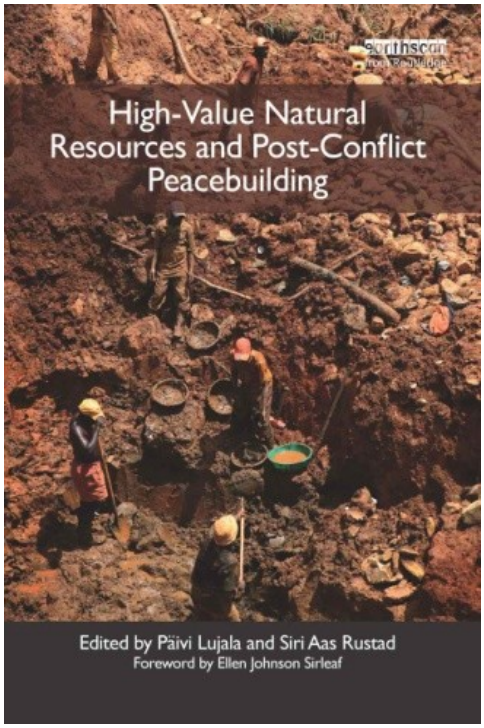
This chapter first appeared in *High-Value Natural Resources and Peacebuilding,* edited by P. Lujala and S.A. Rustad. It is one of 6 edited books on Post-Conflict Peacebuilding and Natural Resource Management (for more information, seewww.environmentalpeacebuilding.org). Thefull book can be ordered from Routledge athttp://www.routledge.com/books/details/9781849712309/.

© 2012. Environmental Law Institute and United Nations Environment Programme.



Forest user groups and peacebuilding in Nepal

Binod Chapagain and Tina Sanio[a]
[a]***Australian National University***

Online publication date: June 2012

Suggested citation: B. Chapagain, T. Sanio. 2012. Forest user groups and peacebuilding in Nepal. In *H igh-Value Natural Resources and Peacebuilding,*ed. P. Lujala and S. A. Rustad. London: Earthscan.

Terms of use: This chapter may be used free of charge for educational and non-commercial purposes. The views expressed herein are those of the author(s) only, and do not necessarily represent those of the sponsoring organizations.

Forest user groups and peacebuilding in Nepal

Binod Chapagain and Tina Sanio

In Nepal, community forest user groups (CFUGs) are emerging as important institutional assets, capable of supporting peacebuilding by assisting with reintegration and reconstruction and providing livelihood assistance. CFUGs are democratic, local institutions that engage in the sustainable management of forest resources. Nepal has more than 14,500 such groups, which manage over 1.2 million hectares of forest. More than 1.65 million households (40 percent of the national population) belong to CFUGs—the highest membership of any civil society organization in Nepal.

This chapter is based on a study that was designed to identify the role of CFUGs in local peacebuilding in Nepal—specifically in the areas of conflict transformation and reconstruction efforts. The study compared three districts: Sankhuwasabha, in the eastern hills; Rolpa, in the mountains of the midwest; and Nawalparasi, in the plains.[1]

The principal focus of the chapter is the link between peacebuilding and natural resource management in post-conflict settings. The chapter is divided into six major sections: (1) a description of community forestry in Nepal, (2) the presentation of a theoretical framework that is useful in understanding the role of CFUGs in peacebuilding, (3) the case studies, (4) a list of factors affecting outcomes, (5) a list of lessons learned, and (6) a brief conclusion.

COMMUNITY FORESTRY IN NEPAL

The livelihoods of most rural Nepalis depend on livestock and agriculture, of which forests have always been an integral part. Farmers rely on wood for fuel,

---

Binod Chapagain previously worked for the Livelihoods and Forestry Programme in Nepal, and is currently a Ph.D. candidate at the Research School of Humanities and Arts, Australian National University. Tina Sanio is a social anthropologist with extensive experience in Mongolia, Nepal, and Thailand; she is a freelance consultant currently working in Germany for GIZ.

[1] The authors conducted individual interviews and group discussions with employees of international organizations, Nepalese government agencies, and national and local Nepalese nongovernmental organizations (NGOs); they also spoke with approximately three hundred CFUG members, land rights activists, and informal community leaders. The interviews took place as part of ongoing research conducted between February 2007 and November 2009. Secondary information was obtained from previous studies, national and international NGOs, and Nepalese government agencies.

timber for buildings and agricultural implements, and leaves for animal bedding and fodder. Nevertheless, community forestry was not introduced until 1978; until then, the government had control over forests.

In 1978, under amendments to the Forest Act of 1961, some government forests were turned over to village-level political units known as *panchayats*, an arrangement that lasted until 1993, when passage of the Forest Act turned over the management of most national forests to CFUGs.[2] CFUGs are legally recognized, democratic entities. The household is the legal unit of membership, and all households that are in proximity to a community forest are eligible for membership. According to data from the Livelihoods and Forestry Program (LFP) of the United Kingdom's Department for International Development, of the 255,000 households in LFP districts that are identified as marginalized based on participatory well-being ranking, about 244,000 poor and very poor households are members of CFUGs (LFP 2008).[3]

Each CFUG must elect an executive committee and develop a constitution and operational plans to guide the management of the resources; a CFUG is recognized as legitimate only after an authorized government forest officer approves its constitution and operational plans. CFUGs obtain funds from membership fees and from the sale of forest products, including fodder, timber, firewood, and herbs; they also accept grants from governmental and nongovernmental agencies working in the same geographical area. Because they generate their own resources, CFUGs serve as vehicles for local development in rural Nepal. In 2008, CFUGs spent about 53 percent of their revenue on community development initiatives, including income-generating efforts, safe drinking water, improvements to rural roads and trails, scholarships for poor children, health emergencies, and the creation of revolving loan funds that are used for emergencies and for the support of microbusinesses (LFP 2008). Thus, sustainable forestry practices allow communities to survive and to be financially independent—that is, to meet many of their own basic needs.

