CF in the hills was progressing nicely, for various reasons forma-

tion of FUGs in the *Terai* forests was still slow.

Certain weaknesses still existed, even after enactment of the 1995 by-laws. These partly related to the limited nature of DoF responses in improper functioning of FUGs, the need for guidelines on spending of FUG funds on community development work, and the unclear relationship between FUG and VDC/wards in managing community forestry.

Another issue pertained to Nepal's increasingly decentralized government system and the fact that forest user groups were not at present officially linked to VDCs and DDCs. While basic responsibility for community forest management must remain only with forest user groups, they should be connected with the coordinating role of local government institutions. At present, various conflicting and overlapping regulations could be found when analysing pertinent provisions of the Decentralization Act and the Forest Act, particularly the CF provisions. Both pieces of legislation worked on the same concept of decentralization and empowerment at the local level. Earlier attempts to have CF controlled by *Panchayat* leaders failed, however, and later legislation made clear that it was the users themselves who must be active and empowered for forest management.

For several reasons, the establishment of strong FUGs, whose members would carry out forest management activities voluntarily, and which would generate income from sale of forest products as well as receiving a certain amount of support from government and donor agencies, led to surplus funds. Initially, all such funds were to be used for forestry development only, but as funds were accumulated and forestry

operations were not costing money, the government amended the legislation so that *“surplus funds of the FUG can be spent for other community development work”* such as drinking water, irrigation, school, health, sanitation, roads, and social activities. This led to more community development work than would have been possible using only government funds, and this has had a positive impact on the commitment of the users. Thus, financial resources generated by CF made it possible for CF to work as a centre for community development in the local context.

Community forestry was the only alternative for forest management in Nepal. It was decentralized and democratic, and all kinds of users could be accommodated within FUGs. From the resources community forestry generated, it appeared possible that community forestry could be used as an effective strategy for community development. The existing programme must continue without disturbance and locally elected bodies and government agencies should play a role in planning, monitoring, and coordinating CF programmes.

Comments by Discussants

Kalyan Raj Pandey, Team Leader, Participatory District Development Programme, UNDP, Nepal

“I am not a forestry expert but work with a decentralization and self-government programme known as the Participatory District Development Programme which is being carried out in 20 districts of Nepal by UNDP together with the National Planning Commission. I would like to comment on a few points that were raised in this context. Mr Joshi stated that decentralization is not taking place

because the centre is not willing to let go of power, and as he himself is a bureaucrat it seems as if he also does not want decentralization. I agree with his point. Although decentralization has been a topic for many years, we have not made progress because the decentralization laws and rules are made by the centre itself. How can we bring about decentralization through these laws and rules? If we are thinking about decentralization and self governance the process should come from the bottom; the grass roots’ level. By a bottom-up approach, I mean mobilising various UGs and building up their capacities. The PDDP programme is working with the community, VDCs, and DDCs to build capacities and to coordinate them in their development work. In the context of amending the laws, I think it is a difficult task. If the House passes the Self-Governance bill, 36 other rules and acts must be amended. Who will want to change all the rules? Even if there is the desire, who will coordinate this among the different ministries and agencies? We have to give responsibility along with the technical capacity to VDCs and DDCs. The tussle between the line agencies and the local bodies has to come to an end if we want to reach out for our goal of decentralization and self-governance.”

Surya Adhikari, Legal Officer, Department of Forests, HMG/Nepal

“Laws can always be amended and I feel the outcomes and suggestions of this kind of workshop help to make laws. How can locally elected members be made responsible and be made to coordinate with the CFUGs? What kind of policies should be made for this? How can we make the Forest Act and the Decentralization Act complementary with each other? We

need to think about this. The local, elected bodies and the CFUGs should coordinate and work together.”

Rakesh Sharma, Deputy Director, Uttar Pradesh Academy of Administration, Nanital, UP, India

“Mr. Joshi has stated that community forest groups must grow. If that is the case, the pending applications must be processed in a timely manner. Nepal’s community forest programme is very good but the decentralization development process is being linked with the medium of VDCs. A VDC is given a grant to run its programmes, but the community forest does not get any sort of outside help, being instead expected to be self-reliant. Wouldn’t it be better for all the nations of the Hindu Kush-Himalayan region to start thinking about forest-centred development based on the model of community forestry? Why not see the community forest group itself as a local body since it is realised that community forestry is such an important sector in mountain areas?”

My second point is that a community forest is created by forest officials, and is at the mercy of the forest department with even the appeal power resting with the forest department; this is totally against the principle of natural justice. If the community has so much indigenous knowledge why is the working plan of the CFUG not approved by the elected body of the CF instead of the DFO? There should be a broad guideline for community forestry. Community forests have been created as parallel bodies but no organic link has been given to them. This situation will create more conflicts if it is not resolved. I think community forestry has to be recognised in the name of decentralization.”

Bijay Raj Poudyal, District Forest Officer, Nuwakot District, Nepal

“We have heard how the forest acts and laws have been changing and also that the laws are conflicting with each other. In addition, there is a national interest that sometimes acts as an obstacle in community forestry programmes. There are of course international commitments that can be highly conflicting with national and local interests. So this issue also has to be clearly defined.

Since the issue of income and interest are dependent on the forest, VDC and CF groups should coordinate with each other. There should be a separate forest-based planning process. Since community forestry generates income, it plays a positive role in development. We have to consider what our interest is. Development of our country? Poverty alleviation? Raising women’s status? Unless property rights are given to women and management rights and user rights are guaranteed, no progress will be possible.”

Points from the Floor

“The point is essentially how to strengthen democracy. Whatever groups you have, democratic principles based on gender and equity must be strict, and, if I believe in democracy, I believe in elected bodies. We all believe in democracy. I do not believe in consensus. In villages where the consensus approach has taken place, the ruling classes always occupy the position of power. There is no way through the process of consensus to bring marginalised groups and women to the forefront. You can see this by looking at how many women are in CFUGs and what positions they occupy. I have been told in many places that these women

have been asked to resign the moment cash has been made available (on the basis of the groups having women members?). Constitutionally elected bodies are the answer, whether it is a CFUG, water UG, road UG, etc. These groups all need to work and coordinate with the locally elected bodies.”

“We must eliminate duplication in laws and policies. We have also seen that when people initiate any programme, there is no conflict but, when programmes are initiated by the bureaucracy, then conflicts arise. Therefore I think user groups should be given the status of a legal entity.”

“The rules and regulations are on one side, and the users’ groups on the other, but the community has still been able to manage it well. Only when rules and regulations about the forest are made from the grass roots’ level will they be practical and realistic. Just making rules and policies according to theories will not work.”

“A strong incentive for decentralization was that the sectoral approaches that have been tried from the national and state levels have not worked. The decentralization issue also reflects the need for area-based rather than sectoral approaches. When the decentralization process occurs it is almost automatic that all kinds of national laws will be impacted. One problem is that when we initiate decentralization in the same way as we undertake a sectoral act, the Decentralization Act is also being imposed rather than going through a commission that will look into all of the issues and arrive at a decentralization process.”

“The other issue about the hierarchy of legislation is that, in almost all countries, what actually takes place and the budgets that are issued are

based on office orders and what happens within the walls of particular agencies. Can we allow this kind of monetary disbursement based on those office orders? Financial resources are determining the implications of policies, e.g., JFM in India is hanging on an office order, whereas you have a constitutional provision for forestry activity adjoining the village to be given to the *Van Panchayat*.”

“UGs should be empowered to make their own management decisions according to their geographical condition and the members of the locally elected bodies should also be included.”

“The question is politics, development, and the people. There should be coordination and balance between these in each sector.”

“We have to think of a solution to eliminate the duplication of laws. How can we formulate laws and policies to help develop the grass roots’ level people?”

“The forum should come to a conclusion about how locally elected bodies and UGs can coordinate with each other and about the issue of power. I feel that the UGs have more than the DFO because they have the authority to cut the trees whereas the DFO cannot issue an order to cut. So we DFOs are not curtailing any power instead we have given it away.”

Responses by Narayan Belbase

“Concerning the query about whether it is possible to change 36 laws to enact the bill of self governance, my answer is yes. For this the government needs to be committed and one government agency has to take the lead responsibility. If the sectoral bias within the government

agencies is removed and, with round table discussions, these laws can be amended. But this cannot easily take place.”

“About the local decentralization legislation, UGs have been mentioned, but they have not been defined, and I also pointed this out during the presentation. I feel that when ‘user group’ is mentioned that also applies to forest users’ groups.”

“The question about decentralization as a sectoral legislation is very valid. I feel that every legislation should contain a dimension of decentralization. There is no need to bring separate legislation for decentralization. If the dimension of decentralization is not included in every legislation, whether related to development or natural resource management, then decentralization will never be effective as a sectoral based legislation.”

“A question was raised about whether the conflict within this legislation bill will effect the CFUGs. I will say it will not matter because of the Supreme Court decision which says that the forest act is the prevailing legislation for forest-related activities and forest-related resources. Even if the self governance bill is

passed, the forest legislation will still prevail.”

“One question was raised about what kind of forest resources the UGs have the right to use. For this there is a conflict among different agencies, each claiming they have the right, as was illustrated in the presentation.”

Responses by A. L. Joshi

“We must not try to keep politics and development and development and the people away from each other because they are intrinsically linked. The user group and the VDC should be in harmony with each other. The policies and laws relating to forests have been very democratic and decentralized thus far, and I don’t think there is any doubt about this. The issue here is how to strengthen this. It is now time to think about how we can coordinate in a better way because we are all looking for development as an end result.

