

The *Nishorgo* Support Project, the Lawachhara National Park of Bangladesh and the Seismic Survey of Chevron: Forest Conservation or Energy

Procurement?*

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Abstract

The paper mainly focuses on the operation of a forest conservation scheme, the USAID-funded Nishorgo Support Project in the Lawachhara National Park, Moulvibazar district, Bangladesh. The project has instituted a collaborative management approach. The participants include both state and non-state actors including the Bangladesh Government, the USAID, IUCN, NGOs, and local communities. In 2008, Chevron conducted a seismic survey for natural gas in the National Park, which violated municipal law. This placed the Nishorgo Project in a dilemma over its declared goal of forest conservation versus the interest of the state and Chevron in harnessing gas. This article analyses the interplay of the actors surrounding its critical moment, and argues that the officially declared values, norms and ideational elements guiding the project should be questioned. In establishing the argument, this paper uses the concept of “accountability communities” coined by Kanishka Jayasuriya.

Key words: Accountability Communities, Co-management, Nishorgo Project, Chevron, USAID, Conservation, Participation, Governance.

INTRODUCTION

There is relationship between neoliberal reform and new forms of environmental governance. Neoliberalism is a political project to increase the scope for capital investment and accumulation, by reworking state-market-civil society relations. It continues the historical process of commodifying nature that has been underway since the introduction of Locke’s ‘laissez faire’ capitalism (Heynen, et al 2007, p. 10). Neoliberalism is both cause and

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consequences of the “reconfiguration of socio-natural systems” (ibid). As part of this reconfiguration, the participation by non-state actors (mainly involving communities and civil society/non-governmental organisations) into natural resource management regimes (NRM) reflects a new phase in the transition of global political governance into ‘hybrid governance’ or ‘network governance’ where actors now play a role in environmental regimes.

The concept of governance has also changed with the controversies surrounding state centric and market driven approaches. In the developing countries, disappointment over the Structural Adjustment Programmes of the Bretton Woods Institutions in tackling the debt crisis of the 1980s prompted policy makers to integrate more stakeholder participation in the development of national Poverty Reduction Strategy Paper (PRSP), which henceforth controlled their loan programs. To understand this innovation in governance, the political economist Kanishka Jayasuriya proposes the idea of ‘accountability communities’ (2007, 2008). According to him, participation of both state and non-state actors in governance gives birth to ‘accountability communities’ that “constitute a public domain which shapes the organization of political authority that is crucial to the activities of governing” (Jayasuriya 2007, p. 8). He further cautions that ‘accountability remains anchored to specific technical or instrumental goals of the transnational policy regimes...’ (ibid, p. 2); that participation does not really result in a truly non-hierarchical and democratic policymaking process.

Against this theoretical background, this paper offers an assessment of the USAID (United States Assistance for International Development)- sponsored *Nishorgo* Support Project (herein after *Nishorgo* Project), a forest conservation venture operating at the protected areas of Bangladesh. This project involves the participation of states, local communities, and NGOs creating ‘accountability communities’, and we can assess how these emerge and operate.

This assessment will mainly focus on a particular event – in fact, a critical moment – for the conservation of the Lawachhara National Park of Srimangal, Moulvibazar District, Bangladesh. It is a critical moment in the sense that it offers us unique access to the unfolding interplay between the actors around which political authority of these ‘accountability communities’ was established. The moment occurred when Chevron, a US based multinational energy company, undertook a seismic survey within the area falling under the jurisdiction of the project in early 2008, thereby creating a fissure between the interests of conservation and energy procurement.¹ The study enables us to investigate how strongly or weakly the participating actors of *Nishorgo* are tied to the declared goal of forest conservation, and how this commitment plays out.

***NISHORGO* PROJECT IN BANGLADESH**

This section briefly discusses the *Nishorgo* project, its locational aspects and the actors taking part in the project. This USAID sponsored project was launched in February 2004 in the Bhawal National Park, Tangail district, Bangladesh. *Nishorgo*’s official aim is to develop and implement a co-management approach to conserve the Protected Areas of Bangladesh. The concept of co-management is defined as “a situation in which two or more social actors, define and guarantee amongst themselves of sharing management functions, entitlements and responsibilities for a given territory, or set of natural resources” (Borrini-Feyerabend *et al* 2000, p. 1). Such an approach to resource management is globally advocated by the International Union

¹ Seismic surveys are geophysical prospecting techniques that map the subsurface and allow for gas and oil to be pinpointed. Chevron Bangladesh exploded dynamite underground, resulting in vibration that is picked up by sensors. The survey needed access roads for heavy equipment, seismic survey lines, and drilling sites. The technique can cause physical damage to habitat including deforestation, de-vegetation, erosion and watercourse siltation, and disrupted drainage patterns.

for Conservation of Nature (IUCN) and has received widespread application as well as critical discussion.