Community-led forest management is an exceptional development in Nepal: CFUGs are fully responsible for managing forests, collecting revenues, and deciding on the use of available funds. Community-based management has improved the condition of the forests and generated resources for local development. CFUGs are also active in conservation—and, particularly in the hills and mountains, they serve as a counterbalance to looters and poachers, whom they actively pursue.[4]

All CFUG members meet at least once a year. Decisions are made by consensus, but if consensus cannot be reached, votes are taken. The forest is divided into blocks, and the members agree on management plans for each block.[5] Expenditure

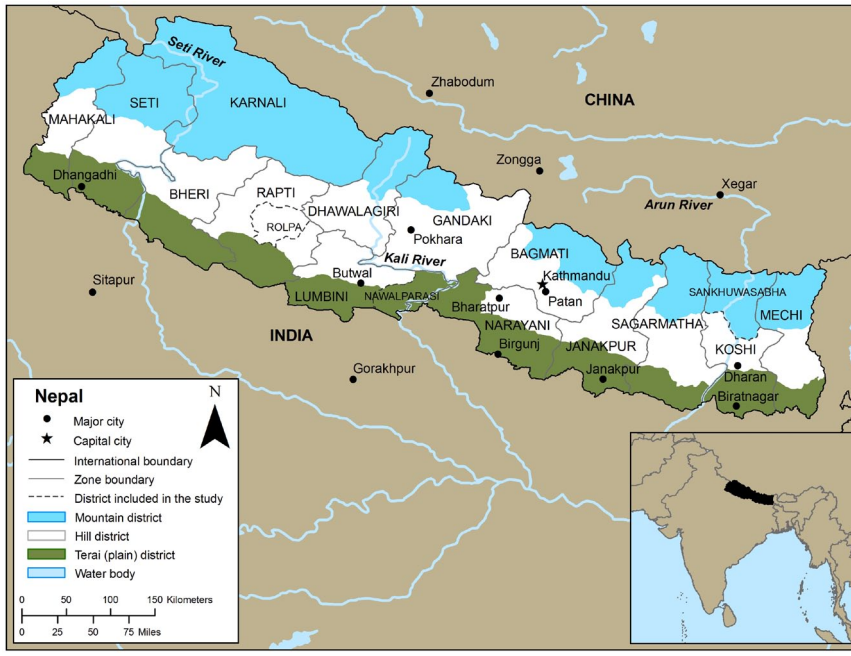
---

[2] Passage of the Forest Act was spurred by Nepal's transition to democracy in 1990.

[3] The LFP works in fifteen administrative districts that are defined by the government of Nepal.

[4] Some CFUGs, however, have reportedly engaged in smuggling timber from Terai.

[5] Forest maintenance (cleaning, thinning, and pruning) is undertaken by group as a whole.



reports and budget plans for the coming year are also presented to the group for approval. The workings of the CFUGs are thus participatory and transparent, and the members trust each other to manage the forest and use revenues wisely.

Both men and women have an equal right to membership, and each CFUG's executive committee is required to have at least 33 percent women. Thus, CFUGs offer women an opportunity to take an active part in decision making—an opportunity that hardly exists in any other sphere in their lives.[6] Moreover, at least in the case of women, the CFUGs may provide broader platforms for leadership development. A study of the Koshi Hills, for example, found that about 80 percent of the women who were elected to local governing bodies in 1998 were members of CFUGs.

It is important to note that CFUGs are not without conflict. When conflict does occur, it is managed through traditional, informal practices. Issues that arise are discussed in general meetings of the group, where a variety of conflict-resolution strategies are employed (Upreti 2006). As a result, CFUG members have experience with collaborative, interest-based approaches to conflict management, including mediation and negotiation. Despite the CFUGs' strengths as

[6] CFUGs also foster the development of interest-based subgroups in which women can play active roles; for example, a CFUG might have a women's group, an entrepreneurs' group, and a nontimber forest products group.

democratically based institutions, however, they have by no means escaped the influence of traditional hierarchies and power relationships; inequalities continue to affect the user groups' internal dynamics and their relationship to the community at large, creating potential for conflict.

CFUGs and village development committees

In order to understand the role of community-based natural resource management in local peacebuilding efforts, it is important to grasp the larger environment in which the CFUGs operate. CFUGs exist alongside village development committees (VDCs), which are the lowest administrative element in the government of Nepal and serve as the official means of access to higher levels of government. Although the VDCs are part of the Ministry of Local Development, they have the authority to collect certain taxes and to develop annual plans and budgets independently; they also receive annual funding from the central government to implement their plans. VDCs are responsible for ensuring that rural residents have an element of control over development; they also monitor the use and distribution of state funds and facilitate cooperation between higher-level government officials, nongovernmental organizations (NGOs), and funding agencies. Finally, VDCs oversee education, water supplies, sanitation, basic health, and the collection of some government revenues.

Each district has several VDCs, and there are, in theory, 3,913 throughout the country. In practice, however, VDCs are often nonfunctional or nonexistent—creating a vacuum that, in many cases, CFUGs have filled.[7] Because CFUGs often serve as the primary engines of local development, they are frequently in conflict with VDCs.

