

# CRS Forest Communities Speak Out

*Consultation with forest communities indicates that overexploitation of forest resources has resulted in dwindling supplies of timber and non-timber forest products, high incidence of poverty at the community level, increased vulnerability to diseases such as HIV-AIDS, loss of biodiversity and bushmeat, declining water supplies and pollution of streams and rivers. These problems are largely attributed to ineffective local bylaws, unplanned and unsustainable land and resource use, and a lack of alternative livelihood options.*

**It is recommended** that revisions to the State Forest Law extend its measures to all forest in the State, including Community Forest. It is also recommended that the law strengthen the capacity of local communities to enact and enforce local bylaws, prepare and enact land and resource use plans, and develop alternative livelihoods in collaboration and with government, NGOs and the private sector.



Tray Draper

## Context

Concern over ensuring the sustainable management and long-term protection of the Cross River Rainforest motivated the pre-independence colonial administrations to create Forest Reserves and forest legislation. Most of those laws are still in operation today. One such law is the "Forest Law" of 1956.

The Cross River Rainforest is home to a diverse and growing population of people who have inhabited this area for millennia. These people depend on a thriving forest environment for their income, health and sustenance. Yet despite the existence of protective legislation and Forest Reserves, extreme poverty, population growth and commercial resource exploitation have

depleted forest resources to a fraction of their original extent.

The degradation of our forest resources is affecting Nigerians in many ways – high incidence of poverty at the community level, increased vulnerability to diseases such as HIV-AIDS and malaria, loss of biodiversity, widespread erosion, dwindling water supplies, pollution of streams and water sources and climate change. If Nigeria is to maintain her position on the global map of biodiversity and nations with forest, then the Cross River forest must be protected as a matter of urgency. There is a strong need for enabling legislation to cope with contemporary challenges to protecting the remnants of the Cross River Rainforest. This requires a shared vision and commitment among all stakeholders to put into place legislation that is both people-friendly and participatory.

Forest-based communities have the most direct effect on and are most affected by the health of the forest. As such their perspectives should be regarded as critical inputs for developing any forest-related policy or legislation. In an effort to document community perspectives on forest management, members of the Cross River Environmental Capacity Development (CRE) Coalition consulted men, women and youth in 21 forest communities across Cross River State (CRS) on various forestry related topics, between March and May 2006. In June 2006, the results from these consultations were used in a civil society roundtable<sup>1</sup> to help devise recommendations for a revised CRS Forest Law.

## Consultation Results

### Community forest land and its use

#### General:

The consulted communities clearly stated the importance of the forest as a source of income

<sup>1</sup> Roundtable held by NGO Coalition for the Environment (NGOCE) and Sustainable Practices in Agriculture for Critical Environments (SPACE), with funding from the Canadian International Development Agency (CIDA) and USAID.

and sustenance, and overall expressed the need to conserve and sustainably manage the forest.

Most of the communities acknowledged that deforestation is an issue, and that forests are often not sustainably managed. A few communities stated that they are managing their forests in a sustainable way.



*Solutions suggested by communities* included working with government and NGOs to undertake conservation, establishing alternative livelihoods for community members, developing land-use management plans, providing environmental education, building road access, regulating forest use, and controlling population.

#### **Tenure, Rights & Access**

The consulted communities identified clearing and inheritance as the most common forms of taking land ownership. Women are not permitted to own land in most communities. In some communities, women are able to take ownership via clearing, inheriting or purchasing land.

Community members have the legal right to use Community Forest for farming, timber harvesting and non-timber forest product (NTFP) collection. Access to and use of communal forest land is typically free and unrestricted for all indigenes, although some communities require permissions from village councils. Non-indigenes are generally allowed access and use only with consent from the community. Community members do not have access to government Forest Reserves without permission. Farming is not allowed in government Forest Reserves.

#### **Farming**

Slash and burn is the primary farming method used by communities. Farming is identified as a major source of both income and sustenance for forest communities. Livestock rearing is less

common, and raises concerns about crop destruction by unfenced livestock and bush-burning to enhance pasture in some areas.

Many of the consulted communities acknowledged that slash and burn farming and increasing populations are causing deforestation and reducing the area of forest. Some communities noted that their farming methods are unsustainable. In most communities men do the clearing and women do the planting.

*Solutions suggested by communities* included: clearing controls, educating and training farmers, subsidizing fertilizers, reforestation, establishing alternative livelihoods and microcredit schemes, and mechanizing farming.

#### **Bush Burning**

Out of control bush burning was identified as a serious problem by most communities and a major cause of deforestation and crop damage.

