

Conservation in Conflict:

The impact of the Maoist-Government conflict on conservation and biodiversity in Nepal

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Overview

Now in its ninth year of conflict between Maoists rebels and the government, Nepal has seen more than 12,000 people killed and worsening political, social, and economic instability. Dwindling government control in many rural regions has interrupted or halted the development and conservation activities of many local NGOs and international organizations. The overall lack of security has created conditions conducive to opportunistic natural resource exploitation.

On the other hand, any positive environmental side-effects of the conflict can be attributed to strong community groups or fear of violent consequences. Impacts on conservation organizations are also not uniform but depend on a number of factors including the affiliation of organization, the local Maoist leadership, and the extent to which local communities have benefited from previous development and conservation programs.

This paper analyses some of the impacts of the Maoist-government conflict on the environment, on biodiversity and on conservation organizations in Nepal. It is clear that the environmental consequences of the conflict in Nepal vary; not all impacts are negative, nor can all impacts be attributed to one particular group.

Acronyms

| | |
|-------|---|
| CIDA | Canadian International Development Agency |
| DFID | Department for International Development, United Kingdom |
| DNPWC | Department of National Parks and Wildlife Conservation, Nepal |
| FUG | forest user group |
| GTZ | German Technical Cooperation |
| HMGN | His Majesty's Government of Nepal |
| IISD | International Institute for Sustainable Development |
| INGO | International Non-Governmental Organization |
| IUCN | The World Conservation Union |
| KMTNC | The King Mahendra Trust for Nature Conservation |
| MFSC | Ministry of Forests and Soil Conservation, Nepal |
| NGO | Non-governmental organization |
| NRs | Nepalese rupees |
| ODI | Overseas Development Institute |
| PA | protected area |
| RBNP | Royal Bardia National Park |
| RCNP | Royal Chitwan National Park |
| RNA | Royal Nepal Army |
| SNP | Sagarmatha National Park |
| SNV | Netherlands Development Organization |
| UNDP | United Nations Development Program |
| VDC | Village Development Committee |
| WCPA | World Commission on Protected Areas |

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1. Introduction

The following study was carried out in Nepal between August 18, 2004 and February 1, 2005. This period coincided with a marked increase of Maoist activity in the capital, Kathmandu. On August 17th, the Soaltee Crowne Plaza Hotel, one of Kathmandu's oldest premiere establishments, was bombed. This was generally seen as a way to force compliance with a Maoist order "bandh" (strike) rather than a direct attack on foreign tourists. On the same day, the rebels instituted a week-long blockade of the capital, not by force, but through intimidation and the threat of violence.

In the following weeks, the Maoist rebels stepped up their efforts to target the elite of Kathmandu. The Soaltee bombing sent a powerful message. Nearly 60 major industries and businesses remained closed amid Maoist threats, putting tens of thousands of people out of work. The Maoists argue that this recent campaign brings attention to exploitive wages and working conditions endured by the employees of these companies.

As a result of the conflict, over 12,000 people have been killed and more than 200,000 have been internally displaced. Hundreds of thousands more have fled to neighbouring India (Global IDP Database, 2004). Tens of thousands of school children have been abducted and taken to indoctrination camps (Human Rights Watch, 2004). School teachers, government officials, field staff of development organizations, as well as ordinary citizens have been targeted for extortion (Gersony, 2003; Global IDP Database, 2004; Human Rights Watch, 2004; Rajdhani, 2004).⁴ Dwindling government control in rural regions has interrupted or halted effective development efforts for many NGOs, international organizations, and donors.

Essentially, this study attempts to understand the impacts that the conflict has, both on the environment and on the ability of conservation organizations to work in conflict-affected regions. The report begins by looking at the loss of infrastructure from the protected area (PA) system in Nepal. A combination of factors, including Maoist attacks on guard posts, reallocation of troops to battle the insurgency, and the loss of political will for environmental conservation may have created conditions conducive for opportunistic resource exploitation.

The paper will look specifically at the increase in poaching of one of Nepal's most significant species, the Asian one-horned rhino. It will investigate forest conservation and the alleged illegal harvesting of timber by independent poachers, Maoists, and government security forces. It will also focus on the illegal harvesting and smuggling of yartsa gumba, a valuable medicinal herb, as well as the effects of tightened security on resource gathering by buffer-zone communities around the Royal Chitwan National Park (RCNP).

A number of positive environmental "side-effects" of the conflict will also be explored. Some regions of Nepal have benefited from forest regeneration and a decrease in poaching. In some cases it is due to the involvement of strong community groups, such as Forest User Groups (FUGs), whereas in others it may be because of large-scale human migration, for example, away from the middle hill region.

⁴ Also, personal interviews conducted with numerous development organizations, as well as a high ranking government official. Identities protected by request for security concerns.

Next, the authors examine the effects of the conflict on conservation organizations and the development community. Impacts are not uniform throughout the country but depend on a number of factors, including the affiliation of organization, local Maoist leadership, and the extent to which local communities have benefited from development and conservation programs. Finally, this report analyzes the role of conservation and development communities in Nepal during the conflict and recommends strategies for how these organizations can continue their activities despite the conflict.

2. Methodology

This paper is based on a review and examination of information gathered from a variety of sources including published literature, annual reports from development organizations and government agencies, and several newspapers. In addition to published source materials, interviews were conducted with primary sources including non-governmental organizations (NGOs), international organizations, a government official, a journalist, a Nepali scholar, and written correspondence with several professionals.

Due to the instability created by the armed conflict, travel outside of the capital for research was minimal; thus, the bulk of sources were Kathmandu-based. This could have potentially skewed the results toward official viewpoints which might not necessarily reflect reality on the ground. Government press releases and international non-governmental organization (INGO) annual reports seldom mention any setbacks or hardships endured due to the conflict.

To counter this bias the authors sought out those whose motivations were not dependent on political affiliations or donor funds. They made liberal use of independent newspapers as well as conflict assessment reports written by outside parties. Unfortunately, this report does not include firsthand perspectives from Maoist rebels or rural villagers.

Because of the sensitive nature of the topic, and owing to the fact that the majority of those interviewed preferred to remain anonymous, it was decided to keep all responses confidential. This not only protects the identity of those who shared their experiences, but also keeps their staff and local partners from scrutiny. In instances where specific organizations are mentioned, the information was obtained from the public domain, namely through published annual reports and newspapers, and is cited as such.

There are many other important factors related to the conflict in Nepal not represented in this report. Among these are the ideologies of the respective parties, human rights aspects, gender issues, caste discrimination, civil society development, economics, and the moral dilemmas inherent in violent conflict. All of these elements certainly have a role to play in the conflict, but for the purpose of this document, the focus remains with impacts on the environment and the development community.

This report is by no means a complete picture of the conflict in Nepal, even with respect to the environment and conservation organizations. Neither does this report claim to cover all impacts, but merely constitutes a review dependent upon available information. Clearly, the full extent of impacts will not be known until the conflict is resolved.

