****

**FINAL REPORT**

**FOREST GOVERNANCE STUDY**

****

Submitted to:

UN-REDD Bangladesh Programme Office

Ban Bhaban, Dhaka

**2018**

Contents

[Acronyms and Abbreviations 4](#_Toc520105365)

[Acknowledgements 6](#_Toc520105366)

[Extended Executive Summary 7](#_Toc520105367)

[Setting the Scene 7](#_Toc520105368)

[Selected Major Observations, Findings, and Recommendations 7](#_Toc520105369)

[1. Background and the Context 13](#_Toc520105370)

[2. Key Objectives of the Study 14](#_Toc520105371)

[3. Notes on Concepts and Connotations on Governance and Good Governance 15](#_Toc520105372)

[4. A Retrospect on Forest Governance in Bangladesh 18](#_Toc520105373)

[5. The Analytical Framework, Approach, and Methodological Considerations of the Study 21](#_Toc520105374)

[Formulation of an Analytical Framework 21](#_Toc520105375)

[The Research Approach 23](#_Toc520105376)

[Site and Case Selection 23](#_Toc520105377)

[Rationale for the Choice of Fieldwork Sites 24](#_Toc520105378)

[Data Collection Tools 25](#_Toc520105379)

[Major Stakeholders for Field Consultation 26](#_Toc520105380)

[Major Activities at the Inception Stage 26](#_Toc520105381)

[Format of FGD/Workshop Consultation and Deliberation 27](#_Toc520105382)

[Limitations and Scope 27](#_Toc520105383)

[6. Key Findings, Observations, and Associated Recommendations 30](#_Toc520105384)

[POLICY 30](#_Toc520105385)

[1.1. The historical legacy of custodial-commercial (‘revenue generation’) orientation, and the resultant alienation of local communities 30](#_Toc520105386)

[1.2. The pursuit of Revenue still continued (albeit to a lesser extent) 32](#_Toc520105387)

[1.3. Problems and implications of the revenue generation and utilization policy 33](#_Toc520105388)

[1.3.1. Possible Action Points 37](#_Toc520105389)

[1.4. The recent policy shift towards participatory (community-focussed) forest governance and its implications 37](#_Toc520105390)

[1.5. A degree of policy and institutional reform 39](#_Toc520105391)

[1.5.1. Possible Action Points 40](#_Toc520105392)

[1.6. The reduced priority and significance of forest sector in policy decisions and the associated implications 40](#_Toc520105393)

[1.6.1. Possible Action Points 43](#_Toc520105394)

[1.7. Policy decisions unreflective of field realities 43](#_Toc520105395)

[1.8. Problems with legal instruments for materializing the relevant policies 44](#_Toc520105396)

[1.8.1. Possible Action Points 45](#_Toc520105397)

[1.9. Overlaps, contradictions and lack of specificity among policy prescriptions 46](#_Toc520105398)

[1.9.1. Possible Action Points 46](#_Toc520105399)

[INSTITUTION AND CAPACITY 46](#_Toc520105400)

[1.10. The human resource crisis 46](#_Toc520105401)

[1.10.1. Possible Action Points 49](#_Toc520105402)

[1.11. Delay and procrastination in disposing of routine procedures 49](#_Toc520105403)

[1.12. Ineffective functional coordination and harmony among relevant government agencies 50](#_Toc520105404)

[1.12.1. Possible Action Points 51](#_Toc520105405)

[1.13. Grossly inadequate logistics and other material support 51](#_Toc520105406)

[1.14. Inadequacies in training and capacity 52](#_Toc520105407)

[1.14.1. Possible Action Points 53](#_Toc520105408)

[RESPONSIVENESS AND ACCOUNTABILITY 54](#_Toc520105409)

[1.15. Formation and consolidation of community-focussed governance institutions 54](#_Toc520105410)

[1.15.1. Possible Action Points 55](#_Toc520105411)

[1.16. Limited interaction between BFD and CBOs 55](#_Toc520105412)

[1.17. Limitations in monitoring and evaluation 57](#_Toc520105413)

[1.17.1. Possible Action points 58](#_Toc520105414)

[1.18. Social equity and gender considerations 58](#_Toc520105415)

[1.18.1. Possible Action points 59](#_Toc520105416)

[7. References and Bibliography 59](#_Toc520105417)

# Acronyms and Abbreviations

|  |  |
| --- | --- |
| ACF | Assistant Conservator of Forests |
| ADB | Asian Development Bank |
| AIGA | Alternative Income Generation Activity |
| ANR | Assisted natural regeneration |
| BFD | Bangladesh Forest Department |
| BCS | Bangladesh Civil Service |
| BFIDC | Bangladesh Forest Industries Development Corporation |
| BFRI | Bangladesh Forest Research Institute |
| BNH | Bangladesh National Herbarium |
| BIGD | BRAC Institute of Governance and Development |
| CBD | United Nations Conventions on Biological Diversity |
| CBO | Community Based Organization |
| CCF | Chief Conservator of Forests |
| CHT | Chittagong Hill Tracts |
| CMC | Co-management Committee |
| CREL | Climate-Resilient Ecosystems and Livelihoods |
| CSO | Civil Society Organization |
| CSR | Corporate Social Responsibility |
| DA | Daily Allowance |
| DC | Deputy Commissioner |
| DFO | Divisional Forest Office |
| D&D Study | Study on Drivers of Deforestation and Forest Degradation in Bangladesh |
| DoE | Department of Environment of MoEFCC |
| DU | University of Dhaka |
| FAO | Food and Agriculture Organization of the United Nations |
| FMP | Forestry Master Plan |
| GoB | Government of Bangladesh |
| ha | hectare |
| HQ | Headquarters |
| IPAC | Integrated Protected Area Co-management |
| IPCC | Inter-governmental Panel on Climate Change |
| LGED | Local Government Engineering Department |
| M&E | Monitoring & evaluation |
| MoEFCC | Ministry of Environment, Forests and Climate Change |
| MoF | Ministry of Finance |
| MoL | Ministry of Land |
| MoPA | Ministry of Public Administration |
| NAPA | National Adaptation Program of Action |
| NGO | Non-governmental organization |
| PA | Protected Area |
| PAs | Protected Areas |
| PFs | Protected Forests |
| PF | Participatory Forestry |
| REDD+ | Reducing emissions from deforestation and forest degradation in developing countries, and the role of conservation, sustainable management of forests, and enhancement of forest carbon stocks in developing countries |
| RF | Reserve Forest |
| RIMS | Resource Information and Monitoring System |
| SF | Social Forestry |
| SRF | Sundarbans Reserve Forest |
| TA | Travelling Allowance |
| UNDP | United Nations Development Program |
| UNFCCC | United Nations Framework Conference on Climate Change |
| UP | Union *Parishad* (council) |
| UN-REDD | United Nations REDD+ Programme |
| USAID | United States Agency for International Development |
| USF | Unclassed (unclassified) State Forests |
| VCS | Village Common Forests |
| WB | World Bank |

# Acknowledgements

I would like to thank all those who assisted with the Study and the preparation of this Report. In particular, I wish to record my appreciation for the concerned officials of the MoEFCC, BFD, and UN-REDD Bangladesh Programme Office for their support and valuable insights. The help and cooperation of the officials at the BFD and other GoB offices during the fieldwork, especially the relevant colleagues who accompanied me to the field, are gratefully acknowledged. The interview and workshop respondents, who so kindly spared some of their precious time and ideas, deserve a special word of thanks.

I owe to many persons and institutions, especially the above, in conducting this Mission. The limitations of this Report, however, are my responsibility.

*Professor Niaz Ahmed Khan, Ph.D.*

Senior Expert on Forest Governance

UN-REDD Mission on the Study of Forest Governance in Bangladesh

Camp: Forest Headquarters, BFD, Dhaka, July 2018

# Extended Executive Summary

## Setting the Scene

This Report documents the overall experiences, findings and recommendations of the Study on Forest Governance in Bangladesh. This research aims at (i) reviewing the specific governance issues related with forest management in Bangladesh – especially in light of the ones identified by the earlier UN-REDD Study on ‘Drivers of Deforestation and Forest Degradation in Bangladesh’ and selected other past studies; (ii) exploring the underlying challenges that affect the governance performance; (iii) analyzing the dynamics of weak governance; and furnishing some pertinent recommendations.

The major data collection tools included systematic review of the key literature, desk survey of the key official documents and records, focus group discussion, informal interviews (including key informant interviews), and personal (uncontrolled) observation. Based on some specific criteria and stakeholder consultation, fieldwork was conducted in Dhaka, Gazipur, Mymensingh, Tangail, Chittagong, Chittagong Hill Tracts, Cox’s Bazar, Noakhali, and Sundarbans - broadly covering such national forest categories as Plain land Sal, Coastal, and Hills forest zones.

## Selected Major Observations, Findings, and Recommendations

In following the Analytical Framework of the Study, the following observations and associated recommendations (‘Possible Action Points’) are presented under three broad (sub)sections; i.e. issues related to Policy, Institution Capacity, and Responsiveness and Accountability.

***POLICY***

**The historical legacy of custodial-commercial (‘revenue generation’) orientation, and the resultant alienation of local communities**

* Until the recent decades, state forest policies and strategies manifested two dominant trends: (i) a revenue earning and commercial orientation, and (ii) the resultant progressive alienation of local communities from forest governance. The implications for these historical trends include: (i) the constant pursuit of revenue generation overshadowed the broader ecological and landscape based perspective of forest management; (ii) created a degree distance and enmity between BFD and the local communities; and (iii) posed difficulties in developing and sustaining local institutions and community based forestry practices.

**Problems and implications of the revenue generation and utilization policy**

* The field officials note that (i) there is hardly any systematic consultation with the field officials in setting these targets; (ii) there is no institutional mechanism of reward or recognition for achieving the revenue target; and (iii) despite dire needs and demand in the field, there is no provision for reinvesting a part of the revenue generated for the development of the concerned field office(s).
* Budgetary allocations, especially to the Divisions, fluctuate considerably over time, and there is major inconsistency in the two key ‘heads’ of budget – Development and Revenue – making it difficult to conduct any regular planning and associated resourcing exercise under these circumstances of fluid and inconsistent resource inflow.
* There is also drastic imbalance in the ratio of revenue (resource) allocation between routine establishment (overhead) and productive activity (program) heads. Substantial portion of the resources is used in overhead and establishment, and the mainstream productive activities (i.e. plantation, seedling raising, other forestry activities) receive relatively insignificant allocation.

Possible Action Points

* It is imperative to carefully review, and synergize the Revenue and Development heads during the allocation process. A greater degree of consultation and interaction between the directorate/departmental entity (BFD, BFRI etc.) and the Ministry (MoEFCC) (via Ministry of Finance) would be useful in order to harmonize the (entity level) needs and plans with central resource allocation.

**The reduced priority and significance of forest sector in policy decisions and the associated implications**

* Notwithstanding rhetorical statements in policies, there has been an increasing trend in transferring substantial volume (150,132.289 acres) of forest land (under the purview of BFD) to a range of public organizations.
* In the recent months, however, (i) a strong emphasis has been laid on compensatory measures while transferring forest land to other agencies; (ii) there have been heartening examples of recovery of ‘encroached’ lands in different parts of the country; (iii) relatively stronger monitoring of the field situation at the BFD headquarters in the recent months; (iv) under the guidance of the honorable Minister of the MoEFCC, a specialized Committee at the Divisional level convened by the concerned ACF has been formed to address the cases of forest land transfer and encroachment; (v) greater interest on the part of the Ministry concerning the BFD land issues.

Possible Action Points

* In cases of national urgency and priority, forest land transfers may be allowed only with necessary clearance (e.g. NOC) of the BFD, due diligence of standard procedures (including de-reservation in appropriate cases), and formal approval of the head of state.
* In the case of allocating forest land for state needs and in approved projects: (i) Allocation of equivalent land elsewhere for plantation may be seriously considered; (ii) Payment for ecosystem services and compensation for Biodiversity loss that may be used for Restoration and Afforestation in other areas.
* The above noted recent good practices – especially the provision of substantial compensation for the transfer of forest land in unavoidable cases – should be zealously pursued and continued.

**Policy decisions unreflective of field realities**

* Policy decisions at times are not in conformity with, and tuned to the field realities. Examples include: the ‘Ban’ or moratorium on timber extraction (has done little to stop or reduce illicit commercial logging and led to other complications); and the convention of giving priority to the already existent occupants (often illegal squatters) in allotting *khas* lands (has encouraged a section of the local people under the patronage of politically powerful quarters to encroach on public lands by clearing off forests).

**Problems with legal instruments for materializing the relevant policies**

* The legal instruments that are designed to put the relevant policies into action remain vague and disjointed – leading to such complications as: (i) the legal process and procedure of the declaration of Reserved Forest (RF) land remain incomplete; (ii) although chunks of land have been assigned to BFD in paper (i.e. *khatian*), forest lands have not been physically demarcated and specified; (iii) as a result of these uncertainties and vagueness in the land record and management, BFD is finding it difficult to establish their custodianship and legal authority over the land, and there are reported cases of lands that are claimed by the BFD being reassigned by the DC’s office to other parties through the ‘settlement’ process.

Possible Action Points

* The above complications related to law and legal processes (concerning the application of the laws in the field) need a thorough expert review.
* It is imperative to take immediate measures towards strengthening the BFD Legal Unit – including making provision of dedicated lawyers with specialized expertise and skills on the subject – together with basic logistical services.
* The process of completion of the on-going and pending Reservation process needs to be expedited.
* Special attention/caution should be exercised by the relevant Collectorates (Deputy Commissioner offices) while allotting/resettling forested land (often PFs) recorded in *Khas* (*Khatian* 1) for non-forestry use.
* The Government may consider appointing some appropriately qualified and experienced officials of the position of Deputy Secretaries (DS) as Forest Settlement Officers (FSO) on an emergency basis under the Deputy Commissioner (DC) in the major forest zones (especially in hill, *Sal* and coastal forest zones) dedicated only for settling the forest land reservation processes so that under the supervision of DC, FSO can complete forest settlement processes, demarcate the forest and *khas* lands and update records accurately.

**Overlaps, contradictions and lack of specificity among policy prescriptions**

* Several cases of overlaps and conflicting provisions among policies and rules (especially concerning the Forest Policy 1994, Land Use Policy 2001, Coastal Zone Policy 2005, Industrial Policy 2010, Fisheries Policy 1998 and Agricultural Policy 2006) are noticeable in the field.

Possible Action Points

* While formulating policies, it is crucial to examine the existing body of relevant policy documents to avoid overlaps and contradictions.
* A ‘synergy review’ of existing policies concerning the broader NRM sectors should be commissioned with a view to identify discrepancies and bringing in a degree of uniformity and synergy in the relevant provisions and prescriptions.

