

COMMUNITY-BASED FOREST MANAGEMENT AND FOREST GOVERNANCE IN SRI LANKA: FORMAL RECOGNITION, DEVOLUTION OF AUTHORITY AND SETTING PROTOTYPE DESIGN

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ABSTRACT

Community forestry has become a complex governance regime due to range of actors involved, scale of resources mobilized, diversity of processes involving conflicts and collaboration, and policy and practical issues encountered. The government of Sri Lanka has launched various community forestry programs to minimize the impacts of forest depletion on the livelihood of local communities and the natural environment. The paper therefore reviews the literature and discusses the community based forest management and forest governance of Sri Lanka in terms of: formal recognition, devolution of authority and setting prototype design. The importance of forest governance in government legislation has been accepted to promote community forest management mainly by legal frameworks that secure private, community-based land tenure. The community participation regulate forest resource use in order to avoid formal constrains they face in national laws and regulations with regards to what resources they can legally access and use. Success of community forest managements vary with the strength of the local arrangements for compliance monitoring the implementation of the community governance processes with accountability. Forest Department with limited human and other resources and lack of community support has recognized the requirement of extensive institutional reform and capacity building for conflict resolution and to promote forest governance. Viable and competitive rural forest-based enterprises have formed small self-help groups and introduced alternative livelihoods initiatives and enhanced skills and capacities of local communities in resource governance and administration. In order to effectively benefit the local community groups, they must actively pursue opportunities that become available creating “graduated membership” and recognize ‘core members’ of common pool resources under prototype design. Recognize the commitment to forest use and management under the “commitment principle” as well as “fair distribution of benefits”

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are most critical factors in the success of forest governance and community-based forest management.

Keywords: *Community forestry, forest governance, Policy and regulations, devolution of authority, prototype design*

BACKGROUND

Community forestry has become neither a government program nor a foreign aid-driven activity, but a complex governance regime for a forest-dependent social-ecological system. Community forestry may define as ‘the governance and management of forest resources in designated areas, by communities for commercial and non-commercial purposes to further their livelihoods and development (Brown, 2009). The complexity of community forestry could be explained in terms of the range of actors involved, scale of resources mobilized, diversity of processes involving conflicts and collaboration, and policy and practical issues encountered (Ojha, et al, 2009). Community-based forest governance opens new spaces for communities to exercise political control of their territories and resources through horizontal decision-making mechanisms with community transparency and accountability (Baltodano, 2011). The literature disclosed the facts that the forest governance practices may change main activities: 1. Learning, planning, decision making, and mobilizing the marginalized groups to create pressures on elites; 2. Developing clearer vision, indicators, and purpose of the forest user groups and related community forestry organizations; 3. Monitoring, promoting transparency, electing executive committees, creating ownership in the organizational change processes, improving communication, and promoting public hearings and auditing. Deliberative forest governance lies in the quality of deliberative interactions among local communities, political activists, development organizations, and forest officials. Popular participation in forest governance demonstrates that it has generated procedural gains include democratic deliberation, procedures and institution building as well as substantive gains include creation of livelihood opportunities, ecological conservation, and social justice and equity. Governance system of community forestry advances with the evolution of strong local institutional mechanism and more clear definition of property rights (Ojha, et al, 2009). Community-based forest governance allows communities to: 1. Live in an integrated way with the local ecosystem; 2. Satisfy their needs while simultaneously conserving and enriching resources; 3. Maintain equal and just relationships within the community itself and with others; 4. Promote horizontal integration of decision making; and 5. Take advantage of traditional knowledge to help a large number of communities to fulfill essential needs.

Deriving supportive policy reforms, decentralization of governance systems and devolution of authority to local administrations are ongoing trends in the South Asian region, allowing communities greater access to public forestlands. National Forestry Policy in Sri Lanka makes clear the major reorientation of the forestry sector required to successfully address the challenges facing the country. In order to address the issue of deforestation and forest degradation and the directly and indirect impacts on the livelihood of the local communities and the natural environment the government of Sri

Lanka has launched various community-based forest development programs. The Small Grants Program for operations to promote Tropical Forests (SGP PTF) an innovative, forest-related projects implemented by the UNDP in Sri Lanka from 2004 through 2007. Centralized management system, lack of coherent capacity of provincial and local authorities in management of forest resources has ended up with satisfying the interests of a few people while marginalizing the majority of local communities and resulting in resource depletion (De Zoysa and Inoue, 2008). Sri Lanka one among the highest rates of forest loss in the world is losing forests at rates exceeding 1.4 percent per year (Fabie, 2009). The loss of forest cover continues in Sri Lanka due to agricultural encroachments, illegal exploitation of forest resources, damage from wild fires and the conversion of forest land to other uses (Dangal and De Silva, 2009). Hence, the study of community based forest management and forest governance of Sri Lanka has become practical significance. The paper therefore reviews the available literature and discusses the community based forest management and forest governance of Sri Lanka in terms of: formal recognition of forest governance, devolution of forest management authority, and setting prototype design for community forest governance.