In some cases in the *Terai* the process in handing over forest areas is slow. There are several issues involved in this, but we feel that the community forestry programme should also grow and move ahead in the *Terai* region of Nepal.”

Second Plenary Session

Country Group Strategies and Plans
The final plenary session began with presentations from the country groups.

Chairperson: Dr. Mahesh Banskota,
Deputy Director, ICIMOD
Co-chairpersons: Raija Chaudhari,
Apsara Chapagain and Zohra
Khanum

INDIA

Himachal Pradesh

Individual Commitments

Kulbhushan Upamanyu

“I will work to organize people who are dependent on natural resources in H.P. In order to make people aware of community ownership of natural resources, rapid contact will be made with different communities in the villages. I will try to bring women and youths to the forefront as leaders and will encourage them to become involved in social work. I will move to

create consistency among self inspired communities.

I will fight for direct democracy in the villages, so that we can move in the direction of appropriate policy changes. I will try to inspire *Panchayat* organizations to work directly with village-level democracy so that consistency will exist among various organizations. I will work to add sustainable agricultural development programmes to our agricultural work so that village communities can become self-sufficient and implement sustainable mountain agriculture.”

Jassu Devi

“I will share whatever knowledge I have gained during this workshop related to forests and governance with other people in my area. I will invite all the *Mahila Mandal(s)* in my area and share with them my knowledge related to tree plantation and conservation of forests, grass, fuel, and timber. I will meet with forest department officials and sensitise

them. I will raise my voice in *Panchayat* meetings about suppressed women and will inspire men and women to work together.”

Rattan Chand

“I will give priority to inspiring people to work towards sustainable mountain development in relation to water, forests, and soil. I will try to inform people about employment based planning in the context of water, forests, and soil. I will persuade people to raise their voices against government and other organizations encroaching on their lands and causing deforestation in the name of modernisation. I will work to convince representatives at every level to have a positive attitude towards natural resources when planning development programmes for the villages.

In order to reform the *Panchayat(s)*, having organized a *Gram Sabha*, I will convince the government to accept them as legal bodies. To carry this out, I will organize all individuals and all organizations, including *Mahila Mandals*, youth clubs, intellectuals, and government employees. We will work towards electing people directly involved at the local level, so that they cannot ignore the problems of villages.

In addition to organizing literacy programmes, I will make people aware of political and economic activities. To get rid of agents and brokers, I will work towards strengthening cooperative societies, so that people can get proper prices for their products. I will also convince people to develop cooperative forests in which trees will be planted that provide fodder for cattle, fruit, and other income-generating products. Simple articles, drama, and other literary works based on forestry will be made available to the people.”

Amit Mitra

“I will carry out documentation and research’

‘I will write, especially in the popular press’

‘I will train people at micro- and macro- levels’

‘I will lobby and campaign’

I will devise and advocate strategies to ensure community control and management of natural resources in the Hindu Kush-Himalayas. The advocacy process will be committed to ensuring equity, sustainability, active participation, and gender perspectives.”

Subhash Medhupurkar

“As an individual

- I will work to increase understanding and approaches in the relationship between human society and natural resources”

“As an institution

- I will work to encourage and spread awareness among members of the *Panchayat* and the village *Sabha(s)* about proper use of natural resources,
- to understand the causes of land degradation and to harness and use land to the maximum potential for the betterment of society, and
- to sensitise *Gram Panchayat(s)*, and the Forest Department through micro-planning to the needs of the poor, especially women, in order to ensure that their needs are addressed by planning.”

Raman Devi

“As an individual

As the *Pradhan* of the *Panchayat*, I will recommend the plantation of trees to all the people of the *Panchayat* as well as the community.

As an institution

I will go back and discuss preservation of forests through community forestry and also women's participation with the *Panchayat* members. I will spread awareness amongst women and inform them about HIMAWANTI and its positive impact."

Sukhdev Bishwapremi

"In the process of development and spreading awareness, it is important to involve the *Gram Sabha* in every village of the *Gram Panchayat*. The *Gram Sabha* must include active participation of a woman and a man from each family in the village and it must meet once a month.

I will try to empower people in order to:

- develop programmes for management of natural resources based on priority and needs of users through participatory processes;
- develop integrated, people-based programmes, based on the priority of the communities to address other important issues; and
- make programmes people oriented for effective implementation.

In the event that such people-based plans do not receive approval from the authorities concerned, I will mobilise people to unite and demand their rights."

Satya Prasanna***As an individual***

- Undertake research to increase understanding of the situation to improve the inter-relationship between local communities and different departments
- Encourage local group action in order to ensure that the entire local community comes together as one large community

- Advocate for changes and amendments in laws and policies to ensure that village communities are able to work as independent and empowered units and take steps to remove barriers to this process
- Analyse and develop an understanding of the situation to determine what kind of structure and systems are necessary for community development at the local level
- Collect and disseminate necessary and important information to the community organizations so that they become fully aware and can take proper action.
- Carry out research on and analyse policies and organizational structures appropriate for developing and sustaining local inter-relationships and share these with the community'

Adarsh Bala***As an individual***

- I will assist the UG groups to spread awareness among all men and women in the village and also of the *Gram Panchayat*, telling them about the importance of water, forest, and land for the survival of all human beings.
- I will try to promote the concept of bringing forests under the supervision of the village."

As an institution

- As the *Uppradhan* of the village women's committee of my village, I plan to encourage the villagers to plant trees and also to go to neighbouring villages and spread awareness and encourage them to plant trees as well.
- I will tell people about this workshop and what I have achieved from it. I plan to practise what I have learned and hopefully bring about some change in the thinking of the people.
- I plan to organize programmes to

promote women's development and through my committee to encourage more participation of women in my village."

Ramki Devi

"As an individual

I will go back to my village and tell the people what I have learned from this workshop about protection of forests and their resources. I will help make people aware of the problems that are facing us so that they realise the importance of forests and their resources and how to use them properly."

"As an institution

When I return to my village, I plan to tell people about the workshop and what we achieved and what we decided about helping to preserve the forests. I want to encourage people to plant as many trees as possible."

I would also like to tell people about HIMAWANTI's encouraging work for the upliftment of village women. I hope that this will help women in the villages understand that they too are capable.

State Level

by Navrachna presented by Subhash Mendhupurkar

- Policy Advocacy in the areas of natural resource management of issues related to the *Panchayati Raj* and forestry laws for pro-poor practices in sharing the benefits of forest produce.
- Training of workers in order to build a collective vision
- Strengthening *Gram Sabha(s)* and committees to be able to handle activities related to natural resource management
- Research, documentation, infor-

mation dissemination in natural resource management, related laws or processes, and village-level problems

- Encouraging the use of available space for community interventions in existing laws in natural resource management-related issues, i.e., PRIs, JFM, Indian Forest Act, Forest cooperatives, etc
- Publication of *Navrachna Samachar* with improved content and circulation
- Helping community-based organizations working on NRM issues maintain a perspective on equity issues
- Encouraging grassland production and fodder production initiatives.'

The H.P. participants included: Subash Mendhupurkar, Kulbhushan Upmanyu, Amit Mitra, G.S. Guleria, Satya Prasanna, Ratan Chand, Sukhdev Bishwapremi, Ms. Jasu Devi Par, Ms. Ramki Devi, Ms. Adarsa Bala, Ms. Raman Devi.

Uttar Pradesh

Individual comments

Basanti Ben

"I will work for the upliftment of women in Uttarakhand and will try to strengthen FUGs and encourage disadvantaged and oppressed women to develop through HIMAWANTI."

Radha Bhatt

"I will try to increase the number of grass roots' level women to 50 per cent in FUGs and *Van Panchayat(s)* so that they can put on pressure about issues related to forestry. For that we will try to create awareness among women."

Chandi Prasad Bhatt

“I will try to play an important role in planning and implementation of policies related to the conservation of natural resources and improvement of people’s lives.”

Ramesh Pahari

“As a journalist and coordinator of the People’s Communication and Help Centre of *Dashauli Gram Swaraj Mandal*, I will work on the following:

- creating awareness among people,
- making community people aware of legal issues,
- creating *Mahila Mangal Dal(s)* in every village in order to organize women, and
- starting a movement so that every village can have its own forest.

I will try to make elected representatives aware of the legal acts of the *Panchayat* and the development plans. These days I am working to mobilise government agencies and also I am aware of the quality of development-related plans. In future I will try to expand these projects throughout the Hindu Kush-Himalayan region.”

Rakesh Sharma

- Creating people’s awareness about the formation of *Van Panchayat(s)* in Uttarakhand
- Inspiring all those administrative officers who work in Uttarakhand to work according to participatory processes
- Actively trying to encourage women in Uttarakhand to take part in development work
- Sharing the experiences I have gained through this workshop

- Undertaking research to bring about consistency between locally elected institutions and community forestry organizations.’

Shaila Rana Rawat

“I will organize *Mahila Mangal Dal(s)* and will also try to be present regularly in the group meetings. Through FUG organizations I will raise my voice against those, whether individuals, institutions or government departments, who are destroying forest property. In Uttarakhand, I will give priority to programmes related to forestry. I will invite the chairperson of the *Van Panchayat* to VDC meetings. With the help of women’s groups I will initiate the planning of programmes based on tree plantation on unused land.”

Savitri Devi Bisht

“I will share with others whatever I have learned at this workshop, and I will try to bring coordination between *Mahila Mangal Dal(s)* and *Van Panchayat(s)*. As a leader of the *Van Panchayat*, I will take action against those who try to encroach upon forest areas.”

