

Deconstructing Natural Resource Governance in Bangladesh-Is Good Governance a Rhetoric or Reality in Protected Area Management? A Stakeholder Perception

Introduction

Over the past decades, the threats to biodiversity have become an issue of global concern.¹ The fragmentation of ecosystems, unregulated exploitation of resources, poverty and population explosion are some of the reasons behind the deterioration of biodiversity. The depletion of biodiversity is influencing conservation and development efforts and obstructing the notion of sustainable development (hereafter referred to as SD).² One of the major global environmental challenges is the conservation of forest biodiversity.³ Many approaches to biodiversity conservation have failed to attain the desired goals. Bangladesh is no exception in this regard, where the situation has been further aggravated due to population explosion, extreme poverty, over utilization of natural resources, centralized decision-making and a weak governance system.

However, in recent decades there has been a noticeable shift in the governance of natural resources in Bangladesh whereby decentralized, site-specific and community-led management activities are gradually taking the place of centralized 'classical approach'⁴ to governance.⁵ The international community now also focuses on many complex strategies and processes in the attempt to improve SD outcomes.⁶ For example, biodiversity conservation, as part of SD, now involves good governance, sustainable conservation and use, livelihoods, and legal and policy

¹ Michel K Masozera and Janaki R Ralavalapati, 'Forest Dependency and Its Implications for Protected Areas Management: A Case Study from the Nyungwe Forest Reserve' (2004) 19(4) *Scandinavian Journal of Forest Research* 85.

² Developments that meet the needs of the present keeping in mind the needs of the future generation.

³ Ingrid J Visseren-Hamakers and Pieter Glasbergen, 'Partnership in Forest Governance' (2007) 17 *Global Environmental Change* 408.

⁴ Classical approach sees conservation as an isolated process whereby people are excluded and are not allowed to be involved in any kinds of activities within the conservation area.

⁵ Ashish Kothari, R V Anuradha and N Pathak, 'Community-Based Conservation: Issues and Prospects' in A Kothari et al (eds), *Communities and Conservation: Natural Resource Management in South and Central Asia* (Sage Publication, 1998) 25.

⁶ Barbara Gray, 'The Process of Partnership Construction: Anticipating Obstacles and Enhancing the Likelihood of Successful Partnership for Sustainable Development' in Pieter Glasbergen, Frank Biermann and Arthur P J Mol (eds), *Partnerships, Governance and Sustainable Development: Reflection on Theory and Practice* (Edward Elgar Publishing, 2007) 29.

frameworks in accordance with policies, guidelines, international and regional conventions, treaties and protocols.⁷

Participation in any decision-making processes, such as in natural resource management (hereafter referred to as NRM), is increasingly being recognized and practiced as a driving factor in SD.⁸ Community participation in the forestry sector of Bangladesh officially commenced during the 1980s, but participation only amounted to consultation instead of active community engagement. This process managed to achieve physical targets such as an increase in tree coverage and the creation of short-term employment but failed to address broader conservation goals.⁹ The legal and policy frameworks were not even conducive to decentralized, local and participatory governance.¹⁰ Bangladesh has recently changed policy direction and recognized the need to devise community-led management approaches to ensure sustainable conservation and development of forest biodiversity.¹¹ The introduction of co-management in forest protected areas (hereafter referred to as PAs) of Bangladesh is an example of such an attempt.¹²

Ensuring effective community participation through ‘rights-based approaches’¹³ may enhance the process further as conservation and developments related to local people’s livelihood help to achieve the goals of SD.¹⁴ Various management approaches that have been undertaken in the

⁷ A Z M Manzoor Rashid, N A Khan and M Alam, ‘The Road Down to Rio: Policy Responses and Implementation of International Conventions in Bangladesh’ (2007) 4(3) *Journal of Business and Society* 11.

⁸ Pieter Glasbergen, ‘Setting the Scene: The Partnership Paradigm in the Making’ in Pieter Glasbergen, Frank Biermann and Arthur P J Mol (eds), *Partnerships, Governance and Sustainable Development—Reflection on Theory and Practice* (Edward Elgar Publishing, 2007) 2; See also Michael Warner, ‘Consensus Participation: An Example for Protected Areas Planning’ (1997) 17 *Public Administration and Development* 414.

⁹ Niaz Ahmed Khan, ‘Land Tenure Dynamics and Participatory Forestry Management in Bangladesh’ (1998) 18 *Public Administration and Development* 335; See also Mark Poffenberger (ed), ‘Communities and Forest Management in South Asia’ (A Regional Profile of WG-CIFM, 2000) 41.

¹⁰ Md. Abdus Salam and Toshikuni Noguchi, ‘On Sustainable Development of Social Forestry in Bangladesh: Experiences from Sal (*Shorea robusta*) Forests’ (2005) 7 *Environment, Development and Sustainability* 209.

¹¹ See, eg, Nur Muhammed, et al, ‘Quantitative Assessment of People-Oriented Forestry in Bangladesh: A Case Study in the Tangail Forest Division’ (2008) 88 *Journal of Environmental Management* 84.

¹² Mohammad Shaheed Hossain Chowdhury and Masao Koike, ‘An overview on the Protected Area System for Forest Conservation in Bangladesh’ (2010) 21(1) *Journal of Forestry Research* 112.

¹³ Fundamental human rights, capacity building, access to information and resources are widely considered under this approach by the development practitioners. These approaches aim at strengthening the capacity building of the rights holders (the community) and the legitimate institution responsible to ensure rights to the community.

¹⁴ Donna Craig and M Jeffery, ‘Non-Lawyers and Legal Regimes: Public Participation for Ecologically Sustainable Development’ in David Leary and Balakrishna Pisupati (eds), *The Future of International Environmental Law* (United Nations University Press, 2010) 104; See also Arian Spiteri and Sanjay K Nepal, ‘Incentive-Based Conservation Programs in Developing Countries: A Review of Some Key Issues and Suggestion for Improvements’ (2006) 37(1) *Environmental Management* 3.

forestry sector of Bangladesh showed positive results initially, but failed to reach desired goals in the long run due to the absence of effective stakeholder participation and effective governance mechanisms.¹⁵ In this context, the introduction of co-management between the local community and the state authority (forest department) as a means of PA governance hold much interest.

The governance and the process of declaring PAs are now increasingly being recognized and accepted as an approach to active community engagement.¹⁶ The distribution of management authorities to multiple institutions and stakeholders under co-management has become an emerging global trend.¹⁷ Much of the research, experiences and related literature on the history of community participation in PA management (and co-management as a particular arrangement) are based on the experiences of well-resourced developed nations such as Australia and Canada. Developing nations, such as Bangladesh and Nepal, have some experiences with community-based natural resource management (CBNRM), particularly in the fishery and forest sectors respectively. However, capacity building and improved governance of NRM have rarely been sustained in a Bangladeshi context due to the ad hoc nature of the donor-driven pilot projects, which are seldom ‘scaled up’¹⁸ through adequate local funding supported by a legal and policy frameworks.¹⁹

Rationale of the study

Declaring PAs and embracing different governance attributes like co-management is an attempt, in accordance with international commitments, to protect the depleting global biodiversity as well as to ensure sustainable livelihoods of local communities who traditionally own, use and are dependent on natural resources. Better governance through co-management is promising as it

¹⁵ Stakeholders are those who have an interest in a particular decision either as individuals or representatives of a group. This includes people who influence a decision or can influence it as well as those affected by it. See for details Minu Hemmati, *Multi-Stakeholder Processes for Governance and Sustainability* (Earthscan Publications, 2002) 250.

