



Narrative Report for the Workshop on Protected Areas, People, and Global Biodiversity Framework Implementation in India

Organized by: Kalpavriksh Environment Action Group, Pune, KHOJ Amravati-, and Tata Institute of Social Sciences, Mumbai

Date: 7th-8th August, 2024

Venue- Tata Institute of Social Science, Mumbai Campus

❖ Introduction

With the objectives of developing a collective understanding of the Kunming-Montreal Global Biodiversity Framework, its goals and targets, and its implications on indigenous/tribal and other forest dwelling communities living in Protected Areas in India, Kalpavriksh, in collaboration with KHOJ, Amravati, and Tata Institute of Social Sciences, Mumbai, organized a two-day workshop. The workshop, attended by representatives of local communities, civil society organizations, independent researchers, and and scholars, discussed the Framework, its current implementation in India, and the status and impact of Protected Area Governance in India.

❖ Brief details about the sessions:

1. Session 1: Understanding the Kunming Montreal-Global Biodiversity Framework

The first session of the workshop titled “Understanding the Kunming-Montreal Global Biodiversity Framework was moderated by Mrs. Neema P. Broome, from Kalpavriksh and the panelists were Mrs. Meenal Tatpati, and Ms Shruti Ajit, from Women 4 Biodiversity. Mrs Tatpati provided a detailed background of the Convention on Biological Diversity and the genesis of the KMGBF. The discussions then proceeded to understand the specific goals and targets under the framework, which led to the



question “How do we monitor the implementation of the framework?” Mrs Tatpati then shared about the monitoring framework that has been put in place, and the different types of indicators for the various targets.

Ms. Shruti Ajit explained the National Biodiversity Strategy Action Plans. She provided a timeline for drafting and implementing the plan in India, including the laws and policies legislated toward fulfilling India’s obligations to the CBD. Ms. Ajit then briefly spoke about the current progress towards drafting the NBSAP in India, the focus on Protected Areas, and the status of the Other Effective Area-Based Conservation Measures (OECMs) in India.

2. Session 2: Forest Rights Act, policies and practice of relocation from protected areas

The second session, chaired by Dr. Asmita Kabra, professor at Ambedkar University, Delhi, included sessions by Kalpavriksh, Tata Institute of Social Science, and KHOJ, Amravati. Ms. Ishika Patodi and Ms. Esha Joshi, from Kalpavriksh, provided an overview of the status of Protected Areas in India, its expansion and management, the laws and policies that govern PAs, and the consequent impacts on the forest-dwelling and dependent communities in India. The impacts centered around the restriction of rights of communities and restrictions to use and access PAs, conservation-induced displacement, and other forms of marginalization and criminalization of such communities.

Dr. Geetanjoy Sahu, on behalf of the TISS team, presented in detail the legal and policy framework for conservation-induced relocation in India, discussing the philosophy and the process, including national and federal regulations legislated in the context of relocation in India. The speaker shared the changes in the policies over time, beginning from 1973, up to the current times. The speaker also shared about the difference in the data shared by central government agencies and the actual status on the ground, the procedural violations documented in specific protected areas in India, and the need to democratize the relocation process, wherever necessary.



Ms. Purnima Upadhyay provided a detailed analysis of the implementation of the 'Critical Wildlife Habitat' process in Maharashtra, the status of the ongoing case related to CWH in the Mumbai High Court, and the procedural lapses that have occurred in the process, and the implications on forest-dwelling and forest-dependent communities. Khoj, Amravati is also a party to the case, and Ms. Updhyay brought forward the violations that have been observed in Melghat Wildlife Sanctuary, Gugamal National Park, Wan Wildlife Sanctuary, and Ambabarwa Wildlife Sanctuary.

3. Session 3: Updates from Central India

The third session was the first panel for sharing experiences and information from the ground. Speakers from four tiger reserves: Satkosia Tiger Reserve, Melghat Tiger Reserve, Panna Tiger Reserve, and Achanakmar Tiger Reserve, encompassing four states in India, spoke about the status of PA governance, the impacts on the communities residing within these PAs, and the implementation status of the FRA. Two local community members from Achanakmar TR viz. Hira Maravi and Sant Jagat began the session by outlining the issues faced by communities in Achanakmar. They discussed the threats caused by tourism and road infrastructure projects, the lack of action on IFR and CFR claims and the high-handedness of the forest department. They also emphasized the poor relocations from the Achanakmar Tiger Reserve.

Mr Ashok Satapathy, an independent consultant, who has worked in Satkosia tiger reserve for over two decades, provided details on the relocations that have taken place from Satkosia, highlighting that the poor conditions of the communities post-relocation has created amongst other villagers on whether relocation will benefit them or not.