3. Environment-Conflict Linkages

Conflict stems from a complex interaction of numerous interconnected variables (Homer-Dixon, 1994, 1999; Matthew et al., 2001; Plumptre et al., 2001; Shambaugh et al., 2001). These variables or root causes are frequently grounded in discrimination and/or exclusion of opportunity and exacerbated by demographic pressures.

The environment is one such variable which is seen as increasingly important in understanding conflict. On a broad level, this relatively recent field of research can be termed as environmental security (Homer-Dixon, 1999; Schwartz and Singh, 1999). This field branches out into many different topics and sub-issues that examine the links between the environment and conflict from a multitude of perspectives dependent on how one defines security, the type of conflict, and the nature of the environmental pressure or stress.

There are three primary schools of thought surrounding the environmental variable: the neo-Malthusians, the neo-classicists, and the distributionist perspective. The Malthusian view (so named for the 18th century economist, Thomas Malthus), is based on the finiteness of natural resources placing limits on human population and consumption; exceeding these limits leads to environmental degradation, poverty, and societal collapse (Homer-Dixon, 1999). Neo-classicists, otherwise known as economic optimists, argue that a properly functioning economic market provides incentives and encourages conservation, resource substitution, and technological innovation (Klem, 2003). The distributionist perspective focuses on inequalities in the distribution of resources, power, and wealth. Distributionists see poverty and inequality as causes (not consequences) of high population growth rates and unsustainable resource practices (Homer-Dixon, 1999).

Resource scarcity has been the most widely researched variable in the environment-conflict field thus far. Scarcities can arise from resource degradation or depletion, from increases in population or consumption that raise resource demand, and from unequal resource distribution among social groups (Homer-Dixon, 1994, 1999; Dabelko, 1996; Schwartz et al., 2000; Diehl, and Gleditsch, 2001).

These forms of scarcity can also interact with other mechanisms in ways that can have extensive consequences for human populations who directly depend on the environment for their subsistence. One such mechanism, resource capture (Homer-Dixon, 1999), occurs when dominant groups in a society shift the policies, laws, and institutions governing distribution of resources in their favour. Ecological marginalization is another mechanism which occurs when a structural imbalance in resource distribution links with rapid population growth to drive resource-poor people into ecologically marginal areas (Dabelko, 1996).

From this point, the topic of environment and conflict can be narrowed further to violent conflict, and whether environmental scarcity, directly or indirectly, causes violence. Environmental variables can be the cause of conflict: scarcity of resources, resource degradation and depletion, competition for resources, inequality in access or opportunity to resources; as well as a means to continue conflict: resources being used to finance arms and sustain conflict, protected areas of high diversity being used as harbours, and proliferation of illegal trade networks due to weakened security. The environment is an underlying variable that can influence or intensify a conflict (Dokken and

Graeger, 1995; Dabelko, 1996; Dabelko et al., 2000; Klem, 2003). The other side of the coin, which is the focus of this report, looks at the impacts of violent conflict on the environment.

Environmental impacts vary due to the scale, intensity, and length of the conflict (Shambaugh et al., 2001). The primary direct impacts of violent conflict on the environment occur through habitat destruction, loss of wildlife, over-exploitation and degradation of natural resources, and pollution (Matthew et al., 2001). These impacts occur for subsistence, strategic, or commercial reasons, and may directly or indirectly affect the environment (Shambaugh et al., 2001).

Habitat destruction may occur due to military actions to improve mobility or to deny enemies sanctuary, such as clearing of forests and vegetation (Kalpers, 2001; Matthew et al., 2001). Habitat destruction also occurs from over-exploitation of natural resources such as timber, oil, diamonds, gold, and other valuable minerals (Shawcross, 2000; Plumptre et al., 2001; Squire, 2001). Loss of wildlife occurs due to habitat destruction, and increased levels of poaching (Blom and Yamindou, 2001; Hatton et al., 2001; Jacobs and Schloeder, 2001), including valuable and endangered species, due to decreased security or a breakdown in community based norms which dictate resource use patterns. Subsistence needs of internally displaced people (IDPs) places increased burdens on local natural resources bases. IDPs can also degrade local environments causing severe destruction, pollution, and disease (Matthew et al., 2001; Shawcross, 1984).

As noted above, linkages between the environment and conflict stem from a complex interaction of numerous social, political, and economic variables. Often the conflict turns violent, leading to devastating impacts on the environment, and negative consequences for the subsistence needs of the people who depend on the natural resource base for their livelihoods.

4. The Maoist Conflict

When, in February 1996, the Communist Party of Nepal-Maoist (Marks, 2003) took up arms and proclaimed a people's war to seize political power, their message had a strong appeal to the under-represented rural masses. The Maoists began their revolution by attacking police posts and local administrative offices, Village Development Committee (VDC) offices, banks, local landowners, and politicians of mainstream parties. In short, they targeted anything that had ties to the government; the institutions of old that were governed largely by the patronage system.

After paying little attention to the remote Maoist insurgency in the west of the country for several years, thus giving the revolution precious time to grow, the monarchy and the fledgling democratic government finally began to take notice toward the end of the 1990s. In June 2001, there was a dramatic power shift in Nepal when King Birendra and eight other members of the Royal family were shot to death by Birendra's son, Dipendra, who had been denied permission to marry the girl he had chosen. Birendra's brother, Gyanendra, came to the throne. Gyanendra is generally seen as less conciliatory than Birendra and has less support from the Nepali population; consequently many argue that his accession has actually bolstered the Maoist-Government conflict.

Nevertheless, a temporary ceasefire was agreed in July 2001, followed by two rounds of negotiations between the government and the Maoists. The talks failed after the two sides could not agree on several key issues, chief among which was the Maoists' demand to abolish the monarchy. In November 2001, a State of Emergency was declared. For the first time King Gyanendra ordered the Royal Nepal Army (RNA) rather than the Nepalese police to fight the Maoists. In effect, this dramatically escalated the conflict despite repeated half-hearted attempts at negotiation. In January 2003, the Maoists announced a ceasefire. Negotiations were held over the next several months, but in August, the talks collapsed and fighting resumed (Oli, 2004).

The Maoists have intensified their grip on rural Nepal and demand various forms of support from the local population: food and shelter; labour for community projects; institution of recruitment policies such as "one household one child"; defensive military strategies like "one school one bunker"; kidnapping tens of thousands of students and teachers for ideological indoctrination sessions; and the extortion of "donations" from many Nepalese. Depending on the source, the Maoists are said to have primary control of between 40 to 75% of Nepal.

The RNA often accuses the peasantry of complicity when confronted with the stark reality that they have virtually no influence anywhere outside of a district centre or the capital. Government security forces are slowly overcoming their inexperience of fighting a guerrilla style war with training and modern weapons from foreign countries; namely the United States, Great Britain, India, and China. However, their brutality often compares with that of the Maoists, and in reality, the RNA is responsible for more Nepali casualties than the Maoists. At the time of writing, Nepal held the dubious distinction of being ranked first in the world for disappearance of citizens by the state (Human Rights Watch, 2005; United Nations Commission on Human Rights, 2005).