¹⁶ Luciana Porter-Bolland et al, ‘Community Managed Forests and Forest Protected Areas: An Assessment of their Conservation Effectiveness Across the Tropics’ (2012) 268 *Forest Ecology and Management* 7.

¹⁷ Ghazala Shahabuddin and Madhu Rao, ‘Do Community-Conserved Areas Effectively Conserve Biological Diversity? Global Insights and the Indian Context’ (2010) 143 *Biological Conservation* 2931.

¹⁸ Replication or expansion of a concept or programme in other places.

¹⁹ Donna Craig and Michael I Jeffery, ‘The Recognition and Enforcement of Indigenous Customary Law in Environmental Regimes and Natural Resource Management’ in Leyroy Paddock, et al (eds), *Compliance and Enforcement in Environmental Law* (IUCN Academy of Environmental Law Series, 2011) 557.

embraces rights and access to resources, information, accountability and transparency in the overall decision-making process. Considering the relative potential of co-management over other approaches, it is worthwhile examining its efficacy as a governance approach for the forest PAs of Bangladesh.

Conceptual attributes of the study

Theoretical Orientation on Governance

Governance is playing a significant role in meeting global and local challenges for achieving SD.²⁰ It is about power, transparency, accountability and legitimacy and the voice of stakeholder's in the decision-making process.²¹ Extensive policy reforms that took place during last two decades also influenced and fundamentally transformed the institutional conditions of natural resource governance.²² For the last two decades the term governance has emerged to take a centre role in all SD discourses.²³ Generally governance deals with the formation of rules and decision-making procedures and operating social institutions based on these measures. Fundamentally, governance is about power, relationships and accountability. The Institute on Governance defines governance as 'the interactions among institutions, processes and traditions that determine how power is exercised, how decisions are taken on issues of public and often private concern, and how citizens or other stakeholders have their say.'²⁴

The context of governance varies significantly, ranging from the global and national level down to the local level in settings that range from the social to the institutional.²⁵ As more and more

²⁰ Klaus Bosselmann, Ron Engel and Prue Taylor, 'Governance for Sustainability: Issues, Challenges, Success' (IUCN Environmental Policy and Law Paper No. 70, IUCN, 2008) 3.

²¹ Grazia Borrini-Feyerabend, Jim Johnston and Diane Pansky, 'Governance of Protected Areas' in Michael Lockwood, Graeme L Worboys and Ashish Kothari (eds), *Managing Protected Areas-A Global Guide* (Earthscan Publishing, IUCN, 2006) 116.

²² Krister Anderson, 'Understanding Decentralized Forest Governance-An Application of the Institutional Analysis and Development Framework' in Debashree Mukherjee (ed), *Environmental Governance: Concepts, Relevance and Lessons* (The Icfai University Press, 2008) 234; See also Hans Hoogeveen and Patrick Verkooijen, 'Transforming Global Forest Governance' in Beyond Rio+ 20: Governance for a Green Economy (Pardee Center Task Force Report, Boston University, 2011) 69.

²³ Hans Hoogeveen and Patrick Verkooijen, 'Transforming Global Forest Governance' in Beyond Rio+ 20: Governance for a Green Economy (Pardee Center Task Force Report, Boston University, 2011) 69.

²⁴ Governance Principles for Protected Areas in the 21st Century (Discussion paper, Institute on Governance, 2002) 2.

²⁵ Peter Abrams, et al, *Evaluating Governance- A Handbook to Accompany a Participatory Process for a Protected Area* (PARKS CANADA and TILCEPA, IUCN, 2003) 11; See also Jane Carter, et al, (eds), 'Forests,

instances of decentralization and devolution of power are occurring in accordance with the international legal and policy frameworks to achieve SD, the importance of governance has become prominent in the field of natural resource management (NRM).²⁶ The concept of governance requires a look beyond government control towards a public-private-civil society partnership in order to overcome the shortcomings of centralized top-down approaches.²⁷ The introduction of collaborative management in PAs management is such an attempt whereby community stakeholders are awarded with user rights and operational responsibilities. With this development in place, the term governance also takes various forms like good governance, environmental governance and particularly PA governance.

Protected area governance and its various forms

Governance is a key concept in the field of biodiversity conservation. It is now also emerging as a key determinant of PA management.²⁸ Finding the right mix of governance is a key factor for the sustainable management of PAs.²⁹ In a PA context, governance has various dimensions that can influence the management objectives of the PAs, ranging from policy to practice, attitude to meaning and from investment to impact.³⁰ PA governance concerns the structures, processes and traditions that determine how this power and responsibilities are exercised. It is exercised over a broad spectrum of management and must be backed by proper legal and policy frameworks to address multi-faceted goals and priorities.³¹ The conventional top-down approach of governance has increasingly been replaced by a people-centered management regime under different forms

Landscapes and Governance-Multiple Actors, Multiples Roles (Swiss Agency for International Cooperation, 2009) 14.

²⁶ Fikret Berkes, 'Devolution of Environment and Resources Governance: Trends and Future' (2010) 37(4) *Environmental Conservation* 489.

²⁷ Fikret Berkes, 'Evolution of Co-management: Role of Knowledge Generation, Bridging Organizations and Social Learning' (2003) 90 *Journal of Environmental Management* 1692.

²⁸ Nicole M Balloffet and Angela Sue Marin, 'Governance Trends in Protected Areas-Experiences from the Parks in Peril Program in Latin America and the Caribbean' (The Nature Conservancy, USAID, 2007) 2.

²⁹ Fikret Berkes, 'Community Conserved Areas: Policy Issues in Historic and Contemporary Context' (2009) 2 *Conservation Letters* 22.

³⁰ Michael Lockwood, 'Good Governance for Terrestrial Protected Areas: A Framework, Principles and Performance Outcomes' (2010) 91 *Journal of Environmental Management* 754.

