

Good Morning

नमस्कार

Final Stakeholder's workshop

**Documentation and assessing customary
practices of managing forest resources at
local level**

August 13, 2015

Presentation Framework

1. Objective of the study;
2. Methodology of the study
3. Understanding of customary/indigenous practices of Forest and Pasture Management (IFPM);
4. IFPM systems/practices of Nepal and their status
5. Effectiveness of IFPM to REDD;
6. Prioritization of IFPM from REDD perspective; and
7. Ways Forward : Strategic options/actions

1. Objective

- Documentation and identification of
 - Optimally suitable customary forest and pasture management categories, approaches and structures to be included in REDD+ program in Nepal.
- Specific objectives :
 - Review of forest and pasture Mgt customary practices (1957 onwards)
 - Analyse national policies and legal frameworks
 - Prioritize practices that are most relevant to REDD+ program.

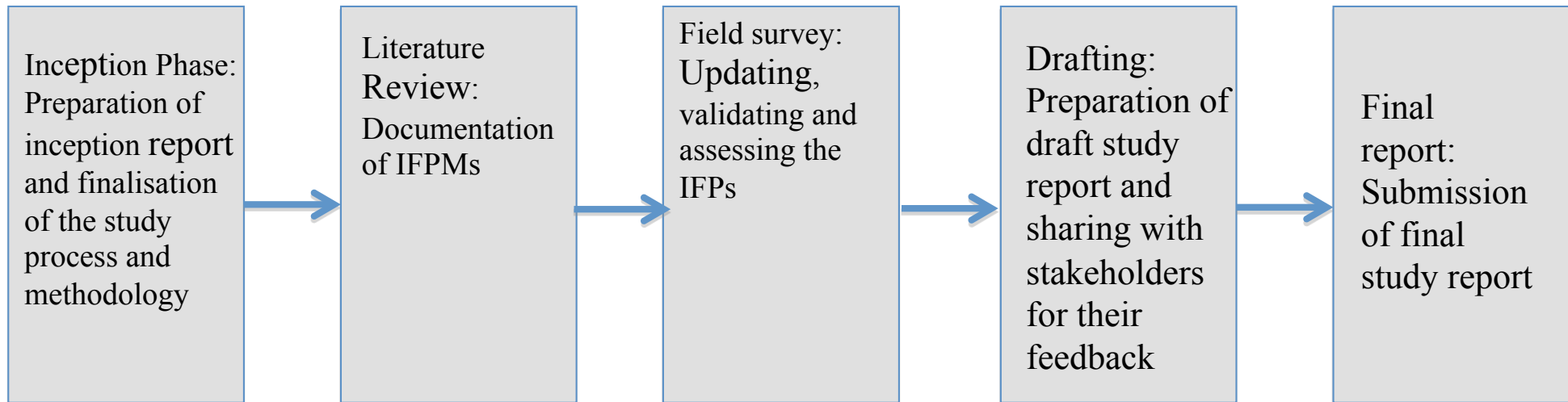
2. Methodology

- **Key research questions**

- What is customary/indigenous forest and pasture management systems(IFPMs) and what are their main features?
- What is the extent and trends of changes in customary land use practices? what are/were the determinants of changes?
- What major customary forest and pasture management institutions are/were functional in Nepal and what is their current status?;
- How efficient and relevant are the IFPMs institutions and their strategies from REDD + initiatives perspectives ?

2. Methodology contd.

Overall Methodological Approach



2 Methodology Contd. .

- **Overall Methodological Approach**
 - Employing Participatory and Consultative Methods
 - 5 meetings at district level
 - 2 meetings cum workshops at Central level
 - 10 FGDs at farmers level and 20 KIs
 - Literatures Review
 - More than four dozens of literatures
 - Field survey: Updating and validation of secondary information
 - More than 10 districts more than 20 sites/areas

2. Methodology contd.

- Assessment of the effectiveness of IFMP.
 - Indicators: Underlying and proximate causes of deforestation and forest degradation (DD) as identified by REDD + Strategy Report 2015
- Identifying priority IFMP relevant to REDD + initiatives
 - Best practices
 - Effectiveness
 - Vulnerability
 - Comparative advantages of REDD+ benefits

