



The Swallows 
India Bangladesh

Agency & forest rights

A programme for communities in the Himalayan region of India to claim and access rights over natural resources



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Content

- 1. Introduction3
 - 1.1. Why forest rights?3
 - 1.2. Background of the programme3
 - 1.3. Together for forest rights4
- 2. Context analysis - Forest rights and the communities in the west Himalayan region of India5
 - 2.1. Adivasis and forest communities5
 - 2.2. Van Gujjars.....6
 - 2.3. Ecology of the area.....6
 - 2.4. Forest Rights Act6
- 3. Target group7
- 4. Partners of the programme.....8
 - 4.1. SOPHIA8
 - 4.2. New parter(s).....8
- 5. Goals.....8
- 6. Activities.....9
 - 6.1. SOPHIA9
 - 6.2. Common programme activities..... 11
 - 6.3. New organisation(s) 12
- 7. Methods..... 12
- 8. Gender aspects of the programme 13
- 9. Programme management..... 13
 - 9.1. Monitoring and reporting..... 14
 - 9.2. Documentation..... 15
- 10. Sustainability 15
 - 10.1. Ownership of the programme..... 15
 - 10.2. Strengthening the target group 15
- 11. Risk analysis 16
- 12. Maps..... 17
- 13. References 18

1. Introduction

1.1. Why forest rights?

The communities living in the Himalayas, the world's most densely populated and ecologically vulnerable mountains, are facing social, economic as well as political deprivation since centuries. Owing to various hurdles, including remote location of mountain villagers and nomads, political marginalisation and lack of awareness, the basic rights of mountain communities – particularly with regards to access to and control over natural resources – have never been realised.

With nearly 70% of the land area of the Indian state Uttarakhand covered by forests and nearly 80% of the population dependent (partially or wholly) upon forests - rights over forests are among the most important issues here. Many communities believe that the biggest harassment to them comes from the fact that they do not have legal titles recognised by the state to the land and other immovable land-based resources, including waterways, forests, etc. Since many communities' settlements are located on lands owned by the forest department, they have been facing constant threats of eviction from their forest settlements for the past two decades and they have been reduced to the status of "encroachers". Thus, not only their livelihoods are threatened, but also their identity. Communities in the area believe that their survival is at stake unless their rights over the lands and over natural resources are safeguarded.

In 2006 the *Scheduled Tribes¹ and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act* was passed in India. This opened up an opportunity for the communities who have lived in the forests for generations to get legal access to the forest. In that way their livelihoods, way of living and identities would be secured. However, in Uttarakhand, like in many other states, the implementation process has been very slow. It has become clear that the implementation of the act will not take place unless the forest communities, with the support of movements, organisations and groups, fight for it.

1.2. Background of the programme

The idea of the programme is an outcome of a participatory "*Self Diagnosis*" process² conducted during November and December 2008 by the organisation SOPHIA. SOPHIA facilitated the Van Gujjar community³ to conduct an in-depth analysis of their problems, needs and priorities. The following were the major outcomes of the process:

a) Forest Rights: The most important concern put forth by the community was related to their traditional rights over forests. Although Van Gujjars have been residing in the forests since several generations, they still have no legal rights over the use of forest resources.

¹ The Indian government has divided the population into different categories according to their caste. Adivasis, the indigenous population of India, are outside the caste system and are named "scheduled tribes" by the government.

² To get the whole report from the *Self diagnosis process*, please send an e-mail to kristin.ivarsson@svalorna.org

³ The Van Gujjar community is an adivasi nomad group moving around in the forests with their buffaloes. The organisation SOPHIA is working with the Van Gujjars. See 2.2 Van Gujjars.

However, with the recent enactment of *The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act*, a new window of opportunity has opened for the Van Gujjars. This act seeks to grant legal rights to indigenous forest dwellers to the land, minor forest produce and other resources that they have been using for generations upon generations.

During the self-diagnosis exercise, the Van Gujjars laid maximum emphasis on securing their forest rights through the legal window provided by the aforementioned act. The community has expressed the need for awareness generation about the nuances of the act and also support for filing claims under the act.

b) Domicile rights⁴: The second priority that emerged from this participatory exercise with the community was the necessity to obtain domicile rights, the primary elements of which are voting rights and ration cards⁵. Van Gujjars wanted all eligible members from their community to get voting rights and all families to obtain a ration card.