FORMAL RECOGNITION OF FOREST GOVERNANCE

Implementation of supportive policy reforms

The effective community participation in decentralized forest governance practices in developing countries is still limited due lack of proper policy guidance. Community forestry requires effective policy and programmatic approaches for building natural and community capital as well as considerable community capacity to overcome the resistance to bottom-up approaches (Baker and Jonathan, 2003). The Policy recognizes that the role of government will have to change to substantially improve forest governance and to meet the demand for greater public participation in the forest sector. Good governance and policies are needed to complement, support and encourage community participation for working effectively toward sustainable forest management (Keller, 2009)

The ancient historical chronicles reveal that village communities in Sri Lanka were well organized and lived in harmony with forest environment even in 543 BC (Maddugoda, 1991). The rights and responsibilities of communities to manage the forests were shifted to bureaucratic agencies run by the British colonial authority after 1820s (Poffenberger, 2000). Even after the independence in 1950's forest resources were administered by officers who were not trained to recognize indigenous rights, appreciate local knowledge, and understand the economic dependency of the communities on forest resources. National Forest Policy in 1980 considered community forestry as a promising strategy about local control over and enjoyment of the monetary and non-monetary benefits offered by local forest resources, leading to sustainable rural development (De Zoysa and Inoue, 2008). Market oriented forest policies prevailed were amended and revised in the National Forest Policy in the late 1980s and created provisions for community involvement in forest management (EU – UNDP, 2004). The National Forest Policy in

1995 aimed for conserving forests for posterity, with particular emphasis on biodiversity, soils and water as well as historical, cultural and religious values. (Keller, 2009)

Presently, the government owned and managed more than 98% of the forest resources in Sri Lanka based on command and control approach (Bandaratillake, 2001). The ancient resource use strategies and traditions of the community involvement has become a necessity and require strengthening in management of the forest resources of the country (Poffenberger, 2000). Communities should be able to play a full role in the management of forests, as part of a broader process of local government reform. Community forestry approach must be the collective ownership by communities of their traditional land and forest resources as custodians, and their management according to high standards of governance (Brown, 2009). Good governance and policies are needed to complement, support and encourage community participation for working effectively toward community forestry development programs implemented in Sri Lanka (Keller, 2009). “Caring for the Environment 2003–2007 path to sustainable Development (CFE)” the most crucial policy document in Sri Lanka stresses the involvement of all relevant stakeholders at different levels of authority in management of forest resources (MENR, 2003). Good governance promoting the rule of law, transparency, accountability, and the meaningful participation of people in local decision-making processes is necessary for the development and implementation of community friendly national forest policies, programs, and regulatory frameworks (RECOFTC, undated). However, there is a huge gap between policy and practice due to insufficient institutional capacity for forest management in Sri Lanka (Kiyulu, 2011)

Acceptance of forest governance in government legislation

The recognition and normalization of community forest governance facilitates and legalizes promotion of sustainable forest resource use. Community forest governance of forest resources has to be considered as a decentralizing action within the politically defined administrative structure (Baltodano, 2011). Almost all forest lands in Sri Lanka are government owned and traditional resource management practices are not officially recognized. A cross-country review in Sri Lanka stated that the forest management could be improved mainly by legal frameworks that secure private, community-based land tenure. However, the current local institutions are sufficient to balance responsibilities if legal land tenure is disseminated to local communities (Lynch and Talbott, 2010). The Sri Lanka Australia Natural Resource Management Project (SLANRMP) mobilize the target communities, form them groups, and instituted as formal registered Community Based Organizations (CBOs) while providing the necessary support for institutional capacity building. Forest Department and community representatives signed legal contract agreements for 25 years for the management of community forests (Dangal and De Silva, 2009). Improving community forest governance and recognition of community rights are politically feasible and also cost effective strategies for rural poverty alleviation in Sri Lanka (De Zoysa and Inoue 2007). Weak governance in community forest management at community levels made people to have feeling that community forests are no man’s land and they are not responsible to managed manage their forest resources in a sustainable manner. Implicit

intention of including community in forest governance and management is the redistribution of power so that mobilization of all poor and marginalized groups within the community (Lema, 2011). The legality of community forest and its connection with forest management and rights and benefits of the local communities is crucial when conflicts arise and villagers have to protect their rights to forest (Tan, et al., 2009).