*Solutions suggested by communities* included controlling burns using spot fires and fire tracing, and establishing laws, fines and strict enforcement against bush burning.



#### **Water**

Many of the consulted communities reported problems with declining water supplies and water shortages. Most of the communities strongly attributed this to deforestation and clearing of watersheds and stream-sides. Women were identified as being most affected as it is mainly their role to fetch water and look after water sources.

*Solutions suggested by communities* included: reforesting water-sheds, establishing clearing restrictions and laws in watersheds and along streams, provision of alternative drinking water sources by NGOs and/or government, educating

and training communities on environment and conservation, and establishing laws against water poisoning and polluting.

### Timber Extraction

Timber extraction was identified as an important source of income for some consulted communities. Other communities indicated that they had banned or curtailed logging. Timber harvest is typically controlled via village councils, chiefs and elders or forest management committees (FMCs). Women are not involved in timber extraction in most communities, although it is allowed in some.

Most communities acknowledged that timber harvesting has degraded and reduced the forest area. Some noted that this has affected agricultural productivity and water supplies.

*Solutions suggested by communities* included: reforesting cleared areas, conserving or sustainably managing remaining forest, reducing or ceasing logging, education, establishing and enforcing stronger laws against illegal logging, regulation through village councils and the Forestry Commission, and establishing alternative livelihoods.

### Non-timber Forest Products (NTFPs)

All the consulted communities noted that they rely on the forests for NTFPs. NTFPs are an important source of income for many communities. Harvest controls in the form of laws, permits and fines are common. There is some application of sustainable NTFP collection methods. Both men and women collect NTFPs in many communities, although in some it is seen as primarily women's business.

Most communities acknowledged that NTFPs have decreased in the forest over the years, and reported that they now have to go farther into the



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## Gender & Forest Management

Men and women have different roles and use resources differently. Efforts to decrease poverty and preserve the forest environment must address disparities between women and men's access to resources and opportunities.

For example, women rely heavily on forest resources for farming, NTFP collection, water, and firewood. Yet they are often excluded from decision-making about how these resources are used.

Reduced reliance on forest resources and adoption of sustainable resource management practices and alternative livelihoods requires literacy and improved security of land tenure. Women are especially challenged in these areas because they are often prohibited from owning land and because girls typically receive less schooling than boys.

Moreover, there is much evidence that gender equality and empowerment of women has positive effects on a variety of other important aspects of development – notably population growth and health.

*(adapted from OECD 2001)*

forest to collect many items. This is attributed to unsustainable harvesting, clearing, farming and population pressure. A couple of communities expressed concerns about no longer being allowed to collect NTFPs in protected areas.

*Solutions suggested by communities* included: establishing alternative livelihoods, using sustainable harvest methods, establishing regulations and fines, and sharing proper management with neighbours.

### Wildlife and Bushmeat

Bushmeat was identified as a source of income and sustenance for most consulted communities. Hunting is done exclusively by men; however, women are involved in buying and selling bushmeat. Only a couple of communities had laws in place to control hunting and trapping or restrict hunting of endangered species.

Most communities acknowledged that animal populations and bushmeat supplies have declined as a result of deforestation and excessive hunting and trapping. Many



communities indicated that bushmeat is now scarce or gone completely. Some communities expressed concern that endangered species are disappearing. Only one community indicated that animal numbers are not declining in their forest. A couple of communities were unhappy that they are no longer allowed to hunt and trap in protected areas. Other communities indicated that hunting accidents have been a problem.

*Solutions suggested by communities* included: working with NGOs to conserve wildlife; developing alternate protein sources, alternative livelihoods and microcredit schemes; establishing reserves and hunting laws and restrictions; banning trapping and commercial hunting; regenerating forests and reducing deforestation.

### Fishing

Fishing has traditionally been done in most of the consulted communities by poisoning streams. Some communities use hooks and nets instead. It is an activity done by men and/or women, depending on the community. Many communities do not have big enough streams to fish, and may take tadpoles instead. Most communities have laws and fines against water poisoning.

Many communities reported fish shortages as a result of excessive poisoning and declining water supplies.

*Solutions suggested by communities* included: banning water poisoning and polluting, using proper net sizes and hooks, establishing laws and fines, and reforesting watersheds.

### Forest Rules and Laws

#### Community Bylaws

Forest communities have bylaws controlling the following: land tenure, access and rights, forest clearing and bush burning, watershed protection and water poisoning, timber extraction, NTFP collection, and trapping and hunting endangered species. Fines are the usual punishment for disobeying laws, although sometimes exile is imposed. Most consulted communities reported that both men and women are involved in lawmaking; however, some indicated that laws are created without women's involvement. Laws apply equally to men and women.