The proposed implementation of a co-management approach did have a precedent in Bangladesh. In September 2000, the Government signed the Tropical Forest Conservation Fund Agreement (TFCFA) with the United States Government.² Under this agreement, a debt-for-nature funds took place, and the United States transferred its first fund in 2004 to protect and ensure the sustainability of biodiversity of the tropical forests in Bangladesh (Withanage 2004). To this end, an independent grant-making institution called the *Arannayak Foundation* was established in Bangladesh.³

Nishorgo came into being in the same year. It operates in five different pilot sites of north-east Bangladesh. These sites are located in the Lawachhara National Park, Rema-Kalenga Wildlife Sanctuary, Satchari Reserve Forest, Chunati Wildlife Sanctuary, and Teknaf Game Reserve. All these sites are in the *Surma* Basin. This basin is identified as the Eastern fold belt, broadly covering the Chittagong-Tripura fold belt. In 2001, this fold belt area was also identified as the most prosperous gas reserve zone in a joint survey by Petro-Bangla and US Geological Survey (US Geological Survey-Bangladesh Gas Assessment Team 2001, pp. 2-9).⁴

Chevron Bangladesh carried out exploration for gas reserves in some of those areas identified in the survey. It conducted a seismic survey during March-June of 2008 for assessing

² In Bangladesh, the Tropical Forest Conservation Act dates from 1998 (105 US C 214 of 29.07.1998). It is an amendment to the Foreign Assistance Act (22 US C2151) of the USA, for facilitating the protection of tropical forests through debt reduction.

³ *Arannayak* Foundation has the mandate to mobilize resources in the form of grants, loans and contributions from international donors, multinational companies, the Government of Bangladesh, private individuals and organizations. Its Board of Directors comprise members from USAID, the Ministry of Environment & Forests (MoEF), and from several non-governmental organizations. International Resources Organizations (IRG), a Washington based organization is a consulting firm for the project (<http://www.arannayk.org>).

⁴ Petro-Bangla is a Bangladeshi state-owned oil and gas exploration company, while the US Geological Survey operates under the Department of Interior of the USA.

the gas reserve for block-14 of Moulvibazar, part of which falls within the Lawachhara National Park.⁵ In fact, this national park is recognised by the government of Bangladesh as one of the most vulnerable forests and thus it is now a doubly protected area.

Participating Actors

The application of the co-management approach for the forest conservation in Bangladesh has involved incorporation of the local communities, state functionaries and NGOs, along with the USAID which globally implements official development programs in accordance with US foreign policy objectives. From the Bangladesh government, the Ministry of Environment and Forest (MoEF), its subservient Department of Forest of Bangladesh (DoF), and local governments are taking part in the project.

Among the non-governmental entities, the Washington-based consulting organization—International Resources Group (IRG) has been nominated by the USAID as an implementing partner, and IUCN Bangladesh is an official consultant and stakeholder for the five year long project. A representative of IRG is the designated Chief of Party and heads the *Nishorgo* Support Unit, which is located inside the Dhaka Office of the DoF. S/he provides overall technical and advisory support in implementing the official programmes of the project

Three Bangladeshi NGOs are also taking part. These are Community Development Center (CODEC) of Chittagong, Nature Conservation and Management (NACOM), and Rangpur-Dinajpur Rural Service (RDRS), subcontracted by the IRG. The Wildlife Trust Bangladesh (WTB) is also partner and stakeholder. The Bangladesh Environmental Lawyers

⁵ 152 sq. km of Moulvibazar and Srimangal districts were surveyed by Chevron.

Association (BELA) joined the project in 2007 to update the existing Wild Life Preservation Act 1974 (amended) for the implementation of the project.

The participation of the local communities, local government and the DoF in the project has been guaranteed with the formation of a two tiered co-management body. This local level body is officially responsible for conserving the forest, developing alternative livelihood, and ensuring the welfare of the forest and forest people. This body is designated as ‘the guardian of forests’. Its lower tier is called the co-management council (CM council) and is authorised to hold general discussion on relevant issues and to make soft recommendations. Members of local communities are offered general membership in the CM council. However only local elites, local government officials and forest officials can join the upper tier of the co-management body, which is known as co-management committee (CMC). The Assistant Conservator of Forest (Wild life), DoF, is the Member Secretary of the CMC.