DEVOLUTION OF FOREST MANAGEMENT AUTHORITY

Community knowledge of forest resources management and designing of regulations

Traditional or acquired knowledge of the community about the climate, geography, biology and the use of biodiversity elements are vital for the planning and governance of forest resources. Their knowledge of forest and its elements are very useful for planning and develop regulation of its use and guarantees respect for their different components (Baltodano, 2011). National Forest Policy of Sri Lanka in 1995 recognized the importance of participating local communities, who are of crucial importance in forest management because they possess valuable traditional knowledge and experience. Participation of communities optimizes their benefits while ensuring the sustainability of the forest resources (Keller, 2009). Indigenous peoples and local communities are not sufficiently included in the planning of forest resource management in Sri Lanka. Sri Lanka need more assistance in collection of community knowledge data and conducts fairly extensive forest inventories for reducing deforestation and forest degradation.

Forest-dwelling communities are formally constrained by national laws and regulations with regards to what resources they can legally access and use. It has been realized that the community participation is needed to regulate forest resource use. Community members develop their community forest protection regulations and manage the forest for their community interest (Tan, et al., 2009). The community requires collecting information and making agreements with respect to the norms through effective forms of education and communication (Baltodano, 2011). “Caring for the Environment 2003–2007 path to sustainable Development (CFE)” policy document stresses the involvement of general public together with communities designing resource use in sustainable management of forest resources in Sri Lanka (MENR, 2003). The Small Grants Program for operations to promote Tropical Forests (SGP PTF) made effort to strengthen the role of local people, community-based organizations (CBOS), and non-governmental organizations (NGOS) in formulation of community regulations for forest management. SGPPTF promoted conservation and improved sustainable forest management through an active partnership with the state, rural communities, and private sector (EU – UNDP, 2004). SGPPTF in 2007 expected sustainable forest management with community participation to ensure sustained delivery of better forest services and better delivery of forest goods, multi-sector partnerships, and promoting the development of an alternative forest resource base (Keller, 2009).

Vigilance and flexible monitoring system and capacity for conflict resolution

Economy which is central to the success of community forestry effort recognizes the wide array of natural and social capitals across which investment is needed. Environment, economy, and equity are equally important components of the community forestry. Sustainable forest health, ecosystem function, and biodiversity reflect the commitment of community forestry practitioners. Equity refers to the distribution of power, knowledge, and economic benefit, and addressing the claims to forests and forest resources by related stakeholders (Baker and Kusel, 2003). Flexible and effective monitoring systems are required for complying with forest-use regulation for the implementation of the community governance processes with accountability (Baltodano, 2011). Sri Lanka commonly lack monitoring and disaggregated data of socio-economic factors for local communities for proper monitoring of forest governance. Successful collective outcomes of community forest managements vary with the strength of the local arrangements for compliance monitoring. The community has carried out uprooting of invasive species; protected regenerating forests from fire and cattle successfully through the effective monitoring system of SGPPTF (EU – UNDP, 2004). Motivated members of community forestry contribute their time and efforts to the monitoring and enforcement activities to monitor compliance of rules regarding access and use of commonly held forest resources. Members of the community need to organize themselves, backed-up by local authorities, to make a collective decision and take action to stop encroachment of their community forest (Tan, et al., 2009)

Weak governance over forest resources has increased tension among local communities over access and use of forest resources. Conflicts in community forest management commonly arise over disagreements of tenure and use rights, harvest regulations, competition with other users for a limited resource, unsustainable use and unfair distribution of benefits (Lema, 2011). One of the main policy statements highlighted in the National Forest Policy in 1995 was to build up partnerships with local communities for protection of the natural forests. Lack of resources in general, combined with the conflicts between government and community in the country, has obstructed the active effort on biodiversity conservation. The policing effort attempting to prevent unauthorized exploitation and prosecuting offenders by the Forest Department is not effective enough with limited human and other resources, and also lack of community support. Reducing deforestation require extensive institutional reform and capacity building. Deforestation and poor management of forests together with the risk of forest fires in Sri Lanka, threaten the natural regeneration of forest (Keller, 2009). The bond between people and forest is not strong as many communities still depend on forests directly or indirectly (Dangal and De Silva, 2009). Community forest governance is helpful to develop mechanisms to enable the community to resolve internal conflicts in a creative and transparent manner. The mechanism should encourage dialogue for monitoring and accountability among the community to resolve internal conflicts (Baltodano, 2011). The SLANRMP, local community and forest department enter into an agreement for the management of forest areas especially under increasing pressure and risk from encroachment, illegal harvesting and annual wildfires at the Forest Range

