

Community participation in any resource management and conservation program is expected to ensure:

- Reduced dependency on natural resources with the adoption of appropriate agroforestry / community forestry practices that will promote bio-diverse watersheds with efficient soil and water conservation measures,
- Built awareness about sustainable conservation and management of natural resources resulting from improved land use practices that will contribute to livelihood and food security,
- Improved relationship of the stakeholders (local communities, migrated settlers, government and the non-governmental institutions) that will lead to collaborative agreements on the issues of SLM and establish a more level playing field among all stakeholders as a result of intra- and inter-community organizing efforts.

1.6. Institutional Arrangements

The CHT is distinct from the plain land in all respect, geographically, culturally, demographically, economically, administratively, legally and historically (Khan, 2003). The legal and administrative system in this region has much dissimilarity with those of other parts of the country. CHT has been governed under special laws and regulations ever since its colonization by the British in 1860.

The institutional arrangements in CHT have been grouped into four categories: a) central government institutions (Ministry of CHT Affairs, Member of Parliament, Deputy Commissioner, and other government offices and officials working at district, Upazila and Union level) b) regional institutions (Regional Council, CHTDB, Bazar Fund Administration, CHT Land Dispute Settlement Commission) c) local government institutions (Hill District Councils, Municipal authorities, Union Councils, Gram Sarker) d) traditional institutions (three Circle Chiefs, Headmen and *Karbari*).

The CHT Regulation-1900 popularly known as CHT Manual was introduced to protect the rights of the indigenous people. In 1947 after the partition of India and Pakistan, the CHT was occupied by Pakistan. It was under Pakistan rule that administrative centralization took place and the CHT lost a lot of its “independence” as its status was changed from an ‘exclusive tribal area’ to a non-tribal area with the erosion of the social

laws and customs. After independence of Bangladesh in 1971, the administrative system of the region has been continuously adjusted. A two and half decade long insurgency in region was ended after the signing of Peace Accord in 1997 symbolized with the establishment of a separate ministry to deal with CHT Affairs, a Regional Council (RC) and the enhancement of the Hill District Councils (HDC) in alignment with a unique legislative framework. Although the organs for effective local governance in CHT have been established and are covered by a suffocating set of rigid legislation, they are yet to be provided with the tools which will enable them to become effective, providing for the development and the enhancement of real community driven governance within the region, serving the needs of the community. The CHT institutions themselves are totally reliant upon funding from the central government specially within the sphere of financing development projects. There are currently severe financial limitations placed upon the HDCs and RC for providing development works and funding specific projects. This is compounded by the existence of a separate CHT Development Board (CHTDB) that receives most of the development fund allocated to CHT. The CHT institutions are bound by both internal and external barriers, which duly affect their functionality and effectiveness to deliver development services.

1. 7. National Legislation, International Conventions and Customary Forest Rights

1.7.1. National Legislation

Reserve and protected forests are under the control of Forest Department (FD), but the community forests usually called USF are under the control of the Deputy Commissioners of the districts. The National Forest Policy was notified in 1979 stating that the government forests shall be designated as National Forests and horizontal expansion of the forests shall be in the depleted hills of USF in CHT. In Bangladesh perspectives, the Indian Forest Act, 1927 (hereinafter 1927 Act) is a pre-constitution enactment and was enacted to consolidate law relating to forests, the transit of forest products and the duty leviable on timber and other forest products. The National Parliament passed the Forest (Amendment) Act in April 2000 and the government drafted the Social Forestry Rules 2000. But the environmentalist and the indigenous people of Bangladesh termed the Act and the Rules as “anti-people, anti-environment and anti-national interest.” NEMAP(National Environment