

# Protected Area Management and the Livelihoods of Indigenous People in Nepal: Harmonizing Policies and Practices



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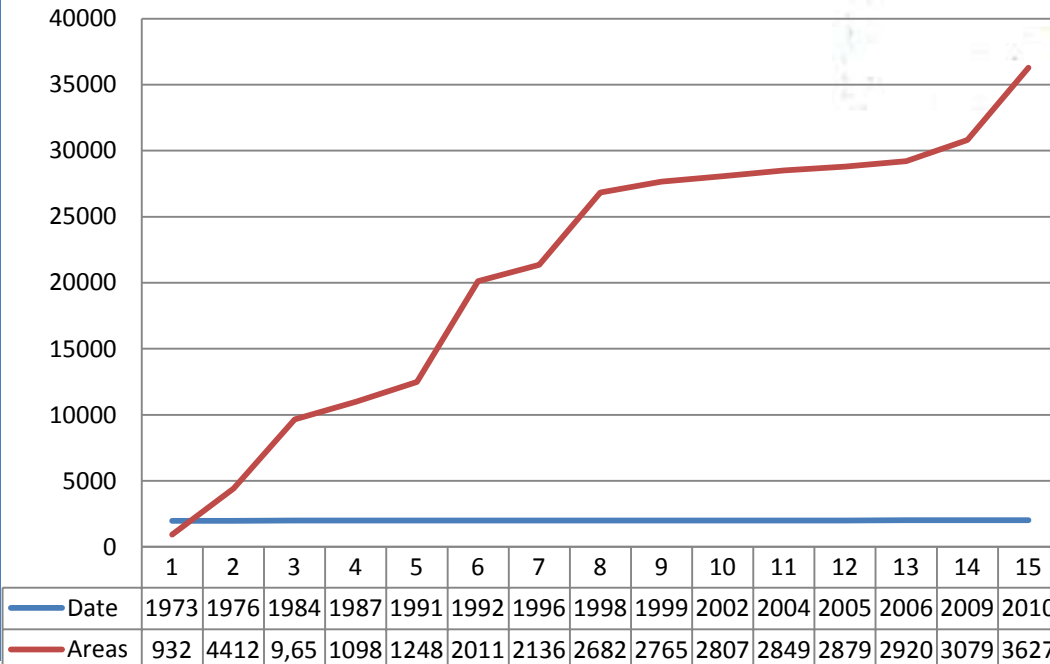
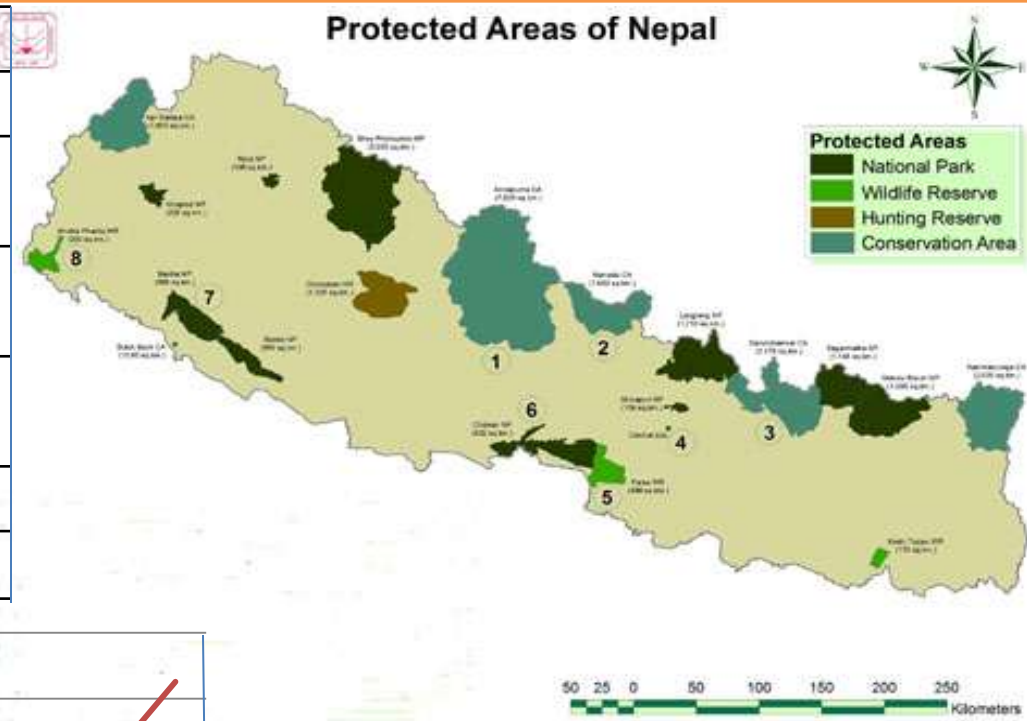