levels (Dangal and De Silva, 2009). Self-initiated forest governance systems by the local communities are emerged in confrontation with the forces responsible to forest degradation and livelihood deprivation. Communities have their own ways of protecting their forest through norms and sanctions

Capabilities of communities for resource governance and administration

Forest governance empowers the community to interact successfully with a powerful forest industry in commercial interests to local, regional and national concerns (Brown, 2009). Under the community forest governance the community and organizations have to develop basic tools for administration, decision making, governance, innovation, and creativity in the face of change. The community takes ownership of the forest and all of them understand that negotiations made now determine future well being, so that they will manage the resource decisively and with care (Baltodano, 2011). The communities take a more active role in the management, processing, and utilization of forest and other resources through the devolution of management and decision-making authority to local levels (Baker and Kusel, 2003). The members of community forestry rely on their own, self-organized set of rules-in-use with a pragmatic and mutually beneficial arrangement when it comes to forest use. Communities develop and practice a set of informal rules on the conduct of community members for common interest and mutual respect and develop the institutions necessary for self-governed forest resource management (Tan, et al., 2009).

Villagers in Kegalle district in Sri Lanka formed small self-help groups and introduced alternative livelihoods. They actively protect the forest from intruders forming a social fence and no longer encroach upon the forest or cut valuable timber there. SGP PTF implemented participatory forest biodiversity conservation, development of alternative livelihood initiatives and enhancement of skills and capacities of local communities (Keller, 2009). Construction of fire belts, planting of fire resistance species, and employment of vigilant committees to patrol the forest are some of the actions taken by the communities in Nilgala, Sri Lanka. The project initiated viable and competitive rural forest-based enterprises through exposing communities to the private and state enterprises and disseminating environment-friendly technical know-how (EU – UNDP, 2004). The Sri Lanka – Australia Natural Resource Management Project (SLANRMP) commenced its operations in February 2003 and implemented its activities with an overall goal to contribute to poverty reduction through improved natural resource management (Dangal and De Silva, 2009). This jointly funded Project assisted in improving the capacity of the Forest Department and other service providers on mobilizing the communities for participatory forestry management programs in line with the National Environmental Action plan for 2008 to 2012.

SETTING PROTOTYPE DESIGN FOR COMMUNITY FOREST GOVERNANCE

Recognition of graduated membership

Although the forest governance approaches are decentralized to local level, local forest dependent community have not yet successfully participated in forest governance policies and practices (Ojha, et al., 2008). Even though the right to manage forests has been transferred to local communities under the community forestry programs in Sri Lanka, their participation in governance still continue to face techno-bureaucratic challenges of forest officials. Foresters still need the training to deal with social and political matters in addition to the technical and economic aspects of forestry in order to implement community-base forest governance. In community forestry sector all community members do not have equal access to power over forest resources. Marginalized groups within the community particularly the poor and women have very few leadership roles. Even though they participate in many activities or in the decision-making process, their voices are not heard to the degree as those of the elite of the community.

Inoue, (2011) argues that the “graduated membership” among design guidelines of the design principles of common pool resources recognize some of the local people who act as ‘core members’ have the strongest authority co-operating with other graduated members who have relatively weaker authority. The active participation of local community members may not be a prerequisite for launching a decentralization of forest governance. In order to effectively benefit the constituents, local community groups must actively pursue opportunities that become available through the creation of decentralization reforms (Arun and Ostrom, 2001). The participation of elite members of the community however improve governance compared with the government management of forest and continuing challenge to understand how marginalized members of the community can equally participate in the process (Ojha, et al., 2008). Discussions between community members could be carried out by representatives of key groups. The conflict management process of forest governance would establish a reliable communication between community representatives and their constituency (Lema, 2011). An approach that promotes mutual learning among the team members of community forest management makes share information with the other members throughout the whole community forestry project. The membership of the project based on individuals’ experience and commitment to having a better forest governance structure for the benefit of the forest community (Tan, et al., 2009).

