

Civic Actions around Community Forestry: Lessons from Nepal

An exposure visit of community activists from Lao PDR



Synthesis Report

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Acronyms

ANSAB	: Asian Network for Sustainable Agriculture and Bio-resources
CF	: Community Forestry
CFUG	: Community Forest Users Group
CNI	: Confederation of Nepalese Industries
CSO	: Civil Society organization
DFO	: District Forest Office
DoF	: Department of Forest
FAO	: Food and Agriculture Organization
FCPF	: Forest Carbon Partnership Fund
FECOFUN	: Federation of Community Forest Users, Nepal
FNCCI	: Federation of Nepalese Chambers of Commerce & Industry
GFP	: Growing Forest Partnership
GO	: Government Organization
GTZ	: German Development Cooperation
HH	: Household
INGO	: International Non-governmental Organization
IP	: Indigenous people
MOFSC	: Ministry of Forest and Soil Conservation
NAPA	: National Adaptation Plan of Action
NEHHPA	: Nepal Herbs and Herbal Products Association
NFN	: NGO Federation of Nepal
NGO	: Non Governmental Organization
NORAD	: Norwegian Agency for Development and Cooperation
NTFPS	: Non Timber Forest Products
REDD	: Reducing Emissions from Deforestation and Forest Degradation
RPP	: Readiness Preparation Proposal
SNV	: Netherlands Development Organization

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1. Introduction

1.1 Background

Nepal's community forestry (CF) is one of the successful decentralised and community based resource management programme, nationally and globally. The CF programme introduced in the early 1980s covers almost a quarter of country's forests and involving over 15,000 forest user groups covering about 40% of country population. It has substantially contributed for improved forest condition, biodiversity conservation and livelihoods enhancement of the local communities.

A national network of forest user groups called Federation of Community Forest Users, Nepal (FECOFUN) has played a crucial role in defending a clear and fairly comprehensive tenure security, inclusive and democratic group governance and realising tangible benefits from forest management. Strong and vibrant civic actions led by FECOFUN has important role in democratising Nepal's forest governance. Therefore, it is noteworthy to mention that over the last three decades, community forestry and other participatory and decentralised forestry programmes provided a rich repository of experiences and insights for the outsiders.

On the other hand, Lao has very limited experience on community based forest management. Though, there are few groups managing and utilizing NTFPS, there are no groups registered formally and received state's recognition. Increasingly, there have been efforts to secure community rights on forest and protect forests from the concession award to foreign investment for commercial agriculture. Many development organizations including Netherlands Development Organization (SNV) and German Development Cooperation (GTZ) are helping civil society organizations and local communities to secure local right over forests. Compared to other countries in the region the civil society in Lao is very weak and has not provided received adequate space by the state.

In this context, the Growing Forest Partnership (GFP) through Food and Agriculture Organization (FAO) put forward the idea of exchange visit of civil society activists from Lao to Nepal to learn about civic action around community forestry which helped to defend community rights for better management of forests in Lao. A week long exchange visit was organized with the aim of:

- Stimulating community based forest enterprise and community based forest management in Lao.
- Enhance the role of forest-based civil society organizations in ensuring their effective participation in policy process, particularly to ensure community rights.
- Promote South-South experience exchange, learning and collaboration.

ForestAction as a key think tank in Nepal's forest sector was happy to be a part of the programme and showed its commitment to host the exchange visit and facilitate the learning process.

1.2 Objectives

The broader objective of the exchange visit was to share lessons of community based forest management of Nepal to civil society activists from Lao PDR. The specific objectives were:

- To provide overview of community forestry program (policy and practice) in Nepal;
- To share experience of civic movements to defend community rights over forest resources in Nepal;
- To share experiences of community based forest enterprises in Nepal and
- To understand opportunities and challenges of new generation community forestry issues including forest-based enterprises and Reducing Emission from Deforestation and Forest Degradation (REDD) in the context of Nepal.

1.3 Duration of visit and participants

The exposure visit was organized during 20th to 25th March 2011 in Nepal. There were sixteen participants including five females. The participants represent government agencies, NGOs, peoples' organizations working on the issues of bio-diversity conservation, land tenure, gender and livelihood. The list of participants is attached in annex 1.

1.4 Methodological approach

Considering the expectation of Lao's participants, the exposure visit was designed in a way that it composes intensive and interactive class-room sessions, interaction with various government and not-government institutions, field visit to community groups and enterprises and reflexive workshops. In fact it was a blend of theory and practice on the dynamics of CF. Class-room sessions focused on the evolutionary dynamics of CF, tenure reform, regulatory framework, civic actions, and institutional governance which were delivered by experts in respective field. The participants got chance to interact with key stakeholders working in CF during the interactive sessions. Similarly there were direct observation and interaction in the field. All these interaction and field visits were shared, reflected and take home messages were extracted at the end of the visit in the reflective workshop.

1.5 Stakeholders visited and field site

The exposure visit team got chance to interact with three different layers of stakeholders: national level actors; meso-level stakeholders and grass root level groups and enterprises. List of the stakeholders is as follows:

National level stakeholders:

- ForestAction Nepal
- Asian Network for Sustainable Agriculture and Bio-resources (ANSAB)
- Federation of Community Forest Users, Nepal (FECOFUN)
- Department of Forests (DoF)
- REDD Forestry and Climate Change Cell (REDD Cell)
- Nepal Herbs and Herbal Products Association (NEHHPA)
- NGO Federation of Nepal (NFN)

Meso-level stakeholders:

- District Forest Office
- Federation of Community Forest Users, Nepal (FECOFUN), Dolakha (district chapter)

Grass-root level group enterprise:

- Simpani Community Forest Users Group
- Bhimeshor Hand Made Paper production enterprise

The following map shows the location of field site.

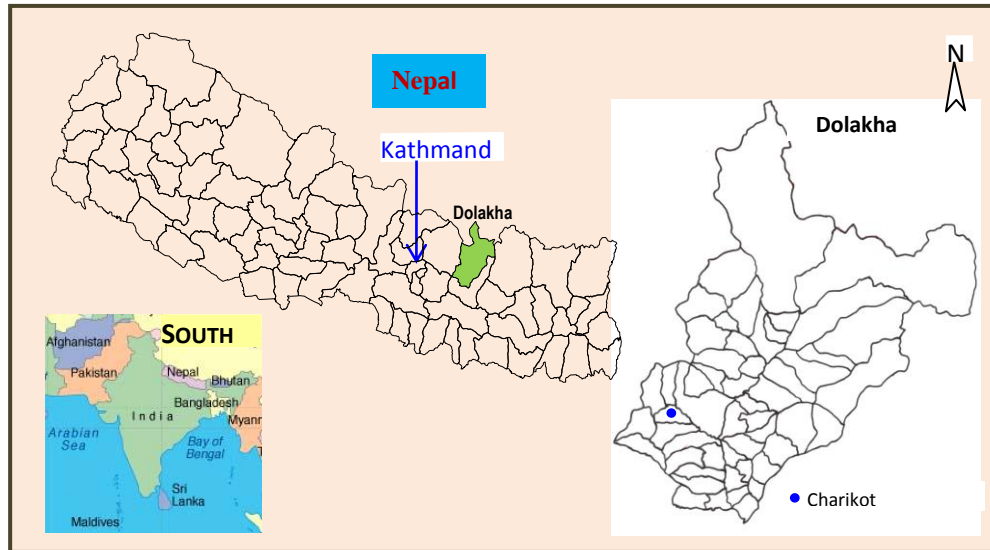


Figure 1: Field visit site in Nepal

2. Forest sector policy and institutional landscape in Laos and Nepal

This section provides background information of forest sector of Laos and Nepal. First part will cover the brief overview of Lao forest sector with special focus on forest dependency of communities and their rights over forest resources based on the concept notes prepared by Lao team. The second part highlights the forest sector policy and institutional landscape of Nepal based on the presentation given by Dr. Hari Dhungana, Senior Researcher at ForestAction Nepal (see annex 3a for PowerPoint presentation).

