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AN OVERVIEW OF THE ISSUES AFFECTING THE NISHORGO PROJECT AREAS

BASED ON THE FINDINGS OF PRA JUNE-JULY 2004

July 2004

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I. INTRODUCTION

This report provides an initial outline of the main issues emerging from the PRA research undertaken with stakeholders in and around the five forest protected areas falling within the Nishorgo Support Project. These sites are Teknaf Game Reserve, Chunati Wildlife Sanctuary, Lawachara National Park, Rema-Kalenga Wildlife Sanctuary and Satchuri Reserve Forest (and proposed National Park).

The aim of the PRA was to build upon the findings of the preliminary RRA carried out in May 2004, to provide a more thorough picture of the status of the forests, an analysis of the key stakeholder groups, and to understand the causes and effects of their behaviour. The overall aim of the process is to help shape future activities within the project.

This report has been drafted prior to any analysis of the PRA data by the research teams. Its role is merely to provide an overview and comparison of the key issues arising from across all project sites. The subsequent PRA reports for each site will provide detailed information for each forest area in turn. Therefore, information in the report should not be considered as a definitive summary of the entire situation.

The fieldwork was undertaken by two research teams and took place between 20 June and 13 July 2004. The team covering the southern sites of Teknaf and Chunati was involved field staff from NACOM and CODEC, and the team focusing on the northern sites of Lawachara, Rema-Kalenga and Satchuri was undertaken by field staff from NACOM and RDRS. The methods used included household interviews, and informal and focus group discussions with Forest Department (FD) staff, key informants, and men and women from local communities inside and bordering the forest areas.

The structure of the report is as follows. Section 2 will provide an overview of the current status of the five forests, and will introduce what are seen as the primary causes of forest depletion in these areas. Section 3 will then go on to present issues relating to the extraction of forest products, including fuelwood, timber, bamboo and other non-timber forest products. Section 4 looks at issues of land encroachment, and the different ways in which forest department land has been taken out of forestry in the project areas. Section 5 then goes on to discuss, in more detail, underlying causal factors for the depletion of forest resources identified through the RRA and PRA phases – namely the existence of institutionalised corruption, poverty and unemployment in communities surrounding the forests, and issues relating to the resourcing and practices of the Forest Department itself. The final section of the report will introduce the future challenges and opportunities for the Nishorgo project.

I.1 LIMITATIONS OF THE FIELDWORK

The main limitation of field work was that it took place during the rainy season. This made working conditions difficult. In particular, it meant that the traditional PRA approach of participants working together to complete large scale matrices on the ground was impossible. Researchers recorded information in note form and completed matrices themselves either during the group discussion or afterwards. Therefore this work does not match the usual requirements of a PRA where information is analysed and owned by the participants. Conditions were particularly constraining for the field staff in the northern sites where flooding and bad roads meant access to remote areas of Rema-Kalenga was difficult. The difficulty of access and the time required to travel to the actual sites, meant that time actually collecting data was often limited to 4 or 5 hours a day. These difficult conditions also meant that accessing the forests to undertake transect walks, was also frequently impossible due to bad weather and impassable tracks. Again, this was particularly constraining for the work of Rema-Kalenga and Satchuri.

One problem that was particularly noticed in discussions with stakeholders around the Satchuri area, but must be considered a possibility for other sites as well, was that it was felt that people were not being honest

and open with the project team – almost as if there had been some kind of collective decision that only certain representatives from the community would speak. This has introduced a potential bias into the data collected. The reasons for the withholding of this information, and who was behind it, are, at present, unclear.

2. CURRENT STATUS AND TRENDS IN FOREST PROTECTED AREAS

2.1 THE EXTENT OF DECLINE OF FOREST COVERAGE AND QUALITY

All of the forests studied showed a trend of decreasing tree coverage, forest thickness and loss of wildlife compared to pre-liberation times. However, the forests of Teknaf and Chunati are more seriously degraded than the northern sites, areas of which are still in relatively good condition. It is estimated that some areas of Teknaf (Hnilla and Moddah Hnilla Beats in particular), and Chunati have almost no forest left other than at the side of roads and in small patches.

Lawachara is estimated to have lost approximately 20% of its forest cover completely, with another 30% of the area considerably thinned through logging and fuelwood collection. However, Rema-Kalenga WS and the proposed protected area of Satchuri still have an estimated 80–90% forest coverage. The suggested reason is that these areas hold low quality timber species and have not been targeted by illegal timber fellers. However, the quality of the forest in these areas is impacted by considerable amounts of fuelwood collection, affecting small trees and undergrowth.¹

Other factors which seems to explain why areas of good forest remain is the difficulty of access by loggers and encroachers (e.g. northern side of Rhykhong Beat, Teknaf, Rema-Kalenga), and in one case in Shamlapur Beat, Teknaf, the proactive protection of the forest by a local group of forest villagers (see box, p. 9).

All sites have reported the extinction of some large and medium size animals and a notable decrease in others.

2.2 DIRECT CAUSES OF FOREST DEPLETION

Across the forests of Bangladesh, it is almost impossible not to see or hear signs of human destruction — stumps of timber trees cut at shoulder height indicative of illegal hand felling, bundles of fuelwood being carried on the shoulder of a women or young boy, and tracks and roads enabling easy access routes and transport of forest products. There are also areas which have long since lost any signs of natural forest — padi fields, betel vines and even settlements (legal and illegal) are found on a walk through the ‘forest’.