In comparison to VDCs, CFUGs are flexible, responsive, inclusive, and non-bureaucratic: community residents have easy access to CFUGs and their resources, regardless of whether they are members, and joining a CFUG is a simple process. Obtaining access to VDC resources, in contrast, is a lengthy process: applicants may need to wait a year for budget-related decisions. Finally, VDC staff are appointed by the central government, whereas CFUGs employ their own local staff as required. Thus, community members—including internally displaced persons (IDPs)—would be more likely to approach CFUGs than local government (where it exists).

The war years

The Maoist insurgency that began in February 1996 was rooted in a 250-year history of economic stratification, ethnic tension, and regional economic imbalance

[7] Some VDCs are simply understaffed; others were entirely put out of commission during the conflict that began in 1996; and still others have not had any elected representatives since the conflict, because no elections have been held since the dissolution of all VDCs in 1998.

(Banjade and Timsina 2005).[8] Although almost 80 percent of Nepalis live in rural areas, repressive social structures had denied most rural residents the opportunity to own land, which is the sole means of obtaining a secure livelihood.[9] Discrimination on the basis of sex, ethnicity, and caste was common, and poor and marginalized populations were denied access to natural resources—particularly forests, land, and water (Basnet 2008).[10]

When the insurgency began, poverty was rampant: at some point during 1996, 60 percent of landholding households were unable to meet their daily food needs—and of these, 78 percent could not meet their needs for four to six months (DFID n.d.). In rural Nepal, land ownership is a symbol of security; thus, not owning land is a mark of poverty and vulnerability. During the war, the poor were targeted by both rebels and government security forces: the rebels tried to persuade them to join their army by holding out promises of a better life, and the security forces viewed them with suspicion, as informers and rebel supporters.

The ten-year war left more than 13,000 dead, and severely affected seventy-three of Nepal's seventy-five districts: because government employees—including employees of the forest department—were not allowed to enter villages during the conflict, service quality declined in rural areas (Upreti 2006).[11] Moreover, if the Royal Nepal Army thought that Maoist insurgents were hiding in the forest, they prohibited CFUGs from entering those areas, thus preventing the CFUGs from doing their work. Both Maoist rebels and government security forces used the forests for shelter and as training grounds, and both groups—but particularly rebels—extracted forest products, especially timber, from some areas without the consent of user groups and without consideration for sustainability (Roka 2007; Upreti 2006).

Although reports of the effect of the war on the CFUGs are mixed, there is no question that the CFUGs were in a difficult position during the conflict. CFUG leaders were under pressure from both sides, and those who refused to follow orders were either kidnapped or tortured (Upreti 2006). Some CFUG leaders were forcibly removed from office because of their political affiliations; others left as the result of threats from either the government or the rebels. Although in some areas forests were protected and the supply of forest products was

---

[8] The Maoists' principal demands were for "revolutionary" land reforms (essentially, seizing land from the landlords and distributing it to the poor); the institution of a people's democracy; rural development; and equality for men and women (including land ownership for women), for all ethnic groups, and for people from different castes. Although forests as such were not a cause of the conflict, they were an element in land tenure issues and therefore linked to the overall conflict.

[9] Approximately 5.5 million Nepalis are landless, out of a total population of 26 million (CSRC 2009; CBS n.d.).

[10] Until the Forest Act was passed in 1993, forest land was either state property or the property of the king and his family.

[11] Although the forests are managed by the CFUGs, employees of the forest department provide technical services, such as conducting inventory and managing nontimber forest products.

maintained, several studies have shown that the conflict undermined the leadership of the CFUGs and prevented the groups from properly managing the forests (Rechlin et al. 2007; Roka 2007). In particular, the conflict interfered with the formation of new CFUGs—and when new groups did form, the war prevented established CFUGs from meeting and planning with them (Roka 2007). In some cases, the rebels also challenged the authority of existing groups and prohibited CFUG members from leaving their villages in order to work in the forests.

Nevertheless, one study claims that the insurgents accepted the CFUGs because they were democratic institutions that had been formed at the village level; had local support; and functioned independently of the central government (Rechlin et al. 2007). The VDCs, in contrast, were often targeted by Maoist rebels for their perceived failure to support the people. In this view, the CFUGs played a neutral role during the war, generally accommodating multiple development interests and providing a forum for the discussion of village concerns (Rechlin et al. 2007; Roka 2007).

THEORETICAL BACKGROUND

The work of the CFUGs can be viewed as an example of conflict transformation: a process-oriented peacebuilding effort that focuses on structure and outcomes, and that is designed to bring an end to structural, cultural, and direct violence.[12] According to John Burton (1990, 1993), Ronald J. Fisher (1983), and Marieke Kleiboer (1996), other approaches to conflict management, such as conflict resolution and conflict settlement, focus primarily on horizontal relationships—that is, on the actions of parties that are of relatively equal status—whereas conflict transformation involves vertical relationships among parties of unequal status.[13] Moreover, conflict resolution and conflict settlement tend to view grassroots leaders and civilian populations as passive recipients of third-party interventions—but, as will be clear later in the chapter, community-based organizations such as CFUGs are not passive: they are center stage, and when it comes to peacebuilding, they are setting their own agenda (Reimann 2004). John Paul Lederach explains that conflict transformation must actively envision, include, respect, and promote the human and cultural resources from a given setting and not see the people in it as the problem and the outsider as the answer (Lederach 1995).

The actors and strategies associated with conflict transformation are reflected in Track III of table 1. Putting the table into the context of Nepal, Track I actors would include representatives of the government, the Maoists, the former king, the People's Liberation Army, and the Royal Nepal Army. Track II actors would include representatives of United Nations agencies, international NGOs, political

---

[12] As Johan Galtung (1998) has observed, social injustice can be described as structural or institutional violence.

[13] For further discussion of conflict settlement, see Bercovitch (1984, 1996) and Fisher and Ury (1981).

