

Local resource persons can also sense the security situation, negotiate with conflicting parties and help prepare a conducive environment for active forest management. In addition, they can minimize the divide between the government initiated CF programme and the different modality of forest management induced by the Maoists. This can help ensure harmonious and sustainable forest management.

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**ARMED CONFLICTS AND
COMMUNITY FOREST USER
GROUPS IN NEPAL: Can community
forestry survive and contribute to
peace building at local level?**

By Dr Bharat K. Pokharel and Dinesh Paudel

Armed conflict in Nepal started in 1950 when the leadership of the Nepali Congress Party (NC) attempted to restore democracy and write a new constitution through a constitutional assembly. NC abandoned its policy of armed fight and gained power in 1960 by peaceful means. However, the late King Mahendra regained power in 1962, imposed a non-party Panchayat system and ruled for 30 years. Some 20 years after

the original armed conflict, the Marxist-Leninist Nepal communist party (ML) started armed fights. ML put forward almost the same demands of constitutional assembly and establishment of a republican nation, but it abandoned the fights. A democratic student movement backed by NC and student unions backed by ML forced the late King to announce a referendum in 1980 that resulted in a reformed Panchayat system. In 1990 the Panchayat system was abolished and a multi-party system was established through a people's movement, led jointly by NC and ML. The resulting power-sharing arrangement among NC, the ML-led Left front and the King failed to meet the people's expectations; Maoists took advantage of this and started a 'people's war' in 1996 with virtually identical demands as the earlier ones by the NC and ML.

The current Maoist insurgency is the continuation of the conflicts since the 1950s. The major demands by the people or the key political players then have not yet been met. Unlike in the past, all the people and sections of society are now affected by the conflict. Since 1996, more than a thousand people were killed per year and hundreds of thousands have been displaced and intimidated. At present, there is no parliament. Local governments of people's representatives do not exist. The state has no presence in rural areas. Government officials are confined in district headquarters. The only functional institutions in the villages of rural Nepal are user groups, predominantly the Forest User Groups, which have become the means to keep democracy alive in the villages.

Forests, agriculture and livestock are integral parts of Nepal's hill farming system, but the long-established community-based, collective forest management systems

were disrupted by the expansion of forest bureaucracy in the 1950s and the Forest Nationalization Act of 1957. Under enormous local and international pressure in the 1970s, community forestry was reintroduced in 1978; initially, only up to Panchayat (municipal) level. Inhabitants of the respective Panchayat and the forest location did not match, however, which rendered attempts towards forest protection and management ineffective. A Forestry Sector Master Plan was prepared and the concept of user groups was re-introduced in 1988. Under multi-party democracy, restored in 1990, the concept of user groups was endorsed and backed. There are now 13 000 Forest User Groups, involving about 35 percent of the population, who manage 1.1 million hectares of forested land, a quarter of the national total.

Despite the rapid increase of forest user groups, the present armed conflict in Nepal has several negative effects on the community forests and their management. Personal insecurity and war-related disharmony and threats are causing reduced frequency of visits to the forests and average time spent there, and hence, a reduction in silvicultural operations and the amount of forests products harvested. One woman in the Dolakha district: "I am afraid to go high into the forest these days because I might be killed by security forces if I encounter them in the jungle. Or Maoists might suspect me of spying and might kill me if they are chased by security forces".

Both sides in the armed conflict also threaten people against organising or attending general assemblies and gatherings where collective decisions about harvesting and forest management are made. Some leaders of forest users groups have been

displaced from their home. Rebel groups have asked group leaders to abandon their positions. The practice of exacting forced donations from group funds is also increasing. A group member: "Our forest user groups would be more active in forest management if there would have been peace".

In many places local elites have created alliances with smugglers and contractors to supply forest products illegally. Some contractors have been able to influence rebels by regular donations and thus managed to extract products in remote areas. Government security forces have in many cases clear-felled forests in river and road corridors, on hilltops and around security posts to protect themselves from rebel attacks.

The conflict has some positive impacts, including increased transparency and reduced misuse of group funds. Local elites are challenged and they are afraid of abusing community funds. Their attitude towards poor and marginalized people has started to change and they are increasingly sensitive to issues of equity and transparency in decision-making processes. The participation of marginalized and lower-caste people in leadership positions has notably increased.

