

Reframing the Concept of Participation in Collaborative Forestry in Nepal

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Synopsis

Over the decades, despite several policies and programmes put in place and enacted to ensure the participation of citizens in forest management and benefit sharing, and environmental protection, the access, control and sharing of benefits in favor of women, economically marginalized people and socially excluded people, whose livelihood mostly depends on natural resources, still falls short of what was expected. To draw lessons and develop practical approaches for participation from the experiences generated from the collaborative forest management (CFM) of Nepal. This policy brief is prepared based on the discussion with users/CFM representatives from the Tarai of Nepal. It suggests that the existing policies, for enhancing and increasing the participation of women, economically marginalized, socially excluded, traditional and distant users in CFM, do not explicitly stress participation in practice. The policies and laws are not implemented effectively resulting poor understanding on full and effective among CFM stakeholders. The unclear roles

and responsibilities among the partners including CFM group, local government and DFO are creating confusion. The poor and marginalised people appear to be purely symbolic participation who often do not know about their roles and responsibilities. Similarly, there is unfair distribution of benefits since it is distributed in favor of higher-class people who can invest big amounts of money compared to economically marginalized and socially excluded people. The policy brief concludes that the amendment of CFM structure, use of Information and Communication Technology (ICT) in participation, and better enforcement of CFM laws will allow the marginalized people to have full and effective participation in decision making platform. These policy changes can improve their livelihood through CFM.

1. Introduction

Collaborative Forest Management (CFM), implemented in Tarai, is a participatory approach of forest management. The Forest Act (1993, second amendment in 2016), under which CFM in Tarai is

implemented, is designed to collaborate with three main partners citizens, local government and DFO. This collaboration is expected to protect, conserve, manage and ensure the benefits to community. Similarly, the CFM guideline (2011) provides right to local community who can form CFM group among the forest users, including traditional and distant users, living in the south region in the context of Tarai. Following the guideline, at present, there are 31 formally registered CFM groups in Tarai which comprises of 0.6 million households, managing 73,364 hectares of forest area (DoF, 2018). A total of 4 million residents in Tarai are getting benefits from CFM (DoF, 2018).

2. Problem Statement

The forestry sector in Nepal is guided by several national policies, strategies and guidelines which adopt participatory approach. Different layers of institutional mechanism are created to address exclusion and inequity. The Forest Sector Gender and Social Inclusion (GESI) Strategy, 2007 has emphasized the implementation of co-management of forest, including the distant users and people living in southern part of Tarai. Similarly, CFM which has been implemented as one of the common systems for forest management is considered as a participatory and multi-stakeholder approach itself. Furthermore, CFM has a strong element of incorporating distant users as active stakeholders and beneficiaries in the management and sharing of benefits from the forest. It is designed with in-built institutional arrangements and processes that support active and scientific forest management.

According to the NFSC (2011) some of the major gaps for good governance

in participatory sustainable forest management are: exclusion of poor and marginalized in power and position, policy collision, underestimation of community capacities, people's priority on infrastructure development, and insufficient knowledge. Although some scholars like Rai, Dhakal, Khadayat, and Ranabhat (2017) believe that distant users living far from the forest are benefiting from the CFM in Tarai, many other such as Satyal (2006), and Luintel, Scheller, Bluffstone, and Adhikari (2017) disagree the opportunity created by existing forest management system and argue that common Nepali citizens do not get fair share of the benefits from Tarai forests lacking dedicated institutions, rules and practices.

3. Participation in Forest Management

There is the provision of inclusion of women and disadvantaged groups in the CFM. The hamlet and ward level participation is secured in the user groups. The examples of women, Dalits and IPs participation is ensured in sub-committees, EC and IU of CFM. CFM has provision of inclusion of geographically heterogeneous communities, women, Dalit and IPs. The representation of a female in executive committee is mandatory but there is practical difficulty in inclusion or in participation of women of Tarai origin due to socio-cultural practices of role of women outside home in the societies. Along with beginning of participatory development approach in 1970s, people's participation became mandatory in the local development, especially in the developing countries. The government and NGOs are making number of policies and programs to involve people in development process.