***INSTITUTION CAPACITY***

**The human resource crisis**

* The current status and associated complexities regarding human resource are dangerously volatile, and the critical ones for REDD governance include: (i) the size of the BCS (Forest) cadre has gone down to just 114, as there has been no recruitment between 1986 and the BCS Forest 22nd batch; nearly one third of the cadre positions currently lie vacant. Indeed, this situation pervades over other key public institutions in the forestry sector: while BFD has 24% of all posts vacant, vacancies in BFRI, BFIDC and BNH are 33% 44% and 30%, respectively. (ii) BFD cannot fill in the vacant positions, as the recruitment has been postponed due to the declaration of the Recruitment Rules as null and void by the relevant authority. The original BFD Officers and Staff Recruitment Rules 1985 and the subsequent Revised Rules 1995 ‘ceased to remain functional’ as the Honorable Appellate Division of the Supreme Court scrapped the 7th Amendment of the Constitution of Bangladesh (via the disposal of the Civil Appeal 48/2011). The Department, of late, initiated the process of drafting a new recruitment rule which also is currently facing serious complications; (iii) the relatively experienced officials and staff are retiring in large numbers – leaving a serious gap in the institutional memory and cumulative experience; given that recruitments have not been done in regular intervals over the years, currently this cavity has assumed an alarming proportion. Most of the remaining senior officials will retire by 2018, and the situation no better in the field: out of the 209 Forest Rangers on BFD’s employment records, 187 will retire by 2020. (iv) a series of HR-related litigations and court proceedings have further clogged the situation; and (v) inadequate technical capacity, insufficient funding, and a near-absence of the practice of systematic HR planning and long range strategizing – are some of the other most notable constraints that thwart smooth governance.

Possible Action Points

* Institutions a central HR strategic planning process at BFD headquarters: The emphasis should be on long range HR strategic planning in regular consultation and communication with the relevant ministries (especially MoEFCC, and subsequently MoPA and MoF).
* Given the high level of complexity of HR, it is urgent to maintain the tempo and perseverance in following up and pursue the legal process towards resolution. The immediate needs include: steps towards (i) vacating Writ Petition 15191/2016; (ii) following up with the ‘new organogram’ revision exercise with MoPA and MoF.

**Ineffective functional coordination and harmony among relevant government agencies**

* There are frequent examples and cases of inadequate (or lack of) ineffective functional coordination and harmony among relevant government agencies.

Possible Action Points

* Centrally issued formal directives and decisions regarding the functional coordination and mutual support for forest management among relevant government agencies already exist, as it is evident from the above. These directives now need to be regularly followed up and monitored for actual compliance and implementation in the field through such possible steps as (i) periodic follow-up by the concerned authorities (e.g. the Parliamentary Committee, MoEFCC) to check progress of implementation of the relevant decisions; (ii) Field BFD offices may record relevant incidences of non-compliance for reporting back to the concerned authorities; (iii) BFD may organise briefing for the field offices of concerned agencies about these central decisions by utilizing such consultative platforms as the Monthly Development Coordination Meeting at the DC’s and/or UNO’ offices.

**Grossly inadequate logistics and other material support**

* The logistical and other support-resources remain at a bare minimum level, and fall far below the requirements in the nearly all offices – especially in the field.

**Inadequacies in training and capacity**

* The level and extent of training have remained generally inadequate compared to the volume and complexity of the Department’s work and the actual demand in the field.
* The key aspects of governance – notably land management , policy and regulatory regime - have received inadequate focus over the years.
* There has been a degree of attention to training in participatory forest governance since 2010; the extent of training on nursery and plantation management has been relatively consistent.

Possible Action Points

* While designing training programmes, such key aspects of forest governance as land management , policy and regulatory regime should receive priority.
* As far as possible, the training contents and literature should use visual and pictorial materials as well as physical demonstrations, where applicable.
* Wherever possible, the training sessions should be arranged and organised locally -- close to the targeted field offices and communities based on the prospective participants’ convenience and opinion.
* Systematic and regular consultation with the targeted participants of the training programmes should be done before designing and/or implementing any training scheme especially its contents, time and location.
* Women should be given preference or at least equal opportunity in availing various skills development training and associated inputs and facilities.

***RESPONSIVENESS AND ACCOUNTABILITY***

**Formation and consolidation of community-focused governance institutions**

* Since the intensification of participatory and co-managed forestry, community-based institutions (PF ‘local beneficiary groups’, Co-management institutions in the Protected areas) have been formed and experimented with a varying degree of effectiveness.
* PF clearly benefited the participants in the form of cash income; however, the extent of community participation has been somewhat limited: members of communities – especially women have little or no role in the formulation stage of the projects, and in the key operational decisions; their engagement has mainly been in the forms of labour inputs to the plantation and associated physical implementation activities.
* PF and Co-management programmes have contributed to the increased social status and recognition of the participating farmers.
* Collective activities seem to have intensified as an effect of the participatory programmes. In a few instances, the participants have emerged as a `power group’ in the local government elections and, therefore, have received increased attention from the local political leadership.
* Some social structures and dynamics – notably patronage relations and influences - are manifest in the study area.
* Considerable number of the respondent participants of PF feels insecure about title to land.

Possible Action Points

* Rather than inventing the wheel and try out new institutional structures, UN-REDD may consider utilizing the suitable existing institutions – with necessary adaptations and contextualization.
* It is imperative to take full account and consideration of the social dynamics and their implications during UN-REDD programme design and execution.
* Ensuring a reasonable security concerning access, tenure, and usufruct of land for UN-REDD purposes is crucially important.

**Limited interaction between BFD and CBOs**

* Although there has been an overall shift of the BFD towards more participatory approaches since the 1990s, the actual extent and intensity of interaction with the local community vary widely across different sites, and generally remain somewhat limited.
* The co-management institution of CMC seems relatively better performing compared to the *Samity* under the auspices of the PF programmes.

Possible Action Points

* The field BFD and associated NGO staff concerned with the delivery of participatory and co-management projects should be adequately trained and oriented with (i) relevant community mobilization and development (including group formation and nurturing), (ii) participatory methodology and approaches (including community-led critical/problem analysis); and (iii) supervision and monitoring tools and techniques (including field-based reporting).
* Wherever possible, local knowledge and wisdom (including some of NRM technologies observed during the fieldwork) may be analyzed, documented, disseminated and promoted.
* Greater emphasis should be given on forging network and partnerships (e.g. to the national media) on the part of the relevant local institutions (CMC, *Samity*, etc.).
* Exposure and ‘cross’ visits among CBOs should be organised with a view to facilitating cross fertilization of good practice ideas, and creating a demonstration effect.
* The efforts to record and document the existing best practice examples should be continued.

**Limitations in monitoring and evaluation**

* Among the traditional M&E mechanisms, staff meetings and production of reports are more or less regularly done in the visited offices. Such reporting requirements however are heavy, and take away valuable staff time from field activities. The traditional format of the reports does not allow for much analysis or qualitative interpretations, and there is no room for participation of the local communities or external stakeholders in producing these reports.
* The other mechanisms of M&E – especially field inspection by supervising officials and maintenance of activity log remain largely ineffective owing to the following reasons: there is grossly inadequate budget and other provisions for field inspection.
* There is no regular provision of broad-based citizen-based external M&E – for example, social audits.

Possible Action points

* It is important the review the current level and effectiveness of use and application of the mainstream M&E mechanisms in BFD.
* In order to make the existing M&E mechanisms effective the following measures are required: adequate and regular provisioning (TA, DA, etc.) for enabling the inspection visits as per the relevant rules; the huge backlog of pending/overdue TA, DA claims needs to be periodically reviewed and systematically accounted for – in yearly budget allocation; and reviving the culture of maintaining realistic logs by field officials, and follow-up on these logs by supervising officials. Some forms of a ‘reward and punishment’ provision – based on M&E (and associated performance) reports and results – should also be considered.
* Instituting an appropriate form of citizen-based watchdog (drawing, among others, on relevant skills available amongst the civil society) may be considered.

**Social equity and gender considerations**

* Participatory and co-management programmes have maintained a focus on disadvantaged social groups - poor women, poor fishers, the landless, religious minorities.
* Several of these programme activities have positive implications in terms of social equity and outreach to the most disadvantaged members of the community: (i) training and orienting selected women to take up decision making positions in a few CBOs and UP; (ii) consciously seeking out female-headed poor households; and (iii) specially targeting traditional/indigenous communities and ethnic/religious minorities in several sites.
* In general, however, the relatively low level of female participation – especially in the decision making processes of the CBOs.
* Some female CBO members have successfully negotiated and ascended to local government leadership position – notably membership of UP and /or Standing Committees.
* At present, as the field observations suggest, the understanding of social and gender issues among a considerable part of the concerned staff – especially in the field - is relatively low.

Possible Action points

* It is necessary to take full account and consideration of the gender and equity issues and considerations in the design and implementation of UN-REDD and associated projects and interventions.

# Background and the Context

This report documents the overall approach, experiences, findings and recommendations of the Study[[1]](#footnote-1) on UN-REDD Forest Governance in Bangladesh, and builds upon the approach outlined in the Mission Terms of Reference (ToR). This is intended to serve as a debriefing document for the key relevant stakeholders including the commissioning authority (UN-REDD in consultation with Ministry of Environment, Forest and Climate Change [MoEFCC] and Bangladesh Forest Department [BFD])[[2]](#footnote-2).

After this prelude, the second section sets out the objectives of the Study. Drawing on the key literature, the third section briefly reviews the concept of ‘governance’ together with its major connotations with a view to operationalizing the concept for the purpose of this Study. The fourth section proffers a review of selected key literature on the context and state of forest governance in Bangladesh especially with reference to the UN-REDD issues. It also attempts to elicit the key observations including the challenges in the Bangladesh forest sector (as reported in the literature), and identify the areas where there are relative gaps or paucity of information and analysis on the subject. The main purpose of these two related sections (3 and 4) is to identify key observations regarding governance and good governance, apply these concepts in the context of Bangladesh Forest Sector, and to point out the areas where this study will specifically focus on. The research methodology is presented in section 5, which includes discussions on the specific research questions, analytical framework, tools and instruments of empirical data collection, broad evaluation approach, rationale for the selection of the field consultation sites, format of the field consultation, and a brief reckoning of the key activities performed in rolling out the Study in the field. It is important to note here that the analytical framework corresponds to the objectives and context of the Study, draws on observations made in the relevant past literature, and serves as the basis of articulation and presentation of the main findings and observations of the Study (in section 6). The principal recommendations are also included in the sixth section, and these are presented in line with, and immediately after the discussion and elaboration of the relevant findings and analyses.

The Study ToR (and the associated programme document) summarize the contextual setting and the rationale for the study in the following manner:

“Bangladesh is a signatory to the UN Framework Convention on Climate Change (UNFCCC).  The Conference of the Parties (COP) to the UNFCCC has taken a number of decisions in recent years to encourage developing countries to take climate change mitigation actions in forestry sector. The role of forests and reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries (REDD+) have been fully recognized and enshrined in the Paris Agreements.

As part of the country’s long-term strategy to reduce GHG emissions, largely described in its Intended Nationally Determined Contributions (INDC), the Government of Bangladesh has taken initial steps to contribute to this global effort to address climate change, and one of such steps is to develop its capacity to implement REDD+. The Government of Bangladesh prepared and endorsed its REDD+ Readiness Roadmap in 2012.

To support this effort, the UN-REDD Bangladesh National Programme was established to provide technical capacity development assistance to the Government of Bangladesh in designing and implementing its National REDD+ Strategy and in meeting the international requirements under the UNFCCC Warsaw Framework to receive REDD+ results-based finance.

One of the key components of the REDD+ readiness process is to identify public policy approaches and interventions, including incentive mechanisms to effectively address key drivers and causes of deforestation and forest degradation (D&D). In order to identify such approaches, a clear understanding of drivers and causes of D&D in Bangladesh must first be developed. To develop such an understanding, the Drivers of Deforestation and forest Degradation study has been completed in 2016, which has identified the main drivers and their underlying causes. While explaining these underlying causes, the study has specifically focused on the governance challenges and identified some issues including weak law enforcement, inconsistent policy measures, weakness in financial management system leading to fiduciary irregularities, poor management, and land tenure as high priority indirect drivers. Whereas these governance challenges are important and significantly contribute in affecting D&D, detailed analysis of these indirect drivers is required to identify appropriate Policy and Measures (PAMs). Some analyses have already been done in similar study of other projects. However, the detailed analysis of poor management in terms of weak governance and inadequate capacity will be needed to identify appropriate PAMs.  The goal of this assignment is to provide this detailed analysis which would eventually help the government to develop appropriate policy measures and programmatic interventions” (UNDP, 2017).[[3]](#footnote-3)

# Key Objectives of the Study

From the UNDP’s perspective, governance is defined as “the exercise of economic, political and administrative authority to manage a country’s affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences” (UNDP 1997:3). If we apply this definition in the context of forest management in general and challenges of forest management in Bangladesh in particular, it is possible to argue that failure in addressing the governance issues may complicate the mechanisms, delegitimize the processes and weaken the institutions through which citizens and different groups can raise their voices and have their obligations met. Considering this perspective, the study therefore attempts to identify the key elements of weak governance and inadequate capacity that impact the potential to reduce emission of greenhouse gases from forests in Bangladesh. It is imperative to note here that an earlier study (UN-REDD 2016) commissioned by UN-REDD titled Drivers of Deforestation and Forest Degradation in Bangladesh (popularly coined as the ‘D&D Study’) identified some key governance issues. Our research has been expected to build further on the D&D Study, and elaborate and elucidate the issues identified therein. More precisely, the specific focus includes (but is not necessarily limited to):

* Reviewing the specific governance issues related with forest management in Bangladesh – especially in light of the ones identified in the D&D Study
* Exploring the underlying challenges that affect governance performance and analyze the dynamics of weak governance
* Identifying the constraints in terms of effective implementation of polices, including capacity constraints and develop specific proposals to overcome these constraints
* Furnishing specific recommendations on how the governance challenges can be addressed and how the weaknesses at the policy level can be overcome

Given the sensitivity involved and the overall institutional culture, some further clarifications on the nature and purpose of the study may be relevant at this point; these include the following:

* This study is not meant to be an ‘Audit’ or official ‘Investigation’ mission
* It is not here to ‘find faults’ or ‘point fingers’ at/with anyone
* Not to dwell on ‘persons’, but on ‘processes’
* The focus will be on (consulting the key stakeholders towards) finding ‘solutions’ rather than mere critiquing or bashing
* The focus is not on ‘breadth’ but on ‘depth’: Getting into some depth of limited issues

# Notes on Concepts and Connotations on Governance and Good Governance

Even though the concept of governance is not necessarily a new one, it became immensely popular in the academic world in the mid-1990s. Since then various efforts have been taken to define and measure governance and as a result of this, the concept has been defined differently by different disciplines. Economists, while defining governance, mainly focused on analyzing the 'enabling' political government that allowed the market to perform effectively and henceforth, they often tried to define governance while limiting the role of government. Political scientists, on the other hand, have a different take on the issue and when March and Olsen (1995) talked about democratic governance, they identified the limitations of the exchange theories of politics and highlighted how political institutions can create and sustain a democratic governance structure while ensuring that democratic values and ethos are maintained and nurtured within a society. North et al (2013) followed the same point of views and through arguing that the society's main function is to contain the level of violence inherent within these societies, they pointed out the role of different institutions that can assist a society to make a transition from Limited Access Order to Open Access Orders. Interestingly though, even the political scientists did not place much emphasis on the role of government in analyzing different theories of democratic governance.

The public administration scholars have taken a somewhat different route. Government has always remained at the core of governance and in its simplest sense, to the public administration scholars, governance means the process of governing, where the government agencies are no longer the only actor to be functioning within the political domain to serve the interest of the people. The public administration scholars, therefore, do not ignore the government and simply point out that governance means a change or shift in the ways the government does its work. Having said that, from a public administration and public management perspective, governance, as a concept, has two different yet interrelated meaning.

