

Benefiting a Forest Community (P. 65:80). In: Timothy A. Wise, Hilda Salazar and Laura Carlsen, 2003; *Confronting Globalization. Economic Integration and Popular Resistance in Mexico*. Ed. Kumarina Press, Inc. Bloomfield, T.C, USA.

¹ The ejido is a form of collective tenure in México. The formal owner is the group of ejidatarios, but inside the group private rights are recognized, especially over agricultural and urban land. Forest areas tend to be collective property.

Most of these continue to function at a basic level, even though they are hampered by the conflict. Today, CFUGs are the only remaining democratic institutions that operate in conflict-ridden areas. Where support institutions fail to deliver technical assistance to the CFUGs, opportunities for forest management and production are lost. Therefore, the authors propose to initiate discourses on the issue and to train local resource persons who can fill the knowledge gap and deliver the necessary technical input to community forests (CFs).

4. ASIA AND THE PACIFIC

IMPACT OF ARMED CONFLICT IN COMMUNITY FORESTRY OF NEPAL

By Mani Ram Banjade and Netra Prasad Timsina

Since 1996 Nepal has suffered from an ongoing, armed conflict between the state and Maoist insurgents. The root of the conflict is believed to be in the stratification of economic classes, ethnic tensions and regional imbalance in development. The armed conflict has led to a decline of state services in rural areas, including forestry services. Development has come to a standstill and economic growth is negative. Management of natural resources receives less attention, due to security related issues. Government staff cannot access remote areas and the presence there of bilateral organisations and NGOs is limited.

There are around 13,300 Community Forest User Groups, or CFUGs, in Nepal.

Impact of Armed Conflict

Limited mobility

Because of the armed conflict in Nepal, community forestry has been affected in many ways. As a rule, community members require a permit from the conflicting parties, government as well as Maoist rebels, for each and every activity they wish to conduct in the forest. This restricts mobility and reduces the level of forest management. The insecurity discourages CFUGs from taking development initiatives and obstructs the organisation of group meetings and assemblies on forest management.

Support organisations have seen their mobility restricted in almost all rural districts of Nepal. They either need to get formal approval from the insurgents and/or in some specific cases government has not allowed them to move freely in the areas. Many bilateral organisations, INGOs and NGOs have to limit their outreach to areas close to the district headquarters because of continuous threats from rebels and for the fear of becoming entangled between the two rivals. The limited mobility of support institutions has impaired the supply of technical services and constrained the

potential contribution of community forestry to human well-being and environmental sustainability.

Training and camps inside CFs

Insurgents train and take refuge in forested areas, including community forests. When they are present, access to the forest is restricted and those who do enter run the risk of being labelled a 'spy'. In other cases, e.g., in part of the Khorthali CFUG of the Dolakha district of Nepal, the government has established military camps inside community forests and users are not allowed to enter the periphery of the forest at all.

Levied taxes on forest products sales and restrictions on trade

The government levies tax on certain forest products, e.g. 15% on sales of Sal and Khair timber. Now, Maoists demand the same amount of tax, too. This double tax has made it difficult for CFUGs to trade these products since they can no longer cover the cost of production. In this way, many CFUGs are forced to give up on forest management or the collection of forest products. In some cases, Maoists have banned extraction of certain forest products from specific districts. Recently, for example, the Maoists banned all collection and sale of Khair (*Acacia catechu*) from the Dhankuta district where this species is abundant and provides the only source of income to a number of CFUGs.

Different regulatory frameworks

In many hill districts of Nepal CFUGs are faced by two parallel regulatory frameworks. One is by the government where they have to register as CFUG and get approval for their five-year plan of forest operations. Another is by Maoists who implement their own rules and, in addition, forcibly dissolve existing CFUGs in order to form new forest

protection committees. Meanwhile, CFUGs have to abide by both regulatory directives. This has discouraged community members away from becoming involved in forest management and forced them to seek alternative ways of making a living.

Income tax for development workers

In remote areas, a few development workers from (I)NGOs still operate, but most of them have to pay the monthly levy (or tax) to the Maoists, too. Usually they are paying it informally but the organisations they represent are against it. If these organisations or their staff is found out paying taxes to the Maoists, the government would penalize them or they would be subjected to torture. This very difficult position of the development workers explains their limited presence in the field.

New Initiatives

In response to an increased demand and decreased level of technical inputs in areas of armed conflict, organisations that working in the field of community forestry have realized that skilled manpower at local level, other than forestry staff, is required. In addition, they propose that local institutions including local NGOs and other community-based organisations (CBOs) be trained to deliver these technical services. As a result, most of these organisations, in different forms and intensities, are engaged in the training of local resource persons. However, due to the ongoing-armed conflict, these initiatives cannot fully address the need for technical assistance.

If local resource persons are capacitated with the technical skills of forest management as well as handling the issues of CF at times of violent conflict, they could better manage their resources than technicians from outside.

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.

Mani Ram Banjade and Netra Prasad Timsina
ForestAction
G.P.O. Box 12207, Kathmandu
Nepal

Phone: +9771 5550631
E-mail: mrb@forestaction.wlink.com.np
npt@forestaction.wlink.com.np

**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