5. The Environmental Impacts of the Conflict

Nepal's approach to conservation has been multi-faceted, controversial, and sometimes groundbreaking. Biodiversity conservation has primarily involved establishing protected areas (PAs). This entailed the setting aside of significant portions of land, often at the expense of local populations, implementing strong conservation strategies which frequently alienated people, and using the army to enforce the protected areas.

Linked to PAs was the establishment of buffer zones around six national parks (table 5.1). The buffer zone system in Nepal attempts to balance the needs of people with conservation. People living in the vicinity of PAs are entitled to certain benefits, economic and otherwise, to reduce their consumption of resources within PAs. Overall, the benefits have been limited, and consequently, pressures on natural resources have often not been significantly reduced.

Community forestry in Nepal succeeded by allowing local community groups, such as Forest User Groups (FUGs), to manage local forests and maintain control over revenues. Over the years, community forestry has also been an instrument to realize the value of self-governance and democracy at the grassroots level. This program is now threatened by government taxation and Maoist takeover.

Historically, environmental stress in Nepal could be attributed to rapid population growth, centuries of poverty, corruption, poor governance, and the inequitable distribution and control of resources. These same stresses are still very much prevalent today. Coupled with a lessening of government control and a loss of security in many regions, and the current state of Nepal emerges.

The true extent of environmental impact of the conflict will likely remain unclear until after the conflict is resolved. Nevertheless, some preliminary conclusions can be drawn from the available evidence. Not all impacts are negative, nor can all impacts be attributed to a particular group. On the one hand, the majority of negative impacts can be classified as opportunistic endeavours while others originate from poverty. They occur due to a lack of local security. On the other hand, most positive environmental impacts can be attributed to strong community groups or fear of violent consequences.

5.1 Impacts on Protected Areas

The modern era of conservation began in 1973 when His Majesty's Government of Nepal (HMGN) established the Department of National Parks and Wildlife Conservation (DNPWC) and Protected Area Legislation. Throughout the following years, the DNPWC established several PAs which currently include nine National Parks, three Conservation Areas, three Wildlife Reserves, and one Hunting Reserve (Table 5.1). In addition to these sixteen PAs, six National Parks have established Buffer Zones where resource use by local peoples is regulated to promote sustainability. Presently, 18.33% of the total area of Nepal is afforded protected area status (HMGN/MFSC, 2002).

Table 5.1

| Protected Areas of Nepal | |
|---|------------------------------|
| National Parks | |
| Royal Chitwan National Park (1973) | 932 Km ² |
| Royal Bardia National Park (1976) | 968 Km ² |
| Sagarmatha National Park (1976) | 1,148 Km ² |
| Langtang National Park (1976) | 1,710 Km ² |
| Rara National Park (1976) | 106 Km ² |
| Khaptad National Park (1984) | 225 Km ² |
| Shey Phoksundo National Park (1984) | 3,555 Km ² |
| Makalu Barun National Park (1991) | 1,500 Km ² |
| Shivapuri National Park (2002) | 144 Km ² |
| Wildlife Reserves | |
| Koshi Tappu Wildlife Reserve (1976) | 175 Km ² |
| Royal Suklaphanta Wildlife Reserve (1976) | 305 Km ² |
| Parsa Wildlife Reserve (1984) | 499 Km ² |
| Hunting Reserve | |
| Dhorpatan Hunting Reserve (1987) | 1,325 Km ² |
| Conservation Areas | |
| Annapurna Conservation Area (1986) | 7,629 Km ² |
| Kanchenjunga Conservation Area (1997) | 2,035 Km ² |
| Manaslu Conservation Area (1998) | 1,663 Km ² |
| Buffer Zones | |
| Royal Chitwan National Park Buffer Zone | 750 Km ² |
| Royal Bardia National Park Buffer Zone | 328 Km ² |
| Sagarmatha National Park Buffer Zone | 275 Km ² |
| Langtang National Park Buffer Zone | 420 Km ² |
| Shey Phoksundo National Park Buffer Zone | 449 Km ² |
| Makalu Barun National Park Buffer Zone | 830 Km ² |
| Total Area Protected | 26,970 Km² |
| Percentage of Nepal | 18.33% |

Source: DNPWC Annual Report 2003

After the DNPWC was established, the RNA was positioned within the PAs to protect valuable natural resources and to limit biodiversity loss. These units served as a strong psychological deterrent to poachers and illegal dealers in wildlife species and their products (DNPWC, 2003). Presently, due to the conflict between the Maoists and the government, RNA units have largely withdrawn from extensive portions of PAs and are limited to patrolling areas close to PA headquarters.

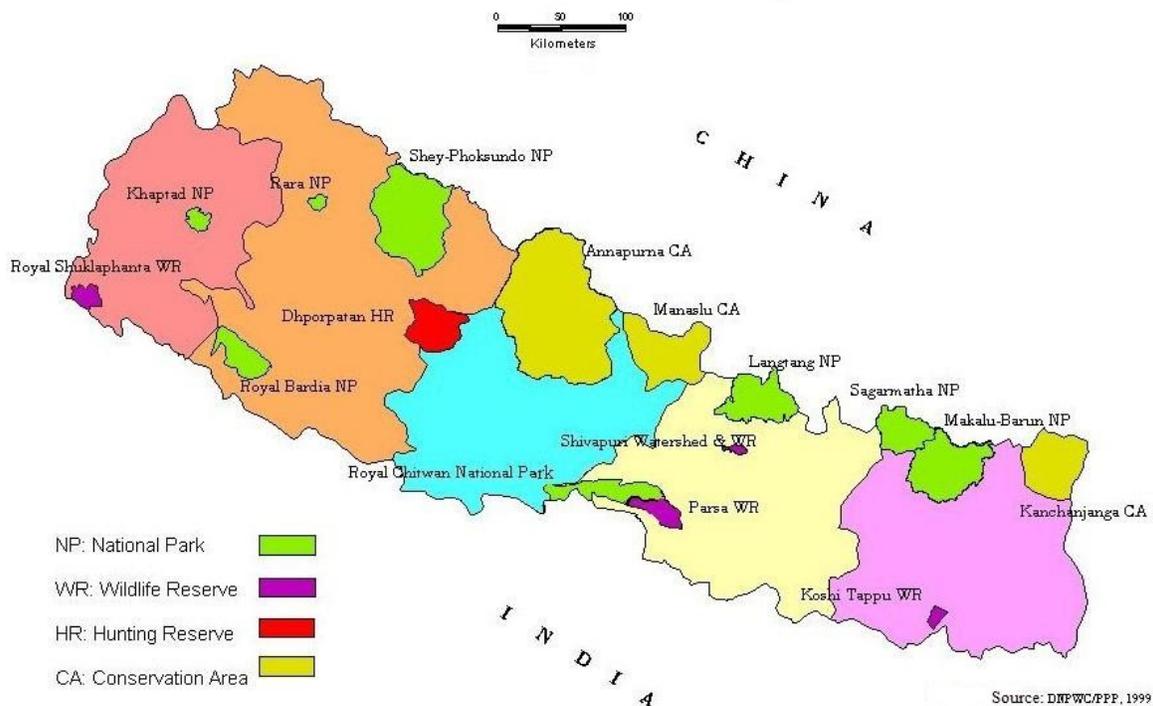
Safeguarding of PAs began to deteriorate after November 2001, when the RNA became engaged with fighting the Maoists. For units stationed within PAs, their mandate changed from patrolling and protecting PAs to combating Maoist forces as well. This, in turn, made PAs and the military units within them a target for Maoist attack.