The southern sites of Chunati and Teknaf are being destroyed through encroachment and land grabbing where vast areas of forested land are cleared overnight by armed gangs, to be replaced by agriculture, betel vines, and occasionally villages. In these areas the high quality timber has long since been cleared leaving the land itself as the most valuable commodity for exploitation.

In the north, illegal logging is the greatest problem, through a process often highly organised, providing high quality teak and *Dipterocarpus turbinatus* (garjan) to the furniture show rooms of Srimongal, Sylhet and Dhaka.

The collection of fuelwood and non-timber forest products, including bamboo and sungrass, is widely practised by local communities living in and around these forests, for both household use and income generation. While the cutting of young saplings and undergrowth species for fuelwood has an important impact on tree regeneration and forest thickness, in many cases collectors claim to take from the stumps and branches left on the ground by the fellers. The overexploitation of mooli bamboo and cane, much sought

¹ Timber quality in the surrounding Reserve Forests of these two PAs, however, is considered to be of much higher quality and value than that which is left in the PAs themselves.

after for building, fencing and mat-making can be directly linked to its almost complete disappearance in the southern sites, and decreasing abundance in the northern forests.

The hunting of wildlife was fairly widespread in the past, and is likely to have caused the decline of animals such as deer species, wild cow, and forest birds. However, habitat destruction and disturbance, plantation of exotic timber species and the fragmentation of undisturbed forest into isolated patches is also a major causal factor in the extinction and endangerment of mid-sized forest fauna such as the tiger, gibbon, meso bagh and wild dog. The extent of wildlife hunting today is very low.

The table below summarises the main causal factors of the decline of forest coverage and quality across the five project areas.

Issue	Teknaf	Chunati	Lawachara	Rema-Kalenga	Satchuri
Land encroachment	Now biggest problem	Now biggest problem	Limited	No	No
Fuelwood collection for HH use	Widespread	Widespread	Widespread	Widespread	Widespread
Fuelwood collection for income generation	Particularly when low employment, but often all year round by women / children	Particularly when low employment, but often all year round by women/ children	Particularly when low employment, but often all year round by women/ children	Particularly when low employment, but often all year round by women/ children	Particularly when low employment, but often all year round by women/ children
Illegal timber extraction for commercial sale	Less now, but was a major factor in forest decline	Less now, but was a major factor in forest decline	Now biggest problem	Now biggest problem	Now biggest problem
Bamboo / cane collection	Stocks mainly gone	Only limited stocks left	Yes – FD plantations	Yes – FD plantations	Yes – FD plantations?
Grazing of Domesticated Animals	Affects regeneration of trees and bamboo	Affects regeneration of trees and bamboo	Uncertain of extent... affects regeneration of trees and bamboo	Uncertain of extent ... affects regeneration of trees and bamboo	Uncertain of extent ... affects regeneration of trees and bamboo
Wildlife Hunting	Not any more	Very limited	No	No	No
Betel leaf cultivation	Through land encroachment uses bamboo and sticks from forest	Through land encroachment, uses bamboo and sticks from forest	Land allocated by FD	No	No
Collection of other products – honey, vegetables	Minimal impact	Minimal impact	Minimal impact	Minimal impact	Minimal impact

The following sections will provide more detail on these activities, identifying the processes and key stakeholders in the extraction of forest resources and encroachment of land based on the findings of the RRA and PRA research.

3. COLLECTION OF FOREST RESOURCES

While it is the poor and extreme (landless) poor who can be found in the forests collecting firewood and bamboo or felling trees, frequently these people are simply the labouring workforce of a highly organised group of businessmen who profit from the destruction of the forests.

Rates of extraction of forest resources have decreased in Teknaf and Chunati since the 1990s because valuable timber trees, bamboo and cane have become increasingly scarce. For example, villagers from Villagerpara, Aziznagar beat, Chunati explained how they now have to buy previously collected resources such as bamboo, because it is no longer available, and they have recently started homestead tree plantations to provide their own wood. However, while such resources are available, and there is no apparent risk of collecting, such activities are likely to continue until supplies run out. In the northern sites, widespread exploitation of forest resources is at its highest rate yet, particularly timber felling and fuelwood collection.

3.1 FUELWOOD COLLECTION

Local communities living in and around the protected areas are almost all completely dependent on the forests for household fuel supplies. In addition, many villagers collect fuelwood to sell in nearby markets as a means of increasing their income. This activity occurs all year round, usually by women and children, however, rates tend to be highest during the months of January to April (Poush to Chaitre), when seasonal unemployment is highest, access to the forest is greatest, and men will collect fuelwood as a means of secondary income. The source of the wood includes dead wood on the ground, remains of timber stumps, small trees and branches from living trees, particularly those with high flammability such as garjan. Often small trees are cut and left on the forest floor to dry and then removed, or stored within the villages until ready for use. It has been recorded that the extreme poor may use bark or twigs for their own consumption, collecting the higher quality wood to sell. The wood is taken to the local market where it is bought for use in local households, teastalls, hotels and restaurants, and brickfields, and sometimes bought by a wholesaler for transportation for sale in other areas.

Fuelwood collection is a reliable source of income, bringing in between 30 and 50 Tk a day (depending on the quality of the wood), and a low risk activity, with villagers from all five project sites experiencing no conflict with Forest Department staff over collection, other than a small daily fee of anywhere between 3 and 10 Tk a day.

However, there is also evidence of gangs of day labourers being employed by local businessmen or directly by local brickfield owners to collect fuelwood for use in the brickfields. Indeed, in Whykhong range, Teknaf, during the months of December to June, it is estimated that 80% of the fuelwood collected in the Game Reserve is collected for this purpose. The three brickfields situated within Chunati Wildlife Sanctuary, have recently started collecting fuelwood from other nearby forest areas (e.g. Chokaria, and Bandarban) due to the dwindling supplies available locally.

