

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



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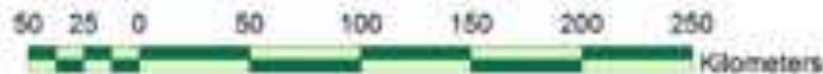
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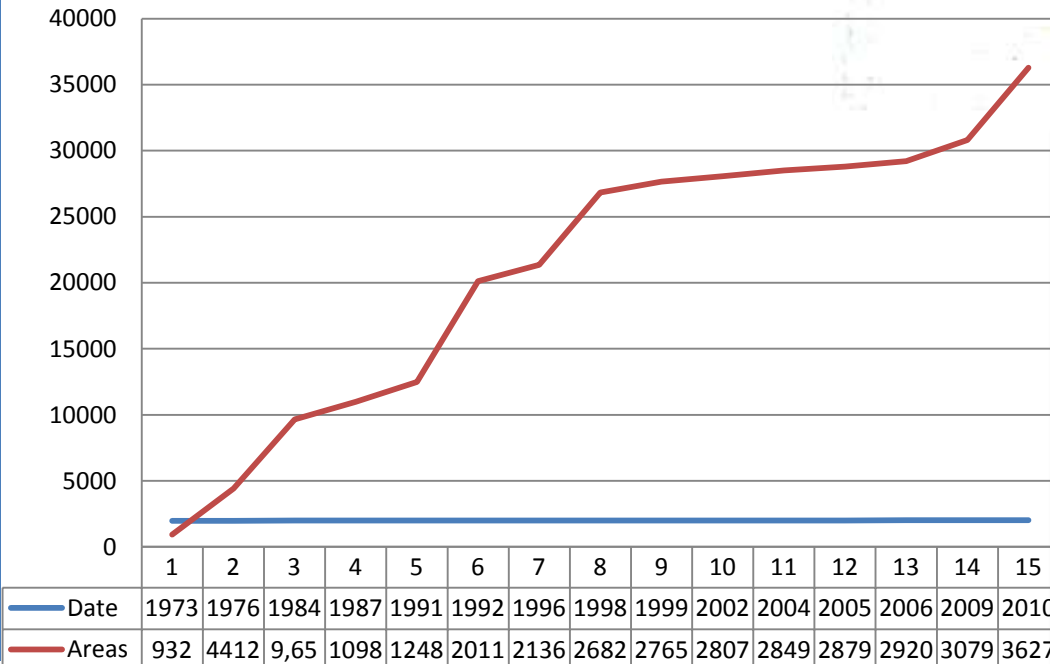
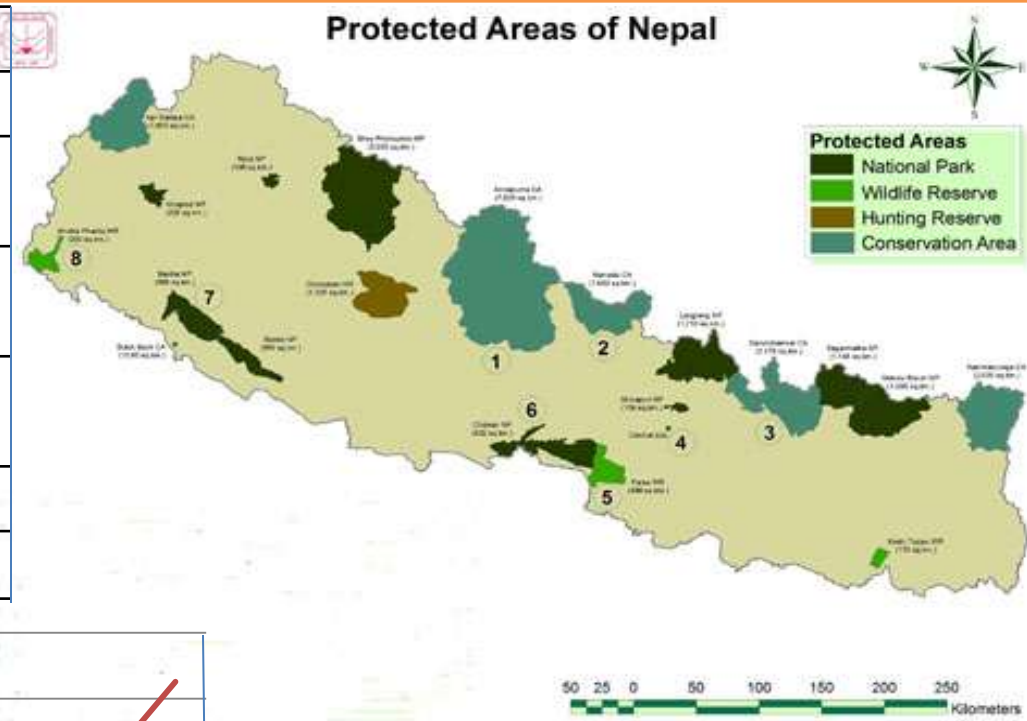