Table 1. Actors and strategies involved in conflict management

	Track I	Track II	Track III
Actors	Political or military leaders act as mediators for and/or as representatives of the parties who are in conflict.	A variety of third parties may be involved in conflict resolution, including private individuals; academics; professional mediators; and local, national, or international nongovernmental organizations; civil mediation (i.e., mediation led by "insiders") and "citizen diplomats" may also be used.	A variety of actors may be involved in conflict resolution, including local leaders (both formal and informal); community members; grassroots organizations; local, national, and international development agencies; human rights organizations; community organizations; and humanitarian assistance organizations.
Strategies	Outcome-oriented: Tools range from official and coercive measures such as sanctions, binding arbitration, and mediation by major powers, to noncoercive measures such as facilitation, direct negotiation, mediation, fact-finding missions, and "good offices."[a]	Process-oriented: Tools are mostly nonofficial and noncoercive; primarily facilitation (problem-solving workshops and roundtables, for example).	Process-, structure-, and outcome-oriented; tools include capacity building, trauma work,[b] grassroots training, and development and human rights work.

Source: Adapted from Reimann (2004).

a. Good offices are beneficial services undertaken by a third party, particularly for the purpose of mediating a dispute.

b. Trauma work includes a range of psychotherapeutic, cognitive behavioral, and medical interventions designed to help trauma victims regain a sense of control over their lives.

foundations, and local NGOs whose work focuses on conflict. The CFUGs exemplify the types of actors represented in Track III.

Historically, both the actors and strategies associated with Track III have been ignored, but Tracks I and II fail to capture the richness and complexity of Track III peacebuilding activities. Cordula Reimann (2004) argues that Track III is essential to conflict transformation because it is the Track III actors who deal directly with those who have been most affected by the conflict.[14] In Nepal, for

[14] The notion of involving communities at the earliest stages of peacebuilding has been highlighted several times in evaluations of UN-sponsored disarmament, demobilization, and reintegration projects, but practitioners seem to be at a loss as to how to implement such an approach. (See Lederach 1995, 1997).

example, it is the CFUGs that deal directly with IDPs—assisting with reconciliation, reintegration, reconstruction, and livelihood support. An emphasis on Track III recognizes that the potential for peacebuilding already exists and is rooted in the traditional culture of a community or region.[15] Moreover, the inclusion of bottom-up strategies, which are characteristic of Track III, tends to support local efforts to obtain social justice—and, potentially, bring about structural change.

CASE STUDIES

Ten years of conflict between the government and the Maoist rebels left Nepal with thousands of IDPs and a large number of "disappeared." Even in 2009, three years after the signing of the comprehensive peace agreement (CPA), thousands of IDPs did not feel safe enough to return to their homes; they struggled to secure a livelihood, and they lacked dependable access to food, health care, and education (IDMC n.d.).[16]

During the post-conflict period in Nepal, CFUGs contributed to peacebuilding by assisting IDPs to return to their homes, acting as mediators in reconciliation efforts and in negotiations over property, helping to rebuild housing and infrastructure, providing CFUG membership to returnees, and supporting small-scale enterprise development. Thus, the case studies focus on *internal* conflict transformation—that is, on interventions that were not dominated by outside third parties, but by community-based organizations—in this case, the CFUGs.

To assess the effect of community-based natural resource management on peacebuilding, the authors collected qualitative and quantitative data on the CFUGs' work in three districts, between February 2006 and August 2009: Sankhuwasabha (in the eastern hills), Rolpa (in the mountains of the midwest), and Nawalparasi (in the plains). Although all three districts had significant numbers of IDPs,[17] they had differing geographical characteristics and differing histories with respect to CFUGs. In the eastern hills and in the mountains of the midwest, community forestry is well established, whereas it is relatively new in the plains. Because Rolpa was the birthplace of the Maoist insurgency—and therefore of the conflict—it had a particularly high number of IDPs. Of the three,

---

[15] In other words, traditional conflict-management systems should neither be ignored, nor replaced by "invented traditions" that cannot deliver what they should. See, for example, Oomen (n.d.), which discusses the Rwandan juridical system of *gacaca*.

[16] Although Nepal created a national policy for IDPs in February 2007, the policy lacks adequate mechanisms for ensuring safety and security. Moreover, because of a sharply limited definition of the displaced, only displaced persons who have personal or family connections to police, army, or government officials, or to leaders of political parties, are officially designated as IDPs; thus, the majority of IDPs have been excluded from assistance, making it difficult to assess the scope of displacement.

[17] The principal reasons for displacement were as follows: targeting by security forces who believed that the victims were Maoists, murder or abduction of family members by one side or the other, arrest and torture by one side or the other, and arrest without evidence.

Sankhuwasabha had the second-highest number of IDPs.[18] (For statistics on CFUG membership, displaced households, assistance to displaced persons, and infrastructure development, see the accompanying tables.)

Case studies: Summary data tables

District	Number of community forest user groups (CFUGs)	Number of member households	Number of households in the district	Percentage of households that are CFUG members
Sankhuwasabha	267	25,944	30,766	84
Nawalparasi	54	21,465	98,340	22
Rolpa	318	30,385	38,512	79

Community Forest User Groups, by district
Sources: LFP (2007, 2008); Department of Forestry (n.d.).

District	Number of residents who disappeared	Number of residents who were killed	Number of households that were displaced	Number of households that returned
Sankhuwasabha	2	132	118	71
Nawalparasi	0	189	24	18
Rolpa	61	748	2,194	1,099

Displaced households, by district
Sources: INSEC Online (n.d.a, n.d.b, n.d.c.).

