

The Third National Gathering of Indigenous and Community Conserved Areas (ICCAs) in Nepal

(22-24 December 2011, SAP Falcha, Babarmahal, Kathmandu)



Prepared by

Jailab Kumar Rai
Niru Gurung

A Synthesis Report

Organised by:



ICCA Network Nepal

Supported by:

The ICCA
Consortium



Contents

1. Introduction	1
2. Day one Program: Experience Sharing and Discussion	2
2.1 <i>First Half of the Day: Discussion with Delegates.....</i>	<i>2</i>
2.2 <i>Second Half of the Day: Discussion about ICCA Network and ICCAs.....</i>	<i>10</i>
2.2.1 Updates of ICCA Network Nepal	10
2.2.2 Sharing about the Constitution of ICCA Federation.....	11
2.2.3. Sharing about Status of Conservation Activities by ICCAs	11
2.3 <i>Summary of the First Day Interaction</i>	<i>13</i>
3. Day Two Program: Discussion on ICCA Resilience and Security Tool.....	14
3.1 <i>General Introduction about the Context of the concept 'ICCA'</i>	<i>14</i>
3.2 <i>Suggestions and Feedback by Vivek Sharma</i>	<i>15</i>
3.3 <i>Introduction of ICCA Resilience and Security Tool.....</i>	<i>16</i>
3.4 <i>Self-Assessment of Khumbu ICCA and Discussion</i>	<i>16</i>
4. Day Three Program: Self-Assessments by ICCAs and Discussion for Way Forward	16
4.1 <i>Result of Self-Assessment by ICCAs.....</i>	<i>16</i>
4.2 <i>Questions and Confusion Raised Against the ICCA Resilience and Security Tool.....</i>	<i>17</i>
4.3 <i>Some Observations of Discussion in ICCA Resilience and Security Tool</i>	<i>18</i>
4.4 <i>Suggestions for ICCA Resilience and Security Tool.....</i>	<i>18</i>
4.5 <i>Discussion on Future Actions and Strategies</i>	<i>20</i>
4.5.1 Community Discussion on ICCA Resilience and Security Tool	20
4.5.2 ICCA Networking	20
4.5.3 Expansion of ICCA Network	21
4.5.4 ICCA and New Constitution Making Processes	22
4.6 <i>Short Briefing on UNDP-GEF/SGP funded Proposed Activities.....</i>	<i>23</i>
5. Conclusion.....	24
Acknowledgement.....	24
Annexes.....	25

1. Introduction

The practice of nature and natural resources conservation is not a new concept. It may be as old as human history. However, the concept of Indigenous Community Conserved Areas (ICCA) is a recent entry in the conservation discourse of Nepal. The discussion about ICCA in Nepal was one or another way begun from late 2008. To be specific, the open discussions among the community groups (ICCA representatives) were begun from the first national gathering held in 2009 in Kathmandu. This national gathering fortunately became an important date to begin its national network-which means this national gathering was resulted into the formation of an Ad Hoc ICCA National Committee. The second national gathering was held in 2010, representing different eco-regions of the country in which the earlier Ad Hoc ICCA National Committee was transformed into ICCA National Network Nepal. In this national gathering six members were nominated as secretariat members and ForestAction Nepal as secretariat office. This gathering also gave mandate to the secretariat members to process for its national legal status. Furthermore, the secretariat members decided to register ICCA as a National Federation and also finalized its constitution and proceeded for the registration. However, they were unable to get it registered due to some basic official requirements and lack of support (financial) to them. In this background context, the Third ICCA National Gathering was held on 22-24 December 2011 with two major goals: to discuss ICCA future directions and actions and to introduce and exercise the **ICCA Resilience and Security Tools** prepared by ICCA Consortium. The specific objectives of the program were:

1. To generate a common platform of dialogue between community representatives engaged in biodiversity conservation, civil society organizations, and conservation experts;
2. To exchange local experiences and lessons about community conservation, its potentials and its constraints;
3. To introduce and discuss about the “self-assessment of biodiversity conservation activities” (called **ICCA Resilience and Security Tools**) among community representatives engaged in biodiversity conservation; and
4. To explore future directions for networking among communities (ICCAs) engaged in biodiversity conservation.

The program was jointly organized by ForestAction Nepal and ICCA Network Nepal. In broad, the three days program schedule was as follows (See annex 1 for details of the program schedule):

- Day 1:** Experience sharing and discussions among community representatives from different eco-regions (mountains, hills and terai), conservation experts and community activists.
- Day 2:** Self-assessment of community conservation activities (called **ICCA Resilience and Security Tools**).
- Day 3:** Discussion on networking and developing future actions and strategies for ICCAs in Nepal.

2. Day one Program: Experience Sharing and Discussion

A total 41 individuals participated in the first day gathering. Started with welcome speech, the program continued with individual introductions and a brief background introduction of the program and the context of ICCA in Nepal. The first day program was grouped into two parts: sharing and discussions with delegates; and sharing ICCA updates and issues of particular ICCAs. In the first half of the program, six delegates with different experiences and knowledge were invited to share their knowledge and experiences. In the second half of the program, the updates of ICCA national federation was shared by chair of ICCA Network Nepal (Tenjing Tashi Sherpa), finalized constitution of the federation was introduced by consultant lawyer (Dipendra Rai), and finally, the ICCA participants shared their conservation activities (See annex 2 for list of participants).

2.1 First Half of the Day: Discussion with Delegates

On the first half of the day, six delegates with experience and knowledge in different fields were invited to share their personal experiences and knowledge relevant with ICCA issues. The delegate speakers shared their experiences and knowledge within 20 to 40 minutes and then the participants were given time to raise their questions and concerns with the speakers. The key issues shared by the delegate speakers are summarized below:

1. **Dr. Udaya Raj Sharma** (Conservation Expert and Former DG of DNPWC, Ministry of Forest, and Secretary of MoFSC)

Dr. Sharma was requested to share his knowledge and experiences on *“Reflecting the History of Conservation in Nepal: Challenges and Opportunities for ICCAs”* (See annex 4 for his presentation slides). The key arguments raised by Dr. Sharma are summarized below:

“Nepal is a biodiversity rich country, which is there, not only from North to South but also from East to West. The history of conservation in Nepal is related with the hunting and recreational interest of the rulers (monarchs) of Nepal. While declaring the protected areas (PA), the rulers completely ignored the socio-cultural and economic dependency of indigenous peoples and local communities over natural resources in and around the PAs. His Majesty’s Government (now Nepal government) deployed army/military personal for the protection of biodiversity from poachers and illegal hunters (during Panchayat era).

The consequence of this situation is that the local communities started realizing their rights over natural resources and started voicing for it, which resulted into the park-people conflict and finally the concept of Buffer Zone (BZ) was started in 1993 from the middle zone of Nepal. This further resulted in the emergence of new concept of Corridor connectivity-biological corridors like Terai Arc Landscape (TAL). Hence, biodiversity conservation should not ignore the livelihood rights of indigenous peoples and local communities.

Now, the demand of the time is the shift of conservation responsibility from army to the local community for conservation, management and utilization of the conservation areas and resources. To do this, ICCAs could be a vital player. But, unfortunately ICCAs are not much known and discussed until now. The reason is that the people are not aware about it themselves even though they are practicing it since time immemorial as well as due to the lack of government's enabling policy environments.

To Understand the ICCA areas, there are four basic characteristics:

- a) The area must have been conserved by the indigenous or community people;*
- b) They should be the major player for the enhancement/maintenance of the natural ecosystems;*
- c) They should have a specific identified boundary; and*
- d) They should promote cultural/religious/livelihood practices and other values.*

Besides, the governance of ICCAs is internationally accepted as a type for any I-VI categories of PAs (reflected in WPC 2003, WCC 2004, CBD/COP 7- 2004, WCC 2008). In Nepal we have four types of PAs:

- a) Governance by Government- like National Parks and Wildlife Reserves;*
- b) Shared governance like CAs and BZs (Kanchanjunga Conservation Area is yet not a complete ICCA);*
- c) Private Governance; and*
- d) Governance by Indigenous and Local communities like range lands, some Wetlands (e.g. some areas of the Terai regions are conserved by the Tharu communities), Sacred forests, River ghats etc (this type of traditional governance system is very strong).*

The government of Nepal has yet not recognized ICCAs as part of conservation strategy and means of local livelihood. Hence, it is time to work together to incorporate the concept "ICCA" in conservation and forestry sector plans and policies. We should be clear that innumerable ICCAs are in existence throughout the country although the government has not recognized them yet. Therefore, formulation of the policies that recognizes these ICCAs is an immediate need. After the formulation the government policies, multi-stakeholder committee should be formed to make nation-wide ICCA inventory to assess their status, create awareness among general public, resource managers, and decision makers. Then the ICCAs should be incorporated into the PA management plans, and district Forest Management Plans which should ensure the ICCA governance autonomy.

