

Resolution of the Grassroots Consultation

Consultation On CBD Post - 2020

Global Biodiversity Framework & Domestic Implications

Date : June 24-26, 2022

Venue : KRAPAVIS Training Center, Alwar, Rajasthan

Organised by: Krishi Avam Paristhitiki Vikas Sansthan (KRAPAVIS)



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This grassroots consultation was organized by Krishi Avam Paristhitiki Vikas Sansthan (KRAPAVIS), with the support of ICCA Consortium and Kalpavriksha, at KRAPAVIS' Oran training Centre Alwar, on 24 to 26 June 2022. The objectives of the consultation were, to:

- Understand, engage and deliberate on the post-2020 global biodiversity framework and related targets (with particular focus on 30x30 target on protected areas) of the Convention on Biological Diversity (CBD), Other Effective Area Based Conservation Measures (OECMs) and their possible implications on ground in India in general and Rajasthan in particular.
- Understand communities' concerns/priorities regarding area-based conservation
- Discuss and collate the plethora of issues of PAs (Protected Areas) across Rajasthan
- Discuss and collate information and action plan for threats to CCAs (particularly to Orans/commons) & to communities
- Understand, engage and deliberate on different legal categories of PAs, particularly looking at Community Reserves, Conservation Reserves as well as the Forest Rights Act as legal tools for inclusiveness in PA management and governance in the context of Rajasthan.

Over 65 people including community leaders, researchers, experts, NGOs representatives, and government officials from National Biodiversity Authority (NBA), Rajasthan State Biodiversity Board (RSBB), Livestock department, etc. participated in the consultation. People working in and around many wildlife sanctuaries and tiger reserves from several states were also participated in the consultation.

One of the major issues discussed was dislocation of poor communities for the cause of conservation and ecology leading to loss of human habitats, loss of livelihood resources, and difficulties in access to forests and commons. Expansion of protected areas have created a lot of problems at the community level. In all the state decisions about PAs, constitutional provisions are ignored. We see growing inequality during at all the levels. Conservation should be contextualized with due recognition of livelihood needs and their customary rights. Dislocation caused by protected areas may be understood by four cases. Some of the areas that we are highlighting and need immediate attention are as follows.

Expansion of Protected Areas

- Bandh Baretha Wildlife Sanctuary, Rajasthan. There is a proposal to extend the boundary of the sanctuary; people feel threatened by impending dislocation. Livelihood resources and commons in the area are already threatened by mining. The extension of the sanctuary will only add and intensify the difficulties.
- Kumbhalgarh Wildlife Sanctuary, Rajasthan. Pastoralist Raika community living around the sanctuary has lost access to forest and commons inside the sanctuary as the permits for grazing were withdrawn, and entry in the forest is restricted as Kumbhalgarh is also declared as Tiger Reserve. Not only their traditional livelihood is breaking down for the Raikas, along with that the inter-community relations based on pastoralist way of life is also breaking down.
- Ranthambore National Park (Tiger Reserve), Rajasthan. People dislocated from the core area in the early phase are yet to be resettled adequately. Two communities, Meena and Gujjar were displaced. It has been particularly difficult for the pastoralist Gujjars who, without access to forests and grazing land, were to adapt to agriculture. It is also to be noted that once a village is identified for dislocation, all development projects in the village comes to a halt, and basic provisions such as water, health care, school, take a much longer period in the new settlements.

Expansion of Mining Areas

- Tal Chhapar Wildlife Sanctuary provides habitat for faunal species such as black buck or blue bull, including provides habitat to rare, endangered and threatened species of flora and fauna. Being an arid region, there is less and erratic rainfall in the area. The water used by the flora and the fauna of the sanctuary and nearby villages, primarily originates from the streams of water which flow during the rains from the mountainous area. Most of the communities who own livestock and depend highly on the grassland land for grazing and on the nearby water

body and its catchment areas where the water flows from the adjacent hills. As per the guidelines and circular dated 31st July, 2013, the ESZ extends up to 10 km around the Tal Chhapar Sanctuary and covers the Gopalpura village and the adjacent mountainous area. But under the Draft Notification, the above mentioned area is excluded or reduced to 3 Km from ESZ, which would lead to the granting of the Environmental Clearance by the MoEFCC and thus the resumption of commercial mining. There several illegal commercial mining in the nature of stone crushing activities were undertaken by the companies.

Local /Tribal communities have been traditionally protecting forest areas. Their traditional practices and knowledge are outstanding. Forests have religious and cultural significance (such as Orans) in the life of the tribes. In many PAs, the core and buffer areas are opened up for tourism. This is causing problems for both local communities and wild life. The NTFP based livelihood and local agriculture and animal husbandry based livelihood are disappearing.

Several issues emerged from the discussion on dislocation caused by protected areas: lack of any kind of assessment prior to dislocation that would have helped in systematic resettlement; lack of both adequate resettlement as well as adequate rehabilitation; neglect of FRA 2006 and PESA 1996, the former secures the rights of tribal and other forest dwelling communities, and the latter provides the tribal communities the right to self-governance. The Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act 2013 has also been neglected.

The solar energy projects have been given to developers to implement. Since solar is renewable energy, it is exempted from environmental impact assessment (EIA) though the projects encroach on village pasture, water bodies, and community forests such as Orans. The social impact assessment is also not followed in planning and implementing resettlement and rehabilitation. Here again, The Right to Fair Compensation and Transparency in Land Acquisition, Resettlement and Rehabilitation Act 2013 has been neglected.

The following recommendation made by the NBA representative for government.

- The State of Rajasthan may adapt inclusive conservation approach in implementation of Biological Diversity Act,2002, Wildlife (Protection) Act, 1972 and Forest Right Act,2006
- The conservation efforts of organizations like KRPAVIS and their network may be utilized by the State Biodiversity Board in capacity building of BMCs and preparation of PBRs
- The State Biodiversity Board of Rajasthan needs to make efforts in identification and notifying of potential Biodiversity Heritage Sites (with special emphasis on the Orans/ Dev Van) under the provisions of Section 37 of Biological Diversity Act.

- Awareness generation, capacity building and experience sharing programmes may be conducted with the selected panchayat functionaries to operationalize the BMCs and preparation/upgradation of PBRs.
- Village/panchayat level strategy and action plan for conservation of biodiversity may be developed

Conclusion/ Resolution :

A number of issues related to inclusive and rights based approaches to conservation were discussed during the consultation. Among other follow up actions, it was felt by all participants that at least three state level forums need to be constituted, namely,

1. Forum for issues related to protected areas in Rajasthan
2. Forum on issues related to Orans in Rajasthan
3. Forum on implementation of and issues related to FRA in Rajasthan

Kalpavriksh and KRAPAVIS took the responsibility for coordinating the PAs Forum

KRAPAVIS took the responsibility to coordinate the Oran Forum

Seva Mandir will be the best organisation to coordinate the FRA Forum.

KRAPAVIS, Seva Mandir and Kalpavriksh will work closely with each other on all three forums.