



**COMMUNITY FORESTRY AND POLICY
IN NORTH-EAST INDIA:
AN HISTORICAL LEGAL ANALYSIS**

Community Forestry International
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COMMUNITY FORESTRY INTERNATIONAL, INC.
Supporting Sustainable Management & Restoration of the World's Forests

Community Forestry International (CFI) assists rural communities to regenerate forests by helping policy makers, development agencies, NGOs, and professional foresters develop the legal instruments, human resource capacities, and negotiation processes and methods to support resident resource managers. Community forest management contributes to livelihood security and poverty alleviation that, in turn, leads to sustainable development. CFI enables community forest management strategies to become an integral part of stabilizing forest management world-wide. CFI strategies are implemented through four interrelated thematic program areas. These include 1) Regional and National Policy Dialogues, 2) Mediation Processes and Methods for Enhancing Tenure Security, 3) Participatory Research & Field Programs, and 4) Communication. The program components are designed to engage national policy makers, professional practitioners, and communities to facilitate learning, reduce conflicts, and ultimately create management agreements that result in more equitable, sustainable forest

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Front Cover: With some of the highest annual rainfall in the world, the watersheds of Northeast India provide important hydrological services, while the forests possess an immense range of biological and cultural diversity.

Back Cover: A three-generation Khasi family in Meghalaya relax in their forest garden that provides the household with a wide range of subsistence goods including food, medicinal herbs, fibers, and timber for house construction and agricultural tools.

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by

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Executive Summary

This paper examines the legal acts and past policies that have contributed to the current forest management context in Northeastern India. The analysis proceeds to review recent experience with Joint Forest Management policies, transplanted from Peninsular India, and the possibilities for new community forest management policies that are designed specifically for the Northeast. Rich in biological and cultural diversity, the Northeast is facing mounting demographic and economic pressure that threaten its natural and social landscape. Isolated from the rest of India for decades, culturally, politically, and logistically, the region is increasingly influenced by the massive nation of which it represents a small, outlying part. While the process of nation-building inevitably emphasizes uniformity, the Northeast is unique in many ways and has required special policy treatment in the past.

In peninsular India, the vast majority of forests are under the direct control of state forest departments. As a result, many indigenous forest management practices have gradually eroded, as traditional institutions and practices were displaced and ancestral usufruct rights ignored by government. By contrast, for over a century, district councils in many parts of the Northeast have been vested with management authority for forest lands, while community institutions and their members act as forest stewards. Hence, community forest management has been practiced in an uninterrupted continuum and been legally empowered. These indigenous systems of management are a valuable institutional resource, providing stable custodianship in a period when in-migration and commercial exploitation are mounting.

A forest policy environment that supports indigenous systems of management can help sustain these endangered ecosystems in the Northeast. Policies can function as social visions for the future and represent a statement of intent by government to shape an outcome. In India, national policies support sustainable management to conserve forest ecosystems and respond to the needs of rural populations. The question of who is empowered to make management decisions and benefit from them is often at the crux of the operational content of these policies and where they often succeed or fail. Policies also fail when they are not suited for the contexts in which they are implemented. Policy failure can be costly when environmental, social-equity, and livelihood goals go unmet. The implementation of poorly designed policies can also exacerbate social conflict. For this reasons, establishing an effective community forestry legal and policy framework in Northeast India is critically important. This review of the past and current laws and policies affecting the forests of the Northeast provides a basis to explore additional actions that would reduce resource conflicts and strengthen existing and emerging community forest protection efforts.

The program that supported this study is part of a broader collaboration between Community Forestry International, the region's forest communities, and the seven state forest departments, the Enviro-Legal Defense Firm, the Northeast Hill University, and Northeast Regional Branch of the National Afforestation and Ecodevelopment Board. The Community Forestry Working Group for Northeastern India guides the program. In addition to policy analysis, the program supports field research in seven community forestry sites, and is establishing a data base on CF systems in the region.

-Mark Poffenberger, Executive Director
Community Forestry International

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