Ms. Arpitha working with the NGO Dhaatri also shared her inputs on the situation in Panna. She detailed issues including the Tiger-Human conflict, restrictions on the collection of non-timber forest produce, displacement of villagers without payment of due compensation and illegal diamond and stone mining in the core areas of the reserve.



Ms. Purinma Upadhyay from Melghat Tiger Reserve discussed the status of villagers after relocation highlighting the deplorable conditions in the villages they are relocated to and the fact that many feel the need to return to their forest-dwellings.

4. Session 4: Updates on Project Cheetah in India

This was a session on “Project Cheetah”, a scheme by the Government of India for the introduction of African Cheetahs into the Indian landscape. Mr. Ravi Chellam led the session tracing the history of the project including legal milestones, the distribution of Cheetah populations across both India and Africa, the cause of their decline and the possible ramifications of such a reintroduction for the project landscape (viz. Kuno National Park in Madhya Pradesh, India) and other species that need to be the focus of conservation efforts in the country such as the Great Indian Bustard and the Asiatic Lion.

5. Session 5: Updates from North and North East- India

The second day began with updates from Protected Areas in North and Northeast India particularly, Dibang Valley Wildlife Sanctuary in Arunachal Pradesh, Kaziranga National Park in Assam and Rajaji National Park in Uttarakhand. The session was moderated by Dr. Madhusudhan MD. The session began with updates from Kaziranga National Park and Tiger Reserve. The speakers detailed the expansion of Kaziranga National Park and Tiger Reserve, the boundaries of which have been added to 10 times since it was first declared as a Protected Area in 1905. This expansion was often characterised by illegal land grabbing, displacement of local communities against the provisions of the law, a loss of livelihood for the local adivasi community and a push for “sustainable” tourism. They also discussed the increased militarisation of Kaziranga wherein, violence against local people found within its boundaries has become a norm. A recent incident wherein, forest department officials physically assaulted members of the community and damaged their property in search of a community leader protesting against illegal expansion of the PA, was also recounted.



Mr. Aito Miwu, then discussed the situation in the Dibang Valley Wild Life Sanctuary in Arunachal Pradesh. The area was declared a WLS in 1998 despite objections from the local Idu-Mishmi Community. Post the discovery of tigers in the Area in 2012, plans were drawn up to declare parts of the WLS a Tiger Reserve. In January 2022, the community held its first gram sabha to discuss the TR and decided to oppose the declaration of a TR. They sent multiple letters in pursuance of this and also undertook their own studies demonstrating the effectiveness of community conservation methods and the presence of tigers in Community Conserved Areas rather than the sanctuary. They also detailed tactics employed by forest authorities to push for the declaration of a TR in the area including circumvention of FRA and blaming the local community for poaching within the sanctuary.

Mr. Mohammad Meer Hamja from the Van Gujjar Community in and around Rajaji National Park and Tiger Reserve was the last speaker for this session. He began with explaining the history of the Protected Area which is the oldest in the country and its expansion. Details were provided about the push for tourism in the PA, militarisation of the Area, the illegal eviction of the community members from within the PA, and the adverse impact of the same on the health of the forest. For instance, a ban on the grazing of cattle within the PA has stymied the growth of the forest as Van Gujjar's Gojri Buffaloes have been instrumental in seed dispersal and fertilisation of the lands they graze in. This has also often resulted in deaths of the cattle as they are pushed out of their traditional zones and onto human occupied grazing areas. The resettlement policy of the State which, does not allow the 2nd generation to inherit land granted to their parents as part of a resettlement package was also explained.

6. Session 6: Updates from South India

Session 6 consisted of updates from South India, particularly from the Protected Areas of Mudumalai, Nagarhole, Amrabad, and Sathyamangalam, and was moderated by Mr. Pradyumna Behera from the Community Network Against Protected Areas. The session began with insights from Mudumalai Tiger Reserve (MMTR) from a local community



member, Mr. Rajesh who joined the session virtually. He discussed the status of 'Particularly Vulnerable Tribal Groups' in the area. There have been several IFR claims from this community but so far only 62 have been approved and the majority have been rejected. Although several Gram Sabhas have been conducted, implementation of the Forest Rights Act has been low and communities have suffered. He gave several examples such as the notification of Elephant Corridors without the community's approval, loss of grazing and fishing rights due to relocation and forceful evictions in some villages without grant of due compensation. Where relocation has taken place, there have been no schemes and facilities to benefit the communities.