Protected Areas of Nepal



Protected Areas in Nepal

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



- 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

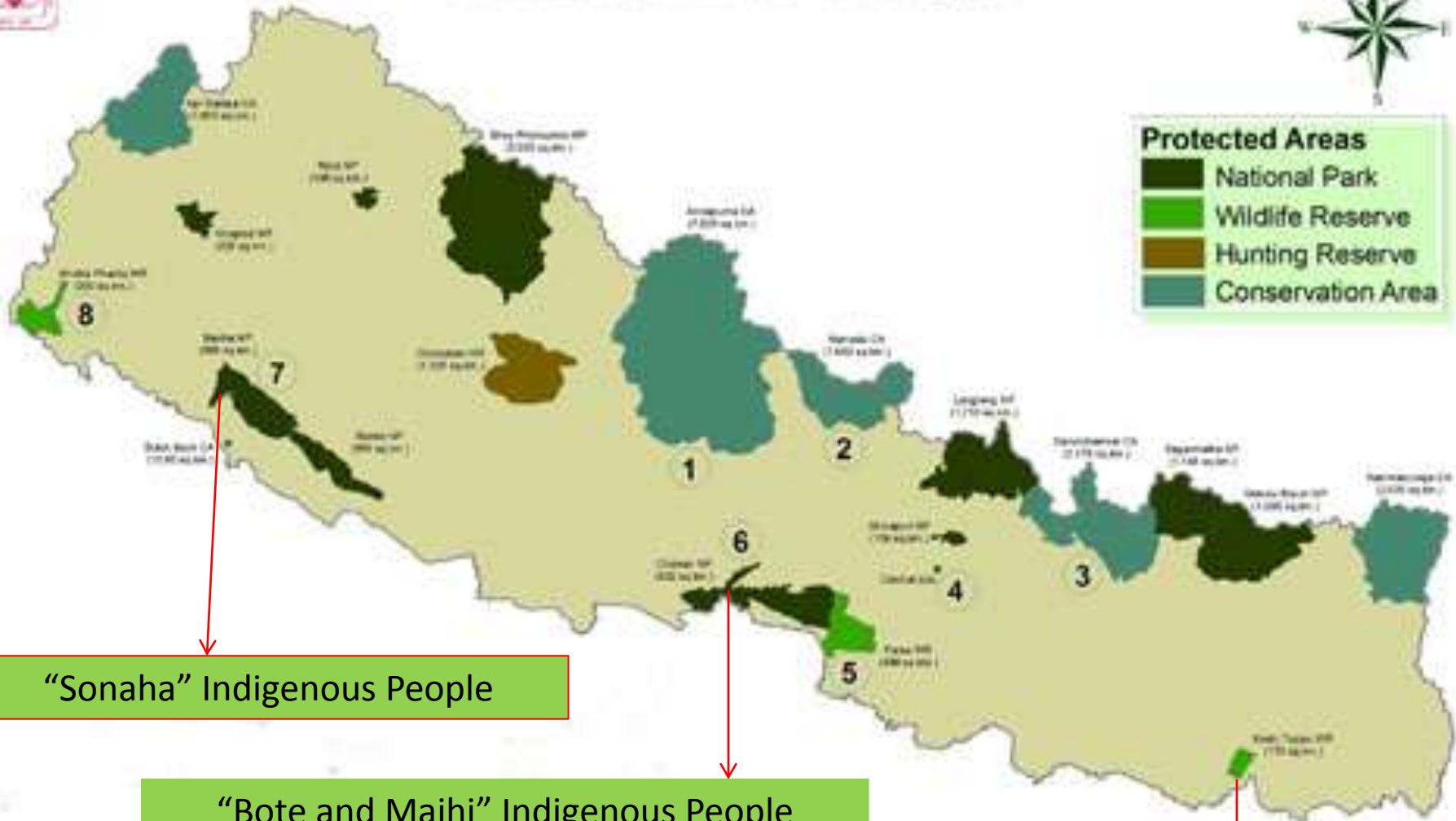
- Diverse PA management and production of inequality:
 - Unequal treatment: by diverse PA management systems
 - NP more restrictive in compare to CA
 - BZ management and production of social inequality
- Effects of restrictive PA policies:
 - Traditional livelihood rights – curtailed
 - Victims of –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