THE SEISMIC SURVEY, THE CRITICAL MOMENT AND THE INTERPLAY OF THE ACTORS

The seismic survey done by Chevron in the Lawachhara National Park pushed the whole project into a critical moment mainly for two reasons: firstly, the survey, including the detonation of explosives, was conducted in violation of Article 23 (3) of the Wild Life Preservation Act 1974 (Amended) of Bangladesh. Article 23 prohibits such activities within a one mile radius outside the forest boundary.⁶ Secondly, the survey coincided with the main

⁶ Article 23(3) of Act originally reads: “The Government may declare any area to be a national park where the following acts shall not be allowed, namely: (i) hunting, killing, or capturing any wild animal in a national park and within the radius of one mile outside its boundary; (ii) firing gun or doing any other act which may disturb any wild animal or doing any act which may interfere with the breeding places of any wild animal; (iii) feeling, tapping,

breeding season for plants and wildlife, prior to the monsoon. Given this, the role of the *Nishorgo* project – both in dealing with the seismic survey, and its capacity to fulfill its overall conservational role – was questioned. Protected Areas should involve both state actors and non-state actors in forming 'accountability communities'. The following section focuses on how these communities responded to the Chevron seismic survey, before looking at how they managed their conservational responsibilities.

The DoF and the Concerned Ministry

A meeting between Chevron and the Ministry of energy was held in September 2007, but the report on the seismic survey came to public attention for the first time in January 2008, when a Srimangal-based local newspaper published it (*The Weekly Porikroma*, 20 January 2008). According to the Divisional Forest Conservator (wild life management and nature preservation department) of Sylhet, in the beginning, the DoF was in dark about the issue (*The Daily Star*, 22 February, 2008). The DoF reacted only when the report on Chevron's seismic survey in Lawachhara Forest began to be published in the news media. In February 2008, they sent a letter to their Parent Ministry – MoEF, to express their concern. However the MoEF, without taking this into account, issued a gazette notification in consultation with the Ministry of Law. This notification allowed the suspension of the applicability of the Article 23(3) of the existing Wild Life Act on the ground of 'public interest' (Gain 2008, p. 68).

The MoEF also issued a clearance certificate to Chevron for conducting the survey (*The Daily Star*, 22 February 2008; *The Weekly Porikroma*, 18-28 March 2008; *The Daily Prothom*

burning or in any way damaging or destroying, taking, collecting or removing any plant or tree therefrom; (iv)clearing or breaking up any land for cultivation, mining or for any other purpose; (v) polluting water flowing in an through the national park... .”

Alo, 16 May 2008). Further, it approved Chevron's Initial Environmental Examination (IEE) and Environmental Impact Assessment (EIA) which are the required conditions for undertaking such a survey. It was the responsibility of the Department of Environment (DoE) to make sure that the organization planning to conduct seismic survey submits Initial Environmental Examination (IEE) and the Environmental Impact Assessment (EIA) reports before the issuance of any clearance certificate (*The Daily Star*, 22 February 2008). However, it was not clear whether these two reports were submitted before the commencement of the survey as Chevron's reports were never made public. On the contrary, prior to the issuance of this gazette notification, the Secretary for the MoE remarked that the survey would not go against the national interest of Bangladesh and would not violate the Act of 1974 (*The Weekly Chaer Desh*, 22 January 2008).

Following the media attention, public concern over Lawchhara Forest grew and so the MoEF formed a monitoring team to assess the environmental impacts of the seismic survey. This monitoring team of 12 members were represented by the IUCN, BELA, DoE, DoF, Petrobangla, Chevron, and Grant⁷ (*The Weekly Chaer Desh*, 2 April 2008). The most disturbing and interesting part of this monitoring team was that Chevron itself provided the necessary financial support for assessing its environmental impacts.

Local Government

Local governments in the area, the official part of the co-management body, took action only when the local *Upazila Nirbahi* (sub-district executive) Officer formed a five-member investigation committee at the insistence of the District Commissioner. This committee was formed in order to assess the damage of a *Khasia punji* (village) (located inside the forest) where

⁷ A company subcontracted by Chevron for doing the seismic survey

a fire incident took place during Chevron's survey. The report of the committee actually provided the necessary basis for the Deputy Commissioner of Moulvibazar district to allow Chevron to resume its seismic survey in April 2008.⁸

Co-management Body

The co-management body did not take any official position in response to the seismic survey, and did not discuss the issue at any level either until the last week of May 2008. When the committee officially responded, the survey of Chevron was almost complete.⁹ On the 29th May 2008, the Chairman of the CMC sent a letter to Chevron Bangladesh expressing concern that they were hiding the 'practical aspects' and 'true information' related to the environmental impacts of the survey. The CMC of Lawachhara forest condemned the energy company for ignoring the issue of biodiversity protection and the 'interests of the local communities', and alleged that Chevron had failed to hold a 'formal official meeting' with them before conducting the seismic survey. In reply, Chevron denied the allegation and claimed that they had held 'two meetings' with the committee in March and April of 2008. Chevron's reply was not accompanied by any documents recording the official minutes of the 'two meetings'.