# Protected Areas of Nepal



# Protected Areas in Nepal

| Protected Areas             | No.       | Area (km <sup>2</sup> ) |
|-----------------------------|-----------|-------------------------|
| 1) National Parks           | 10        | 10,853                  |
| 2) Wildlife Reserves        | 3         | 979                     |
| 3) Hunting Reserves         | 1         | 1,325                   |
| 4) Conservation Areas       | 6         | 15,426                  |
| <b>Total</b>                | <b>20</b> | <b>28584</b>            |
| <b>PA with Buffer Zones</b> | <b>12</b> | <b>5603</b>             |



- Total of 20 protected areas (PAs)
- Cover 23.23% of country's territory
- 4 types of management systems
- Buffer Zones in 12 PAs

# Major PA Policies and Laws

- Policies:
  - National Wetland Policy, 2003
  - Biodiversity Strategy, 2002
  - Nepal Conservation Strategy, 1988
- Acts:
  - National Park and Wildlife Conservation (NPWC) Act 1973
- Regulations and Guidelines:
  - Kanchenjunga Conservation Area Management Regulation, 2005
  - Conservation Area Management (CAM) Regulation, 1996
  - Buffer Zone management Regulation 1996
  - Buffer Zone Guidelines 1999:
  - Himalayan National Park Regulation 1979



# Brief of PAs in Nepal

- Declaration of PAs:
  - According to the legal provision on “National Park and Wildlife Conservation Act 1973
  - *The Act states that “His Majesty’s Government may, if it deems necessary, declare an area as a national park or reserve or conservation area....”* (Article 3[1])
- Established Management practices:
  - Buffer Zone Committee (in 9 National Parks; 3 Wildlife Reserves)
  - Conservation Area Management Committees (CAMC) in 6 conservation areas
- Trajectories of the Conservation practices:
  - First: Establishing and expanding administrative units and officials
  - Second: Deploying security force and personnel
  - Third: Park-people conflict increased
  - Fourth: realization of the importance of people’s participation (BZCF/council; CAMCs) and initiatives