3. IFPM Systems of Nepal

3.1 Defining indigenous people

- “Indigenous nationalities...[as] those ethnic groups or communities, who have their own ***mother tongue*** and ***traditional customs, different cultural identity, distinct social structure and written or oral history***”(GoN (2002))
- “Indigenous communities, peoples and nations are those which, having a ***historical continuity with pre-invasion and pre-colonial societies*** that developed on ***their territories***, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them” (UN ,2004)
- To this study, Indigenous communities refers to both indigenous people and forest dependent local people

3.2 Indigenous Knowledge and Practice

- Number of terminologies (TEK, IK , LH, TEK etc) exist.
- “A cumulative body of knowledge, practice and belief evolving by adaptive processes and handed down through the generations by cultural transmission about the relationship of living beings (including humans) with one another and with their environment”
 - (Intergovernmental Platform on Biodiversity and Ecosystem Services)

3.2 IK Contd.

Major features:

- Orally transmitted and unwritten;
- Strong ethics, and deep respect to nature;
- Guided by egalitarian philosophy of development;
- Strong believe in coexistence and coproduction,
- Biocultural approach of land resource management ;
- Strong and robust social institutions; and
- Adaptive knowledge system and dynamic in nature

3.3 Indigenous people and Natural Resources

- Indigenous people have unique ethics towards the natural environment.
- NRs are not only the basis of their livelihoods, but interlinked with their cosmology and life systems with deeper cultural meanings.
- The ownership symbolizes wealth, power, social prestige and security.
- They have been recognised “as the protectors of the natural resources” or the “stewards of the natural ecosystems” (CBD, 1992, UNFCCC, 2010).
- Examples from Nepal
 - Tharus/Majhies/Botes, Rajis/Bankariyas, Raute/Kusundayas, Chepangs, and Rais and Limbus and the Sherpas

3.4 Customary Laws and Resource Tenure

- Customary law is a *set of norms, values and practices* that have been applied from *time immemorial* in a locality or among a group of people.
- Land /resource tenure means the rights and obligations of the holder recognised by a national or local law or combination of both.
- The forest tenure is 'the combination of legally or customarily defined forest ownership rights and arrangements for the management and use of forest resources' (FAO 2006)

3.5 History of land tenure systems in Nepal

- Until 1951 there were two major types of land tenures:
 - i) raikar or land owned by the state (based on the principle of 'state landlordism' and
 - ii) kiptat or communal ownership of land.
- A number of different tenurial arrangements, such as *birta*, *jagir*, *rakam*, *guthi* and *rajya* tenures did exist under Raiker
- Some ethnic groups such as Limbus and Rais were given the legitimate rights of kiptat land tenure system.

3.6 History of land tenure systems Contd.

- All forests was nationalized in 1957, *Birta* in 1959 and pastureland in 1971.
- *Rakam, Jagir*, and *Birta* tenures under state were all converted into either raikar or forests
- The *Kipat* system was abolished in 1964 and all cultivated land under *kipat* system annexed into *Raiker*

4. Indigenous forest and Pasture Management Practices/Systems (IFPMs) of Nepal

- Documentation of IFPMs covers:
 - Status and Trends of IFPMs
 - Institutions and decision making process
 - Effects of change in policy on IFPMs
- Over three major political periods covering three major ecological regions: Mountain, Hills and Tarai
 - Before 1957
 - Between 1957-1991
 - After 1991

4. IFPMs of Nepal Contd.

Kinds of IFPMs

A. Landuse/Agriculture based

- The Kipat system of landuse of the EDR
- Khoria/Bhasme cultivation system
- Forest Resource Management Practices;
- Pasture Management Systems

B. Livelihoods-Nomads/Hunters and gatherers lifestyle (The Rautes of Nepal)

C. Use-based: Indigenous knowledge and practices of using forest and pasture biodiversity

4. IFPMs of Nepal Contd.

- A total of 37 IFPMs covering from Tarai to High Mountains have been documented
 1. Kipat System =2
 2. Bhasme/Khoiriya Cultivation= 3
 3. Forest Management Practices =7
 4. Pasture Management Systems =13
 5. Indigenous Forests and Pasture Management of Tarai
 6. NTFP management =3
 7. Indigenous knowledge and practices of use of forest and pasture biodiversity (8 ethnic community from Tarai and Inner Tarai)

4.1 The Kipat System

Before 1957

- The *kipat* system represents a inalienable communal form of land tenure inherited by the same communities from their ancestors as a source of livelihood.
- The Rana regimes abolished the *kipat* system in other parts of the country during 1925-1930 and converted them into *raiker* and *guthi* tenure systems;
- Kiranti community (Limbus, Rais, Lepacha, and Dhimal) in the eastern hills continued to enjoy the system in area/territory designated by the King Prithvi Narayan Shah in his Royal order/decrees in 1978.

