

Indigenous and Community Conserved Areas: Relevance, potentials and initiatives in Nepal

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Introductions

Indigenous and Community Conserved Areas (ICCAs) have offered a promising opportunity to conserve biodiversity while providing livelihoods and cultural benefits. They have become a preferred institutional model for conservation globally, though the concept is still in infancy in Nepal. This policy brief is based on a study on ICCAs carried out by ForestAction and is intended to induce a dialogue on their relevance and possible strategies to support them. In this policy brief, we suggest that the government and other relevant actors recognise and support thousands of diverse forms and types of ICCAs across the country to achieve broader conservation goals complementing to the modern Protected Area (PA) system.

What are ICCAs?

Indigenous and community conserved areas (ICCAs) are defined as “natural and modified ecosystems with significant biodiversity, ecological and related cultural values, voluntarily conserved by indigenous peoples and local communities through customary laws or other effective means” (Kothari 2006:3). Similarly, IUCN defines them as “protected areas where the management authority and responsibility rest with the indigenous peoples and/or local communities through various forms of customary or legal, formal or informal, institutions” (Dudley 2008). Whatever is the definition, three key features essential to ICCAs (Pathak *et al* 2004) are:

- Communities have a **relationship with or concern** for relevant ecosystems and species;
- Communities play major roles in **decision making** and
- Communities' efforts contribute to **conservation**.

Tens of thousands of such ICCAs exist around the world, which are largely unrecognized and little understood. The significance of ICCAs in conserving biodiversity, maintaining essential ecological function, supporting livelihoods and enhancing cultural values are gradually being recognised and promoted in recent years (e.g. CBD Programme of Work on Protected Areas, World Park Congress, IUCN governance types)



Settlement of Chepang, Chepang forest hill on the background, Hapani-Kaule, Chitwan. © Sudeep Jana

Key messages

ICCAs offer a preferred alternative to new government declared PAs.

ICCAs can address multiple objectives of resource management.

ICCAs complement modern PA system in achieving conservation goals.

ICCAs can co-exist in official PAs. They are types of governance but not a management category of PA.

There is immense potential of ICCAs in Nepal, they just require policy and legal recognition.

Even a slight revision in legal/regulatory instrument may help promote ICCA

How ICCAs differ from other PAs in Nepal?

The local and indigenous communities across the country have for generations, conserved and managed thousands of forests, watersheds, ponds, rangelands, sacred grooves. They have contributed to the conservation of biodiversity, landscapes, religious and spiritual sites. On the other hand, the formally designated modern protected areas are facing several challenges including: widespread resource conflicts, high management costs, displacement of ecological

Table : Comparison between government declared and ICCAs

Government designated protected areas	Indigenous and community conserved areas
Government owns and manages (sometimes through some designated agency)	The local community has a de facto control over the land (not necessarily having a legal ownership), and manage the area with their own institution
Government approves the Management Plan	No government approval requires. Instead, they have alternative ways of maintaining accountability. They develop their own rules, norms and management system
Government identifies and declares any particular site	Local communities identify, decide and manage the area
They are administered and managed under statutory law, legal instruments	Management is guided usually through customary laws or sometimes in combination with statutory law
It has a recent origin and history (since 1872)	This is oldest form of conservation though these may have been modified or transformed
Managed under a complex and bureaucratic structure	Managed by simple, less hierarchical civic institutions
Managed primarily for conservation	Primary objective is not necessarily biodiversity conservation; it might be a by-product

pressure, etc. As the government continues to expand the formal protected areas despite several challenges, it is worthy to examine the ICCAs for their comparative advantage and complementarities with existing conventional state controlled PAs.