The research team met a boy of 11 years old from Villagerpara – a Forest Village situated within Chunati Wildlife Sanctuary. Every morning he accompanies his father into the sanctuary. While his father tends to his crops, he will collect firewood from the surrounding forest, returning to the village, with a shoulder load (or tara) of wood, which he will be able to sell in Chunati market for about 40 Tk.

3.2 ILLEGAL TIMBER FELLING

Probably the most damaging impact on the remaining forested areas is the illegal felling of valuable timber trees such as garjan and teak. In the northern sites in particular, timber felling is widespread and occurring at

increasingly unsustainable rates. One local newspaper — the Weekly Srimongal Cithi (18 June '04) — included a report that during the six months of December 2003 to June 2004, 250 crore of timber was taken from Rema-Kalenga Reserve Forest area. While the motivation and objectivity of this news source is not clear, it is nevertheless true that logging in the region is fuelled by the huge profitability of timber, complicity of elite stakeholders, and the failure of the prosecution system to stop those ultimately responsible (see Section 5.1).

Unlike the mainly individual practice of fuelwood and bamboo collection, timber felling is often highly organised. The actual felling is carried out by gangs of anywhere between 5 and 50 people, usually from villages surrounding the forest (in Teknaf and Chunati these gangs are usually either forest villagers or Rohingya refugees). These gangs may be self-organised, but are sometimes hired by timber felling syndicates (consisting of two or three local illegal businessmen), or mohalders (who also have legal rights to collect timber from Reserve Forest areas through the FD's auctioning process).

The process of illegal timber felling appears to occur three ways:

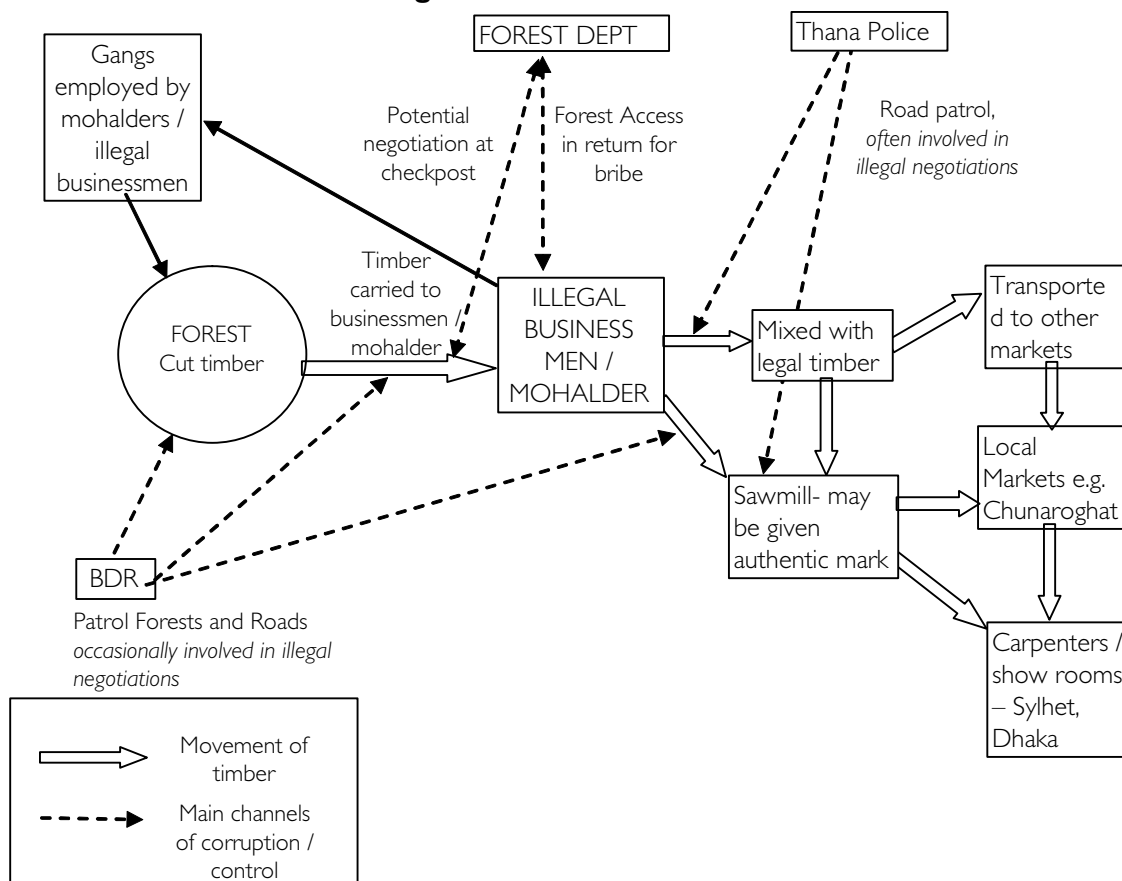
- Groups of poor people from villages inside or around the forest, who collect timber without any prior negotiation with the Forest Department;
- Groups of poor people from villages inside or around the forest, with collect timber after prior negotiation with the Forest Department; and
- Groups of poor people employed by a middle man (a dishonest mohalder or businessman), after negotiation with the Forest Department.

In Rema Kalenga and Satchuri Reserve Forests (including the project areas), the process of illegal timber extraction tends to be closely associated with the legal auctioning of timber licenses to mohalders to cut areas of the surrounding reserve forests. It is alleged that Forest Department staff allow mohalders to go into the forests not only to measure the trees they are legally entitled to, but to assess other areas where they also will cut. The illegal timber can then be mixed with legally felled wood and directly transported to local markets, distant markets or furniture makers.