For ICCA institutional mechanism, the conservation Acts and Regulations should identify the appropriate agency(ies) to facilitate the works of ICCAs. Besides, the related stakeholders should facilitate to form ICCA Apex body which should be

provided with legal recognition. This Apex body should be engaged in the participatory planning and governance based on the vision of international policy frameworks like Program of Work on PAs (POWPA).

If the government does not accept ICCA, the existing ICCA Network should create pressures to the government. Moreover, the ICCA should not be politicized; otherwise the network will ultimately fail to achieve its goals. Moreover, the ICCAs are one of the bold frontiers for biodiversity conservation and hence they should be recognized and supported by the government and conservation agencies. The government also cannot ignore ICCAs since they have signed and accepted many international obligations for it."

At the end of his presentation, the floor was made open for the interaction upon the presentation of Dr. Sharma. Some of the major questions and the responses of Dr. Sharma are summarized below:

- Can Khumbu area be taken as an ICCA?

[Response: government is not receptive to the demand of whole Everest National Park area as an ICCA, but some areas of this PA are ICCAs.]

- Is there any places in Nepal that could be taken as an example of the ideal ICCA ?

[Response: we have a lot of places as ideal ICCAs in Nepal but we are yet to identify and gather complete information of them.]

- Is Kanchanjunga CA is an ICCA?

[Response: It is a community conserved area but it may not be necessarily the ICCA. However, some places or parts of this CA either small or a bigger areas may be ICCAs. But according to the existing laws, the government can take it back if they deems necessary or desires to take it back.]

2. Dr. Maheshwor Dhakal (Senior Ecologist at DNPWC)

Dr. Dhakal was invited to share his knowledge and experiences on "Biodiversity and Indigenous and Local Community Conserved Areas (ICCA) in Nepal". The issues and points raised by him are summarized below:

"Different forms of Natural Resources (NR) have specific characteristics, such as forest is steady and only moves when it is cut down and transported to different place, whereas water moves from upwards to downwards-from mountains to ocean. Both of this NR is necessary for the survival of the wild life and people.. The Indigenous Peoples (IP) and Local Communities (LC) are also close to these NR and hence DNPWC works in close coordination and collaboration with them, mostly in middle zones.

DNPWC shares about 30-50% of its income with local communities including ICCAs.. IPs, LC and other marginalized communities like Dalits are settled in various PAs. But, conservation of PAs and livelihood rights of IP, LC and other marginalized peoples is not yet a priority of the state/government due to the instable political situation of the country.

Addressing both the issues (conservation and local peoples' issues) should be considered as immediate needs. To make conservation activities a success, controlling poaching is a must (zero poaching). Similarly, recognition of the roles of all stakeholders is equally important and needed. At the same time, identification of the problem and efforts for their solution is another vital part. Learning from different publications, like policy briefs prepared by the research institutions/ organizations is also equally important. For this "working together" among different actors and stakeholders is a must.

There is lack of reliable and valid data base for further actions in conservation including ICCAs. At the same time, we should be clear on whether we are demanding for the ICCAs in the context of CA only or in the context of whole Nepal. We further need to have in-depth discussions and find out that which law and policy need to be changed or reformed? Also, the customary laws and practices may be the means of policy progresses in conservation but they need to be identified and discussed.

For recognition of customary laws on conservation practices known as ICCAs, the IPs and LP should have dialogues and discussions with park authority to let the authority know about the idea and concept and the reason why they want it. Restructuring the national parks is a must but for this people and park authority should work jointly."

At the end of his discussion, the floor was opened for the interaction upon the presentation of Dr. Dhakal. Some of the major questions and the responses of Dr. Dhakal are summarized below:

- What may be the legal processes of getting recognized status of an ICCA by the concerned community?

[Response: We do not have clear legal provisions, yet the concerned community can discuss themselves for solution and can go to the district forest office and table their demand. Moreover, they must be clear about the concept of conservation, since it demands for compromise to have more responsibility of conservation than the rights of resource utilization.]

- What provision is under discussions and possibility about ICCAs in concerned department and cabinet level?

[Response: The concerned ministry has not yet developed and tabled any concrete provisions and hence it is time for ICCAs and its members to work out to pressurize the related authority.]

3. **Mr. Shiv Raj Bhatta** (WWF Nepal) was invited to share his experiences and knowledge on "Locating Conservation Areas in Nepal within Global Conservation Discourses". The issues and points raised by him are summarized below:

"ICCA means giving IP or LC the decision making rights for conservation activities. It indicates that the ICCA can be declared in any of the conservation areas (if there is any). There are four basis characteristics of ICCAs as told by Mr. Udaya Sharma

The existence of the practice of ICCA has a long history in Nepal but there is lack of proper recognition and documentation. Hence for its recognition, identification and documentation of existing ICCAs is a must for future references. Furthermore, it is not much difficult to introduce legal status of ICCAs in the policy process.”

Following the discussion, the floor was made open for the interaction between the presenter and the participants. Some of the major questions and the responses of Mr. Bhatta are summarized below:

- ICCA will be under the control of government or outside the government?
[Response: The main decision making and management rights of the conservation area of an ICCA will be of the concerned IPs and LCs.]
- Why it is important to have ICCAs when we already have different forms of conservation?
[Response: At present all the conservation areas are primarily controlled and managed by the state. The state can take back any areas anytime if it deems necessary or feel important. For this IP and LCs through ICCA want to have autonomous rights by minimizing the roles of the state in their concerned areas.]
- *Jalthal* Area of Jhapa District is a community conserved area which is also intact with various indigenous cultural values and practices like *Siru* festival of the *Santal* and *Rajbansi* indigenous people. What will happen if the area is declared as a conservation area by the government?
[Response: More dialogues and discussions on ICCA are important and needed. For the better solution of the conflicts between PA authority and local people, it is important to have open discussions and dialogues among the stakeholders.]

4. **Mr. Bhola Katiwada** (General Secretary of Gaurishankar Conservation Area [GCA] National Struggle Committee and Chair of Community Forest Supports Nepal [COFSUN]) was invited to share his experiences on “Struggle and Resistance in Gaurisankar Conservation Area” (See Annex 5 for his presentation slides). Some of the key points and issues raised by him are summarized below:

“GCA consists of three districts, 22 VDCs and have an area of 2,179 km in which the Dolakha district is the biggest one consisting 64% of the area. The GCA is famous for various things like bungee jumping recreation at Bhote Koshi river, Bigu Monastery, Upper Tamakoshi hydropower, Kailnchock temple, Gaurisankar Mountain, Chorolpa pond etc. In terms of ethnic/caste communities, it consists of 25% Tamang, 22% Sherpa and 18% Chhetri as the major ethnic/caste communities.

The discussion about CA in the area was started in 2006/07 (2063 B.S.) with the concept of declaring only the areas that is out of reach for local communities. But unfortunately, the state declared GCA without local consultation, even putting a bazaar area (market place) inside the GCA. Some discussions were taken place between the government officials of Ministry of Forest and Soil Conservation (MoFSC) and local stake-holders in 2007. There was informal negotiation and understanding between the state and local communities that the officials will work and take the

suggestions of local communities and other stakeholders for declaration of the area as CA. Unfortunately, the government declared the area as CA in 2009 without local consultation and respect of free and informed consent rights of the local peoples. Moreover, the state's decision to handover management responsibility to National Trust for Nature Conservation (NTNC) on Shrawan 3, 2067 was not based on any legal procedures and was undemocratic. Hence, local communities and other stakeholders like FECOFUN started struggling against the state's decisions with four demands: a) the areas of the GCA must be the areas which is out of the reach of local communities; b) GCA must be community conserved area with the provisions of the recognized roles and responsibility of local peoples; c) declaration of the new conservation areas must be only after the new national conservation laws; and d) CA must be community conserved area that recognizes the rights of local peoples.

The struggle against states decision was followed by the formation of "local and national level protest and struggle committee", broad-casting the issues in local and national media, organizing media roundtable discussions, organizing community awareness campaign and so on. There were strong local voices of local peoples/ participants against the state's decisions. The struggle committee also found that the process that the state has claimed were mostly fake and artificial such as the organized consultation meeting with local peoples was fake. The real resource dependent people were not consulted.

The struggle committee adopted the following strategies: a) efforts to establish local people's rights in conservation activities; b) creating national level pressure by generating awareness and mobilizing the local people; c) mobilization of media; d) adopting demonstration and negotiations together; e) making the struggle community issue.

Alternative regulation was formulated and discussion was done upon it to create mass awareness on community rights in conservation. There are five learning from this protest and struggle: a) without respecting the free and prior consent rights of the local people, the declaration of new conservation areas will further produce serious conflict and contestations; b) the debate is not about conservation but for the rights, roles and responsibility of conservation; c) carrying out movement, policy lobbying and dialogues together is best methods for pressurize the government; d) the movements and struggle for the rights of people is continuous process and takes long time to get settled; e) use of media plays vital roles in such movement; f) inviting and being able to include all the stakeholders in the struggle is must to create strong pressure against the state."