Rajja Chaudhari

“Through magazines and *Mahila Mangal Dal(s)*, I will try to spread my views about having 50 per cent women’s participation in elected bodies and FUGs. I will advocate for the legal rights of *Van Panchayat(s)* in Uttarakhand, so that they can pressurise the administration.”

Pushkin Phartiyal

“I will try to apply the experiences that I have gained during this workshop in the following practical ways.

- As a project officer in the formation of new *Van Panchayat(s)*, I will try to secure women's participation in them.
- During the future workshops of the UP Academy of Administration, I will discuss conservation of forest resources with the *Van Panchayat* leaders.
- I am interested in writing and in the future will concentrate on issues related to natural resources.
- I will try to raise people's awareness about their rights and will also make as much economic support as possible available for the management of natural resources."

Hem Gairola

"I will actively participate, with others, in research work related to the subject of strengthening the capacity of people who depend on the forest and of forest management, and I will continue to advocate for people's rights. In order to reconcile conflicts related to forest use, I will try to form mediator groups with assistance from others."

Hema Rana

"I will try to bring about consistency between the *Gram Panchayat* and the *Van Panchayat*. I will try to encourage women's participation in the *Van Panchayat* and will invite suppressed and backward women to the meetings. I will try to find employment for people through the *Gram Panchayat*."

Kalawati Devi

- "I will convince all the women in my village to attend meetings of the *Mahila Mangal Dal(s)* and I will try to form *Mahila Mangal Dal(s)* in other villages as well.
- I will try to keep the forest-related

movement strong and will also work for forest conservation.

- I will try to organize people to raise their voices about rights related to natural resources.
- I will convince the women of Uttarakhand to participate in representative elected institutions."

Bauni Devi

"Along with other women I will move from village to village and form women's organizations. Educated men will also be welcome to help if they are interested. I will try to make women's organizations so strong that they will not be overlooked or ignored by related departments. Since women are troubled due to men being addicted to alcohol, I will organize women and start a movement against this social evil."

Institutional Level

Dasholi Gram Swarajya Mandal

"The *Dasholi Gram Swaraj Mandal* has been working to create a just and equitable social order and realise the dream of total *gram swarajya* and conservation of natural resources for the last four decades. To this effect, it has been :

- organizing camps and workshops to promote afforestation and environmental conservation;
- raising awareness and organizing women and *dalit groups* and enabling them to develop leaderships skills;
- trying to develop village forests in every village; and
- conducting training camps to acquaint the common people with their rights and duties, enabling them to play a lead role in natural resource conservation and management building up their skills, and empowering them.

The DGSM will continue these activities, incorporating ideas generated from this workshop. Information, especially on science and technological aspects, will be exchanged with those interested. Better coordination will be established between village-level organizations to link development and environmental conservation more effectively. To this end, local, regional, state, and national-level efforts will be studied and analysed, and simple, yet reliable, people-friendly techniques will be developed and disseminated.'

DGSM Participants included: Raja Chaudhari, Kalawati Devi, Bauni Devi, Savitri Devi, Chandi Prasad Bhatt, Shaila Rani Rawat, and Ramesh Pahari

Uttarakhand

presented by Saila Rawat

"In order to share the knowledge and experience gained by different participants at this workshop, workshops will be organized in Nainital and Agastyamuni, Garhwal, under the supervision of the Centre for Development Studies (CDS) and Uttar Pradesh Academy of Administration (UPAA).

In Uttarakhand, *Van Panchayat*, *Mahila Mandal Dal*, and other independent organizations and representatives of *Panchayat(s)* will be taken for on-site training to learn from ICIMOD's demonstration plot and about the working process of community forest user groups. The CDS and UPAA will take the initiative in this."

Institutional Level

Regional Panchayat

At the level of the regional *panchayat*, having established coordination between *Panchayati Raj* institutions and forest management institutions, to proceed towards strengthening these institutions within five years. (Hem Goirala, Panchayat Sewa Samiti, Paudi, Garhwal)

Inter-Country Level

Encourage experience sharing
Collaborate to build the capacity of natural resource management groups and grass roots' level democratically-elected bodies.

Certain Strategies that can be tried out in both H.P. & U.P.

Elected/Political Representatives	Campaign for the right to recall/referendum, especially at the PRI level and as a campaign strategy, inform the representative(s) that they will be forced to resign if they perform poorly.
Gender Equity	<ul style="list-style-type: none"> • Campaign for greater participation of women at all levels • Compulsory education for the girl child-ensure that this happens at least in those areas where like-minded elected representatives work and NGOs are present. • Equal property rights • Educate men
Participatory Forest Management	<ul style="list-style-type: none"> • Campaign against monolithic, passive programmes like JFM • Document good examples of active participatory community forest management and disseminate such information

NEPAL**Presentation by Bijay Raj Poudyal**

All the participants in the Nepal country group were requested to write up their personal plans and commitments. The participants were then divided into three groups: government agency, locally elected representatives, FUGs, and NGOs. Each of these groups discussed how to prepare their institutional strategies and plans. When these were completed, the participants met together again as a large group to discuss the institutional plans and to prepare national and international plans and strategies.

Individual Commitments**Apsara Chapagain**

“My personal plans are the following.

- I will disseminate the ideas learned in this workshop in my village, and will be involved in empowering and creating awareness among women.
- I will try to search for problems and solutions in the forest laws and rules.
- I will try to coordinate the maintenance of relations between locally elected bodies and community forest user groups.
- I will try to maintain transparency.”

Kumar Yonjon

“I will assist FUGs to:

- ensure that income generated by an FUG goes to the group itself,
- enhance coordination between locally elected bodies and CFUGs, and
- evaluate their programmes.”

Maya Devi Khanal

“I will continue to fight against injustice and will inform women about their legal rights to natural resources, as well as about their rights to property, education, and health care. I will try to work with other institutions and make their views better known. If training is required, I will always be ready to provide it.”

Sanu Kumar Shrestha

“In order to bring about sustainable development of community forestry, the remaining gap between FUGs and elected institutions should be closed. To bring this about, I will assist with and promote the following.

- Identify genuine forest users
- Form forest users’ committees on the basis of the approval of the general users. Make FUGs legally strong so that the users will not be afraid of the government’s intention to take back forests after they have been handed over.
- In order to develop community forestry, part of the budget which HMG provides to VDCs should also go to FUGs.
- Income of FUGs should be publicly announced quarterly or half-yearly, with auditing done yearly by the VDC.”

Bhumi Raman Nepal

“I will assist with the formation of a coordination committee that includes members of locally elected institutions and FUGs. I will help FUGs improve their relationships with the forest department and I will publicise the work of FUGs.”

Chhongba Lama

“I will do the following:

- work with FUGs to try and de-

- develop community forests,
- provide help to FUGs of my VDC,
- inform people about community forestry, since most are not aware of it,
- give more time for work related to community forestry, and
- raise income from community forestry which can then be used for village development.”

Bhim Lal Subedi

“I believe practical work is more important than mere slogans to ensure the rights of FUGs. There should be coordination among VDCs, DDCs, and other institutions for institutional development to occur. I will personally try my best to facilitate the development of the village and my country, and I will work to bring unity within the village.”

Barna Thapa

“I will work to bring coordination between local community institutions and local representatives, creating understanding among government-level and local representatives and institutions. Personally and on behalf of my institution, I will also be ready to provide help in this regard.”

Gyan Bahadur Tamang

“I will always try to work for the development of community forestry, giving special attention to gender equity. I will try to give disadvantaged classes and poor people an opportunity to work in community offices. I will also try to make FUGs more aware of the laws related to community forestry.”

Murari Khanal

I will do the following:

- provide one hour to FUGs every day,

- identify the real homeless people (*sukumvasis*),
- move towards deriving alternative resources from forests for income generation,
- work on problems of soil erosion, and
- discover ways to provide technical assistance for forest development.”

Juneli Shrestha

“I will share the knowledge that I have gained during the workshop. I will continue encouraging women to become involved in social work and to work for general women’s empowerment. I will also try to make more people aware of community forestry.”

Prakash Mathema

“I intend to :

- develop interaction programmes with my colleagues and professional friends about the role of locally elected institutions in the development of community forestry,
- raise the level of discussion about abolishing duplication in the different acts related to community forestry,
- arrange interaction programmes between local institutions and CFUGs during my field visits,
- sensitise field-level staff about the related issues, and
- try my utmost to assure the rights of the CFUGs.”

Arati Shrestha

“I will:

- provide information to people who do not know about community forestry,
- give opportunities to individuals who want to become members of CFUGs or other groups,
- provide income-generating training in villages, and

- provide equal opportunity to all for participation in CFUGs.”

Kishor Chandra Dulal

- “I firmly agree that there should be women’s participation in every field, and I will strive for transparency at all times.
- I will initiate solutions to the problems related to duplication and contradictions in the laws related to decentralization and community forestry.
- I will always try to bring coordination between locally elected institutions and CFUGs.
- I will provide help to FUGs and will try to convince the District Council to approve of those plans.
- I will always try to make community forestry users engage in every development programme.”

Savitra Kumari Bhattarai

“I promise to take the initiative to bring about coordination between locally elected institutions and CFUGs. I will always try to protect the environment and will spread awareness about forest conservation among women and poor people. During meetings with other institutions and related people, I will try to exchange knowledge related to forestry with them.”

Surya Prasad Adhikari

“I will take action to solve problems related to the legal acts:

- try to provide absolute rights related to forest conservation, management, and use to CFUGs;
- try to ensure that elected, local institutions provide positive assistance to CFUGs;
- try to provide opportunities for women and oppressed people to become community representa-

tives; and

- provide comprehensive knowledge about the 2049 Forest Act and 2051 Forest Regulations to CFUGs and local institutions.”