These people have well-developed connections with transporters, sawmills and the police and Forest Department staff, to ensure the easy extraction, transportation and marketing of the timber. This activity is hugely profitable, with one cubic foot selling for between 150 and 300 Tk in the market, and the day labourers receiving between 150 and 200 Tk/day.

The following flow diagram summarises our understanding of this process:

Example Process of Illegal Timber Felling Organised by Local Businessmen / Mohalder in Rema-Kalenga & Satchuri Reserve Forest Areas



Self-organised gangs who do not negotiate directly with the Forest Department (FD) to extract timber from the forest, are at risk of forest cases against them. This strategy of timber collection is high risk, but the financial rewards seem to outstrip the risks, with people returning to the forests again and again, often to pay off previous forest cases. In one village on the outskirts of Lawachara forest, it is estimated that up to 300 people gain some income from illegal tree felling, with one individual has 60 Forest Cases against him, 15 of which are still outstanding. Between 20 and 70 people from each of the other 11 villages surrounding the forest are also involved in the process. These people often take the timber directly to sawmills or mohalders, where it is mixed with legal timber or given an authentic timber mark, before it is transported.

It is claimed, that Forest Department staff often have some involvement in the illegal logging process, and individual staff benefit financially, through negotiating access to the forest for the loggers and from the forest checkpoints. It is also alleged that Beat Officers sometimes pay large sums of cash to be posted in areas where they can benefit through such activities (i.e. the northern forests).

However, there is one case where members of a local community have mobilised to protect an area of forest holding high quality timber trees from outsider timber fellers. This case of the Bon Rokkha Committee is summarised below, and can be seen as a potential template for community protection of forest resources in the future.

3.3 BAMBOO COLLECTION

Trend analysis indicates that bamboo supplies have been pretty much wiped out in the southern forests, due to over-exploitation over the past 15 years, the Forest Department's plantation practices, and grazing pressure by domesticated animals preventing regeneration.

However, in the northern forests, bamboo collection is still a major income source for some villagers, for household use and sale in the market. Bamboo has an important role in providing support and shade for betel vine and vegetable cultivation, fish traps, fencing, and for weaving into mats and roof structures. Unlike fuelwood, bamboo tends to be collected by both men and women, with one bundle of bamboo (depending on width and length) earning up to 200 Tk in the market. The Tipra communities around Lawachara and RK collect bamboo for mat making (selling each mat for 7 or 8 Tk to a mahajon who will get up to 30 Tk in the markets). However, the demand for bamboo outstrips its availability, raising concerns that in the future, bamboo stocks in the northern forests will follow the same fate as those in the south.

While stocks of *mooli* bamboo are decreasing, the Forest Department has planted areas of *jai* and *tengra* bamboo in the Reserve Forests, which are auctioned by the Forest Department to mohalders. In one year, in Satchuri forest, despite almost no naturally occurring bamboo left, the Forest Department sells 7,000 – 10,000 pieces of planted bamboo. The bamboo is then sold in the local markets of Teliapara or Chunaroghar where it is transported to areas such as Hobiganj, Comilla and Madhapur, and used for building, fencing, banners, or made into paper.

One example of local communities mobilising to protect their forest comes from Teknaf where the Bon Rokkha Committee was set up by Forest Villagers in Shamlapur to protect the forest from outsiders illegally logging an area of the Game Reserve near their village. There are 20,000 gorjan trees found there, and because of the geographical position of the village (on the edge of the reserve, near the trees which are on the other side of a hilly area from other villages), these villagers would have to be complicit in any deforestation. Otherwise, it would be too difficult for people to extract the trees in one day (9 km from a local tree cutting syndicate). The committee is composed of the village headman and other important villagers such as a doctor, businessmen, UP chairman etc.

3.4 OTHER FOREST PRODUCTS

While some forest villagers do collect vegetables and honey from the forest, this does not appear to have a huge impact on the forest. Recent increases in homestead gardening following government awareness programmes, has meant that many villages grow their own vegetables.

The hunting of wildlife was fairly widespread in the past, particularly in the Chunati forests, for sport and food. However, in these areas hunting is limited, mainly due to the decline of wildlife species in the forests. The impact of hunting and collection of wildlife on the biodiversity of the forests has not been determined.

3.5 GRAZING OF DOMESTIC ANIMALS

Grazing pressure is greatest in the southern forests, mainly because more people live in and around the forest areas. Grazing of cows, buffalo and goats reduces the natural regeneration of plant species, and is thought to have a particular impact on the regeneration of bamboo species. Grazing occurs particularly during the rainy season when there is no rice straw on which to feed the animals, and by people who have no land of their own.

4. FOREST CONVERSION THROUGH LAND ENCROACHMENT

Stopping the conversion of land from forestry to agriculture, settlements or scrub is probably the greatest existing challenge for the project in Teknaf and Chunarati forests. The process of encroachment started even before the Liberation War, but at present the rate is extreme. Other than one incident in Lawachara National Park, where 500 acres have been encroached into the forest around Bagmara village, encroachment is not a problem in the northern forests. There are several apparent reasons for this. Firstly, and most importantly, the law and order situation at the southern sites is far more precarious than at the northern sites. In addition, the project areas are also surrounded by a greater area of reserve forest than the southern sites. In Rema-Kalenga, the Forest Department claim to be very aware of the encroachment problem, and always act quickly to stop any encroachment, whereas in the south, such a response is either not feasible or not attempted. While the Forest Department acknowledge the problem in the south, the information they hold is a huge underestimation of the extent of the problem (possibly up to 10 or 20 times lower than actual rates), and there is evidence that these encroachment figures are influenced by corruption amongst some members of the Forest Department staff.