The Maoists began their assault on PA infrastructure by striking and destroying outlying PA guard posts and offices (see following accounts). Such outposts were remote and sparsely staffed, and

consequently extremely vulnerable. This largely succeeded in pushing the RNA and PA staff into PA headquarters which are government controlled. Presently, many PAs are poorly guarded and therefore vulnerable to unchecked resource extraction and biodiversity loss.

PAs can currently be categorized in two ways, those with army soldiers and those without. PAs without soldiers are allegedly occasionally used by the Maoists as training grounds. Two PAs where there is currently no permanent government presence and where the Maoists are thought to be highly active are Dhorpatan Hunting Reserve and Makalu-Barun National Park.⁵ Dhorpatan Hunting Reserve is located in mid-western Nepal and is a Maoist stronghold. Makalu-Barun is located in northeastern Nepal and lies adjacent to Sagarmatha (Mount Everest) National Park. There is concern that Maoist influence could spill over into Sagarmatha, an UNESCO World Heritage Site and one of Nepal's most famous national parks.

Protected Areas of Nepal



Prior to Maoist attacks on PA infrastructure, there were 112 guard posts positioned throughout Nepal's PAs. By 2002, this number had been reduced to 34, a 70% reduction (Yonzon, 2002). The Maoist attacks on PA infrastructure should be seen as attacks against the government and not PAs themselves. The conservation ethic of the Maoists is unknown. Outside of isolated instances, there is no evidence to suggest that biodiversity conservation of PAs is suffering due to Maoist activities. Environmental impacts within PAs largely stem from decreased security, allowing opportunistic increases in resource taking.

In an interview with a high-ranking government official, his primary concern was how to monitor what is going on within PAs. He stated, "Five years ago, I was not afraid to travel anywhere in

⁵ Personal interview conducted with government official in August, 2004. Identity protected for security.

Nepal. Now I'm apprehensive about visiting certain areas [Maoist influenced] of the country." This official's homeland, where he still has extended family, is now considered to be a Maoist stronghold. "I regularly receive telephone calls to my office asking for donations [payoffs]. Threats are made against my family, and I have to negotiate with the Maoists over the price of the donation to keep my family from harm."⁶

The following excerpts briefly describe the loss of security and infrastructure from several PAs due to Maoist attacks. These events span from 2001-2004 and are sourced from several newspapers. The accounts, for the most part, represent government positions. These events support the general theme stated above, that PA officials and RNA units have been pushed out of most PAs and presently control local areas proximate to PA headquarters.

Royal Chitwan National Park

Since the state of emergency was declared in November 2001 and the RNA was redeployed for counter-insurgency, there has been a sharp rise in rhino poaching. "The number of army posts were reduced, and the incidence of poaching started growing," says Laxmi Manandhar, an official at the DNPWC and former Chief Warden of RCNP. By 2003, only 7 of the 42 army posts in RCNP were manned (Phuyal, 2003a).

Royal Bardia National Park

According to the Chief Warden, Gopal Prasad Upadhyaya, encroachment inside the park, together with poaching of its species, increased after the eight security posts inside the park were redeployed during the insurgency. "Though the RNA personnel have returned to the barracks, the removed security posts in the park have not been re-activated yet," said Upadhyaya. "Not only poaching, even encroachment of the park area is on the rise" (The Kathmandu Post, 2003).

Sagarmatha National Park

A report prepared by Bruce Jefferies, a World Heritage Advisor with the World Commission on Protected Areas (WCPA) had this to say about Sagarmatha National Park: "The whole area around the park headquarters has been heavily trenched, encircled with barbed wire hung with tin cans, and generally is very disturbed. Several thousand young trees have been hacked down and most others severely pruned. The prohibition on cutting of green firewood and keeping of livestock inside fenced areas are ignored. In a nutshell, there is considerable evidence of actions undertaken by the military that destructively compromise Sagarmatha National Park and World Heritage values and principles, which need to be addressed in an open and objective manner" (Khadka, 2002).

Shey Phoksundo National Park

Shey Phoksundo, at 3,555km², is Nepal's largest national park. After Maoist militia raided the district headquarters in the summer of 2000, killing more than 20 policemen, law enforcement officials have quietly abandoned their duties out of fear. After the massacre, policemen were confined to the district headquarters. "You never know when you will meet the Maoists. And we do not have any arms to defend ourselves," one park ranger confided. A high-ranking army officer admitted there is no more patrolling. "Since the Maoist insurgency, police have pulled back, rangers don't go out patrolling anymore, the army stays in the barracks, and poachers are having a field day" (Khadka, 2001).

⁶ Personal interview conducted with government official in August, 2004. Identity protected for security. A donation is the term used to describe extortion practices employed by the Maoists. Though not widely admitted, this form of extortion is very prevalent in Nepal.

Makalu Barun National Park

The Maoists destroyed the park headquarters and area offices, forcibly evicting 60 staff from the park. “We don't know what's happening inside the park,” Nilambar Mishra, the park's warden said. “But what I can say for sure is that there are a lot of illegal activities, such as logging, poaching and even trading going on there” (Phuyal and Adhikari, 2003).

Shivapuri National Park

Before November 2001, RNA soldiers were deployed at 21 different outposts in and around the park. Now the army is present only in four places. Villagers say there has been an upsurge in the incidents of logging and small-time poachers have increased their activities as well (Phuyal, 2003b).

Royal Suklaphanta Wildlife Reserve

Officials of the Royal Suklaphanta Wildlife Reserve (RSWR) are finding it difficult to manage this area in the far-western Terai Region of Nepal. In 2001, the government agreed to provide an army unit to protect the area. However, it has remained on paper only as the Ministry of Finance could not allocate additional funds for the needed security. The Maoists have destroyed five ranger posts (Shrestha, 2002) and ambushed a vehicle carrying staffers of the RSWR and other civilians, killing two reserve employees and nine others (Thapa, 2004).

Dhorpatan Hunting Reserve

In June 2001, the Maoists attacked a reserve office and since then the officials stationed there have all relocated to the district headquarters. The absence of government officials has allegedly led to an increase in the poaching of rare and endangered species within the reserve (Gautam, 2004).

Annapurna Conservation Area

Officials are concerned for projects in the Annapurna Conservation Area after numerous Maoist attacks. The King Mahendra Trust for Nature Conservation (KMTNC) launched the Annapurna Conservation Area Project (ACAP), the first and the largest conservation area in Nepal in 1986. In November 2002, Maoists attacked the main office, set it ablaze and ordered the staff not to return (The Himalayan Times, 2002). Currently, ACAP remains a particular Maoist target because the organization is headed by Crown Prince Paras. In May 2004, Maoists killed two prominent Ghandruk hoteliers (Ghandruk is a popular trekking stop on the trail to the Annapurna Region) and closed two trekking lodges. The Maoists continue to extort money from local entrepreneurs including hotel owners and trekking companies, as well as foreign trekkers (Poudel, 2004).