³¹ Michael I Jeffery, 'An International Legal Regime for Protected Areas' in John Scanlon and Françoise Burhenne-Guilmin (eds), *International Environmental Governance-An International Regime for Protected Areas* (IUCN Environmental Policy and Law Paper No.49, 2004) 11.

and subsequently more recognition, support and collaboration have been noticed from the government side.³²

A good number of international and regional initiatives have helped shape a new course of conservation governance applicable to PA management. PAs can only contribute significantly if they are managed effectively with the active community participation that assures equity in distribution of cost and benefit-sharing.³³ In this regard, governance has a vital role to play. The importance and effectiveness of governance in PA management came to light during the 5th WPC of the IUCN (held in Durban, 2003).³⁴ The *CBD Programme of Work (PoW)* on PAs adopted in 2004 at the 7th Conference of the Parties (COP) also generated new commitments and policy guidance for PAs worldwide.³⁵ The Durban Congress also developed a set of ‘good governance’ principles for PAs based on the general attributes of the good governance principles and includes legitimacy and voice; fairness; direction; performance and accountability.³⁶ Based on the notion of these characteristics the WCPA through the *CBD PoW* has identified four broad types of PA governance including shared governance.³⁷ The basic features of shared governance are as follows:³⁸

Shared governance: In this type of governance various actors jointly make and enforce the decisions. It is now an increasingly prescribed and applied governance model available in the co-managed PAs. Complex processes and institutional mechanisms are employed to share management authority and responsibility among diverse actors or stakeholders that includes state agency, local communities, and resource user group, private entrepreneurs NGOs, civil society.³⁹

³² Grazia Borrini-Feyerabend, ‘Governance of Protected Areas- Innovation in the Air...’ (2003) 12 *Policy Matters* 92.

³³ Alexander Gillespie, *Protected Areas and International Environmental Law* (Martinus Nijhoff Publishers, 2007) 168.

³⁴ Philip Dearden, Michelle Bennett and Jim Johnston, ‘Trends in Global Protected Area Governance’ (2005) 36(1) *Environmental Management* 89.

³⁵ Governance as Key for Effective and Equitable Protected Area Systems (Briefing Note No. 8, *CBD PoW* on Protected Areas, 2008) 1.

³⁶ Grazia Borrini-Feyerabend, Ashish Kothari and Gonzalo Oviedo, ‘Indigenous and Local Communities and Protected Areas-Towards Equity and Enhanced Conservation’ (Best Practice Protected Area Guideline Series No. 11, Cardiff University and IUCN, WCPA, 2004) 18.

³⁷ Grazia Borrini-Feyerabend, Ashish Kothari and Gonzalo Oviedo, ‘Indigenous and Local Communities and Protected Areas-Towards Equity and Enhanced Conservation’ (Best Practice Protected Area Guideline Series No. 11, Cardiff University and IUCN, WCPA, 2004) 21.

³⁸ Nigel Dudley (ed), ‘Guidelines for Applying Protected Area Management Categories’ (WCPA, IUCN, 2008) 26.

³⁹ See, eg, Governance as Key for Effective and Equitable Protected Area Systems (Briefing Note No. 8, *CBD PoW* on Protected Areas, 2008) 3.

Despite the powerful forces behind the trends to centralize the governance process, the world is currently facing mounting pressure to undergo decentralization through the initiatives and derivatives of various legal and policy frameworks.⁴⁰ Shared governance approaches, such as co-management, is gaining momentum due to community participation being central to its nature of management. In the context of Bangladesh it carries more significance as the traditional forest and PA management failed to find a balance between conservation and development, which is the essence of sustainable development. To ensure better governance, community participation is indispensable since it provides scopes for shared rights and responsibilities through legitimacy. However, it may also pose challenges due to the overlapping of competing interest and expectation.⁴¹ Designation of community, its forms and roles in governance needs to be properly clarified in order to better achieve the goals of SD by addressing prevailing challenges.

Community participation and their role in PA governance

The meaning of participation varies with context and situation but the basic notion is the same in that it is trust building through partnership.⁴² It is now a potential element for most environmental decisions as it brings greater understanding and coordination between government and non-government actors.⁴³ Participation of local communities is proving to be decisive for PA management.⁴⁴ PA governance is now widely based on the management principles like active engagement, whereby various actors jointly make and enforce decisions. Under this purview, the role of various stakeholders are accepted, encouraged and increasingly being embraced in various geographical locations.⁴⁵

⁴⁰ Michael Carley and Ian Christie, *Managing Sustainable Development* (Earthscan Publications, 1992) 133.

⁴¹ Jane Carter, et al, (eds), *Forests, Landscapes and Governance-Multiple Actors, Multiple Roles* (Swiss Agency for International Cooperation, 2009) 16.

⁴² Marlene Buchy and Digby Race, 'The Twist and Turns of Community Participation in Natural Resource Management in Australia: What is Missing?' (2001) 44(3) *Journal of Environmental Planning and Management* 295.

⁴³ Donna Craig and M Jeffery, 'Non-Lawyers and Legal Regimes: Public Participation for Ecologically Sustainable Development' in David Leary and Balakrishna Pisupati (eds), *Future of International Environmental Law* (United Nations University Press, 2010) 104.

⁴⁴ Stephane Heritier, 'Public Participation and Environmental Management in Mountain National Park: Anglo-Saxon Perspectives' (2010) 98 *Journal of Alpine Research* 171.

⁴⁵ Jessica Brown and Ashish Kothari, 'Local Communities and Protected Areas- Editorial' (2002) 12(2) *PARKS* 1.

As PAs now attracts growing attention of practitioners, the public and the international community, it is necessary to evaluate the role of participation in governance. Community participation may take place if the rights and access are guaranteed to the poor people since lack of ownership and community engagement is responsible for the poor governance in NRM like PAs.⁴⁶ Furthermore, legal and policy frameworks significantly influence the notion of SD. Reformed policies and laws, supported by the increased capacity building is needed to achieve SD. In this regard legislation and international law can play a substantive role as they manifest SD as a basic principle.⁴⁷ However, there is no easy answer to the question whether all development initiatives need to be sustainable according to international law.⁴⁸

Community participation for environmental governance is more widely used at present compared to any other time.⁴⁹ Devolution of power to local institutions has created scopes for the increased community participation in the environmental decision-making process such as PA management.⁵⁰ There is growing evidence that overall accountability increases due to active community involvement and better communication with the stakeholders.⁵¹ Therefore, community participation in environmental decision-making process is inevitable as it entails a two-way communication process and is embedded in the institutions of PA governance.⁵²

Materials and methods

Co-management, like any other management approach, should have clear objectives and purposes. As a contemporary governance approach, co-management objectives include SD goals such as equitable participation in decision-making, poverty alleviation, sustainable use and

⁴⁶ Peter P Rogers, Kazi F Jalal and John A Boyd, *An Introduction to Sustainable Development* (Earthscan Publications, 2008) 52.

⁴⁷ Peter P Rogers, Kazi F Jalal and John A Boyd, *An Introduction to Sustainable Development* (Earthscan Publications, 2008) 22.

⁴⁸ See Alan Boyle and David Freestone, *International Law and Sustainable Development: Past Achievements and Future Challenges* (Oxford University Press, 1999) 16 & 18.

⁴⁹ Tanya M Hayes, 'Parks, People and Forest Protection: An Institutional Assessment of the Effectiveness of Protected Areas' (2006) 34(12) *World Development* 2075.

⁵⁰ Philip Dearden, Michelle Bennett and Jim Johnston, 'Trends in Global Protected Area Governance' (2005) 36(1) *Environmental Management* 93; See also Mark S Reed, 'Stakeholder Participation for Environmental Management: A Literature Review' (2008) 141 *Biological Conservation* 2418.