There appear to be five main causes of forest encroachment in the southern forest areas:

- Legal encroachment by Government
- Elite led land grabbing and conversion to settlements, agriculture or aquaculture
- Settlements created by Rohingya refugees
- Encroachment by Forest Villagers as population increases
- Betel Leaf Cultivation

4.1 LEGAL ENCROACHMENT BY GOVERNMENT

Teknaf Game Reserve and Chunarati Wildlife Sanctuary both include areas where the Government has taken land out of the control of the Forest Department and handed it over to the Ministry of Land for other use. Examples include two UNHCR refugee camps housing 20,000 Rohingya refugees, a tourist hotel, and a BDR company Headquarters within Teknaf, and a Government-sponsored village for up to 100 landless families (Guchagram) in Chunarati. However, some of these papers may be forged by the District Administrator for fishery development, and for brickfields within Forest Department land.

One forest village in Teknaf invited four Rohingya families to construct homes on the four corners of land they had encroached around their village. In this way the villagers were provided free protection of their land, and hoped to avoid prosecution due to a more sympathetic eviction policy towards refugees.

4.2 LAND GRABBING BY ELITES

The process of land grabbing is organised by highly influential local elites, and at present the Forest Department is unable to act to prevent its occurrence. This is particularly an issue around Chunarati, where the activity is seen as a sign of the power of the individual responsible and is indicative of a lack of respect for Forest Laws and the Forest Department. Indeed, this lack of respect has

been taken to an extreme in the grabbing of land immediately in front of the Whykhong Range Office in Teknaf, by a well-known local elite. There is also an example of land in Teknaf Game Reserve being converted to an unregistered refugee camp.

The stages of the land grabbing process are summarised below:

1. Land to be encroached is identified.
2. Intelligence gained about Forest Department patrolling and other activities (often from Forest Villagers).
3. Intimidation or negotiation with Forest Officers to ensure they do not interfere with the clearance.
4. Hiring an armed gang of labourers (often Forest Villagers, or Rohingas in Teknaf) to go into the forest area at night.
5. Land clearance – removal of valuable timber to be sold by the organisers (if there is any forest there), followed by the burning of scrub.
6. Land conversion – hundreds of landless people move in, converted to betel vine cultivation or used for aquaculture.

The individuals behind this activity are powerful — more powerful than the Forest Department — with connections to people in politics and government, making the likelihood of a successful Forest Case against them low.

4.3 SETTLEMENT OF ROHINGA REFUGEES

One huge problem particular to Teknaf is the settlement of Rohingya refugees from Myanmar within the Game Reserve boundaries. It is estimated that there are more than 100,000 refugees living in Teknaf outside the official refugee camps. The political sensitivity of the refugee issue and frequent links to local elites makes eviction very difficult for the Forest Department. The example given below indicates how people may provide refuge for Rohingas through encroachment of their village, while using them to protect the additional land.

4.4 ENCROACHMENT AROUND FOREST VILLAGES

Forest Villages were set up the mid-1920s, by the Forest Department who leased small areas of land (2 acres) to a certain number of households within the Reserve Forest area. In return, the villagers are expected to help the Forest Department (FD) on the plantations and undertake other duties, such as regular patrolling. The PRA research has indicated that these villages are playing an important role in the destruction and potentially the protection of the forests.

Under the Forest Village agreement, families have only a limited land area per household. So, as the population increases, their demand for land increases. While there is minimal encroachment around Forest Villages in the northern forests, many villages inside Teknaf and Chunati have slowly expanded into the surrounding forest area. It was suggested that some of these encroachers in the southern forests pay a sum of money to the local Forest Department Beat Officer to avoid a forest case being written against them. At the same time, there is evidence of encroachers actually inviting

A former ACF near Chunati told this story. In the 1980's, he was requested by the then CCF to report the names of all encroachers in then newly-created Chunati Sanctuary. The ACF wondered how he would get these names for submission to his CCF. Upon asking one of his Beat Officers, the Officer told him: 'Boss, it is very easy to get the names. Do you see the people in line in front of my office? They are all asking me to write forest offences against them for encroaching in the Sanctuary.' Those local citizens were smart enough to realize that such a formal offence filed by the FD would -- in the future -- constitute grounds for a land claim. They were in effect gambling that any penalties from being reported as an encroacher would be less important than the potential future benefit of being granted land.

the FD staff to bring a case against them, as such cases can provide proof in the future that an individual has a valid claim to the land (see box above).

4.5 SHORT-TERM AGREEMENTS WITH THE FOREST DEPARTMENT FOR BETEL LEAF CULTIVATION

In Teknaf and Chunati it is alleged that the Forest Department staff make illegal agreements to lease out land on short-term agreements to local people for betel leaf anywhere between 6 months and 4 years and then return the land to the Forest Department. Growers have to pay 100–500 Tk to the FD depending on area of land used. All types of people undertake this activity — from poor to the rich, cultivating different areas of land depending on their wealth. It is estimated that 95% of betel vine cultivation in the Chunati area occurs within the Wildlife Sanctuary Area.