The discussion was followed by the interaction between the presenter and the participants. Some of the major questions and the responses of Mr. Khatiwada are summarized below:

- According to the states proposal and existing laws, who manages the income of GCA that comes from the promotion of tourism in the area?

[Response: it is managed by NTNC and nothing goes directly to the communities.]

5. **Mr. Ghyan Shyam Pandey** (former chair-FECOFUN and Coordinator for Global Alliance of Community Forest [GACF]) was invited to share his experiences and knowledge on *“ICCAs and Community Forest in Nepal”*. The key points and issues raised by him are summarized below:

“It is important to understand transitional context of resources rights movements to understand and enhance ICCA debates in Nepal. The declaration of new PAs in Nepal triggered local peoples’ struggle against the state’s decisions, demanding their rights over natural resources. There are strong interrelations between nature and people. Hence, government should not neglect such attachments rather state should make conservation policies according to the needs and demands of local peoples.

Regarding the new constitution of the country, we should strongly demand for three things: a) demand for ethnic identity so that the identities of poor, dalits, IPs, women, and LCs are well recognized by the state; b) demand for decentralization so that the rights and policies devolves from center-“Shingh Darbar” or Kathmandu-to the local level; c) demand for economic transformation so that our prevailing poverty is reduced and economic prosperity is enhanced.

For better conservation of natural resources, to increase productivity from natural resources, to reduce poverty, and establish good governance system, the state should give management and utilization rights of natural resource to local people. The political scenario has been changed but debates about community rights over natural resources has not been recognized and established as issue of national political debate yet. Hence, it is time to raise this issue by all community organizations including ICCAs.

Number of studies in Nepal and in the world show that community can manage and conserve natural resources and biodiversity very effectively and hence the national policies should recognize that the communities are the true rights holders and custodians of natural resources. For this strong network of community groups (like NEFIN, FECOFUN, HIMAWANTI, DANAR, ICCAs etc) should be established for rights based campaigns and movements in Nepal.”

At the end of his discussion, the floor was made open for the interaction between the presenter and the participants. Some of the major questions and the responses of Mr. Pandey are summarized below:

- What achievements on community rights have been made until now?

[Response: Community rights over natural resources have been recognized and established as one of the issue in Nepal and included it in the constitution building process]

- What kind of work does FECOFUN is doing for the community?

[Response: FECOFUN has been recognized as one of the strong community organization for the rights of community people. Similarly, it became able to establish relation with international actors.]

6. **Mr. Somat Ghimire** (Protected Area Rights activists, Political analyst, expert consultant of CA thematic committee on Natural Resources, news paper column writer and Coordinator of Community Development Organization [CDO]) was invited to share his knowledge on “Conservation Areas in Constitution Making Process: Where ICCAs are?”. Some of the key issues and points raised by him are summarized below:

“Forest is not about trees only, but it is related with culture and livelihoods of the people and hence it is vital for them. The conservation of forest, biological diversity, and natural resources in the name of CA, NP, WR, or CF are just the new conservation concepts but conservation through traditional, cultural values and customary practices have a long history. Hence the communities are demanding for the respect and recognition from the state in the name of ICCA.

The ICCA’s demands are correct from the human rights perspectives because state’s intervention has curtailed the basic rights of the resource dependent communities. Hence, it has been established as one of the issue of debate in the new constitution building processes in Nepal. It is well known and proved that community can manage and conserve resources better than others (state, private). The issue of ICCA neither included in the CA constitution concept paper nor has been established as an agenda of debates for CA members yet. So, ICCA Network Nepal should create pressure for influencing the political actors.

ICCAs have still time, space and scope to get clear constitutional provisions. Organizing awareness campaigns from grassroots to national level, using and mobilizing different forms of media, organizing dialogues and discussions with local and national political leaders, holding multi-stakeholder interactions etc. may be the important means to get this issue in a debate. The principle of federal state and federal constitution is to have self managed and self-governed conservation areas; however the ongoing state’s negotiations and debates are not enough to garner the rights of communities that ensure the recognitions of ICCAs. Therefore, our success depends upon our strength to create pressure against the state to influence the political processes.

The concept of first rights of local community over natural resources is proposed in the concept paper of a thematic committee, which may be related with constitutional space of ICCAs. It was the result of long struggle for “pre-emptive rights and rights to self-determination” in the CA. Similarly, the demands for ICCAs should be linked with identity of the people. The political wing in the CA committee that aims to curtail the rights of the people over NR seems to become stronger. Here, the presence of community groups and community actors are too weak. It means the alliance of community groups is a must and ICCA can be one the major actors.”

At the end of his discussion, the floor was made open for the interaction between the presenter and the participants. Some of the major questions and the responses of Mr. Ghimire are summarized below:

- Is there any provision proposed in the CA concept paper that recognizes the existence of ICCA?

[Response: There is no clear provision on it yet. However, the term 'community' has been used in the concept paper prepared by a committee.]

- Are livelihood rights important for linking the demands of ICCAs in new constitution?

[Response: Yes, but major issue that needs to be advocated must be the identity which could be ultimately linked with livelihood rights.]

- Is the provision of ICCA a burden for the state?

[Response: yes, it might be the burden for state, because it is sure that the provision of ICCA will curtail the sovereign rights of state over natural resources (which we are demanding), which is not easily accepted by the state. And we should not hide/be clear on what we are demanding for.]

In the discussion Mr. Vivek Sharma (UNDP/SGP Nepal) also pointed out the needs of promoting ICCAs in Nepal. He said that *"many of the community systems are vanishing from the country. Such as, prior there was community garbage management system and stone tap (Dunge Dhara) and pond management system in Kathmandu. These practices have been disappearing along with the urbanization. Shivpuri watershed was earlier maintained by the local people, which now are no more in existence. There are several such cases in different parts of the country. If we do not become aware of them in time and do not realize the importance of such practices, there will be severe problem of conservation, producing negative effects on livelihoods of local communities. Hence, promoting and advancing the ICCA is must."*

The conflicting relation between PA authority and local communities was also raised by the participants. Dr. Naya Sharma Paudel (Executive director of ForestAction Nepal) remarked that *"The international laws on biodiversity are important to link with ICCAs. The government is seen as responsible actor for conserving the forest and biodiversity. But indigenous peoples and local communities in different parts are conserving the resources and biodiversity voluntarily. The government should encourage and welcome such processes. For example, there is lack of proper understanding between the government and local communities about Khumbu ICCA. This condition is creating conflicts between them. This may be a particular example of understanding the ICCA dynamics at play in most places of Nepal. To resolve these conflicts dialogues and discussions between and among the stakeholders is important and must."*

2.2 Second Half of the Day: Discussion about ICCA Network and ICCAs

2.2.1 Updates of ICCA Network Nepal

Mr. Tenjing Tashi Sherpa (Coordinator of ICCA Network Nepal) briefly shared about the updates of ICCA network Nepal. He said that the discussion about community based conservation was started with the initiative roles and supports of international conservation experts, namely Grazia and Stan in early 2008. They shared about the community conserved area (CCA) concept, and we also sensed the importance of the concept which linked with

our community conservation practices. Later on, we discussed the concept in our area (Khumbu), however the government representatives blamed us as western spy and supporters. At the same time ForestAction Nepal was also working on the issue and hence we discussed and collaborated to raise the issue in early 2009. Our national gathering in 2009 became able to form an Ad Hoc CCA committee.

Later in 2010, the second gathering was held in Kathmandu. The gathering transformed the Ad Hoc ICCA Committee into ICCA Network Nepal with six member secretariat. The secretariat members were given the mandate to proceed for national legal status. We decided to register the network as a national federation but we were unable to do it until now due to some official requirements-that is at least seven organizations need to be registered in district government office and come with the executive committee decision for registering national federation. Similarly, the lack of financial supports also made us unable to go further for federation building/registering in Kathmandu and expand our network. Hence, at the moment we need to discuss about our local ICCA status and way forward with the support may be from UNDP/SGP or others.

2.2.2 Sharing about the Constitution of ICCA Federation

Mr. Dipendra Rai (consultant lawyer for the ICCA network, who prepared the constitution for ICCA federation and have commitments to support this network until it gets registered) shared about the basic concept, preamble, objectives, institutional structure, and membership of ICCA federation. He also shared about the official requirements for federation building and made his commitments to support and help this network until it gets registered as a national federation. Furthermore, all the ICCA representatives were each given a copy of the finalized (by ICCA Network secretariat) federation constitution for their suggestions, comments and feedbacks to the ICCA network secretariats.

2.2.3. Sharing about Status of Conservation Activities by ICCAs

At the end of the first day program all of the ICCA representatives briefly shared about their conservation activities in their communities.

SN	Name of the ICCA	Conservation Activity
1	Adheri Charchare Community Forest (Palpa)	This community forest is conserved by local people through user committees. It was also once selected as best CF in the district.
2	Bahraiya Tal (Bardiya)	It is small lake/pond. Water of this lake is major source of irrigation for local peoples especially the Tharu indigenous peoples. They also have some historical myths with this lake. However, this lake is now under the control of a contractor for fishing. This contract is made between district office and individual contractor. Therefore, the conservation roles and responsibility of local community is legally ignored. This contract has negative impacts upon the local communities because the contractor does not care about the conservation of biodiversity and livelihood rights of local indigenous people.