Observation from three Cases



Protected Areas of Nepal



"Sonaha" Indigenous People

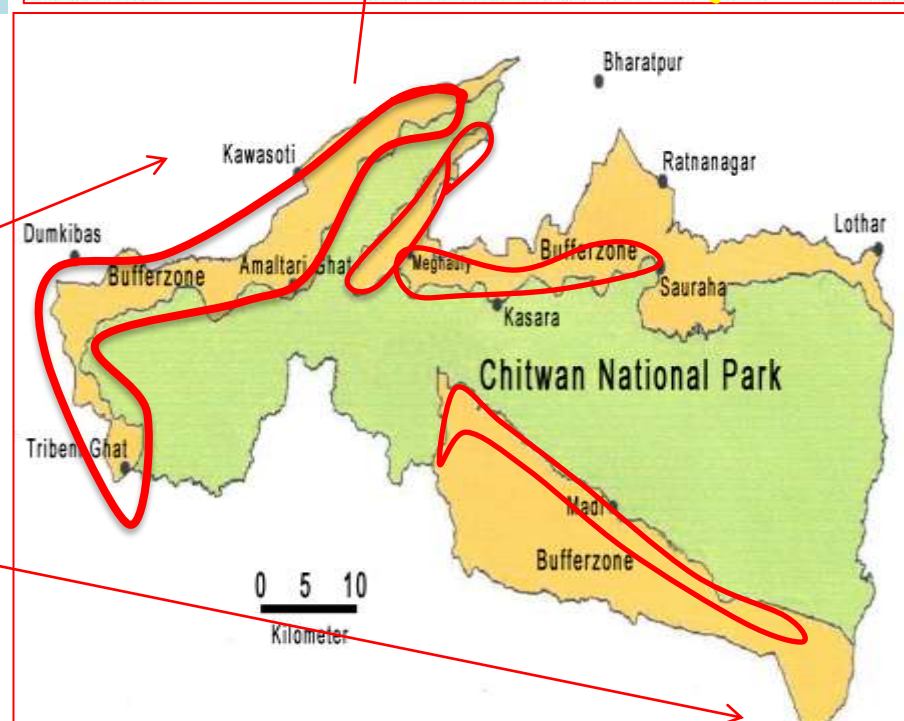