In its simplest sense, governance can be defined as “…the manner in which power is exercised in the management of a country’s economic and social resources for development” (World Bank, 1992: 1). The focus here is on power and legitimate authority of the state and the institutions of the state, and governance indicates the managerial capacity of state to ensure optimal utilization of social, economic and natural resources for the overall development. In a recent article Fukuyama (2013) concentrated on this particular dimension of governance and defined it as “…a government's ability to make and enforce rules, and to deliver services, regardless of whether that government is democratic or not" (Fukuyama, 2013: 3). Further to this articulation, Khan and Ahmed (1997:302) and Khan (2003:391) elucidate the concept by identifying the following characteristic facets – which may be quite relevant for this study:

* there is acceptance of the fact that governance includes the exercise of authority or power;
* the process through which authority or power is exercised and with what intent is important;
* the roles, interrelations and interactions among politics, economics, administration and law in a given society are of the utmost importance for understanding governance;

It is, however, important to note that if defined in the aforesaid ways, whereas the concept of governance means simply the role of the institutions in affecting the socio-political and economic processes of a country, adding the word 'good' before it actually transforms this value-free word into a value-laden concept. Good governance, from this perspective does not only talk about the status of institutional arrangements but also indicates what an ideal governance system should look like. The term good governance was first used by the World Bank in 1989. In Africa, the Bank introduced this term as an instrument to ensure sustainable and equitable economic growth (Horta, 1999). Since then attempts have been made to define good governance by identifying a number of indicators and by analyzing the state of these indicators in a country. However, since 1996, the Bank has been focusing on measuring governance while emphasizing on three specific areas namely a) the process of government selection, monitoring and replacement; b) ability of state institutions to develop and implement policies; and c) the respect and trust of the citizens on the state and state institutions. Under these three areas, six specific indicators have been identified as mentioned below:

* *Voice and Accountability (VA):* indicates the ability of citizens to participate in electoral process as well as freedom of expression, freedom of association, and a free media
* *Political Stability and Absence of Violence/Terrorism (PV):* captures "...perceptions of the likelihood that the government will be destabilized or overthrown by unconstitutional or violent means, including politically‐motivated violence and terrorism"
* *Government Effectiveness (GE):* indicates the quality of the public service, the ability of civil service to remain free from political pressure and to perform its duties and responsibilities effectively
* *Regulatory Quality (RQ):* shows whether the government has the ability and commitment to promote private sector growth through formulating and implementing policies
* *Rule of Law (RL):*"capturing perceptions of the extent to which agents have confidence in and abide by the rules of society, and in particular the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence"
* *Control of Corruption (CC):* "capturing perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as "capture" of the state by elites and private interests" (Kaufmann, Kraay&Zoido-Lobaton, 1999).

Even though these criteria of good governance developed by World Bank has been accepted by most of the development organizations and countries, several organizations have actually tried to come up with their very own criteria and for the purpose of this paper, probably the most important one will be the governance framework currently being developed with the support of the Government of Bangladesh. Known as National Governance Assessment Framework (NGAF), Bangladesh’s good governance initiative is still at the draft stage and it has concentrated on four different issues in identifying the good governance criteria- **effectiveness and capacity**, i.e. the capacity of the government agencies to develop and implement policies in an effective and efficient manner; **equity and inclusion**, i.e. whether the government programs, policies and plans are being developed while taking under consideration the concerns and comments of all the relevant actors and whether these programs are making an effort to ensure equitable distribution of resources; **participation and responsiveness**, i.e. whether different state and non-state actors (including the private sector) are participating in the implementation process and whether the service delivery mechanism of the government is responsive to the need to citizens; r**ule of Law**, i.e. the capacity of the government agencies, especially the law enforcement agencies to enforce contracts, ensure property rights and to reduce the likelihood of crime and violence; and, **transparency and Accountability**, i.e. whether the process followed in designing and implementing policies and programs are transparent and accountable enough (GoB& UNDP, unpub.).

If we consider these different definitions and dimensions of governance, it is possible to argue that governance is a process which allows the government to authoritatively implement national intent in an effective and efficient manner while relying on the capacity or capability of the government agencies and while being responsive and accountable to the need of the citizens. Here three integral aspects of governance become particularly significant:

* Policy: as the embodiment of ‘national intent’ and the manifestation of ‘authority’;
* Institution capacity: as the ability of different agencies of the government to design and implement policies;
* Responsiveness and Accountability: as the presence and application of a process that allows the government agencies to be responsive and accountable to the citizens while designing and implementing policies.

Whereas defining governance as process of exercising power is the most common way of explaining the context, since the 90s, the public administrations scholars have taken a different route in analyzing this. To them, governance is mainly a new innovative approach of managing government business and a shift from government to governance means ensuring a better interaction between the government bureaucracy and the citizens, where the government agencies work together with the private and non-profit sector actors to serve the citizens in an effective and efficient way. Thus, it includes institutional and managerial aspects of government as the agencies are required to find modern, innovative managerial styles which would include more non-government actors, require greater coordination and cooperation (Hill, 2004; Frederickson, 2005). Stoker (1998) clarified this new dimension by pointing out that governance, as a concept, acknowledges the limitation of the government in terms of utilizing its authority and resources in getting things done and that is why it draws a number of institutions and actors outside from the government reflecting a "...blurring of boundaries and responsibilities for tackling social and economic issues" (Stoker, 1998: 18). Governance, therefore, identifies the necessity of interdependence and focuses on new managerial responsibility for the government to steer and guide.

For the purpose of this report, we have considered this new dimension of governance with the three integral aspects mentioned above and argue that this managerial aspect of governance is important for two reasons-

* It essentially means that while analyzing the institutional capacity of the government agencies we need to take under consideration its ability to work with different public, private and non-profit sector actors in designing and implementing policies and programs;
* At the same time, the government agencies, in order to be responsive and accountable, should develop and manage adequate processes which would allow citizens and different groups to participate leading to an opportunity for them in influencing the agency’s decision-making process.

In this report, while identifying the key issues of forest governance in Bangladesh, we have concentrated on these specific dimensions of governance.

# A Retrospect on Forest Governance in Bangladesh

Up to this point we have talked about governance in general, and have taken no effort to define this particular concept in the context of Forest Sector. However, forest sector governance can be defined in line with the basic definition of governance, and from this perspective, it “…refers to the ways in which officials and institutions (both formal and informal) acquire and exercise authority in the management of the resources of the sector to sustain and improve the welfare and quality of life for those whose livelihoods depend on the sector” (UN-REDD, 2016). In other words, forest sector governance focuses on-

* The presence of specific policies and programs that would allow the government agencies (in this case, Forest Department) to acquire and exercise authority which would ensure the sustainability of forest sector while allowing those to live an improved life who rely on the forests for their livelihood;
* The agencies should have adequate capacity so that they can work in collaboration with different state and non-state actors to manage the resources and implement the policies/programs. At the same time, the agencies should have the necessary expertise to incorporate different perspectives from different groups while designing policies /programs (key to responsiveness/accountability);
* In managing resources, in ensuring sustainability of the forest sector and in improving the welfare and quality of life for those whose livelihoods depend on the sector, the government agencies must be accountable and responsive.

The discussion above shows that good forest governance is characterized by predictable, open and informed policy and policy-making process which is transparent, accessible and participatory; supported by a bureaucracy which is professional, responsible and understands the principles of collaborative management while being accountable for its actions; and a “…strong civil society participating in decisions related to the sector” (ITTO & FAO, 2009). A “good” forest governance is essential for the overall development of the sector as it would contribute towards efficient resource management, economic growth, and equitable distribution of benefits. Therefore, good forest governance leads a sustainable forest management which is “…critical to ensuring the effectiveness of schemes to reduce greenhouse gas emissions from deforestation and forest degradation in developing countries (REDD) as well as of efforts to reduce illegal activities in the forest sector”.

Unfortunately, in the context of Bangladesh, the issue of forest governance has rarely been discussed in detail. Whereas different studies have pointed out the situation of the forest sector, shed light on the issue of deforestation and degradation, and identified various reasons behind these, they have not made any significant effort in linking the issue of governance with the current state of degradation and deforestation. In effect, these studies usually identify some key governance issues, explain them, and try to link them with challenges associated with the forest sector in Bangladesh.

Having said that, one key national document titled the ‘Perspective Plan of Bangladesh 2010-2021 - Making Vision 2021 A Reality’ (GoB 2012) has made some brief yet critical observations on matters related to forest governance. It observes, most notably, that (i) Potential productivity has been marred by *lack of technological innovations* and *administrative limitations*; (ii) *Increasing accountability and transparency* in public forest management. In response, the Plan suggests the following strategies that have governance implications: (i) increasing *productivity*; (ii) higher *efficiency*; (iii) a bias towards agro and *social-forestry*.

At the same time, different studies have also identified a number of key issues that can be considered as the major governance challenges in the forest sector in Bangladesh. For instance, the Forestry Master Plan (2017-2036) prepared by the Bangladesh Forest Department (GoB, 2016), while identifying the key constrains and challenges associated with the sector has specifically focused on the “health and vitality of key organizations” and argued that institutional weakness is hindering the Forest Department in attaining its major goals and objectives. According to this key government planning document, the absence of a proper Human Resource Development (HRD) plan is hurting the organization and

“…while all the organisations are suffering from huge shortages of staff and infrastructure, BFD is heading into a special crisis due to the impending retirement of nearly all the senior officers and no one qualified to take over from them. This has happened as a result of the erratic recruitment patterns of the past, as no cadre officers were recruited between 1986 and 2003.Very few officers have been recruited since 2003 again, until 2016 when 7 more joined the cadre” (GoB, 2016: XV).

The documents also pointed out that in the forest sector, 23.5% of the staff positions have remained vacant and at the senior level, the vacancies are as high as 42% (GoB, 2016).

In addition, the Forestry Master Plan has also talked about the conflict between the cadre and non-cadre officials and pointed out that failure to integrate the non-cadre officials into the departmental mainstream has significantly affected the efficiency of the Forest Department (GoB, 2016). The planning document also talked about lack of financial resources, and inadequacy of the existing monitoring and evaluation system (GoB, 2016).

Whereas the Forestry Master Plan has focused mainly on the issues related with the capacity of the existing organizations, another study conducted by UN-REDD (2016) adopted a broader perspective and identified the following governance challenges-

* In Bangladesh, the existing land tenure system is quite problematic and no forest management or REDD+ program can be successful if uncertainty over land rights or forest tenure persists. This will require commitment from the government which will be willing in developing an enabling policy environment;
* For the success of REDD+, sound policy framework, legal regime and management mechanism should be there. Interestingly enough, in Bangladesh, a number of policies have been developed for the forest sector and in fact, different studies have shown that whereas in Bangladesh, there is no lack of good policy, these policies are rarely implemented properly due to inadequate staff, capacity, and funding. At the same time, while developing these good policies, the government agencies rarely coordinate with other agencies or seek their feedbacks which often result in inconsistent policies;
* As mentioned before, governance is actually a shift from governance, which means that since the public policy problems have become more complicated and multi-dimensional in nature, a single-agency approach is no longer applicable and the government agencies need to work with each other to solve these difficult and complicated problems. This makes the issue of coordination the most important one and this is one area where the government agencies need to make significant adjustment and compromise.
* Different studies have pointed out that in the forest sector, enforcement of law is quite weak which needs to be addressed quite quickly.
* Studies have also shown that in the forest sector of the country, the government agencies do not necessarily work with the citizens, the CSOs and other non-state actors to understand their demands or perceptions about forest management or protection. In designing or implementing policies, the agencies rarely take under consideration the views of different groups of the society and this often makes these policies quite ineffective.
* Existing literature on forest management has also talked about the prevalence of corruption in the forest sector and argues that without reducing corruption, success of REDD+ can never be ensured.

From a critical reflection on the existing literature, it becomes quite clear that these studies mainly focus on the “what” question of governance issues, i.e. they mainly try to find out – what are the major governance challenges of the country. On the other hand, they rarely touch the “how” questions, i.e. how significant are these governance challenges and how these governance challenges are related with overall forest management or how they negatively affect the forest sector, and they completely ignore the “why” questions, i.e. why do these governance challenges take place and how are they shaped? This research project specifically focuses on identifying these “why” and “how” questions.

# The Analytical Framework, Approach, and Methodological Considerations of the Study

## Formulation of an Analytical Framework

Understanding and analyzing the complex dynamics and multifaceted dimensions of forest governance is a difficult task by any standard. For the benefit of systematic exploration, information collection, and subsequent analysis, an analytical and conceptual framework was therefore felt necessary. The objectives of the study (as mentioned above) have been pursued through the following analytical and conceptual framework. It may be noted here that the framework draws on an initial review of literature, the study ToR, consultation with some selected key stakeholders (See Figure 1).

Figure 1: Schematic Presentation of the Analytical Framework

**Policy, Institution Capacity, and Responsiveness & Accountability**

Forest Policy, Related Policies & Institutional Context

Clues on Improvement

**Towards Improved Governance (with a focus on selected key areas)**

Selected Recommendations for Policy Actions and Programmatic/Functional Interventions

As explained in the previous sections, for the purpose of this report, in operationalizing the concept of governance in general, and forest governance in particular, we have focused on three specific elements: policy, institution & capacity, and responsiveness & accountability. Then, the major queries of the study (as mentioned in the stated research objectives) are explored at three complementary levels: first, through a review of four sites situated in two different types of forest (process of selection is explained below)–*Sal* and Hill; secondly, a desk-review of relevant policies and secondary literature; and thirdly, insights and observations from empirical interviews and focus group discussions with selected key stakeholders and experts. In each of these three levels, the discussion is organized around the earlier agreed thematic aspects of the study: policy, institution & capacity and responsiveness & accountability. The purpose has been to get a general impression of the trends and current state of governance of the sector – together with identifying the key challenges and eliciting some lessons and suggestions for improvement.

## The Research Approach

The key tenets of the broad epistemological approach of this study include the following:

* An *Interpretive* Perspective: seeking to understand ‘the worlds’ from the point of view of key participants/stakeholders - leading to (a degree of) in-depth knowledge;
* *Cluster* Focus: Drawing on experiences of selected sectors, intending to learn what happened across the clusters and ascertain lessons learned;
* *Process Tracing:* an in-depth analytical approach to unearth the dynamics of different issues related with forest governance
* Essentially *Exploratory* and *Qualitative* in nature.

## Site and Case Selection

Forests in Bangladesh are typically categorized in four groups- Sal Forest, Hill Forest, Mangrove Forest and Coastal Forest. Whereas it would have been ideally better if we could select forests from each of these types, due to time and resource constraints, it was not considered feasible. We, thus, had to ‘satisfice’, and since the focus of this study has been to identify the governance challenges and explore their dynamics, we actually relied on the findings of ‘Drivers of deforestation and forest degradation in Bangladesh’ (the D&D) report (UN-REDD 2016)), and based on the report, identified two types of forest (e.g. Sal and Hill) most affected by different governance issues. This choice of sites also follows from Initial consultation and endorsement of selected key officials of BFD, and an initial review of the key literature. It is also worth mentioning that our fieldwork also drew on, and was complemented by the sites (and associated experiences) covered by the Land Tenure Study (UN-REDD 2018)[[4]](#footnote-4).

## Rationale for the Choice of Fieldwork Sites

The justification and selection of the principal fieldwork sites are summarized in the following table. It may be noted that the choice was sites was influenced by (a) initial consultation with the stakeholders – especially the Inception Workshop participants representing MOEFCC, BFD, selected other GoB agencies, NGOs/CBOs, academia and research organizations; (b) a review of the literature – especially the past studies relevant for UN-REDD; (c) a reconnaissance visit to two Range Offices. Additionally, as mentioned above, the fieldwork sites and experience covered by the Land Tenure Study (UNREDD 2018) - notably the Sundarban have also informed and accounted for in the analysis presented in this Study (in section 6).