2.1 Brief overview Laos forest sector

In Lao PDR forest area covered more than 70% of the total land in the past. However, the forest area has been gradually declining with the current estimates of 35% by the end of 2007. Such drastic change in forest area is due to rapid population growth and land concession granted for commercial purpose. Forest has been the integral part of rural livelihoods. More than 70% of the country's population (5.5 million) is dependent on forests for their livelihoods. Similarly, the forest sector has significant contribution on household income. A recent study estimates that Non-Timber Forest Products (NTFPs) contributes about \$ 500 per year income of rural families.

However, compared to other countries in the region, Lao PDR has very limited experiences in community based forest management. While most villagers are engaged in some type of forest utilization, there are very few number of organized forest user groups. And those which exist, most of them are NTFP enterprise groups which are not formally recognized or registered by the government. Since there is huge pressure on common forest land by foreign investors on agriculture, mining and hydropower, securing the community rights is very crucial in Laos.

In the mean time, Lao PDR has been selected as one of the first pilot countries for REDD (Reducing Emission for Deforestation and Forest Degradation). There are still many important issues to be discussed and resolved for devising the national implementation mechanism like how to clarify tenure and community rights over forest resources, what will be benefit-sharing mechanism, whether communities will be able to participate in carbon monitoring.

However, in rights based civic movements Lao PDR is still very weak as the state has restricted the organized civic voices. Civil society organizations are limited to international non-government organizations headed by foreigners. In these circumstances, there is an urgent need for organizing the community groups and networking them for stronger civic voices to advocate for better tenure security and community rights. This will help to act against current government policy on land concession for foreign investment for commercial agriculture, mining and hydro-power development. INGOs could help such right-based movements through organized civic voices by raising awareness, facilitate to organize and networking, and developing capacities.

More than one and half decades experiences of right-based civic movement in Nepal— especially surrounding forest tenure and community rights —would be beneficial for emerging civic movement of Lao PDR.

2.2 Policy, legal framework and institutional structure of forest sector in Nepal

The history of political change and the evolution of forest policy had gone in parallel in Nepal. After the unification of Nepal, the forest was under the annexation of Shah (monarchy) family in between 1770-1846 A.D. Then came the Rana regime (1846-1950) when there was the system of granting land to people as Birta and land reclamation. At that period, hunting and forest product trading were massive by which the diplomatic relations were maintained in many cases. Similarly, there was state induced settlement in Terai (plain land in the south).

Systematic efforts in forest policy development in Nepal started in 1950 after the fall of autocratic Rana regime. Forest owned by Rana rulers and local elites was nationalized and central government took responsibility of forest conservation under government managed forests and protected areas. However, the deforestation rate grew rapidly because of failure of the state machinery.

Following the international move towards peoples' participation in conservation and development, Nepal also adapted strategy to involve communities in forest conservation from the mid 1970s. Local governments were made responsible to protect and manage the forest. However, the initiative got very limited success since the local communities were not involved in forest conservation and management. Later, the Master Plan for Forest Sector (1989) made provision of direct community involvement in forest protection and management through the formation of forest user groups.

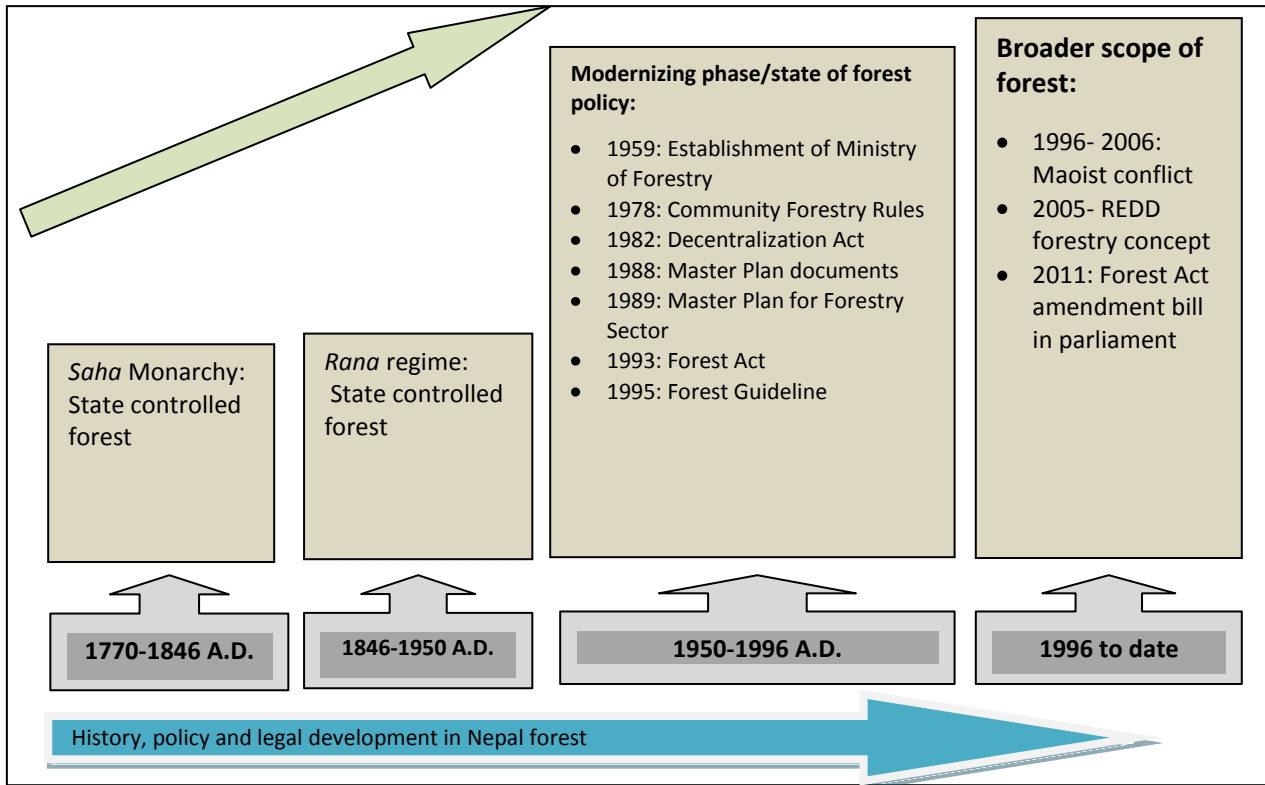


Figure 2: History, policy and legal development of Nepalese forest sector

Among different community based modalities envisioned by the Master Plan, the CF programme attracted the government authorities. The Forest Act 1993 and Forest Regulations 1995 provided the legal framework for the community forestry programme (see figure 2 for the trajectory of forest policy and legal framework in Nepal). The community forestry in Nepal got prominence among other programs due to various reasons. First, donor communities had been regularly pressurizing the government to furnish more right to local communities. Second, the Decentralization Act 1982 laid foundation for the decentralized forest conservation and management (local community involvement). Third, the Master Plan made provision of forming Community Forest User Groups (CFUGs) to protect, manage and utilize the forest based on the plan prepared by them.