⁵¹ Philip Dearden, Michelle Bennett and Jim Johnston, 'Trends in Global Protected Area Governance' (2005) 36(1) *Environmental Management* 94.

⁵² Seth Tuler and Thomas Webler, 'Voices from the Forest: What Participants Expect of a Public Participation Process' (1999) 12 *Society and Natural Resources* 437; See also Julie Carmody and Bruce Prideaux, 'Enhancing the Role of Host Communities in the Management of Protected Areas Through Effective Two-Way Communications: A Case Study' (2011) 16(1) *Asia Pacific Journal of Tourism Research* 92.

conservation of resources. The present study has been conducted at Chunati Wildlife Sanctuary by engaging various stakeholders⁵³ through participatory approaches.⁵⁴ The field work was mainly based on qualitative research method that applied case studies and ethnographic methodologies.⁵⁵ It includes semi-structured interviews, informal discussions, personal observations and focus group discussion (FGD). Triangulation was done to collect some information sources for better clarity and integrity.⁵⁶ Sixty two respondents were interviewed drawn from diverse stakeholder types (see table-1).

Table 1. Number and types of interviewed respondents during field study

Categories	Numbers interviewed	Code	Other data sources used
Co-management organisations (Co-management Council, Co-management Committee and Community Petrol Group members)	2+6+12 (6 each of male and female)	CO	CMC meeting, personal observation, informal discussion and FGD
Forest user group; Community leaders, Local government representative and Indigenous community	7+2+2+2	LC	Personal observation, FGD
Ministries, the Forest Department (FD) and other government departments	8	GO	Informal discussion, website visit, publication review
Development practitioners (national and international NGOs)	7+2	DP	Publication, website and documents review, personal observation
Project authority personnel (IPAC)	8	PA	Website visit, informal discussion, documents review
Academia, researchers and others	2+2	ED	Journal article, publication, books and informal discussion
Total	62		

The study area

The CWS, located at 21°40'N and 92°07'E, was established in 1986 under the *Wildlife (Preservation) Act 1974*.⁵⁷ The CWS is situated about 70 km south of Chittagong⁵⁸ city, covering

⁵³ Stakeholders include community people, forest department officials, researcher, NGO worker, community leaders, academia, project official, co-management institutions etc.

⁵⁴ Stakeholders are those who have an interest in a particular decision either as individuals or representatives of a group. See for details Minu Hemmati, *Multi-Stakeholder Processes for Governance and Sustainability* (Earthscan Publications, 2002) 2.

⁵⁵ Catherine Dawson, *Introduction to Research Methods- A Practical Guide for Anyone Undertaking a Research Project* (How to Books, 4th ed, 2009) 17.

⁵⁶ Bruce L Berg, *Qualitative Research Methods for the Social Sciences* (Pearson Education, 5th ed, 2004) 5.

⁵⁷ Gazette Notification of the Government of the People's Republic of Bangladesh, Ministry of Environment and Forest, No. XII/FOR-1/84/174, 18th March, 1986; See, eg, Muhammad Alauddin and Abu Shadat Ahmed Foisal, 'Local Perceptions of Natural Resource Conservation in Chunati Wildlife Sanctuary' in Jefferson Fox et al,

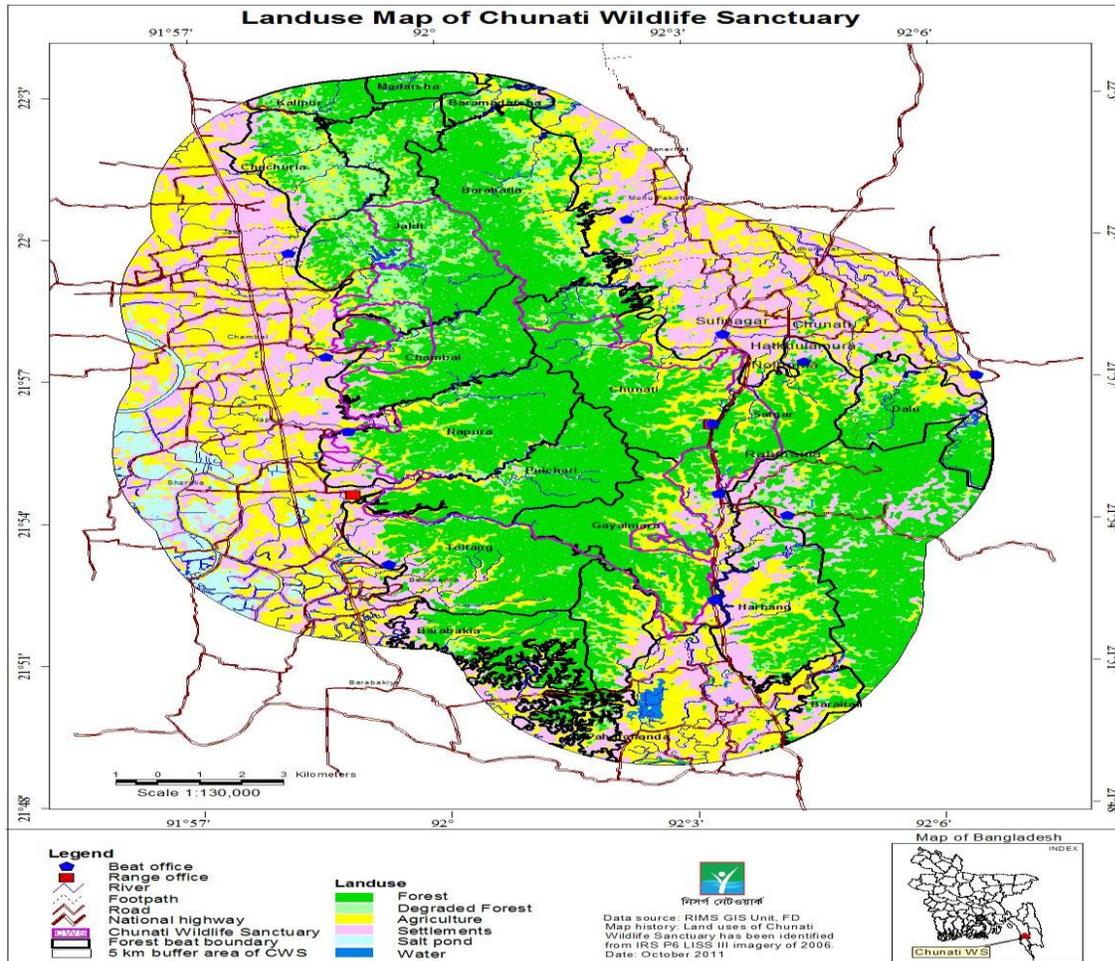


Fig 1. Map showing land use areas of Chunati Wildlife Sanctuary

an area of 7763 hectares and offers a unique forested landscape (Fig. 1) with grassland, degraded forest, settlement and crop lands.⁵⁹ Although the sanctuary originally supported mixed tropical evergreen and semi-evergreen forests, this has been degraded heavily over time. Massive encroachments have resulted in the conversion of forest area into agriculture land (mainly paddy and betel leaf cultivation).⁶⁰

(eds), *Making Conservation Work: Linking Rural Livelihoods and Protected Area Management in Bangladesh* (East West Center and Bangladesh Forest Department, 2007) 85.