**Table 1: The Fieldwork Sites: Rationale and Principal Considerations**

|  |  |  |
| --- | --- | --- |
| *Forest Type/*  *Zone (Specific Sites)* | *Governance issues and Factors Considered* | *Relevance with UN-REDD* |
| Central Sal: Dhaka, Mymensingh, Tangail | * Land Disputes (Ensuing litigations) * Presence of Limited yet Inspiring “Good Practices” * Opportunity to Observe Commercialization/   Industrialization dynamics and associated policy orientation   * External Influence on Management * Conflict with Traditional/   Ethnic Communities and other BFDGs   * Common Challenges: Staffing, Budgeting, Problems with Coordination, Policy Implementation Challenges | * High level of D&D * Implications for Traditional/   Ethnic Communities and other BFDGs |
| Hill Forest: CHT, Chittagong, Cox’s Bazar | * The unique nature and features of CHT forest governance (e.g. specialized local government structure, significant ethnic diversity, traditional/customary entitlements, multiplicity/overlap of organizational role) * Presence of Limited yet Inspiring “Good Practices” * Pronounced land management complexities * Drastic land (use/class) conversion cases * Population pressure dynamics (especially in Chittagong, Cox’s Bazar) * Implication of Cross-border issues * Common Challenges: Staffing, Budgeting, Problems with Coordination, Policy Implementation Challenges | * Despite the trends in D&D, the zone still houses reasonable stocks of forest and offers opportunities for trying out REDD+ goals * Presence and diversity of considerable ethnic communities |
| Coastal and/or Mangrove: Noakhali | * Pronounced land management complexities * Common Challenges: Staffing, Budgeting, Problems with Coordination, Policy Implementation Challenges * Drastic land (use/class) conversion cases * Good practice examples of ‘Green Belt’ plantation | * Recent acceleration in D&D trends * Accreted lands provide opportunities for trying out REDD+ goals |

*Source: Developed by the author based on a series of stakeholder consultation including the Inception Workshop and a reconnaissance visit to selected sites.*

## Data Collection Tools

The Study systematically reviewed the past literature, and conducted desk survey of the key official documents and records. Additionally, the empirical data collection tools included focus group discussion (FGD), informal interviews (including key informant interviews), and personal (uncontrolled) observation. Two FGDs were held in each study site- one focusing exclusively on the officials of the Forest Department and the other targeting relevant other stakeholders, including local administration officials, representatives from the judicial service, law enforcement agencies, business organization, local political parties, NGOs, CSOs etc. In addition to that, based on the opinion of the FGD participants, the study team also selected some individuals for key informant interviews in each fieldwork locations.

## Major Stakeholders for Field Consultation

The major stakeholder categories together with identification of selected stakeholders are presented in the following table.

**Table 2: The Categories and Profile of the Major Stakeholders for Consultation**

| *SN* | *Stakeholder Type* | *Examples* |
| --- | --- | --- |
| 1. | Regulators | Relevant Ministries (especially MoEFCC), Forest Dept. (BFD), District Administration (DA), Judiciary, Police etc. |
| 2. | Users and Beneficiaries | Social Forestry Beneficiary Groups, Indigenous People, Brick Field/Saw Mill/Furniture/ “JOTE”, Neighboring Forest Communities etc. |
| 3. | Partners/ Associated Service Providers | NGOs, Voluntary Agencies, CBOs, CMCs etc. |
| 4. | Social Accountability Actors | CSOs, Watchdogs (including  media), Academia/Research Organizations etc. |
| 5. | Relevant Others | As suggested by the respondents during various consultations (especially in relation to the site-specific contexts and realities |

In FGDs and KIIs, the participants mainly focussed on following key issues and queries:

* What are the key governance challenges?
* Why is this a key challenge?
* How has this challenge emerged?
* Who are the actors involved?
* How is this challenge affecting the forests?
* What can we do to address these challenges?

## Major Activities at the Inception Stage

In the lead up to the fielding of the Study team, a number of preparatory activities were done with a view to (a) ensuring validation by the key stakeholders, and (b) smooth conduct of the fieldwork. These activities include the following:

* Initial consultation meetings at UN-REDD Bangladesh Office, BFD, and Dhaka University.
* Several preparatory meetings towards formation and operationalization of the Study team targeting such tasks as identification and review of literature; and brainstorming towards the formulation of the analytical framework.
* Development and subsequent attempts in securing endorsement of several key items on the inception report: timeline and workplan; site selection and fieldwork design; and analytical framework.
* Initial round of expert consultation in University of Dhaka, BRAC Institute of Governance and Development, relevant UN-REDD specialists, and selected others.
* Conduct of a review of selected secondary sources and production of a summary of observations.

## 

## Format of FGD/Workshop Consultation and Deliberation

**Figure 2: The Flow Diagram of the Format and Pattern of FGD/Workshop Consultation and Deliberation**

Issues and Challenges (Identified)

Manifestations, examples , and elucidations (Examined and Experiences shared)

Clues on improvement (Reflected and recommended)

Detailed Case Studies on Selected Issues

Validation/Triangulation (Cross-opinion/data support)

Information collected through FGDs and KIIs were documented, codified and analyzed. It may be noted however, that while conducting the interviews and FGDs, formal and rigidly structured queries were avoided; instead, wherever possible, a simple check list of discussion topics was used to guide the dialogues. Before conducting the actual interviews and FGDs, a good deal of efforts (e.g. making several initial contacts and reconnaissance visits; using personal links and an informal approach; respecting the respondents’ time and convenience) were be made towards developing rapport and creating a relaxed and informal atmosphere.

## Limitations and Scope

This research specifically focuses on the governance issues and challenges identified mainly by the D&D Study (UN-REDD 2016), and it is not meant to provide a full scale treatment of the broader governance landscape of the forestry sector in the country. The D&D Study and selected other major literature (notably, Khan 1998a, 1998b, 2009, BRAC 2005, Roy 1987, Rasul 2005, 2007, Gob 1995, Hussain 1992) have specifically identified several forest governance issues and problems; these (together with the focus of fieldwork data requirements) are summarized in the following table, and this Report limit itself to the analysis and elucidation of these issues only.

**Table 3: The Governance Issues Addressed by this Study, and the Corresponding Data Requirement During the Fieldwork**

|  |  |
| --- | --- |
| *Governance Issues (as identified in the key past studies/documents)* | *Required Data and Inputs (from the respondents/fieldwork)* |
| **Policy** | |
| inconsistent policy measures  inconsistency and lack of synergy in policy measures | * Examples, manifestations of impact |
| Not always tuned to field realities | * Examples, manifestations of impact |
| (Remnants of) The legacy of custodial-commercial/revenue generation orientation (and resultant alienation of local communities) the challenge of ensuring community focused governance | * Data: Revenue generated by BFD over the years * Examples, manifestations of impact |
| Practical policy decisions not reflecting priority and significance of the Forest sector | * Examples, manifestations of impact |
| Vagueness/Lack of Specificity (e.g. cases of overlaps, conflicting provision between/among policies/rules, difficulty in understanding at the field implementation level) | * Examples, manifestations of impact |
| **Institution and Capacity** | |
| Weak enforcement of policy and rules | * Data: * # of cases/litigations filed vis-à-vis won over the years (Table2); * # of specific training on policies and rules/laws (Table 3); * Volume of seizure/confiscation of illicit goods/items over the years ; * Existence and status of dedicated patrol/ enforcement units (e.g. mobile team); * Budget provision specifically for enforcement (trends over the years); * Trends in provision and use of logistics and equipment * Examples, manifestations of impact |
| Fiduciary management: Lack of financial resources and Weakness in financial management  (Inconsistent and irrational pattern of resource allocation) | * Data: Budgetary allocation over the years; * Examples, manifestations of impact (Focus on Accounting and Audit Practices and weaknesses thereof) |
| Absence of Human Resource Development Plan | * Examples, manifestations of impact (With a focus on – a. current status; b. existing promotion policy and status of implementation; c. existing recruitment policy and status of implementation) |
| Scarcity of Human Resources (and associated Logistics) | * Data: Staff position over the years at national level (BBFD); Staff position over the years at selected Divisions * Examples, manifestations of impact (Focus on time-gaps in recruitment; Imbalance in the distribution pattern of HR in terms of seniority and maturity |
| Human resource-related conflicts (e.g. between cadre and non-cadre officials; amongst various tiers of sub-professional staff) | * Data: # of cadre and non-cadre officials (2007-2017); # and current status of HR related cases/litigations * Examples, manifestations of impact |
| Inadequate/Difficulty in coordination among BFD and relevant other agencies (external coordination), and within BFD offices at different levels (Internal) | * Examples, manifestations of impact |
| **Responsiveness and Accountability** | |
| (Challenges in introducing) Performance based accountability | * Data * Examples, manifestations of impact |
| Pattern and extent of interaction between BFD & CBOs regarding participatory planning and interaction | * Examples, manifestations of impact (With a focus on a brief overview of the existing system and its weaknesses) |
| Ineffectiveness of the existing monitoring and evaluation system | * Examples, manifestations of impact (With a focus on a brief overview of the existing system and its weaknesses) |
| (Challenges in forming and sustaining) community level institutions | * Examples, Stakeholder opinion |
| Working of pressure groups and social watch dogs on forestry | * Examples, Stakeholder opinion |

It is also worth noting here that strict statistical representation or comprehensiveness of its coverage is not the primary thrust/consideration of the study. The report will make no claim of being exhaustive in its treatment of *all* the complex dynamics forest governance and management. The duration of the assignment was short, and the resources were limited. In this context, the study’s humble intention has been to record, develop and facilitate a better and down-to-earth understanding of some of the salient issues - mainly in terms of policy, institutional capacity, and accountability and transparency aspects - which have a direct relevance to forest governance, and elicit some broad lessons and practical clues for further improvement of development interventions in the future.

# Key Findings, Observations, and Associated Recommendations

This section presents the Study’s principal findings and observations on selected governance issues and proffers for clues on improvement. It especially attempts to elucidate the governance issues identified by the D&D Study (UN-REDD 2016). The analysis and the suggested action points draw on (a) the experience and observations of the fieldwork; (b) views expressed by the project staff and other key stakeholders; (c) recommendations of selected earlier reports; and (d) feedback from the various briefing and debriefing sessions.

In what follows, the discussion and analyses are articulated and organized in line with the Analytical Framework of the Study (as developed in section 5). Accordingly, the observations and associated recommendations are presented and organized under three broad (sub)sections; i.e. issues related to Policy, Institution and Capacity, and Responsiveness and Accountability. The relevant policy and functional recommendations are made as ‘Possible Action Points’. In other words, the analyses below correspond to issues mentioned in Table 3.

It is important to note at this point that the strategies, modalities and action points are not meant to be universal or infallible; they are essentially suggestive and indicative. The aim is to explore and furnish a range of ideas, which the Project in close consultation and collaboration with the field staff and beneficiaries may consider and implement after careful consideration of the particular context, condition and realities of the field.

## POLICY

### The historical legacy of custodial-commercial (‘revenue generation’) orientation, and the resultant alienation of local communities

Until the recent decades, state forest policies and strategies manifested two dominant trends: (i) a revenue earning and commercial orientation, and (ii) the resultant progressive alienation of local communities from forest governance. In order to set the broader context, it may be useful to briefly review these historical trends in the development of forest policies in Bangladesh. Box 1 summarizes the key features of the policy evolution from a historical perspective. The implications for these historical trends are manifold – notably: (i) the constant pursuit of revenue generation overshadowed the broader ecological and landscape based perspective of forest management; (ii) created a degree distance and enmity between BFD and the local communities; and (iii) posed difficulties in developing and sustaining local institutions and community based forestry practices.

**Box 1: Historical Evolution of Forest Policies in Bangladesh**

The historical development and evolution of the public forest policies and practices in the Indian sub-continent (including Bangladesh) manifest two interrelated trends: (i) state-sponsored organised commercialisation of forestry and (ii) progressive alienation of forest based communities from forest use and management (for details, see Guha 1989, Gadgil 1989, Rajan 2006, Khan 1998a). The very first steps towards regular conservancy of forests in India were prompted by commercial motives. In 1800, for example, a Commission was appointed by the government to enquire into the availability of teak in Malabar forests for commercial exploitation (FRI 1961:72-3). In 1806, while wondering about ‘the question of regular supplies of timber to the Navy’, the post of first Conservator of Forests in India was created; and ‘his work was to arrange the exploitation of forests’ (Dwivedi 1980:12).

In 1894, British India's first forest policy was formulated. It ‘gave preference to agriculture over forestry’ and proposed, ‘demand for cultivable land can be, to some extent, met by clearing forest areas’ (Hussain 1992:18). Understandably, it gave renewed impetus to the process of ‘land-clearing’ that had long been active in Bengal, causing considerable damage to forested tracts. It also made it clear that, ‘Royalty for the Government must be collected for various facilities enjoyed by people’ (cited in Rahman 1993:24; also see, Wadud 1989:5). These facilities included limited ‘concessions’ for pasture and fuel wood collection. Rahman argued that ‘the main aim … was to collect revenue and to satisfy the local population by granting so-called rights and concessions’ (Rahman 1993:24).

Based on an extensive survey of archival official documents, Rajan identifies the key characteristic features and trends concerning of ‘colonial forestry’. They can be summarized as follows: ‘large timber monocultures [for commercial production]’; ‘coercive and repressive practices toward local people’; ‘the basic conviction held by the forestry community that the best way to manage empire forests was to place them under strict control of colonial forest departments backed up by strong legislation’; ‘[attempts to provide increased] political authority for the foresters’; [an attitude of neglect] towards local populations whose claims were deemed illegitimate because of their ostensible scientific ad technological backwardness’; and ‘introduction of an authoritarian technics in the realm of forests’ (Rajan 2006:198-99). Of these trends, Rajan observed, ‘Indian forestry by the turn of the century increasingly became a profitable enterprise for the state. Whereas revenue and expenditure respectively had been [pound sterling] 360,000 and 220,000 in the period 1864-5 to 1868-9, they had climbed to 950,000 and 600,000 by 1882-3’ (Rajan 2006:86).

The independence of India and the formation of Pakistan in 1947 brought about little change in the nature of forest use and management. The Pakistani period (1947-1971) was a continuation and outcome of the colonial rule, and exhibited similar characteristics. The revenue-orientation of forest policies, the isolation of government officers from people, emphasis on maximum economic return from forests, state patronization of forest-based industries, the maximum exploitation and the expansion of state proprietorship over forests - were the main features of forestry during this period. The Pakistan period witnessed the formation of two forest policies. Though apparently devised to cater the need of a newly independent nation, the Forest Policy 1955 depicted all characteristic manifestations of the colonial forest administration, including the expansion of state territories; the ‘scientific' extraction of timbers; the fortification of the bureaucracy by increased training and manpower; and managing all forests through rigid departmental plans (e.g., see Hussain 1992:18). In 1962, a second policy was launched (The Forest Policy 1962), with the motto that ‘[t]he management of forests to be intensified to make it a commercial concern’, utilization of forest produce was to be improved. The local rights and demands remained as ignored as before.