Bagvanidhi M from the Keystone Foundation added to Mr. Rajesh's commentary on MMTR and also shared updates from Satyamangalam. He mentioned that in Mudumalai, the Irula tribal community has managed to organize itself and fight for their rights but in the rest of Tamil Nadu, community mobilization has faced barriers. He talked about a solution proposed by the community in MMTR to remove plants of the invasive species 'Senna', which would restore forest health as well as provide a source of livelihood for the community. However, this solution was rejected by the forest department which uses a machine. The noise from this scares the tigers and increases human-animal conflict. He highlighted the overall incongruence between the community and the forest department. In Sathyamangalam, CFR rights granted in Erode district have been more like permissions rather than rights with there being restrictions on the community's movements within the PA. Several IFR claims have been rejected in Theppakad with only homestead rights granted. There have also been studies that indicate that the forest department has attempted to sow divisions between the Adivasi communities and the 'Other Forest Dwellers' by de-prioritizing the latter's claims. He also addressed the issue of an increase in elephant corridors in the State of Tamil Nadu and their impact on the local communities. The forest department is also failing to take other actions for elephant conservation such as planting and regeneration of bamboo



and other plant species favored by the elephant. Finally, he stressed the need for communities to have access to places they have traditionally held to be sacred.

Mr. JA Shivu spoke about the situation in Nagarhole, evoking the sentiments of the community through a song in the local language. According to him, the community does not believe in the concept of 'Protected Areas' and the land that is being 'protected' by the forest department is and has always been community land. They have had a symbiotic relationship with nature for a long time and they have successfully conserved the forest and wildlife. He expressed disapproval of conservation driven by 'Forest Department' and discussed restrictions placed on the community by the NTCA. He concluded by stressing the flaws in the conservation system and the need for communities to fight their own battles.

Nori Krishna Teja on behalf of community member T Leeladhar spoke about Amrabad Tiger Reserve. He discussed the community-led initiatives for conservation in the area and social benefits undertaken in the area. He also discussed the difficulties faced by the Chenchu Tribe in claiming IFR rights due to them being nomads. Mr. Leeladhar stated that the issues faced by the community here are similar to those faced by communities across India highlighting the effects of increasing tourism, lack of FRA implementation, violence by the forest department, mining and relocation of local communities.

7. Session 7: Collaborative governance in Protected Areas in context of CFR implementation in Protected Areas

In this session, persons from protected areas that have witnessed the grant of community forest rights on a significant level shared their insights. The PAs in question were Simlipal Tiger Reserve, Udanti-Sitanadi Tiger Reserve and Bhimashankar Wildlife Sanctuary. Mr. Nityanand Rai from Simlipal started off the session with background on the PA. He mentioned that Simlipal was one of the first tiger reserves to receive CFR recognition with all 44 villages in the PA having received CFR rights today. He discussed the work of the Community Forest Resource Rights Management Committee including



documentation, issue of transit permits for honey and setting up of eco-development committees. He highlighted that grant of CFR does not mean a halt on relocations from the forest. Mr. Maheshwar Naik, a local community member from Achanakmar supplemented Mr. Rai's discussion on CFR stating, that despite grant of CFR rights, villagers still faced restrictions in entering areas over which said rights have been granted.

Mr Vijendra Pardhi and Mr. Arjun Nayak discussed the situation in Udanti-Sitandi Tiger Reserve where 8 villages have been granted CFR rights with another 20 villages having filed claims in 2022-23. They also detailed the functioning of the CFMRC and highlighted other issues in the reserve including access to NTFP, violence by the forest department, restrictions on activity within the reserve and also conservation-induced displacement.

Mr. Subhas Dolas from Bhimashankar detailed the status of CFR claims in the village. He highlighted the forest department's reluctance to grant CFR titles on the grounds of a threat to biodiversity within the sanctuary and the lack of knowledge about the rules and laws of the claims process. The CFMRC although operational do not have adequate funds and the JFM often interferes with its functioning.

❖ **Reflections on the goals of the workshop**

The workshop provided a common space to the participants to come together and discuss a broad range of issues in the context of conservation and India's role viz-a-viz global negotiations and agreements. The first session led to broader discussions on the underlying gaps in international negotiations, regional and national laws and policies, and the actual situation on the ground. The need for an active network to advocate for the rights of communities to reside within currently designated "wildlife habitats" and for an inclusive conservation framework was emphasized. It led to a fruitful discussion on how civil societies can engage in such processes, and to what extent. An important point of discussion in the session was on the indicator frameworks developed for monitoring progress of the framework implementation, and a critical take on the lack of



accountability by respective nations while submitting their report as Parties to the CBD. With only a peer review auditing process at the CBD, how are alternative voices being heard at the global level, and what happens if the respective nations do not report on the violations happening on the ground, or provide incorrect information to the CBD.