5. UNDERLYING SOCIAL AND POLITICAL CAUSES OF FOREST DECLINE

Despite obvious differences in the direct causes of forest degradation between the northern tropical forests of Lawachara, Rema-Kalenga and Satchuri, and the southern coastal forests of Teknaf and Chunati, underlying these practices is a system of destruction with its basis in unequal power relations and corruption, where the Forest Department is unable and/or unwilling to control the illegal actions of stakeholders. Broadly speaking, the social actors involved can be grouped into three types:

- The powerful and well-connected elites or businessmen — more powerful than the Forest Department,
- The poor and extreme poor living inside or surrounding the forest — reliant on the forest for their household needs and income, often as illegal timber fellers or fuelwood collecting gangs,
- Forest Department staff — with limited resources or motivation to enforce Forest Laws.

The situation is also underpinned by the problem that the attitudes of stakeholders towards these protected areas seems to be one of a resource to be exploited, rather than something to be protected for the long term and for its intrinsic worth (as represented by the Wildlife and Conservation legislation underpinning the National Park, Wildlife Sanctuary and Game Reserve designations). At present, powerful stakeholders are able to exploit the public resource of the nation's forests for their own private gain. The construction of the forests as a resource is also reflected in the ethics of the Forest Department staff, who have traditionally managed the forests for the provision of high quality timber. The culture change to a system of biodiversity protection under the Wildlife Division is occurring slowly within the FD.

However, firstly, and most obviously is the failure of the existing legal mechanisms for the protection of the forests, and this will be discussed first with examples from the PRA findings.

5.1 FAILURE OF EXISTING MECHANISMS FOR FOREST PROTECTION

The Forest Department has legal powers to write forest cases against those found illegally removing resources from the forests. However, it is apparent that this system is not functioning well, with cases frequently not making it to court, or being delayed or dropped as a result of interference and pressure by local elites. Forest Department staff claim that some of the practicalities of the prosecution process makes it difficult for them to prosecute — notably the costs of the court process (including the costs of travelling to court, which is not provided for the Forest Department staff). As a consequence, the Forest Department staff tend to make a pragmatic assessment based on their likelihood of winning the court case, before going ahead with a case.

Unsurprisingly then, the majority of forest cases are made against poor people rather than elites. As a result, the underlying cause of the problem is not really solved, and indeed, there are indications that the prosecution of the poor perpetuates their reliance on the exploitation of forest resources. One village around Lawachara National Park, Bagmara, has around 500 forest cases against its inhabitants, with one particular individual having more than 60 cases, 15 of which are outstanding. These people have no other means of paying the fines other than to return to the forest to collect more timber. The prosecution of poor timber fellers has been identified as one of the key driving factors underlying forest destruction in the northern sites. Despite

this, some people think that the fines are not an adequate disincentive, because the financial benefits from taking timber still outweigh the resulting fine.

Underlying the failure of Forest Department staff to stop those people driving the exploitation of forest resources is the risk of intimidation and personal harm. Most of the gangs who operate in the forest are armed. Therefore, there is a risk of conflict and gunfire. A Beat Officer was killed in Teknaf in early 2004. It is not uncommon for Forest Officers to put in forest cases against individuals only when they change jobs and have moved away from the locality, because they are scared of personal attack. The failure of the protection system is also occurring at an earlier stage in the process — checkpoints along major transport routes into and out of the forest do not always function well, and forest patrolling is often minimal, if at all. For example, the patrol post at Karontoli, Teknaf, was found to be operated by two staff, with no vehicle for patrol, and staff who were physically unfit to move around the forest.

Another problem is a lack of coordination and transfers of information both between Forest Department staff and between the FD and other Government institutions. The Beat Officer from Chunati Beat claimed insufficient records of encroachment activities had been left by his predecessor for him to initiate a prosecution process. Forest Department staff also cannot rely on support from other Government agencies such as Ministry of Land, Police, BDR, etc. In fact, often these interests operate against forest protection because individual officers can personally benefit from illegal extraction processes. An example of this comes from Hnilla beat in Teknaf, where the Forest Department is unable to evict illegal sawmills from inside the Game Reserve because police are not cooperating, despite a legal obligation for them to support the Forest Department.

The Bangladesh Rifles (BDR) do support the work of the Forest Department in some cases. They have a role patrolling the forests and major transportation routes near the Indian / Myanmar border (i.e. Teknaf, Rema-Kalenga, Satchuri). There are examples from both the northern and southern sites of the BDR both helping (by patrolling with the Forest Guards) and hindering (accepting bribes) forest protection. Their role is seemingly dependent on the attitude of the particular camp commander and relationships with the Forest Department.

Another system that is no longer functioning in the southern forests is the role of Forest Villagers as patrollers and protectors of the forest, despite it being part of the reciprocal agreement for the land's lease. There is some uncertainty as to why this relationship has broken down in these areas, with Forest Villagers in Teknaf arguing that the Forest Department no longer asked for their help, and the Forest Department claiming the Forest Villagers demanded food for each individual involved every time they patrolled (a cost beyond the capability of the FD). One likely reason that the Forest Villagers no longer actively participate is that the FD now has little leverage in asking them to do so. The FD no longer has the *de facto* authority to cancel their status as 'Forest Villagers', and the Villagers in some cases exploit this to engage freely in illicit activities. Also likely to be a factor in the breakdown of this system is that the Forest Department staff are aware that the information held by Forest Villagers about the timings and location of patrols is valuable to those interested in illegal timber felling or encroachment, and that Forest Villagers are frequently complicit in these activities and may negotiate directly with Forest Department staff to do this.