Bindu Mishra

“I will try to discover various methods to empower women. I will also get into contact with different institutions in order to bring about progress in development work related to community forestry and will try to implement such development work myself. Also, after identifying various issues, I will arrange interaction programmes.”

Bahadur Rokaya

“The community forest has not been handed over in my district of Kanchanpur. Timber smuggling is very common in this district. Poor people cut the trees, and, if this continues, the area will become a desert soon. In order to stop timber smuggling we must make poor people aware of forestry issues. We will have to encourage them to plant trees, from which of course they should be able to earn and find employment.”

Mahesh Hari Acharya

“I will discuss the acts, policies, and regulations related to community forestry on an individual level and provide related knowledge to individuals, groups, and organizations:

- give direct instructions to staff to bring more coordination between FUGs and local institutions,
- arrange workshops and training in order to empower women, and
- also request NGOs, INGOs, and community-based organizations to make arrangements to assist in improving women’s capabilities.”

B.R. Poudyal

“I will work to provide knowledge to elected bodies about community forestry and will work towards implementation of the policies and directives of the forest departments. I will also provide feedback from field visits to the Forest Department.”

Laksmi Bhandari

“I will avoid politics while working for forest development and will always be helpful about establishing women’s rights.”

Shyam Ghimire

“It is important to keep good relations between community forestry and local institutions and to remove all practical distrust and legal hindrances. VDCs should assist community forestry. I will try to help by:

- providing advice about using forest income for village development, poverty alleviation, and income improvement,
- providing help to those FUGs that are economically weak, and
- arranging workshops related to forest management.”

Krishna Prasad Sapkota

“I promise to :

- encourage people to plant trees on community and private land,
- invite one man and one woman from each household to join a CFUG,
- plan programmes that will improve the environment with the help of the VDC and CFUG, and
- emphasise employment-based and income-generating forestry.”

Bal Krishna Yani

- “• I will try to make women aware of CFUGs and will encourage illiterate women to join CFUGs.
- I will try to bring about consistency in policy and practise between CFUGs and local institutions with the help of local institutions.
- During this workshop, I have gained knowledge related to legal and practical aspects, and I will share this knowledge with my FUG.”

Guman Dhoj Kunwar

“The following work will be important:

- organizing the FUG and providing knowledge and advice related to forest conservation and playing the role of mediator between the Forest Department and the FUG,
- persuading the FUGs to do development work according to peoples’ decisions,
- prioritising education, health, agriculture, markets, and drinking water in order to improve our village life,
- making sure advice given by women is included in decision-making, and
- informing family members of decisions that are taken in the FUG meetings.

I will try to initiate work related to forest management, development, and sanitation. If I initiate such work myself, I will be an example for others.”

Devi Adhikari

“Politicisation should not be permitted in the work of community devel-

opment. Likewise, class, caste, and poverty should not hinder one's application for membership in a CFUG, and so I will try to create awareness among those who are excluded and will support women as much as I can. I will try to benefit from the advice of the VDC, DDC, and people's representatives."

Ishwara Pokhrel

"As an individual I will do the following.

- I will raise my voice in favour of 50 per cent women's membership in FUGs.
- I will encourage economically and disadvantaged groups to participate in social work.
- I will not permit politicisation in forest related work.
- I will work to keep the feeling of unity."

Ghanta Prasad Aryal

"I will:

- develop income-generating work for CFUGs and use the income for village development,
- convince women to participate in FUGs,
- undertake development work with the advice of the Forest Department, DDC, and VDC,
- see that FUGs make decisions about development work, and
- work to keep the environment clean and green."

Ram Sharan Ghimire

"In my FUG I will try to increase the number of women participants and will raise my voice for the rights of women. I will also discuss how the FUG can establish good relations with local institutions in order to use the forests properly. I will also prepare a comparative analysis of mu-

tually contradictory acts regarding forest use by FUGs. I will tell my friends about the workshop discussions and results."

Dil Raj Khanal

"I will undertake the following initiatives:

- work to amend ambiguous acts relating to natural resource management,
- provide knowledge to people living in remote areas about their rights to natural resources and also lobby for more rights of the people to natural resources,
- look for alternative solutions to resolve conflicts related to natural resource use and work to apply these in a practical way, and
- volunteer my support to fight legal cases against FUGs which have been filed in court."

Kamala Sharma

"My work will involve women and will include:

- making both men and women aware of discrimination in order to free women from household restrictions,
- bringing women ahead in the policy-making process, and
- making sure that 50 per cent of the representatives on user committees are women."

Mohan Thapa Pyakural

"As an individual, I will

- develop and maintain community forest user groups' relationships with different institutions and provide assistance to my own group,
- arrange interaction programmes related to forest management,

- give opportunities to various classes of people to participate in forest management and policy-making processes,
- share information about decentralization and users' rights with different classes of people,
- increase women's participation, and
- arrange meetings about forest management with FUGs."

Hari Prasad Neupane

"I will always be helpful in protecting the rights of UGs and will always inspire the process of general agreement in decision-making processes."

Ganesh Timilsina

- "I will encourage people to develop community forestry where it has not yet been introduced.
- I will try to provide opportunities for the equal participation of women in CFUGs.
- I will inspire locally elected institutions and CFUGs to work in cooperation."

Kul Bahadur K.C.

"I will give priority to cultivating herbal plants for development."

Ganesh Shrestha

"I will play the role of a mediator and coordinator between locally elected institutions and CFUGs and will create awareness among people about the conflicts and ambiguous laws related to decentralization and forestry. I will share the knowledge I have gained in the workshop with those institutions in which I am a representative. I would also like to organize a one-day workshop among the community forestry user groups in my district."

Institutional Level

Government Agencies

- Initiate solutions to the problems and constraints that have come up during implementation of the Forest Act 2049 and the Forest Regulations 2052 and which were raised in workshops and seminars and through field experience.
- Initiate organization of interaction programmes between locally elected representatives and FUGs on all aspects of community forestry management.
- Initiate maintenance of transparency regarding FUG activities, encouraging them to maintain their records properly.
- Organize and impart capacity building training and ensure that FUGs send their programme reports regularly.
- Organize training and workshops at local levels for women, in order to impart forest management techniques and skills and to initiate the nomination and selection of women from each village and *tole* (neighbourhood) to participate in study tours, organized at intra- and inter-district levels.

Forest Users' Groups and NGOs

- Relationships of FUGs with Locally Elected Institutions
 - ♦ Implement the following activities of FUGs, in coordination with LEIs: community forest development, social development, and conflict resolution between users and user groups.
 - ♦ Assist LEIs in forest product related work.
- Introduce and execute community forestry-based income-generating activities
- FUGs should conduct social development activities: literacy classes,

- public health programmes, drinking water schemes, and foot trail construction/improvement in co-ordination with LEIs.
- Ask related line agencies for technical assistance in thinning, pruning, cleaning, and plantation activities in community forestry.
 - Involve women, poor, marginalised, and disadvantaged users to group meetings and have FUGs make decisions on the basis of mass consensus. Produce and disseminate extension materials related to literacy programmes, women's literacy, and empowerment.
 - Organize and conduct self-help programmes among FUGs through networking mechanisms.
 - Identify problems related to FUGs through study tours and begin solving these problems.
 - Orient FUG programmes towards social and community development through the means of community forestry.
 - Suggestions and advice shall be provided to relevant agencies so that they can amend forest and other related regulations so that they are more people oriented and progressive than at present. Seminars, workshops, and interaction programmes will be organized, and pressure will be applied to relevant agencies for improvement.
 - Forest Areas will be resurveyed in coordination with all relevant agencies: viz., land reform, maintenance surveyors, land revenue collection officers, etc.
 - The following programmes will be conducted for the institutional development and strengthening of FUGs:
 - ♦ proper record keeping;
 - ♦ maintenance of proper accounts; and
 - ♦ regular audits;
 - regularisation of registration dis-patches;
 - provision of soft loans to poor groups, if FUGs have sufficient money;
 - organization of regular meetings and general assemblies;
 - communication of the decisions of meetings, posting them on public notice boards every month; and
 - encouragement of women's participation in FUGs, implementing the concept of equal participation and aiming for a 50 per cent representation of women.
- Locally Elected Institutions***
- Involve FUGs at policy level.
 - Include periodic plans of FUGs in LEI's periodic plans. Form coordination committees between different FUGs.
 - Organize joint forest management training and workshops by District Level FUG Federations (perhaps district level FECOFUN), DFO, and DDC.
 - Encourage local people to reforest barren and non-agricultural lands, whether public or private, through formation of a policy for the same.
 - Provide for the collection of land revenue from private land that is barren or not irrigated, in order to encourage people to use their land in a productive way or for income generation.
 - Form an appropriate policy to promote and encourage a 50 per cent participation of women in all public institutions, organizations, committees, etc.
 - Motivate all FUGs to establish forest-based industries using their own collected funds.
 - Regularise the monitoring process of LEIs in an effective way.
 - Have commitments by locally elected representatives to make the technical aspects functional.
 - Have village-level forest manage-

ment training and workshops organized jointly by VDC, FUG, and range posts.

- Involve women equally in all training and workshops.
- Try to restructure the DOF organization according to the need for human resources, on behalf of LEIs as a way of dealing with inadequate technical human resources in the existing organizational structure of the DOF.