Although, through past efforts of SOPHIA, a majority of Van Gujjars have been included in state/federal voter lists, these rights are under danger of being revoked if adequate follow up is not done. For example, when the nomadic Van Gujjars migrate to the hills during summers, their names may be struck off the voter list if cross checks are conducted. The migratory life through different Indian states makes it quite difficult for Van Gujjar families to continually keep their government records up to date.

Similarly, a number of Van Gujjars are still not covered by the ration card government programme. They also requested that all eligible families should be delineated as Below Poverty Line (BPL). This would allow for more government subsidies.

c) Access to welfare programmes: Moreover, it was found that the Van Gujjars are not being able to receive the benefits of a majority of government welfare programmes, including health and education. The community therefore strongly advocated for the need to establish effective linkages with all government welfare programmes and schemes.

1.3. Together for forest rights

This programme was formulated in order to support communities in the Himalayan region of India to claim and access their rights to the natural resources they depend upon. The Swallows and SOPHIA have worked together for the forest dweller community Van Gujjars since 2007, and the results have been very good. However, the Van Gujjars is not the only community yet to get their right to forests, their domicile rights and the right to access welfare programmes. In order for a much needed breakthrough to happen, The Swallows and SOPHIA realised the need to cooperate with other like-minded organisations in the area. Thus, in the end of 2009 the programme idea was starting to take shape and detailed discussions with other organisations were initiated. The process of including other organisations into the programme will continue during 2010.

⁴ For all practical purposes, in the Indian context domicile right is essentially a proof of residence of a person at a particular place (or the right to belongingness). It is important to establish the domicile of an individual as it forms the basis for determining other rights viz. forest rights, land rights etc.

⁵ A ration card gives the family right to food at subsidised prices.

The aim of The Swallows has been to leave the ownership as much as possible to the implementing organizations and SOPHIA has taken most of the responsibility from the very beginning for the planning, networking, programme document etc. SOPHIA will, at least in the beginning, be responsible for the common activities. In 2010 our aim is for one or two organisations to receive small grants in order for them and The Swallows to start working together and get to know each other also financially.

2. Context analysis - Forest rights and the communities in the west Himalayan region of India

The context analysis of the programme has as its point of departure the outcomes of the “self-diagnosis” process of the Van Gujjar community in Uttarakhand. It is clear that they believe that the right to the forests, where they have lived for generations, is the most important issue to be addressed. It is not only an issue of resources and livelihood, but also of not being forced to move and in the end – an issue of identity.

2.1. Adivasis and forest communities

Adivasi (literally “*earliest inhabitants*”) is a term referring to many different ethnic groups considered to be the indigenous inhabitants of India. Scheduled Tribes (ST) is another term used by the government of India for administrative and classification reasons, but it does not, however, encompass all the adivasi communities in India. According to the 2001 census, approximately 84 million people in India belong to the ST, accounting for 8.2% of the total population. Approximately half a million people in the western Himalayan states Himachal Pradesh and Uttarakhand are classified as ST, accounting for 4, and respectively 3% of the states’ population. The government list of Scheduled Tribes has not been updated the last three decades, and as a consequence many adivasi groups, such as the Van Gujjars, are not part of it. The groups, considered to be adivasis but not part of the list, have often not had anyone to represent them and lobby for the inclusion. For the Van Gujjars, another reason is that they are Muslims, and the government is reluctant to add Muslim communities into the Scheduled Tribe list.

The adivasi peoples of India are very often experiencing severe deprivation. According to a recent study by the World Bank South Asia Region, Human Development Department, the evidence from the grassroots shows that in adivasi areas poverty is higher and health and education outcomes lower. There is a big gap when it comes to literacy rates, with only 47% of the people classified as Scheduled Tribes being literate, as opposed to around 65% in India as a whole (according to the 2001 Census). Similarly, the proportion of ST people living below the national “poverty line” is significantly higher than that for all Indians, according to the 2004-2005 estimates. In rural areas, 47.2% of the STs live below the poverty line, as opposed to 28.3% of all rural Indians. In urban areas, the figures are 33.3% for STs and 25.7% for all urban Indians. (Govt of India 2007)