The first forest policy in the Bangladesh period was announced in 1979. This was ‘a two-page manifesto-type statement’ with obscure and ‘generalised directions’, ‘mostly focusing on the forest department’ (Anon. undated:5 and 18). Its suggestions included ‘horizontal expansion of the forest area’ under the government, which was to be ‘carefully preserved and scientifically managed’ by a (centralised) ‘cadre of forest officers’; ‘setting up new forest based industries’; ‘optimum extraction of forest produce’; and the protection of forests from the ‘encroachers’. Rural forestry and local people received no major attention, except in the form of a vague call for a ‘mass motivational drive for tree planting’. In fact, the policy ‘expressed the views of the traditional foresters, overlooking the overall development strategy’ (Roy 1987:45); and was hardly adequate for addressing the current needs and crises of the forestry sector (Task Force 1991:219, Anon. undated:18).

*Source: Modified from Khan et al. (2004) and Rajan (2006).*

### The pursuit of Revenue still continued (albeit to a lesser extent)

There has been a degree of relaxation and change in the (above noted) ardent revenue generation emphasis of the colonial times in the recent decades (see the discussion in 1.4 below). The change, however, has been somewhat marginal. Although not very ambitious and stringently pursued (as in the case in past), revenue targets are still set and imposed by the headquarters, and accordingly the field offices (mainly Divisional Forest Offices) are required to continue to focus on revenue generation. As an example, the revenue generation status of the Chittagong North Forest Division may be cited (Figure 3).

**Figure 3: Total Revenue Generated by the Chittagong North Forest Division (in Lac Tk.)**

*Source: Computed by the author from various office records.*

### Problems and implications of the revenue generation and utilization policy

The field officials note that (i) there is hardly any systematic consultation with the field officials in setting these targets; (ii) there is no institutional mechanism of reward or recognition for achieving the target; and (iii) despite dire needs and demand in the field, there is no provision for reinvesting a part of the revenue generated for the development of the concerned field office(s). The field officials however noted with a sense of relief that compared to the past, there has been lessened pressure on them in pursuing these targets in the recent years.

Budgetary allocations, especially to the Divisions, fluctuate considerably over time, and there is major inconsistency in the two key ‘heads’ of budget – Development and Revenue (see, Figure 4 as an example). These factors have several implications, such as: it is difficult to conduct any regular planning and associated resourcing exercise under these fluid and inconsistent resource inflow; in some other instances, it has been observed that drastic slides in budget cause discontinuation or abrupt adjustments of work.

**Figure 4: Budgetary Allocation of Chittagong North Forest Division over the Years**

*Source: Computed by the author from various office records*

There is a drastic imbalance in the ratio of revenue (resource) allocation between routine establishment (overhead) and productive activity (program) heads. It is evident that substantial portion of the resources is used in overhead and establishment related costs, and the mainstream productive activities (i.e. plantation, seedling raising, other forestry activities) receive relatively insignificant allocation. The following figures and table are illustrative of the point: Figure 5 and the corresponding Table 4 outline the composition of the BFD Revenue Budget over the years; Figure 6 makes the point by presenting a Forest Division level example.

**Figure 5: The Composition of the BFD Revenue Budget of the BFD between 2002/3 and 2016/17**

|  |  |
| --- | --- |
| 2002-03 | 2007-08 |
|  |  |
| 2012-13 | 2016-17 |
|  |  |



*Source: BFD headquarters office record; Figure 5 is computed by the author from the office records.*

**Figure 6: (Revenue) Budgetary Allocation for Dhaka Forest Division (in Lac Tk.)**

*Source: Computed by the author from the office records.*

The above trend analysis brings home the fact that the allocation on establishment has been on the increase over the years, whereas the allocation on program activities has been correspondingly deceasing. Furthermore, the gap between these two heads has widened over the years, and compared to 2006-07, for example, the recent (in 2016-17) gap records an increase of some five times.

#### Possible Action Points

It is imperative to carefully review, and - to the extent possible - synergize the Revenue and Development heads during the allocation process. A greater degree of consultation and interaction between the directorate/departmental entity (BFD, BFRI etc.) and the Ministry (MoEFCC) (via Ministry of Finance) would be useful in order to harmonize the (entity level) needs and plans with central resource allocation.

### The recent policy shift towards participatory (community-focussed) forest governance and its implications

Our field visits reveal that there has clearly been a degree of change and transformation in these trends since 1990s mainly in terms of (i) introduction and gradual consolidation of participatory (community-focussed) forest governance and (ii) a reduced emphasis on custodian and policing-mode of governing the forest ‘territories’. The accomplishments of Participatory Forestry (PF), more popularly dubbed as Social Forestry, have been generally impressive (Box 2).

**Box 2: Some Accomplishments of Participatory Forestry**

|  |
| --- |
| There is evidence that PF projects have contributed to considerable income and employment generation opportunities in Bangladesh over the last two decades, as well as provision of other benefits and services. Although there is inadequate organized information on the extent and quality of resource generated through PF, a good number of literature as well as the empirical fieldwork done for the Review indicate that PF plantations, especially the strip and homestead forestry components, manifest good stocking and quality. One study (Chowdhury 2001), based on a relatively sound scientific methodology, estimated that six major ADB-assisted projects (CHT Development Project, Community Forestry Development Project, Forestry Sector Project, Biodiversity Conservation in the Sundarbans Reserve Project, Coastal Greenbelt Project, and Upazila Afforestation and Nursery Development Project) have together generated a total of 80.55 m man/days of work opportunities, and raised some 97584 ha of plantations between 1980 and 1999. BFD office records, collected during the Team’s fieldwork, indicate that PF products worth Taka 700 m have so far been harvested. Other sources (e.g. BFD undated, Mowla 2001) report that some Taka 5000 crore worth of assets have so far been generated under PF programs, although the basis and methodology of such estimations have not been clarified. The FAO’s *Global Forest Resources Assessment 2000* estimates an annual forest cover change rate of 1.3% in Bangladesh between 1990 and 2000 -- a period of intense PF activities in the country (FAO 2000, also see, www.fao.org/forestry/fo/country/is-new.jsp?geo\_id=BD&lang\_id).  Field evidences suggest that PF has contributed to some degree of rise in the social capital by way of improving social status and recognition of the participants. Some improvements in the their general living condition and livelihoods are also noticeable in the major areas of PF concentration.  There is also convincing evidence of a rise in general interest and awareness about PF activities among the general public, especially in the PF intervention areas. There has been a particular public interest in small-scale private nursery establishment in many parts of the country; the relevant training and skill development initiatives through PF projects seem to have a major contribution to this. Up to 2001, some 117694 people have received training from the BFD through various PF projects (BFD 2001:19-20). |

*Source: Abridged and modified from Khan et al. (2004; especially Chapter 6).*

In a majority of the visited Divisions, social forestry constitutes the overwhelmingly major source of revenue in the recent years; an example from the Dhaka Division is as follows:

F**igure 7: Revenue from Social Forestry (Compared to Other Sources) as Experienced in the Dhaka Forest Division over the Years (in Lac Tk.)**

*Source: Computed by the author from various office records.*

### A degree of policy and institutional reform

From a governance perspective, it is important to note that besides the above, the externally assisted large PF programmes have prompted and assisted in a series of (long outstanding) institutional and policy reform measures since the early 2000s. These reforms, albeit slow and limited, have surely contributed to some degree of attitudinal change within the BFD and paved the way for a more conducive environment for public participation in the forest sector. Examples include the following:

Besides the above policy reforms, there has been a number of attempts to reform and improve the institutional and legislative structures with a view to enabling and orienting the governmental forestry administration in general and the Forest Department in particular towards meeting the need for a more people focused forest management. Some of these past reform measures that have an immediate relevance to UN-REDD include the following:

* Enactment of the Forest Amendment Act 2000 which specifically established PF as a function of the Forest Department in accordance with the National Forest Policy 1994.
* Based on stakeholder consultations, drafting of the Social Forestry Rules in line with the basic spirit of the current forestry policy and act, elaborating such functional issues as the role of NGOs, mode and mechanisms of public participation.
* Creation of a separate Social Forestry Wing in the Forest Department.
* Additional staffing for the Forest Department especially to cater the need of community extension and outreach (this includes creation of 1443 new positions in the ‘revenue head (budget)’, recruitment of new batches of Assistant Conservator of Forests through BCS examination).
* Reorganization and ministerial approval of the institutional structure (‘organogram’) of Forest Department, leading to a total of 8681staff.
* Streamlining of promotion at the top level with emphasis on Social Forestry positions: Four Conservator(s) of Forests have been promoted to Deputy Chief Conservator(s) of Forests with corresponding chain effect at the immediate lower levels of the hierarchy.
* Besides the mainstream forestry regulations and rules, some other policies and legislation have been developed, which too, provide for the expansion of community-based afforestation, such as The New Agricultural Extension Policy.

#### Possible Action Points

There above noted encouraging attempts towards policy and institutional reforms in the forestry sector must continue. The current process and attempts to revise the forest sector Master Plan (and associated national forest policy) should take into account the spirit and contents of the above reforms – especially the shift towards moving the forestry regime from the conventional custodial-policing orientation to a more people-centred mode and philosophy of working. The rationale for doing so rests on the fact that these positive trends, despite many limitations, seem to have sown the seeds of a fundamental reversal in favour of developing a public focused, participatory forestry regime in Bangladesh.

### The reduced priority and significance of forest sector in policy decisions and the associated implications

Notwithstanding rhetorical statements in policies (e.g, in the National Forest Policy 1994, ‘preamble’) and the fact that the national forest cover is clearly falling below the internationally prescribed and intended level (of some 24% tree coverage, as envisioned by the honourable Prime Minister), there has been an increasing trend in transferring substantial volume (currently estimated at 150132.289 acres) of forest land (under the purview of BFD) to a range of public organizations – including military, para-military, and service and commercial sectors - for non-forestry purposes (Table 4).

**Table 4: Forest Land Allocated to Various Agencies and Institutions**

| *Division* | *District* | *Agencies/Institutions* | *Amount of Forest Land (in acres)* |
| --- | --- | --- | --- |
| Sylhet Forest Division | Habiganj | BFIDC | 6,153.79 |
| Bangladesh and Sylhet Gas Field | 81.37 |
| T and T | 6.00 |
| PDB | 13.63 |
| Maulavibazar | BFIDC | 2,867.80 |
| RashidpurSylhet Gas Field | 10.87  12.92 |
|  |  | Total | 9,146.38 |
| Tangail Forest Division | Tangail | Bangladesh Air Force | 553.20 |
| BFRI | 135.00 |
| BFIDC | 10,647.02 |
| Bangladesh Army | 3,605.34 |
|  |  | Total | 14,940.56 |
| Mymensingh Forest Division | Mymensingh | BFIDC | 3,197.98 |
| Road Expansion | 98.70 |
| Netrakona | Bangladesh Rifles | 4.97 |
|  |  | Total | 3,301.65 |
| Dhaka Forest Division | Gazipur | Bangladesh Army  Cantboard  Bangladesh Air Force  Bangladesh Police  BFRI  BARC  Bangladesh Railway  Bangladesh Radio  Central Jail, Gazipur  Bangladesh Scouts  Bangladesh Girls Guide  Road and Highway  Talimabad Satellite Centre  Herbal Medicine Research Centre  Bangladesh Parjatan Corporation  G. K. Garments  Mr Jasim Uddin  MrShamim Thakur | 35.12  188.91  1.37  5.15  5.93  100.35  33.13  333.89  81.10  110.16  13.80  13.58  122.98  4.50  5.31  1.96  3.00  2.40 |
| Road and Highway (road expansion) | 40.02 |
| Private University (Gazipur) | 2.00 |
|  |  | Total | 1,104.98 |
| Wildlife Division, Dhaka | Gazipur | Bangladesh Army and Air Force | 862.76 |
| Road Expansion | 75.78 |
| RAB Training School | 19.97 |
| Infrastrcture for RAB | 20.41 |
|  |  | Total | 978.92 |
| Wildlife Division, Maulavibazar | Maulavibazar | DC/Pourasabha and Air Force | 27.43 |
|  |  | Total | 27.43 |
| National Botanical Garden, Mirpur | Dhaka | Bangladesh Air Force, Water Development Board, National Herbarium Zoo | 9.64 |
|  |  | Total | 9.64 |
| Chittagong North Forest Division | Chittagong | BFIDC  BFRI  BGB  Water Development Board  Telephone and Telegraph  Army  Military Academy  Bangladesh Navy  Bangladesh Air Force | 16,487.03  549.10  12.90  19.79  36.00  4.62  17.48  158.76  4.00 |
|  |  | Total | 17,289.68 |
| Chittagong South Forest Division | Chittagong | BFIDC | 519.32 |
|  |  | Total | 519.32 |
| Cox’s Bazar North Forest Division | Cox’s Bazar | BFIDC, Fisheries Department, Bangladesh Army, Hospital, Landless Farmer, Ocean Research Institute | 11,006.63 |
|  |  | Total | 11,006.63 |
| Cox’s Bazar South Forest Division | Cox’s Bazar | Bangladesh Army, Air force, Ocean Research Institute, BFIDC etc. | 598.05 |
|  |  | BGB camp | 20.41 |
|  |  | Bangladesh Army | 1,788.98 |
|  |  | Total | 2,407.44 |
| Lama Forest Division | Bandarban | Non-government primary school | 1.50 |
|  |  | Total | 1.50 |
| Chittagong Hill Tracts North Forest Division | Rangamati | Bangladesh Police (thana) | 1.00 |
|  |  | Non-government primary school | 5.40 |
|  |  | Total | 6.40 |
| Chittagong Hill Tracts South Forest Division | Rangamati | BFIDC and other agencies | 1,131.80 |
|  |  | BGB camp | 9.00 |
|  |  | Non-government primary school | 4.20 |
|  |  | Total | 1,145.00 |
| Forest Division and Jhoom Control | Rangamati | BFIDC and TnT | 1,494.56 |
|  |  | Total | 1,494.56 |
| Kaptai Pulpwood Forest Division | Rangamati | Non-government primary school | 1.50 |
|  |  | Total | 1.50 |
| Sundarbans West Forest Division | Khulna | Mongla Port Authority and Coastguard  Bangladesh Navy  BGB | 8.27  8.729  3.00 |
|  |  | Total | 19.999 |
| Sundarbans East Forest Division | Bagerhat | Mongla Port Authority and Coastguard | 8.27 |
|  |  | Total | 8.27 |
| Comilla Social Forestry Division | Comilla | Buddhist Cultural Academy | 2.88 |
|  |  | Total | 2.88 |
| Dinajpur Social Forestry Division | Dinajpur | Road Expansion | 2.60 |
|  |  | Total | 2.60 |
| Rangpur Social Forestry Division | Rangpur | Forest Industry Development Agency | 10.00 |
| Coastal Forest Division, Noakhali | Noakhali | Bangladesh Army | 86,700.00 |
|  |  | Grand Total | 1,50,132.289 |

*Source: BFD headquarters office records.*

It is worth mentioning that the above records exclude forest land given for national communication, transportation, conveyance, rural infrastructure and social development facilities.