Nevertheless, in a personal interview with me, the Vice-Chairman of the CMC reaffirmed that the committee "had these two meetings", but in presence of the members who hailed only from Kamalganj area; members from Srimangal area were absent. Thus, the CMC did not have a clear or unified position on the issue of the seismic survey conducted in the forest. Further, while the seismic survey was ongoing in the area, the co-management body's attentions were

⁸ The letter was issued on 30 April 2008 vide No. jaypromou/L.A-56(ongsho-1)/2008/191.

⁹ It was disclosed in a Focus Group Discussion with the President, Secretary, Treasurer and others, held on 13 June 2008. Gidison Prodhan, the tribe chief of Magurchhara Punji was also interviewed. The author is in receipt of the minutes of the monthly meetings of co-management council from January to May 2008.

elsewhere, focussed on holding electionsⁱ through secret ballot to elect their 19 executive members for the CMC.¹⁰

Nishorgo Support Unit

The *Nishorgo Support Unit*, headed by IRG, did not seem to take any official position, nor express any concern over the seismic survey in the Lawachhara National Park. In the same manner, other subcontracted partners – NACOM, RDRS and CODEC of Chittagong – also remained silent. The USAID’s Environment Team Leader commented that they had nothing to do with the seismic survey as the DoF and DoE had already authorised Chevron Bangladesh to operate within the premise of Lawachhara National Park (*The Weekly Porikroma*, 12 May 2008).

The IUCN, BELA and WTB

The IUCN, WTB and BELA’s reaction to the seismic survey was confounding. Their perceptions on the probable impact of seismic survey did not differ from Chevron’s- that the survey would not do any harm to Lawachhara forest. With regard to the prospect of filing a public litigation case against Chevron for violating the 1974 Act, BELA expressed their lack of confidence on the ground that “if BELA loses the case in the court, it would give Chevron a legal ground for conducting the survey”¹¹. But like the USAID, all the consulting NGOs working in

¹⁰ The election was held on 17 April 2008.

¹¹ Rizwana Hasan, the Programmed Director of BELA in a recorded interview with the author, taken on 15 June 2008.

the project under different capacities put blame on the government for *allowing* Chevron to conduct the survey in the first place.¹²

Notwithstanding this, BELA was active in its opposition at the grass roots. They held several street protests against the survey and submitted a Notice of Concern to the government along with some other Dhaka-based NGOs in April 2008 (*The Daily Star*, 7 April 2008).¹³ Its local office of Srimangal also organised and participated along with other local organisations in a number of human chains held in protest against the seismic survey at the Lawachhara National Park (*The Daily Star*, 6 March 2008).

DECLARED GOAL OF THE PROJECT AND THE OPERATIONAL REALITY

With the declared goal of conserving the unique biodiversity of the protected areas, the *Nishorgo* project is committed to reducing the dependence of the forest dwelling communities on the forest by facilitating sustainable alternative livelihoods. This section examines these sustainable livelihood strategies. The promotion of eco-tourism and non-timber industries for the communities living inside or outside the protected areas is one of the major constituents of this effort (IRG 2006, p. 16). The CMC of the *Nishorgo* project is also authorized to form forest patrolling groups, and to distribute live stocks to the group members to assist with income generations. These programs are undertaken so as to create a sense of ownership and responsibility among local communities, thus bonding the local communities to the project's goal of forest conservation.

¹² Opined by the IUCN's country representative- Ainun Nishat, a recorded interviews taken on 15 June 2008; WTB's Executive Director- Md. Zakir Hossain in a telephonic interview with the author, taken on the 15 June, 16 June and 17 June 2008 respectively.

¹³ The other organizations are Association for Land Reform and Development, Ain O Shalish Kendro, Bangladesh Legal Aid and Services Trust. Nijera Kori, Odhikar and Paribesh Bachao Andolon

For the successful implementation of ecotourism, designing an appropriate program and strategy for adequate tourist facilities and understanding the culture of the forest dwelling communities in welcoming the tourists to the forest are important. It also requires limiting the number of visitors and their access to the environmentally sensitive locations, both for the safety as well as for the conservation (Guillemain et al 2007, pp. 3633-3651; Monteros 2002, pp. 1539-1550; Belangar 2006; Ogutu 2002, pp. 251-256).

In the case of the *Nishorgo* Project, the arrangement for promoting ecotourism in Lawachchara Forest appears to be poorly managed. No inventory of the forest's resources (both living and non-living) was done to determine whether the already depleted Lawachhara Forest (now only 1250 hectares in size) is really suitable for commercially viable eco-tourism. The national park has only some small patches of natural forest which provides refuge to the globally endangered species of hoolock gibbons (*Bunopithecus hoolock*), but is only 1,250 hectares in size.