Maybe one of the starkest manifestations of this deprivation is the extremely high level of child mortality among adivasis. Although generally there have been improvements in reducing child mortality in India, this does not seem to have been reached the adivasis. Scheduled Tribes make up 8 to 9% of the population, but account for about 14% of all under-five deaths, and 23% of deaths in the 1-4 age group in rural areas. Malnutrition is widespread in India, with 48% of Indian children showing

signs of long-term malnutrition (i.e. stunting, a deficit in height-for-age), 24% of severe stunting and 42% of being under-weight. Even worse than the population averages are the outcomes for tribal children, among whom 53% are stunted, 29% are severely stunted and 55% are under-weight. (Das et al. 2010)

Poor health outcomes for adivasis and their children need to be read against a context of their increasing alienation from traditional livelihoods, land and socio-cultural practices. The adivasis in India have been gradually losing access to their traditional lands. The largest form of alienation from traditional land has taken place due to state acquisition of land for “development”. The governments’ 10th 5-Year Plan notes that between 1951 and 1990, 21.3 million people were displaced, of which 40%, or 8.5 million, were adivasis (Burra, 2008). Activists argue that such alienation and destruction of traditional livelihoods is the single largest factor explaining poor health among them. (Das et al. 2010)

2.2. Van Gujjars

The Van Gujjar nomadic pastoralists, residing at the foothills of the Himalayas, comprise one adivasi community that is battling against oppression and struggling to keep alive its cultures, traditions and livelihoods. Until a few years ago, these buffalo herders did not even have the right to franchise in India, the largest democracy in the world.

Unlike most other nomadic communities in the Himalayan region, the Van Gujjars do not have a village base. Instead, they live in scattered temporary camps throughout the forests. The livelihood of Van Gujjars is completely dependent on their access to state forests. Their lives are intimately connected to the environment in which they live. Their whole existence is dependent on it and the name they have given themselves indicates the strong ties between the Van Gujjars and their environment (“Van” meaning “forest” in Hindi).

Even today a majority of them do not have domicile rights and land rights. A vast majority does not have access to any major state sponsored welfare programme like health, education and so on.

2.3. Ecology of the area

Van Gujjars overwinter in the rugged Shivalik foothills of the Himalayas, situated between the Ganges and Yamuna rivers in Uttarakhand state. These hills, which range in elevation from 2000 to 3500 feet, are mainly composed of sandstone and conglomerates, formed from the solidified upheaved detritus of the Himalayas. The area has a sub-tropical climate and rich alluvial soils.

Threats to the forest include agroforestry, eco-tourism, development of national parks that exclude traditional users, landscape fragmentation, upstream damming of rivers for power generation, habitat degradation due to exotic weed (*Lantana camara*, *Parthenium hysterophorus*, *Cassia tora*, and *Sida* species) encroachment, construction of roads, development of human settlements and climate change.

2.4. Forest Rights Act

In 2006 the *Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act* was passed in India. This was a landmark legislation for securing rights of adivasis and other traditional forest dwellers to forest. The objectives are:

- To give rights to Scheduled Tribes and Other Traditional Forest Dwellers of land in their historical possession.
- To provide rights to Scheduled Tribes and Other Traditional Forest Dwellers to collect, use and dispose off minor forest produce.
- To provide rights to Scheduled Tribes and Other Traditional Forest Dwellers on land used for community purposes.

Important features of the Forest Rights Act:

- Land rights to be conferred to Scheduled Tribes in possession of land up to December, 2005.
- Land rights to Other Traditional Forest Dwellers in case they are in possession of the land for three generations calculated as 75 years.
- No displacement of Scheduled Tribes and Other Traditional Forest Dwellers, even from protected areas, except with conferral of rights and provision of alternative land.
- Title deeds to be give for land up to 4 hectares.
- Registration of land titles in the joint names of both spouses.⁶
- The act intended to involve Scheduled Tribes and Other Traditional Forest Dwellers in the management of forests and biodiversity.

3. Target group

Adivasis and other forest communities in the Himalayas are the primary target group of the programme. Owing to lack of awareness and political representation, even their basic rights are not fulfilled. Supporting them in their fight for the rights to forest and natural resources as well as domicile rights and access to government welfare programmes is the focus of the programme.

Within the programme the organisations will work with specific communities. SOPHIA works with the Van Gujjars. In this programme the Van Gujjar families residing in 20 khols⁷ form the primary target group for SOPHIA. That means that we aim at reaching 4000 people, 2000 women and 2000 men, directly. However, programme activities for the realisation of the rights of the Van Gujjars would also indirectly benefit the entire Van Gujjar community through securing their rights over forests and fundamental civil rights. Therefore, indirectly the programme seeks to benefit the entire community of these pastoralist nomads.