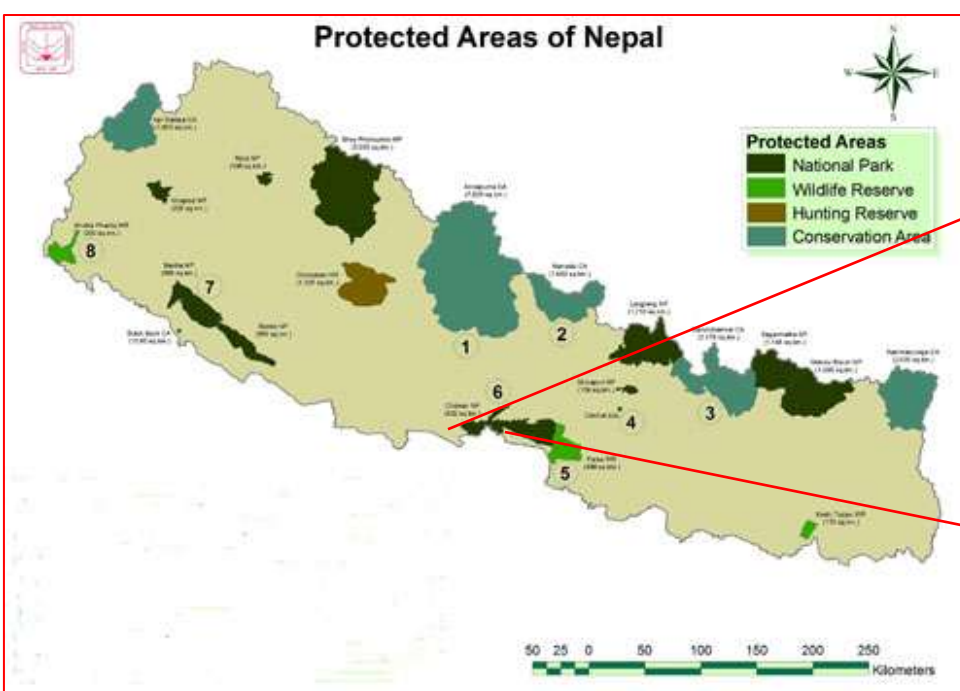
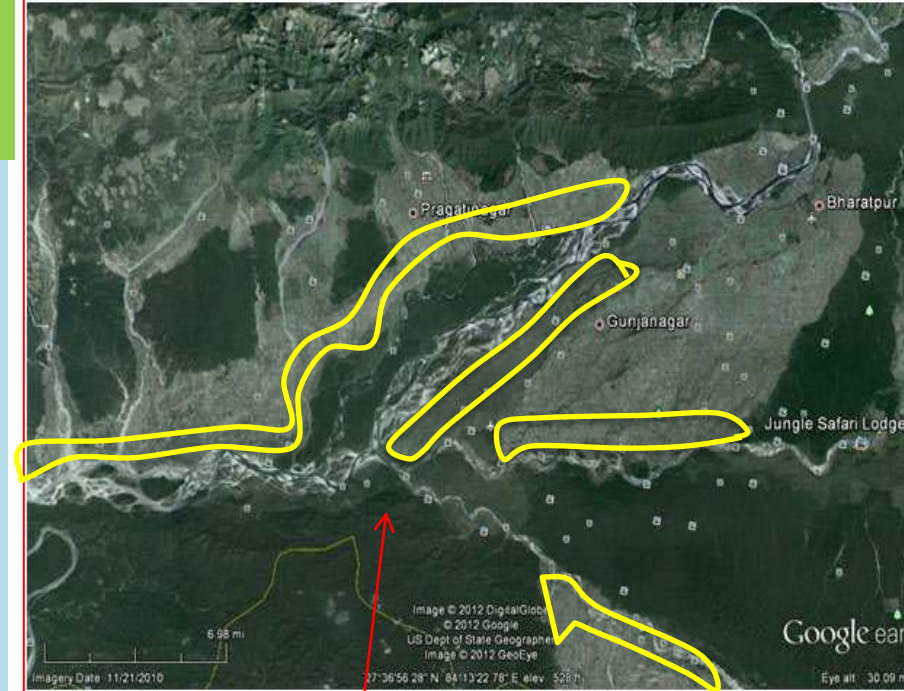
"Bote and Majhi" Indigenous People