3. Community Forestry: From basic forest products need to broader environmental agenda

3.1 Community Forestry in Nepal at a glance

CF by definition is a forest area handed over to local communities forming the CFUGs to protect, manage and utilize the forest, based on the operational plan prepared by the group and approved by District Forest Office (DFO). According to the forest act 1993, CFUG is a self governed autonomous organization with perpetual succession which can manage and utilize forest products as per the approved forest management plans.

As of January 2011, there are 15,256 CFUGs managing 23.2 % of the total forest area (1.35 mill. ha) of the country which cover 42 % of the total population (1.65 million households). It has substantially contributed for improved forest condition, biodiversity conservation and livelihoods enhancement of the local communities. Besides fulfilling the daily forest products need of community, the CFUGs also generate fund from diverse sources. They use such fund for institutional purpose, forest management and community development.

There are both government and non-government organizations providing support to the CFUGs. The government has mechanisms from center to community level to deliver services (see figure 3). Besides the government, there are various other non-government stakeholders providing support to the community forestry program in Nepal. The table 1 outlines some key actors with assumed roles, source of authority and critique.

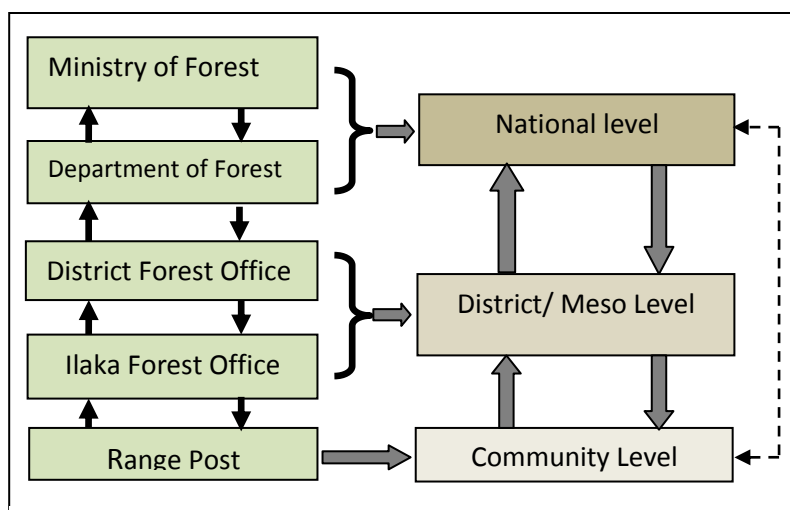


Figure 3: Government mechanism to support CF program

Table 1: Actors and their role in CF

S.N	Actors	Assumed role	Source of authority	Critiques
Government				
1.	MFSC/DoF	Policy formulation, provide operational frame work, coordination	Political and legal	Centralized policy, non-participatory policy making process
2.	DFO and its subsidiary bodies	Coordination, law enforcement, providing services to community	Legal	Less coordination among stakeholders, biased on law enforcement, inefficient and insufficient service to community
Community				

3.	CFUGs	Forest protection, management and utilization	Legal (Forest Act)	Elite dominant, committed to deforestation, poor people have significant role on forest protection but getting less benefit
Civil society				
4.	FECOFUN	Advocacy for community rights	Legal (Law and regulations of Nepal)	Highly politicized, project oriented, less advocacy for community right
5.	NGOs	Advocacy, research and providing services to community	Legal (Law and regulations of Nepal)	Project/ donor oriented
Private and business oriented				
6.	Associations related to forest products	Buying forest products from community	Legal (Law and regulations of Nepal)	More benefit oriented often exploits communities

Dr Anuj Raj Sharma from Department of Forests gave presentation on the current state of the arts of community forestry and related policies in Nepal. He highlighted the following points (See annex 3b for full presentation of Dr Sharma):

- Evolution of forest policy and community forestry program in Nepal (covered in previous section)
- Different community based forest management models: Community Forest, Leasehold Forest, Religious Forest, Collaborative Forest, Buffer Zone Community Forest, Participatory Conservation Area Management and Integrated Watershed Management.
- Key elements of policy and legal framework supporting community forestry:
 - CFUGs are recognized as independent and self-governing entity with perpetual succession.
 - Any part of government forests can be handed over to the communities who are traditional users of the forests. The CFUGs have rights to manage and utilize the forest as per the Operational Plan.
 - CFUGs can have a fund of their own. Forest products is the main source of fund among others like membership fee, donations etc. The fund is used for different activities like forest management, institutional development, community development including supporting livelihoods of poor members. Decisions regarding the use of fund are made by general assembly of the CFUGs.
 - CFUGs can independently fix price of the forests products and sell in market.
 - CFUGs can punish its members who break the CF rules (the rules are established by the CF members themselves).
 - CFUGs membership and forest boundary will not be restricted within political boundary.
 - Investment of 25% of total income for forest development and 35% for pro-poor activity is mandatory

- Dr. Sharma also shared government’s view on why the CF program is successful in Nepal which are as follows.
 - Structured and defined ownership with usufruct rights handed over to the group
 - Management rules exists, which are recognized and often strengthened by state intervention
 - Group size is defined by social and geographic barriers
 - Sanctions and group norms help to ensure compliance; and
 - Limited exclusion of a non user of a forest

Nevertheless, the CF program has not remained untouched with issues and challenges in terms of land ownership/tenure security, internal group governance, excessive control from the state agencies and equitable distributive outcomes. During the interaction with Dr. Sharma, the participants were interested to know more about the ownership of the forest and tenure security. The discussion concluded with the point that, despite the CF is regarded as successful program in Nepal, there is still contestation in the issue of land tenure. The next section focuses on issues about tenure based on the presentation by Dr. Naya Sharma Paudel.

3.2 CF policy context and changing tenure regime in Nepal

Dr Naya Sharma Paudel, an expert in community forestry and tenure and Executive Coordinator of ForestAction highlighted the following points in his presentation:

- Trajectory of forest policy and changing tenure regime (captured in previous section)
- Understanding tenure: Tenure is defined as the bundle of rights which a person or community holds in land, trees or other resource (Bruce, 1989). Similarly, Maxwell and Weibe (1998) have described that ‘resource tenure consists of the social relations and institutions governing access to and use of land and natural resources’. These definitions emphasize on the access of a person and community to resources including land and trees (see annex 3c for detail description).

As the land tenure is one of the crucial issue in Lao, participants were interested to know some historical background of land tenure and its pattern of change in CF. The interactive session focused around the history of forest tenure shift from private to government and then to local communities over the period of time.