If this programme successfully raises the issue of implementation of forest rights and other rights of communities in the Himalayas through advocacy work, media campaigns etc., other communities in the area will also benefit.

In order for the forest communities to get their rights, the government needs to take its responsibility for implementing existing laws, such as Forest Rights Act. For this to happen, government officials need to be aware of the importance of the acts. Therefore governmental officials and politicians are the secondary target group and the aim is to reach about 800 governmental officials from different departments.

⁶ This is, however, often not followed by the states, since the registration is most of the time done in the name of the man.

⁷ A khol is a small temporary village of the Van Gujjars.

4. Partners of the programme

SOPHIA and one or two new organisations constitute the programme.

4.1. SOPHIA

SOPHIA, Society for the Promotion of Himalayan Indigenous Activities, works for mobilisation among the Van Gujjars. The organisation evolved from the purchasing and selling of buffalo milk at fair prices to conducting a very effective advocacy work for the basic civil rights of the Van Gujjars, such as voting rights, the right to schooling, etc. They also carry out capacity development projects within agriculture. This because a part of the Van Gujjar population has been forced to become sedentary when their traditional land turned into an area of nature conservation.

During the first years of the programme SOPHIA will be the leading organisation. Their long experience in working to strengthen the Van Gujjars and their rights makes them very suitable for bearing this responsibility. The strong rights based work is another reason for SOPHIA to have an important role in the programme. In 2011 and 2012 the funds for the common programme activities will be channelled through SOPHIA, which will also have the overall responsibility for monitoring, reporting and documentation.

4.2. New parter(s)

The programme needs to be strengthened with new organisations in order to make a larger impact. In 2010 we plan to invite one or two new organisations at a smaller scale and a small grant will be used to further get to know the organisations' way of working. SOPHIA is in contact with a few organisations that could become new partners in the programme. The overall aim of working with forest rights and forest communities will be the base of the programme. When including more organisations, we will, however, be open to discuss other parts of the programme, such as outputs and activities. This is important so that the new organisations feel that this is their programme as well.

5. Goals

Development goal: The communities in the Himalayan region are politically and economically strong, having control of the natural resources they depend upon.

Programme goal: The target communities⁸ in Uttarakhand obtain their domicile and forest rights in order to have a sustainable livelihood. If their rights are violated, they have the capacity and knowledge to claim them back.

Expected outputs:

1. Increased number of target community members have obtained rights over natural resources as per the legal provisions.
2. Increased number of target community members have obtained rights and other privileges at par with other rural residents of the country.

⁸ One of the target communities is the Van Gujjars. When including more organisations into the programme, also their target group will constitute out target communities.

3. Enhanced participation of the target communities in socio-political processes.

4. A platform for facilitating the rights of communities and for mutual capacity building and sharing between organisations in the Himalayan region has been created.

A logical framework matrix (logframe) with details on indicators, sources of verification and assumptions for the programme goal and outputs is presented in Appendix 1.

6. Activities

In order for the Forest Rights Act to be implemented and for the communities in Himalaya to get their rights fulfilled, the partners of the programme will conduct both common and separate activities. The funding and overall responsibility for the common activities will stay with SOPHIA during the first years.

6.1. SOPHIA

The activities have been identified on the basis of the outputs expected from the programme. For more details on SOPHIA's activities, see Appendix 2.

Output 1: Increased number of *Van Gujjars* have obtained rights over natural resources as per the legal provisions

According to Forest Rights Act the settlement of rights of forest dwellers such as the Van Gujjars is supposed to be initiated at the state level. For this a framework needs to be established at this level, comprised of committees at the village cluster, developmental block and district levels.

Compared to other Indian states, the government of Uttarakhand has been lethargic in initiating the rights settlement process for the forest dwellers/dependents. While other states have actually started granting rights to the communities, Uttarakhand has only been able to notify the implementation of the forest rights act (on 19th November, 2008). Therefore, in light of the state government's continued hesitancy to implement the act, this is a crucial time for focused interventions for ensuring the settlement of forest rights.

It is expected that Van Gujjars, with the support of SOPHIA, will lobby and advocate to pressurise, facilitate and network with the state machinery to set up an enabling institutional and operational framework for a speedy and just settlement of forest rights for the Van Gujjars and other forest dwelling communities in Uttarakhand.

