



## PRESS RELEASE

09 August 2021

Kathmandu, Nepal

### **Nepal: Indigenous peoples the silent victims of country's conservation 'success story'**

Nepal's Indigenous peoples have suffered a litany of human rights violations over the past five decades as a result of abusive conservation policies, said Amnesty International and the Community Self-Reliance Centre (CSRC), in a new report published today.

The report, [\*Violations in the name of conservation\*](#), documents how the establishment of National Parks and other "protected areas" has resulted in tens of thousands of Indigenous peoples being forcibly evicted from their ancestral lands and denied access to areas they depend on for subsistence. Focusing on the examples of Chitwan and Bardiya National Parks, the report highlights how the enforcement of these policies has frequently led to cases of arbitrary arrest, torture, unlawful killing and forced evictions from informal settlements.

"Nepal is often held up as an exemplary conservation success story. Unfortunately, that success has come at a high price for the country's Indigenous peoples, who had lived in and depended on these protected areas for generations" said Dinushika Dissanayake, Deputy South Asia Director at Amnesty International.

"From the 1970s onwards, Nepal's governments have adopted an approach to conservation that has forced Indigenous peoples off their ancestral lands and severely limited their ability to access traditional foods, medicinal plants and other resources. Heavy-handed enforcement of these policies has subsequently resulted in numerous cases of torture or other ill-treatment and unlawful killings."

### **Forced evictions**

National parks and other "protected areas" cover almost a quarter of Nepal, with the vast majority located in the ancestral homelands of Nepal's Indigenous peoples. Decades after their establishment, many Indigenous peoples who were evicted remain landless and at risk of further forced evictions from the informal settlements where they now live. They have not been provided access to alternative livelihoods or compensation for their losses.

Amnesty International and CSRC have documented several recent incidents of forced evictions and attempted forced evictions by national park authorities, including in Chitwan and Bardiya. On 18 July 2020, authorities at Chitwan National Park forcibly evicted ten families from the Chepang

community, who had been displaced due to floods and landslides and were living in a buffer zone – an area designated to provide local people with access to forest resources - outside the park boundary.

Amnesty International and CSRC found that the park had given the families a verbal notice only a week before the eviction, contrary to international standards and requirements under Nepal's new Housing Act. An official investigation into the incident was launched by the Ministry of Forests and Environment later that month but despite repeated requests, Amnesty International and CSRC have not been able to obtain information about the results of the investigation.

In Bardiya National Park, some Indigenous peoples have continued to pay *malpot*, a land revenue tax, despite not having had access to their land for decades, after floods and a change in the river course resulted in the land being considered as part of the national park. They told Amnesty International and CSRC that they do so in the hope that they will once again be able to access their land, and because *malpot* receipts are required to claim compensation for crop damage.

### **Access to food and resources**

The National Parks and Wildlife Conservation Act (NPWC) 1973 remains the overarching law governing “protected areas”. The law restricts hunting, grazing, tree cutting, land cultivation or forest use, and bans all building in a national park or wildlife reserve, measures which have severely impacted and dramatically altered Indigenous peoples' way of life.

Apart from those living in Buffer Zones with access to Buffer Zone forests, Indigenous peoples who have resettled outside the Buffer Zones are barred from visiting national parks, leaving people already deprived of access to their homes, land and other forest resources to fend for themselves and pay costs they can ill afford, potentially resulting in food insecurity and health and housing concerns.

Due to lack of alternative livelihoods, financial hardship and inability to meet household costs, many Indigenous peoples evicted from their land have been compelled to become sharecroppers (*bataiya*), cultivating other people's land in return for 50 percent of the harvest.

The *bataiya* system, which is governed by social rather than legal norms, has serious human rights implications. Locals interviewed in Banke and Bardiya districts reported that they frequently experienced exploitation by landlords, including having to do household work or collect fodder and fuel wood without payment.

### **Arbitrary arrest and detention, torture and other ill-treatment, and excessive use of force**

Indigenous peoples are frequently arrested and detained for entering national parks and reserves. Many of them have faced ill-treatment, and sometimes torture, at the hands of army personnel deployed in the parks. Some have died as a result, including 26-year-old Raj Kumar Chepang, who died after being beaten by army officers in Chitwan in July 2020.

The domestic legal framework fails to clearly define and restrict the Nepal Army's powers to arrest and detain and use force in national parks and other "protected areas". A recent study in the buffer zone of Chitwan found that the Nepal Army's role in conservation is expanding, with national parks becoming increasingly militarized.

"For almost half a century, Indigenous peoples in Nepal have been failed by governments that were constitutionally-bound to uphold their rights. To start repairing this damage, Nepal's authorities must recognize Indigenous peoples' rights to their ancestral lands and allow them to return," said Jagat Basnet, Executive Director of CSRC.

"This must be accompanied by legal amendments that guarantee the right of Indigenous peoples to participate fully in the management of conservation areas, and an inclusive and participatory process to agree appropriate compensation for the wrongs inflicted by Nepal's authorities."

**ENDS**

**Contact:**

Praveen Kumar Yadav, Media & Comms Coordinator, AI Nepal, Email: [praveen@amnestynepal.org](mailto:praveen@amnestynepal.org)