Dr. Naya Sharma also focused his presentation and discussion on the changing dynamics of the CF program in Nepal and issues and challenges surrounding it. Brief highlights of the presentation and discussion are as follows:

- CF has changed from the original conception of fulfilling basic forest products need to emerging issue of carbon trading and REDD+. Brief highlights of such paradigm shifts are presented below.
 - CF became economically attractive due to increased growing stock and ecosystem services

- New political space –attracted diverse leaders
- Huge growth – sporadic irregularities and poor governance
- Regressive element within bureaucracy became active
- Emerging issues in CF like climate change especially the REDD and food security have also implied in CF
- Along with such paradigm shift, CF has been facing the following challenges:
 - Conflict for tenure and rights, community forest Vs collaborative forest; access of distant users specially in the Terai region.
 - Distributive justice: poor and marginalized users are getting very limited benefits and resources are on the grip of local elites.
 - Internal group governance in the CFUGs is poor in many cases where voices of the marginalized people are rarely heard.

Nevertheless, there is strong civic action around CF which has been significant in terms of defending community rights and contributing in the forest sector policy process. The following section is focused on the civic action around community forestry in Nepal.

4. Civic action around Community Forestry in Nepal

Dr Hemant Ojha, forest governance expert and Chairperson of ForestAction gave his presentation on ‘Civil Society Engagement in Forest Governance: Practice and Possibilities’ (See annex 3d for full presentation).

The sphere of civil society includes from an individual citizen to NGOs. In general, the definition of civil society addresses the citizens, families, communities, associations, NGOs, experts, religious groups. Moreover, it has some common sphere between states where political parties, elected leaders, bureaucracy, and security body (army and police etc.) are the main elements and the market which basically refers the industrialists.

The evolvement of civil society and NGOs in Nepal can be described clearly from *Rana* regime. There was a feudal colonization of civic life in the *Rana* regime when the awareness level of public to unite and raise their voice was frail and even was strictly prohibited. After the fall of *Rana* regime, Panchayat system evolved in Nepal when there was much selected, regulated civil society developed. Gathering and sharing was bureaucracy centered and was possible only to the people who were close to the then king and were working in favor of the system. After 1990, the development of civil society and NGOs was quite rapid and encouraging since the democracy in Nepal was refurbished. More excitingly, there is the wider establishment of *Nagarik Samaj* (civil societies) after the *Jana Andolan II* (Peoples’ movement II) in 2006. After this, the civil societies are becoming stronger to raise their voice more effectively and collectively in favour of rights and democracy.

On the other hand, the development of civil society in Laos is in initial stage. The state structure is composed of a very strong government, a weak private sector and a very small civil society. Lao is single party state and thus there is no public opposition to the government. In sociological terms, the

Lao society can be characterized as a “closed society” with limited freedom of thought, speech and expression and with unclear separation of power. Hence, there is very limited space for civil societies including NGOs, farmer groups, and associations to raise collective voice. Because of this, unlike in Nepal, the critical and constructive space of civil societies in national policy process is very limited. The Lao government accepts and foresees the role of civil societies for service delivery in close collaboration with the government. Therefore, there has been little opportunity to promote community autonomy. Despite such restrictions and limitations, number of informal and community based groups are emerging.

The participants were curious to know the types of civil societies working in Nepal, on the basis of their role and the major points that the civil societies of Laos can learn.

Based on role and development scenario of NGOs and civil society of Nepal, these can be broadly categorised in six types as shown in the following table:

Table 2: Civil society organizations in Nepal’s forest sector: Six types

Types →	Knowledge based	Advocacy based	Brokering	Forum based	Service delivery	Education institute
Organization information	NGO	NGO	---	Association	NGO, local organization	GO
Access to finance	Internal and external	Internal and external	Donor	Internal and external	Internal, external and government	Governmental
Types of personnel	Scholars, activists and professionals	Scholars and activists	Scholars and leaders	Scholars, experts and beneficiaries	Experts and beneficiaries	Scholars
Planning/management practices	Based on interests of researchers, funding and sponsorship	Reacting to issues and problems	Responding to emerging policy issues	Interests of the speakers	Contractual, responding to clients	Slow response to market
Quality of leadership needed	Research inspiration, linking research with policy and practice	Campaign and mobilization	Communication and mediation	Open and cross-disciplinary	Delivery capacity and implementation skills	Academic excellence

Source: Ojha, 2011

Civic space in CF started since 1970s when government, donor and NGOs worked together for initiating community forestry program. More significantly, many NGOs, INGOs, donors, and local government worked together in CF massively to ensure the community right in forest after the establishment of FECOFUN in 1995.

Legal framework for community forestry program in Nepal (Forest Act 1993 and Forest Regulations 1995) has provided rights to communities to protect, manage and use the forests (see box 1). However, the question is whether such rights are actualized in practice. There has always been contestation and negotiation between communities and bureaucrats over the rights and autonomy of local communities. In this context, the civil society organizations have been important to safeguard the rights of local communities provided by the legal framework.

Box 1: Rights of CFUGs as per Forest Act (1993) and Forest Regulation (1995)

Right to self-governance

Communities have rights to form a Community Forest User Group as per their willingness, capacity and customary rights. Similarly, they can elect, select or change executive committee anytime and can punish members who break their rules. In addition, community forest boundaries will not be restricted to existing administrative or political boundaries, can amend or revise their constitution any time as per the need but the government can dismantle the CFUG if the latter is found engaged in large scale deforestation and it is the duty of the government to reconstitute the CFUG.

Right to forest management and utilization

There is no limit to the forest area that can be handed over to communities and CFUGs can make optimal use of their forest by growing cash crops together with forest. They can mortgage their standing forest products with financial institutions to obtain loans and can utilize their funds for any purpose but 25% of the income from forest must be spent in forest development. Similarly, CFUGs can freely fix prices and market their forest produce, can establish enterprises and make profits, can seek support from any organization, can raise funds by various forestry and non-forestry means with all income going to group funds with no requirement for sharing financial revenues with government and can invest in any areas, persons or development activities according to the decision of CFUG assembly.

Overall session concluded with the following lessons from Nepal's CF for the outsiders.

- **Learning through experience is the key to success:** CF has evolved into a complex institutional network which requires actors to work collectively in a learning mode. Even when there is no political consensus or a well-defined legal framework, collaborative learning has been able to find a way forward.
- **Development of a strong civil society network is a critical part of CF success:** Civil society influence over CF has remained critical to safeguard community rights and ensure autonomy of community action from regressive government actions and intrusive private interests. Emergence of community federations at national and sub-national levels has nurtured and promoted civic engagement in forest policy making, defying the traditional top-down approaches.
- **Diverse institutional modalities in practice should be allowed to emerge through flexible regulatory arrangements:** CFUGs vary from a dozen of households to several thousands, and the group structure varies from informal sharing and coordination mechanisms to highly formalised multi-tiered organizations.
- **Technocratic and 'interventionist' approach versus collaborative learning process:** The development of CF was in part triggered by the open and responsive attitude of government officials, and was followed by gradual development and institutionalization of a multi-stakeholder process of collaboration.
- **Reconceptualising community forestry:** CF is no longer a government programme alone or a foreign aid driven activity, but a complex governance regime for a forest-dependent social-ecological system. Over time, CF has grown complex in terms of the range of actors involved, scale of resources mobilised, diversity of processes involving conflicts and collaboration, encounter of

policy and practical issues. It covers one third of the country's population and stood resilient to the conflicts that plagued Nepal during 1996-2006.