The following activities are being proposed for achieving this aim:

- 1.1 Meetings and dialogues with the state government.
- 1.2 Awareness generating activities amongst Van Gujjars about the provisions of the Forest Rights Act.
- 1.3 Media advocacy to influence the government machinery.

- 1.4 Using Right to Information Act (RTI)⁹ to lobby with the government.
- 1.5 Demonstrations and protests by Van Gujjars.
- 1.6 Organising meetings between Van Gujjars, local villagers and government officials for membership in the Village and Block level committees.
- 1.7 Developing Community Resource Persons (CRP) from the community for supporting Van Gujjars in filing claims.
- 1.8 Training Van Gujjars to file claims under the act.
- 1.9 Directly supporting Van Gujjars to collect requisite evidence of forest use.
- 1.10 Supporting Van Gujjars to file their claims.
- 1.11 Capacity building for forest management

Output 2: Increased number of Van Gujjars have obtained rights and other privileges at par with other rural residents of the country

Alongside securing the forest rights for the community, this programme also seeks to focus on securing domicile rights for Van Gujjars. This is deemed to be important in order to bring about socio-political empowerment of the community and to bring them at par with other citizens of the country.

The obtainment of the right to vote would help Van Gujjars to participate in the electoral process and hence they would be looked upon as potential 'vote banks' by politicians. This would ensure that the political leaders and parties would not neglect the issues of Van Gujjars, as has been the case in the past. With empowerment, Van Gujjar leaders would even be able to contest elections and run for office.

Registration of each family in a government family register and obtainment of ration cards are other constituents of domicile rights. Ration cards are issued by the government in order to provide food grains at subsidised rates to poor people. Moreover, the poorest of the poor i.e. Below Poverty Line (BPL) families get a separate BPL card which allows them even greater benefits. Therefore, obtaining domicile rights would mean that the community would obtain certain economic benefits as well.

However, past experience has shown that the government authorities have made no specific effort to ensure that the Van Gujjars are able to get domicile rights at par with any other citizen of India. This has largely been due to the fact that the community lives in remote forest areas and also due to the fact that Van Gujjars have, in the past, never demanded such rights from the government.

Despite this historical lack of recognition, over the past few years SOPHIA has taken a number of steps to assist Van Gujjars in claiming domicile rights. As a consequence, a large number of Van Gujjars have been registered as voters, while a significant number have been registered in the 'family registers' and have obtained ration cards.

⁹ The Right to Information Act is a law enacted by the parliament of India to provide for setting out the practical regime of right to information for citizens. Under the provisions of the Act, any citizen may request information from a public authority which is required to reply expeditiously or within thirty days. The Act also requires every public authority to computerise their records for wide dissemination and to proactively publish certain categories of information so that the citizens need minimum recourse to request for information formally.

But in spite of these efforts, there are still a considerable number of Van Gujjar families who have not been able to get these rights.

In this direction SOPHIA aims to ensure that the community members:

- Are registered as voters
- Obtain photo-identity cards
- Are registered in family register
- Obtain ration cards (including BPL cards where applicable)

Towards this aim the following activities are proposed:

- 2.1 Awareness generation about rights through meetings and trainings.
- 2.2 Meetings between Van Gujjars and relevant government officials.
- 2.3 Direct support to the community:
 - i. For registration as voters;
 - ii. For obtaining photo-identity cards;
 - iii. For registration in family registers and getting ration cards.
- 2.4 Use of Media.

Output 3: Enhanced participation of Van Gujjars in socio-political processes

In order for the Van Gujjars to participate in the socio-political process the following activities are suggested:

- 3.1 Community meetings to explain the importance of political participation.
- 3.2 Direct support in inclusion of all Van Gujjars as voters in Gram Sabha¹⁰ (all voters in a village).
- 3.3 Van Gujjars develop political network.
- 3.4 Van Gujjars elected to Gram Sabha are provided trainings.

6.2. Common programme activities¹¹

The following common activities form part of **Output 4. A platform for facilitating the rights of communities and for mutual capacity building and sharing between organisations in the region has been created.**

- 4.1 Joint meetings and dialogues with the state government.
- 4.2 Banking on mutual strength for media advocacy to influence government machinery.
- 4.3 Mutual capacity building for using Right to Information Act¹² to lobby with the government.

¹⁰ All women and men in a village who are above 18 years of age form the Gram Sabha. The Gram Sabha meets quarterly a year. Meetings of the Gram Sabha are convened to ensure the development of the people through their participation and mutual co-operation. The annual budget and the development schemes for the village are placed before the Gram Sabha for consideration and approval. The Sarpanch (head of the village) and her/his assistants answer the questions put by the people.