District	Number of returning households that were granted free CFUG memberships	Number of household enterprises supported by a CFUG	Number of houses whose construction was supported by a CFUG
Sankhuwasabha	25	5	11
Rolpa	856	9	587

Assistance to internally displaced persons, by district
Sources: SODEC (2008, n.d.); INSEC Online (n.d.a, n.d.b, n.d.c.).
Note: No data were available for Nawalparasi.

District	Spending (US$)	Number of households directly benefited
Sankhuwasabha	16,333	1,357
Nawalparasi	41,453	364
Rolpa	29,280	2,938

Infrastructure development, by district
Source: LFP (2007).

[18] So far, there are no data available on the socioeconomic circumstances, caste, or ethnic affiliation of the IDPs.

Sankhuwasabha

After the signing of the 2006 peace accord, most of the IDPs from Sankhuwasabha wanted to return to their villages but were reluctant to do so. They still feared revenge, either from one side or the other; their houses had been destroyed; and their farmland had been captured or rendered barren by war-related damage. The IDPs knew that they would need assistance in reintegrating. Working in collaboration with the Society Development Centre (SODEC), a local NGO, two CFUGs in Sankhuwasabha started working as mediators, facilitating the reintegration of IDPs.[19] The CFUGs conducted informal meetings with local residents and with representatives of political parties. The aim was to create an environment in which the displaced could return safely, find housing and livelihood support, and resume their lives. SODEC cooperated with—and obtained the backing of—district-level political parties and human rights organizations; SODEC also assured the IDPs that the CFUGs would help them reintegrate safely.

With these assurances, the displaced families began to return; within two months of initiating the process, twenty families were resettled. The CFUGs immediately provided the following assistance:

- Ten households received free timber to rebuild their homes.
- Ten households received a 50 percent subsidy to purchase timber.
- Fifteen households received low-interest loans of NPR78,000 (about US$1,000) for income-generating activities (such as vegetable farming, goat farming, pig farming, or furniture building).
- All returning families received free membership in a CFUG (there is normally a fee of NPR3,000 to NPR5,000).[20]

In addition, the CFUGs facilitated dialogue between returning families and local political leaders, in order to protect returnees from further threats and insecurity.

During the war, 132 residents of Sankhuwasabha were killed, 2 disappeared, and 118 families were displaced. Between 2007 and mid-2009, 71 families—over 60 percent of the displaced households—were resettled. The CFUGs spent over US$16,000 on the reconstruction of the infrastructure in the district, which directly benefited more than 1,357 households.[21]

---

[19] The CFUGs started by working with families that had been displaced from their villages and were residing in district headquarters. After some IDPs had been successfully returned from district headquarters, SODEC reached out to other IDPs. Although many CFUGs were involved in these efforts, this case study is based on information collected from two CFUGs in particular.

[20] Because some of the households received more than one type of benefit, there is some overlap in these descriptions. Poor households, for example, may have received both timber for housing construction and a low-interest loan to start an income-generating activity.

[21] The infrastructure improvements made by Sankhuwasabha (and by the other districts as well) would have been made in any case, and were not made specifically for the IDPs. Nevertheless, the IDPs benefited from them.

The example of Sankhuwasabha demonstrates that as actors in Track III conflict-transformation processes, CFUGs are capable of contributing to successful local peacebuilding through reintegration, reconstruction, and livelihood support. The CFUGs were able to contribute for two reasons: first, because they were experienced in conflict resolution; second, because management of the forest resources provided revenues that could then be used to provide practical assistance to IDPs.

Nawalparasi

Although there were no reports of disappearances from Nawalparasi during the war, 189 people were killed and 24 families were displaced. After the peace accord, eighteen families (75 percent) returned to their villages through the assistance of CFUGs (LFP n.d.). During 2007 and 2008, CFUGs in Nawalparasi spent US$41,453 to rebuild infrastructure, which directly benefited 364 households.[22]

Like many rural residents, Prem Prasad Sharma, of Nawalparasi, owned no land and was forced to work as an unskilled laborer. During the war, he was repeatedly victimized by both rebels and government security forces. In 2006, however, the CFUGs allocated some land to poor families, provided that they agreed to protect the forest resources. Prem said,

> My life . . . changed after CFUG formed a group of poor families . . . and gave us some Community Forests land. . . . Our CFUG called a meeting to talk about setting aside some land for the poor people and conflict victims to grow broom grass to make and sell brooms. The group members were chosen from a participatory well-being ranking, which was based on the food sufficiency. We divided the plot of land among our subgroup members. The CFUG paid us to buy seedlings of broom grass from the forest and also bought seedlings for us. Then, we planted the seedlings ourselves. The first year, I took nine brooms and three loads of grass from my plot: the second year, eighteen brooms and nine loads, and the third year, thirty-eight brooms and twenty-eight loads. We earned NRP25 for each broom if they were of good quality. It made a difference in our situation. There was a dispute when other group members said that there was not enough fodder grass for them. We resolved it by allowing them to cut grass from the allocated plot. They pay for the grass depending on their financial status. It is free for those in the "very poor" rank, but "poor" has to pay some. It is fine that other people cut fodder grass here, but sometimes they cut the

[22] The money used to rebuild the infrastructure was drawn from a fund maintained by Nawalparasi CFUGs and the LFP (LFP 2006). Nawalparasi has a limited number of CFUGs because the government of Nepal has been reluctant to hand over productive Terai forests to community-led groups. Of the 114,900 hectares of forests in Nawalparasi, only 3,000 (2.6 percent of the total) are in the hands of community groups (Department of Forestry n.d.). Although the government is under pressure from CFUGs to hand over more forest resources to CFUGs, it is doing so at a very slow pace.

> *broom grass*. Had the group not supported me, I would have been displaced from my village and my children may have been victims (Sharma 2009).