National Level

- Make suggestions and advocate and organize workshops at the national and regional levels among relevant agencies to bring coordination, complementarity, and necessary amendments in decentralization and forestry-related rules, regulations, acts, and policies. The chairpersons of ADDCN, FECOFUN, and HIMAWANTI will initiate the organization of workshops with the assistance of ICIMOD.
- Organize national-level workshops in order to share experiences and formulate appropriate policies about forest-based income-generating activities (herbal medicine, wildlife, environment, biodiversity, etc). ICIMOD will again be contacted about this.
- Organize a national-level workshop of women involved in FUGs, elected representatives of local institutions, and women forest technicians with GOs, NGOs, CBOs, FUGs, etc.

Inter-Country Level

- Organize workshops and seminars on a regular basis in order to prepare and revise integrated programmes to cover the whole of the Hindu Kush-Himalayas.
- Build a regional-level organization to fulfil the above objectives.

BANGLADESH

Individual Level

Dr. M.M. Khan

- Continue to gather more information about successful models in community forestry and local governance in other countries, specifically those in South Asia.
- Undertake action research, if funding is available, to understand, analyse, and evaluate community forestry and local governance systems in Chittagong Hill Tracts, especially focusing on weaknesses in the community forestry programme and the weakness of the system.
- Try to encourage and motivate colleagues and students to study community forestry and local governance in Chittagong Hill Tracts.
- Write popular features in newspapers and magazines and give lectures and seminars advocating the critical role of community forestry and local governance in Chittagong Hill Tracts in local and national development, especially concentrating on the need for the increasing participation of women and the poor in the management of these institutions.

Institutional Level

- Use the department of public administration, University of Dhaka, as a forum for dissemination of knowledge in the areas of community forestry management and in strengthening local governance bodies in Chittagong Hill Tracts.
- Open a new course in natural resource management to include community forestry and integrate such a course with existing local governance and rural development courses.

National Level

Convince policy-makers of the need for a viable and strengthened local governance system with a revitalised community forestry programme based on increasing and meaningful participation in all bodies of women and poor through lobbying and organizing seminars and workshops with the assistance of stakeholders, NGOs, donors, and members of the academic community.

Inter-Country Level

More interaction with scholars and practitioners in other South Asian countries in the areas of local governance and community forestry to facilitate adoption of ideas and successful models for use in Bangladesh with suitable modifications can be initiated.

PAKISTAN***Individual / Institutional Level*****Ali Gohar and Zohra Khanum (AKRSP)**

- Linkage and Advocacy
- Capacity Building
- Planning
- Monitoring and Evaluation
- Technology Development
- Social Organization
- Institution Building

Haider Khan

- Policy Framing
- Lobbying for Financial Resources
- Advocacy
- Mediation

Shafa Ali

- Social Mobilisation
- Linkages

- Identification of Needs
- Village-level Planning

Muhammad Iqbal

- Facilitate shift from bureaucratic to technocratic attitude
- Devise rules and policies conducive to community empowerment
- Build capacity among staff
- Undertake education, extension, and training activities

Overall Conceptual Design - Bottom-Up Approach

Presented by Ali Gohar

Village Level

At this level, a variety of village-level organizations should be identified, including elected union councils, different voluntary or women's organizations, NGOs, and INGOs. Village-level government, administrative, and other public institutions such as the Forest Department's regional office, the *Tawsildaar*, and health and educational institutions should also be included.

The capacity building of these institutions should be strengthened, their needs identified and assessed, and these needs should be translated into concrete plans and projects that can be implemented. A method of networking and maintaining linkages should be established. Such a network could be used in first level attempts to manage conflict. In addition, through such a system of linkages, local technologies could be developed through shared experience.

District Level

District-level institutions include the District Council, District Forest Office, representatives of voluntary and women's organizations, and other district-level agencies.

Their functions should be the following.

- Policy Recommendations
- Coordination
- Developing Strategy
- Monitoring
- Financing
- Resolving and Managing Conflicts

Northern Areas' Level

Institutions at this level include the Northern Areas' Council, NGOs/INGOs, Conservators of Forests and Chief Conservator of Forests, Forest Associations, and others.

Functions

- Policy formulation at this broader level
- Financing: approval of plans and projects
- Monitoring and feedback to district-level implementing agencies
- Resolving and managing conflicts
- Pressing for needed legislative reforms
- Initiating and strengthening gender participation at all levels

National and International Levels

These institutions include research institutes, academic institutions, and NGOs/INGOs.

Functions

- Information sharing, cooperation, and development and transfer of technologies through workshops, training programmes, study tours,

and other regional or international conferences

- Technical advice based on various types of research and development, including pilot projects, comparative studies, etc
- Investigation into and approval or modification of proposed policies
- Promotion of major policy shifts such as privatisation, decentralization, etc
- Pooling of financial resources

Concluding Remarks By Dr Mahesh Banskota

Dr. Mahesh Banskota, in his concluding remarks, said that he was extremely impressed with the individual and institutional commitments made by the participants. This was indicative of their interest in bringing convergence between locally elected institutions and community forestry management groups. Dr. Banskota said that these follow-up plans were a matter of satisfaction to ICIMOD, as they indicated that this workshop had achieved its objective of initiating a series of processes in the different countries of the Hindu Kush-Himalayas. He said that ICIMOD would remain interested in learning from the participants' experiences and in exploring ways and means of collaborating with different institutions.

On behalf of ICIMOD, Dr. Banskota thanked all the participants for their active participation in the workshop and wished them a safe journey home.

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Concluding Session

Anupam Bhatia opened the concluding session. He said that many important issues related to mountain development, forests, and local institutions had emerged during the workshop. A small group had synthesised the main concerns and responses that were identified by the workshop participants. It was suggested that we should attempt to build consensus on these issues by releasing 'A Common Statement on

Governance and Community Forestry Management'. The draft preamble of this statement was shared with the participants for their comments and acceptance with the understanding that a draft of the complete Common Statement would be sent to the participants for their approval. The Draft Statement follows.

A Common Statement on Governance and Community Forestry Management in The Hindu Kush- Himalayas

Preamble

Natural resources in the Hindu Kush-Himalayas, in particular forests, cannot be managed sustainably without appropriate local governance systems based on social and gender equity. Decentralization and democratisation of decision-making processes contribute to a high degree of participation by



Dr Mahesh Banskota, Deputy Director General, ICIMOD, chairs the Concluding Session

stakeholders. Local community participation, involving the delegation of power and responsibilities, is emerging as an effective way to promote sustainable development. As the impetus towards community-based natural resource management has grown over the years and informal village-level institutions have demonstrated their ability to manage forest resources, we see today increasing engagement with elected village and district-level institutions. This trend has accelerated with the emergence of new laws, rules, and regulations related to decentralization and devolution of powers and responsibilities to elected institutions.

In some countries of the Hindu Kush-Himalayas, decentralization has been initiated as a precondition to participatory development. Yet, the participation is often merely passive because the decentralization process fails to consider the ecological, social, and cultural specificities of mountain areas. Moreover, inadequate attention is paid to gender and equity concerns in articulating local development and environmental management aspirations. Mutual lack of trust and faith between locally elected institutions and community forest management user groups results in conflicts, duplication of efforts, and avoidable wastage of resources.

Experience dictates that new forms of governance must search for synergies within existing common property management regimes. New institutional arrangements between elected institutions and informal community-based institutions need to be evolved.

We, the workshop participants, have identified the following major areas of concern.

- Lack of complementarity, coordination, and consistency between policies, laws, rules, and regula-

tions related to decentralization and the governance of the forestry sector

- Low degree of participation of women in politics and community forestry management
- Lack of accountability and transparency of locally elected institutions, state forest administration, development organizations, and community forest management institutions
- Non-existent or low levels of involvement of community forest management institutions in planning, budgeting, implementation, and monitoring of development programmes undertaken by locally elected institutions and other development agencies
- Escalating conflicts and mutual distrust between locally elected institutions and community forestry institutions, especially in implementing various programmes, schemes, and plans
- Low degree of empowerment of community institutions, preventing them from fulfilling their responsibilities
- Duplication of efforts between elected institutions and community forestry user groups
- Low allocation of resources by locally elected institutions for community-based forest management
- A need to influence locally elected institutions so that they can advocate on behalf of community forestry institutions and vice-versa
- The need to strengthen community institutions at various levels, so that the political system can be influenced
- Neglect of issues relating to forest tenure and ownership
- The Preferred Situation

We, the workshop participants, feel these issues must be addressed with a sense of urgency. The changes that we advocate stem from the recogni-

tion that local people are the best managers of natural resources, because their lives depend on them.

Recognising this truth implies that, throughout the HKH region, local communities, through community institutions, should be given ownership and control over local natural resources, including forests. The first charge on forest resources should be to meet the needs of local people as a matter of right and not as a concession given by the government. If there is to be trade in forest products, it should be on terms and conditions determined locally.

- Evolution of laws and policies that are complementary and assist in the creation of an enabling environment which allows constructive engagement between locally elected institutions and community forestry management groups
- Emergence of legislation granting reservations and guarantees to enhance equal participation of women in politics and in community forestry management groups at all levels of decision-making
- Presence of mechanisms at all levels that ensure transparency amongst all individuals, locally elected institutions, and community forestry management groups
- Introduction of laws that ensure the representation and participation of marginalised socioeconomic groups in institutions at all levels
- Presence of direct democracy at the village level, including the right to recall elected and/or selected representatives at all levels
- Change in property and inheritance laws to treat women and men equally
- Formation of village assemblies, through consensus of all stakeholders, which can under-

take integrated management of mountain natural resources

- Transfer of all common property natural resources to village assemblies and provision of laws and policies that provide first charge to people dependent on natural resources for their survival

Strategies for the Attainment of These Goals

Achieving these objectives will require political will and high levels of individual and institutional commitment. The strategies to be adopted will include research, education, and campaigns at the local and the regional levels. Advocacy will form an important part of the strategy to inform and influence the emergence of appropriate legislation. Communities and policy-makers will need to be educated on issues of gender equity and the principle of equality for all.