¹¹ After having included more organisations changes might be done when it comes to common activities, since their ideas and thoughts must be included.

¹² The Right to Information Act is a law enacted by the parliament of India to provide for setting out the practical regime of right to information for citizens. Under the provisions of the Act, any citizen may request information from a public authority which is required to reply expeditiously or within thirty days. The Act also requires every public authority to computerise their records for wide dissemination.

4.4 Mutual capacity building in advocacy strategies and approaches.

6.3. New organisation(s)

With the agreed outputs as a point of departure the activities of the new organisation(s) will be planned during the end of 2010.

7. Methods

The proposed programme seeks to follow the community empowerment approach. The programme seeks to ensure the communities' traditional rights over the forest and also guarantee their fundamental rights that they legally can claim. However, at the same time, this programme also aims to promote political participation of the communities at various levels. Therefore, all these activities will go simultaneously and complement each other during the course of the programme.

An underlying strategy, during this programme, is that no external institutions shall be imposed upon the communities. The programme aims to strengthen and use the existing indigenous institutions (in this case the traditional panchayats¹³ of the community).

The traditional panchayats within the community will be involved in programme implementation and Community Resource Persons (CRP) will be selected by these institutions and in many cases CRP's are expected to be traditional community leaders.

The programme therefore seeks to work through the existing indigenous institutions rather than imposing any parallel structures. This will greatly strengthen the traditional institutions and also ensure a higher degree of community participation in the programme activities.

For realisation of rights:

The strategy is to initiate a collaborative approach with the relevant government authorities and while using the existing legal provisions, we will request that the government expedites the rights settlement process of the community.

Meetings and discussions with the government officials will form the starting point for the programme activities. Awareness generation about the rights and capacity building of the communities will also form an important component.

However, depending upon the response and attitude of the government authorities towards rights settlement of the communities, the organisations in the programme will be open to engage in active advocacy with the government if the collaboration approaches fail to yield the desired results. Alternative approaches in the form of media advocacy, protests, rallies and demonstrations could therefore be adopted.

For socio-political empowerment:

¹³ Panchayat literally means assembly (*yat*) of five (*panch*) wise and respected elders chosen and accepted by the village community. Traditionally, these assemblies settled disputes between individuals and villages. Modern Indian government has decentralised several administrative functions to the village level, empowering elected gram panchayats.

The strategy revolves around linking the communities with government welfare programmes and securing them domicile rights – particularly the right to vote.

Subsequently, at the next level the programme shall aim to generate awareness amongst the communities and increase their participation in the political process.

8. Gender aspects of the programme

There are two kinds of activities within the programme, when it comes to a gender perspective. Activities such as trainings and meetings take place in the khols, and women will take part naturally. They can bring their children and there are no obstacles for their presence. When it comes to workshops in other places and meetings with government officials it is more difficult for women to take part. In these activities SOPHIA will reserve places for women in order to promote their participation.

Within the programme Community Resource Persons (CRP) from the Van Gujjars will be trained. From each area there will be one woman and one man. SOPHIA has been working with a similar system before and could see that it is considered an honor to be a CRP. However, the pressure on them to perform is very high. SOPHIA has seen that the pressure on men are higher than on women, maybe since men are considered to be more experienced. SOPHIA has also seen that women are better at networking, less confrontational and also that the government officials seem to appreciate women representatives from the group.

The rights claimed under Forest Right Acts should be claimed in the name of both spouses, but the governmental officials often just sign the man's name. SOPHIA has seen some cases of women getting legal rights, but then it has been widows. It is very difficult for the programme to target this, since it is decided by the government. It will not affect the community's right to forests, but it is an obstacle in the struggle for gender equality.

There is a need for further discussions about gender within the staff of SOPHIA and this will take place during the programme. When the new organisations are included there will be discussions about gender also at network level and within their organisations and target groups.

9. Programme management

The two main foundations of the programme will be the Community Resource Persons and networking NGOs. SOPHIA's coordinators will facilitate the Van Gujjar Resource Persons. The Director will be the facilitator of the coordinators and will be directly approachable by the community. Leaders of NGOs will have active contacts with each other.

For all the activities to reach their goal, it is necessary that Van Gujjars and the other target communities have a sense not just of belongingness but also of ownership. Naturally responsibility must go with some degree of authority. While finalizing the team responsible for a particular activity, individual team members will be tested for their experience, skills, capabilities, confidence, spare time and enthusiasm.