# PA Management and Local Livelihoods in Nepal

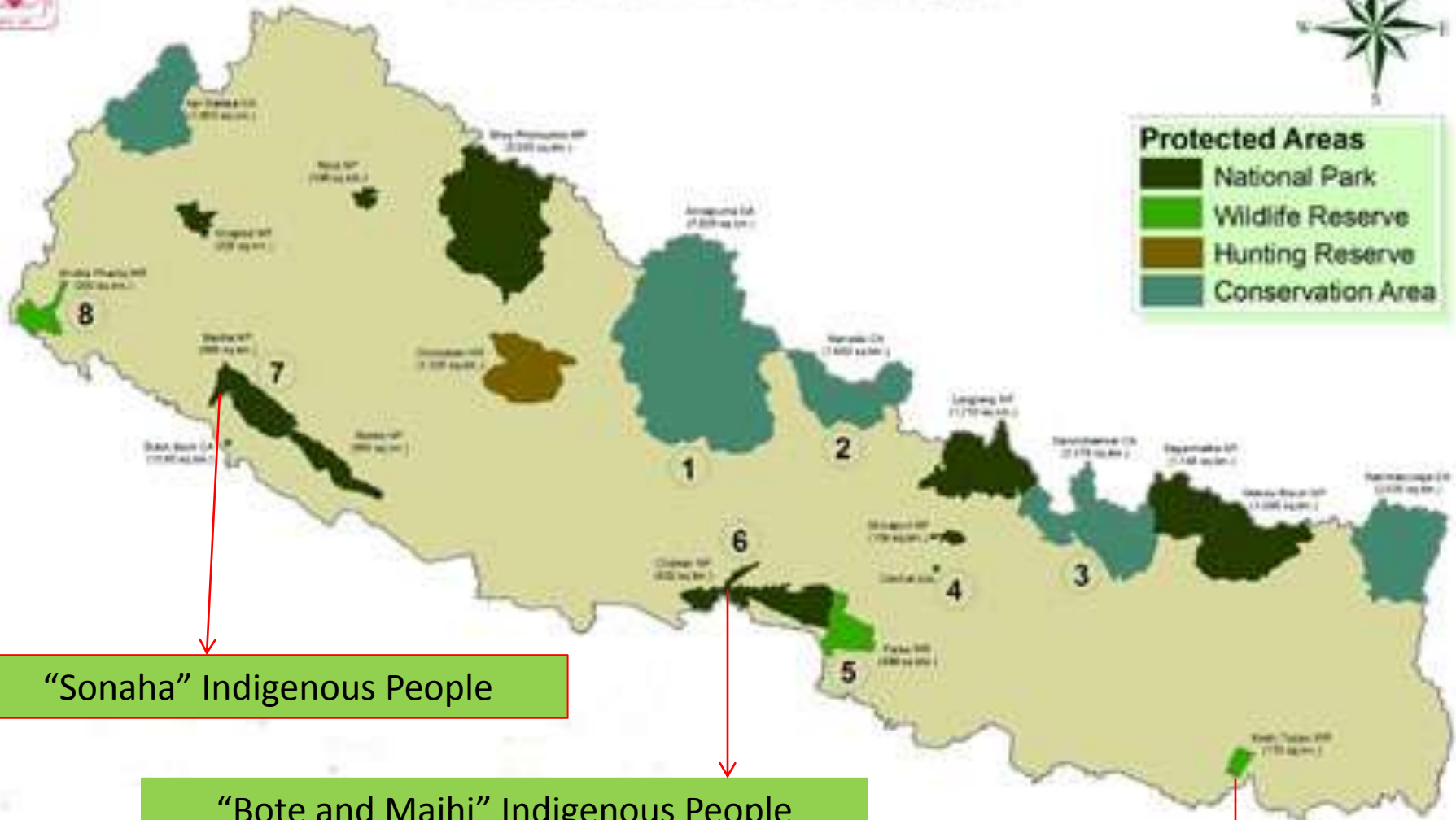
- Diverse PA management and production of inequality:
  - Unequal treatment: by diverse PA management systems
    - NP more restrictive in compare to CA
  - BZ management and production of social inequality
- Effects of restrictive PA policies:
  - Traditional livelihood rights – curtailed
  - Victims of – physical and psychological assaults
  - Livelihood assets – become poorer (human, natural , financial, physical, social)