Promotion of commitment principle

There are often major gaps between decentralization policies and their implementation may not matched by political will and commitment towards community forestry in Sri Lanka. Political commitment to strengthen forest law enforcement and governance has become vital importance. Under decentralized forest governance, approaches need to be adapted to specific situations in different provinces, districts and locations depending on the capacity and commitment of local government, local institutions and other actors.

The authority to make decisions in a capacity that corresponds to their degree of commitment to forest use and management is recognized under the “commitment

principle” (Inoue, 2011). Success of international forest governance is dependent on the international commitments achieving sustainable forest management globally. The development of international forest-related policy and obligations has been rapid since the United Nations Conference on Environment and Development (UNCED), which was held in 1992 in response to strengthened commitment to international action to facilitate sustainable worldwide forest management. In addition to the effective planning, the Implementation of the international commitments on forests will depend on political commitment as well as the availability of adequate institutional, technological and human capacity and financial resources in the countries (Braatz, 2003). Sustain decentralization and ensure its long-term viability require sufficiently strong political support and commitment from governments to commit funds to make decentralization work. With the strong commitment of the central government through forestry department and stakeholder consultations facilitate the development of an integrated management plan for community forest management at district level. Commitment building among stakeholders is vital importance for decentralizing forest governance to the district level. Central government could provide incentives and financial assistance to support infrastructure development. National commitment bringing down into the local governance system as partnerships with local stakeholders is indispensable to sustainable community forest management. In a decentralized forest governance system, mainstreaming a national commitment to sustainable community forest management into local governance requires intensive stakeholder consultations and consultative planning of forest resources. In some cases multi- stakeholder approach does not afford clear enough authority to the community to trigger local commitment to conservation (Grundy, et al., 2003). The government’s commitment to the involvement of local communities in forest governance is theoretical where forestry sector contributes very little to the national economy (Kiyulu, 2011). Hence, the village government is obliged to appoint members into the natural resources committee representing citizens’ interests in a particular forest or any environmental issue.

Persuasion of fair benefit distribution

Community forest users face challenge of uneven distribution of benefits among different groups whose livelihoods depend on the forests in Sri Lanka. Promoting the fair and equitable sharing of benefits should assured for the success of community-based forest management. Increase and diversify sustainable income generation opportunities and ensure that benefits are shared equitably is needed to help reduce poverty and motivate active participation of local people in forest governance and management. Inequities in distribution of benefits are common in community forest management due to differences in the power, assets and capacity of participants. Inequities in benefit sharing quite often contribute to conflict (Achrya and Yami 2008). Unless strengthening the governance of local institutions, establishing mechanisms that ensure decision making is accountable, and implementing monitoring systems to review outcomes, inequities in benefit sharing from community forest management will continue in the future. (Mahanty, 2009). Communities need real benefits in return for

their time and energy expended in forest management in order to make a long term commitment to sustainable forest management.

“Fair benefit distribution” is the most critical factor in the success of collaborative forest governance in which benefit distribution is not necessarily equal, but is fair in accordance with cost bearing (Inoue, 2011). Decision making processes in community forestry with good governance include the benefit distribution favorable to all members of the community. Members of the community are supposed to organize themselves to distribute benefits from community forest in an equitable way and for the sake of the whole community. With good governance, all community members, particularly the most vulnerable have opportunities to improve or maintain their well being through equitable sharing of forest benefits. Sustainably improvement of community-base forest governance requires tenure security to secure and use forest resources, investments to stimulate enterprise development, long-term political commitment for capacity building, and institutional reform to transfer from centralistic to democratic decision-making. Community forest management generates a workable scale of local benefits both in terms of livelihood contribution and as an incentive for communities to make long-term investments in sustainable forest management. Under the good forest governance revenue collected from harvest of the forest products is used to improve the quality of community life through provision of better services such as education and health (Lema, 2011)

CONCLUSIONS AND POLICY IMPLICATION

The government of Sri Lanka has formal recognized the Community-based forest management and forest governance through implementation of supportive policy reforms and acceptance of forest governance in government legislation. Community-based forest management and forest governance have devolved the authority to the community to some extent to use community knowledge for forest resources management, to design the forest resource-use regulations, to establish vigilance and flexible monitoring system, to promote capacity for conflict resolution, and to improve their capabilities for resource governance and administration. Setting up of prototype design recognizing graduated membership, promoting commitment principle and persuading fair benefit distribution are required for sustainable community forest management and governance.

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