

State of Conservation Report of Chitwan National Park (Nepal) (N284)

1. Executive Summary of Report

Chitwan National Park (CNP), the first National Park of Nepal, established in 1973 AD, is situated in southern part of Bagmati and Gandaki Provinces and eastern part of Lumbini Province covering 952.63 sq. km. in the subtropical lowlands of the inner Tarai which spreads over Chitwan, Nawalparasi West and East, Parsa and Makawanpur districts. Due to its OUV, it has been inscribed on the World Heritage Site in 1984 under the criteria (vi) for its exceptional natural beauty, criteria (ix) for bearing outstanding ecological and biological processes, and criteria (x) for providing significant natural habitats for endangered species.

In 1996, an area of 750 Sq. km consisting of forests, human settlements and private lands surrounding (adjoining with) the Park was declared as a Buffer Zone. In 2003, Beeshazari and Associated Lakes were designated as a Ramsar Site, a wetland of International importance. In 13th April 2016, the DNPWC signed the Sister Park Agreement among the Sagarmatha National Park, the Lantang National Park, Chitwan National Park and Yosemite National Park-USA to enable experience sharing and exchange in research, monitoring and capacity building among sister park members. Nepali Army and Park authority is operating regular patrolling, jointly in core area and buffer zone area of the property. SMART patrolling, uses of Drone, CCTV camera, SMART eye camera, sniffer and tracking dogs are being increasingly integrated for constant surveillance of property. Construction of all roads and railway inside and adjacent to the property are under suspension and the DNPWC and CNP are highly attentive to oppose these roads and railways passing through the property. CNP is regularly coordinating with related governmental and non-governmental stakeholders, as well as along with the support of various conservation partners for effective law enforcement and also have been organizing several programs to capacitate Buffer zone User Committee and Buffer Zone Community Forest User Groups to advocate for the conservation of the property and livelihood improvement of buffer zone residents.

Though National Park and Wildlife Conservation Act (NPWC) 1973 and its subsequent regulations are very strict for biodiversity conservation, they have provision for indigenous people to get permission to have natural resources, which they are using traditionally on a regulated basis.

2. Response to the Decision of World Heritage Committee

2.1 Having Examined Document WHC/ 23/45.COM/7B.Add

Response – Not Applicable

2.2 Recalling Decision 44 COM 7B.188 adopted at its extended 44th (Fuzhou/online 2021) session

Response—These concerns and requests are reiterated by the committee at its 45 session (Decision 45 COM 7B.86)

2.3 Notes with appreciation the ongoing collaborative efforts to combat rhino poaching in the property, however, expresses its continued concern about the resurgence of rhino poaching and other recent deaths of rhinos reportedly linked to construction activities, requests the State Party to provide clarification on these reported incidents and to further strengthen measures within and around the property to prevent poaching:

Response- Nepali Army and Park staffs have been conducting regular patrolling and joint operational activities to prevent rhino poaching in both core area and buffer zone area of the property. Besides using modern technology such as SMART patrolling, Drone, CCTV camera, SMART eye camera, sniffer and SPY camera the park is also continuously putting notable efforts for proper collaboration and coordination with three tiers of governmental bodies (local, provincial and central governments) to control the rhino poaching and positively change the perception of relevant stakeholders towards rhino conservation. Despite of this tireless effort of Park authority and Nepali Army three poaching incidents occur in fiscal year 2080/2081 (15th July 2023 to 15th July 2024). In total 21 rhinos died in last fiscal year among them, 2 died due to poaching and 1 of them is also suspected of poaching though not verified yet and rest 18 rhinos had natural death due to old age, tiger attack and fighting with another rhino. All of these incidents were not linked to the construction activities. The poaching and suspected poaching incidents took place in Harda Khola and Badela Khola area of CNP. Park

authority and Nepali Army will continue to effectively conduct the park resources protection oriented protections.

- 2.4 Noting that the new alignment to locate the East-West Electrified Railroad outside the property is yet to be finalized, reiterates its request to the State Party to submit an Environmental Impact Assessment (EIA) of the proposed alignment which adequately assesses its potential impacts on the Outstanding Universal Value (OUV) of the property in line with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, together with a detailed map, to the World Heritage Centre for review by IUCN when it is available and before finalizing a decision on the alternative route;**

Response—Department of railway has not finalized the East-West Electrified Railroad alignment outside the property and has not preceded any legal and governmental procedure yet. Department of railway is well aware about EIA procedure and DNPWC and CNP is very sensitive to provide alternatives to such linear infrastructure development. When it comes to the finalization of the proposed new alignment for the railway, CNP is committed to find the nature based solutions and suggest the best possible alternative routes to address the potential impact on Outstanding Universal Value (OUV) of the property and submit EIA report to UNESCO.