⁵⁸ Second largest city after capital Dhaka and the biggest port city of Bangladesh.

⁵⁹ Revised Site-Level Field Appraisal for Integrated Protected Area Co-Management Project- Chunati Wildlife Sanctuary (IPAC Project, 2009) 5.

⁶⁰ Md. Kabir Hossain Patwary, 'Assessing Stakeholder Participation in Co-management Activities at Chunati Wildlife Sanctuary' in Jefferson Fox et al, (eds), *Connecting Communities and Conservation: Collaborative Management of Protected Areas in Bangladesh* (East-West Center, Bangladesh Forest Department and USAID, 2008) 117.

The sanctuary falls under the administrative jurisdiction of three Upazillas:⁶¹ Lohagara and Banskali Upazilla of Chittagong District and Chakaria Upazilla of Cox's Bazar District. Seven Unions⁶² falls within the administrative boundary of the CWS: Chunati, Adhunagar, Herbang, Puichari, Banskali, Borohatia and Toitong. The Sanctuary is bordered on the north by the reserved forests (RF) of Chunati Range and in the southeast and south by the RF of Chunati and Barabakia.

The field study was undertaken over a period of six months. The first phase extended from September 2010-December 2010 and the second phase from October 2011-November 2011. The major findings of the field study have been presented in the following sections.

Co-management as a Governance Option for the Sustainable PA Management: Roles and Perceptions of Major Stakeholders

The concept of governance provides directives to look beyond the state domination (top-down approach) towards a public-private-civil society partnership and formal legal and policy arrangements.⁶³ In this regard, how the forest department (FD) as an official custodian of the PAs, plays its role in implementing co-management and embracing active stakeholder participation is one of the research issues of the study. This role requires an understanding of the changing dynamics of governance, community participation and their livelihood attributes. The earlier section of this chapter revealed the nature and perception of community participation and livelihood attributes. This section discusses the applicability of co-management as governance option for the forest PA management in Bangladesh. During the interview respondents were asked about the performance, attitudes and management of the FD and their role in fostering co-management in the PAs of Bangladesh. The perceptions varied with institutions, nature of engagement and individual orientation. Some of the major responses were:

... The major achievement of co-management is the establishment of a new philosophy [community participation in decision-making]. However, the mindset [of FD] is a critical issue for the success of co-

⁶¹ Upazillas are under the jurisdiction of districts. It is the lowest tier of formal government administration.

⁶² The lowest administrative unit of local government in the rural areas of Bangladesh.

⁶³ Fikret Berkes, 'Evolution of Co-management: Role of Knowledge Generation, Bridging Organisations and Social Learning' (2003) 90 *Journal of Environmental Management* 1692.

management. They still perceive PAs as a punishment posting. Organisational restructuring⁶⁴ and capacity building for implementing staffs needs time to bring about [desired] changes.⁶⁵

... the command and control system of forest management is still persisting as inherited from British colonial period... now you will also notice [lack] of hierarchy ... how do you expect better outcomes under such [poor] scenario? PAs are poorly addressed [managed] by FD ... they [FD] are lacking in motivation ... furthermore, frequent transfer of field staffs and excessive political influence aggravating the situation.⁶⁶

Lack of proper ground-work and assessments, appears to have influenced the management process. The FD is more comfortable in dealing with matters like revenue earning, nursery and plantation raising, infra-structure development instead of addressing community needs and aspirations. Following their long stalemates in receiving project funding it is believed by some that the FD adopted co-management to restore their image at a time of crisis.⁶⁷ The major limitation in governing PAs is the continuation of the programme financial support. In this regard, a response from a researcher is worth mentioning:

... government hardly support any project or programme from its own budget [revenue budget] ... programmes and projects of FD are fully donors dependent. How can you expect to establish or reflect your vision, mission and goals with others [donors] money? We need to come out of this practice [complete reliance] ... this is the precondition of good governance.⁶⁸

NGOs, international development partners and individuals have long been engaged in the forestry sector development of Bangladesh. They are actively engaged in developing and supporting plan, policy and programmes for forestry. The introduction of CF and SF, through partners such as ADB, has benefited local people through receiving a harvest share of the plantation. This experience and achievements are crucial in shaping the perceptions of co-management. The insights into the efficacy of co-management as shared governance in forest

⁶⁴ Forest department should include social scientist, environmental scientist along with forester to serve the growing need of the community.

⁶⁵ Interview with ED3 (face to face, 8 October 2010).

⁶⁶ Interview with PA5 (face to face, 27 October 2011).

⁶⁷ This crisis was created during 2002 when the donor (ADB) suspended funding from Sundarban Biodiversity Conservation Project on the ground of lack of proper financial management and implementation delays. After the withdrawal of the project FD was facing problems in getting further support in forestry programme until the NSP project funded by USAID in 2003-2004.

⁶⁸ Interview with ED2 (face to face, 15 December 2010).

PAs were revealed through an in-depth interview with a development practitioner (Box-1). His rich experience (he had also worked as a park official) helped to draw a detailed scenario embracing his current role as a development worker.

Box- 1 Co-management- in the eye of a development practitioner

Our spontaneous and [fruitful] discussion removed all the frustration and standoff that mounted due to my long waiting period [as he was frequently involved in fieldwork and travel]. We started with general issues on NRM sector of Bangladesh, our hopes and frustration that eventually took [us] into the subject matter. [I] started conversation by asking [him] about the general views on co-management of PAs. He opined [based on his long working experience in one of the renowned PA, called Lawachara National Park]:

‘... the concept [co-management] is still not owned by FD. They are still with conventional management and [very much] reluctant to invite and engage community in the planning and decision-making process. Higher officials [of FD] still lacking in visualizing the approach ... it will be [very] difficult to disseminate the concept at field level under such mind setting.’

Our discussion moved ahead towards legal aspects of co-management. Issues related to acts, rules, policy and their implications in PA management were in our discussion agenda. How does he evaluate the legal and policy frameworks of the co-management as a governance approach of the PAs of Bangladesh? In answering that he has highlighted several issues:

‘... there is a contradiction between the Forest Act and Wildlife Act. Our PAs are declared under *Wildlife (Preservation) Act, 1974*. However, penalty and punishment under this Act is [very] nominal ... it failed to serve the purpose of protection thus FD officials [at field level] remain reluctant to apply this Act. We [FD] are more comfortable with section 26(1) of *Forest Act, 1927*[amended up to 2000] ... furthermore, no orientation has given to the FD official, community organization and individuals regarding existing and evolving legal instruments and their proper enforcement.’