Buffer Zones

Buffer zones are contentious by their very nature. Some view the purpose of a buffer zone as an extension of a PA, installed to further protect biodiversity. Others argue that the primary role of a buffer zone is to integrate PAs and the people who rely on these areas for resource extraction and livelihoods. Nepal currently has buffer zones established around six national parks (table 5.1).

The Department for National Parks and Wildlife Conservation (DNPWC) claims to have adopted a conciliatory approach when setting up buffer zones that aims to involve local communities in the participatory management of park resources. These local communities are then entitled to receive 50% of the revenues generated by the PA for community development. The objective of this approach is to gain the support of local communities for biodiversity conservation.

The Nepal Biodiversity Strategy (HMGN/MFSC, 2002) states that buffer zone development is designed to meet local needs and reduce the dependency of local people on PA resources by developing an alternative natural resource base in the buffer zone. These strategies include organizing local community user groups, capacity-building, income generating activities, and green enterprises such as eco-tourism.

The primary problem with the buffer zone system in Nepal is that it has not lived up to these expectations. The benefits have been limited, and therefore the expectant behaviour change which would reduce pressure and enhance the conservation of biological diversity has not happened as envisioned. To highlight this argument, we look at tourism, which was expected to play a primary role in generating revenue for buffer zone communities.

Tourism is one of Nepal's major foreign currency earners. However, tourism only generates sizable revenues for two of the six parks that have buffer zones, namely the Royal Chitwan and Sagarmatha National Parks. Local communities living in and around buffer zones of the other parks then cannot rely on tourism as a significant source of revenue.

Further hampering efforts of reliance on tourism is the conflict between the Maoists and the government. After November 2001, when the state of emergency was declared, tourism in Nepal's major national parks decreased on average by about 50%. Tourist arrivals in the Royal Chitwan decreased by 45% and revenue generation by 47%, and Sagarmatha National Park saw 28% fewer visitors (The Himalayan, 2003).

5.2 Biodiversity Conservation: Negative environmental impacts

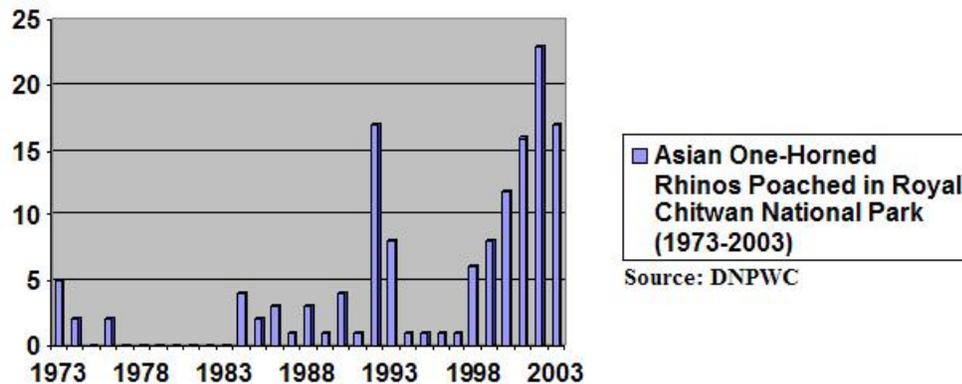
The current state of Nepal's Protected Areas potentially leaves many species at risk from poaching and/or overexploitation. Currently, it is unclear what effect a reduced RNA/park official presence will have on Nepal's PAs. Except for large, easily tracked species, like the one-horned rhino and other large mammals, the status of biodiversity within the PAs is unknown. Even less information is available for Maoist controlled areas.

5.2.1 Asian One-Horned Rhinos

The only reliable data existing for poaching of a significant species is for the Asian one-horned rhino. This is due to its high profile after decades of successful conservation efforts for the species. Poaching of Asian one-horned rhinos increased significantly after the state of emergency was declared in November 2001. The reduction of RNA units within the PAs and the ensuing attacks by the Maoists on park offices and security forces left rhino populations vulnerable to poachers.

A census conducted in 2000 recorded 612 Asian one-horned rhinos in Nepal. The majority (529) were recorded in Royal Chitwan National Park (RCNP), with the remainder in Royal Bardia National Park (RBNP) and the Royal Suklaphanta Wildlife Reserve. According to the DNPWC, 33 rhinos were poached in Nepal from 1973-1990 (Rana, 2003). In a DNPWC annual report, a total of six rhinos were poached in the RCNP in 1998 (Sigdel, 2003). In 2002 (April 2002 to March 2003), 23 one-horned rhinos in the RCNP and eight rhinos in the RBNP fell victim to poachers, a total of 31; and in 2003 (April 2003 to March 2004), 17 one-horned rhinos fell to poachers in RCNP and RBNP. Park officials credit the 2003 decrease to the arrest of 50 rhino poachers and a strengthening of anti-poaching units within rhino parks (Chapagain, 2004a). More recently, in a

2005 press release, the DNPWC attributed 101 rhino deaths to poaching in the previous five years (2000-2005) in RCNP.⁷



5.2.2 *Gharial Crocodiles*

Gharial crocodiles are the most endangered crocodylian species in the world and endemic in just a few major river systems of northern India and Nepal. The Kasara Gharial Breeding Center (KGBC), located in RCNP, has been successfully raising gharials in captivity since 1977. Nepal's wild gharial population currently stands at about 100 specimens. The KGBC currently has over 350 gharial hatchlings, but its activities are threatened by budget cuts. Since the government declared the state of emergency in November 2001, the environment sector has been increasingly under funded. Last year's environment budget was reduced by 14%. The budget reduction this year has translated into a 50% cut in funds for the gharial center (Dhakal, 2004). This could be a serious blow to a crucial link in the gharial's survival in Nepal.

5.2.3 *Wildlife Smuggling*

In April 2003, police seized 109 spotted leopard skins from a bus bound for Tibet (Adhikari, 2003). In October 2003, a seizure near the Tibetan border contained 32 tiger, 579 leopard and 666 otter skins (Shandip, 2004). In March 2004, security forces recovered a cache containing body parts from endangered species. The cache was discovered in Daklang on the way to Tibet's Khasa Bazar along the Arniko Highway. Security personnel recovered 172 pieces of rhino skin, seven tiger skins, six unidentified cat skins, and 165 tiger bones (The Kathmandu Post, 2004). What is not stated in these reports however is the possibility that some of these shipments may have been en route from India to Tibet, traveling through Nepal. These shipments are quite large and may constitute smuggling from more than one region or country.

5.2.4 *Forest Conservation*

Community forestry in Nepal has played an integral part in halting forest degradation in recent years. The concept of turning over significant forest resources for local community management has proved immensely beneficial for the people and the environment. Until recently, community forestry programs were relatively unaffected by the conflict, owing primarily to their popularity among local communities.