- 2.5 Welcomes the continued suspension of the proposed road projects inside and adjacent to the property, including the construction of the proposed Terai Hulaki Highway, China-India Trade Link of Province 3 (now Bagmati Province) and Province 4 (now Gandaki Province), and the Malekhu-Thori road, as well as upgrading of the section of the Thori-Madi- Bharatpur road located inside the property, and takes note that no decision has been made on the alignments of the proposed roads that would cross the property:**

Response—DNPWC expresses its gratitude to the World Heritage Committee for welcoming our effort of suspension of the proposed road projects inside and adjacent to the property. About 25 km of Hulaki Highway lies inside the Buffer zone and about

8 km lies inside the property and Thori-Madi- Bharatpur road is the part of the Hulaki road inside the property. The Supreme Court of Nepal has also issued a verdict to stop any upgrading in the road section of Thori- Madi- Bharatpur that lies inside the property without consultation with UNESCO advisory committee. So with due respect to decision of Supreme Court and analyzing the adverse impact on wildlife due to upgrading Thori-Madi- Bharatpur road without adjoining wildlife friendly structure, DNPWC has not put further process on these roads development work. Till date Government of Nepal has not made any decision for the China-India Trade Link of Province 3 (now Bagmati Province) and Province 4 (now Gandaki Province), Madi-Balmiki road and the Malekhu-Thori road.

2.6 Also reiterates its request to the State Party not to approve any road and railway developments passing through the property, as recommended by the 2016 IUCN Reactive Monitoring mission, which would represent a potential danger to the OUV of the property, in accordance with Paragraph 180 of the Operational - Guidelines,

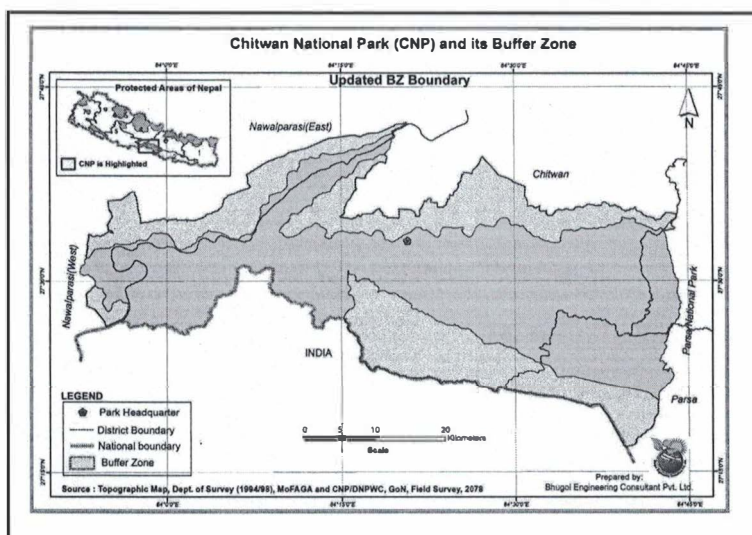
Response—All relevant aforementioned roads and railways development projects pass through the buffer zone of the park except 8 km of Thori- Madi- Bharatpur road. and Thori- Madi- Bharatpur road, Hulaki Sadak and Madi- Balmiki road have direct impact on property. Other projects such as railway lie in the Buffer zone, so they are expected to have low direct impact on the OUV of the property but no doubt that these projects may pose indirect negative impacts on property. These roads and railways are the National pride project of the country and are also considered strengthening the economy of the nation. Therefore, concerned ministries and departments, conservation-focused NGO/INGOs, communities and civil societies have been regularly advocating about the consequences of inscription of the property on the list of World Heritage "IN DANGER" accordance with Paragraph 180 of the Operational Guidelines. The DNPWC and CNP are highly attentive to oppose these roads and railways passing through the property.