4.1 Civic activism in community forestry of Nepal: A case of FECOFUN

The visit team had an interaction with FECOFUN office holders and staffs. It focused on how FECOFUN has been engaging on forest sector policy process and activism to safeguard the community rights over forest resources. The presentation was given by Mr Ganesh Karki with the help from other colleagues (see annex 3e for full presentation). The following section synthesizes the key points of the presentation and discussion.

- FECOFUN is a network of more than 12000 CFUGs from across the country which is considered as the largest network of community groups. Since its formation in 1995, it has been increasingly recognized as a key player of Nepal's forestry sector policy and governance and defender of community rights over forest resources. Structurally, the CFUGs are federated from very grass root level (Village Development Committee) to national level. It is influencing the policy process at local, sub-national, national and international levels.
- FECOFUN is progressive in terms of inclusion in its governing structure. Structurally it requires at least 50% women positions from local to national level. Similarly, there is also provision of reservations for minorities based on geography, ethnic group and so on.
- FECOFUN is contributing in forest sector policy since its establishment. First, its main focus is on defending community rights through policy advocacy. Second, it has been actively participating and contributing in forest sector policy processes.
- Besides the policy contribution, FECOFUN is also involved in developmental activities covering the wide range of area including community governance, conflict management, forest management and enterprise development, and REDD.
- Major chunk of financial source for projects comes from donors. Besides this, it also generates internal fund by membership fee, donations etc.

4.2 NGOs/Civil Society Organizations (CSOs) in Nepal in promoting rights agenda: Perspectives of NGO federation of Nepal (NFN)

Dr Netra Prasad Timilsina, chairperson of NFN shared about the status of civil society organizations of Nepal in promoting rights and democracy. Following are the highlights of the presentation and interaction.

The speed of CSOs/NGOs development stood up after restoration of democracy in 1990. The Constitution of Nepal (1991) had guaranteed the rights of association as fundamental rights of people that provided sprouting ground to the NGOs across the country. The working horizon of NGOs and CSOs was also widened which ultimately supported to increase the number of such institutions. In the course of time, NGOs realized the necessity of networking to have collective voice for effective policy advocacy, defending rights to natural resources, human rights, democracy and promoting social justice which ended up with formation of National Federation of NGOs (NFN) in 1991. It is an

umbrella organization of 5270 NGOs, active across the country. NFN has five Regional Resource Centers, 75 District Chapters, one national knowledge centre. Currently, it is active to widen the civic space in development, defending human rights, promoting democracy and contributing in the peace process of Nepal (see annex 3f for detail presentation).

5. Experience in Forest Based Enterprises in Nepal

The visit team had interaction with two different stakeholders in Kathmandu related to forest based enterprise. This section summarizes the lessons learnt in forest based enterprise.

5.1 Asian Network for Sustainable Agriculture and Bio-resources (ANSAB)

Asian Network for Sustainable Agriculture and Bio-resources (ANSAB) is a NGO working in Nepal with thematic focus on biodiversity conservation and economic development through community-based enterprises. It is also providing its services to some other South Asian countries including Bhutan and India.

Interaction in ANSAB was based on a video show about ANSAB approach of enterprise development, achievements so far and lessons for outsiders. The following paragraphs briefly summarize the message of video show and interaction.

ANSAB is supporting rural communities to improve their livelihoods through micro and small enterprises. First, ANSAB helps the communities in income generating activities like bee keeping, vegetables cultivation, livestock rearing, timber sawing and NTFP collection through formation of subgroups. Second, it provides technical and some financial support for value addition to the NTFPs such as hand paper manufacturing, essential oils distillation, bio-briquettes production, furniture, weaving *Allo* cloth and so on. Third, it supports marketing of the products through various ways like establishing and updating market information system, capacity development and networking of national marketing companies such as Himalayan Bio-Trade Private Ltd, Himalayan Green Energy Private Ltd. and others. Besides promotion of entrepreneurship, ANSAB also support CFUGs to manage resources in sustainable way notably in the preparation of their management plan and its implementation.

The video show was followed by the interaction where the participants raised concerns on the process of establishing enterprises and its linkage with market. ANSAB representatives explained about the six basic steps of enterprise development which are as follows:

- Formation of group of forest dependent people ensuring the representation of marginalized people
- Infrastructure development and production
- Knowledge and technology transform
- Market linkage
- Business development support and capacity enhancement
- Support for enabling environment (policy)

5.2 Nepal Herbs and Herbal Products Association (NEHHPA)

Mr. Govind Ghimire gave a presentation about Nepal Herbs and Herbal Products Association (NEPHHA). This section briefly summarizes the essence of the presentation and interaction (see annex 3e for detail presentation).

NEPHHA, established in 2005 is an association of herbal business entrepreneurs with the aim of providing a common platform to isolated herbal manufactures, traders and exporters for better enabling environment. It provides marketing and networking support to its members and as well as advocate for better enabling policy environment. It has also joined Federation of Nepalese Chambers of Commerce and Industry (FNCCI), Confederation of Nepalese Industries (CNI) and Agro Enterprise Center (AEC).

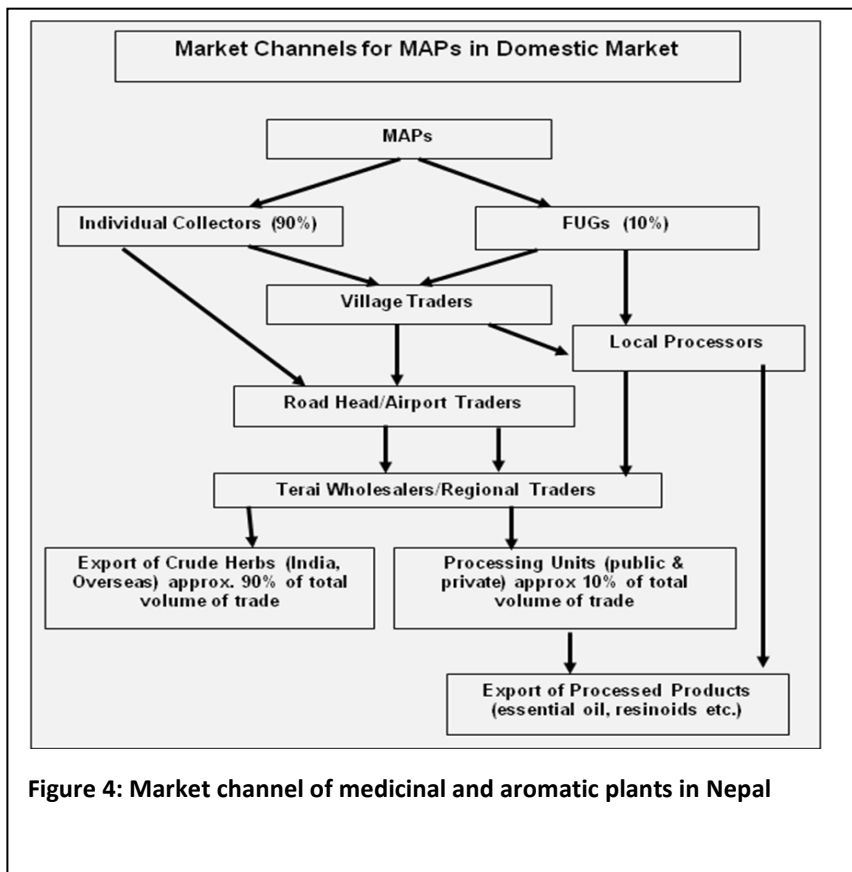


Figure 4: Market channel of medicinal and aromatic plants in Nepal

Mr. Ghimire also provided facts about status of NTFPs trade in Nepal and issues associated with it. As shown in the figure 4, while about 90% NTFPs are marketed through individual collectors and only 10% goes through CFUGs. It reveals a huge loss of income on the part of CFUGs. Similarly, about 90% NTFPs of total collection is exported to India and other countries in raw form which also reduces the benefit to Nepal. So, there is still enormous space for value addition on forest products and providing better benefit to communities as well as the Government.