In the recent months, however, there have been some positive measures taken on the part of the government which deserve mentioning; these include:

First, strong emphasis has been laid on compensatory measures while transferring forest land to other agencies; for example, the government has recently given permission to use 190 acres of forest land at Moheshkhali Upazila in Cox’s Bazar for implementation of “Installation of single point mooring” project by the Bangladesh Petroleum Corporation (BPC). A strong condition has been imposed for payment of Tk. 1,36,74,949.10 as compensation for the loss of existing forest resources. BPC has already paid the amount. Additionally, BPC has been asked to plant 5-times of the felled trees elsewhere and maintain it for the next ten years under the supervision of BFD. Second, there have been heartening examples of recovery of ‘encroached’ lands in different parts of the country – especially in the Dhaka Wildlife, Dhaka, and Mymensing Forest Divisions. Third, there has been relatively stronger monitoring of the field situation at the BFD headquarters in the recent months. Fourth, under the guidance of the honorable Minister of the MoEFCC, a specialized Committee at the Divisional level convened by the concerned ACF has been formed to address the cases of forest land transfer and encroachment. Fifth, we have observed a degree of greater interest on the part of the Ministry concerning the BFD land issues.

#### Possible Action Points

According to the National Forest Policy 1994, no forest land can be used for any purpose other than the forestry without the permission from the head of state. However in cases of national urgency and priority, forest land transfers may be allowed only with necessary clearance (e.g. NOC) of the BFD, due diligence of standard procedures (including de-reservation in appropriate caes), and formal approval of the head of state.

In the case of allocating forest land for state needs and in approved projects: (i) Allocation of equivalent land elsewhere for plantation may be seriously considered; (ii) Payment for ecosystem services and compensation for Biodiversity loss. It will be used for Restoration and Afforestation in other areas.

The above noted recent good practices – especially the provision of substantial compensation for the transfer of forest land in unavoidable cases – should be zealously pursued and continued.

### Policy decisions unreflective of field realities

Policy decisions at times are not in conformity with, and tuned to the field realities. Examples abound in this regard. The continued ‘ban’ or moratorium on timber extraction (initially declared by the government in 1989, recently renewed[[5]](#footnote-5)), a few in depth studies have shown that it has done little to stop or reduce illicit commercial logging and led to other complications. A national task force report observed the following in this regard:

[The] moratorium on extraction from government forests without making any alternative arrangements for supply of forest produce for consumption … has resulted in fast escalation of price and general shortage of wood in the country. This has also brought additional pressure on existing forest resources as illegal removals have become more profitable … (Task Force 1991:125).

While examining the field level impact of the moratorium, field consultations – especially with the local stakeholders (e.g. representatives of local government, NGOs, forest dependent communities, journalists) reveal that this decision does not reflect a judiciousness for the following reasons: (i) most of the field offices are not in a position to execute this policy with their meager personnel and logistics; (ii) this has put the local BFD staff in direct confrontation with the local power elites – rendering them progressively vulnerable to the dynamics of the local political economy; (iii) the policy is completely regardless of the existing demands of forest products and the field realties: “With the official closure of legal sources of timber, this policy has consequently put renewed impetus to underground commercial logging. … [It] has also put additional pressure on social forestry farmers [as] they are constantly approached and harassed by loggers for trees in their plots” (Khan 1998a:231-232).

Besides, it is difficult to prove by any objective assessment that the ban has led to an increase in the actual forest coverage in the public forest lands.

Another example of central policy decision with negative practical implications for forestry in the field concerns the convention of giving priority to the already existent occupants (often illegal squatters) in allotting *khas* lands. This has encouraged a section of the local people under the patronage of politically powerful quarters to encroach on public lands by clearing off forests. The process in some extreme cases (e.g. in parts of *char* areas including Khasiarchar, Noakhali) has become institutionalized and pervasive (e.g. through the operation of highly organized armed gangs known as *Bahini*).

### Problems with legal instruments for materializing the relevant policies

The legal instruments that are designed to put the relevant policies into action remain vague and disjointed in some cases. In South Char Majid (Bhuiyarhat, Habibia Range, Noakhali), to cite an example among others, the BFD’s deed of agreement with the local community – popularly known as PBSA – Participatory Benefit Sharing Agreement – ran into uncertainty in ensuring the benefits (in the form of specified share of the harvested trees produced under PF) to the participating farmers – leaving the local community utterly frustrated and demoralized. As the local Deputy Commissioner’s office had not been made a ‘party’ in the deed document, and the policy had not been designed and executed in coordination with the DC’s office as the ‘custodian’ of public land management at the local level, the relevant land offices now tended to ignore the deed, and a part of the planted lands was (re)allotted to external settlers – reported the participants in the FGD at the Habibia Range office premises.

Related to the above, some frequently observed complications concerning field level implications of uncoordinated and vague land governance policy and mechanisms include the following: (i) the legal process and procedure of the declaration of Reserved Forest (RF) land (as stipulated in the Forest Act 1927 as amended 2012) remain incomplete – leading to chaos in the field; (ii) although chunks of land have been assigned to BFD in paper (i.e. in public land record register – *khatian*), forest lands have not been physically demarcated and specified; (iii) as a result of these uncertainties and vagueness in the land record and management, BFD is finding it difficult to establish their custodianship and legal authority over the land, and there are reported cases of lands that are claimed by the BFD (as under its purview) being reassigned by the DC’s office to other parties through the ‘settlement’ process (e.g. 390 acres of declared RF -notified under Section 20 of the Forest Act – given in ‘settlements’ to individuals in Hatia).

#### Possible Action Points

In order to ensure public support to forestry activities and save the ‘face’ of the BFD, it is imperative to deliver on the promises (e.g. ensuring local communities’ share of plantations raised through PF) made in the PBSA and other form of participatory arrangements. There needs to be an understanding and agreement regarding this issue at the Ministry and headquarters levels.

The above noted complications related to law and legal processes (concerning the application of the laws in the field) need a thorough expert review.

It is imperative to take immediate measures towards strengthening the BFD Legal Unit – including making provision of dedicated lawyers with specialized expertise and skills on the subject – together with basic logistical services.

The process of completion of the on-going and pending Reservation process needs to be expedited.

Special attention/caution should be exercised by the relevant Deputy Commissiner offices while allotting/resettling forested land (often PFs) recorded in *Khas* (*Khatian* 1) for non-forestry use.

The BFD may formulate and propose a dedicated and specialised project or program concerning BFD land tenure, use and management – preferably in conjunction with Ministry of Land (focussing on e.g. delineation, record digitization and updating, legal prosecution aide) to address the long pending and complicated land management issues. dures where and whenever necessary

The Government may consider appointing some appropriately qualified and experienced officials of the position of Deputy Secretaries (DS) as Forest Settlement Officers (FSO) on an emergency basis under the Deputy Commissioner (DC) in the major forest zones (especially in hill, *Sal* and coastal forest zones) with financial and logistic supports dedicated only for settling the forest land reservation processes so that under the supervision of DC, FSO can complete forest settlement processes, demarcate the forest and *khas* lands and update records accurately.

### Overlaps, contradictions and lack of specificity among policy prescriptions

A good number of cases of overlaps and conflicting provisions among policies and rules are noticeable in the field; Chowdhury (2015) examined these overlaps and contradictions in some details. Some examples follow:

* On the theme of ‘conservation ecosystems’, several policies – notably the Forest Policy 1994, Land Use Policy 2001, Coastal Zone Policy 2005, Industrial Policy 2010, Fisheries Policy 1998 and Agricultural Policy 2006 provide identical prescriptions.
* On the other hand, the vital issuehas remained ignored in such key policies as the Forest Policy 1994 and Land Use Policy 2001.
* On the issue of afforestation in the *Char* lands, too many policies (notably - the Forest Policy 1994 (sec 2) and Land use policy 2001 (sec 7, sec 10), the Non-Agriculture Khas land Management and Settlement Policy 1995) come to play – leading to complication and conflicts in the field (e.g. between the offices of Divisional Forest Officer and the Deputy Commissioner).
* While the Forest Policy 1994 (section 2) prescribes intensive afforestation in the *Char* lands, the Land Use Policy 2001 (sec 2c, 10 and 11) suggests to use the *char* land for human settlement.
* The Forest Policy emphasizes mass afforestation including on the public *khas* land. Two other relevant policies – the Land Use Policy 2001 (sec 15.2) and Industrial Policy 2010

(sec 2, 20) suggest to use all non-agricultural *khas* lands for development works, and for setting up industries, respectively.

#### Possible Action Points

While formulating policies, it is crucial to carefully examine the existing body of relevant policy documents to avoid overlaps and contradictions.

It may make good sense to attempt a thorough ‘synergy review’ of existing policies concerning the broader NRM sectors with a view to identify discrepancies and bringing in a degree of uniformity and synergy in the relevant provisions and prescriptions.

## INSTITUTION AND CAPACITY

### The human resource crisis

The current status and associated complexities regarding human resource (HR) of the Department are dangerously volatile – to say the least. The problems – accumulated over time – are manifold, and the most critical ones for REDD governance include the following: (i) the size of the BCS (Forest) cadre has gone down to just 114, as there has been no recruitment between 1986 and the BCS Forest 22nd batch; nearly one third of the cadre positions currently lie vacant. Indeed, this situation pervades over other key public institutions in the forestry sector: FMP (2016) noted that while BBFD has 24% of all posts vacant, vacancies in BFRI, BFIDC and BNH are 33% 44% and 30%, respectively. (ii) the Department currently cannot fill in the vacant positions, as the recruitment has been postponed due to the declaration of the Recruitment Rules as null and void by the relevant authority. The original BFD Officers and Staff Recruitment Rules 1985 and the subsequent Revised Rules 1995 ‘ceased to remain functional’ as the Honorable Appellate Division of the Supreme Court scrapped the 7th Amendment of the Constitution of Bangladesh (via the disposal of the Civil Appeal 48/2011). The Department, of late, initiated the process of drafting a new recruitment rule which also is currently facing serious complications (as elaborated below); (iii) the relatively experienced officials and staff are retiring in large numbers – leaving a serious gap in the institutional memory and cumulative experience; given that recruitments have not been done in regular intervals over the years, currently this cavity has assumed an alarming proportion. Most of the remaining senior officials will retire by 2018, and the situation no better in the field: out of the 209 Forest Rangers on BBFD’s employment records, 187 will retire by 2020 (FMP 2016). (iv) in the field, most of the offices we visited lack even the most basic of logistical and operational support facilities; (v) a series of HR-related litigations and court proceedings have further clogged the situation; and (vi) inadequate technical capacity, insufficient funding, and a near-absence of the practice of systematic HR planning and long range strategizing – are some of the other most notable constraints that thwart smooth governance and functioning. Some of these issues are further explained and elucidated in the following texts.

Since the past few years, BFD has undertaken notable initiatives towards addressing some of the above problems; these include the following:

Although somewhat belated, the Department has made the groundwork to revive the BFD Officers and Employees Recruitment Rules 1985 and drafted the proposed Recruitment Rules 2016 – a vital instrument to address the crisis of HR shortage and staffing. The draft Rules have been prepared, submitted to MoEFCC, received endorsement of the Ministry after successful negotiation and perusal, subsequently also secured endorsement of the Ministry of Public Administration (MoPA), and currently under preparation for onward submission to the relevant Committee of the Secretaries. At this final stage, unfortunately, again an uncertainty has crept in when a group of FRs filed a case (Writ Petition 15191/2016 by Mr. Mir Sayedur Rahman and 10 other Foresters) in the high court challenging the BFD’s attempt to fill in FR positions. The honorable High Court responded with the following direction on 24 August 2017: “…the Respondents [should] maintain status quo with regard to recruitment and eligibility provision of the ‘Forest Rangers’ till disposal of the said writ petition". This has practically stalled the process of reviving the Rules. The Department is currently desperately trying to ‘vacate’ the ‘status quo’ through the standard legal process with the support of the Attorney General’s office.

The Department has reworked and revised the HR chart - often referred to as Organogram (originally drafted in 2001). Since 2010, a series of communications have taken place between BFD and MoEFCC on the matter - resulting in two rounds of revisions. Currently, BFD is finalizing the latest revision in response to MoEFCC’s written queries, and planning to resubmit shortly. The matter may still take a long time and get procrastinated - given the fact the process includes several pending steps – notably securing the endorsement of MoPA, Ministry of Finance (MoF) and the Cabinet.

Shortage of experienced staff – both at the centre and in the field – has assumed a critically alarming state. Such key field positions as Forest Ranger (FR) and Deputy Ranger (DR) are lying vacant in large numbers. In the absence of appropriately qualified regular staff, and the inability to recruit (due to the above complications concerning the recruitment rules and process) – some of these positions are temporarily manned by relatively junior and/or inexperienced staff and filled-in as ‘additional charge’ (i.e. a particular staff is given *ad hoc* responsibility of a position in addition to his/her regular position). The review team has noted cases where one staff is given the responsibility of three key positions, and in candid discussions, several of them admitted that these *ad hoc* arrangements had seriously compromised the gravity and performance in these positions. In the CHT (North) Division, for example, there has not been any regular appointment in some 39 DR positions (Mr. Touhidul Islam, *per. comm.*) . In general, HR inadequacy remains a formidable challenge in the field; some examples are as follows (Figures 8 and 9).

**Figure 8: Status of Human Resource of the Mymensingh Forest Division in 2017-18**

*Source: Developed by the author from the concerned office records.*

**Figure 9: Status of Human Resource of the Bandarban Forest Division in 2016-17**

*Source: Developed by the author from the concerned office records.*

#### Possible Action Points

It is critically important to consider carefully designing and operationalizing a central HR strategic planning process at the BFD headquarters under the close purview of the CCF. The emphasis should be on long range HR strategic planning in regular consultation and communication with the relevant ministries (especially MoEFCC, and subsequently MoPA and MoF).

Given the high level of complexity of HR – especially recruitment related litigations, it is urgent to maintain the tempo and perseverance in following up and pursue the legal process towards resolution. In following the recent efforts in this regard (as noted above), the immediate needs include: steps towards (i) vacating Writ Petition 15191/2016; (ii) following up with the ‘new organogram’ revision exercise with MoPA and MoF.

### Delay and procrastination in disposing of routine procedures

One major reason leading to the piling up HR related complications is the delay and procrastination in disposing of routine procedures (i.e. steps in the cycle of an event). One example concerns the process of ‘regularization’ of the staff who have been shifted from ‘project’ to the ‘revenue budget’. Several staff who originally were brought to ‘revenue’ as early as 2000, managed to get their position ‘regularized’ only in 2015-16. Our field observations also suggest that successful disposal of these cases often depend on the personal goodwill of the concerned supervising officers, and this cumbersome process needs constant follow-up and persuasion. In the absence of a central HR strategic planning mechanism in the Department, such systematic initiative and follow-up are not always available as standard practices. Failure to ‘regularize’ the relevant positions in time leads to subsequent complications as determination of seniority and ‘gradation’ list, difficulty in maintaining objective criteria in staff promotion, and resultant litigations by aggrieved staff by ‘arbitrary decisions’ (regarding (seniority and promotion).

### Ineffective functional coordination and harmony among relevant government agencies

There are frequent examples and cases of inadequate (or lack of) ineffective functional coordination and harmony among relevant government agencies – as reported in the literature and observed during the fieldwork. The following are just a few examples:

several public organizations –notably, Local Government Engineering Department (LGED), Union Parishad (UP), *Pourshava Palli Biddut Samity* - carry out civil work and infrastructural construction activities (e.g. roads, electricity distribution lines, drainage) without any consultation with BFD, or in defiance of the official objection of BFD and relevant central guidance issued by the Cabinet Division (No. MPB/JP-4/2//923/097-20002(part)538; dated 9 Feb 2002) to seek MoEFCC or BFD clearance (‘no objection’) at the project formulation (PP/PCP) level should such construction become absolutely necessary, and the similar decision made at the 32nd meeting of the Parliamentary Standing Committee on MoEFCC. The situation has become so serious that it attracted attention of MoEFCC, and the Ministry issued a special letter addressed to the Secretaries of the Local Government and Power Division (No.22.00.0000066.32, dated 26 October 2017) expressing the concerns over the deteriorating situation, and urging them to ensure that the central decisions to work in coordination with the BFD is adhered to before implementing development projects in the first. The second paragraph of the letter reads as follows:

“In implementing unapproved constriction works in the field, the concerned local authorities are met with resistance from BFD. This results in conflict of opinion with local authorities. BFD is presented as an opponent to the public. In some cases, the local political representatives are also manipulated to misunderstand and get a negative impression of the BFD. Consequently, BFD’s image is jeopardized vis-à-vis the citizens, and BFD officials and staff face great difficulty in discharging their duties…”.