3	Bajrabarahi Religious Forest (Lalitpur)	This is a religious forest. Local communities have fenced the forest area for better conservation. The conservation committee has developed the area into a picnic spot for generating the income for conservation activities. The conservation committee has also developed the rules and regulation for the conservation of the area and for the visitors. All these works have been done by the local community without any outside support. Currently, five individuals are employed in the area paying them through the resources generated by the picnic spot.
4	Basuling Janajagriti Samaj (Baitadi)	This is religious forest managed and conserved by local community. The conservation of the area is based on the religious norms and values.
5	Choyatar Community Forest (Ilam)	This community forest is conserved by women community forest user group. This CF is famous for conserving Red Panda.
6	Gaidatal Conservation Committee (Rupandehi)	It is a pond surrounded by community forest. Local club, community conservation groups and CF are jointly playing roles in the conservation of this area.
7	Godawarikunda Community Forest (Lalitpur)	This community forest is conserved by local community through user committee.
8	Jalthal Community Forest (Jhapa)	This community forest is conserved by the efforts of local communities. Earlier, it was national forest and was open for timber smuggling. Before CF the area was deforested. But now the local communities are conserving the area voluntarily.
9	Khata Corridor (Bardia)	It is landscape connectivity for biodiversity conservation. Local communities are active in conservation activities through conservation committees.
10	KSCCS (Solukhumbu)	Khumbu ICCA is composed of grazing lands, religious forests and sacred landscapes conserved by Sherpa indigenous communities. The conservation of the area is based on the customary rules and practices developed out of their religious norms and values.
11	Nagdaha Community Resort Conservation (Lalitpur)	This pond is conserved and managed by local community. The local club is actively working for the conservation of the pond by generating the income from tourists.
12	Namuna Buffer Zone Community Forest (Nawalparasi)	This is Buffer Zone Community Forest (BZMC). It is managed by local user committee. But its management is according to the national park act. According to which local users do not have sovereign rights over the area.
13	Panchase Development Committee (Parbat)	It is conservation area conserved and managed by local communities. The conservation activities of the area are done by different community groups through their traditional and customary practices.
14	Pungmo Community Conservation and Development Centre (Dolpa)	It is a rangeland conserved by Bompoo religious communities. The conservation of the rangeland is based on the customary rules based on the religious beliefs and practices.

15	Rupa Tal Conservation Committee (Kaski)	This lake is conserved by local community groups. Local saving and credit system is playing the proactive role for conservation of the Rupa lake water shed area. Households (more than 700) in the watershed area are now member of this saving and credit.
16	Sikles, Pokhara (Kaski)	It is part of Annapurna Conservation Area (ACAP) and this area is conserved by local conservation community groups.
17	Taudaha Club (Kathmandu)	This is small and beautiful pond. It has some religious myths and beliefs. The conservation and management of this pond is done by local club and conservation committee. The pond is now converted into the source of income generation since many visitors come in here to visit the place. The committee and club regularly clean the pond. The conservation committee and club are now planning to write a book detailing the history and myths of the pond for general information of the pond to all.

2.3 Summary of the First Day Interaction

As stated earlier the first day interaction was focused on sharing experiences and knowledge by some delegate speakers, the interaction is fruitful in the following ways.

- ICCA network members/representatives got an opportunity to introduce each other including conservation experts and community right activists.
- ICCA network members got an opportunity to listen and discuss the history of conservation in Nepal and reflect the ICCA space.
- ICCA Network members understand the possibility of alliance building and networking with other community activists and community groups.
- It helped to increase basic understanding about the concept ICCA and its global to national discourses.
- It helped to enhance skills and knowledge to ICCA members for informed activism in Nepal.
- ICCA members are informed about challenges and opportunities of ICCA issues in ongoing constitution building processes of Nepal.
- ICCA members got the updates of ICCA Network Nepal's work in the last three years (including federation building processes).
- Participants shared and understand the conservation activities of different communities as ICCA.

Despite the above achievements, there were some weaknesses of first day interactions. Some of them are as follows:

- The ICCA members could not get chance/time to share their conservation activities and their issues and table their demands with delegates because of lack of time availability of delegates. It means that it is difficult to gather and get commitments by all the invited delegates for their full time presence for the program and listen to the ICCA's issues at a time which also caused difficulty in getting their response/speech/sharing on top of the sharing by ICCA participants.
- There was lack of sufficient time for pre-internal discussion among ICCA members to raise strong voices and stand points with delegates.

3. Day Two Program: Discussion on ICCA Resilience and Security Tool

A total of 27 individuals (ICCA representatives and ForestAction Team) were participated in the day two interaction and discussion. The discussion of this day was basically focused on the **ICCA Resilience and Security Tool**. Before that, the general concept of ICCA, its international context, historical events and legal instruments and some national legal instruments were discussed for contextualizing the needs of self-assessment. Secondly, the discussion was made upon the 30 questions included in **ICCA Resilience and Security Tool**. And lastly, the same questions were used to assess the ICCA in Khumbu area of Solukhumbu district and discussed upon the logics and justification self-assessment value.

3.1 General Introduction about the Context of the concept 'ICCA'

Linking with the day first discussion, Mr. Jailab Rai made his presentation (See Annex 6 for his presentation slides) about the global and local context and history of the concept "ICCA". In the presentation it was said that the preliminary studies show that there are hundreds of ICCAs in different forms in different parts of the country. They may exist in and around buffer zones, protected areas, wetlands, community forests, ramsars, simsars, sacred landscapes, grazing fields and rangelands etc. The customary conservation practices and the attachments of the local communities with resources around them may be the practices that are similar with globally accepted definition of ICCA.

In the context of Nepal, until now 20 PAs have been declared by the state and 12 of them have Buffer Zones. It means ICCAs may be existing in and around these PAs and BZs. Not only this, the ICCAs may be outside of these PAs and BZs. There are number of national legal and policy instruments on conservation of biodiversity and natural resources, like "National Park and Wildlife Conservation (NPWC) Act 1973 (2029 B.S)", "Himalayan National Park Regulation 1979", "Forest Act 1993 (2050 B.S) and Forest Regulation 1995 (2051 B.S)" and so on¹. These have laid some legal foundations to recognize the roles and rights of local communities and indigenous peoples over conservation, management and utilizations of resources. However, these laws and regulations still are not sufficient to recognize and respect the existence of ICCAs.

In terms of ICCA in Nepal the four things may be the basic issues: a) identification and documentation of existing ICCAs across the country; b) their legal status and recognition whether they are inside, around or outside the conservation areas; c) providing financial and technical supports for their rights to livelihoods, customary conservation practices and threats (external or internal); and d) their presence in the global discourses, may be through their presence in the global database (with community consent).

¹ Conservation Area Management (CAM) Regulation, 1996(2053); Buffer Zone management Regulation 1996 (2052 BS) and Buffer Zone Guidelines, 1999; Environment Protection Act, 1997(2053); Nepal Conservation Strategy, 1988(2045); Biodiversity Strategy, 2002; National Wetland Policy, 2003; Kanchenjunga Conservation Area Management Regulation, 2005; ILO Convention No. 169 on Indigenous and Tribal Peoples (ratification in 2007) etc

Similarly, there is series of global events and contexts that gave rise to the debates of ICCA. There are also too many international conventions and treaties to provide legal foundations for the existence of ICCAs. Of them IUCN's governance type has become one of the most important landmark for the recognition of ICCAs. It has recognized "indigenous peoples and local communities" as one of the governance type of global PAs. It is known that the ICCA has three general characteristics:

- Predominant role of community in decision-making;
- Institutional mechanism for conservation and management (customary/statutory, traditional/new); and
- Achieving or having potential to achieve conservation of biodiversity (protection and/or sustainable use).

There may be number of global issues and needs of ICCAs. Of them, the following are the important one:

- Implementations of International legal instruments (with regular monitoring);
- Information of ICCAs for global information and database (such as information for ICCA Consortium);
- Prepare particular ICCA priority area (based on specific place, needs and demands) and ensure supports (technical and financial)-*ICCA self-assessments may be one of the basis; and*
- Capacity enhancements-through fund raising and supporting (ICCA Consortium and other alliance) etc [e.g. advocacy in UNEP to give priority to ICCA for at least few years of support etc].

Finally it is also shared that the global conservationist are trying their best to convince the conservation donor agencies to invest their funds in ICCAs to make conservation work a success.

3.2 Suggestions and Feedback by Vivek Sharma

To discuss about the ICCAs in Nepal, it is vital to expand the horizon of ICCAs such as supporting the communities which are out of or beyond the conservation areas. For this some land territories outside the conservation areas can be brought into the conservation/ICCA, for example the territory settled by mobile communities-like Raute and Chepangs, or may be the Kipat lands. There are number of international cases which prove that some land territories are brought under the conservation domain by respecting and recognizing the customary practices of indigenous peoples and local communities. Such as in Indonesia "Tagal System" is one of the practice of river management which is recognized by the government, and "If-gawa practice" of terrace-rice cultivation may be an ICCA. If the **ICCA Resilience and Security Tool** can address these issues, the concept of ICCA will be more contextual and practical in Nepal.