The achievements of community forestry are universally acknowledged and admired because of positive effects on the state of the forests and increased group funds. However, policies and practices of key players, such as government, the Maoists, local governments and indigenous rural elites, pose an increasing threat to community forestry through imposition of multiple taxes, extortion of donations and

capturing positions and resources. For example, both government and Maoists have started to impose forced taxes and donations to be raised from FUG funds. Similarly, the Self-Governance Act of 1999 places Forest User Groups among the local bodies under local government authority. This is a direct threat to their autonomy. Local elites intending to control leadership, funds and timber management using forest users group Committees as a platform also pose a threat to community forestry. Despite threats from the key actors

building, local democracy, good forest governance, financial capital formation and mobilization at grassroots level. While community forests constitute only a quarter of the national total, the annual income generated from them is about NRs 747 million, 200 million more than the income from national forests generated by the Department of Forests. More importantly, the pro-poor orientation of community forestry is found to have a positive impact on the most vulnerable people in remote areas (Box 1). This is why community forestry can survive against big actors that represent the legacy of a feudal state, a centralized economy and control from above.

Box 1 Effects of community forestry

- Increased participation and representation of women and socially marginalized groups in leadership positions
- Increased availability of forest products to the villagers
- Increasing trend of poor peoples' access to forest-based enterprises
- Access of socially deprived people to education through user groups' fund
- More self-employment and income generation opportunities through forest products and increased livestock
- Increased availability of community forest land as a means for additional income
- Greater opportunities for capacity building from trainings and tours
- Access to group fund at times of crisis and natural disaster

Despite difficulties and armed conflicts, Nepal's community forestry is advancing towards good forest governance and increasingly achieves its dual goals of sustainable forest management and improved people's livelihoods. Community forestry clearly contributes to the reduction of poverty, inequality, injustice, social discrimination and environmental degradation – the main causes of conflict in Nepal. Community forestry can be a strong foundation of democracy and a vehicle for peace building, at least locally.

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mentioned above, Nepal's community forestry is found to be one of the most successful programmes in terms of improved forest condition, institution

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Note: The Nepal–Swiss Community Forestry Project is a SDC-funded bilateral project managed by Intercooperation.

LIVELIHOODS, ENVIRONMENT AND CONFLICT IN FORESTED AREAS IN DIR-KOHISTAN, PAKISTAN AND KORAPUT, INDIA

By Shaheen Khan, Kundan Kumar and Richard Matthew

In 1999, after an examination of the environmental security literature of the 1980s and 1990s, the International Union for the Conservation of Nature (IUCN) undertook a case study of environmental change, conservation and conflict in Pakistan's North West Frontier Province (NWFP). The 2002 report of the first major project of its Commission on Environmental, Economic and Social Policy (CEESP) highlighted the importance of resource rights –or the lack thereof– in shaping the societal effects of environmental change and conservation efforts.

In 2003 the CEESP Working Group, the IUCN Regional Environmental Law Programme, Asia, and the International Institute for Sustainable Development (IISD), jointly examined the linkages among livelihoods, resource rights and violent conflict in wetlands and forests in South Asia; interdisciplinary teams of local experts

undertook case studies through archives, site visits, interviews, community meetings and workshops. The findings were presented at the World Conservation Congress in Bangkok, November 2004. Two cases are summarized below.

Dir-Kohistan, in northern Pakistan, 12 000 sq.km, with 36 percent coniferous or oak scrub forest, has about 113 000 residents (1998 census) of three ethnic groups: Pukhtoon, Kohistani and Gujar. One of the least developed areas of Pakistan, Dir-Kohistan has an agrarian subsistence economy, extremely low literacy rates (women less than 1 percent), and little infrastructure. Traditionally, forest resources were allocated by the leaders through a system of customary rights and principles that clearly favoured the Kohistani. Disputes were settled through jirga, ad-hoc community councils.

The 1927 Colonial Forest Act, passed by the British, was focused on extraction rather than conservation, and designed to exclude local communities from access to and management of the forests, while partly recognizing customary law by granting some concessions to the Kohistani. After independence in 1947 this legislation was retained, and the forests were regarded as state lands that could be protected or leased to timber contractors. At first, as Pakistan sought to gain control over its northern regions, the forests were largely ignored, but in the 1960s, as their commercial value increased, they were leased to private contractors. The revenue from timber sales was distributed to the government forest department, the contractors (operating costs and a mark-up) and the local community, whose share was based on a calculation of its customary rights. When