During the fieldwork, we also observed such situations concerning unauthorized construction activities on forest land in Tangail and Gazipur/Dhaka (Gosinga-Rajabari road, KaliakoirSimla electricity lines etc.).

As noted in preceding discussions related to ‘Policy’, several complications ensue from inadequate coordination and liaison with the District Administration (DA; DC’s office). Besides, field observations suggest that related to the above, some frequently observed complications concerning field level implications of uncoordinated and vague land governance policy and mechanisms include the following: (i) the legal process and procedure of the declaration of Reserved Forest (RF) have remained incomplete (partially done) in many places.

#### Possible Action Points

Centrally issued formal directives and decisions regarding the functional coordination and mutual support for forest management among relevant government agencies already exist, as it is evident from the above. These directives now need to be regularly followed up and monitored for actual compliance and implementation in the field through such possible steps as (i) periodic follow-up by the concerned authorities (e.g. the Parliamentary Committee, MoEFCC) to check progress of implementation of the relevant decisions; (ii) Field BFD offices may record relevant incidences of non-compliance for reporting back to the concerned authorities; (iii) BFD may organise briefing for the field offices of concerned agencies about these central decisions by utilizing such consultative platforms as the Monthly Development Coordination Meeting at the DC’s and/or UNO’ offices.

### Grossly inadequate logistics and other material support

The logistical and other support-resources remain at a bare minimum level, and fall far below the requirements in the nearly all offices – especially in the field. As examples, the relevant status of two nationally important Forest Divisions is shown below (Tables 5 and 6).

**Table 5: Trend in Provision of Logistics and Equipment in Cox’s Bazar Forest Division**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Year* | *Motor Vehicles* | | *Non-Motor Vehicles* | | *Arms/Ammunition* | | *Communication System (e.g. Mobile phone set)* | |
| *Required* | *Existing Functional* | *Required* | *Existing Functional* | *Required* | *Existing Functional* | *Required* | *Existing Functional* |
| 2009-10 | 62 | 13 | 50 | 0 | 223 | 52 | 70 | 0 |
| 2010-11 | 62 | 20 | 50 | 0 | 223 | 52 | 70 | 0 |
| 2011-12 | 62 | 22 | 50 | 0 | 223 | 52 | 70 | 0 |
| 2012-13 | 62 | 22 | 50 | 7 | 223 | 52 | 70 | 0 |
| 2013-14 | 62 | 22 | 50 | 7 | 223 | 52 | 70 | 0 |
| 2014-15 | 62 | 22 | 50 | 7 | 223 | 52 | 70 | 0 |
| 2015-16 | 62 | 28 | 50 | 7 | 223 | 52 | 70 | 0 |
| 2016-17 | 62 | 28 | 50 | 7 | 223 | 52 | 70 | 0 |

*Source: Concerned office records.*

**Table 6: Trend in provision of Logistics and Equipment in the Dhaka Forest Division**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *Year* | *Vehicles* | | *Non-motor vehicles* | | *Ars/ammunition* | | *Communication System(e.g., Walky-talky, wireless-VHF system, mobile telephone)* | |
| *Required (Nos)* | *Existing functional (Nos)* | *Required (Nos)* | *Existing functional (Nos)* | *Required (Nos)* | *Existing functional (Nos)* | *Required (Nos)* | *Existing functional (Nos)* |
| 2013-14 | 6 | 4 | 40 | 6 | 70 | 9 | 2 | 2 |
| 2014-15 | 6 | 4 | 40 | 6 | 70 | 9 | 2 | 2 |
| 2015-16 | 6 | 4 | 40 | 6 | 70 | 11 | 2 | 2 |
| 2016-17 | 6 | 4 | 40 | 6 | 70 | 11 | 2 | 2 |

*Source: Concerned office records.*

### Inadequacies in training and capacity

The following table summarizes the major areas of in-service training. It is evident that the level and extent of training have remained generally inadequate compared to the volume and complexity of the Department’s work and the actual demand in the field.

Some other pertinent observations in this regard are as follows: (i) the key aspects of governance – notably land management , policy and regulatory regime - have received inadequate focus over the years; (ii) there has been a degree of attention to training in participatory forest governance since 2010; (iii) since the mid 2000s, the extent of training on nursery and plantation management has been relatively consistent.

**Figure 7: Number of Relevant Major Training (Received After Joining BFD, i.e. In-service Training)**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | *Total No. of Training on Land Survey and Settlement* | | *Total No. of Training on Policies and rules/laws (or relevant subject)* | | *Total No. of Training on Nursery and Plantation Management* | | *Total No. of Training on Social Forestry /Co-management* | | *Total* | |
| *Year* | *Male* | *Female* | *Male* | *Female* | *Male* | *Female* | *Male* | *Female* | *Male* | *Female* |
| 2001 | 1 | 0 |  |  |  |  | 28 | 1 | 29 | 1 |
| 2002 |  |  |  |  |  |  | 4 | 0 | 4 | 0 |
| 2003 |  |  |  |  |  |  | 11 | 0 | 11 | 0 |
| 2004 |  |  |  |  | 1 | 0 |  |  | 1 | 0 |
| 2005 |  |  |  |  | 50 | 0 |  |  | 50 | 0 |
| 2006 |  |  |  |  | 20 | 0 |  |  | 20 | 0 |
| 2007 | 21 | 2 |  |  | 50 | 0 | 1 | 0 | 72 | 2 |
| 2008 | 3 | 1 |  |  | 48 | 0 |  |  | 51 | 1 |
| 2009 |  |  |  |  | 57 | 0 | 1 | 0 | 58 | 0 |
| 2010 |  |  |  |  | 48 | 0 | 33 | 0 | 81 | 0 |
| 2011 | 2 | 0 | 9 | 5 | 58 | 0 | 14 | 0 | 85 | 5 |
| 2012 |  |  | 91 | 4 | 57 | 0 | 63 | 3 | 221 | 7 |
| 2013 |  |  | 54 | 17 | 57 | 0 | 67 | 3 | 178 | 20 |
| 2014 |  |  | 26 | 9 | 97 | 14 | 6 | 0 | 129 | 23 |
| 2015 | 4 | 1 | 24 | 11 | 75 | 0 | 4 | 1 | 107 | 13 |
| 2016 | 4 | 2 | 28 | 8 | 62 | 0 | 17 | 3 | 111 | 13 |
| 2017 | 5 | 1 | 64 | 24 | 202 | 4 | 278 | 48 | 549 | 77 |

*Source: Concerned office records.*

#### Possible Action Points

While designing training programmes and selecting topics, the key aspects of forest governance – notably land management , policy and regulatory regime should receive priority.

As far as possible, the training contents and literature should use visual and pictorial materials as well as physical demonstrations, where applicable. Other experimental models of training and learning, practiced by other projects/institutions in the region, may provide valuable lessons in this regard.

Wherever possible, the training sessions should be arranged and organised locally -- close to the targeted field offices and communities based on the prospective participants’ convenience and opinion.

Systematic and regular consultation with the targeted participants of the training programmes should be done by the concerned trainers/organisers before designing and/or implementing any training scheme especially its contents, time and location.

Women should be given preference or at least equal opportunity in availing various skills development training and associated inputs and facilities.

## RESPONSIVENESS AND ACCOUNTABILITY

### Formation and consolidation of community-focussed governance institutions

Since the intensification of participatory approaches to forest management in the 1980s, community-based institutions (notably, ‘local beneficiary groups’ in the PF programmes and Co-management institutions in the Protected and National Park areas) have been formed and various institutional platforms for the interaction between the BFD and local communities constituted with a varying degree of success and effectiveness. As regards the actual functioning and surrounding working contexts of these community level governance institutions, the following observations may be noted:

1. PF has clearly benefited the participants (to use the official term - ‘beneficiaries’) in the form of cash income; in a considerable number of cases, such financial benefits have been substantial.
2. Beyond the sharing of income, however, the extent of community participation has been somewhat limited: members of communities – especially women have little or no role in the planning and formulation stage of the projects, and in the key operational decisions; their engagement has mainly been in the forms of labour inputs to the plantation and associated physical implementation activities.
3. PF and Co-management programmes have contributed to the increased social status and recognition of the participating farmers. The majority of respondent participants reported to have cherished a sense of recognition and esteem by their peers and villagers (outside the project territory), which is manifested by such incidents as

* more visits by relatives(kith and kin),
* invitation to socio-religious events,
* marriage connections to well-off families, and
* wider access to public offices and other formal quarters.

1. In general, collective activities seem to have intensified as an effect of the participatory programmes. In a few instances, as observed during the fieldwork, the participants have emerged as a `power group’ in the local government elections and, therefore, have received increased attention from the local political leadership (including elected Membership in the Union *Parishads* (UP)[[6]](#footnote-6); we noted women CMC members getting elected to UP in Mymensingh, and we have been informed that their CMC connections and network had played an important role in this regard.
2. Some social structures and dynamics – most notably patronage relations and influences - are manifest in the study area. Some examples include:

* Some farmers maintain regular contact with *matobbar* or *karbari* (local elite/leaders) to access and exploit political power;
* Farmers are selected for inclusion in the project by a specialized committee, consisting of representatives from the BFD, local government offices and community institutions. For example, one PF participant in … was brought to the project by a local elite (a local traders with a background of holding a local government office in the past) for whom he used to work before (as a sharecropping tenant – *barga* farmer/*kamla*): “[I] worked in his [the patron’s] grocery shop...He [referred me] to some of the ‘big people’ in the project, and [accordingly] I came here and got this land...I do not know much about any committee or any meeting;...if there is a problem, I go to him.”
* Many PF participants take recourse to informal loans and assistance from *Mohajons* (local money lenders) that require collateral in the form of a `social reference’ from local elites.

1. In some instances, participatory project interventions have given the relatively well-off farmers (e.g. those with better economic situation, or connections with local political and project leadership) some opportunities of interaction with the ‘formal’ sectors of, for example, the public and local government offices, markets and hospitals. Women and poorer farmers can hardly avail themselves of this opportunity of external exposure. However, they occasionally attempt to negotiate access to formal sectors through their dominant colleagues in such (formal) social or economic transactions as selling agroforestry products to traders and their agents, securing public extension services.
2. Considerable number of the respondent participants of PF feels insecure about title to land.

#### Possible Action Points

As evident from the above, there already exists a set of relevant community based institutions in the field with varying degrees of success. Rather than inventing the wheel and try out new institutional structures, UN-REDD may consider utilizing the suitable existing institutions – of course, with necessary adaptations, adjustments, and contextualization. This will also ensure long term sustenance of these institutions.

While formulating and implementing relevant programmes, there have been limited understanding and focus on the social structures and dynamics, and their influences and implications for the performance of these programmes. It is imperative, therefore, to take full account and consideration of the social dynamics and their implications during UN-REDD programme design and execution.

Ensuring a reasonable security concerning access, tenure, and usufruct of land for UN-REDD purposes is crucially important.

### Limited interaction between BFD and CBOs

Although, as noted above, there has been an overall shift of the BFD towards more participatory approaches (as manifested in the introduction of PF and co-management programmes) since the 1990s, the actual level and intensity of interaction with the local community vary widely across different sites, and generally remain somewhat limited. In this regard, as revealed during the fieldwork and various stakeholder consultations, the co-management institution of CMC seems relatively better performing compared to the *Samity* under the auspices of the PF programmes (see Tables 8 and 9).

**Table 8: Pattern and Extent of Interaction between BFD & CBOs: The Case of CMC**

|  |  |
| --- | --- |
| Indicators | Responses |
| Participation in planning and designing | Almost all members participate |
| **Majority participate** |
| A few participate |
| CMC & BFD jointly allocate funds and decide on utilization | Always |
| **Occasionally** |
| Rarely |
| Number of joint decisions by BFD & CMCs | More than 80% in last 12 months |
| **Between 50-80%** |
| Less than 50% |
| Participation of line agencies and NGOs in the CMC work | **Major line agencies and NGOs** |
| Only a few of them |
| None or very limited |
| Plans responsive of local contexts/changes | Mostly flexible and responsive |
| **Partially responsive** |
| Imposed, inflexible |

*Note: The responses – reflecting the majority view - are put in bold.*

*Source: (i) Based on the ‘assessment framework’ development by Khan (2010); (ii) Information is drawn from the discussions in stakeholder consultations in Tangail-Mymensingh and Chittagong, and associated visit to selected co-management and PF programme sites.*

**Table 9: Pattern and Extent of Interaction between BFD & CBOs: The Case of PF Beneficiary Groups (*Samity*)**

|  |  |
| --- | --- |
| Indicators | Responses |
| Participation in planning and designing | Almost all members participate |
| Majority participate |
| **A few participate** |
| Samity & BFD jointly allocate funds and decide on utilization | Always |
| Occasionally |
| **Rarely** |
| Number of joint decisions by BFD & *Samity* | More than 80% in last 12 months |
| **Between 50-80%** |
| Less than 50% |
| Participation of line agencies and NGOs in the Samity’s work | Major line agencies and NGOs |
| Only a few of them |
| **None or very limited** |
| Plans responsive of local contexts/changes | Mostly flexible and responsive |
| **Partially responsive** |
| Imposed, inflexible |

*Note: The responses – reflecting the majority view - are put in bold.*

*Source: (i) Based on the ‘assessment framework’ development by Khan (2010); (ii) Information is drawn from the discussions in stakeholder consultations in Tangail-Mymensingh and Chittagong, and associated visit to selected co-management and PF programme sites.*

* The field BFD and associated NGO staff concerned with the delivery of participatory and co-management projects should be adequately trained and oriented with (i) relevant community mobilization and development (including group formation and nurturing), (ii) participatory methodology and approaches (including community-led critical/problem analysis); and (iii) supervision and monitoring tools and techniques (including field-based reporting).
* Wherever possible, local knowledge and wisdom (including some of NRM technologies observed during the fieldwork) may be analyzed, documented, disseminated and promoted.
* Greater emphasis should be given on forging network and partnerships on the part of the relevant local institutions (CMC, *Samity*, etc.). During group discussions, a number of leaders of such institutions requested the BFD and/or Project’s support in linking up to the national level – e.g. to the national media and television networks – for projecting the site-specific activities and accomplishments, , and promoting community rights and access to forest resources.
* Exposure and ‘cross’ visits may be further expanded involving more zealous group and committee members (as well as relevant local government and traditional leaders) in order for them to visit and benefit from the experiences of better functioning situations and cases. Essentially, the purpose of these visits is to facilitate cross fertilization of good practice idea and create a demonstration effect.
* The efforts to record and document the existing best practice examples of off-and on-farm avenues of livelihood and income diversification should be continued, and correspondingly reviewed for possible replication and further promotion.