4.1 The Kipat System Contd..

- Under *Kipat*, people not land, are registered and people, not land are taxed. But any farmer of another ethnic group on the same *kipat* was called *raiti* and subject to taxes on this land
- The kipat system was administered and governed historically by local/customary institutions (Tharis and subbas) and later on (from Rana Regimes) by state officials: Jimmawal, *subbas*, *Goba* and *Mukhiyas*

4.1 Kipat system Contd.

- **Between 1957-1990**
- Although the *kipat* system practiced by other communities in other areas such as *Thamis, Magars, Gurungs, Tamangs* and *Chepangs*, were abolished (before 1930s) by Rana rulers and converted into *raiker*, it remained actively functional and dominant in their territories till 1960s.
- Nationalization of forests in 1957, and abolition of **Birta land in 1959** have little impacts on Kipat land
- Finally, Kipat system abolished in 1964 and all kipat land annexed into national land tenure system-the raiker

4.1 Kipat system Contd

- Expansion of Conservation Areas and National Parks further curtailed the access to their kipat lands;
- Majority of unregistered kipat land remained fallow or barren were planted during 1980s;
- Customary institutions continued their roles till Mid 1970s finally the Pradhan Panch, Ward Chief and other state sponsored local institutions replaced their roles limiting them to socio-cultural events

4.1 Kipat system Contd.

- **After 1990**
- Most of the plantation forests established during the 1980s and unregistered *kipat* remained barren or unclaimed were handed over as community forests and leasehold forests.
- *Other areas falling under* Protected Area systems restricted the access.
- State sponsored local institutions such as FUGs, Conservation Area Management Committee etc have replaced customary institutions

4.2 Khorias/Bhasme Cultivation System

Before 1957

- *Khorias/Bhasme* is a shifting cultivation system of rotational agroforestry
- Until about a century ago *Bhasme* cultivation was the dominant agriculture practices in the hills
- It was common in both *raiker* and *kipat* now it is limited to around 20 hilly and mountain districts.
- The whole system was regulated by the customary institution.

4.2 *Bhasme* Cultivation Contd.

- **Between 1957-1991**
- The status of *Bhasme* until 1980s remained quite similar to *Kipat* system;
- Significant impacts on access to unregistered land/fallow forests but little on cultivation practices;
- Cropping phase increased from 2-3 years to 3-5 years and the fallow period decreased from 10-15 years to less than 10 years
- Areas of *Bhasme* cultivation became scarce, majority of plots were converted into permanent agriculture

4.2 Khorias/Bhasme cultivation

- **After 1990**
- About 25-40% of traditional bhasme plots are unregistered and under usufruct rights.
- The Khorias/Bhasme cultivation practice drastically changed in coverage, size of plots/HH, households cropping phase and fallow period.
- Traditional Khorias/Bhasme cultivation is now confined to limited area.
- Majority of them are handed over in CFs and LFs.

4.3 Indigenous Forest Management Practices

Before 1957

- Until 1950 forests of Nepal were under the responsibility of local institutions such as Jimmwal, Subba, Mukhiya or *talukdars* as the functionaries of the state;
- Forest watchers known as *chitaidar* or *chowkidars*, were employed and various sub committee or institutions formed
- Overall norms, values and belief systems was basically guided by egalitarian principle and bicultural approaches

4.3 Indigenous Forest Management contd.

Between 1957-1990

- Indigenous Forest Resource Management Practices expanded rapidly across the Midhills to fill the institutional vacuum;
- Very little impact of Nationalisation of forests on the hills and mountains.
- Indigenous forest management institutions became more active and responsive after 1976 (National Forest Development Plan 1976).

4.3 Indigenous Forest Mgt

After 1990

- Except in High Mountains where residual national forest is still dominant, no indigenous institutions or forest management practices as such do exist;
- Customary institutions have almost been replaced by new formal state sponsored institutions such as Community based forestry.