Nevertheless, with the increasing media attention over the years, a good number of tourists are now visiting the protected area every year. According to the Information Center of Lawachhara Forest, in the first three months of 2008, there were an estimated 22,000 tourists. The *Nishorgo* project at Lawachhara offers training as tour guides to the members of the local communities. Still, infrastructure for eco-tourism in Lawachhahra Forest is not well-developed and, indeed, far from satisfactory. The infrastructure includes a ticket counter *cum* information centre, a make-shift tourist shop, signs, and a few tourist cottages. Even the DoF has expressed dissatisfaction with the existing infrastructure. The report published by the DoF observes that:

Under *Nishorgo*, the lack of a medium- to long-term nature tourism development plan resulted in some trail development, refurbishing and enterprise-related investments not being as effective as they might have been (Forest Department 2007, p. 13)

The authority is currently planning to build an expensive 'interpretation centre' for tourists (Ahsan 2007, p. 133). In the monthly meeting of the CMC of Lawachhara in May 2008, there was also a proposal to build a five star hotel in the area to cater to the needs of the tourists. The proposal was made by a member of the CMC who represents Manipuri community of Srimangal in the *Nishorgo* Project.¹⁴

The benefits of eco-tourism at Lawachhara are not evenly distributed. Only 19% of the households were found to benefit from eco-tourism (ibid). Among the three local communities (*Khasia*, *Tripura* and *Manipuri*), The *Manipuri* community is the major beneficiary of eco-tourism (43% of the total households surveyed) followed by the *Tripura* community (13%) (ibid, pp. 140-141). The *Khasia* community, living inside the protected area, appears to be the most deprived, receiving the least benefit.

Furthermore, the Chief of the *Khasia punji*, located inside the forest, alleges that visitors often do not respect the local culture. The tourists sometimes indiscriminately enter and damage the betel leaf gardens. In *Khasia* culture betel leaf gardening has a very special place. *Khasis* do not enter and start working in a betel leaf garden without performing prior rituals like sanctifying the body with fresh water and wearing special clothes). According to the *Khasia* chief, the use of sound system and tourist events disrupts the serenity of the forest and the forest dwellers.¹⁵

Non-timber Wood Production

As part of their program, *Nishorgo* has promoted plantations, animal rearing, and micro-credit for the local communities. The Rangpur-Dinajpur Rural Service (RDRS) is in charge of

¹⁴ Proposal by Ananda Mohon Sinha. The author attended the CMC meeting as a participant observation. The meeting was held on 30 May 2008. The meeting was attended, among others, by the Chief of Party, a representative of IRG in Bangladesh.

¹⁵ Described on 29 May 2008 in a recorded interview.

administering the micro-credit and other livelihood programs in the area. Under the plantation program, the DoF encourages the plantation of the exotic species like eucalyptus, acacia, hybrid acacia, etc. in the buffer zones surrounding the protected areas so as to generate household income for the communities. Such plants can be easily grown and thus promise to be of commercially beneficial. However this commercial plantation development is controversial on the grounds that it is not environment friendly and that involves the destruction of local species of plants. Indeed the Asian Development Bank has recently ceased its practice of funding such projects in Bangladesh.

Forest Patrolling

The CMC of Lawachhara runs three area-based patrolling groups to reduce the incidents of illegal tree felling in the forest. Each patrolling group has 20 members to guard the forest. One of the groups is comprised only of female members. Members of the local communities joined the patrolling groups on the promise of work, even though several had previously been illegal loggers themselves. They joined the patrolling groups since the CMC members and the local officers of DoF promised that their pending charges for illegal tree felling would be withdrawn.

The group members were also offered a monthly honourarium of Taka 2,500 (US\$ 36.23) along with other livelihood support. At the time the author made his field visits, only eight members of the groups of Bagmara and Dulubari had received Taka 11,000 (US\$ 159.42) for buying cattle and had not received their honourarium since December 2007. Moreover, a leader from the female patrolling group, Renu Begum, alleged that they had not received anything apart from uniforms and shoes for their patrols. Also, another group leader, Kalam Ahmed of Bagmara, informed me that they had individually received only Taka 2,250 per month in the first

12-15 months of the formation of the groups, and that for the next two months, prior to the eventual stoppage of the payment, they received only Taka 1,125. The President of the CMC contradicted this information, claiming that the amount had been Taka 2,250, not 1,125. He defended this non-repayment of the allowance on the ground of fund shortage. To make the existing situation worse, the pending cases against the illegal tree fellers have not yet been withdrawn by the DoF. If anybody now refuses to guard the forest given the non-payment of honouraria, the DoF threatens them with arrest.

Under the circumstances, the usefulness of the patrolling groups in preventing illegal tree felling and thus conserving the forest has now been called into question. In this regard, the Vice-Chairman of the CMC was of the opinion that the illegal tree felling had not significantly declined, rather the routes taken to extract timber had altered. An eco-tour guide working in the forest also made a similar statement, claiming that the stolen logs which used to be passed via Srimangal area are now routed through the Rajnagar area. Optimistically, the President of the CMC claimed that the success rate of preventing illegal tree felling is more than 90%.