We, the participants of the workshop, recommend that work on these objectives begins without delay. We call on all individuals and institutions in the Hindu Kush-Himalayas to take note of our concerns and to take steps towards ushering in transparent governance and sustainable mountain development in the Hindu Kush-Himalayas on the principles of Some, For All, Forever.

At the conclusion of the session, the song 'We Shall Overcome' was sung in three languages by all participants, who also offered a vote of thanks to ICIMOD for organizing the workshop. Finally, each participant was requested to sign the Preamble to the Common Statement and to receive a beautiful hand-made paper box filled with soil from the Hindu Kush-Himalayas as a symbol of their joint efforts for sustainable mountain development.



A performance by the *Hariyali Sangeet Samuha*, Nepal, on environmental issues (top and middle),



Participants from Nepal and India join the cultural programme

**Framework of the Common Statement
on Governance and Community Forestry Management
in the Hindu Kush-Himalayas**

Present	Desired	Strategies
Lack of complementarity between policy, law, rules, and regulations	<ul style="list-style-type: none"> • Evolution of laws and policies that are complementary and assist in the creation of an enabling environment that allows constructive engagement between locally elected institutions and community forestry management groups 	<ul style="list-style-type: none"> • Campaigning, lobbying, mobilising at all levels, from the local to the regional, for changes in legal framework • Drafting alternative laws and regulations based on research into both traditional and modern laws (and including people's opinions). • Influencing legislators through popular pressure to change the present regimes
Gender and Social Inequity	<ul style="list-style-type: none"> • Emergence of legislation that grants reservations and guarantees to enhance equal participation of women in politics and in community forestry management groups at all levels of decision-making • Introduction of laws that ensure the representation and participation of marginalised socioeconomic groups in institutions at all levels 	<ul style="list-style-type: none"> • Insistence on legislative reservations for women and marginalised socioeconomic groups in all institutions at all levels • Educating communities on gender and socioeconomic issues in preparation for a campaign to assert the principle of equality • Compulsory education for all, focussing on the girl child
<ul style="list-style-type: none"> • Inadequate empowerment of community institutions, especially informal ones 	<ul style="list-style-type: none"> • Creation of community institutions, based on principles of equity, which are formed by the people themselves and not imposed from above • Self-reliance as the ideal form of governance in mountain areas 	<ul style="list-style-type: none"> • Work with legislators and other sections of civil society to enhance their work with the people • Capacity building and local institutional development
Lack of accountability and transparency	<ul style="list-style-type: none"> • Presence of mechanisms at all levels which ensure transparency amongst all individuals, locally elected institutions and community forestry management groups • Transparency to become a part of day to day life 	<ul style="list-style-type: none"> • Educate people to insist on transparency from all institutions with which they work • Highlight that all elected/selected representative institutions are accountable to the people
Inequity in property rights	<ul style="list-style-type: none"> • Change in property and inheritance laws to treat women and men equally 	<ul style="list-style-type: none"> • Advocacy at different levels • Information and awareness campaigns

Non-involvement of CFM groups in development activities	<ul style="list-style-type: none"> • Forest and natural resource management and all development activities to be entrusted to the village assembly or any other body the village assembly may choose 	<ul style="list-style-type: none"> • Form robust village assemblies able to carry out necessary work related to local-level natural resource management and development
Conflicts between CFM groups and elected representative bodies on development issues	<ul style="list-style-type: none"> • Presence of direct democracy at the village level, including the right to recall elected and/or selected representatives at all levels • The village assembly be entrusted with the role of natural resource management and development • The elected representatives act on behalf of the groups, and not a political party 	<ul style="list-style-type: none"> • Campaign for direct democracy at the village level, including the right to recall elected and/or selected representatives at all levels • Begin informing representatives they will not be voted back in unless they honestly represent the people and their rights
Neglect of tenure and ownership issues	<ul style="list-style-type: none"> • Policies that guarantee clear rights to benefits 	<ul style="list-style-type: none"> • Campaign for changes in laws and rules at all levels

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Annex 1 Field visit

Details of the Tree Planting Ceremony at Godavari

Early in the morning of 20 May 1998, the participants went to ICIMOD's trial and demonstration site at Godavari to see diverse land-based technologies and for a tree plantation ceremony. This 30 ha plot is 15 km south of Kathmandu city on a site that has many interesting features. The altitude ranges from 2,550 to 1,800 masl, with a subtropical to warm temperate climate, and the slopes vary from five to 60 degrees. Originally the natural vegetation of the area was mixed deciduous and evergreen forest, but it had become degraded into shrubs and severely lopped trees, similar to vegetation types observable in the surrounding areas and throughout much of Nepal. The purpose of the trial and demonstration activities are to experiment with and show various technologies for and approaches to sustainable mountain development of interest to people and partners in the HKH.

The area contains 10 separate sites, each demonstrating a particular activity or activities. Workshop participants were able to observe these subsites during their visit. Site one is a nursery area and includes a demonstration plot for plastic film technology, an apiary, a *Paulownia* plantation, and an example of small animal husbandry; goats and angora rabbits able to produce high quality wool. Other sites demonstrate horticulture, compost making, natural forest and shrubland management, and water harvesting. Fodder grasses and woody species in hedgerows are also grown.

Tree Plantation Ceremony

Mr. Egbert Pelinck, Director General of ICIMOD, welcomed all and indicated his pleasure that the participants were able to include this field visit in their busy workshop schedule. He spoke briefly about the importance of the demonstration site. Although the site is not used in the same way as local farmers use their

lands, their methods are followed to some extent. For example, in hilly areas soil erosion is considered the biggest problem and, to prevent it, people use terracing methods. ICIMOD has adopted a new process, that of 'green terracing', to demonstrate this technique.

Indian willow trees, which produce useful wood and can be used for furniture, had been chosen for plantation. The willow is also useful for individual farmers. The willow can survive in different conditions. Mr. Pelinck told the participants that, when they visited the site again, they would see the trees growing, labelled

Gitanjali

*Where the mind is without fear and the head is held high;
Where knowledge is free;
Where the world has not been broken up into fragments by narrow
domestic walls;
Where words come out from the depth of truth;
Where tireless striving stretches its arms towards perfection;
Where the clear stream of reason has not wandered into the dreary
desert sand of dead habit;
Where the mind is led forward by thee into ever widening thought and
action —
Into that heaven of freedom, let my Hindu Kush-Himalayas awake.*

Adapted from 'Gitanjali' by Rabindra Nath Tagore

All Religions' Prayer

*You are Narayan, greatest man and teacher you are
You are the Siddha, the Buddha, Ganesh and Agni,
Brahma, Mazd, the Powerful one, Christ, God and the father you are
Rudra, Vishnu, Ram, Krishna you are, Rahim and the Tao
Vasudev; Chittananda you are
You, the Incomparable, Timeless and Self-originated.*

Mr Egbert Pelinck, Director General, ICIMOD, participating in the tree plantation ceremony at ICIMOD's Demonstration Site at Godawari, Lalitpur, Nepal



with the names of the countries whose representatives had planted them.

The ceremony continued with the participants reciting prayers and poems expressing their good wishes for a bright and free future for all humanity.

After offering these prayers, everyone proceeded to the location where the trees were to be planted. Saplings

Resolution

O ocean of humility
 Inhabitant of the hut of the poor and helpless
 In this beautiful region
 Irrigated by the Ganga, Yamuna and Brahmaptura
 Help us find you throughout the region.

Give us receptivity and an open-heart
 Give us your own humility
 Give us the strength and eagerness
 To commingle with the people of the Hindu Kush

Only then can you come to help
 When people come before you as nothing

Give us the boon that we may not be separated from those
 Whom we want to serve as servant and friend
 Shape us as a symbol of devotion and humility
 So that we may understand and love this region the more.

Eleven Vows

Non-violence
Truth
Not stealing
Celibacy
Non-grasping
Physical labour
Non-discrimination.
Fearlessness
Secularism
Nationalism
Humility

*These are the qualities that deserve
 to be adopted.*

had been arranged beforehand, with the names of workshop participants displayed on them. Following the tree planting ceremony the participants walked to ICIMOD's trial and demonstration area for tea and snacks and a group photograph. They then proceeded to the site where SALT (Sloping Agricultural Land Technology) techniques were demonstrated.

Feedback on Godavari Site

Khagendra Siktel

ICIMOD's demonstration site is fully equipped with all facilities. We could also have this kind of site in our districts if we were provided with the same kind of finances.

Pushkin Phartiyal

What we saw today and what we saw at Badikhel are two different things. The forests in Badikhel were managed by local people while the Godavari site is managed scientifically. We can benefit from both examples by adopting the most successful practices. It does not matter whether the community or the scientists are involved, if certain methods are working well we can surely adopt them.

Saila Rani Rawat

Visiting the Godavari site gave me many ideas. One of the things that impressed me was the way the stairs were made from sticks with bamboo at the rim. We also learned about the SALT technique and terrace slope farming.

Forests are usually open for the community so that they can enter and collect the dry wood, sticks, and leaves that can be used in their homes as fuel and other purposes. Is the ICIMOD site open so local people can enter and collect dry wood and grass?