While discussing the guidelines and the process of member selection in local institutions [mainly Co-management Council and Co-management Committee (CMC)], he paused for a while then started revisiting his experiences as a park official and answered:

‘... it [guidelines] is not clear enough in describing roles and responsibilities. Even the selection criteria [especially at the beginning] were faulty ... it [badly] hampered the smooth operation of the CMCs. The number of the committee members should not be rigid [65 for council and 29 for committee] ... it should be flexible and determined, based on the individual site and local context. Why so many people in the committee [when u does nothing] ... it is just making the governance more complex.’

As the discussion goes on, we started discussing co-management in more depth. Participation for governance is a burning issue in PA management. In this regard power relation and devolution of power is crucial to assess. How does he perceive these [attributes]? his view was as follows:

‘... FD is [still] holding the power. FD [staff at various levels] is in fear of two things. Firstly losing [full] controls over forest and its management and secondly their [illegal] activities may be exposed to community. The level of community participation is still [below] 25 per cent. This is not a good indicator of the devolution of power. Community people need to maintain a direct and constant contact with senior officials. Such liaison will influence the process of shared management thus will enhance devolution. We need to devise and ensure mechanisms for this.’

What are the major issues to be considered in ensuring and enhancing sustainable PA management while applying co-management approach? He replied:

‘... a regular source of funding is decisive for the sustainability of the Co-management Organizations (CMOs) like CMC. Stakeholder identification and selection needs [further] revisiting. Isolation [managed PAs by the FD only] will not work. Coordination and support of local government is also important [must]. Furthermore, how can you expect sustainable conservation without [ensuring] livelihood? ... we need to give [more] emphasis on that. We must ensure capacity building [both institutional and individual] ... it is [most] important for CMC, FD and implementing partners [at various levels]. Don't forget our [biggest] shortcomings ... discontinuation and [excessive] dependency on donors support ... we need to come out of this cycle as soon as possible to ensure sustainability.’

Until very recently, governance was not the key focus of conservationists, PA managers and practitioners, particularly in developing countries like Bangladesh. Of late, with global recognition and evolving standards and trends, governance has received a high level of importance for the sustainable management of PAs.⁶⁹ This shift has helped support and legitimizes the devolution of power among the communities and stakeholders, rather than a total reliance on state-based responsibilities.⁷⁰ The local communities are now capable of organizing, negotiating and lobbying government authorities to make policy makers accountable to key principles of good governance.⁷¹ The added advantage of good governance is that it increases the number of beneficiaries. Being a widely prescribed and used governance model for the PA

⁶⁹ Philip Dearden, Michelle Bennett and Jim Johnston, ‘Trends in Global Protected Area Governance, 1992-2002’ (2005) 36(1) *Environmental Management* 89.

⁷⁰ Michael Lockwood, ‘Good Governance for Terrestrial Protected Areas: A Framework, Principles and Performance Outcomes’ (2010) 91 *Journal of Environmental Management* 762.

⁷¹ State of the World's Forest 2011, Food and Agriculture Organisation of the United Nations (FAO) 93.

management, it is imperative to determine efficacy and appropriateness of shared governance in managing PAs. The following section attempts to relate PA governance principles with the case study outcomes.

The importance of good governance is paramount in PA management as it entails power, legitimacy and the voice of stakeholders in the decision-making process and it also takes a central role in achieving the goals of SD.⁷² Although the efficacy and applicability of good governance varies significantly in a regional or national context, some basic fundamental attributes can be applied irrespective of cultural and geographical dimensions that also cross cut the UN principles, namely participation, consensus orientation, equity, rule of law etc⁷³

Legitimacy and Voice

The scope of community participation in the decision-making process was enhanced by the formation of CMOs. Legal and policy frameworks have enabled active community engagement in a better way compared to participatory forestry where participation was merely consultation under the influence of top-down approach. Engaging CPGs and forestry user groups (FUGs) as beneficiaries of the buffer zone plantation have also created opportunities for local communities to be involved in the protection of the PAs.

Political commitment and positive participation in the process is imperative to make the concept successful. However, the frequency of political influence is increasing and which was raised by many respondents while conducting interviews. Co-management for governance is designed to accommodate multiple stakeholders in a single platform with a view to expedite consensus building and conflict resolution processes. The following quote reveals the difficulty with these issues in Bangladesh PA management:

... grass root people and FD staffs at field level were not consulted in formulating and amending legal and policy documents while introducing co-management. How can you expect consensus out of this?... beneficiary selection was not done in accordance with base line information thus experiencing difficulties during implementation process.⁷⁴

⁷² Governance Principles for Protected Areas in the 21st Century (Discussion paper, Institute on Governance, 2002) 2.

⁷³ Nicole M Balloffet and Agela Sue Martin, 'Governance Trends in Protected Areas-Experiences from the Parks in Peril Program in Latin America and the Caribbean' (The Nature Conservancy, Virginia, USA, 2007) 3.

⁷⁴ Interview with GO3 (face to face, 25 November 2010).

Accountability and Capacity Building

Stakeholders need to hold sufficient knowledge and access in relation to the decision-making processes. Capacity building in this regard plays a significant role. How well stakeholders are dealing with co-management is crucial from a governance point of view. The case study revealed a mixed scenario in this regard:

... being the official custodian of the Sanctuary, FD has many roles and accountabilities ... however, their accountability and belongingness is questioned due to the lack in owning the concept. They are more towards creating barrier than creating supportive environment for CMC to work ... is this the accountability we want to see in shared governance? They are in fear of losing their control over forest and PA with the increasing participation of the CMC and community. Lack of trust is still persisting between FD and community. Furthermore, mind setting and orientation of the FD officials on governance attributes are also crucial in this regard. Positive attitude of the park management that has been experienced in Teknaf Wildlife Sanctuary can be seen as a positive move forward.⁷⁵

... accountability created among general people about their rights although they are not yet capable of enforcing their rights. Vested interest of local influential needs to be eradicated or ignored to create environment for the grass root people to have their say on rights and responsibilities.⁷⁶

The success of PA governance to a great extent depends on the free flow of information and equity and transparency among the stakeholders. Some concerns relating to these issues are reflected by one of the respondents:

... CPG members have been engaged in the protection of the PAs. It is done to increase accountability of both the FD and the community. Reducing dependency on PA and ensuring protection was behind the notion of forming CPG. Initial response and outcome were encouraging but with the lack of transparency from FD in handing over agreement of the buffer zone plantation and the irregular support from the project authority influenced the process significantly ... members are losing faith thus reluctant to be involved in the process ... some already returned to old practice [illegal harvesting].

... you have to have trust on us [CMC] else how do you expect to get service and dedication from us?... such lacking in trust will ultimately hamper the performance of the co-management.⁷⁷

⁷⁵Interview with CO2 (face to face, 27 November 2010).

⁷⁶ Interview with DP5 (face to face, 26 December 2010).