Community forestry involves handing over use rights and management to local people who have traditionally used the forests and are willing to accept management responsibility. Community forestry in Nepal has evolved through policy restructuring and strengthening of rules and

⁷ HMG, Department of Protected Areas and Wildlife Conservation, 2005. Rhinoceros counting in Royal Chitwan National Park. Press release.

regulations on local control over forest resources (Oli, 2003). The first legislation that encouraged involvement by local people in natural resource management was the National Forestry Plan of 1976.

Over the years, community forestry has evolved into a highly successful strategy for forest regeneration. Currently, an estimated one million hectares of mostly degraded forestland has been brought under successful community forestry programs in which nearly 13,000 user groups have been formed to manage forest areas, benefiting about 1.5 million households (Jayaswal and Oli, 2003).

Community Forestry and the Maoists

Forest conservation has the potential to suffer serious setbacks from the conflict between the Maoists and the government. The breakdown of law and order in the country threatens many community-based forest conservation institutions. While many of these institutions are still operating, the functions of others have been reduced considerably, and some have stopped altogether as a result of the conflict. In the context of forest conservation, Community Forestry User groups (CFUGs) are of special interest because many have evolved during the conflict and continue to operate.

CFUGs are motivated by economic benefits. In the process of maximizing benefits these groups have developed core values of conservation and a sense of self-reliance. Despite the conflict, many of these institutions are still functioning at the local level, providing a cushion of neutrality for the Maoists and the RNA.

The conflict has reduced employment and funding in the conservation and development sector and many poverty reduction programs have thus become victim to the Maoist insurgency (Oli, 2004). This has forced many NGOs to seek alternative methods to continue to work at the local level. Because of CFUGs resilience and continued presence during the conflict, NGOs and other urban-based civil society groups have started to work through these CFUGs. These grassroots institutions now form a vital link between Nepali civilians, the government, NGOs, and the Maoists in forest conservation management. Currently, local CFUGs and buffer zone community user groups are a key element in natural resource management in Nepal.

In some regions, Maoists have forced NGOs and CFUGs to register with their government (the *Jana satta* or People's Government) so that they can track the flow of funds and charge tax. Although many have expressed their reluctance to register with the Maoists, many of them are reported to have made secret arrangements and secured permits from the rebels to continue to work in rural areas.

A further potential threat to community forestry is a newly imposed government tax on revenues earned by CFUGs. To the Maoists, this decision signalled government involvement, and the rebels responded by taking over CFUGs in some areas, expelling elected members and reforming the groups with their own committees. For example, in Achham district, the Maoists have allegedly seized 210 of the 255 community forests. The newly constituted CFUGs now pay a tax to the Maoists instead of the government (The Kathmandu Post, 2003).

The following table (Table 5.2a) charts the rise and decline of community forestry in Nepal from 1988 to 2004. The data shows a decline in community forest handover from 1996 onward, the year the violent conflict began.

Table 5.2a Community Forests

| Year of Community Takeover | Number of User Groups | Hectares of Forest Handed Over | Number of Households Involved |
|-----------------------------------|------------------------------|---------------------------------------|--------------------------------------|
| 1988 | 1 | 27 | 53 |
| 1989 | 10 | 567 | 35 |
| 1990 | 42 | 1,973 | 1,115 |
| 1991 | 87 | 5,012 | 4,492 |
| 1992 | 349 | 20,845 | 12,973 |
| 1993 | 737 | 52,121 | 36,214 |
| 1994 | 1,225 | 88,763 | 80,944 |
| 1995 | 1,655 | 120,818 | 142,839 |
| 1996 | 1,763 | 156,899 | 178,670 |
| 1997 | 1,588 | 133,695 | 196,614 |
| 1998 | 1,442 | 135,767 | 177,366 |
| 1999 | 1,156 | 100,027 | 168,770 |
| 2000 | 1,067 | 90,714 | 135,406 |
| 2001 | 841 | 83,600 | 121,746 |
| 2002 | 592 | 50,667 | 93,827 |
| 2003 | 557 | 40,833 | 62,230 |
| 2004 | 430 | 32,449 | 49,109 |

Source: Department of Forestry, 2004.

Forestry Infrastructure

In much the same way that PAs lost ranger posts and RNA units, some forests in Nepal have lost forest offices and ranger posts to Maoist attacks. Twenty eight district forest offices and 235 ranger posts have been destroyed. Forest guards are afraid to enter forests due to possible attacks from both security personnel and the Maoists. In the absence of forest offices and forest guards, smuggling of timber has allegedly increased considerably (Chapagain, 2002).

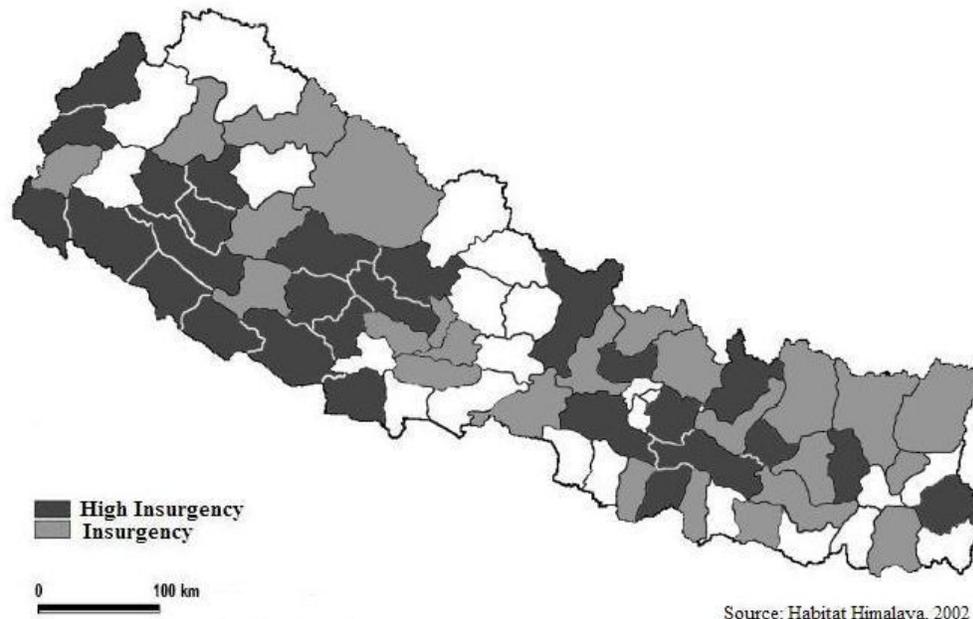
Timber Poaching

Timber poaching is by no means uniform throughout the country and is particularly prevalent in accessible areas. For example, some areas of the Terai region are especially vulnerable to illegal timber extraction because of their proximity to India, where the high demand can bring lucrative profits. Also, some areas within the Terai forests were previously used commercially for revenue generation and resettlement; therefore, there are few indigenous institutions for community management in place.