5.2 POVERTY, UNEMPLOYMENT AND THE EXTRACTION OF FOREST PRODUCTS BY LOCAL COMMUNITIES

Forest Villagers and the extreme (landless) poor (a higher proportion of which appear to be from local ethnic minorities) are particularly dependent on forest resources for their livelihood — 'we have no land, no opportunities for work, we are dependent on the forest.'

Forest Villagers in particular, are often very isolated, with limited access to schools or healthcare facilities or alternative income opportunities. This difficulty of access is particularly noticeable in Rema-Kalenga, which due to its unsealed access roads is difficult to reach by vehicle during the rainy season, with Debrabari (right on the Indian border), almost impossible. Literacy rates are low and opportunities for employment limited.

These people are reliant on the forest for their household needs (such as fuelwood, bamboo and in some cases vegetables and meat). In the Forest Villages of the northern forests, the local communities claim not to collect from the forest for income purposes and have no conflict with the Forest Department. However, in the southern areas many Forest Villagers are also dependent on the forest for their income. These people, and poor people from villages surrounding the forests across all of the project sites, have an impact on the forest area through encroachment as their population increases (southern sites), collection of fuelwood and bamboo for household use and selling, fuelwood collection and timber felling (either self-organised or employed as labourers by others), and use of the forest land to graze their cows and goats. Use of the forest increases during periods of seasonal unemployment, where men, as well as women and children will rely on the forest for their income.

These people are often vulnerable and can easily be exploited for use as day labourers to undertake illegal resource extraction from the forests, despite the huge risks it entails from Forest Cases. Villagers from Guchagram in Chunati Wildlife Sanctuary had to leave their homes and families after receiving a Forest Case which they would be unable to pay. It is thought that with the option of alternative income opportunities with fewer risks, many of these villagers would stop their involvement in these illegal activities. However, there is evidence of some villagers effectively being given no choice about their participation in these gangs — men from Arutala and Atikpur around Rema-Kalenga, are paid 200 Tk/day as day labourers for illegal felling of the Reserve Forest, but if they do not show up they must pay the businessman organising the felling 100 Tk.

However, local communities are not always powerless. Examples have been found of cases where local communities have mobilised to protect forested area — the Bon Rokkha Committee discussed in the previous section on timber felling — but also against the Forest Department, as shown in the following case example, also from Teknaf; and against the Wildlife Sanctuary, by the leafleting campaign started in Chunati in March 2004 (although this was led by local elites).

An event in 1983 led to spiralling deforestation by villagers in Hnilla Beat, Teknaf. Forest Department staff arrested some individuals for tree felling, but the villagers mobilised, surrounded the foresters and attacked them, claiming they had been given permission to cut and the Forest Department had breached its agreement. The solution offered by the local Union Parishad chairman was that the community should be allowed free access for a one-month period. However, after this date the deforestation never stopped.

The use of Rohingya refugees is a particular problem in Teknaf Game Reserve. The number of refugees being held in official and unofficial camps has increased dramatically since 1992. It is estimated there are a total of around 100,000 refugees around the Teknaf area. They are given very little food and have few rights. They are favoured locally because they are cheaper to have as labourers than Bangalees. It is alleged that Rohingas from a UN camp near the Game Reserve pay 5 Tk a day to their guard to leave the camp, collect fuelwood from the forest to sell, and use it to buy curry and fish to feed their families.

5.3 THE ROLE OF ELITES

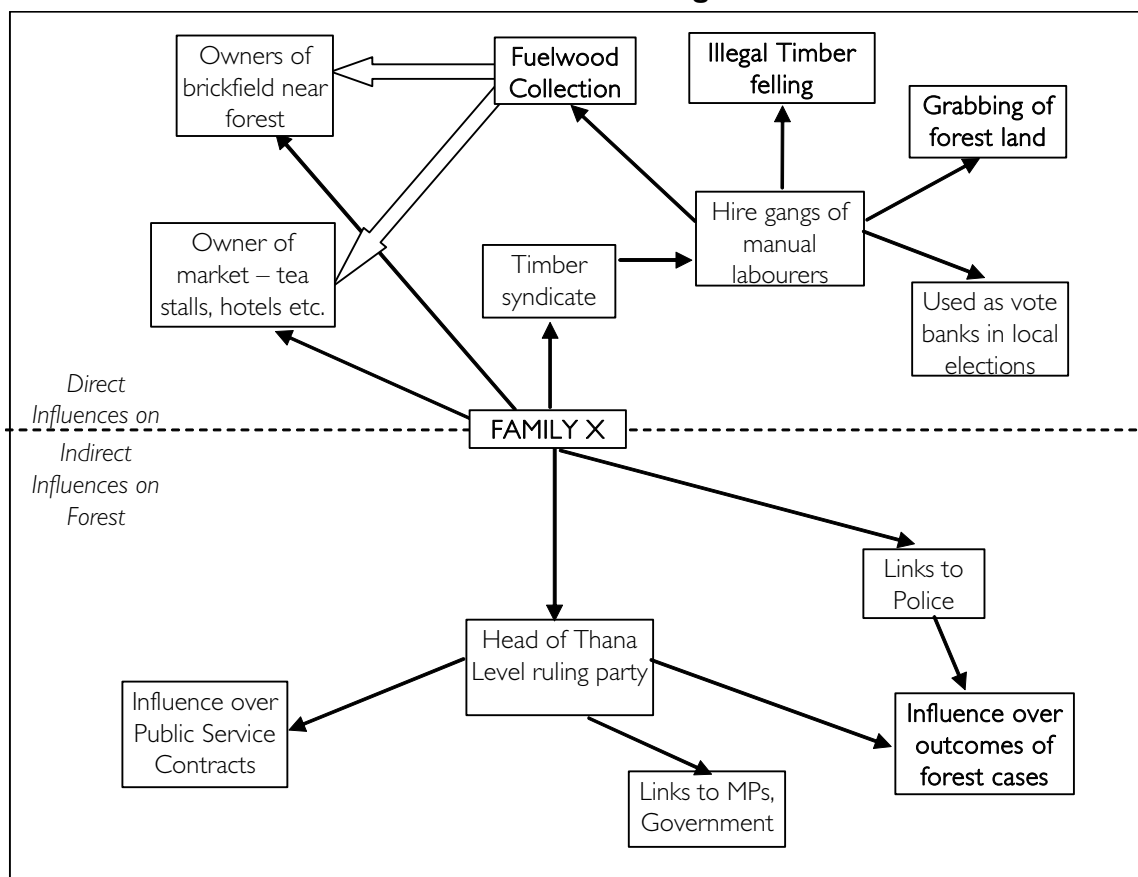
The situation at present in the forests of Bangladesh is that the public resources of the forest are being seen as a private resource that can be taken by those with the most power through a system based on intimidation and corruption. People from powerful families, and successful businessmen, are able to mobilise poor day labourers to act for them and avoid prosecution or any form of retribution.