Performance

Ensuring a competent administration equipped with sufficient institutional and human capacity is another important determinant of good governance. Co-management practice will not be sustained unless a robust and resilient management structure is in place. CMCs need to be self-sufficient to take on the challenges and needs to develop its own managerial capacity and expertise. The buffer zone plantation in the study area has been discontinued for two consecutive years, significantly influencing the level of participation. Even IPAC is not adequately staffed at the field level and this is further exacerbated due to frequent changing of the staff. Some experiences highlighted by the FD staff can be seen as significant impediments to effective performance:

... IPAC project selected various working partners to implement the programme in the PAs of Bangladesh. The notion behind the concept is good but failed to attain desired goals ... we have different views of IPAC regarding the governance mechanism and principles... our organisation advocates Indigenous rights and access to forest resources ... but they [the IPAC authority] are trying to implement co-management by replacing Indigenous community in some PAs ... how can you compromise when you see them going beyond that notion of rights, responsibility and access?⁷⁸

Fairness

Ensuring equity and rule of law are the foremost important principles in enhancing good governance, whereas sustainable conservation is now closely linked with the issues of sustainable livelihoods of a forest-dependent community. It is therefore imperative to create opportunities for these communities to reduce their dependency on PAs (in situations where their livelihood activities are not sustainable). Furthermore, existing legal instruments should be enforced impartially, irrespective of socio-economic class. The following quotes from interviews help to understand the existing issues of fairness through the co-management in the CWS:

⁷⁷ Interview with CO3 (face to face, 20 November 2011).

⁷⁸ Interview with DP5 (face to face, 26 December 2010).

...we have plenty of avenues to play [significant] role in ensuring sustainable livelihood for the forest dependent community although funding is a limiting factor. We cannot accommodate everyone who is in need of support ... such limitations are affecting the governance of CWS.⁷⁹

Lack of equity was perceived in many instances. Some participants, especially CPGs and FUGs, were receiving training or material support more than once while others received nothing. The FD needs to be more efficient and fair in delivering resources and capacity building. In relation to the application of the rule of law, the following quote highlights the selective enforcement issues:

... we [cut] small weeds, poles and collect litter as fuel wood thus identified as illicit feller ... what about the elites?... many of them are engaged in illicit timber and furniture business. Rules, acts and punishment all are only for us [poor] ... no equity and rule of law'.⁸⁰

Co-management programmes, with the help of CMCs, have managed to reduce the forest dependency of poor people to some extent, although the coverage is small. More interventions are needed to address the demands of forest-dependent people. CMCs need to be more financially self-sufficient so that they can help to bring equity among the dependents. The FD has to play the leading role in cooperating with CMCs.

Leadership

Leaders and members from civil society should have long term vision to serve the community and be well aware of and acquainted with the socio-cultural background and historical context of their respective society and community. Leaders need to have the patience to listen to the community, attempt to resolve conflicts and develop consensus (where possible) and to act with fairness, equity and due process. The PA authorities have a lot to do in this regard: to increase capacity [of both the FD and CMCs] and to be consistent in their commitment and performance. The following quotes give the insight into some respondents' views regarding leadership attributes:

⁷⁹ Interview with CO4 (face to face, 20 November 2011).

⁸⁰ Interview with CO5 (face to face, 28 February 2011).

... there is no coordination and cooperation between FD and local administration. They [local administration] have an important role to play in making co-management a success ... neither they are available in the meeting [monthly CMC] nor they have any belongingness to it as a public initiative to conserve our natural resources ... IPAC is also giving too much hope to the community ...they are promising something that is beyond their jurisdiction. It is creating a conflicting situation between the community and the FD.⁸¹

My personal observations relating to Jaldi CMC is also relevant to the nature of leadership at field level. I attended the 25th meeting of the Jaldi CMC.⁸² The member secretary of the CMC is responsible [by constitution] for arranging meetings and circulating the meeting minutes. However, he was reluctant to undertake this task. He did not appear to have the meeting minutes of the day. The FD staff are seriously deficient in this aspect of governance and transparency. They may fear losing control and the exposure of their illegal activities to the community by participating in this shared governance mechanism.

Monitoring systems to evaluate the achievements of co-management appeared to be absent in the processes and guidelines developed so far. Managers and practitioners failed to develop indicators to evaluate governance. Inherent problems in the structure of Co-management Councils (headed by the political and government structure) may also be overshadowing the voices and the needs of the grass-roots poor. The community needs to be in a leadership role and the FD as service provider, particularly for technical and operational support. Logistic and adequate human resources are the two major elements that play important roles in governance since constant and appropriate monitoring and supervision are required to ensure efficacy and performance of the institutions engaged in the process. There is also an urgent need to integrate co-management concepts with other government services and programme to ensure community demands, i.e. that livelihoods, biodiversity conservation and sustainable development of PAs are properly and consistently addressed. The following responses provide suggestions for further development in this regard:

FD has to play the leading role in fostering co-management ... they need to change their management systems [command and control]. Despite of leadership crisis at different levels there are critical masses among FD officials to accept the new concept. Relevant ministry has much to do in creating good

⁸¹ Interview with GO1 (face to face, 26 October 2010).

⁸² Personal observation during CMC meeting held on 13-01-2011.

governance. Image is a crucial aspect of governance ... FD needs to be more concerned about this. Individual and institutional trust must be ensured among CMC, FD and ministry.⁸³

... beneficiary selection is a challenging task to bring actual forest users into the management system while devising AIG activities. In case of present project it is not done properly. Partner NGOs are using [their] conventional techniques [which they often use for micro-credit programme] ... natural resource is [completely] a different perspective... it needs vision and massive awareness in support of conservation.⁸⁴

Creating a functional interdependence and strengthened strategic partnerships between communities and other stakeholders is believed to create a significant impact in the governance of PAs. In this regard, appropriate legal and policy frameworks addressing both national and global guidelines demands adequate attention.⁸⁵

International legal and policy instruments like *the CBD*, the *ILO Convention 169*, the *Aarhus Convention* and the IUCN Guidelines for PA Management Categories provide direction and inputs towards better PA governance. The establishment of local institutions under the co-management framework is the outcome of such policy development and negotiation. Co-management organizations can now play vital role in achieving sustainable management goals of PAs. The legal and policy frameworks in support of the co-management of PAs has evolved and influenced the governance system against the backdrop of growing international and national changes with respect to decentralization and devolution of power to share governance and recognition of Indigenous people's rights and control over their land and natural resources.⁸⁶

Bangladesh needs to formulate long-term strategies for further expansion of co-management of PAs in Bangladesh. However, the importance of buffer zones or economic zones must be given adequate priority to ensure SD conservation and livelihoods. Policy, funding frameworks, community participation by interest and place are also important in evaluating the participation in planning and management.⁸⁷ In this regard, interests of forest-dependent communities in PAs,

⁸³ Interview with DP6 (face to face, 12 October 2010).

⁸⁴ Interview with DP3 (face to face, 8 January 2011).

⁸⁵ Ingrid J Visseren-Hamakers and Pieter Glasbergen, 'Partnerships in Forest Governance' (2007) 17 *Global Environmental Change* 417.

⁸⁶ H Ross, et al, 'Co-management and Indigenous Protected Areas in Australia: Achievements and Ways Forward' (2009) 16 *Australian Journal of Environmental Management* 242.