# Observation from three Cases



## Protected Areas of Nepal



"Sonaha" Indigenous People

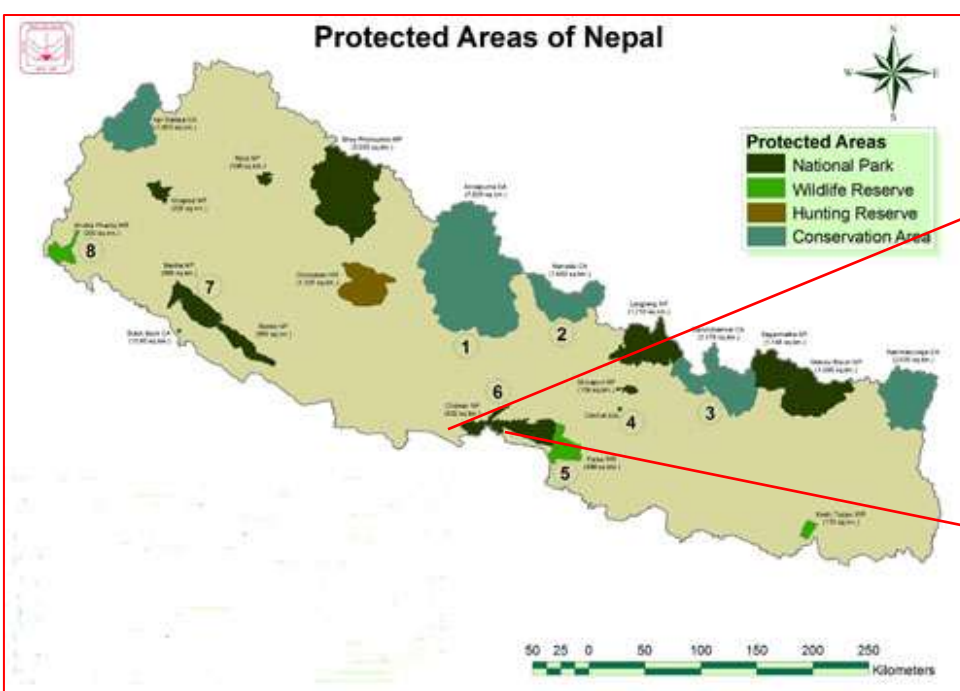
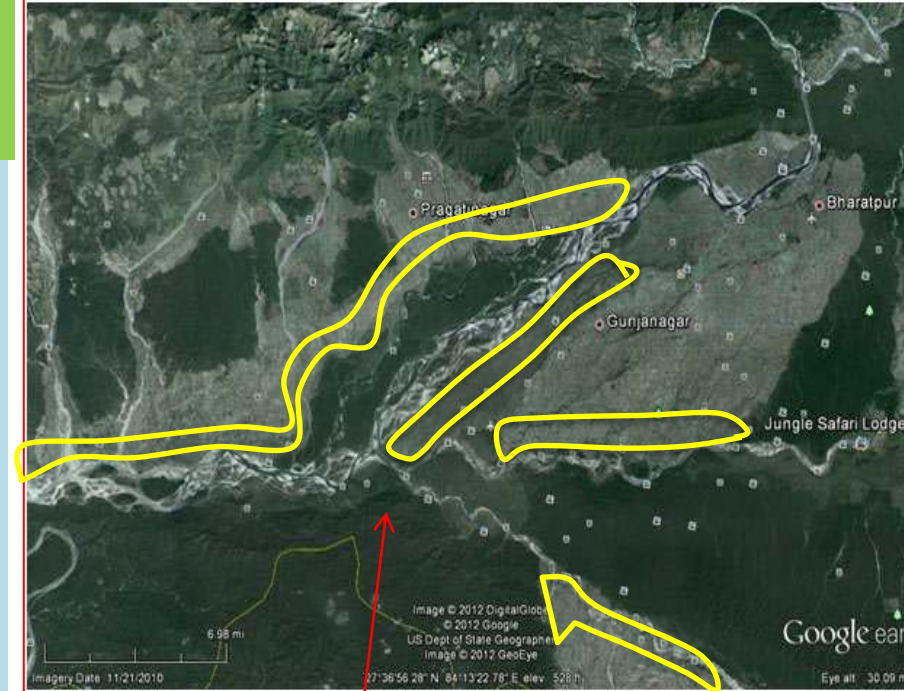
"Bote and Majhi" Indigenous People

"Mallaha" Indigenous People



# Case 1: Bote and Majhi in Chitwan National Park

- Settlement: bank of the river “Narayani and its tributaries”
  - total 34 VDCs and 2 Municipalities are bordering (13 VDCs + 2 Municipality in Chitwan 21 VDCs in Nawalparasi District)
  - They are settled in more than 26 VDCs