4.4 Indigenous Pasture Management (IPM)

1. Sedentary System of Grazing in Tarai (<500 m)
2. Sedentary cum transhumance system of grazing in Hills (500 m-2500 m)
3. Transhumance system of grazing in Mountain (>2500 m)

4.4 IPM Systems

Transhumance system of grazing in Mountain

Before 1957

- The seasonal movement of the animals from lower altitude to higher altitude and vice versa.
- The animals move in an annual cycle according to grazing availability at different altitudes and often cross the Himalayas and reach to Tibetan pasture during the winter

4.4 IPM contd

- The grazing system is regulated by local institutions of various forms (*Shinghi Nawas, Subbas and Mukhiyas e, Village councils* etc).
- Well defined rules and regulations are in place (for rights to pasture, livestock movement and grazing schedule, herds management etc)

4.4 IPM contd

Between 1957-1990

- No significant impacts of change due to forest and landuse policy.
- The farmers of Midhills and mountains continued traditional system of grazing till the end of 1980s

4.4 . IPM Contd.

- Transhumance drastically changed in grazing routes and cycle due to closure of Tibetan pasture to Nepalese herders, increased access to plains and flow of iodized salt into the hills.
- There was no transhumance issues except in PAs till 1990s.
- Customary institutions remained active in HAs areas

• 4.4 IPM

After 1990

- Rapid expansion of community forestry significantly affected the indigenous pasture or grazing management practices.
- Cases of serious social conflicts over the use of traditional pastures , particularly in Karnali region is in increasing trends
- Sedentary grazing is almost common both in the Midhills and Tarai;
- Indigenous institutions have almost replaced by state sponsored institutions.

4.5 Indigenous Knowledge of Medicinal and Aromatic, and wild edible plants

- Indigenous people are rich in knowledge of using forest and pasture biodiversity .
- Medicinal plants and traditional healing practices were the major means of health care system in Nepal.
- Tharu communities use a total of 45 different plant species belonging to 31 families and 42 genera. (NBS/MFSC, 2002);
- Rautes use a total of 29 wild fruits and 10 wild vegetable (Sneha, 2012)

4.5 Indigenous Knowledge of MAPS Contd.

- *Botes* and *Majhies* communities of Chitwan use more than 13 herbal and fruit species and 18 wild plant for vegetables;
- A total of 198 plant (mainly wild) and 14 animal species are used as medicines by Kirants.

4.6 Indigenous knowledge and practices of other NTFPs

- A total of 33 products (construction, woven, handicrafts, furniture, and other implements) with 86 designs made in 293 ways are recorded;
- A total of 17 products of rattan with 34 designs have also been documented;
- Indigenous knowledge of manufacturing Nepali Paper (*Nepali Kagaj*).
- Indigenous knowledge on the management of *Allo*.

4.7 Customary /Indigenous Forest and Pasture Management Practices in Tarai

- The information on indigenous practices of forest and pasture management in the Tarai is virtually absent.

4.8 Customary Institutions

1. The Kipat or Subbas of forest and pasture management in the EDR
2. Jimmawal and Mukhiyas of the Midhills
3. The Shinggi Nawa of the Khumbu region
4. Mukhiya, Nora/Rokaya of Karnali region
5. The Gumba system of Dolpa
6. Village councils of upper Manang
7. Mukhiyas of Mustang (Upper Mustang and Thak Khola)

4.8 Customary Institutions contd

- Decision making and implementation process among all the customary intuitions are almost similar to each other.
- The whole system of decision making used to be democratic and participatory.
 - Issues were presented orally before community members and witnesses, discussions, verification, facts, submissions, vows, and oaths were taken in making decisions.
 - Experienced and elderly persons from the communities were recognised as a symbol of fair and justice ;

4.8 Customary Institutions contd

- Various informal social institutions including the social networks (a network of communities closely related to each other) were formed to support the head of the institutions for the effective implementation of the decisions.
- Two types of decision making process existed:
 - (i) decision at community level; and
 - (ii) decision at households level.