The session on laws and policies helped shed light on the Protected Area situation in India, the institutional framework that has been established for relocation, the underlying challenges in its implementation, as well as the procedural violations observed in the declaration process for areas considered 'important for wildlife'. The sessions helped establish a pattern in the PA governance process in India especially the impact on forest dwelling and forest dependent communities in India, and the resistance by the state in democratizing conservation, seen primarily through the poor implementation of the FRA in Protected Areas in India. Moreover, the sessions also provided an overview to the various laws and policies with regard to conservation, the statutory protection to communities mandated by the law.

The three regional updates on the on-ground situation in different protected areas across the country by community representatives, and representatives of civil society organizations working with such communities provided a thorough analysis of the issues that were discussed in preceding sessions while also bringing out contextual differences from various regions. It also allowed a critical review of the former discussions on international negotiations and the national laws and policies. The prospect of commercial tourism, primarily in 'tiger reserves' seen across the country and its negative impact on the ecology, as well as the local communities, was a common concern that was raised amongst different groups. The rapid digitization of claims under the IFR was brought up by the team in Achanakmar, where it was mentioned that the digitization of claims was done in a manner where the communities ended up receiving fewer titles than they had claimed. While laws and policies have been put in place in order to "empower" communities towards the assertion of their rights, an observation was made on the procedural delay from the administration which



inherently leads to the disempowerment of the communities. A new area of concern that goes beyond Protected Areas is the need for wildlife corridors. In the Southern states, as shared by representatives from Tamil Nadu, Elephant corridors were notified without prior consent of the communities residing in those areas, and the entire process was conducted in an unscientific manner.

The subsequent session on understanding models of co-existence brought about interesting discussions on the inter-relationship between communities and wildlife, and how the states, through an exclusionary view on conservation, ignore such relationships, undermining conservation efforts by the communities. The speakers also highlighted efforts by the communities to conserve their forests, through mapping and documentation of their landscapes, and the creation of management plans. Livelihood generation through NTFP collection has allowed for stronger conservation efforts, as well as sustenance for the communities. However, there was also a strong emphasis on how the forest bureaucracy still continues to wield power over the forests under the garb of wildlife conservation, and how, even after CFR titles being distributed to communities, the forest department continues to impose restrictions on the activities of communities. To summarize the words of a participant “The Adivasis have always been considered as labour by the forest department, initially it was for timber, then the narrative shifted to wildlife conservation, then tourism, and now the focus is shifting to Carbon. We need to be mindful that in the CFR implementation process, we do not become, yet again, a labour of the FD. FRA is a small window to take back power. Knowledge built for oppression cannot be used to dismantle the power hierarchies. While formulating CFR Management Plans, we need to go back to our roots, to our traditional management practices. It is a long process, but it needs to be done.”

The final session served as a platform to circle back on some of the discussions that took place over the two days and to work towards strategies as a collective.



1. The need for community-led documentation of their cultures and traditions and their relationship with biodiversity was strongly advocated. Friends from Dibang Valley, Arunachal reinforced their purpose of fighting science with science, and how it has borne positive results in their context and stated the need for doing the same in other areas as well.
2. Collective Strength and mobilization: Many communities in different parts of the country have been facing similar issues due to the exclusionary policies and practices with regard to conservation. A need for collective strength to advocate for the rights of communities. The participants emphasized the need for a network for learning and sharing of information as well as for need-based advocacy
3. Representation at negotiations: A major gap in advocacy has been the non-representation of ground voices in the international stage. More often than not, the state in its reporting does not voice the concerns of the communities on the ground. Women Caucus, Indigneous Caucus and Youth Causes are spaces where the civil society can engage in processes like COP.
4. Political Advocacy: Participants shared the need for strong political advocacy, during the election period, as well as with MLAs and MPs who are elected as people's representatives in the state and center. Moreover, the issues faced by communities on the ground need to be discussed in the state and union legislature to influence policies that take into account the rights of communities.
5. Revival of cultures and traditions: The exclusionary conservation policies of the state have not only affected the rights of communities but also led to a disconnect between the communities and their cultures and traditions. Restriction of access to forests means a breakdown of the relationship between Adivasis and their forests, with which their cultural ties are intrinsically linked.
6. Sharing of positive stories: As a participant shared "Bad news travels fast as light, but good news is often unheard of", there needs to be more spaces for highlighting stories that show Adivasi and other forest-dwelling communities have been conserving their forests.



7. Translations: Despite their being laws and policies that provide statutory protection to communities, there is less awareness about these laws and policies, and more efforts need to be made toward the dissemination of information to communities on the ground. The use of English and Hindi languages and translations was highlighted as a barrier, and many suggested that laws and policies, acts, and policy briefs, need to be translated into regional languages for more awareness.