2.7 Also noting the recent approval of the Wildlife Friendly Infrastructure Guidance by the Government of Nepal, also requests the State Party to provide further information regarding the proposed construction of "wildlife friendly infrastructures" inside the property, and to ensure that their potential impacts on the OUV are assessed in line with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, prior to any decision that would be difficult to reverse

Response– Wildlife Friendly Infrastructure Directives, 2022 was approved by the Government of Nepal to guide the construction of linear infrastructure wildlife friendly within the wildlife habitat and movement area. It has prohibited developing any linear infrastructure in the very sensitive zone in normal circumstances. It has provision of report preparation by technical team by carrying out field study and emphasized the construction wildlife friendly infrastructure is necessary for, to be constructed and already constructed linear infrastructure. Before constructing any project inside the property, promoters have to carried out Environmental Impact Assessment (EIA) ensure that their potential impacts on the OUV are assessed in line with the Guidance and Toolkit for Impact Assessments in a World Heritage Context. DNPWC Commits to submit the Environmental Impact Assessment (EIA) of the proposed infrastructure to the UNESCO.

2.8 Further requests the State Party to submit up-to-date maps of the property as inscribed in 1984 to the World Heritage Centre, as requested by the World Heritage Centre in its letter of October 2020, by 1 December 2023

Response–This is the updated map of the property



2.9 Encourages the State Party to seek further guidance from the World Heritage Centre and IUCN regarding the process of a boundary modification, and urges again the State Party to submit a boundary modification proposal in accordance with the Operational Guidelines

Response– On 17 October 2016, the Government of Nepal has gazetted an additional area of 2063 Ha from Padampur site (earlier in buffer zone) into the Park's core area (property area) and adjusted by removing an area of 1.818 Ha from Gajendra MokchhyaDham of Tribeni (earlier in core area) into park's buffer zone. The Gajendra Mokchhya Dham of Tribeni has been promoted for the religious purposes and tourism activities so that local people can benefit and contribute in revenue generation that will be utilized in the management and conservation of both core and buffer area of the Park. It has not mentioned about the threshold in the operational guideline to distinguish between minor and significant modifications in boundaries, thus we could not confirm whether these changes are minor or major for further procedures. Also, currently there is no plan for further modification of the park's boundaries.

2.10 Continues to note with concern the alleged human rights abuses related to Chitwan National Park raised in 2020, including as raised in the 2022 "Report of the Special Rapporteur on the rights of indigenous peoples, José Francisco Cali Tzay. Protected areas and indigenous peoples' rights: the obligations of State and international organizations", requests furthermore the State Party to ensure that any relocation of people and communities from within the property follows a human rights-based approach, and applying international best practices and applicable norms and standards;

Response– Humanjulla (previously called Banderjhulla) and Kusumkhola area are situated within Madi municipality are the three villages lies inside the Chitwan National Park. All these villages are treated as buffer zone of the national park and currently DNPWC has no plan to translocate the any of these villages for further expansion of CNP. If there will be any provision for relocation future, DNPWC and

CNP commits to follow the human right based approach, and applying international best practices and applicable norms and standards.

2.11 Request moreover the State Party to provide a response to the report of the Special Rapporteur by no later than 1 December 2023, and to ensure all park operations are conducted in conformity with a best practice rights- based approach;

Response- National Park and Wildlife Conservation Act (NPWC) 1973 and its subsequent regulations have strong commitments to ecological safeguard and social safeguard. Though these laws are strict in nature for biodiversity conservation, they have provision for indigenous people to get permission to access natural resources, which they are using traditionally on a regulated basis. NPWC act 1973 has specified conservation and management of the buffer zone area don't affect the land tenure of local people. This act also ensures 30 to 50% of the park revenue to reverse to the local communities and can be expended on biodiversity conservation, community development and capacity building of local people. The local communities implement these activities through user committee and user groups based on their needs and priority.

The CNP is fully aware for securing the fundamental rights of the local communities while implementing the laws. The park authority is always taking the local communities as an integral part of park management and implementing the wildlife conservation and habitat management activities together with them. As a result of active participation and strong stewardship of the local communities, the CNP is also succeeded in increasing its flagship species like Rhino & Tiger population and it has been praised nationally and internationally as well. The inclusion of the park in the Natural World Heritage Site is the national pride for government and the people. The park authority would never-step on the path of abusing the human rights while implementing and managing the park activities.

2.12 Finally requests the State Party to submit to the World Heritage Centre, by 1 December 2024, an updated report on the state of conservation of the property

and the implementation of the above, for examination by the World Heritage Committee at its 47th session

Response-This report has been prepared based on the field observations, discussion with site manager and field staff, concerned line agencies, relevant experts and department staff and is submitted by the given deadline.