At the same time there is skepticism of whether promoting ICCA may cause ethnic conflicts and hence we all must be sensitive while advocating for this.

3.3 Introduction of ICCA Resilience and Security Tool

The 30 questions included in **ICCA Resilience and Security Tool** were discussed among the participants for about four hours. Before that, it was shared and clarified that how and who has developed this tool and what may be the significant use of this tool. It was shared that this tool is developed by ICCA Consortium members after a long discussions among the conservationists who are advocating for the establishment and promotion of ICCAs in the world. The tool is to operate the exercise for training oneself for self-assessment and understanding of the condition of one's own ICCA/community. This means that an ICCA member can and should assess his/her community conservation activities himself/herself that helps to know the strengths and weaknesses of their conservation activity.

As a process, major components of the questions and numbering systems have been shortly introduced and then all participants were provided a printed copy of tool and requested them for a thorough read within half an hour. After that, the participants read every questions one after another and made discussion upon the essence and meaning of each questions. The participants also tried to exemplify the question relating with their own ICCA/conservation activities. Similarly, the facilitator and participants also tried to link with appropriate examples from among the participating ICCAs. During the discussion, all participants were keen to listen and raise counter questions against one another. This activity took about four hours.

3.4 Self-Assessment of Khumbu ICCA and Discussion

Before the start of self-assessment, Mr. Tenjing Tashi briefly shared about how conservation work carried out in the Khumbu area. Then he assessed the Khumbu ICCA relating with 30 questions of the tool one after another. For this, the participants helped him by reading the questions and options voluntarily turn by turn and let him assess/chose assessment value. During the assessment, all the participants were active to raise questions against the assessment of Mr. Tashi, generally when the assessment value was highest (i.e. 5 or 4) or lowest (i.e. 1 or near it), and Mr. Tashi also enthusiastically provided his justification and logics upon his assessments. About two hours was spent on self-assessment work of Khumbu ICCA (See annex 3 for assessment value of Khumbu ICCA, including all other 15 ICCAs).

After self-assessment by Khumbu ICCA, the other participants/ICCAs were also requested to come with their individual assessment next day.

4. Day Three Program: Self-Assessments by ICCAs and Discussion for Way Forward

4.1 Result of Self-Assessment by ICCAs

The third day program was started with the sharing of self-assessment value by other 15 ICCAs and some discussions upon the individual assessments. All ICCA participants shared their individual assessment values vary confidently and other participants were keen to

listen and raise counter questions upon the assessment values. In the table, particular ICCAs are denoted with the serial number and this number is then used in the assessment value table (annex 3).

SN	Name of the ICCA	Assessed by (participant/s)	Total	Index
1	Andheri Charchre CFUG (Palpa)	Dinesh Bashyal	118	0.8
2	Bahraiya Wetland Committee (Bardiya)	Narendra Tharu	99	0.7
3	Bajrabarahi Religious Forest (Lalitpur)	Badri Deshar	121	0.8
4	Choyatar CFUG (Illam)	Gopika Gurung and Saraswoti Gurung	109	0.7
5	Gaida Tal (Rupandehi)	Baburam Malla and Surya Prd Adhikari	96	0.6
6	Godawari Kunda CFUG (Lalitpur)	Ram Prd Baral	134	0.9
7	Jalthal CF (Jhapa)	Dhankeshar Basnet	68	0.5
8	Khata koridor (Bardiya)	Krishna Bdr Pariyar	92	0.6
9	Khumbu Conservation (Solukhumbu)	Tenjing Tashi, Sonam and Chhring Sherpa	129	0.9
10	Namuna Buffer Zone CFUG (Nawalparasi)	Bhoj Bdr Gurau	97	0.6
11	Panchase Area Development User Committee (Parbat)	Gopal Gurung	125	0.8
12	Patal Basuling Dharmik Sewa Samiti (Baitadi)	Dwijraj Bhata and Janaki Chand	123	0.8
13	Pungmo Conservation (Dolpa)	Ang Bdr Lama, Khamsung Lama and Nima Baiji	131	0.9
14	Rupa Tal (Kaski)	Lekhnath Dhakal	114	0.8
15	Sikles Conservation (ACAP) (Kaski)	Man Bahadur Gurung	106	0.7
16	Tau Daha (Kathmandu)	Jayaram Karki, Jyoti bikram Rana and Manoj Karki	87	0.6

4.2 Questions and Confusion Raised Against the ICCA Resilience and Security Tool

During the discussions on security index tools, some questions and confusions were raised among the participants. Some of them are as below:

- Is it compulsory/necessary to exercise all questions included in the tool?
- Why the number of answer options given in the each questions is not the same? For example the number of subjective answer is somewhere three and some where four (like weak, medium, fairly strong and strong).
- Why the number of answer options given in the questions and number of answer values is not the same? For example the number of subjective answer is somewhere three and some where four (like weak, medium, fairly strong and strong) whereas the answers value is five (1, 2, 3, 4, and 5) in each questions.
- How do we assess if answer options in the question is three or four whereas options for answer value is five?
- Why some answer value is highest for negative condition and in some questions the value is high in positive condition?
- How relevant are the questions included in the tool in the context of Nepali ICCAs? Can we develop questions according to the basic characteristics and natures of Nepali ICCAs?
- What will be the usefulness of this assessment? Who will use it? How it will be used?
- How particular ICCA can be benefited from this assessment?

4.3 *Some Observations of Discussion in ICCA Resilience and Security Tool*

The exercise and discussion upon the **ICCA Resilience and Security Tool** was more participatory. Some of the observations during the exercise are follows:

- At the beginning, the assessment of the ICCA/own community was felt quite difficult but after the discussion, the participants showed their confidence. It was made possible through the participatory discussions among the participants.
- The participants became confused when answer value was flipped (i.e. when negative condition is given with highest value). It was simply because they forget to remember the broader heading of the particular question. This, some time created confusion and misinterpretation.
- While discussing upon the **ICCA Resilience and Security Tool**, all of the participants tried to link each questions either with their own ICCA/community or their knowledge and experiences.
- Some of the terms and concepts were very difficult to translate into proper local languages and some illustrations in the questions and answers were also felt difficult to understand.
- The tool was translated Nepali version, however English version was also attached below the same questions and was used; which made participants clear when they faced confusion in the meaning of some words and as such the essence of the questions was cleared out (See annex 7 for detail translated version of index tool).
- The participants were more active and enthusiastic in understanding the issues raised/asked in each question.
- Some of the words/concepts used in the **ICCA Resilience and Security Tool** were felt very difficult to understand and to contextualize in the particular ICCAs. Group discussions developed some confidence in understanding. However, there are still confusion that whether the participants will be able to make other/their community members understood the questions properly (e.g. question from 23-30 were felt very difficult to contextualize and link with Nepali ICCAs).
- The POWER FLAG option was very difficult to understand and relate with the situations. Because it created skepticism that if they select this option they may be challenged by the possibility of counting into non-ICCAs.
- During the discussions, it is said and felt that one should have clear idea and concept of what an ICCA is, if he/s want to exercise these questions and facilitate it in a community.
- ICCA participants sensed the importance and usefulness of “**ICCA Resilience and Security Tool**” for their community/ICCAs as a way forward and strategizing the future activities.

4.4 *Suggestions for ICCA Resilience and Security Tool*

The questions in the index tool were felt important in understanding the condition of particular ICCA and develop future strategies. However, some suggestions were produced out of the discussion and exercise upon the tool.

- The suddenly flipped nature of assessment values (in some questions highest value is given to positive conditions and in other questions for the negative values) made the participants confused during the discussions and assessments. If the value of all answers is rearranged into either towards the positive value or negative value, the participants will feel comfortable in their assessment.
- The number of answer options in the questions and options to choose the value for the chosen answer are not same (for example, answer options are either three or four [weak, medium, fairly strong and strong] and options for value is five (1, 2, 3, 4, and 5)) in each questions. It makes the participants confused in selecting and valuing the answers. Either there should be clear guidelines for the marking schemes (such as if one wanted to choose 4 values to the particular question issue, what will be the concrete logics behind it) or put similar number of answer options and answer values.
- Some of the terms, words and examples (illustrations) are very difficult to translate and contextualize them into community activities. So, it will be better if the essence of questions are translated into simple local languages and using the local practices as illustrations.
- If the participants (community members participating in the assessment work) are made clear about the importance, and usefulness of their assessment results in advance, it will make them feel the necessity of real/exact assessments. For this, at least a full day meeting will be required so that half day may be worked out for the introducing and discussion upon the questions (tool, including its importance, usefulness, impacts etc) and later half can be worked out for the assessments based on the questions.
- Most of the ICCAs in Nepal are in one or other way encounter internal or external or in some cases both forms of threats. It will be very difficult to get exact assessments by only the local communities (members of a particular ICCA). Hence, assessment with the participation of other local stakeholders, like local political party leaders, government officials in the VDC level, representatives from other organizations, representatives from other community groups etc, will be important for the exact assessment.
- In the assessment activities, all the ICCA participants were active and enthusiastic and made their commitments to exercise this tool in their community meeting. However, it will be difficult to get this work completed with exact/real assessment without outside support (both technical and financial). Because, firstly in this gathering most of the ICCAs had only a single person as participant; secondly the nature of the program was not like training but just the introduction of the tool; and thirdly, most of the participants have still limited knowledge and expertise for ICCA advocacy. So, it is difficult to be confident on whether the participants will be able to exercise the tool perfectly in his/her community. So, most of the communities may need the facilitator(s) with basic knowledge (if possible the experiences) on ICCAs/conservation and financial support to get this work done perfectly.