Though Nepal has huge potentiality of NTFPs as the communities protect and manage forest resources, there are number of challenges on marketing that hinder to benefit local communities.

6. Reducing Emissions from Deforestation and Forest Degradation (REDD) Initiative in Nepal

Mr Keshav Khanal from REDD Cell (REDD Forestry and Climate Change Cell) gave a presentation about the progress and process Nepal's preparation for REDD+. This section provides an overview of his presentation (see annex 3h for presentation).

- Nepal had expressed its interest for REDD by submitting the R-PIN to Forest Carbon Partnership Fund (FCPF) in 2008 and was approved on the same year.
- Nepal has three tiered institutional set up to work on REDD+ readiness: apex body, REDD Working Group and REDD-Cell (see annex 3f for detail). Besides this, there is a multi-stakeholders forum including civil societies and government bodies for REDD dialogue.
- Nepal has adopted participatory process while preparing Readiness Preparation Proposal (RPP). During this process about 3400 individuals were consulted through 57 workshops (covering all ecological zones and development regions).
- RPP identified nine major drivers of deforestation in Nepal— high dependency on forests and forest products, illegal harvest of forest products, unsustainable harvesting practices, forest fire, encroachment, overgrazing, infrastructure development, resettlement, and expansion of invasive species.
- Government is preparing National REDD Strategy, capturing lesson from different pilot projects.
- Design a monitoring system [measurable, reportable and verifiable (MRV)] of emissions and removals of greenhouse gases, and other benefits and impacts over time is very much essential for REDD plus. Nepal proposed to involve multiple stakeholders in the monitoring system (see full presentation for detail information).
- The benefit sharing mechanism is still under discussion and in piloting process. The discussion and piloting are focused on sharing benefits among the associated actors from national to local level. Similarly, there is ongoing debate about sharing benefits within the CFUGs.

On the other side, Lao was included in the REDD Readiness Fund in July 2008. It has prepared a draft Readiness Preparation Proposal (R-PP) in August 2010. The REDD+ approach and strategies are taking shape. Therefore, there is ample space of deliberation to establish REDD mechanisms including monitoring and benefit sharing.

Participants were interested to know about the process followed during RPP particularly consultation and awareness activities, the method used for carbon assessment, benefit sharing mechanisms and other related issues.

7. Meso level support system and advocacy in Nepalese Community Forestry

Meso level stakeholders particularly District Forest Offices and FECOFUN are very important in terms of providing services to the CFUGs and creating enabling environment at implementation level. This section summarizes the message from interaction with these two meso level stakeholders.

7.1 Federation of Community Forestry Users, Nepal (FECOFUN), Dolakha

FECOFUN Dolakha has been actively involved on advocacy for community rights and providing support to the CFUGs. Out of 300 CFUGs in Dolakha, about 90% are affiliated with FECOFUN.

FECOFUN Dolakha has two major roles to support CFUGs. First, it contest and negotiate with District Forest Office (DFO) for defending community rights. In doing so, it engages in various policy advocacy related activities like lobby, protest etc. Second, FECOFUN collaborates with DFO and other district level institutions to provide services to CFUGs. It has been implementing various activities with financial support from Swiss Agency for Development and Cooperation and other donors to support the CFUGs for improving group governance, better forest management, enterprise development and supporting livelihoods of poor households.

There were concerns and queries from participants about these two contrasting roles and nature of interface with DFO. FECOFUN officials responded that; while playing such contrasting roles, the FECOFUN has to interact with DFO in different way. FECOFUN collaborate with DFO while providing support to the CFUGs whereas it contest and confront while defending community rights. Nevertheless, it has harmonious relations with DFO and other government agencies.

7.2 District Forest Office, Dolakha

District Forest Office (DFO) is a district level government authority for forest which is responsible for administration and management of the forest areas. With regard to community based forest management (especially community forestry and leasehold forestry) DFO has the authority to handover the forest to local communities, approve management plan, monitoring of group activities and providing services for institutional strengthening and forest management.

Mr Kedar Dahal, District Forest Officer of Dolakha explained about the legal process of CF hand over. First, the communities are organized into a group and registered at DFO. Then the group prepares the management plan to manage forest and gets approval from DFO. Very often DFO also provides support to the group to prepare the plan which is prepared for 5-10 years. After the management plan approved, DFO hands over the forest to CFUGs and issue the certificate. DFO and other development organizations provide support to CFUGs for institutional strengthening, forest management and enterprise development.

During the interaction with DFO, the participants raised queries about how the documents are prepared and what will be the legal status of such documents. The DFO explained the process in detail showing the samples of such documents.

8. Community level actions

8.1 Simpani Community Forest Users Group

Simpani CFUG is situated in Bhimeshor Municipality, Dolakha. There are 91 households (HHs) managing 58.7 hectares forest area that was legally handed over to communities in 1995. This section presents the summarized message of face to face interaction between participants and CFUG members.

Simpani CFUG has prepared its forest management plan with the direct participation of all users. The plan includes the activities like plantation, protection of forest, management activities like thinning, pruning and clearing, and harvesting of forest products like timber, grass, fuel wood and NTFPs for community use. They are protecting the forest and collecting the forest products as per the management plan.

Women are also actively participating in group activities but their participation decision making is relatively less. There are about 50% women in executive committee, but have less influence than the men in decision making process.

The Simpani CFUG is receiving some incentive as Payments for Ecosystem Services (PES) from downstream communities for the water resources they provide. The downstream communities have signed an agreement with the Simpani CFUG and paying about NRs. 50,000/ (equivalent to \$ 715) annually. For this, the Simpani CFUG is responsible to protect the forest so as to protect the water sources.

During the interaction, the participants were curious to know about tenure of the CF land, legal procedure of forest management collection of forest products and participation of women in the forest management and decision making process.

8.2 Bhimeshor Handmade Paper Enterprise

Bhimeshor handmade paper enterprise is an example of public private partnership in forest product business which is located in Dolakha district. It was established in 2005 with participation of CFUG, local entrepreneurs and selected ultra-poor households from CFUGs. It produces handmade paper form Lokta (*Daphlone spp.*) and Argeli (*Edgeworthia gardener*).

The visit team had a face to face interaction with the manager of the enterprise and some labors. This section provides the summary of the interaction.

This enterprise has unique ownership structure. It is collectively owned by ten CFUGs, four NTFP enterprises, 20 selected poor households from 10 participating CFUGs, and some individual investors from the CFUGs. General introduction of the enterprise is as following.