4.9 Effects of change in resource regimes on indigenous people and forests/pasture resources

- Impacts on forests and biodiversity conservation
- Impact on selected indigenous peoples
- Impacts of community based forestry on livelihoods of transhumance herders
- Erosion of indigenous knowledge
- Weakening social relationship and cohesion

I. Impacts on forests and biodiversity conservation

- Have brought about both positive and adverse impacts
- Restriction on the access to grazing compelled transhumance to stay longer periods of time in undisputed areas.
- Areas of yak/chauri winter pasture (2000 m to 2500 m) close to CF are much degraded

I. Impacts on forests and biodiversity conservation

- There is an overall increase in forest area and forest quality in CF.
- About 33% of community forest has been created as new forest as compared to 17% of the forest under government control

II. Impact on indigenous Communities

- Mixed outcomes are visible
- Expansion of PAs and development of infrastructures have opened up many new opportunities and options of income, employment and economic enhancement.
- Majority of IPs in the vicinities have not been able to benefit from these opportunities options. e.g. CNP Sauraha

III. Impacts of Community based Forestry on livelihoods of Transhumance herders

- The century old transhumance grazing system is seriously threatened.
- The cases of conflicts between transhumance herders and CF users groups are found more disastrous and alarming (e.g Karnali)

III. Impacts of Community based Forestry contd.

- Transhumance herding is being abandoned in some places and intensified in others.
- Traditional herders are selling their livestock to upland dry farmers and some are migrated to urban centre ;

IV. Weakening Social Relationship and Cohesion

- Traditions and Institutions established to enhance intra and inter communities cooperation, coordination and cohesion are weakening.
- Various socio-cultural festive and rituals such as Udaauli, Ubhaunle, Banvoj, Ban devi Puja, Bhume puja, Parma system (exchange of labour among the communities for farming and other household chores etc) have lost their underlying principles;

V. Erosion of indigenous knowledge

- Indigenous knowledge is in the trend of deterioration. (For an example: Use of traditional fishing net, hooks and traps among Majhis and Botes communities of Chitwan National Park is totally banned and traditional way of fishing in the night is also an offence)
- Prohibiting Rautes from making wood vessels means loss of knowledge of making tools and wood crafting.
- Allo products are replaced by synthetic products
- Majority of youth are not interested to adopt traditional lifestyles and they are migrating to urban and abroad in search of better life and income

5. Effectiveness of IFPM practices (From REDD perspective)

- Efficiency, Effectiveness and Relevancy are used as criteria.
 - Efficiency means *doing the thing right*
 - Effectiveness means *doing the right thing*
- Efficiency and effectiveness are mutually exclusive;
 - A resource management practice or action could be efficient but not always be effective and vice versa
- Relevance denotes the extent to which given intervention are suited to the priorities and policies of the government, target groups, and beneficiaries;

5. Effectiveness of IFPM practices Contd.

Criteria of assessing IFMP

- Efficiency, Effectiveness and Relevancy in:
 - Combating drivers of DD indentified by Proposed REDD + Strategy
 - Reducing Vulnerability to climate change (Sensitivity, exposure and adaptive capacity)

5. Effectiveness of IFPM practices Contd.

- Overall effectiveness of IFPM systems to address factors of DD shows:
- Highly effective to address **Forest fire** and **Over grazing/ uncontrolled grazing;**
- Medium to address **Unsustainable harvesting/illegal harvesting,** and **Weak Forest Management practices;** and
- Least effective to address **Unplanned infrastructure development, Urbanization and resettlement, Encroachment, Expansion of invasive species,** and **Mining /excavation** (sand, boulders, stones)

6. Priority Area and Strategic Options for REDD

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Criteria used to identify priority areas for REDD+:

- Areas with high risks of deforestation and degradation,
- Areas with high ecosystem services,
- Opportunity costs and benefits of REDD+,
- Uniqueness of the practices,
- Institutional and technical capacity of the organisations/institutions) and
- Proposed [REDD + Strategy](#)

6. Priority Strategic Options

1. Develop supportive policy environment conducive to indigenous knowledge and IFPMs
2. Rehabilitate degraded areas and intensify optimum management practices of NRs
3. Ensure REDD + benefits flows to indigenous communities
4. Develop human resource capacities and strengthen institutional capabilities