⁸⁷ See, eg, Paul Selman, 'Community Participation in the Planning and Management of Cultural Landscapes' (2004) 47(3) *Journal of Environmental Planning and Management* 365.

financial sustainability of CMOs and relevant and supportive legal and policy frameworks for PA governance may enhance active participation. Sustainability of the CMOs is crucial in achieving conservation and development goals. The case study respondents raised the sustainability issue of the CMCs and were concerned about their continuation after the withdrawal of the donor support. Even the active engagement of the committee members are influenced by the available support (both monetary and physical). CMC Members have shown their apprehension in regards to poor project support in sustaining CMCs. The history, current status and evolving management paradigms of forest PAs also highlight the issues of the ad hoc nature of the donor driven pilot projects. The majorities of participatory forestry projects like FSP.TANDP, CGP etc. are supported by external agencies (donor) and face with discontinuation at the end of project funding.

Capacity building of local institutions and individuals has direct relevance to the sustainability of PA management. Ensuring SD and meeting local community needs requires that extra attention be given to empowered and efficient local institutions. CMOs are the nucleus of the PA management and careful consideration in selecting members is required. With the recent amendment (government order) the numbers of members and member selection criterion have been changed. However, inherent problems of the CMC structures are still favoring the dominance of local elites and the government (FD) officials, as mentioned in other studies.⁸⁸ The terms of reference (ToR) for the Co-management Councils are somewhat ambiguous and responsibility is diluted among various actors. However, some case study respondents considered that the increased number of CMO members was a positive initiative in reducing conflicts through improved and mutual understanding. The provision for registering CMOs in the Social Welfare Department has also creates scope for harnessing funds from external agencies. The proposed PA advisory board can be a focal point in helping CMC to get connected with the donors.

The voice and role of the grassroot members can be overshadowed due to the inherent problems of the CMC structure. Legal and policy frameworks alone cannot address the issues of PA management. They must be accompanied by proper implementation, enforcement and

⁸⁸ O P Dwivedi, 'Environmental Challenges Facing India' in Jordi Diez and O P Dwivedi (eds), *Global Environmental Challenges Perspectives from the South* (Broadview Press, 2008) 123.

dissemination of legal instruments at grassroots level.⁸⁹ Monitoring and evaluation needs to be strengthened both by the CMOs and the FD simultaneously. Regular orientation on legal issues at local level is important and this has to be done by the FD as part of their job as technical provider.

Co-management is enabled in the revised *Forest Act 1927* of Bangladesh.⁹⁰ This provision can help change community attitudes towards PA management, if properly implemented and monitored through transparent legal, policy and institutional frameworks for governing PAs. Developing a network of PAs in Bangladesh can be useful in determining the role and responsibilities of local communities and the extent of interventions required from the state authority. The most critical and growing concern is the political influence that is believed to affect PA management significantly and this requires urgent attention (Ch.7 IX). The Co-management Council must provide decisive leadership and take adequate measures to resolve conflicts according to the decisions made by the Council and the CMC.

Concluding Comments

Making synergy between conservation and development is always challenging, as described in many studies and the discourse on SD. The interconnectivity of international legal and policy frameworks, and the basic attributes of SD, are not well reflected in various conventions, treaties and protocols as well as in domestic laws. Growing social, political and environmental challenges can only be minimized through adaptive and long term strategies. There will also be significant differences in the design and implementation of co-management governance in developing nations, as compared to developed nations. Nations such as Bangladesh require much greater attention to the role of local communities and SD strategies are a vital and integrated part of PA governance and which is currently evident in international laws, guidelines and ‘best practices’ in the co-management approaches of developed nations such as Australia.

⁸⁹ Albert Mumma, ‘The Role of Local Communities in Environmental and Natural Resources Management: The Case of Kenya in LeRoy Paddock et al (eds), *Compliance and Enforcement in Environmental Law-Toward More Effective Implementation* (Edward Elgar Publishing, 2011) 621.

⁹⁰ See Section 28A and 28B of the Forest Act 1927 (Act xvi of 1927).

A complement of different strategies will be useful to integrate a more resilient and robust PA governance approach for Bangladesh. In this case, poverty alleviation through livelihood creation, equity in benefit sharing, recognition of tenural rights, shared governance that involves the devolution of power to transparent participatory local institutions in accordance with the principles of SD and capacity buildings are the key drivers.

One of the most crucial factors for making co-management a success in the Bangladesh context is the provision and clear demarcation of community utilization areas or buffer zones. Without ensuring social and economic incentives, the conservation initiatives will be further questioned by communities, as illustrated by the JFM programme in the state of Haryana in India, where absence of incentives accelerated the process of illegal extraction while participating in the programme.⁹¹

A detailed assessment needs to be done to understand the specific underlying problems and requirements for each PA, instead of applying the proto-type mechanisms. Additionally, co-management institutions and their processes need adequate and long term funding and strategies to improve their capacity to represent and empower communities and deal with the vested interest of elites.

A clear plan of research, organizational and operational development is needed for each unique PA. However, comparative experiences and approaches in Nepal and Australia may sometimes assist this process. These two nations have provided legal frameworks for their co-management processes and organizational structures that can be critically evaluated for potential application when Bangladesh reviews and expands their frameworks. These sources and experiences have helped distil some of the key characteristics of good governance. There is a clear understanding that there should not be imbalances of power in the participatory decision-making processes and in the co-management institutions.

The overview of past and current legal and policy regimes for participatory governance of NRM (particularly forestry) and PAs in Bangladesh shows that a promising framework is emerging to enable co-management. However, it is far from integrated, comprehensive or consistently

⁹¹ See, eg, Chetan Kumar, 'Perceptions of Incentives for Participation: Insights from Joint Forest Management in India' (2007) *International Journal of Sustainable Development & World Ecology* 536.

reflective of SD and governance principles and objectives. The study illustrates the legacy of colonial and neo-colonial “top down” approaches and attitudes that impede the implementation of co-management of the forest PAs in Bangladesh. It also revealed other implementation problems that are characteristic of developing nations: entrenched poverty, inequality in social, economic and political power and lack of resources and capacity in the structure and operation of local co-management institutions and management activities.

A key reason for the focus on legal, policy and an institutional dimension of co-management is the magnitude of the governance challenge, in Bangladesh, to overcome these problems and limitations. International experience indicates that participatory, transparent and legitimate local institutions and processes can be facilitated by legal and policy change. This is particularly the case in establishing organizational, procedural, monitoring, accountability and resource requirements and recognizing the existing substantive rights of stakeholders and formulating new environmental and human rights, including participatory governance requirements. This is a clear role for government leadership.

However, the reality is that the role of co-management in changing paradigms is very much a political process. These new frameworks can facilitate and enable greater local community engagement and institutional development. Real participatory governance needs to be fought for using strategies and experience that evolves over time. Community development and SD gains need to be guarded against encroachment by vested interests and institutionalization. This requires a living political culture with strong enduring commitment by communities and key stakeholders. Bangladesh requires legal and policy frameworks that are appropriately designed and implemented to allow communities to develop their own specific forms of forest PA governance.