At SOPHIA, field communications is part of the field activities because the entire SOPHIA staff is interconnected by mobile portable phones with a facility such that there are no recurring charges for communicating with each other. Staff can also connect conference calls where more than two staff member can talk to each other without any recurring charges. The present programme has strong components of linkages and networking. The Van Gujjars will also make visits to the government as well as to private offices and institutes for capacity building. Field communications will greatly facilitate contacts with authorities before planning any visits. Field communication will be added advantage during emergency situations like medical emergencies. Field communications will also save resources (including time) as lot of the actual travel for logistics/administration can be curtailed.

For an organogram of the programme, see Appendix 3.

9.1. Monitoring and reporting¹⁴

Two sets of monitoring processes will be institutionalised:

1. Quarterly plans and more focused monthly plans will be monitored as part of the programme process for efficiency, effectiveness and deviation. It will be recorded as file in timeline and through log frame analysis.

Another monitoring process will be in a form where each hour of office work the staff puts in for the programme, will be recorded.

2. Every six months SOPHIA will report to The Swallows. At the end of the year SOPHIA will submit audited accounts and progress reports. At the end of programme period SOPHIA will submit consolidated audited accounts and progress report for entire programme period. The Swallows will inform SOPHIA about the receiving of these reports and provide feedback, especially analytical comments.

The Swallows Country Representative will make fixed number of visits to SOPHIA and other NGOs. This will also include field visits and discussions with CRP's and the communities. The Country Representative will discuss field strategies with NGO's and community leaders.

The SOPHIA director will report programme developments at board meetings. Networking NGOs shall report in meetings organised for this purpose.

The entire staff of SOPHIA will make report of each field visit, activity, training and other programme process. This will enrich their monthly reports to Director.

Director will report during plenary meetings at SOPHIA's head office (HO).

¹⁴ This system is built upon SOPHIA's experiences of monitoring and reporting. New organisations within the programme might have other systems that will be included later on.

9.2. Documentation¹⁵

- SOPHIA staff will share experiences at HO meetings every fortnight. In these meetings strategic issues, approaches and activities will be finalised into handy manageable tasks. SOPHIA will maintain exhaustive documentation of these meetings, which enhances the mutual learning process.
- Separate process documentations will also be maintained for each area.
- Case studies on programme components will form an important part of the documentations.
- Developments with respect to establishing linkages with the government service sector will be recorded.
- Documentations about government established procedures of different forest rights, land rights, government services and social securities.

10. Sustainability

10.1. Ownership of the programme

One important part of sustainability of a programme is the local ownership of the programme. SOPHIA has been the focal point of this programme since the beginning. With a long distance from the India office of The Swallows in the South India it has been much up to SOPHIA to communicate with new partners in the programme and to lead the programme process. SOPHIA is an organisation working hard not to be dependent on foreign donors and also to receive only the kind of funds that goes hand in hand with their beliefs. In the beginning of the programme phase SOPHIA is the main owner of the programme. During the first year there will be efforts to include also the newer partners into the leading of the programme and the ownership.

10.2. Strengthening the target group

The outputs expected from the programme as well as the activities envisaged under the programme have been designed in order to ensure sustainability of programme interventions even after the end of programme duration.

The rights-based component of the programme is self-sustaining in nature. Once the communities are granted forest rights and domicile rights, these legal and binding rights cannot be revoked by the government. After the programme the communities will have experience and knowledge about how to claim their rights and this will make it possible for them to claim other rights in the future, also without the help of NGO's.

Outcomes will be sustainable because the programme will not create parallel unsustainable structures, but instead it will establish linkages with government and private referral agencies. As a result of programme interventions, there will be significant change in government policy for nomads

¹⁵ This system is built upon SOPHIA's experiences of documentation. New organisations within the programme might have other systems that will be included later on.

and other forest communities, especially domicile rights, government services (like health, education, etc) and government social securities.

However, as far as economic activities are concerned, the aim is to create a *cadre* of resource persons amongst the communities who shall continue to work as resource persons and motivators amongst the communities and ensure that the sustainability of programme interventions is ensured.

11. Risk analysis

Risk 1: Communal polarisation

Van Gujjars are in minority in the area, surrounded by people from majority communities. There could be a risk of communal polarisation between target groups in the programme or between target groups and other communities in the area.