I also noticed that as one side of the mountain is being made green, on the other side we could hear blasting in the marble quarry. Something should be done; ICIMOD should see that the

Bhumi Raman,
Nepal introduces
the Hariyali
Sangeet Samuha



mountains close to where they are working are protected so that there is greenery as far as the eye can see.

Subhash Mendhupurkar

It is well-known that women in the Hindu Kush-Himalayas work more hours in the fields and at home and also go to the forest. But I noticed that in one of the flip charts at the site, men were shown working in the fields and fewer women were shown. I would like to suggest that these flip charts should be corrected to portray accurately the role of women in the management of natural resources in mountain areas.

STAKEHOLDER LEARNING GROUPS

The three main stakeholders represented in the workshop were locally elected leaders; community-based organizations; and non-government organizations, government organizations, and academic institutions.

In order to maximise the opportunity for learning from colleagues based in different countries and regions of the Hindu Kush-Himalayas, the next session was set aside for discussion among members of these three stakeholders. This was arranged to provide them with the opportunity to interact with each other in a structured yet informal setting where sharing peer group experiences and brainstorming on issues raised in the forum can take place.

The theme of the Stakeholder Learning Groups was 'National and Regional Strategies to Engage Locally Elected Institutions in Community Forestry Management' and guidelines for the discussions had been prepared. The guidelines began with an acknowledgment that sustainable mountain development and successful community-based forest manage-

ment require collaboration between the different stakeholders represented at the workshop. All the stakeholders are together in striving to achieve an improved quality of life for mountain women and men, by giving communities more control over their lives, and in seeking development which is equitable, pro poor, and which values the environment.

The tasks for each stakeholder discussion group were set out as the following:

- to identify your group's role in achieving sustainable community-based forest management,
- to identify the approaches that will give the resource poor and marginalised groups equal access to forest resources,
- to identify the group's role in evolving appropriate policies and practices,
- to identify the best practices that will encourage principles of transparency and accountability, and
- to identify local, national, and inter-country mechanisms that can address these issues on a continuing basis.

Stakeholder Learning Group Presentations

The first plenary session began with presentations from the Stakeholder Learning Groups.

Role of Government Organizations, Non-Government Institutions and Academic Institutions *presented by S. Sreedhar*

Group Members

1. M.M. Khan
2. Rakesh Sharma

3. Pushkin Phartiyal
4. Adarsh Bala
5. Subhash Mendhapurkar
6. Mohammad Iqbal
7. Ali Gohar
8. Bijaya Raj Poudel
9. Mahesh Hari Acharya
10. Surya Prasad Adhikari
11. Prakash Mathema
12. Barna Bahadur Thapa
13. Juneli Shrestha
14. Sabitra Kumari Bhattarai
15. Yoko Watanabe
16. Ahmed Afzal
17. S. Sreedhar

Government Organizations

Government organizations should see their roles transformed from the past ones of control, regulatory, and financing agencies to roles of active and positive service providers. They should transfer ownership of resources to the community. The various areas in which government institutions could be most supportive were identified as the following.

- Legislation and legal support of policies promoting community participation and control
- Capacity building to enable community members to take a more active role in the development process
- Identifying and initiating relevant research and action to move the participatory development process forward
- Clarifying and enhancing the roles of various functionaries through institution-wide interaction and experience sharing
- Assisting local groups in decision-making processes
- Facilitating coordination among local institutions
- Taking an active and objectively neutral role in conflict resolution

Non-Government Organizations and Academic Institutions

A variety of important functions was identified as areas for intervention and support from NGOs and academic institutions.

- Participatory research
- Community-based activities
- Enterprise development and support
- Documentation and communication with colleagues and institutions in a wider area
- Advocacy, legal aid, protection of local rights
- Ensuring and assisting in equitable sharing of benefits among all local stakeholders
- Taking an active and objectively neutral role in conflict resolution
- Capacity building to enable community members to take a more active role in the development process

Role of Community-based Organizations

presented by Kulbhushan Upamanyu

Group Members

1. Sabitri Devi Bisht
2. Boni Devi Chauhan
3. Ramesh Pahadi
4. Chandi Prasad Bhatt
5. Radha Bhatt
6. Kulbhushan Upamanyu
7. Satya Prasanna
8. J.S. Guleria
9. Ramki Devi
10. Jassu Devi
11. Hem Gairola
12. Ahmed Afzal
13. Shafa Ali
14. Zohra Khanum
15. B.P. Shrestha
16. Bhumi Raman Nepal
17. Aprasa Chapagain
18. Mohan Maya Pyakurel
19. Murari Khanal

20. Maya Devi Khanal
21. Bhim Lal Subedi
22. Ishwara Pokhrel
23. Sabita Pokhrel
24. Bindu Kumari Mishra
25. Devi Adhikari
26. Bal Krishna Khatri
27. Kul Bahadur K.C.
28. Kamala Devi
29. Arati Shrestha
30. Basanti Ben

1. Community-based sustainable forest and natural resource management imperatives
 - Long or short-term programmes for CFUGs should be designed by representatives from different institutions.
 - When CFUGs are formed, poor, disadvantaged classes, tribal people, and women should be given equal opportunities to participate and should also be appointed to positions of authority.
 - When establishing industries related to the needs of local people, people of all socioeconomic strata should be consulted.
 - In order to implement all programmes smoothly, the users of the area should be aware of the merits and demerits of particular policies.
 - Programmes that can directly provide economic support to UG members should be implemented.
 - Feelings of respect should be generated for the oppressed classes and women.
 - Coordination among government institutions, NGOs, and locally elected institutions should be established.
2. Equal opportunities for poor and marginalised classes to have access to forest resources
 - All classes should equally par-

- participate in formulating policies.
- Training programmes, workshops, field visits, and income-based programmes should be arranged.
3. Development of appropriate policies and practices
 - The needs and wishes of local people should be considered at the time policies are being designed and when implementing programmes.
 - Institutions and individuals must take the initiative to change the current mindset.
 4. Accountability and transparency
 - Work related to institutional development should start from the people's institutions.
 - Representatives and leaders of CFUGs should present financial reports before the CFUG membership.
 5. Local, national, and international level processes
 - National-level institutions should work as pressure groups to solve local-level problems.
 - To identify the problems of the Hindu Kush-Himalayan region, a network like HIMAWANTI should be established. Related institutions should take the initiative for this.

Role of Locally Elected Institutions
presented by Ms Raman Devi

Group Members

1. Heema Devi Rana
2. Kalawati Devi Rawat
3. Rajja Chaudhari
4. Shail Rani Rawat
5. Ratan Chand
6. Sukhdev Bishwapremi
7. Raman Devi
8. Amit Mitra
9. Haider Khan
10. H.P. Neupane
11. Laxmi Bhandari
12. Dhan Bahadur Tamang
13. Ghanta Prasad Nepal
14. Chhongba Lama
15. Ambar Bahadur Pahari
16. Ganesh Shrestha
17. Guman Dhoj Kunwar
18. Bahadur Rokaya
19. Tulsi Prasad Neupane
20. Ram Sharan Ghimire
21. Lal Kumar K.C.
22. Krishna Prasad Sapkota
23. Ganesh Prasad Timilsina
24. Madhav Poudel
25. Rajendra Pokhrel
26. Kishor Chandra Dulal
27. Kumar Bhomjan
28. S. Nepal
29. Bijaya Raj Poudyal
30. Sanu Kumar Shrestha
31. Shyam Ghimire

Key Issues

- Elected representatives from local institutions should establish *Gram Sabha* (Village Councils) with the help of autonomous groups at the village level. The people who depend on natural resources should be made capable of establishing and implementing income-generating programmes related to community forest management.
- People who are socially and economically weak should also be encouraged to participate. Some special provisions should be made for this.
- Using transparent mechanisms at the village level, the *Gram Sabha* members, the user groups, locally elected institutions, and other institutions should work together to make the programmes work. Programmes that are formulated at the village level should be imple-

mented at the village level. These should be people-oriented programmes

- Election to local institutions should be carried out through democratic processes and the *Gram Sabha* should be formed legally at village and ward levels. Plans and programmes should also be made and implemented through the *gram sabha*. Women and economically disadvantaged people should be encouraged and should be provided with member-

ship in decision-making bodies by law.

In the afternoon, participants broke into country groups to discuss strategies and come up with national and sub-national plans. During this session, participants were requested to discuss the strategies for their countries at different levels:

- as individuals,
- as institutions,
- at the state level, and
- at the inter-country level.