- The most important thing in exercising this tool will be to make a real and exact assessment. It means all ICCA must assess their ICCA according to the exact situation/condition. But, there may be a chance of misinterpretation and manipulations of the issue during the assessment. For this, the best facilitator(s) from outside the community will be more effective either to capture the discussion/debates/different opinions of the discussion or made them clear when there are chances of misinterpretations.

4.5 Discussion on Future Actions and Strategies

The participants discussed about the major ICCA activities for 2012. The discussion were focused around six things as major activities: (a) organize community discussion/meetings about **ICCA Resilience and Security Tool**; (b) organizing local dialogues for the recognition and expansion of ICCAs; (c) ICCA federation building/registering; (d) influence/engagements in constitution building process for ICCAs through alliance with other community actors/organizations; (e) identifications and documentations of best and new ICCA cases; and (f) ICCA advocacy through multi-stakeholders engagements (like political leaders, policy makers, planners, journalists, etc). The participants' discussions about the future actions and strategies are grouped into the following sub-headings:

4.5.1 Community Discussion on ICCA Resilience and Security Tool

One and half day discussion of **ICCA Resilience and Security Tool** made the participants feel that it may be an important means to understand the condition of community conservation activities. Hence, the participants made short discussion about the possible way and modality of working with this tool in their communities. And finally, they (16 ICCAs representatives) agreed to discuss this tool in their respective community and report to the ICCA Network Nepal through secretariat office (ForestAction Nepal) within a month². In the group discussion, it is also agreed that they will introduce this tool in their community meetings if possible, otherwise at least introduce it in their executive committee meetings (during their regular meeting). Regarding this, many of the participants inquired that is there any possibility of financial and technical support for these meetings? As a response they were answered that efforts will be made from UNDP-GEF/SGP funds if possible.

4.5.2 ICCA Networking

Further, the discussion was made about the activities for ICCA network strengthening. It was mostly focused on how to establish a national federation? During the discussion following issues were identified as major agendas:

1. Federation or NGO?
 - The discussion was started with whether ICCA go through the registration as a National NGO or a National Federation. It is discussed that getting registered as a NGO is easier and faster. By the time, it was also said that Federation of Community Forest User's Nepal (FECOFUN) was registered as a NGO and however, now it has expanded its wider network.

² Until now none of the ICCAs have reported to ForestAction Nepal.

- It was shared that it will be still difficult to register ICCA as national federation because of the official requirements (i.e. to be a federation at least 7 local level organizations must be registered first and then come with their executive decision for a federation) and to some extent the official hesitation for allowing indigenous and community people's federation in existing political situation.
 - **Decision:** most of the participants suggested to attempt first for formation of national federation and if is not possible then go for the NGO option.
2. Place of Registration??
- The participants also discussed about where to register the Federation, i.e. in Kathmandu district, inside the Kathmandu valley or outside the Kathmandu valley?
 - It was then argued that registering outside the Kathmandu valley to some extent will be easier and faster but it will be difficult to coordinate and establish political relations with other national actors in the future.
 - **Decision:** the participants finally decided to register the federation in any one of the districts in Kathmandu valley (Kathmandu, Lalitpur or Bhaktapur).
3. How to make the registration process faster?
- The participants discussed about the possible strategy or way to be adopted to make registration process faster. For this, the participants discussed about the process that how other federations (FECOFUN, NEFIN etc) have been registered.
 - **Decision:** The participants agreed to use personal relation with the government officials as most effective means to overcome this problem.
4. Decision about the registration process:
- It was agreed that the ICCA participants will discuss with their community peoples about the ICCA federation building process and come with the executive committee decisions not later than two months. It means all participant ICCAs will make community decisions (through executive meetings or community meeting) to become members of ICCA federation within two months and then communicate with ICCA network Nepal. And also it was agreed that the participants who have not a legal registration of their community will also attempt to register themselves as a local organization and come with the same above decision as soon as possible.
 - **Decision:** Based on this, the ICCA Network secretariat will collect all the documents from all the ICCA members and then proceed for the registration of national federation at least within two months.

4.5.3 Expansion of ICCA Network

1. Local level discussions:
- All participants agreed that there is need of organizing interactions and discussions about ICCAs in community level and then in district level.

- It was argued that such discussions will help ICCA members to make their community members aware of what ICCA is and what should be done for this.
 - Similarly, it was also argued that along with the local discussions, other community conserved areas in the district should be identified by ICCA network members and brought into the ICCA memberships so that ICCA network may be expanded. For this the participants showed their interest to organize local meetings and gatherings but at the same time, they also said that there must be some financial and technical supports for them to conduct such activities.
 - **Decision:** The attempt will be made to use some resources from UNDP-GEF/SGP funds.
2. Networking with other community actors/organizations:
- The participants made discussions about importance and possibility of networking with other community organizations. They all agreed that it is necessary to have collaboration and networking with other community organizations for the success of legal and policy recognition of ICCAs in Nepal.
 - **Decision:** The ICCA network secretariat will seek the possible way of networking in coming days and ForestAction Nepal will support in strategic actions.
3. Preparation of advocacy materials and capacity enhancements:
- The participants also discussed about how ICCA advocacy can be strengthened and capacitated. They all agreed that the advocacy materials, like leaflets, booklets, ICCA guidelines etc in local language need to be prepared and published.
 - The participants also raised the issues of the needs of capacity enhancement trainings/discussions for ICCA members.
 - **Decision:** The publication at ForestAction Nepal will be used as advocacy materials. And the organization also tries to publish other useful materials/publications in coming days.

4.5.4 ICCA and New Constitution Making Processes

1. Activities needed for the preparation of ICCA constitutional provisions:
- The participants made thorough discussions about how constitutional provisions on ICCA could be made. For this the participants agreed that the existing laws, policies and rules related with conservation (indirectly and directly related with ICCAs) should be discussed and understood first and then based on these the recommendations for the constitutional provisions can be envisioned.
 - It was also discussed and shared that at present the revision of the protected areas related act and laws is under discussion in cabinet and department level. So, it is a proper time to discuss among ourselves and come with concrete suggestions and recommendations for ICCA.

- **Decision:** The discussion meeting by ICCA Network Secretariat will be organized in coming days.
2. Activities for constitution making process:
- The participants discussed and concluded that at first it needs to be find out that what provisions regarding the ICCA (related other provisions like community rights over natural resources, PAs etc) are recommended by the CA committees for new constitution.
 - For this, it is agreed that ICCA network members should identify and develop strategic relation with community organizations and other actors who have been involved or played pro-active roles in the advocacy of community rights over natural resources in new constitution.
 - Then it is discussed and agreed that the ICCA network should organize interactions/discussions about the constitutional provisions and constitutional rights of ICCAs, then develop a concrete recommendations to the CA and then start advocacy for this provisions.
 - **Decision:** The discussion meeting by ICCA Network Secretariat will be organized in coming days.

4.6 Short Briefing on UNDP-GEF/SGP funded Proposed Activities

The participants were briefly shared about the proposed project activities under UNDP-GEF/SGP support. They were requested to give their suggestions upon the proposed activities:

Proposed activities:

- Phase 1: Strengthen and support existing ICCA network Nepal (federation building), capacity building of ICCA Network, local and regional level interactions and discussions to expand ICCA constituency, ICCA national gathering etc.
- Phase 2: Documenting ICCAs cases and practices across Nepal.
- Phase 3: Organizing multi-stakeholder dialogues, lobby-networking-collaboration with other community actors-policy makers-conservation experts etc.
- Phase 4: Publish best ICCA practice cases and policy brief, media mobilization, dissemination of publication and learning to bring ICCAs into public conservation policy discussions and debates.

Suggestions:

- It is suggested that it will be better if the proposed project will be able to show a good model of ICCA in Nepal. If so, a model ICCA should be identified and supported. It is also added that there may be number of unique ICCAs and hence they need to be identified and documented.
- Support to the ICCA network member is most important.
- ICCA members can be mobilized and used for identifying other ICCAs.