Thus, in addition to assisting 75 percent of the Nawalparasi IDPs to return home and investing more than US$40,000 on infrastructure, the CFUGs used their access to forest resources to enable the very poor to obtain a livelihood: in Prem's case, a piece of forest land that he manages by himself, enabling him to earn money and care for his family through a sustainable enterprise.

Rolpa

As noted earlier, Rolpa is the birthplace of the Maoist revolution, a circumstance that is reflected in the figures associated with the conflict: 61 people disappeared, 748 were killed, and 2,194 families were displaced. After the war, 1,099 families (50 percent) returned to their villages through the assistance of CFUGs. Of these families, 856 were granted free CFUG membership, 9 started small-scale enterprises with the assistance of CFUGs, and 587 received material support from the CFUGs for housing construction. From July 2006 through June 2007, Rolpa CFUGs spent US$29,280 on infrastructure development, directly benefiting 2,938 families (LFP 2007).

Interviews with displaced persons from Rolpa revealed that most of those who fled did so because of threats from security forces or rebels, or because their family members were killed and they were afraid that they, too, would be killed if they remained. Nevertheless, nearly half of these people returned to their villages because of specific actions taken by the CFUGs: the groups actively sought to discover what had happened to the families; encouraged them to move back; mediated in order to bring about reconciliations; and protected those who were threatened upon their return.

During the war, Ram Bahadur Roka was kidnapped by the rebels four times, beaten, and left for dead. The fifth time he was abducted he was kept in custody but managed to escape. Instead of returning to his village, he went to the plains to hide. After the peace accord, CFUG members from his old village persuaded Ram to return; they also met with the rebels to help him get his property back. The CFUG's successful efforts on his behalf made Ram interested in their other activities. He first became an active member in 2007; in early 2009, he was elected chair of the group that he had joined. Ram said that he would never have returned to his home village if the group had not encouraged him to do so (Roka 2009).

FACTORS AND CONSTRAINTS AFFECTING OUTCOMES

As is illustrated by the case studies, CFUGs have engaged in a long and impressive list of initiatives that strengthen and guide local peacebuilding efforts. By actively encouraging IDPs to return to their villages, defending them from threats, assisting them to achieve sustainable livelihoods, and offering them membership

in community-led resource management groups, the CFUGs have demonstrated their capacity for conflict transformation. CFUGs offer new—and substantial—potential for peacebuilding in rural communities.

A number of factors have made it possible for CFUGs to successfully support peacebuilding in post-conflict Nepal:

- Because the CFUGs were firmly established before the war began, they were able to continue to function during the conflict, although at a somewhat lower level, and to survive (and thrive) after the war.
- The CFUGs were established, democratic, grassroots organizations that had the active support of their communities. During the war, the CFUGs delivered key community services, maintained a neutral position, and developed a history of successfully accommodating multiple interests.[23] Because the CFUGs survived the war largely intact, they were in a position to play a strong peacebuilding role during the post-conflict period.
- The CFUGs manage conflict within their groups through traditional practices; the same approaches were effective in addressing other conflicts. For example, traditional practices were used to resolve conflicts between IDPs and either rebel or security forces in the IDPs' home villages; between CFUGs and VDCs, and between CFUGs and other CFUGs (Upreti 2006).

Other factors, however, may constrain the ability of CFUGs to continue (or expand) their work.

- In August 2008, Nepal's Constituent Assembly began drafting a new constitution, which is scheduled to be completed by the end of August 2011.[24] Major issues (such as property rights, ethnicity, and caste) have yet to be addressed; promises to civil society groups and to victims of the conflict have yet to be kept; and the political parties are still fighting over the meaning of "scientific land reform," which was written into the CPA. With the country in transition, the future of community forestry in Nepal is unclear.
- Even if the CFUGs continue as legitimate legal entities, young people are generally migrating away from rural areas, which will make it difficult to find members (and leaders) for CFUGs.
- Most members of CFUG executive committees are drawn from the local elite (that is, higher-caste men from relatively wealthy families).[25] Although women,

---

[23] This may explain, to some extent, why the VDCs were targeted by the rebels during the war, whereas the CFUGs were largely left alone: unlike the VDCs, the CFUGs were perceived as legitimate representatives of the populace.

[24] The adoption of the constitution can be postponed for another six months if the president calls a state of emergency.

[25] Because of domination by members of the rural elite, participation on the executive committee is sometimes referred to by development practitioners as *participulation*—that is, the manipulation of participation.

lower castes, and ethnic groups are represented on the committees, they are largely token presences. For example, women are required to make up 33 percent of the membership of executive committees, but fewer than 20 percent of key decision-making positions (chair, secretary, and treasurer) are held by women. And although ethnic households make up about 35 percent of CFUG members (a figure that is proportionate to the percentage of ethnic citizens in the national population), ethnic households are significantly underrepresented in executive positions (LFP n.d.).[26] Continued domination by elites has created power struggles within CFUGs; at the same time, awareness of discrimination has led some CFUGs to take steps to respond to these inequities.

- Discrepancies between the Forest Act of 1993 and the Local Self-Governance Act of 1999 have created ongoing conflicts between CFUGs and VDCs.
- Some leaders of CFUGs have been subject to the influence of particular political parties, and some CFUG members have served as leaders of political parties. As a consequence, CFUG leaders have sometimes made decisions that served the interests of a particular political party, rather than those of the community.
- Despite the CFUGs' demonstrated success in sustainably managing resources, the government of Nepal does not fully trust community-based natural resource management—and is therefore unlikely to assign CFUGs a role in peacebuilding. For example, although CFUGs have already made effective peacebuilding contributions, they have received no official recognition for their work; nor were they assigned a role in the CPA signed in 2006.[27] Moreover, neither the government nor the other agencies and organizations in tracks I and II have invited the CFUGs to assist with the official reconstruction and reintegration process. There appears to be a general reluctance—mostly on the part of the

---

[26] Historically, Nepal's ruling classes have been made up of Brahmins and Chhetris, who originally migrated from other areas. The phrase *ethnic groups* refers to the traditional tribes of Nepal (including Rai, Gurung, Tamang, Limbu, Magar, and Newar), which have experienced discrimination and marginalization.