In other regions, timber extraction allegedly continues unabated in the absence of security forces. Areas that are patrolled by government security forces often fare little better as poachers know when and where security patrols will make their sweep. Furthermore, security patrols will not usually venture far from their barracks and they head back to base well before dark.

Timber smuggling in Maoist influenced areas is dependent on local cadre leadership. Maoists in some areas protect forests and hunt down poachers, and in other areas, the Maoists have taken over community forests and are using the profits made from timber to finance their activities (Shrestha, 2004).

Insurgency in District Level Forest Areas



5.2.5 Non-Timber Forest Products

The highest profile non-timber forest product (NTFP) is yartsa gumba (*Cordyceps sinensis*), an expensive medicinal herb that grows wild in the western highlands. Yartsa gumba is believed by some to be an aphrodisiac which cures impotence and increases energy levels. The medicinal product is the result of a parasitic interaction between a caterpillar and a fungus (Bauer, 2004). Yartsa gumba is highly sought after on the international market and can be sold for a very high price. Its price in the local market is said to be NRs 70,000 to NRs 100,000 (US\$900-\$1,300) per kilogram while it can fetch as much as NRs 200,000 (\$2,500) on the international market (Chapagain 2004b).

Sources say yartsa gumba is being smuggled out of Nepal to India and China in large quantities and both the security forces and the Maoists are benefiting from this illegal trade. Merchants who transport the medicinal herb pay off whoever the controlling force is in a particular region, be they Maoist or government (Rakaya, 2003). Reports suggest that revenues generated from yartsa gumba exceed NRs 20 million for a single season, which constitutes more than the development budget of some districts.⁸ Instituting proper controls on yartsa gumba could provide local communities with enormous revenue potential.

⁸ Anonymous source.

5.3 Biodiversity Conservation: Positive impacts

Positive environmental side-effects of the Maoist conflict have been observed in some areas of Nepal. Most visible, has been regeneration of forests in some mid-hill regions. Two such districts, Kabhre and Sindhupalchok, both east of Kathmandu, have seen dramatic growth in forest cover in the last several years. Forest regeneration has been so successful that locals are noticing a return in various wildlife species (Shrestha, 2004).

As discussed previously, community forestry has had tremendous positive socio-economic and environmental impacts in Nepal. This program is one possible reason for the remarkable regeneration of forests and the return of some species of flora and fauna in a few regions over the preceding years. Though it still operates successfully in many regions of the country, this program is currently under dual assault from government taxation and Maoist takeover.

Another plausible explanation for any positive environmental impacts from the conflict is the dramatic out-migration of economically active males from the mid-hill regions of Nepal. Men in many villages have simply left for fear of being recruited into the Maoist forces, while others have fled out of fear of being targeted by security forces as collaborators. This emigration has drastically depopulated some districts (Global IDP Database, 2004), consequently reducing environmental pressures.

Another reason for positive impacts stemming from the conflict is that poachers are afraid to enter forests. Both Maoists and security forces have been known to injure or to kill poachers. A further reason for decreased poaching in some districts may be that both security forces and the Maoists have confiscated firearms from local populations. Finally, increased security in some areas has decreased mobility of some rural peoples. These factors, stemming from the conflict, have resulted in positive impacts in forest rejuvenation and a return of wildlife in some regions.

These impacts, while positive for the environment, have negatively impacted local human populations, and may have increased environmental impacts in other areas. For example, the depopulation of some mid-hill regions has increased pressure on forests in the Terai in the south, and along Nepal's northern border with Tibet (Oli, 2002; Shrestha, 2004).

6. Development and Conservation Organizations

The most obvious challenge to development and conservation organizations in Nepal has been the safety and security of staff. Initially, many organizations responded to the escalation in violence post-November 2001 by withdrawing many of their staff to district centers or Kathmandu.⁹ While effective in reducing vulnerability, it also limited the extent of outreach and temporarily halted much of their work.

Presently, security concerns are the primary condition of site selection and project implementation for most development organizations. This criterion automatically reduces development initiatives in areas that have often been disregarded in the past, namely remote regions currently under Maoist influence. This is troubling, as it is resentment over previous neglect that in part drives the present Maoist movement.

Working in conflict-affected zones brings into question notions of neutrality. Most mainstream development organizations are highly conscious of not contributing to the conflict. If project members are victims of assault, kidnapping, or murder, then the decision to remove staff is an easy one to make. But decisions over whether or not to give in to Maoist demands for “donations” or to register with the New Government in order to continue working in remote areas are more difficult.

As noted earlier, extortion by way of “donation” is common in many Maoist controlled areas. Development and conservation organizations are not immune from this phenomenon. Certainly, most headquarters based in Kathmandu have an official policy prohibiting the paying of donations. The reality, however, is that many project field personnel working in Maoist influenced regions pay donations. In interviews, several people responded similarly to the question of donations. “If project work is to continue in Maoist areas, then payment must be made. Field staff members are not in a position to refuse requests for donations.” They admitted that the practice of paying donations is common, and that the local or district level staff are not honest with headquarters about this practice because of anxieties regarding job security.¹⁰

Another issue is the Maoist practice of disbanding community-based organizations with connections to the Nepali government (HMG/N). As discussed previously with community forestry, in many Maoist influenced areas, groups are required to register with the *Jana Satta* (the New Government). This presents a challenge. Donors and development organizations, principally based in Kathmandu, work closely with government ministries and are certainly not allowed to work with the opposition established in outlying regions. However, the reality is that much of rural Nepal is under Maoist control and development organizations have had to be somewhat resourceful. Officially they do not work with the New Government, but instead work through community organizations that have reformed with the authority and approval of the Maoists.

It is worth noting that very few organizations have published their experiences of the challenges presented by the conflict. Also, in researching this report, the authors experienced reluctance from individuals and institutions to share information. Others painted a very optimistic picture, providing

⁹ Also see GTZ, 2002; Seddon and Hussein, 2002.

¹⁰ Paying of “donations” was acknowledged as common practice by field staff. Interviewees requested anonymity. Also, see GTZ, 2002; Dhakal 2003b.

no information as to hardships endured as a result of the conflict, even when published accounts existed to the contrary. Furthermore, with respect to government institutions, it was often the case that the state of emergency was invoked to deny access to public records.

The following list contains examples of organizations negatively affected by the conflict between the Maoists and the government in Nepal. Many of the international organizations are not conservation specific in their missions but contain an environmental component within their multifaceted programs. Impacts are not uniform throughout the country but depend on a number of factors including, but not limited to, organizational affiliation, local Maoist leadership, and the extent to which the local community benefits from the project.

A legitimate criticism is that only the negative impacts are highlighted below; this is true. Many organizations continue to work in conflict-affected regions throughout Nepal. Information regarding their work and the positive impacts that various organizations are having on conflict-affected areas of Nepal are readily available through the respective institution's annual report. These reports tend to thoroughly document successes, but scarcely contain more than a line or two on the problems encountered.