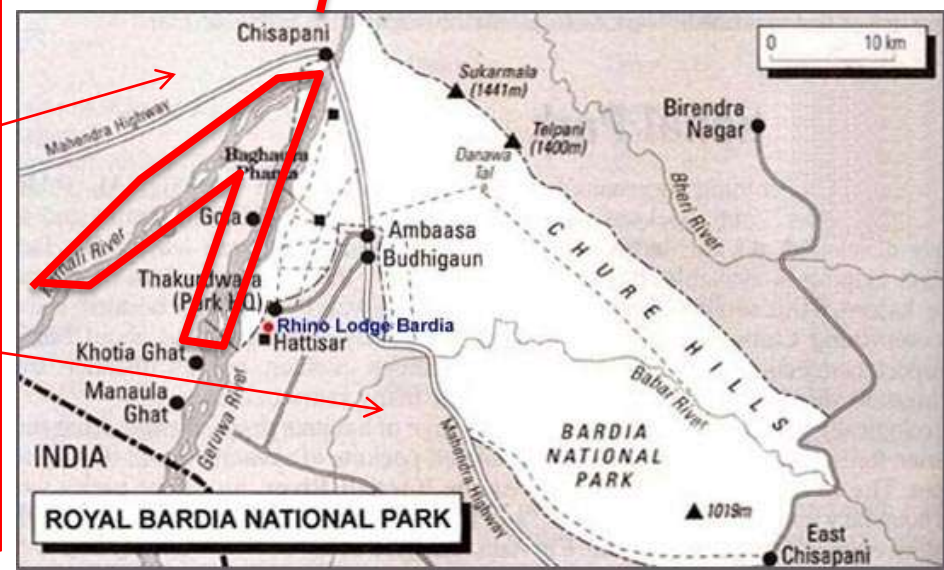
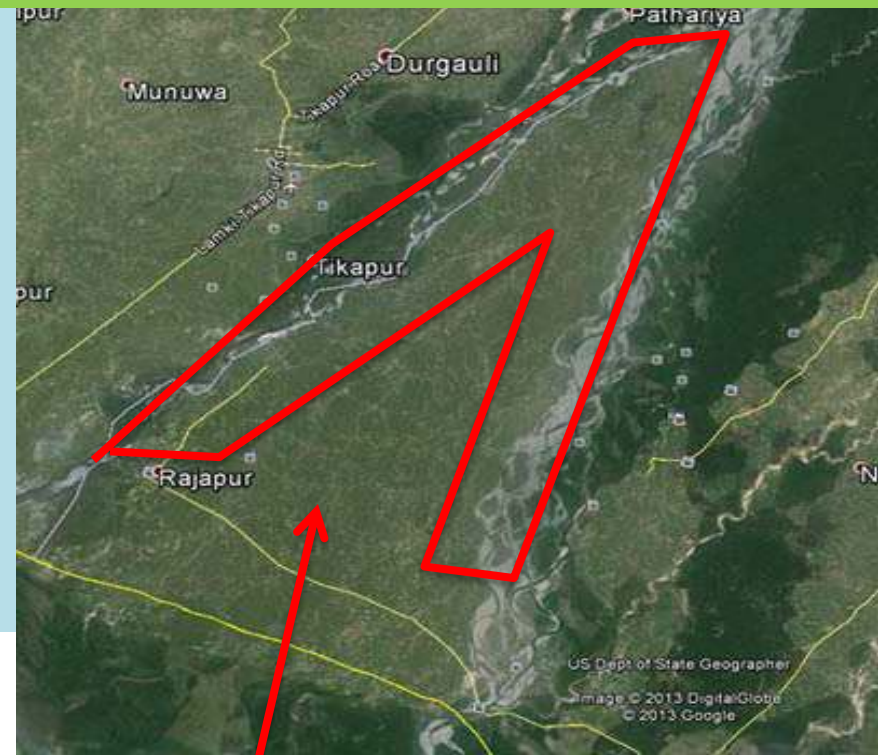
# Trajectory of the Livelihood Practices of Bote and Majhi