- Enterprise name : Bhimeshor NTFPs Production and Processing Pvt. Ltd.

- Enterprise Location : Bhimeshor Municipality-10, Dolakha, Nepal
- Product : Nepali handmade paper
- Raw material used : Lokta (*Daphne spp.*), Argeli (*Edgeworthia gardener*) and Babiyo (*Sacrum spp.*)
- Production capacity : 1,200 Kories (a bundle of 100 pieces) handmade paper/year
- Targeted Market : Exporters, wholesalers and handicraft entrepreneurs in Kathmandu
- Ownership structure:
 - 10 CFUGs: 30%
 - NTFP enterprises: 35%
 - Individual investors: 15%
 - Selected poor and Lokta collectors in CFUGs: 10%

A national company (entrepreneur), who is the principal buyer of the paper has the share in this enterprise also provides technical advice too. The ultra-poor households got support from different organizations to buy share: 20% by respective CFUG, 26% by DFO, 4% by private entrepreneurs, and 50% by Asian Network for Sustainable Agriculture and Bio-resources (ANSAB).

During the interaction, participants raised queries and concerns about ownership structure, supply of raw material, marketing of the products and benefit sharing mechanisms.

9. Lessons and insights

Though the visit was named as Lao-Nepal exchange visit, the whole visit program was designed to share the lessons from Nepal with Lao participants. There has been very limited attention to draw lessons from Lao to Nepal's forest sector. Hence this section basically highlights the lessons to Lao forest sector from Nepal's community forestry. Nevertheless, Nepalese stakeholders have also learnt from the Lao participants which is synthesized at the end of the section.

9.1 Key lessons learnt by Lao participants

The weeklong exchange visit between Lao and Nepal was focused on various aspects of community forestry in Nepal. In doing so, the visit was structured to cover both policy and practice of community forestry with particular focus on policy and legal framework supporting community forestry, civic action to safeguard community rights, forest-based enterprises and newly emerged idea of REDD+. The exposure visit consisted of interactive sessions, interaction with stakeholders and field visit. Actors from three different levels were involved in the interaction: at grass root level, a CFUG and forest based enterprise; at meso level district forest office and district FECOFUN were visited and at national level interaction was conducted with diverse stakeholders including ANSAB, ForestAction, FECOFN, NGO federation, Department of Forests, REDD-Cell and NEHHPA. Key lessons of the exposure visit are synthesized in the following points:

- **Policy is not the panacea: piloting and practice made the Community Forestry program successful:** Though, the CF program was initiated after enforcement of the Forest Act 1993, there were different level of practice and piloting of community involvement in forest management since 1978. The government with support and push from donor agencies allowed for piloting of the CF model which contributed to make provision of CF in the Master Plan (1989). So, the lesson to the outsider is that policy is not panacea; piloting and practice help for the informed and pragmatic policies.
- **Too much focus on policy might not ensure its effective implementation, but the effective implementation is determined by the outcomes of negotiation between government authority and the communities:** Though the Forest Act 1993 provided rights of protect, manage and utilize of forest resources to local communities, government (techno-bureaucrats) has always attempted to control the CFUG activities and limit rights. The CFUGs have negotiated with DFO in many practical issues like approval of management plan, issue of collection permits and so on. Hence, too much focus on the policy alone may not produce the expected results in implementation because the communities need to negotiate at local level with the behavior and influence of government bureaucrats.
- **Strong people network and federation can safeguard the community rights:** The important lesson from Nepal's community forestry is that networking and federation of community organizations (CFUGs in case of Nepal) is very much important to advocate the community rights and to safeguard it. The Forest Act 1993 provided a bundle of rights to CFUGs. However, the techno bureaucrats have been regularly attempting to curtail the rights. The reason behind this is that the powerful actor never wants to lose its control over resources. It was the FECOFUN who fought for the community rights for about 1.5 decades. So, without very strong peoples network and federation, it would not have been possible to defend the community rights over forest resources.
- **Issue of benefit sharing is not only between the state and the communities but there is issue of sharing benefit even within the communities:** The Forest Act provided clear framework of sharing benefit between state and communities in the CF program. The CFUGs are entitled to all benefits derived from the forest management. However, they are not homogenous and there is always an issue of sharing benefits among the members of CFUGs. The CFUGs are dominated by local elites who have more stakes to the benefits than the poor and marginalized ones. The marginalized communities within CFUGs are deprived of benefits from the forests. So, there is always the issue of "who gets what" and who is benefiting how much?" within the CFUGs.
- **Community managed forest has always wider scope than other types of forest:** Initially the idea of CF emerged for restoring the degraded hill forest and fulfilling basic forest product's need of the local communities. But, after about 30 years of experiences, CF has moved far beyond the original idea and has become a vehicle of development and repository of ranges of ecosystem services. It means, the scope of CF has expanded to accommodate the social harmony, local

development including educational, health and infrastructure and even reducing carbon emission and climate adaptation. This is because the communities are the ones to make decision about the scope of CF to address the wider issue of society.

The political situation of Laos at the moment somehow resembles with that of Nepal in late 1980s when there was absolute monarchy, and space of civil societies was very limited. Though the civic movement is restricted in Lao, the civil societies can initiate the piloting of community based resource management models with support from donor communities. The government organizations can also have some innovative and progressive officials who can join hands with donor and communities for such piloting and policy development. Once the communities demonstrate the results of resource management, government will be compelled to bring the policies in favor of the communities as in the case of Nepal.

9.2 Lessons learnt by Nepalese stakeholders

This section briefly outlines key lessons learnt by Nepali stakeholders from Lao participants.

- **Land tenure and community rights:** Lao has different land tenure arrangement. Most of the land is either owned by the government or individuals. There is no community owned or managed forest lands. The emerging community groups and other civic actors are struggling to have community rights over the forest land. There has been limited progress in this line because of Government's policy to grant concessions for commercial agriculture, mining and hydropower development. From this restrictive policies and government controlled civic action, Nepalese civil society organizations have learnt that democratic space is very much important for civic activism for rights.
- **Forest based-enterprises:** Lao has good experience on forest based enterprises managed by community groups. The enterprise has significant contribution on gross domestic production (GDP) and household income of forest dependent communities. Since Nepal's forest resources especially NTFPs are under-utilized and local communities are hardly benefited, Nepal can learn on how communities are organizing to establish enterprises with the resources from government owned forests.
- **Vast forest areas and management complexities:** Unlike in Nepal, Lao has vast forest areas and forest management is not only beyond the fulfillment of subsistence forest products need of local communities. The forest management practices in Laos can have useful lesson to Nepal to address the issues around commercial management of community and government managed forests.

9.3 Feedback from participants and insights of cross-country exchange visit

Overall, the study tour went well and the participants were very pleased to have such an opportunity to learn lessons from another country. The participants have done a critical reflection of the exchange visit and provided feedbacks for the report which are outlined as the followings.