- **CARE Nepal:** Maoists looted eight field offices in Bajura district in 2001 and demanded that the organization leave all Village Development Committees (VDCs) in their jurisdiction (Seddon and Hussein, 2002).
- **German Technical Cooperation (GTZ):** A road building program was closed down in Gorkha district after Maoists took NRs 700,000 from the implementing NGO in 1998. It was two years before the project restarted. Armed Maoists stole seven tons of rice from a rural program in Dailekh district in 2001. Maoists attacked 5 farmer co-operatives and about 90 rural finance project offices, burning official documents and looting cash (GTZ, 2002).
- **Multiple Organizations:** In May 2004, GTZ, SDC, CIDA, DFID, SNV, European Union, JICA, Royal Norwegian Embassy, Royal Danish Embassy/DANIDA and the Finnish Embassy (see list of acronyms on page ii) issued a joint press statement, suspending all of their development activities (including community forestry) in the western Kailali, Jumla, Humla, Mugu and Dolpa districts due to serious demands and threats made by the Maoists (Lutheran World Federation, 2004). This was deemed a temporary suspension; however, at this time it is not clear whether development activities have fully resumed.
- **Peace Corps Nepal (PCN):** Until recently, PCN had been active in Nepal for decades. Their Natural Resources Program consisted of five components including community forestry, soil conservation, national parks, NGO development, and the Institute of Forestry. At their height, PCN worked in 54 districts throughout the country. By September 2004, PCN operations had been reduced to just 21 districts. However, by mid-

September 2004, the Peace Corps suspended their operations in Nepal for the first time in 42 years citing concern over volunteer safety.¹¹

6.1 Conflict Sensitive Development and Conservation

It is safe to say that before November 2001, the Nepali government, NGOs, and international development and conservation organizations underestimated the power and reach of the Maoist movement. They were in a state of denial about where the conflict was heading and were inadequate in dealing with the root causes of the conflict. The root causes are generally agreed upon as widespread poverty, widening inequality and growing resentment over corruption and bad governance (GTZ, 2002).

Despite five decades of development programs, and over \$5.2 billion in foreign aid, the absolute number of poor people in Nepal has increased since the mid-1980s, whilst the distribution of income has become more unequal (Blaikie et al., 2001; Seddon and Hussein, 2002; World Bank, 2003).

The importance of conflict resolution to future sustainable development is slowly being realized. Increasingly, more development organizations are conducting internal reviews of how their operations can better respond to the conflict. A few now have full-time conflict advisors on their staff, (DFID, GTZ, and SNV); some have brought in security specialists to assess the situation and provide an analysis (DFID, GTZ, ODI, SDC, and UNDP). In addition, bilateral and multilateral donor agencies working in Nepal have agreed to a set of security related guidelines by which they currently operate (Appendix I).

¹¹ Personal interview conducted in September 2004. Identity protected for security. Two weeks after this interview the Peace Corps Nepal Program was suspended and all volunteers evacuated from Nepal citing security concerns.

7. Conclusions

The conflict has obscured much of the information on the current state of the environment in Nepal. The conservation community needs to find a way to monitor the impacts on the environment which is acceptable to both the Maoists and the government. This is essential in order to safeguard biodiversity and promote the conservation of Nepal's natural resources.

Currently, there is very little dialogue within conservation and development organizations on how to continue working amid the conflict in Nepal. Field practitioners are not honest with their headquarters about the threats they face for fear of losing their jobs. Headquarters are not honest with their donors about their declining effectiveness for fear of reduced funding.

It seems that the majority of development and conservation actors are waiting for the conflict to end so they can resume their activities as usual. In short, these organizations are avoiding addressing their working policies until macro-level change takes place. Instead conservation and development organizations need to adapt their policies to move from a development model that is practicable in times of peace to a model that recognizes the current situation of violent conflict.

It is unclear how much conservation organizations have been affected by the conflict. The authors found very few official sources that were forthcoming in describing organizational setbacks. We are grateful to those who shared this information, and came away with the general impression that the development community has been greatly impacted. This is further reinforced precisely because of the lack of dialogue from organizations.

Leading conservation organizations like IUCN-The World Conservation Union and the World Wildlife Fund (WWF-International) can and should be taking a principal role within the conservation community to try to resolve the conflict. Neither the environment nor the people of Nepal can afford another nine years of conflict.

8. Recommendations for Good Practice

Assessments of the conflict in Nepal have resulted in recommendations by several conflict advisors as to how development organizations can decrease their risks as well as increase their effectiveness in implementation and delivery of services to conflict-affected areas. These innovative strategies currently constitute a working definition for good practice during the ongoing conflict in Nepal.¹²

Safety

- Improve the communication structure within the organization, especially between field staff and headquarters, to insure the safety and security of staff and local implementing partners.
- Provide conflict training for staff to facilitate a broader understanding of the conflict and its causes.
- Maintain political neutrality.

Planning

- Reassess programs through a conflict-sensitive lens.
- Focus on participatory, livelihoods, and rights-based approaches.
- Better allocation of resources in addressing the root causes of the conflict.

Execution

- Implement pro-poor and quick impact initiatives.
- Implement projects through locally recruited staff and community-based organizations.

Assessment

- Be diligent about making sure that development efforts do not inadvertently fuel the conflict.
- Transparency regarding finances; institute public auditing system so local communities are aware.

Coordination

- Recognize the value in sharing information and experiences between members of the development community.
- Collectively apply pressure to all parties involved in the conflict to genuinely work toward a peaceful solution.

¹² These elements of good practice were synthesized from several sources: interviews (especially helpful were the conflict advisors for SNV, GTZ, and DFID); published conflict analyses on Nepal by GTZ (2002), and the Seddon and Hussein (2002) report for ODI.

Appendix I:

Security Related Operating Guidelines Agreed to by Bilateral and Multilateral Donor Agencies Working in Nepal¹³

The objectives of our work in Nepal are to contribute to improvements in the quality of life of Nepali people and to support the creation of a just and peaceful society in which all members can lead lives free from poverty. We condemn all acts of violence, threat and intimidation.

We agree to the following operating guidelines:

1. We operate in a manner that does not endanger our staff, partners or project participants.
2. We do not work in an environment where authorities and/or communities attempt to force us, or our staff, to compromise our core values or principles.
3. We do not support agencies or groups with aims which conflict with our core values and principles.
4. We do not make contributions to political parties and we do not pay 'protection money' or any other kind of forced contribution in cash or in kind to any party.
5. Donor agency equipment or supplies will not be used for purposes other than those stated in program objectives.
6. Vehicles belonging to donor agencies and their partners will not be used to transport persons or goods which have no direct connection with the donor agency or partner or with the project or program to which the vehicle has been allocated.
7. No armed or uniformed personnel are allowed to travel in vehicles belonging to donor agencies or their partners.
8. We seek to recruit a diverse staff on the basis of merit, qualification and suitability for defined job positions. We do not allow our staff hiring process to be influenced by political considerations or ethnic or religious biases.

¹³ A group of donors (Norway, United Kingdom, Canada, Switzerland, Denmark, Germany, Finland) working in Nepal formed the Peace Support Group in 2001 and produced these guidelines to conduct their Programs by; they also established a trust fund to support local initiatives for peace and development.

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