- Traditional occupation:
  - Fishing , ferrying and wild fruits and vegetable collection (gold panning was also practiced by Bote)
- Impact of PA:
  - Restriction in their traditional occupation
  - Physical assaults and psychological harassment
  - Control and surveillance by BZCF institutions
- Livelihood strategies:
  - Illegal fishing
  - Organized campaigns and movements for rights (a case: 11 September 2011, a Bote aged 47 was caught and fined NRs 500 for catching a fish; on the next day more than 100 local Bote and Majhi people gathered against it)
  - Diversifying occupation (agriculture, hotels, labor)



# Case 2: Sonaha in Bardiya National Park (1972)

- Settlement: bank of the river “Karnali”
  - “River bank” as their traditional homeland
  - Settled in about 6 VDCs of this river bank
  - 13 hamlets/villages



# Livelihoods of Sonaha

- Traditional Livelihoods:
  - Fishing and gold panning
- Problem increased by PA:
  - Restriction in fishing and gold panning
  - Physical assaults and psychological harassment
  - Control and surveillance by BZCF institution
- Livelihood strategies:
  - Illegal fishing and gold panning
  - Organized campaigns and movements for rights (temporary fishing license and agreements with BZCF for gold panning)
  - Diversifying occupation (labor in local market)



# Case 3: "Mallaha" in Koshi Tappu Wildlife Reserve (1976)

- Settlement of Mallaha: bank of the river "Koshi"
  - In about 6 VDCs adjoining to this river and PA
- Traditional occupation: Fishing
- Landless - completely dependent on income from the fishing in the river



# Livelihood Rights of “Mallaha” after the establishment of PA

- After PA declaration (1976):
  - Restriction on open fishing in PA boundary (By establishment of PA institution and Deploying military)
  - Physical assaults and psychological harassment
  - Regulation and surveillance by BZCF
- Livelihood strategy
  - Illegally fishing (legally allowed for 9 months and 7:00 am-5:00pm)
  - Organized campaigns and movements for their rights



# Conclusion and Lessons Learned form the Cases

## Conclusion

- After establishment of PAs, negative impacts upon the traditional livelihoods of resources dependent indigenous people have gradually increased;
- Traditional livelihood practices have become subject to vanish;
- As a response, organized campaign and movements were carried out for restoration of livelihood rights;
- Gained some limited rights to access resources (fishing license, agreement for gold panning) but based on the influence or pressure;
- Legal provisions and local practices of access to the resources for livelihoods contradict (e.g. illegal extraction of resources)

## Lessons

- PA laws could not become effective and effectively implemented unless local practices are recognized;
- Local people challenge the legal provisions by adopting local strategies if laws are not compatible with the existing practices;
- Unclear laws and legal provisions makes government authority powerful and decisive (in many cases demands of local people depends upon the nature and personal relation with officer or authority);
- Control, domination and influence of natural science (including PA authority)
- Restrictive PA policies and programs are making IPs dependent;
- Negative impacts of PAs creates negative feeling (no ownership) and behavior (enmity relation) towards PAs

# What Should be Done?

- Proper implementation of progressive policies:
  - For participation,
  - For benefit sharing,
  - For recognition and support to the local practices and knowledge
- Initiatives for policy revision:
  - Comply with international legal standards
  - Harmonizing legal provisions and practices on the ground
- Develop alternative thinking and approaches of policy making processes:
  - Changing mind-sets of bureaucrats and policy makers (perspective to see and understand indigenous people)
  - Institutionalizing participatory policy making process by replacing top-down
- Enhance Public policy debates:
  - Generate critical knowledge and evidences
  - Constant policy debates and dialogues
- Capacity development of right holders
  - Support to be organized (in terms of knowledge and networks)
  - Develop capacity and skills for negotiations and rights advocacy, campaigns and lobby

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