Most communities acknowledged that their bylaws are often ineffective because of problems with compliance and enforcement. A couple of communities noted that there are problems with bylaws conflicting with civil laws.

*Solutions suggested by communities* included enlisting NGOs or government to help establish and enforce laws.

#### Other Laws

Community members appeared to be largely aware of State forest laws and laws against killing endangered species. A couple of people noted that some of these laws are ineffective. There was also mention that although these laws are helping the community, they can cause poverty by restricting hunting.

*Solutions suggested by communities* included: increasing awareness of laws and having better enforcement.

#### Forest Management Committees

Forest management committees (FMCs) are present in many of the consulted communities, although some communities have no FMCs or have parallel bodies who serve a similar function. They noted that FMCs are responsible for regulating and managing use of the forest, by issuing permits and creating and enforcing laws. Some communities have women on their FMCs, others do not.

While some communities indicated that their FMCs are very effective in managing and



conserving the forest, many others stated their FMCs are largely ineffective. Other communities indicated that not having an FMC was an issue.

*Solutions suggested by communities* included: establishing FMCs in all communities without them, and improving the effectiveness of FMCs through restructuring or giving them more authority.

**Neighbours**

**Protected Areas:**

A number of the consulted communities adjoin protected areas, including the Cross River National Park. Several communities indicated that these areas help protect the forest, and that they have cordial relationships with the relevant authorities.

However, a number of other communities indicated that they have issues with protected areas in that they are no longer allowed to enter for hunting and NTFP collection, and because promises they feel were made when the protected areas were established were not kept. Other communities indicated problems related to poorly demarcated boundaries.

*Solutions suggested by communities* included: initiating dialogue between communities and officials, implementing alternative livelihood programs, providing employment, clearly demarcating boundaries, and renegotiating boundaries and laws to reestablish community access.



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**Communities:**

Many consulted communities reported having amicable relations with their neighbouring communities. However, many more reported that they were having disputes with neighbours over boundaries, access and resource

**HIV-AIDS & Forest Management**

Organizations in Africa are grappling with the huge impacts of HIV/AIDS on human capacity for sustainable forest management, in governments, non-government organizations, communities, donor organizations, and private sectors.

As more and more people are infected by the virus, HIV/AIDS is creating a population imbalance with a diminishing professional, income-generating generation, a growing number of orphans (many carrying the HIV virus), and a weakened older generation burdened by the responsibilities of the lost generation. This in turn leads to an overuse of natural resources as affected households turn to these as the ultimate livelihood safety net, when they can no longer farm or earn salaries.

This includes wildlife for food, and wood for charcoal making for household fuel and cash. Medicinal plants are used to treat AIDS side effects, and timber is logged for coffins and for household income. Changes in land use occur as agricultural practices change with falling capacity for heavy labour.

*(adapted from WWF 2005)*

exploitation – notably hunting, NTFP collection, stream poisoning and illegal logging. Poor boundary demarcation was identified as a primary cause of dispute. Clear boundaries were often noted as a reason for good relations with neighbours.

*Solutions suggested by communities* included: enlisting NGO and government assistance in demarcating and enforcing boundaries, clearly marking boundaries, providing alternative livelihoods, educating people about boundary locations, enforcing trespass laws, and employing conflict resolution and inter-community meetings.

**Linkages with HIV-AIDS**

While a number of the consulted communities were unaware of any linkages between HIV-AIDS and forest management, many others



made strong connections. Some community members noted that: deforestation leads to poverty which can lead to promiscuity and eventually HIV-AIDS; the forest contains medicinal plants which might help cure or treat HIV-AIDS; HIV can be contracted through bushmeat (primates); influx of visitors wanting to use forest resources (e.g. loggers) can bring HIV-AIDS to communities; and income generated from the forest can lead to spending money on commercial sex workers.

*Solutions suggested by communities* included: stopping deforestation, being faithful to partners, using condoms, not sharing needles, abstinence, and using money, food and medicines generated from the forest to assist people living with AIDS.

### Limitations of Existing Legislation

Because the 1956 Forest Law only pertains to State Forest Reserves and not Community Forest, resource extraction within Community Forests has been virtually unregulated. This has led to widespread deforestation and resource depletion in many of these areas

In addition, under the existing legislation, the Forestry Commission is established as an autonomous entity, with little power granted to forest communities. Lack of community participation in the law has led to ineffective enforcement or poor compliance by forest communities.