6. Priority Area and Strategic Actions Contd.

Most priority areas

1. Indigenous Transhumance Pasture/livestock Management System of the High Altitude Areas;
 - These areas contain dense natural forests with high biodiversity, watershed values, rich in natural beauties and tourism values, high potential for ecosystem service benefits and the area is highly rich in indigenous knowledge
2. Traditional Khoriya/bhasme Agricultural Practices or the Shifting Cultivation
 - These areas are of high risks of deforestation and degradation with high rate of soil erosion, loss of biodiversity and connectivity to wildlife. The indigenous are highly marginalized and their life styles are in the verge of extinction losing indigenous knowledge

6. Priority Action Contd.

5. Promote multi-stakeholder and collaborative approaches of planning and implementation;
and
6. Promote research and study of indigenous knowledge and customary practices and integrate with modern science of forestry and pasture management

7. Proposed Strategic Actions

1. Develop a supportive policy environment conducive to IFPM systems

(i). Recognise and respect IFPM systems

- Recognize the rights of the indigenous communities adopting transhumant pastoralism to access over their ancestral pasture areas as a bonafide users
- Recognize the IFPM systems have potential for sustainable and integrated natural resource management
- Develop a CF forestry operational guidelines for handing over forests to local communities that fall under the grazing routes of transhumance farmers including conservation and national parks area systems;

7. Proposed Strategic Actions contd.

- Clarify usufruct rights of indigenous communities who are still practicing Bhasme farming on their ancestral lands and develop a participatory code of farming;
- Recognize and respect the customary institutions as the custodians or stewards of forests and pasture management
- Develop and implement a participatory grazing codes for the transhumance grazing

7. Proposed Strategic Actions contd.

ii) Clarify carbon ownership and benefits of REDD + Activities

- Clarify the legal issues of recognising carbon ownership in REDD+ activities
- Define explicitly the site specific types of benefits and the corresponding beneficiaries from the perspective of IFPMs

7. Proposed Strategic Actions contd.

3. Ensure REDD + benefits flows to indigenous communities

- Define necessary site or context specific sub- principles for sharing REDD+ benefits;
- Bundle benefits/incentives from REDD+ and establish equitable benefit sharing options/schemes as per the performance on carbon emission reduction and resource conservation.
- Ensure that distributive justice principles are incorporated into REDD+ legal framework such as national safeguards and/or REDD+ policies and national benefits sharing mechanism.

7. Proposed Strategic Actions contd.

2. Rehabilitate degraded areas and intensify optimum management of NRs (Land/Forests/Pastures)

- Develop site specific multiple uses agro-forestry landuse models such as Sloppy Agriculture Technology (SALT) to rehabilitate traditional Bhasme plots and make them more productive and environmental friendly
- Develop and implement a community-based forest and users friendly and pasture management model specific to the High Altitude areas;
- Revisit the constitutions and forest operation plans of community based forestry falling into the areas where indigenous and customary practices are still in practices

7. Proposed Strategic Actions contd.

4. **Develop human resource capacities and strengthen institutional capabilities**

- Develop and implement context specific, need based social empowerment and extension packages covering various aspects of IFPMs and their implications, and REDD+ initiatives.
- Organise indigenous institutions relevant to forests and pasture resource into groups/network at local district level and strengthen their institutional and technical capability;
- Identify, develop and strengthen community-based functional institutional arrangements at the High Altitude areas within the framework of overall national policy and legal framework of land (forest and pasture);

7. Proposed Strategic Actions contd.

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5. Promote multi-stakeholder and collaborative approaches

- Establish and institutionalise learning centers or platform at local level, watershed level and central/national level.
- Facilitate and coordinate to strengthen existing institutions and create new institutional arrangements for major shifts in forest and pasture management decision-makings.
- Develop collective vision and common understanding of Indigenous people and their IFPMs to capitalize the collective energy and knowledge for the wise use of available resources;

7. Proposed Strategic Actions contd.

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6. Promote research and study of indigenous knowledge and customary practices

- Continue research, study, assessment and documentation of Indigenous knowledge, Indigenous systems of natural resource management;
- Develop cost effective local knowledge based wood harvesting and logging technology;
- Identify suitable species (agriculture, and forest/pasture) for cultivation in the High Altitude areas and develop appropriate technology for their processing and storages;

7.1 Implementation Schedule

- An implementation schedule for the first five years have been proposed

Thank you