A glimpse of the street play which was designed and performed especially for the workshop participants



Senior Officials from the forestry sector, Nepal, at the workshop inauguration

Annex 2

List of Participants

No.	Country	Name	Address
1.	Bangladesh	Prof. M.M. Khan	Dept. of Public Administration University of Dhaka Dhaka 1000 Bangladesh FAX#880-2-865583 TEL# (8802) 861411
1.	India	Shri Rakesh Sharma	Additional Director Uttar Pradesh Academy of Administration Nainital 263001 Uttar Pradesh India FAX#36280 TEL# 36149, 35566
2	India	Dr. Pushkin Phartiyal	Project Manager, Mountain Development, LDS Uttar Pradesh Academy of Administration Nainital 263001 Uttar Pradesh India FAX#36280, 36260, Phone 36149
3	India	Mrs. Sabitri Devi Bisht	Sarpanch Ban Panchayat Gopeshwor, Uttar Pradesh

4	India	Mrs. Boni Devi Chauhan	Sarpanch Ban Panchayat Van Panchayat Urgan P.O. Urgan via Joshimath Distt: Chamoli 246402 Uttar Pradesh
5	India	Mrs. Heema Devi Rana	Pradhan Village Panchayat Dogari-Kandai, P.O. Tangsa Distt: Chamoli 246 401
6	India	Mrs. Kalawati Devi Rawat	Chairman Mahila Mangal Dal Bachher, P.O. Bachher Distt: Chamoli 246 401
7.	India	Mrs. Raija Chaudhari	Chairman Pokhari Distt: Chamoli 246 473 Uttar Pradesh TEL#01372 53303
8.	India	Mrs. Shaila Rani Rawat	Chairman Mahila Jagrit Sansthan Agastyamuni Distt: Rudra Prayag 246 421 TEL#01372 36206 (Res.) 26288 (Off.)
9.	India	Mr. Ramesh Pahadi	Dasholi Gram Swarajya Mandal Gopeshwor, Chamoli 246 401 India TEL#01372 52183
10.	India	Mr. Chandi Prasad Bhatt	„
11.	India	Ms. Basanti	„
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4.	Pakistan	Mr. Shafa Ali	Member Village Organization, Chalt
5.	Pakistan	Ms. Zuhra Khanum	Forester AKRSP
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41.	Nepal	Ms. Kamala Sharma	
42.	Nepal	Ms. Arati Shrestha	Pokhara, Kaski
43.	Nepal	Mr. Dil Raj Khanal	Advocate Arghakanchi, Sitapur -6 C/O FECOCUN Old Baneshwor, Kathmandu
44.	Nepal	Mr. Shyam Ghimire	Chairperson Badikhel Village Development Committee, Godawari, Lalitpur

Countrywise Breakdown

Country	M	W	Total	ICIMOD
Bangladesh	1		1	6
India	15	12	27	
Pakistan	5	2	7	
Nepal	33	11	44	
	54	25	79	85

ICIMOD

1. Anupam Bhatia	2. Khagendra Siktel
3. Govind Shrestha	4. Mrinalini Rai
5. Tribhuvan Poudyal	6. Bishnu K.C.

Annex 3

Workshop Programme

DAY ONE MONDAY 16 MARCH 1998	
14.00 pm	Arrival and Registration
16.00 pm	Earth Ceremony Personal Introductions by Participants Introduction of Support Persons/Interpreters Workshop Background/Objectives/Process/Agenda Housekeeping Information
18.00 pm	Cultural Programme by <i>Hariyali Sangeet Samuha</i> , Dhading. Compered by Manjul Nepal Dinner
DAY TWO TUESDAY 17 March 1998	
07.30 am	Breakfast
08.30 am	Arrival and Registration
10:00 am	Inauguration Ceremony
	<ul style="list-style-type: none"> • Welcome address by Mr. Egbert Pelinck, Director General, ICIMOD • Welcome address by Ms. Kesang Chungyalpa, Deputy Resident Representative, UNDP, Nepal • Welcome remarks by Mr. Madhav Poudel • Chairperson, Association of District Development Committees, Nepal; and • Chairperson, District Development Committee, Lalitpur • Welcome remarks by Mr. Hari Prasad Neupane • Chairperson, Federation of Community Forestry Users' Group, Nepal • Address by Chief Guest, the Honourable Gajendra Narayan Singh, Minister for Local Development, HMG/Nepal • Remarks by the Honourable Bhakta Bahadur Rokaya, State Minister of Forests and Soil Conservation, HMG/Nepal • Brief remarks by country representatives • Vote of Thanks • Group Photograph

11:45 am	Lunch
13.00 pm	Plenary Session
	Panel Discussion 'Widening Horizons: Challenges to Integrate Governance and Natural Resources' Management in the Hindu Kush-Himalayas' Chairperson: Dr. Mohan Man Sainju Panelists: Pakistan Mr. Haider Khan, Member, Northern Areas Council Mr. Shafa Ali, Community Mobiliser, Chalt/Chaprote Bangladesh Dr. M.M. Khan, Dhaka University India Mr. Ramesh Sharma, Deputy Director, UPAA Ms. Radha Bhatt, Laxmi Ashram Mr. Chandni Prasad Bhatt, Dasholi Gram Swarajya Mandal Mr. Kulbhushan Upmanyu, NAVRACHNA Dr. B.P. Maithani, NIRD Nepal Mr. Hari Prasad Neupane, Chairperson, FECOFUN Ms. Maya Devi Khanal, Chairperson, HIMAWANTI
18:00 pm	HIMAWANTI -- Himalayan Grass Roots' Women's Natural Resource Management Network Meeting
18.00-19.00 pm	Screening of film 'Samshodhan' and discussion
20.00 pm	Dinne
DAY THREE WEDNESDAY 18 March 1998	
07.30 am	Breakfast
08.30 am	Plenary Session
	Housekeeping announcements Review
09.00 am	Concurrent Sessions for Paper Presentations
	GROUP ONE Ramesh Pahadi, India Subhash Mendhupurkar, India Hari Prasad Neupane, Nepal
	GROUP TWO S. Sreedhar and Hem Goirala, India Ali Gohar, Pakistan M.M. Khan, Bangladesh Dil Raj Khanal, Nepal
	GROUP THREE Kulbhushan Upamanyu, India Madhav Poudel, Nepal Radha Bhatt, India B.P. Maithani, India
10:30 am	Tea/coffee
11:00 am	MIRROR GROUPS Four groups to continue discussions on issues raised by Plenary Panel and Concurrent Paper Presentations
13.00 pm	Lunch
14.00 pm	Departure for Field Visit to Badikhel Community Forestry Users Group, Mas Danda VDC
14.45 pm	Arrival at Badikhel - Briefing by VDC and FUG representatives - Visit to community managed forest areas in small groups
16.00 pm	Tea/snacks

16.30 pm	Sarwanam Street Play: "Hamro Gaon, Ramro Gaon"
17.30 pm	Departure for Godavari Resort
20.00 pm	Dinner
21.00 pm	The Story of the <i>Chipko Andolan</i> slide show by Chandi Prasad Bhatt
DAY FOUR THURSDAY 19 MARCH 1998	
07.30 am	Breakfast
08.30 am	Brief discussion on field visit to Badikhel
09.00 am	Plenary Session
	Chairperson, Ganesh Prasad Timilsina, DDC Chairperson, Parbat District, Nepal PAPERS <ul style="list-style-type: none"> • Comparative Analysis of Decentralization Laws and Forest Laws of Nepal by Narayan Belbase and Dhrubesh Regmi • Issues and Challenges for Linkages between Local Governance and Community Forestry Management in Nepal by Amrit Lal Joshi, Chief Planning Officer, Ministry of Forests and Soil Conservation. • Discussants: <ul style="list-style-type: none"> ◆ Kalyan Raj Pandey, PDDP, ◆ Surya Adhikari, Legal Officer, Department of Forests, Nepal, and ◆ Bijay Raj Poudyal, DFO, Nuwakot District, Nepal.
13.00 pm	Lunch
14.00 pm	Guidelines for Stakeholders' Learning Groups
14.30 pm	Stakeholder Learning Groups <ul style="list-style-type: none"> • Local Elected Leaders Group • Community Based Organizations' Group • Non-Government Organizations / Government Organizations / Academic Institutions' Group
16.30 pm	Departure for Sightseeing and Shopping
19.30 pm	Departure from Durbar Marg for Godavari Resort
20.30 pm	Dinner
DAY FIVE FRIDAY 20 MARCH 1998	
07.30 am	Departure for ICIMOD's Demonstration Site, Godavari
08.00 am	Demonstration of Technologies Tree Planting Ceremony by Participants
11.00 am	Return to Hotel/Breakfast
12.00 noon	Plenary Session <ul style="list-style-type: none"> • Presentations from Stakeholder Learning Groups — 20 minutes for each group • Discussion
14.00 pm	Lunch
15.00 pm	Strategies and Plans in Country Groups <ul style="list-style-type: none"> • Pakistan • India • Nepal • Bangladesh
18.30 pm	Cultural Programme by Manjul Nepal Group
20.30 pm	Dinner

DAY SIX SATURDAY 21 MARCH 1998	
07.30 am	Breakfast
08.00 am	Final Plenary Session Reports from Country Groups — 20 minutes for each group Discussion
10.00 am	Tea/Coffee
10.15 am	Farewell Plenary Godavari Declaration Signature on Declaration Vote of Thanks
12.00 noon	Departure of Participants

Annex 4 Registration

Workshop registration began at the entrance to the conference hall of the Godavari Resort at 2:00 p.m. Resort and ICIMOD staff worked together, giving the participants their room assignments and keys and conducting them to their rooms. Each participant received a brief case with a woven design representing the people and scenery of the Hindu Kush-Himalayas. The briefcase included the workshop programme, information about ICIMOD, and details about the Godavari Resort—the workshop venue. In addition participants were given a cushion covered in cloth printed with a traditional Nepali pattern. These were to be used for seating, as the workshop was designed to be conducted with semi-circular floor seating, conducive to informal discussion and suitable for all participants. After registering, participants were invited to have tea and other refreshments and to browse through materials on display in three languages. These included information about the workshop, as well as various ICIMOD publications about community forestry, conflict resolution, and other relevant topics. Many participants took the opportunity to relax and become acquainted with one another.

Accommodation at the venue was either in small five-room cottages or in a large living area on the top floor of the same main building which housed the conference hall and dining area. Participants had been assigned rooms on the basis of gender, and three cottages were set aside exclusively for women. Participants from the same countries were placed together in double rooms, but, within the cottages and the large living area, efforts had been made to mix nationalities in order to maximise interaction.

Participating Countries of the Hindu Kush-Himalayan Region



Afghanistan



Bangladesh



Bhutan



China



India



Myanmar



Nepal



Pakistan

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