Internal feuds within the patrolling groups also developed. For instance, the CMC expelled 12 old members from Baligaon from the patrolling groups without cause, and inducted new members to replace them. The Union *Parishad* (council) Chairman of the same area was also suspended from the CMC of Lawachhara when he protested the expulsion.¹⁶ Given the feud within the CMC of Lawachhara and a weak performance in delivering services, the members of the CM council of the co-management body lost their enthusiasm for attending the monthly meetings. The CMC of Lawachhara observed that among 58 members of the council, only 21

¹⁶ His name is Golam Kibria Shafi.

members had regularly attended. As many as eight members of the council had never attended a single meeting. For the rest attendance was irregular.¹⁷

THE IMPLICATIONS OF THE PROJECT: CONSERVING FOREST OR PROCURING ENERGY?

Given our exploration of the ‘critical moment’ involving the Chevron seismic survey, and the response to it by important actors, it seems to conclude that when a dilemma between forest conservation and energy exploration emerges, the ‘accountability communities’ of the state and non-state actors in the *Nishorgo* project are ill-equipped to effectively defend the integrity of their declared goal. It is also clear that government approval of Chevron’s survey activities in the Lawachhara National Park on the pretext of ‘Public Interest’, is highly controversial. A further concern is the under-performance of the programs so far undertaken for creating alternative means for livelihood of the local communities, documented in the last section. As a result, attachment to the goal of conservation does not appear to be as strong as the project requires, and, in fact, seemed to be diminishing. In this context, a political ecology analysis would conclude that national interest in procuring energy and the business interest of a multinational company were prevailing over forest conservation.

It is important to ask why the involvement of the USAID and the Bangladesh Government, along with the local communities and NGOs forming the ‘accountability communities’ in the *Nishorgo* Project, failed to deliver the environmental outcomes. What went wrong? To properly understand these issues requires attention to the intrinsic relationship that already exists among the actors, and thus to the institutional framework of the project under

¹⁷ Minutes of the 5th Meeting of the co-management committee.

which these actors are interacting. Indeed, the ‘accountability communities’ of the project share a common relationship outside the *Nishorgo* Project. More particularly, their relationship appears to be aligned with the corporate interest of Chevron. This section aims to substantiate these claims.

USAID implements development programmes in the service of US foreign policy objectives, and is the major financial contributor of the *Nishorgo* Project. It has a Corporate Social Responsibility (CSR) agreement with Chevron.¹⁸ Under the agreement, Chevron Bangladesh delivers social services in the north-east of Bangladesh where the *Nishorgo* project operates.¹⁹ This partnership between Chevron and the USAID is the result of the ‘Global Development Alliance’²⁰, which is USAID’S new business model, launched in 2001. The recently published *Strategic Plan* also confirms the institutional merger of US security interests with that of the development assistance of the USAID (US State Department and USAID 2007). In this regard, it is needless to say that energy is one of the sensitive components of US Security²¹ and the CSR agreements of the USAID with the Chevron signify this aspect.

Similarly, the IUCN Bangladesh is a member of the Chevron-funded-monitoring team (founded in April 2008) and also an evaluator of the Environment Management Plan of Chevron Bangladesh. The country representative of IUCN Bangladesh defended this relationship by

¹⁸ Chevron is the second largest American oil and gas company and a major contributor to the US economy. In 2007, it earned a net income of USD 18.7 billion, the highest annual earnings in its history (Chevron 2008: 1). It ranked third after Altria Group and ExxonMobil in terms of the official monetary contributions made to the Republican and Democratic Parties of the USA during the years 1999-2006, and made donations of US\$48,097,350 from 2003-2010, largely to support individual ballot measures (available at <http://www.followthemoney.org/press/ReportView.phtml?r=430&ext=3>)

¹⁹ Two Smiling Sun Hospitals at and around Srimangal, Moulvibazar are operating and many other social development programmes in the areas have been undertaken under public-private partnership like in other countries where Chevron is in operation. Chevron also built a Eidgah at Baligaon of Kamalganj, Srimangal.

²⁰ During the fiscal years 2002-2003, a total of 200 alliances were formed to create a fund of five billion dollars in which partners would contribute USD 2.9 billion (USAID 2004, p. 35).

²¹ available at http://www.usaid.gov/about_usaid/primer.html, accessed on 12 July, 2010.

arguing that they conform to their headquarters' global policy.²² The IUCN's Head Office is, in fact, the recipient of Chevron's financial support. In 2006, it received an amount of Swiss CHF 48,953,000 (US\$ 46,286,875) from Chevron for its global implementation of the environmental programs (IUCN, 2007: 10), and the US State Department also makes annual voluntary contribution to the IUCN.²³

For IRG, the US development consultant and implementing partner of *Nishorgo* project, the story is no different. It too has a global business partnership with Chevron.²⁴ The IUCN and IRG, the common partners of Chevron, also work together in many separate projects around the world in partnership with the USAID (Gevers *et al.* 2008, pp. 122-123).

