6.1.9 Nepal



Context

Chitwan and Bardiya National Parks protect globally important forests, wetlands and wildlife in Nepal's lowland Terai. Chitwan, established in 1973, covers 932 square kilometres and has a 750-square-kilometre buffer zone. Bardiya covers 968 square kilometres, with a buffer zone expanded to 507 square kilometres. These landscapes are home to tigers, rhinoceroses, elephants, dolphins, crocodiles and other species, but also to dense, diverse populations including Tharu, Bote, Majhi, Chepang, Sonaha, Dalits, landless households and long-term settlers. Many depend on farming, forests and rivers for food, fuel, fodder, fishing and construction materials. Park creation followed earlier royal hunting regimes and involved large-scale displacement, including more than 20,000 people from Chitwan and 1,572 households from Bardiya's Babai Valley. Buffer zones were introduced in 1996 to improve participation and benefit-sharing, but the study shows that the older fortress-conservation model remains embedded in law and practice.

Conflict description

The conflict combines insecure tenure, criminalised subsistence, militarised enforcement, wildlife damage and contested governance. Four groups face distinct land grievances: Indigenous communities dispossessed during park creation; landless Dalits and squatters occupying land for many years; 'unmanaged settlers' believed to own land elsewhere; and registered owners whose certified land became inaccessible after river shifts or incorporation into park boundaries. In Bardiya's Geruwa area, Tharu owners still pay land tax but cannot enter or cultivate land now treated as park territory. Laws privilege formal certificates and bar the Land Issues Resolving Commission from granting titles inside protected and buffer-zone areas, leaving long-established settlements under continual threat of eviction. The National Parks and Wildlife Conservation Act also prohibits customary activities such as fishing, grazing and collecting grass, fuelwood, food, herbs or building materials. Bote and Majhi communities obtained licensed fishing only after prolonged struggle. Enforcement has produced serious violence. In 2010, army and park personnel killed three Tharu females, including a 12-year-old child, while they collected forest products in Bardiya. In 2020, Raj Kumar Chepang died after alleged torture following detention for collecting snails in Chitwan. That year, park authorities also evicted 11 Chepang families from Kushumkhola. Meanwhile, growing wildlife populations impose heavy costs: crops, livestock and homes are damaged, and people are killed. Compensation is often inadequate and unavailable to residents without land certificates. Park authorities retain strong control over buffer-zone committees and over the 30 to 50 per cent of park revenue allocated for local development. Marginalised residents report limited representation, opaque allocations and exclusion from tourism opportunities. Local governments also clash with wardens over housing, land

measurement, infrastructure and natural-resource management. These layered restrictions deepen poverty, food insecurity and cultural loss, while eroding trust in conservation institutions.

Resistance and pathways forward

Communities resist through local land-rights forums, user organisations, public-interest litigation, advocacy and refusal to leave long-established settlements. The National Land Rights Forum mobilises residents around tenure, while FECOFUN advocates equitable forest access. Civil-society groups document evictions and violence, and local governments increasingly challenge the park administration's dominance. Nepal's Constitution, the amended Lands Act, the Right to Housing Act, the Right to Food and Food Sovereignty Act and ILO Convention 169 provide potential legal foundations, but implementation is inconsistent. The Land Issues Resolving Commission offers a route to recognition, yet repeated dissolution, politicisation and statutory limits have prevented durable results. The study calls for a rights-based conservation settlement. Indigenous peoples in buffer zones should be recognised as a distinct group with historical claims, and the Lands Act should permit titles for legitimate long-term settlements. Those whose registered land was absorbed through floods or changing rivers should regain access or receive adequate compensation. Forced evictions should stop unless transparent verification, lawful necessity, resettlement and full safeguards are in place. Customary subsistence use should be decriminalised, and wildlife-relief schemes should cover informal settlers and reflect actual losses. Buffer-zone governance and revenue-sharing should guarantee meaningful representation of Indigenous peoples, Dalits, women and landless residents. The study also recommends FPIC, stronger local-government authority, effective human-rights oversight and demilitarisation in favour of community-based conservation. These reforms would not weaken biodiversity protection. They would rebuild legitimacy by recognising local communities as conservation partners and by ensuring that the benefits of protected areas are not secured through permanent insecurity for the people living around them.