Probability of risk: Not very high. SOPHIA has been working in the area for many years, and knows well the risks and how to avoid them.

How to handle the risk: SOPHIA is trying not to make the programme a minority/majority issue but focus on rights of marginalised people. Through the advocacy campaign the programme will spread information to the public about the situation for communities such as the Van Gujjars and their rights. This should decrease the risk for polarisation.

Risk 2: Extremists targeting the Van Gujjars

There have been religious extremists trying to influence the Van Gujjars in the working area. This could affect their willingness to be a part of the programme as well as how to work with right based issues. For example, gender equality might be questioned.

Probability of risk: Medium.

How to handle the risk: SOPHIA has been working with the van Gujjars for many years and know the Van Gujjars very well. So far, the influence of extremists has been limited. By building relations with Van Gujjar leaders SOPHIA reduces the risk of not being able to conduct the programme. Also, when offering other possibilities for Van Gujjars, the risk of turning to extremists decreases.

Risk 3: Neglect from the government

In order for the programme to be successful the governmental officials need to be willing to implement Forest Rights Act. So far that process has been very slow in Uttarakhand. If the officials show no interest in the implementation, it will affect the programme and the outcomes severely.

Probability of risk: Not very high to medium.

How to handle the risk: By building relations and contacts with different governmental officials the risk will decrease. Advocating and lobbying at a state level often takes time and patience. There might not be results immediately. By continuing the work, and also put pressure, for example by media campaigns, the programme partners will influence the officials to implement the Act.

Risk 4: Disagreements within the programme

Different organisations have their individual strategies and goals but they come together for common goals. When working together there is always a risk for disagreements and conflicts. There might be different opinions about strategies, decision making or responsibilities.

Probability of risk: Medium

How to handle the risk: The organisations within the programme will have full independence when working in their own field for benefits of their clientele and issues. Consensus will be basis of planning common strategies of the network. It is hoped that either consensus will be reached or strategies will be redrafted to include dissenting opinions.

Risk 5: Unclear roles within the programme

SOPHIA and The Swallows have been drafting the programme and will include more organisations during 2010. There is a risk that there will be unclear responsibilities, either between SOPHIA and The Swallows, or for the new organisations.

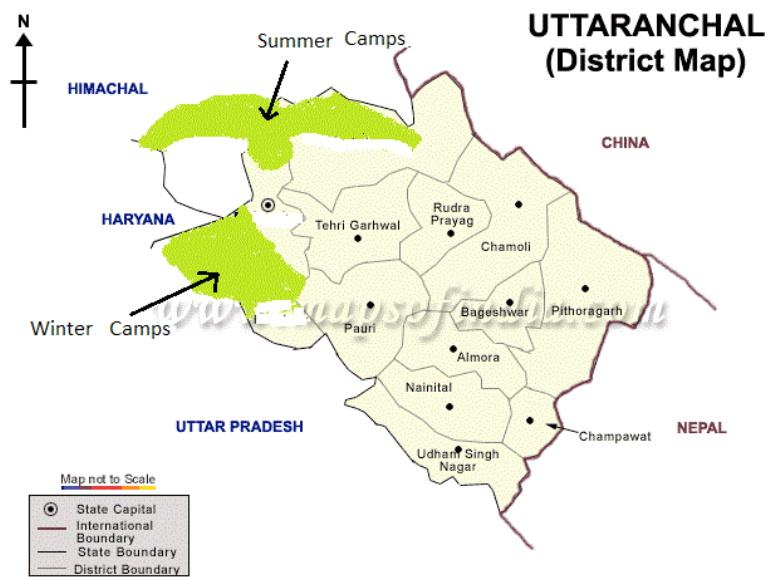
Probability of risk: Not very high

How to handle the risk: Already from the beginning we have been very clear about the responsibilities within the programme. When the new organisations join this will be one of the first discussions to take place, in order for the responsibilities to be clear.

12. Maps



The state Uttarakhand (previously named Uttranchal) is marked on the map.



The camps of the Van Gujjars are marked on the Uttarakhand (previously named Uttaranchal) map. They move between summer and winter camps with their buffaloes.

13. References

Das, M. B., Soumya K. and Nikitin D. (2010): *A Closer Look at Child Mortality among Adivasis in India*, The World Bank South Asia Region, Human Development Department (http://indigenouspeoplesissues.com/attachments/4351_Adivasi_ChildMortality2010.pdf).

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