Among the national organisations involved in *Nishorgo* project, Wildlife Trust Bangladesh (WTB), the partner and stakeholder, is a member of the national committee of the IUCN Bangladesh. So too is the Bangladesh Environmental Lawyers Association (BELA) which joined the project in 2007 as a consulting NGO to revise the existing Wild Life Preservation Act 1974 (amended). Bangladesh. Nature Conservation and Management (NACOM), another subcontracted partner of IRG, is a member of the Board of Directors of the USAID-funded *Arannayak* Foundation Bangladesh.

The Vice- President of the CMC of Lawachhara is an editor and owner of a locally published weekly- *Chaer Desh* (The Land of Tea). He is also the president of Srimangal Press Club. His weekly is supportive of the seismic survey of Chevron in Lawachhara.²⁵ In two of its issues, the weekly published a full page report and a separate investigative report suggesting the

²² Ainun Nishat, country representative of the IUCN Bangladesh in a recorded interview taken by the author on 15 June 2008.

²³ available at <http://cms.iucn.org/about/union/donors/#gov>, accessed 12 July 2010.

²⁴ available at See http://www.irgltd.com/About_IRG/Clients.htm, accessed on 12 July, 2010.

²⁵ The author browsed all the issues published during January- June 2008.

seismic survey would not leave any negative consequence on the protected forest.²⁶ On the other hand, the elected treasurer of the CMC, who is the executive director of a local NGO- *Prantik*, served IRG for two years as a local consultant.

Institutional Framework

The co-management body of *Nishorgo*, operating in the five pilot sites, has now been gazetted by the government.²⁷ However, this Gazette Notification is fraught with inherent weaknesses in terms of the designated functions of the project. It recommends a uniform organisational and functional structure of the co-management body for all five pilot sites, ignoring the existing geographical and demographic differences of the project areas.

Surprisingly, the number of members and the functions of the co-management bodies of the Rema Kalenga Forest of Habiganj (with an area of only 850 ha) and Teknaf Game Forest (located in the extreme south of Bangladesh, covering an area of 11, 615 hectares) are similar.

Also, surprisingly, women, who arguably bear the major brunt of survival in forests, have not been offered any guaranteed places in the CMC, which exercises the highest political power for decision making. The female members have a quota of 10 seats in the CM council only, which operates more as a general assembly (Forest Department 2007, p. 13).

Participation of women has been encouraged in the livelihood programs like forest patrolling, micro-credit operation, nursery development, handicrafts making, etc. This approach of the project in getting women involved coincides with the community development tactic

²⁶ The first report on '*Onushondhani Protibedon* [an Investigative Report]', published on 2 April 2008; and the second report on '*Moulvibazar Fieldday Chevroner Trimatric Vutattik Jorip* [3-D Survey of Chevron at Moulvibazar Field]', published on 14 April 2008.

²⁷ It was notified through a Government Gazette, No. pobom/porisha-4/nishorgo-64/(ongsho-4)/112. dated 07 August 2006

contained in a report prepared for making recommendation to ease the operation of UNOCAL Bangladesh Limited (UBL), another oil and gas company that was working in Moulvibazar district (Reyes and Begum, 2005). This report was written in response to the resistance the UBL had encountered over gas pipeline installation and land encroachment in Moulvibazar and Srimanagal. The absence of women leadership in the CMC of the Lawachhara forest resembles the guidelines of this report which suggests that, “female participation needs to occur in a culturally appropriate manner” (ibid, p. 17).

The participation of certain NGOs also appears to be very much contextual in certain cases and not in accordance with the general goal of the project. For instance, the engagement of BELA in particular resulted from a proposal made by the participants in a workshop in 2006 for bringing necessary modifications to the Act of 1974 (amended).²⁸ Indeed, earlier, the UBL tried to get both the BELA and IUCN involved for the supervision of their operation in Lawachhara.²⁹ In response, the BELA was, however, ‘hesitant’ to engage itself as they were “discouraged... by the Ministry of Energy” and IUCN “felt that any formal monitoring or advisory role related to the Lawachhara Forest needed to be sanctioned by the Bangladeshi government...” (ibid: 27). In this regard, the report reads:

...by not finding common ground with internationally recognized NGOs, reputable or not, UBL is fostering an adversarial environment where its every move is watched for the slightest sign of acting against the public interest, the environment or both’ (ibid).

In this context, the report also gave emphasis on the need for engaging state machineries.