As well, although many communities have forest management committees and community bylaws in place to protect their Community Forests, they often have difficulty enforcing their bylaws and forest management committees are often ineffective. This problem is exacerbated by poor harmonization of community bylaws with state legislation, leading to situations whereby state law has sometimes interfered with the ability of communities to enforce their own protective bylaws.

The existing forest law also lacks adequate measures for ensuring the equitable distribution of forest management burdens and benefits between men and women. Although women rely heavily on forest resources for farming, NTFP collection, water, and firewood they are often excluded from decision-making about how these resources are used. This lowers the likelihood of women shifting to more sustainable forest use or adopting alternative livelihoods.

And finally, the existing legislation does not contain mechanisms that promote community land and resource use planning, an essential tool for sustainable management of forest resources in the long term.

### Recommendations

It is recommended that the Cross River State Government make revisions to the State Forest Law that **extend to all forest in the State, including Community Forest**. It is also recommended that the law **strengthen the capacity of local communities to enact and enforce local bylaws, prepare and enact land and resource use plans, and develop alternative livelihoods in collaboration with government, NGOs and the private sector**. In particular, it is recommended that:

1. The revised law require land and resource use plans be developed for all forest areas in the State (including Community Forest) in collaboration with communities,



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government, civil society and the private sector.

2. The revised law require *any* forest use in the State be premised on a land and resource use plan (including farm clearing and whether in Community Forest or Forest Reserve).
3. Community bylaws be integrated into land and resource use plans, and be linked to State forest policy and legislation, to ensure that land and resource use plans are binding on both communities and government agencies.
4. Offences in Community Forest identified under the Forest Law include:
  - violation of land and resource use plans
  - violation of community bylaws,
  - non-permitted use of timber and NTFPs,
  - clearing in Community Forest reserves,
  - clearing of any high forest for any purpose, unless otherwise permitted in the land and resource use plan
5. Forest management committees be allowed to register as associations to give them some autonomy and strengthen their capacity to manage Community Forests, implement land and resource use plans and enforce community bylaws.
6. Ecologically sound forest management guidelines based on Ecosystem Based Management (EBM) principles be developed for land and resource use plans.
7. Government and Civil Society secure funds for the collaborative development and implementation of land and resource use plans (including boundary demarcation) throughout forested areas of CRS.
8. The revised law have stricter controls and penalties for illegal logging, clear cutting and burning.
9. The revised law have stronger protection for water bodies and watersheds
10. The revised law have stronger protection for endangered species and their habitats.
11. The revised law contain mechanisms to ensure the timely and effective reforestation of deforested areas.
12. Mechanisms be incorporated into the revised law to shift communities from *extensive* to *intensive* agriculture, and to foster sustainable and alternative livelihood practices.
13. Affirmative action be incorporated into the revised law to ensure women are represented in decisions about forest management and use.
14. The role of local government in resolving boundary conflicts be recognized.



**Remaining Guinean Rain Forest (green)  
in Cross River State**

(adapted from McColluch 2006)

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## Sources

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*One Sky - Canadian Institute of Sustainable Living is a non-governmental organization focused on environment and human security. One Sky works in partnership with projects in Nigeria, Sierra Leone, and Canada.*



## Over 90% of Nigeria's original forests are gone.

Cross River State contains **30% of Nigeria's remaining forests**, which represent a rare fragment of Lower Guinean Tropical Rain Forest – the largest remnant of its kind in West Africa. This rainforest is home to some of the **rarest** and **most endangered** life forms on our planet, including the **rainforest elephant**, **Sclater's guenon monkey**, and **Cross River gorilla**. The Guinean Rain Forest has also been identified as a global **hotspot for biodiversity**, and is one of the highest international conservation priorities in the world.

This oasis is also home to a diverse and growing population of **people** who have inhabited this area for millennia. Speaking many languages and practicing many cultures, they have one thing in common – they all depend on a thriving forest environment for their **income, health and sustenance**. However, extreme poverty and population growth has increased pressures on remaining forest resources.

The **Cross River Environment Capacity Development (CRE)** Project is working to strengthen NGO capacity to effect gender-sensitive policy change and environmental improvement in Cross River State. This project is implemented through the **CRE Coalition**, which brings together five Nigerian Environmental NGOs, Development in Nigeria (DIN), Living Earth Nigeria Foundation (LENF), Nigerian Conservation Foundation (NCF), NGO Coalition for the Environment (NGOCE), Centre for Education, Research and Conservation of Primates and Nature (CERCOPAN), and a Canadian Executing Agency: **One Sky - Canadian Institute for Sustainable Living**. Funding for the project is supplied by the Canadian International Development Agency (CIDA).



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