[27] During negotiations about the CPA, forest rights activists tried to persuade the leaders of democratic political parties to address community rights as part of the agreement, but they were unsuccessful because the largest network of CFUGs is affiliated with one political party—the Communist Party of Nepal–Unified Marxist-Leninist (CPN–UML)—and the Maoists and the CPN–UML disagree on forest resource management. Although there were rumors, during the negotiations about the CPA, that there were plans to link the forest user groups very closely to local government at the village and district levels, this did not occur. Such an arrangement would have been desirable from the perspective of some political parties and civil society groups, but not from the perspective of the traditional parties and the landlords, both of which have a vested interest in maintaining control over natural resources, especially land. After the CPA was signed, thousands of CFUG members (under the aegis of an umbrella organization, the Federation of Community Forestry Users in Nepal), held a pro-democratic demonstration in Kathmandu, submitted a memorandum to the government requesting that the people be given authority over the forest, and met with leaders of various political parties to advocate for their position.

government of Nepal—to "think outside the box" and try new approaches to resource management and peacebuilding.[28]

LESSONS LEARNED

The principal lesson learned is that CFUGs are major contributors to reconstruction and reintegration in Nepal. Specifically, the CFUGs are shoring up peacebuilding by

- Managing conflict over land, housing, and past events.
- Preventing returning IDPs from being revictimized.
- Providing assistance with livelihoods.
- Providing labor and materials to construct homes, schools, health centers, and other essential infrastructure.
- Turning over land to previously landless residents.

With the exception of conflict management, all other CFUG activities are made possible through the successful management of the forests.

Reintegration is the key to security in a post-conflict environment, and responsibility for reintegration ultimately lies with local communities (UNDP n.d.).[29] In the words of the UN Disarmament, Demobilization, and Reintegration Resource Centre,

> The success of reintegration programmes depends on the combined efforts of individuals, families and communities. Reintegration programs shall be designed through a participatory process that involves ex-combatants and communities, local and national authorities, and other non-government actors in planning and decision-making from the earliest stages (UN DDR n.d.).

Nevertheless, the governments and organizations that oversee peacebuilding rarely undertake participatory needs assessments or participatory planning processes that would ensure involvement at the community level.[30]

The history of the CFUGs in Nepal demonstrates their capacity and their potential to foster constructive dialogue at the district and eventually the national level (through the Federation of Community Forest User Groups of Nepal, a national network). The CFUGs have no formal connection to national post-conflict policy; their members have not been invited to serve as resources or advisors for various commissions (such as land reform, truth and reconciliation, or the subcommittees of the Constituent

---

[28] Speaking on condition of anonymity, a UN official working on peacebuilding in Nepal said in a 2007 interview that there are no plans to develop community-based reintegration strategies in Nepal.

[29] See also UNGA (2005).

[30] Cases compared here were Afghanistan, Burundi, the Democratic Republic of the Congo, Haiti, Côte d'Ivoire, Liberia, Sierra Leone, the Solomon Islands, Sudan, and Uganda (UN DDR n.d.).

Assembly); nor do any of the international organizations that are involved in security sector reform, reintegration, or reconstruction work with CFUG members. The research demonstrates, however, that peacebuilding efforts can benefit from the structures, strategies, experiences, and knowledge of the forest user groups.

CONCLUSION

Rebuilding security and social capital in the wake of a conflict poses a number of challenges, and what the CFUGs have to offer is only part of what is needed. But while the rest of the country languishes in a state of transition, CFUGs are demonstrating both the ability and the will to move forward, and to support peace and security through reconciliation, reconstruction, and livelihood support.

One might ask whether the CFUGs would have been as successful in the post-conflict period if they had not existed before and during the war. It is hard to say; nevertheless, the authors believe that such groups, as long as they are legally sanctioned, can be effective even if they did not exist before a conflict. The value of such groups lies in their ability to effectively manage natural resources, to assist with reintegration, and to oversee reconstruction.

Reimann argues that any conflict-transformation strategy must include Track III actors, as they are the parties who deal most directly with those who have been affected by war. Nevertheless, Track I and Track II actors do not actively seek out community-based groups for participation in peacebuilding. But what would an alternative process look like? From the perspective of disadvantaged groups that have suffered centuries of social injustice, one of the possible results of including Track III actors and strategies in peacebuilding efforts is to generate and support structural change. This possibility raises a further question: have Track III actors been excluded from peacebuilding strategies because structural change is not really what Track I (and sometimes even Track II) actors want?[31] In Nepal, CFUGs are watching the political process carefully and are ready to intervene, to demonstrate, and to fight—peacefully—for their rights, if the future of community forestry appears to be at risk. Because of the country's unstable political situation, community-based groups are vital to creating pressure on the government to ensure access to secure livelihoods.

CFUGs have the potential to play a key role in Nepal's continuing recovery from conflict. But the groups themselves are still far from perfect. CFUG leaders need to make sincere efforts to ensure meaningful participation on the part of women, and on the part of people from different castes, classes, and ethnic backgrounds; in short, those who have traditionally been excluded from community decision making must be brought into the fold.