...the government should have a leading role with specific efforts being designed in a way that incorporates communities and requires their involvement. UBL, with its daily presence in gas-affected communities and its ties to government, could play a coordinating role

²⁸ It was arranged by the CMC of Lawachhara and held from 29 May-31 May, 2006.

²⁹ Chevron Bangladesh took over the operation of UBL in 2005.

helping communities prioritize genuine needs while identifying and reaching out to relevant government entities (ibid: 21).

The draft proposals for amending the Act and the participation of BELA came into being only when the government had formalised the project through the gazette notification. In effect, the USAID-nominated IRG, which is also a global working partner of Chevron, appears to have replaced the UBL in a functional sense. The one year budget of the project prepared in 2007 by IRG also suggests this. The 2007 budget shows that the IRG got about 17% of the total budget (\$1,906,825) for the five pilot sites, while the indirect cost of the project was 17%. If the costs of the subcontracted partners (48%) are taken into consideration, the total expenditure for consultancy and service delivery stands at 65%. Finally 15.5% of the total budget remains only as the direct cost of the project (IRG 2007, p. 52).

The draft proposals for amending the Act of 1974 now aims to incorporate the idea of co-management for conserving the protected areas in Bangladesh. Accordingly, the draft proposes to legalise hunting of wild animals for, among other things, scientific research and when it is “necessary in the interest of scientific or any public purpose”.³⁰ The proposed draft also authorises to “enter or reside in a sanctuary”, for “scientific research” and “ecotourism”.³¹ But phrases like ‘scientific research’, ‘scientific purpose’, ‘public purpose’ and ‘ecotourism’ had not been defined in the draft. Only the co-management of the protected areas/sanctuaries has been termed as “collaborative management”³².

³⁰ The draft proposal for amending the 1974 Act came into being only after the government had issued the gazette notification for the project.

³¹ Article 18 of the Draft Amendment of Wild Life Act- 1974

³² The proposed Article 19 reads: (1) The Chief Wildlife Warden...(s)he shall, (a) construct such roads, bridges, buildings, fences or barrier gates, boundary marks and carry out such other works as he may consider necessary for the purposes of better management of such sanctuary:

Provided that no construction of commercial tourist lodges, hotels, zoos, eco-parks and safari parks shall be undertaken inside a sanctuary except having consent from the local community and with the prior approval of the Board and an environmental impact assessment; ...

CONCLUDING REMARKS

The case studies of an exploratory seismic survey for natural gas in a National Park, and the failures of a co-management forest conservation project, have been explored in order to understand a recent environmental project in Bangladesh. Different sources of evidence point to the conclusion that the forest conservation project based on 'co-management' has not been effective in meeting its stated goals, and that this failure may be explained through forces external to the region. It is not an unreasonable conclusion that the officially declared values, norms, and ideational elements which provide for the governance of the project may perhaps be covering up a complicity with resource exploration. Jayasuriya's "accountability communities" do indeed remain anchored to "specific technical or instrumental goals of the transnational policy regimes..." (2007, p.2). In this regards, the 'critical moment' of the 2008 gas survey in a National Park has opened up a Pandora's Box. One must not be misled by only focusing on the normative framework of participatory governance that appeared to have been deployed. Certain universal values like transparency, participation, and accountability were in fact enacted for a purpose. To understand the complex dynamics of such a project, it is necessary to dig further to assess who is influencing who, and for what reason.

Again, the article says:

The Government, in order to promote collaborative management... may frame appropriate rule through gazette notification, which shall include the following, amongst others;

- (i) recognition (constitution) of collaborative management council/ committee for the purpose of protection, improved management and sustainable use of wildlife resources and habitat;
- (ii) entering into an agreement with collaborative management council/ committee specifying rights and authorities of such council/ committee and also responsibility of such council /committee for protection, improved management and sustainable use of wildlife resources and habitat...

Attention should particularly be focussed on political-economic interests that bind the ‘accountability communities’ together. They exist in a network, and function and interact with each other across institutional boundaries. In the case of *Nishorgo* Project, USAID appears to be tied, because of its mandate and commitment to public-private partnerships, to many of the business interests of Chevron. The Bangladesh state apparatus appears to have been drafted in as a facilitator of these interests, at least in the period 2007 to 2008 when the Chevron survey occurred. In addition local communities, the civil society organisations (including IRG, IUCN, BELA, WTB and other NGOs involved in the project) evidently have become anchored to a lesser or greater extent to resource exploitation interests, even though their official mission should align them much more to forest conservation. In the words of Newell and Levy, an environmental like *Nishorgo* that binds these actors together can be seen-

...as a strategy of accommodation, combining material and discursive efforts to preserve corporate legitimacy and autonomy in the face of growing public environmental concern; it is thus more about political and economic than environmental sustainability (Levy and Newell 2007, p. 93).

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