They are able to exert their power through:

- armed gangs
- organised groups of supporters
- control over institutions
- political connections
- family lineages

This power is maintained and cemented through processes of patronage, kinship and marital linkages. The following diagram gives a hypothetical example of how any particular family — particularly in the southern sites — is able to, directly and indirectly, influence the management of the forest. Impacts can occur through directly commissioning encroachment, timber felling or fuelwood collection for their own benefit or use in their own establishments — such as the local market which they own, and the restaurants and teastalls within it, and indirectly by being able to influence the behaviour of Forest Department staff, and outcomes of Forest Cases through their association with other important people.

A Hypothetical Example of the Influence and Power of Elites in Relation to Forest Management



5.4 FOREST DEPARTMENT — BEHAVIOUR OF STAFF AND ATTITUDES OF STAKEHOLDERS TOWARDS THEM

At present, Forest Department staff find themselves in the difficult position of working in an environment where they hold little influence or respect within the local communities. Working conditions are often poor, and resources (including staff numbers) for patrolling limited. The Forest Department is seen as weak, with limited ability to protect the forests and whose behaviour is likely to be easily influenced by bribes. In some cases staff may find themselves with a choice of either trying to prevent or block illegal activities, and therefore risking their personal safety, or being complicit in the illegal activity and personally benefiting financially.

However, it is also apparent that some Forest Department staff are benefiting from encroachment, illegal timber felling and fuelwood collection. Almost every villager who collected fuelwood from the forests visited in the PRA process admitted paying a daily rate to the local Beat Officer. The research team were told of cases where Forest Department staff had made false Forest Cases against people in the Teknaf area. In this area it is also alleged that the only people who appear on the FD register of encroachers are those who have

not paid a bribe to the FD. It has even been alleged that as a result of the huge personal financial benefits that can be gained from these northern forests, Forest Department staff are prepared to pay huge amounts of money to receive a posting there.

However, there are also cases of the Forest Department making successful prosecutions of those acting illegally, such as the recent closure of sawmills surrounding the Lawachara National Park, and, during the PRA fieldwork, a raid on a sawmill in the Rema-Kalenga.

In relation to the aims and objectives of the Nishorgo Support Project itself, it was observed that not all of the Forest Department officers involved had a clear understanding of the boundaries of the project sites, the implications of the class of protection under which the forest area is classified, or indicated any sense of ownership of the project activities themselves. However all the staff co-operated with the proposed fieldwork and the field staff.

6. OPPORTUNITIES AND CHALLENGES FOR NISHORGO

6.1 THE FOREST DEPARTMENT

Within the Forest Department, efforts could be made to increase the knowledge of local Forest Department staff about the significance of the wildlife designations and introduce management practices accordingly. In addition, it is important to develop greater ownership of the project amongst Range and Beat Officers particularly and increase their direct involvement in future activities where appropriate. Finally, it is necessary to introduce mechanisms to ensure the enforcement and prosecution system functions effectively, and introduce incentives for Forest Department staff to stamp out illegal extraction.

6.2 LOCAL COMMUNITIES

Local communities have shown themselves to be capable of mobilising themselves both in support and against the forests, and the Chunati campaign against the Wildlife Sanctuary designation, could easily become more widespread if communities feel threatened that their access to forested land will be stopped without any alternatives provided. Alternative income generation schemes and homestead and bamboo plantation practices will decrease dependence on the forest for fuelwood and bamboo. Closer working with local communities in and around the forests needs to occur to increase their sense of ownership of the forest surrounding their land, and to develop incentives and awareness so they play an active role in its protection. One possibility is a renegotiation with Forest villagers to develop their capacity as protectors of the forest.

However, in relation to the fuelwood issue, in particular the introduction of alternative or more efficient fuel systems in households, tea stalls, hotels etc., will reduce the demand for fuelwood from the forests. In particular, the use of forest wood by brickfields need to be tackled.

6.3 ELITES AND BUSINESSMEN

Particularly in the southern sites, elites are playing an important role in forest encroachment and logging. A particular challenge for the project is to motivate these people to support the concept of protection, particularly highlighting the importance of these forests regionally, nationally and internationally. This is likely to require not only local-level initiatives, but larger-scale activities and initiatives by the Forest Department. Providing appropriate incentives and raising the profile of the project at regional, national and international levels will increase the profile of those people who are supporting and participating in innovative solutions to forest degradation.