Table 1: Participation in Nepal's CBFM discourse periodically

Period	Government	Major equity concerns/ issues
1960-19970s	Powerful Monarchy	a) Introduced Panchayat forest for local control over forest resources.
1978-1990s	Powerful Monarchy	a) Introduction of community forestry through Panchayat political leaders b) Master plan for the forestry sector has emphasized for the wider participation of people in national forest.
1990-2000s	Democratic government with constitutional monarchy	a) New forest act is enacted and emphasized the community-based forestry to strengthen inclusive and democratic governance in community level. b) The new forest policy 2000 is enforced for Tarai forest. The CFM is introduced to address the issues of exclusion and access of traditional users in Tarai.
2000-2017	Democratic and republic state	a) Participation is important agenda in forestry discourse. b) Forest policy, strategy, and laws are revised and formulated to address issues of exclusion and inequity in forestry.
2022	Federal system with newly elected government	a) Policies and laws ensured participation. b) The participation of marginalized and excluded communities are still inadequate.

(Source: Hobley, 1996; Brit, 2002; Bhatta, Karna, and Paudel, 2010;; Care Nepal, 2012; MoFSC, 2016; Nepal Law Commission, 2015; NASC, 2018.)

4. Policy Discussion

The study found that poor community people are excluded in the forest management as well as in benefit sharing. As a result, community people, especially those who were traditional forest users, are compelled to transform their livelihood strategies. Participation in decision-making process is important since it determines the effectiveness of CFM. The evidence shows that the participation of marginalized

communities in CFM is nominal. Uprety et. al (2012) state that there is high chance of elite capture if the participation is weak in forest management activities. This study is also found that despite policy provisions exists, the nexus, power relations and vested interests barred marginalized group to reap adequate benefits simply because of their lack of participation or passive participation

4.3 Space and opportunities for participation

Participation of all stakeholders and beneficiaries in the formulation and implementation of regulations are crucial for equity and good governance in CFM. The participation of women, Dalits and indigenous peoples (IPs) in forest management activities empowers communities and also makes them accountable. This study found that there is decreasing trend of participation and access of women, Dalits, and IPs in different resources/opportunities.

Good participation of both male and female in different activities such as preparation and implementation of management plan is prevalent in CFM. The participation of women, Dalits and IPs in CFM in decision-making, implementation and benefit sharing is more of 'presence' of users rather than 'participation'. Since the users' group is not an autonomous body and people lack awareness and are unwilling to actively participate. The dominance of elites can be addressed through the participatory dialogue and reflection.

The active and effective participation can address imbalances and disparities among people caused by class, caste, ethnicity, gender, age and geographical remoteness. In CBFM practices, the challenge of contributing to the social equity and justice from forestry sector has been given priority. Different agencies have been working in the forestry sector and they have started to respond to these concerns through their own policy and programs. The regular meeting, effective monitoring and evaluation, capacity building and civic engagement, and responsible governance systems supports to ensure full and effective participation in CFM. At this juncture, (MFSC is implementing various programs for sustainable conservation and management of natural resource

focusing the gender, equity and inclusion issues.

Furthermore, the CFM seeks to develop specific form and appropriate mechanism for sharing rights, responsibilities, and benefits with 'consideration of social, gender, and ethnic equity (Dhungana et al., 2017). Especially, the benefit sharing of distant users can be addressed through open, transparent and accessible distribution of timber, non-timber and other services. But the study demonstrates that in the absence of effective mechanism, benefit is not shared equitably to distant users, poor and marginalized members of CFM irrespective of their geographic locations. The major problem in CFM benefit sharing is that the forest administration and EC have not been proactive in fostering dialogue between rightsholders and stakeholders in resolving this problem. The present benefit sharing practice is not clear on how the benefit should be distributed. The CFMG should receive a fair share or percentage based on their investment and contribution from CF management. The current policy mentions that 50% of forest products go to community, 40% to federal government, and 10% to local government. The use of ICT is inadequate in CFM. The Use of ICT increases the participation of different stakeholders' effective way.

The issue of participation is addressed by exercising autonomy by the CFM Executive Committee (EC). In case of CFM groups EC plays the cosmetic role. The participation and representation of EC does not last long so that they are not accountable. The other partners like DFO and local government have more power so there is unequal partnership among three partners. As a result, they have different priority and do not consider participation, inclusion and equity as serious issues in CFM. To address this, the role of actors must be reviewed and changed the policy provisions accordingly.

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