5. Conclusion

On the first day interaction, it was observed that most of the participants appreciated the conservation roles of ICCAs in Nepal. It is agreed that ICCA are most important actor for the conservation of natural resources and biodiversity. In general, it is agreed that the existing conservation laws, acts and policies are not appropriate for the recognition of ICCAs in Nepal. However there remains some controversy about the way forward for the ICCAs in Nepal. For example, the government delegates directly and indirectly suggested the communities including the ICCAs; to become more responsible for conservation activities rather than demanding more roles and rights as there are already too many laws, acts and policies for the rights of local people. Whereas the activists argued that the existing laws and policies do not recognize the roles and responsibilities of indigenous peoples and local communities in conservation activities and hence organized movements and protest is a must and the way forward. Similarly, experts and researchers showed their belief of change through both dialogues and discussions between the stakeholders and documentation of conservation practices and learning for policy advocacy.

The introduction and discussion of ***ICCA Resilience and Security Tool*** became new and interesting for all the ICCA representatives. All participants showed their enthusiasm in using and exercising the tool. However, the use of this tool is still challenging in Nepal due to some reasons, such as the tool in terms of the use of words, terms and language is difficult for community people, which still needs to be translated into simple local language and contextualize into the existing ICCA practices in Nepal. Secondly, the communities (ICCA members) have not sufficient supports (both technical and financial) to exercise the tool. Thirdly, the community people/ICCA members still not sufficiently convinced about the importance and usefulness of the assessment values.

The ICCA members are becoming more energetic, organized and enthusiastic in further actions, basically for achieving their legal status-as “National Federation” and legal recognition-as “ICCA provision in national laws like constitution and conservation acts and policies”. They are demanding for more local interaction and discussions to expand ICCA and create awareness from local levels. At the same time, they are also equally demanding for policy dialogues, lobby and networking for enabling national policy environment. It is also recognized that more ICCAs need to be identified and documented and at the same time some best ICCAs need to be supported as best example of ICCA practices for policy recommendation.

Acknowledgement

We would like to thank ICCA Consortium and Christensen Fund for financial support to organize the Third ICCA National Gathering. Similarly, we acknowledge all the delegate speakers for their time and candid opinion on the issue. We are highly grateful to Dr. Stane Stevens, Dr. Grazia Borrini-Feyerabend, Dr. Naya Sharma Paudel, Dr. Ashish Kothari, Dr. Christian Chatelain and Sudeep Jana for their strategic suggestions and comments for this gathering. We also would like to thank all participants for their active engagements in the program. Last but not least, thanks go to Kamal Bhandari, Amrit Adhikari, Manita Chaudhari, Anju Khand, Arjun Gyanwali and Lalit Thapa for their special support.

Annexes

Annex 1: Program Schedule

Time	Activity	Facilitator/presenter
Day-1	41 participants	
8:30-9:0	Breakfast	
9:00-9:30	Welcome, introduction, objective of the program	Jailab Rai
9:30-10:15	Reflecting the History of Conservation in Nepal: Challenges and Opportunities for ICCAs (with discussion)	Dr. Uday Raj Sharma
10:15-10:30	UNDP/SGP for ICCAs in Nepal	Vivek Raj Sharma (UNDP/SGP)
10:30-11:00	Biodiversity Conservation and Indigenous and Local Community Conserved Areas (ICCA) in Nepal (with discussion)	Dr. Maheshor Dhakal (DNPWC)
11:00-11:30	Locating Conservation Areas in Nepal within Global Conservation Discourses (with discussion)	Shiv Raj Bhatta-WWF
11:30-12:00	Tea	
12:00-12:30	Struggle and Resistance in Gaurisankar Conservation Area (GCA)	Bhola Khatiwada- General Secretary of GCA Struggle Committee
12:30-1:00	Rights Movements led by FECOFUN for Community Rights Over Natural Resources: Challenges and Opportunities for ICCAs in Nepal (with discussion)	Ganeshyam Pandey (FECOFUN former Chair and GACF coordinator)
1:00-1:45	Lunch	
1:45-2:00	Discussion Upon the Sharing of Bhola Khatiwada (GCA)	All participants
2:00-2:45	Conservation Areas in Constitution Making Process: Where ICCAs are? (with discussion)	Somat Ghimire-Community Activists and NRM expert to CA Committee
2:45-3:00	Updates of ICCA Network Nepal: Constraints in Federation Building Process within 2010-2011	Tenjing Tashi Sherpa (Coordinator-ICCA Network Nepal)
3:00-3:15	Introducing the Constitution for ICCA federations: Preamble, objectives, structure, and membership	Deependra Rai (consultant Lawyer)
3:15 -5:00	Biodiversity Conservation Status of ICCA Communities (with questions and answers)	ICCA participants
Day-2	27participants	
8:30-9:00	Breakfast	
9:00 – 9:30	Global to National Conservation Discourses: Bringing the Context of ICCA Resilience and Security Index Tools	Jailab Rai
9:30-9:45	UNDP/SGP and ICCAs in Nepal	Vivek Raj Sharma (UNDP/SGP)
9:45 – 11:00	Introducing ICCA Resilience and Security Index Tools (questions and clarification)	Jailab Rai
11:00-11:30	Tea	

11:30-1:00	Introducing ICCA Resilience and Security Index Tools (questions and clarification)	Jailab Rai
1:00-2:45	Lunch	
1:45-4:30	Testing ICCA Resilience and Security Index Tools in Khumbu Conservation Society: with questions and clarification	Jailab Rai and Tenzing Tashi Sherpa
4:30-5:00	Individual Assessment: Discussions	All participants
Day-3	29 participants	
8:30-9:00	Breakfast	
9:00-11:00	Sharing of the individual assessments (including questions and clarifications)	Individually (all 16 ICCAs)
11:00-11:15	Tea	
11:15-11:45	Discussion on Work-Plan for working with ICCA security tools in the community	Group discussion
11:45-1:00	Work Plan for ICCA Activities Ahead (Federation building, engagement in constitution making process etc)	All Participants
1:00 - 1:15	Closing	
1:00-2:00	Lunch	

Annex 2: List of Participants

SN	Name of the Participants	Organization	E-mail address	Contact No.
ICCAs				
1.	Dinesh Bashyal (Secretary)	Adheri Charchare Community Forest (Palpa)		9847043610
2.	Narendra Tharu	Bahraiya Tal-UNYC Nepal (Bardiya)	unyc.glr@wlink.com	9748019846
3.	Badri Deshar	Bajrabarahi Religious Forest (Lalitpur)	desharb@yahoo.com	9841268174
4.	Dwij Raj Bhatt	Basuling Jannjagriti Samaj (Baitadi)		9749018869
5.	Janaki Chand	Basuling Jannjagriti Samaj (Baitadi)		9809456924
6.	Gopika Gurung	Choyatar CF (Ilam)		98428477021
7.	Saraswati Gurung	Choyatar CF (Ilam)		9844616759
8.	Babu Ram Malla	Gaidatal Conservation Committee (Rupandehi)		9806994059
9.	Surya Prasad Adhikari	Gaidatal Conservation Committee/CFUG (Rupandehi)		9847283389
10.	Ram Prasad Baral	Godawari CF (Lalitpur)		9841889865
11.	Dhankeshar Basnet	Jalthal Community Forest (Jhapa)		9842676896
12.	Krishna B. Pariyar	Khata Corridor (Bardia)		9814596028
13.	Chhiring Sherpa	KSCCS (Solukhumbu)	chhiring_34@yahoo.com	9841697372
14.	Sonam Hishi Sherpa	KSCCS (Solukhumbu)		9813431724
15.	Tensing Tashi Sherpa	KSCCS (Solukhumbu)	tenzing_tashi@hotmail.com	9842847760
16.	Gokarna Adhikari	Nagdaha Community Resort Conservation (Lalitpur)		9841785435
17.	Boj Bhadur Gurung	Namuna Buffer Zone CF (Nawalparasi)		9847074884
18.	Gopal Gurung	Panchase Development Committee (Kaski)		9846044754
19.	Khamsum Lama	PCCDC (Dolpa)	khamsumlama@yahoo.com	9849908395
20.	Ang Bahadur Lama	PCCDC (Dolpa)	angblama@gmail.com	9841772357
21.	Nyima Baijee	PCCDC /Youth for Nature, (Dolpa)	nimabaijee@yahoo.com	9848303425
22.	Lekhnath Dhakal	Rupa Taal Conservation Committee		9846262780