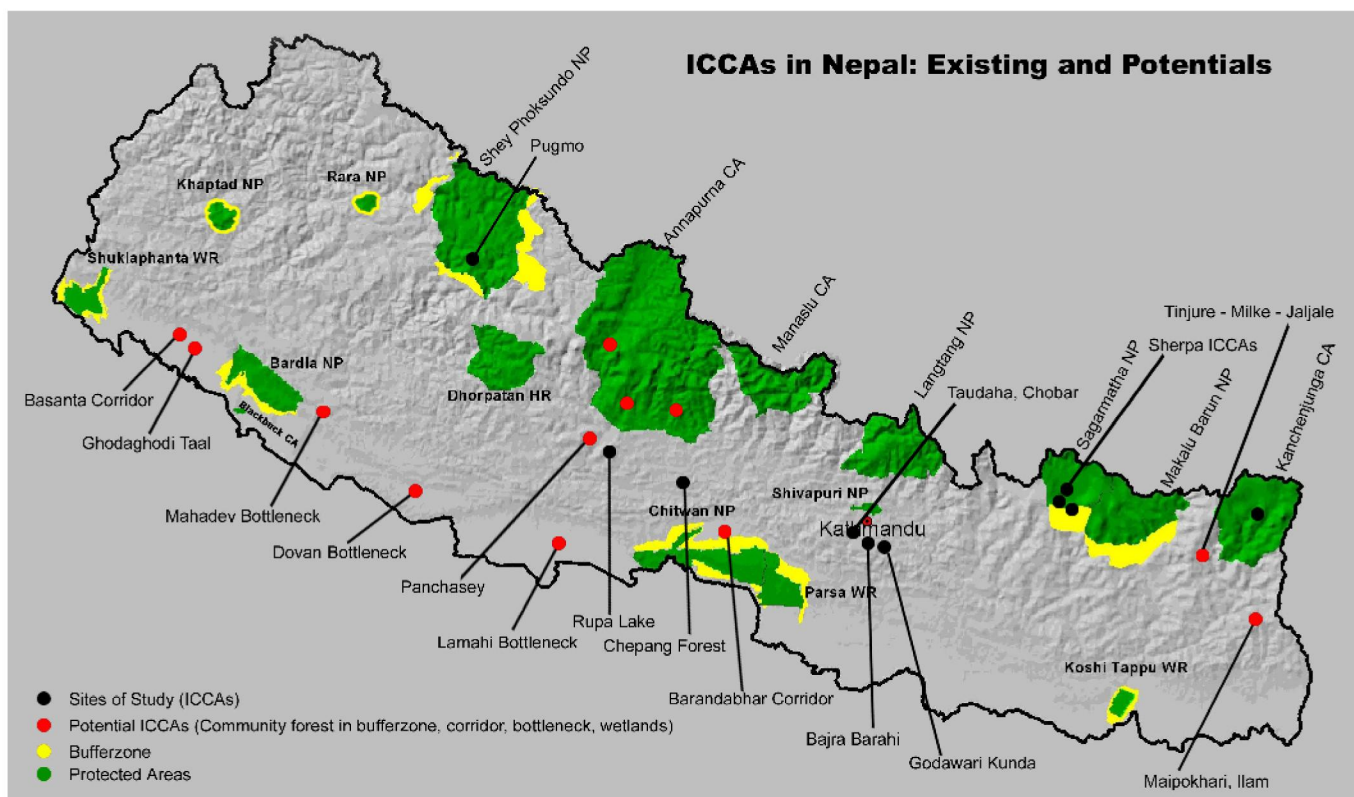
Why ICCAs?

We have to make a crucial choice on whether the government should unilaterally declare more protected areas or allow local communities to protect nature by recognizing, respecting and supporting existing or potential ICCAs. Since Nepal has pioneered the promotion and institutionalisation of community based conservation, ICCAs fit nicely within our broader forest and conservation policies. For example, we can help gradually transform over 15000 community forests into ICCAs by supporting and encouraging them to enhance their biodiversity status. It would be far more effective than declaring a couple of conservation areas for the purpose. The indigenous people and the local communities are the ultimate managers and custodians of the resources which can be justified based on both democratic principles and demonstrated practical capacities. The government's oversight and supportive role is expected to ensure that the long term environmental goals are respected and enhanced.