---

[31] There is also the question of perspective: should the CFUGs' efforts and achievements be viewed as "real" peacebuilding strategies, or as aspects of traditional community empowerment? This very question, however, assumes that Track I and Track II actors are the only parties engaged in genuine peacebuilding.

CFUGs are not only assisting their own country, but are also setting an example that can be used as a standard of best practice. Disseminating information on the work of the CFUGs in Nepal could serve two ends: first, to encourage others who are working to develop community-based natural resource management groups; second, to help persuade national leaders to put more trust in their communities, and to share responsibility with those who rely on the benefits of natural resources.

REFERENCES

Banjade, M. R., and N. P. Timsina. 2005. Impact of armed conflict in community forestry of Nepal. *ETFRN News* 43–44/05. www.etfrn.org/etfrn/newsletter/news4344/articles/4_1_Banjade.pdf.

Basnet, J. 2008. How land reform can promote inclusive growth in Nepal. *Land First: Occasional Journal of Land Rights* 7 (July 20).

Bercovitch, J. 1984. *Social conflicts and third parties: Strategies of conflict resolution*. Boulder, CO: Westview.

———. 1996. *Resolving international conflicts: The theory and practice of mediation*. Boulder, CO: Lynne Rienner.

Burton, J. 1990. *Conflict: Human needs theory*. London: Macmillan.

———. 1993. Conflict resolution as a political philosophy. In *Conflict resolution theory and practice: Integration and application*, ed. D. J. D. Sandole and H. van der Merwe. Manchester, UK: Manchester University Press.

CBS (Central Bureau of Statistics), Government of Nepal. n.d. Population. www.cbs.gov.np/#.

CSRC (Community Self Reliance Centre). 2009. *Land and land tenure security in Nepal*. Kathmandu.

Department of Forestry. n.d. CFUG database. (Internal database; last accessed July 2008).

DFID (Department for International Development). n.d. Key facts. www.dfid.gov.uk/Where-we-work/Asia-South/Nepal/Key-facts/.

Fisher, R., and W. Ury. 1981. *Getting to yes: How to negotiate without giving in*. London: Arrow Books.

Fisher, R. J. 1983. Third party consultation as a method of conflict resolution: A review of studies. *Journal of Conflict Resolution* 27 (2): 301–334.

Galtung, J. 1998. *Friede mit friedlichen mitteln*. Opladen, Germany: Leske und Budrich.

IDMC (Internal Displacement Monitoring Centre). n.d. Nepal: Failed implementation of IDP policy leaves many unassisted. www.internal-displacement.org/8025708F004CE90B/%28httpCountries%29/CC2C3C0FBDAD8F03C125746D002F61D9?opendocument&count=10000.

INSEC Online. n.d.a. Conflict-induced displacement in Nepal up to end 2004. (On file with authors.)

———. n.d.b. No. of victims disappeared by state and Maoist, 13 Feb 1996–31 Dec 2006. (On file with authors.)

———. n.d.c. No. of victims killed by state and Maoist in connection with the "People's War." (On file with authors.)

Kleiboer, M. 1996. Understanding the success and failure of international mediation. *Journal of Conflict Resolution* 40 (2): 360–389.

Lederach, J. P. 1995. *Preparing for peace: Conflict transformation across cultures*. Syracuse, NY: Syracuse University Press.

———. 1997. *Building peace: Sustainable reconciliation in divided societies*. Washington, D.C.: U.S. Institute of Peace.

LFP (Livelihoods and Forest Programme). 2006. Financial report for 2005–2006. Kathmandu. (Internal document; on file with authors.)

———. 2007. LFP progress report 2006–2007. Kathmandu. (Internal document; on file with authors.)

———. 2008. Livelihoods and Forestry Programme, annual report: July 2007–July 2008. Kathmandu.

———. n.d. Context database. (Internal database; last accessed July 2008.)

Oomen, B. n.d. Rwanda's *Gacaca*: Objectives, merits and their relation to supranational criminal law. www.roac.nl/roac/_files/publications%20oomen/Oomen%20Rwanda.pdf.

Rechlin, M. A., W. R. Burch, A. L. Hammett, B. Subedi, S. Binayee, and I. Sapkota. 2007. *Lal salam* and *hario ban*: The effects of the Maoist insurgency on community forestry in Nepal. *Forest, Trees and Livelihoods* 17:1–9.

Reimann, C. 2004. Assessing the state-of-the-art in conflict transformation. Berghof Research Center for Constructive Conflict Management. www.berghof-handbook.net/documents/publications/reimann_handbook.pdf.

Roka, K. B. 2007. Armed conflict and its impact on community forestry in Nepal. *Tropical Resource Bulletin* 26:55–62.

Sharma, P. P. 2009. Interview with Tina Sanio.

SODEC (*Société de développement des enterprises culturelles*). 2008. E-mail from SODEC staff to B. Chapagain. June.

———. n.d. Progress report. (Internal document.)

UNDP (United Nations Development Programme). n.d. Practice note: Disarmament, demobilization and reintegration of ex-combatants. www.undp.org/cpr/whats_new/ddr_practice_note.pdf.

UN DDR (United Nations Disarmament, Demobilization, and Reintegration) Resource Centre. n.d. Social and economic reintegration. www.unddr.org/iddrs/04/30.php.

UNGA (United Nations General Assembly). 2005. Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations: Note by the Secretary-General. A/C.5/59/31. May 24. http://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/357/15/pdf/N0535715.pdf?OpenElement.

Upreti, B. R. 2006. Conflicts in natural resource management: Examples from community forestry. *Jahrbuch der Oesterreichischen Gesellschaft fuer Agraroekonomie* 15:143–155.