### Limitations in monitoring and evaluation

The financial and programmatic monitoring systems deployed by BFD involve periodic field inspection by senior officials; monthly and quarterly reporting, maintenance of staff ‘log-book’, staff meeting, periodic evaluation missions, and occasional public audit.

Among these mechanisms, staff meetings and production of reports (in prescribed formats) are more or less regularly done in the visited offices. Some staff, however, noted that the reporting requirements were quite heavy, and took away valuable staff time from field activities. On closer scrutiny, it seems that the traditional format of the reports does not allow for much analysis or qualitative interpretations. There is practically no room for participation of the local communities or external stakeholders in producing these reports.

The other mechanisms of M&E – especially field inspection by supervising officials and maintenance of activity log remain largely ineffective owing to the following reasons: there is grossly inadequate budget and other provisions for field inspection. The allowances (TA and DA) allocated for the purpose of such visits remain pending for years, and the rate is unrealistically low. The team has observed cases where the TA/DA payments have been overdue for more than 6 years. The logs are often maintained for ceremonial purposes, and do not always reflect field realities.

At present, there is no regular provision of broad-based citizen-based external M&E – for example, social audits.

#### Possible Action points

It is important the review the current level and effectiveness of use and application of the mainstream M&E mechanisms in BFD. Field observations suggest that inspection visits by supervising officials, and maintenance of activity log books may go a long way towards effective M&E. In order to make these mechanisms effective the following measures are required: adequate and regular provisioning (TA, DA, etc.) for enabling the inspection visits as per the relevant rules; the huge backlog of pending/overdue TA, DA claims needs to be periodically reviewed and systematically accounted for – in yearly budget allocation; and reviving the culture of maintaining realistic logs by field officials, and follow-up on these logs by supervising officials. Some forms of a ‘reward and punishment’ provision – based on M&E (and associated performance) reports and results – should also be considered.

Bangladesh has considerable experience of applying (and benefiting from) various forms of social and community based independent M&E in other social development programs – notably in the food and nutrition sector. Some of these experiences are well documented (see, e.g., some of these Social Accountability-related project experiences and associated publications by the BRAC Institute of Governance and Development [BIGD] at <http://bigd.bracu.ac.bd/index.php/resources/publications-by-staffs/journal-publications>).

Instituting an appropriate form of citizen-based watchdog (drawing, among others, on relevant skills available amongst the civil society) may be considered.

### Social equity and gender considerations

Although somewhat limited, PF and co-management programmes have – to a varying degree – maintained a focus on several most disadvantaged social groups notably poor women, poor fishers, the landless, religious minorities – especially through such activities as context-specific livelihood training and knowhow, and mass scale Conscientization on various natural resource governance-related rights and access issues – including operation of CBOs.

Several other PF and co-management programme activities also have positive implications in terms of social equity and outreach to the most disadvantaged members of the community; these include: (i) training and orienting selected women to take up decision making positions in a few CBOs and UP; (ii) consciously seeking out female-headed poor households; and (iii) specially targeting traditional/indigenous communities and ethnic/religious minorities in several sites.

In general, however, the relatively low level of female participation – especially in the decision making processes of the CBOs - is attributed to the following factors:

* socio-religious taboos and hindrances to women’s access in formal quarters;
* lower level of literacy;
* limited access to information and opportunity;
* formal activities of the CBOs (e.g. meetings, workshops, visits by external guests and officials) often clashes with the time of (overwhelming) household and reproductive engagements of women.

Poorer sections – especially destitute women, however were seen during the fieldwork to be engaged in several programme activities – providing manual labour and other maintenance inputs

In a very limited number of incidences, as noted above, female CBO members have successfully negotiated and ascended to local government leadership position – notably membership of UP and /or Standing Committees.

Among the visited sites, a few people with various forms of disability were noticed amongst CBO members. Although the Project staff and CBO leaders were positive and supportive, the forestry programmes did not have any dedicated or targeted provision for these people with special need.

#### Possible Action points

For any UN-REDD or similar projects or interventions in the future, the staff composition may be carefully reviewed for reasonable gender balancing by exploring means of bringing on board more appropriately qualified women – where possible.

It is necessary to take full account and consideration of the gender and equity issues and considerations in the design and implementation of UN-REDD and associated projects and interventions. At present, as the field observations suggest, the understanding of social and gender issues among a considerable part of the concerned staff – especially in the field - is relatively low.

# References and Bibliography

Ahmed, M. R. and Laarman, J. G. (2000) ‘Gender Equity in Social Forestry Programs in Bangladesh’, *Human Ecology*, Vol.28, No.3, pp.433-450

Akhter, T. (2008) *The Role of Social Forestry in Poverty Alleviation of Rural Women: A Sociological Study*, Academic Press and Publishers, Dhaka.

Anderson, R.S. and Huber, W. (1988) *The House of the Fox: Tropical Forests, the World Bank and Indigenous People in Central India*, University of Washington Press, Seattle and London.

Anonymous. (undated) *Forest Policy of Bangladesh: Seeking for New Directions*, B.Sc. (Honours) Review Paper 179, Institute of Forestry, University of Chittagong, Chittagong.

Biswas, S.R. and Choudhury, J.K. (2007) ‘Forests and Forest Management Practices in Bangladesh: The Question of Sustainability’, *International Forestry Review*, Vol.9 (2), pp. 627-640.

BRAC. (1986). *The Net: Power and Structure in Ten Villages*, BRAC, Dhaka.

Choudhury J.K. (2015) *Final Report on the Review of Policies of Forestry Sector Under the Project Strengthening the Environment, Forestry and Climate Change Capacities of the Ministry of Environment and Forests and its Agencies*, Ministry of Environment and Forest/Forest Department Project GCP/BDG/053/USA, Dhaka

Chowdhury, S.A. (2004) *Participation in Forestry: A Study of People's Participation on the Social Forestry policy in Bangladesh: Myth or reality?* M.Phil. in Public Administration Thesis, University of Bergen, Bergen.

Cowan, J.M. (1923) *Working Plan for the Forests of The Chittagong Division, Bengal*, Bengal Government Press, Calcutta.

Dwivedi, A.P. (1980) *Forestry in India*, Jugal Kishore and Company, Dehra Dun.

Evers, H. (1987) ‘The Bureaucratization of Southeast Asia’, *Comparative Studies in Society and History*, Vol. 29, No. 4 (Oct., 1987), pp. 666-685.

Frederickson, G. (2005). Whatever happened to public administration? Governance, governance everywhere. In E. Ferlie, L. Lynn, & C. Pollitt (Eds.), *The Oxford handbook of public management*. Oxford: Oxford University Press.

FRI (Forest Research Institute) (1961) *100 Years of Indian Forestry 1861-1961* (Vol.1), FRI, Dehra Dun.

Fukuyama, F. (2013). What is governance? *Governance*, *26*(3), 347-368.

Gadgil, M. (1989) ‘Deforestation: Problems and Prospects’, *Foundation Day Lecture*, May 12, 1989, Society for Promotion of Wastelands Development, New Delhi.

Ghani, Q. (1955) *Working Plan for The Forest of The Chittagong Division (1950-51 to 1969-70)*, East Bengal Government Press, Dhaka.

Government of Bangladesh (2016). *Bangladesh Forestry Master Plan, 2017-2036.* Dhaka: GoB

Government of Bangladesh (GoB). (1994) *Forestry Master Plan: Main Plan*, Ministry of Environment and Forest, (UNDP/FAO BGD/88/025, ADB TA 1355-BAN), Dhaka.

Government of Bangladesh (GoB). (1995) *National Forest Policy 1994*, Ministry of Environment and Forest, Planning Cell (notified on 31.05.1995), Dhaka.

Government of Bangladesh (GoB). (2012). *Perspective Plan of Bangladesh 2010-2021: Making Vision 2021 A Reality.* Dhaka: GoB.

Guha, R. (1989) The *Unquiet Woods: Ecological Change and Peasant Resistance in Himalya*, Oxford University Press, New delhi.

Hill, C. J. (2004). Review: Governance, Governance Everywhere*. Journal of Public Administration Research and Theory,* 14(1), 139-142

Horta, K. (1999). The more things change... the World Bank, Cameroon and the politics of" governance". *Multinational Monitor*, *20*(6), 23.

Hunter, W.W. (1876) *Statistical Account of Bengal: Chittagong Hill Tracts, Chittagong, Noakhali, Tipperah, Hill Tipperah* (Vol.6), Trubner and Company, London.

Hussain, M.M. (1992) *Study on National Forest Policy in Bangladesh*, mimeographed, Forest Department, Dhaka.

ITTO and FAO. (2009). *Forest governance and climate-change mitigation*. A policy brief prepared by ITTO and FAO.

Kaufmann, D., Kraay, A., &Zoido-Lobaton, P. (1999). Governance Matters', World Bank Policy Research Working Paper No. 2196. *Washington, DC: World Bank*.

Khan M.M. (2003). State of Governance in Bangladesh. *The Round Table* 370:391–405.

Khan, M.M. & Ahmed, A.K.M. (1997). Dimensions of Governance, in M.G. Quibia (ed.), *The Bangladesh Economy in Transition,* pp. 302-326. Delhi: Oxford University Press.

Khan, N.A. (1998a) *A Political Economy of Forest Resource Use: Case Studies of Social Forestry in Bangladesh*, Ashgate, Aldershot and Brookefield.

Khan, N.A. (1998b) ‘Land Tenurial Dynamics and Participatory Forest Management in Bangladesh’, *Public Administration and Development*, Vol.18, pp. 335-347.

Khan, N.A. (1998c) ‘Interview of the Sahibs: Bureaucratic Constraints on Community Forestry in Bangladesh’, *Journal of World Forest Resource Management*, Vol.9, pp. 73-93.

Khan, N.A. (1998d) ‘The International Aid Agencies and Social Forestry Management in Bangladesh: A Case Study’, *Decision*, Vol.25, Nos.1-4, pp.79-96.

Khan, N.A. (2002) ‘Rural Development in Transition: An Institutional Perspective’, [in] Chowdhury A.M. and Alam F. (eds.) *Bangladesh on the Threshold of the Twenty-First Century*, Asiatic Society of Bangladesh, Dhaka, pp.382-410.

Khan, N.A. (2008a) ‘Forestry for Rural Development in Bangladesh’ [in] Asok Kumar Sarkar (ed.) *NGOs and Globalization: Developmental and Organizational Facets* (296 pp), Rawat Publications, Jaipur, pp.137-157.

Khan, N.A. (2008b) *Society and Social Forestry: Patronage and Land Tenure in Bangladesh and Thailand*, University of Chittagong, University of Chittagong Press, Chittagong, 2008, pp.145

Khan, N.A. (2009) *More than Meets the Eye: Re-reading Forest Policy Discourse in Bangladesh*, Queen Elizabeth House Working Paper 177, Oxford Department of International Development, Queen Elizabeth House, University of Oxford, Oxford.

Khan N.A. (2010). ‘Towards a Conceptual Framework for Capacity Assessment of Local Institutions in Natural Resource Management’, *Dhaka University Journal of Development Studies,* Vol.1, No.1, 2010: 115-127.

Khan, N.A., Chowdhury, J.K., Huda, K.S., and Mondal, M.I. (2004) *An Overview Social Forestry in Bangladesh*, Bangladesh Forest Department (Government of Bangladesh), Dhaka; and University of Chittagong, Chittagong.

Khan, S.A. (1989) *The State and Village Society: The Political Economy of Agricultural Development in Bangladesh*, University Press Limited, Dhaka.

March, J. G., & Olsen, J. P. (1995). *Democratic governance*. Free Press.

North, D. C., Wallis, J. J., Webb, S. B., &Weingast, B. R. (Eds.). (2013). *In the shadow of violence: Politics, economics, and the problems of development*. Cambridge University Press.

Poffenberger, M. (ed.) (1990) *Keepers of the Forest: Land Management Alternatives in Southeast Asia,* Kumarian Press, West Hartford, Connecticut.

Rahman, L.M. (1993) ‘History of Forest Conservation in Indo-Bangladesh’, *Aranya: A Forestry Periodical*, Vol. 2, No.2, pp.21-24.

Rajan, R.S. (2006) *Modernizing Nature: Forestry and Imperial Eco-Development 1800-1950*, Oxford University Press, Clarendon Press, Oxford.

Rasul, G. (2005) *State Policies and Land Use in Chittagong Hill Tracts of Bangladesh*, Gate Keeper Series 119, International Institute of Environment and Development (IIED), London.

Rasul, G. (2007) ‘Political Ecology of the Degradation of Forest Commons in the Chittagong Hill Tracts of Bangladesh’, *Environmental Conservation*, Vol.34, No.2, pp.153-163.

Roy, M.K. (1987) *Forest Sector Planning and Development in Bangladesh*, Master of Forestry Dissertation, Department of Forestry, Australian National University, Canberra.

Shepherd, G. (ed.) (1992) *Forest Policies, Forest Politics*, Agricultural Occasional Paper 13, Overseas Development Institute, London.

Stoker, G. (1998). Governance as theory: five propositions. *International social science journal*, *50*(155), 17-28.

Task Force. (1991) *Report of the Task Forces on Bangladesh Development Strategies for the 1990s*, Environment Policy, Vol. 4, University Press Limited, Dhaka.

UNDP (1997) *Governance for Sustainable Human Development*, UNDP Policy Document, UNDP, New York.

UN-REDD (2016). *Drivers of Deforestation and Forest Degradation in Bangladesh.* Dhaka: UN-REDD Programme Office.

UN-REDD (2018) *Land Tenure Problems and Implications for REDD+ in Bangladesh* (by Mohammed Jashimuddin and Md. Suratuzzaman), Dhaka: UNREDD Programme Office,

Wadud, A.A.N.M. (1989) *Need for Change in Forest Act*, B.Sc. (Honours) Review Paper 111, Institute of Forestry, University of Chittagong, Chittagong.

1. The Study is led by Niaz Ahmed Khan, *Ph.D. (Wales)*, *Post Doc. (Oxford),* Professor and former Chair of Development Studies, University of Dhaka and former Country Representative, IUCN-Bangladesh. He has been assisted by Asif Mohammed Shahan,*Ph.D. (George Mason)* and Ebney Ayaj Rana Associate Professor and Lecturer, respectively, at the Department of Development Studies, University of Dhaka. This assignment and the resultant reports are not related to the official positions and status of the authors/mission members (Contact: [niaz.khan@yahoo.com](mailto:niaz.khan@yahoo.com); 01711 364462). [↑](#footnote-ref-1)
2. The observations and opinions contained in this report are the author’s responsibility, and do not reflect those of MoEFCC, BFD, UNREDD or any other institutions; the usual disclaimer applies. [↑](#footnote-ref-2)
3. Available at: https://jobs.undp.org/cj\_view\_job.cfm?cur\_job\_id=72773 [↑](#footnote-ref-3)
4. The Study titled ‘Land Tenure Problems and Implications for REDD+ in Bangladesh’ (UN-REDD 2018) was commissioned by GoB and UN-REDD as a complementary exercise to this (the Forest Governance) Study. Both these studies are meant to elucidate and build further on the D&D Study. [↑](#footnote-ref-4)
5. The Ban/Moratorium has been extended for the period 1 January 2016 to 31 December 2022 vide a Public Notification issued by the MoEFCC on 24 November 2016 No. 22.00.0000.066.47.018.16-392. [↑](#footnote-ref-5)
6. UP has been a historically important tier of the local government system at the sub-national level in Bangladesh. [↑](#footnote-ref-6)