		(Kaski)		
23.	Man Bahadur Gurung	Sikles, Pokhara (Kaski)	mangurung@yahoo.com	9856071424
24.	Jayaram Karki	Taudaha Club (Kathmandu)		9851135856
25.	Jyoti Bikram Rana	Taudaha Club (Kathmandu)	mama.shiva@hotmail.com	9841289688
26.	Manoj Karki	Taudaha Club (Kathmandu)	manoj@yahoo.com	9841032300
Other Participants				
27.	Dr. Uday Sharma	Researcher	udayshar@gmail.com	9841885957
28.	Bhola Katiwada	COFSUN (Kathmandu)	bholacofsun@gmail.com	9841347450
29.	Somat Gimire	Community Development Organization (Kathmandu)	gimiresomat@gmail.com	425417
30.	Maheshwar Dhakal	DNPWC (Kathmandu)	maheshwar.dhakal@gmail.com	9849154767
31.	Lokraj Pathak	FECOFUN (Dolakha)		9744029130
32.	Ghan Shayam Pandey	FECOFUN/GACF (Kathmandu)	pandeygs2002@yahoo.com	9851002110
33.	Manita Chaudhari	ForestAction Nepal	manita@forestaction.org	
34.	Niru Gurung	ForestAction Nepal	niru@forestaction.org	9803229391
35.	Amrit Adhikari	ForestAction Nepal	amrit@forestaction.org	
36.	Anju Kand	ForestAction Nepal		
37.	Arjun Gyanwali	ForestAction Nepal		
38.	Lalit Thapa	ForestAction Nepal		
39.	Naya Sharma Paudel	ForestAction Nepal	naya@forestaction.org	9851015388
40.	Jailab Rai	ForestAction, Nepal	jailab@forestaction.org	9841407486
41.	Kamal Bhandari	ForestAction, Nepal	kamalars@gmail.com	9841395810
42.	Madan Basyal	ForestAction, Nepal	madan@forstaction.org	9841068522
43.	Vivek Sharma	GEF-SGC	vivek@sgp.org.np	9851122295
44.	Dipendra Kumar Rai	Lawyer	dipendra88@yahoo.com	9841322053
45.	Ambika Pd. Katiwada	NTNC	zingtpi@gmail.com	9851129853
46.	Ramesh Bhusal	The Himalaya Times (Kathmandu-journalist)	toramesh25@gmail.com	9841482978
47.	Shiv Raj Bhatta	WWF Nepal	shiv.bhatta@wwfnepal.org	984141505

Annex 3: Self-Assessment Value of 16 ICCAs on ICCA Resilience and Security Tool

SN	Name of the ICCA	Assessed by (participant/s)	Total	Index
1	Andheri Charchre CFUG (Palpa)	Dinesh Bashyal	118	0.8
2	Bahraiya Wetland Committee (Bardiya)	Narendra Tharu	99	0.7
3	Bajrabarahi Religious Forest (Lalitpur)	Badri Deshar	121	0.8
4	Choyatar CFUG (Illam)	Gopika Gurung and Saraswoti Gurung	109	0.7
5	Gaida Tal (Rupandehi)	Baburam Malla and Surya Prd Adhikari	96	0.6
6	Godawari Kunda CFUG (Lalitpur)	Ram Prd Baral	134	0.9
7	Jalthal CF (Jhapa)	Dhankeshar Basnet	68	0.5
8	Khata koridor (Bardiya)	Krishna Bdr Pariyar	92	0.6
9	Khumbu Conservation (Solukhumbu)	Tenjing Tashi, Sonam and Chhring Sherpa	129	0.9
10	Namuna Buffer Zone CFUG (Nawalparasi)	Bhoj Bdr Gurau	97	0.6
11	Panchase Area Development User Committee (Parbat)	Gopal Gurung	125	0.8
12	Patal Basuling Dharmik Sewa Samiti (Baitadi)	Dwijraj Bhata and Janaki Chand	123	0.8
13	Pungmo Conservation (Dolpa)	Ang Bdr Lama, Khamsung Lama and Nima Baiji	131	0.9
14	Rupa Tal (Kaski)	Lekhnath Dhakal	114	0.8
15	Sikles Conservation (ACAP) (Kaski)	Man Bahadur Gurung	106	0.7
16	Tau Daha (Kathmandu)	Jayaram Karki, Jyoti bikram Rana and Manoj Karki	87	0.6

SN	Internal Factors				External Factors			Total	Index
	Connections with ICCA	ICCA Governance	Con & Liv.	Internal Threats	Tenure & recog	Balance	Threats		
	1-5	6-10	11-13	14-18	19-22	23-26	27-30		
1	25	22	14	14	13	18	12	118	0.8
2	23	15	12	14	12	10	13	99	0.7
3	24	23	13	8	20	19	14	121	0.8
4	19	22	13	15	14	14	12	109	0.7
5	19	18	11	13	13	11	11	96	0.6
6	22	24	14	19	19	19	17	134	0.9
7	16	11	8	12	6	8	7	68	0.5
8	9	12	9	22	9	14	17	92	0.6
9	25	24	15	13	16	20	16	129	0.9
10	12	14	11	19	15	12	14	97	0.6
11	25	22	13	20	17	15	13	125	0.8
12	25	21	6	21	16	16	18	123	0.8
13	25	24	12	20	17	15	18	131	0.9
14	20	18	12	17	18	13	16	114	0.8
15	21	19	10	16	15	13	12	106	0.7
16	16	16	10	13	12	8	12	87	0.6

SN	Internal Factors																		External Factors										Total	Index		
	Connections with ICCA					ICCA Governance					Con & Liv.			Internal Threats					Tenure & recog				Balance				Threats					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28			29	30
1	5	5	5	5	5	5	5	3	4	5	4	5	5	5	2	3	2	2	4	2	4	3	4	5	4	5	3	2	2	5	118	0.8
2	5	5	3	5	5	3	3	3	3	3	4	4	4	2	3	3	3	3	3	3	3	3	3	3	3	1	3	4	3	3	99	0.7
3	5	4	5	5	5	5	5	4	4	5	4	4	5	1	2	3	1	1	5	5	5	5	5	5	5	4	1	3	5	5	121	0.8
4	5	5	1	3	5	5	5	5	5	2	5	3	5	3	3	3	3	3	5	1	5	3	3	5	3	3	1	1	5	5	109	0.7
5	5	5	3	3	3	3	4	4	4	3	4	3	4	2	3	3	2	3	3	3	4	3	3	3	3	2	2	3	3	3	96	0.6
6	3	5	5	5	4	5	5	5	4	5	5	5	4	4	3	4	4	4	5	5	5	4	5	5	5	4	4	4	4	5	134	0.9
7	5	3	3	3	2	2	2	2	2	3	2	3	3	4	2	2	2	2	2	1	2	1	3	2	2	1	1	1	2	3	68	0.5
8	1	2	2	2	2	2	3	3	2	2	3	4	2	4	4	5	5	4	3	2	3	1	5	3	3	3	5	4	5	3	92	0.6
9	5	5	5	5	5	5	5	4	5	5	5	5	5	2	3	3	2	3	5	3	5	3	5	5	5	5	5	3	3	5	129	0.9
10	3	2	2	2	3	3	3	2	3	3	4	4	3	4	3	4	4	4	4	3	4	4	3	2	3	4	4	3	4	3	97	0.6
11	5	5	5	5	5	3	5	5	5	4	4	4	5	4	3	3	5	5	5	5	4	3	3	3	5	4	2	4	4	3	125	0.8
12	5	5	5	5	5	5	5	3	5	3	2	2	2	5	5	3	5	3	3	3	5	5	5	3	3	5	5	3	5	5	123	0.8
13	5	5	5	5	5	5	5	5	5	4	4	4	4	5	3	3	5	4	5	5	4	3	3	3	4	5	4	5	4	5	131	0.9
14	3	5	5	2	5	3	4	3	4	4	5	4	3	2	4	5	5	1	5	5	5	3	3	3	3	4	4	4	5	3	114	0.8
15	5	4	4	4	4	4	4	3	4	4	4	3	3	3	3	3	3	4	4	4	4	3	3	3	3	4	3	3	3	3	106	0.7
16	3	4	3	3	3	2	3	3	4	4	3	3	4	1	4	3	3	2	3	2	4	3	3	2	2	1	3	3	4	2	87	0.6

Annex 4: Presentation Slides of Dr. Udaya Raj Sharma (See another attachment)

Annex 5: Presentation Slides of Mr. Bhola Khatiwada (See another attachment)

Annex 6: Presentation Slides of Mr. Jailab Rai (See another attachment)

Annex 7: Translated Version of ICCA Security Index Tool (see another attachment)

Annex 8: Some Selected Photos of the Program



Participants interacting on the first day



Participants interacting on the first day



Participants on second day interaction



Participants discussing about **ICCA Resilience and Security Index Tool** on second day



Participants sharing their **ICCA Resilience and Security Index Tool** assessment value on third day



Participants discussing about **ICCA Resilience and Security Index Tool** on third day



Participants taking lunch on third day



Participants at the end of the program

“तेस्रो राष्ट्रिय भेला (Third National Gathering)”

नेपालका आदिवासी जनजाति तथा स्थानीय समुदायद्वारा संरक्षित क्षेत्र (आइसिसिए)
Indigenous and Community Conserved Areas [ICCA] in Nepal



२०६८ साल, पौष ७-९ गते
जावलाखेल, ललितपुर

22-24 December 2011
Jawalakhel, Lalitpur



आयोजक (Organizer):

फरेष्टएक्सन नेपाल (ForestAction Nepal)
 आइसिसिए नेटवर्क नेपाल (ICCA Network Nepal)