"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



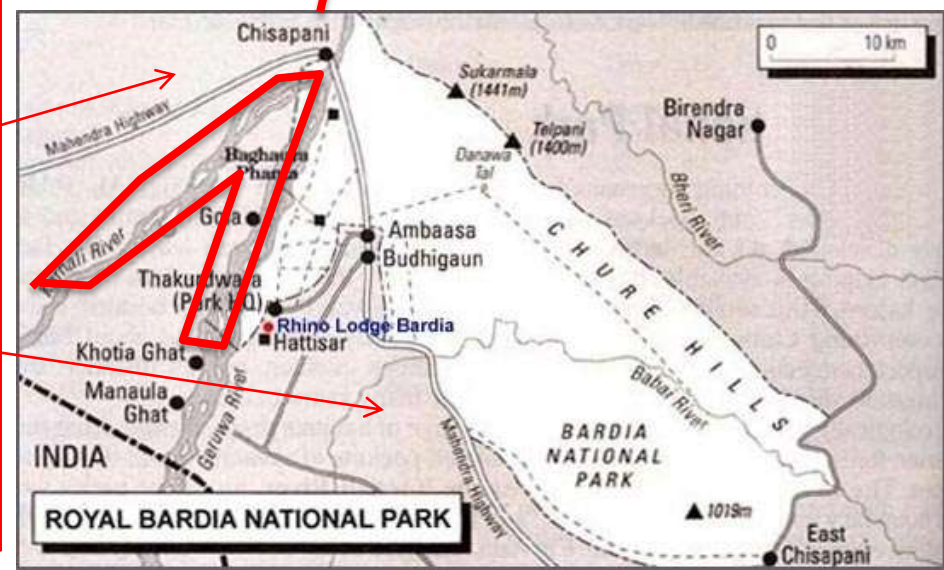
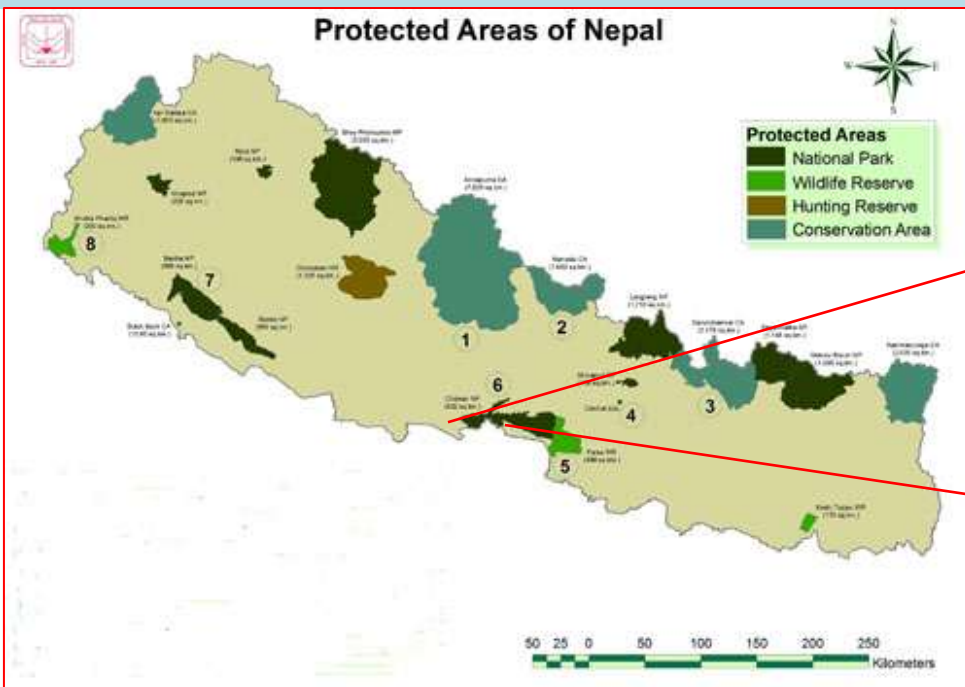
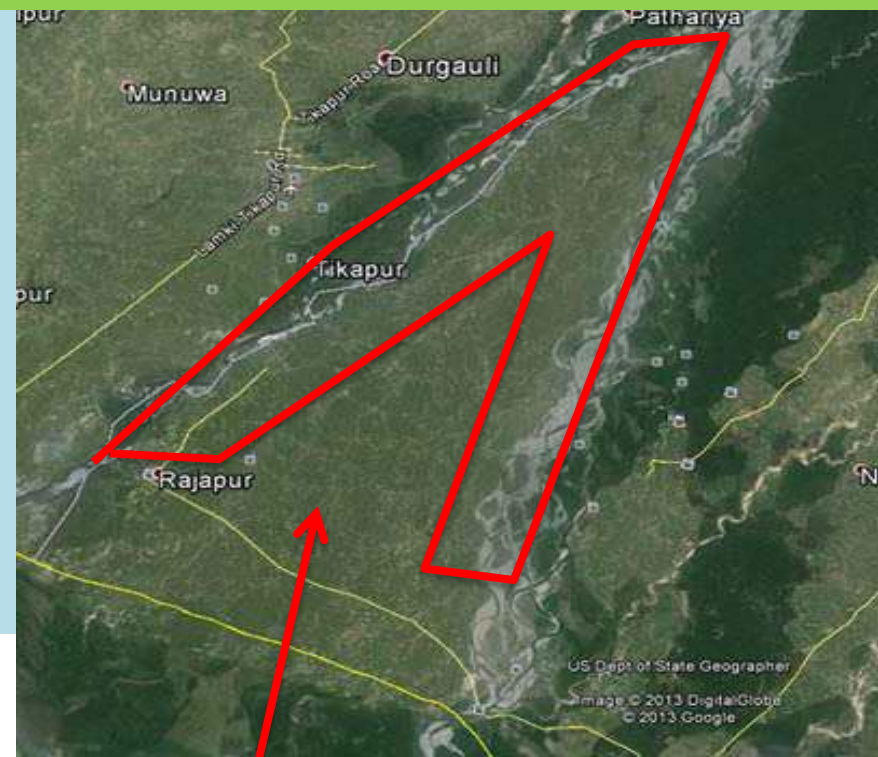
Trajectory of the Livelihood Practices of Bote and Majhi