- **Program management:** The program was scheduled with the aim of providing more opportunity to learn about the issue of forest management, land tenure, livelihood and climate change, particularly REDD in Nepal. The schedule was too tight and participants felt tired. However, the coordination and communication was excellent and thus the interactive sessions and interaction with stakeholders went very well. Nevertheless, the discussions took longer than the scheduled time because of cumbersome translation process. Overall, the whole discussion sessions were extremely useful for learning and gaining insight. It would have been even better if there were more interactions with local communities.
- **Logistic management:** The logistics management part was really fantastic and comfortable. In general, lunch time was different than in Laos. However, the host team cared a lot of the participants.
- **Enjoyment and fun:** The exchange visit program also consisted of some site seeing and exposure to different tourist and religious area like Swyombhu. The visit team also got chance to observe the local tradition of rural Nepal due to breaking of bus on the way to Kathmandu from Dolakha. It would have been frustrating moment if the organizer had not handled the situation carefully. At the last evening of the program, the participants were offered Nepali dinner with cultural program. These all provided opportunities for enjoyment and lot of fun.
- **Language and translation:** There were few participants who could fluently communicate in English. The presentations and visits took considerably more time than foreseen due to interpretation from English to Lao and vice versa. In many cases the process was even slower when the speakers used the Nepali language. However, some participants and the host team played the fantastic job of translation and facilitation to engage the participants in interaction.

Based on the above reflections from the participants and host institutions, the followings are some insights for organizers of cross-country exchange visit in future.

Language issue: The learning process was somehow hindered by the language problem. To overcome the language barrier it is worthwhile either to engage a professional interpreter or to assure beforehand that a sufficient number of participants can share the burden. It is very crucial to have good interpretation to ensure the effective learning by all participants.

Preparatory meeting and training: It is very important to familiarize the participants about the context and content of the visit. About half day training would be helpful to familiarize the participants among each other and get prepared for learning.

Annexes

Annex 1: List of Participants

Civic Actions around Community Forestry: Lessons from Nepal

An exposure visit of community activists from Lao PDR

20 March to 25 March 2011

S.N	Participant name	Organization	Participant position
1.	Mrs. Khambang THIPPHAVONG	LBA (NPA)	Project Manager
2.	Mr. Khamphanh KEOSAVANH	LBA (NPA)	Technical staff
3.	Mr. Oulathong V.VIENGGHAM	GDG (NPA)	Project Coordinator
4.	Mr. Lounthong BOUNMANY	Invited by GDG/SNV	Head of District's Land Tax (Sangthong)
5.	Mrs. Channaong VONGSAKDA	Invited by GDG/SNV	Head of village's Women Union (Napor village, Sangthong)
6.	Mr. Khamsay CHALEUNMIXAY	MCC (INGO)	Program Manager
7.	Mrs. Santi MIOUSAYKOUMMANE	GAPE (INGO)	Field Staff, Bachieng District, Champasak Province
8.	Mr. Somphong BOUNPHASY	GAPE (INGO)	Field Staff, Bachieng District, Champasak Province
9.	Mr. Chanhthy SILAPASAI	MHP (NPA)	Technical staff
10.	Mr. Vilaikham TENGMOUA	MHP (NPA)	Village authority
11.	Mr. Lamphong KHANTHALIVANH	CIDSE (INGO)	Program Manager
12.	Mrs. Hanna SAARINEN	CIDSE/LIWG (INGO)	Advisor, LIWG Coordinator
13.	Mr. Souphaxay BOUNYONG	Invited by VFI/Rights-LINK	District authority
14.	Mr. Saysavath SOQSSAYA	VFI/Rights-LINK	Provincial Coordinator
15.	Mr. Lenon BOUNPHENG	JVC (INGO)	Legal Staff
16.	Mrs. Hone KEODOUANGDY	JVC (INGO)	Legal Staff

Note: NPA = Non-Profit Association (Lao civil society organization)

Annex 2: Visit program schedule

Time frame	Description of Activities	Venue/Organization	Remarks
20 March			
3:30 to 4:00	Introduction to the exchange visit program	Everest Hotel	Dil Bahadur Khatri and Dipak BK
4:00 to 5:00	Brief overview of forest sector policy and institutional landscape in Nepal	Everest Hotel	Dr Hari Dhungana
5:00-5:30	Overview of field visit program	Everest Hotel	Dil Bahadur Khatri
21 March			
7:00	Travel to Charikot (Dolakha-one of the hilly districts with good examples of community forestry practices and enterprise initiatives)		About 4-5 hours drive in hilly road.
12:00-1:30	Hotel check in, fresh up and lunch	Dolakha	Subhhechha Hotel
1:30-3:30	Interaction with FECOFUN (Dolakha district chapter)	FECOFUN office	Discussion about FECOFUN as well as REDD pilot project
3:30-5:30	Visit a CFUG also included in a REDD pilot project	Simpani CFUG	
22 March			
8:00-10:30	Visit Bhimeshwor paper processing unit (a community enterprise)	Paper factory	
11:00-12:30	Interaction with district forest officer	District Forest Office	
12:30-1:30	Lunch	Dolakha	
1:30	Travel to Kathmandu		
23 March			
8:30-10:30	Quick recap of field visit and link with broader picture of community forestry program in Nepal (including its evolution)	SAP Falchha hall	Dil Bahadur Khatri and Dr Naya Sharma Paudel
10:30-12:30	Current dynamics of community forestry: policy, politics and challenges ahead	SAP Falchha hall	Dr Hemanta Ojha
12:30-1:30	Lunch	SAAP Falchha	
1:30-3:30	Sharing about community based forest enterprise by ANSAB linking	ANSAB office	ANSAB officials

	with lesson from Bhimeswor paper company (The Bhimeswor paper company (field site) has been established with support from ANSAB including others)		
3:30-5:30	Sharing about Federation of Community Forest User, Nepal (FECOFUN) (a network of more than 12000 community forest user groups)	Presentation from FECOFUN representative and discussion	FECOFUN leaders
24 March			
8:30-9:30	Quick recap of earlier discussions and prepare for effective discussion with government bodies (Department of Forests and REDD cell)	Everest Hotel	Dil Bahadur Khatri
10:00-12:00	Presentation in REDD Cell about the overview of REDD process and progress in Nepal	Forestry Complex	Keshab Khanal, REDD cell
12:00-1:30	Interaction with Department of Forests (DOF)	Forestry Complex	Anuj Upadhyaya, DOF
1:30- 2:15	Lunch		
2:15-3:30	Interaction with NGO Federation of Nepal	NGO Federation	Dr Netra Timsina, Chair of NGO federation
3:30-6:00	Exploring the Kathmandu city		Joined by Dipak BK
25 March			
7:00-9:00	Visit Swyombu		Joined by Dipak BK
9:00-11:00	Internal reflection of visit team	Everest Hotel	Joined by Dipak BK
11:00-12:00	Lunch		
12:00-1:00	Visit ForestAction office and brief introduction	ForestAction office	Dil B Khatri
1:30-3:00	Interaction in NEHHPA (Nepal Herbs and Herbal Products Association)	Vojan Ghriha, Dillibazar	Govinda Ghimire, NEHHPA
3:00-5:30	Reflection of visit and consolidation of learning	Vojan Ghriha	Naya Sharma Puadel and Hemanta Ojha
6:00-8:00	Reception and dinner with ForestAction Team with cultural program	Vojan Ghriha, Dillibazar	Joined by FA colleagues and GFP partners

Annex 3: Presentations by national level actors and experts presented during the exposure visit

Separate file attached.

Annex 4: Photo gallery

Separate file attached.