ICCAs can be a preferred model for conservation by providing an economically viable, politically feasible

and culturally acceptable solution to current challenges. They can be adopted to achieve both: i) Conservation of ecosystem: protect the ecological integrity and ensure a sustained flow of ecosystem services; and ii) Livelihood benefits: enhance livelihood benefits of resource management and their fair distribution. Let's see how ICCA contribute to these dual goals of conservation:

1. ICCAs are founded on local ecological knowledge and practice often engendering long term sustainability.
2. In several areas they have served as corridors, connectivity, benefitting biodiversity and complementing with the existing protected areas
3. They embrace a broad understanding of nature conservation often taking care of vegetation, wildlife, watershed, religious and cultural sites, and landscape beauty.
4. They have supported critical environmental services: forest products, watershed, soil fertility, that support livelihoods including better adaptation strategies
5. ICCAs play a complementary role in conserving areas within PAs as well as ecosystems which are largely outside the existing PA system.
6. They serve the similar purpose as conventional protected areas with minimum management costs



(financial as well as social costs). They neither demand a big bureaucracy nor any armed force to protect.

The ongoing initiatives and potentials

Two types of ICCA initiatives can be identified in different parts of the country: i) traditionally conserved areas: those who have been managing small forest patches, lakes, range lands and sacred grooves for centuries, have not sought any legal or other support and are not expecting any immediate threats; ii) Modern institutions under statutory laws: diverse types of community based conservation sites with adequate emphasis on biodiversity. These areas include the whole or part of existing conservation areas, community forests, leasehold forests, buffer zone forests and religious forests.

As shown in the map the current study identifies several ICCAs and potential sites that represent various ecosystem types. These sites have been conserved by local communities, indigenous peoples, conservation NGOs and by the state. Several agencies in Nepal have been extending support and promoting community based conservation initiatives in several existing and potential ICCAs. Notable examples include IUCN, WWF Nepal, NTNC, SGP-UNDP, etc.

The government a couple of years back made a failed attempt to declare Phulchoki Chandragiri area as conservation site. Currently it is exploring the possibility of declaring new conservation areas in Darchula, Gaurishankar, Tinjure-Milke-Jaljale area and the whole Churia range. However, the government's plan has met with strong resistance by the local communities, forest user groups and citizen's networks. This is partly the result of deeply rooted negative attitude towards dominant model of protected area in Nepal. In this context, collaborating with local communities and other relevant actors towards promoting ICCAs appears to be the preferred strategy to meet conservation objectives.

Policy Recommendations

The government and other actors working in the field of conservation and environmental management should support the promotion of ICCAs in order to realise the potential benefits that they can offer and enhance goal of conservation.

- **Mapping, identification and documentation** of ICCAs, including their current management and governance challenges extensively could help identify the gaps, nature of needed support, informed knowledge for their recognition.



Habitat for migratory birds in Taudaha (sacred wetland), Kathmandu. © Tasneem Balasinorwala

- **Enabling policy and legal environment:** The government need to create an environment that would provide adequate legal space within which ICCAs can function and flourish, although detail legal instrument may not be required. While tremendous resources and efforts are required for a major policy shift towards this goal, following practical initiatives can also induce the process to some extent:
 - One of the proposals could be to **revise the existing Acts and Regulations** (e.g. National Park and Wildlife Conservation Act-1973, Buffer Zone Regulations 1996) to allow provisions of ICCAs within the existing PA system.
 - Similarly, at the very lowest level the provision for ICCAs can be developed even within the **management plans** (buffer zone management plan, district forest sector plan, wetland management plan etc).
 - The government can **diversify, recognize and promote broad set of governance types** of protected areas in Nepal. In fact, this is mandated by the CBD Program of Work on Protected Areas (POWPA).
- **Capacity building** on range of issues including international discourse, tools and changing paradigms of PAs; governance of PAs; rights based approach to conservation etc. to PA personnel, members of conservation agencies, leaders of local and indigenous communities are imperative.

- **Climate change** and its impact poses threats to ICCAs. Despite vulnerability of ICCAs to climate change they offer important lessons and can be one of the effective strategies in climate change adaptation and mitigation.
- **National mechanism** with representations from diverse related groups and constituencies can be facilitated by *CBD* and *CBD POWPA* focal points to advance works and further dialogues on ICCAs.

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