- 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



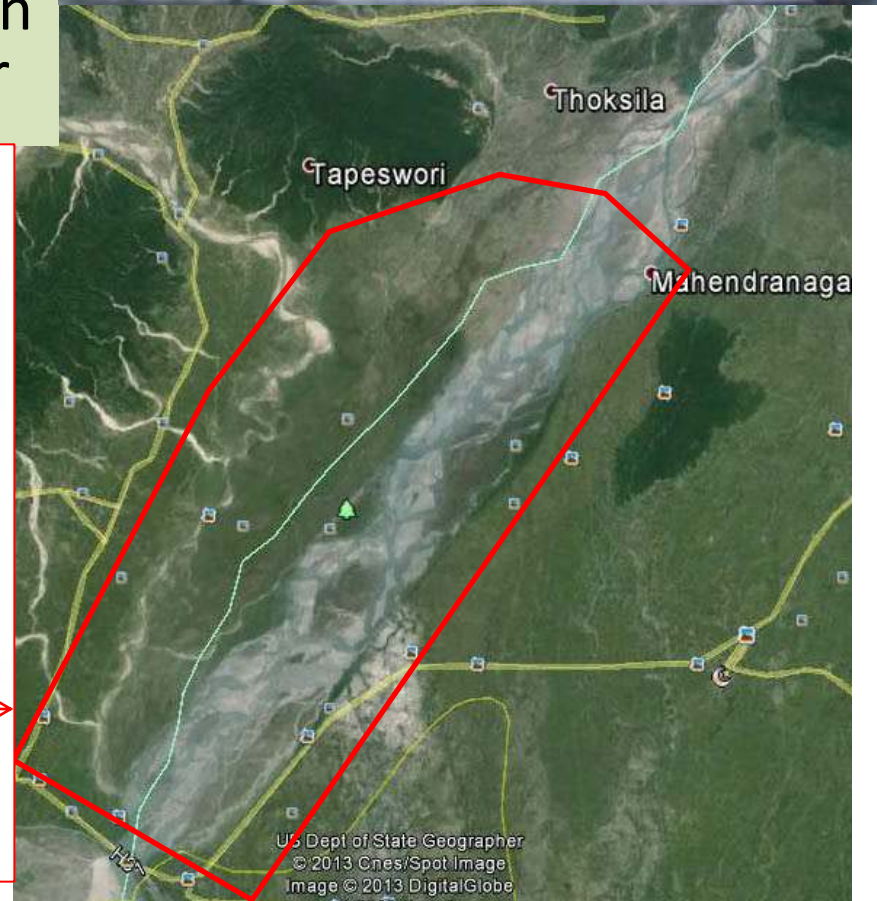
Livelihoods of Sonaha

- 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

Acknowledgement

Study Support

- Social Inclusion Research Fund (SIRF) for providing “Harka Gurung Research Fund-HGRF” (in 2011-13)
- Community Development Organization (CDO in 2013)
 - ForestAction Nepal (through RRI in 2011)
- Social Science Baha (for research fellowship in 2011)



Special Thanks

- **Bio-Diversity Network Japan (BDNJ) for travel and accommodation support**



बिओ-डायवर्सिटी नेटवर्क जापान
Bio-Diversity Network Japan
2011-2013