



NEPAL NATIONAL BIODIVERSITY STRATEGY AND ACTION PLAN 2014-2020

**PREPARED BY
GOVERNMENT OF NEPAL
MINISTRY OF FORESTS AND SOIL CONSERVATION
SINGHADURBAR, KATHMANDU, NEPAL**

JULY 2014

(i) Policy and legislative gaps

Although Nepal became a Party to the Convention on Biological Diversity (1992) in 1994, it is yet to enact comprehensive legislation for conservation of biodiversity and sustainable use of its components. This legislative gap is speculated to have negatively affected the functional ability of the National Biodiversity Coordination Committee and overall conservation of biodiversity, sustainable use of its components and fair and equitable sharing of the benefits arising from the utilization of biological resources. Similarly, Nepal has yet to enact legislation related to: (a) access to genetic resources and benefit sharing, (b) implementation of the National Biosafety Framework (2007), and (c) Intellectual Property Rights for protecting traditional knowledge, innovations, and practices. The draft Access to Genetic Resources and Benefit Sharing Bill and CITES Bill are yet to be finalized and promulgated. Similarly, Nepal became party to International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) in October 2010 but policy, legislation and institutional mechanisms required for its implementation are not yet fully in place.

(ii) Inadequate importance to biodiversity by some policies and most of the legislations

Many of the relevant policies, such as those related to environment, industry, roads and local governance sectors do not have clearly stated objectives relating to biodiversity. Even the recently drafted Agriculture Development Strategy has not assigned due priority to conservation and sustainable use of agrobiodiversity. The emphasis given by the strategy to commercialization and competitive agriculture may undermine biodiversity management. Furthermore, there is inadequate participation of local people in most policy processes.

(iii) Poor integration and harmonization of policies and laws

The policies of different sectors are not well connected and coordinated. Some of the existing laws are inconsistent, overlapping or contradictory. The extent of the rights allocated by different laws to various local user groups differs substantially (Belbase and Thapa, 2007). For example, provisions in the Forest Act (1993) and several other environment-related Acts contradict with the Local Self-Governance Act (1999). The Local Self-Governance Act (1999) empowers VDCs to sell specified natural resources and products, and stipulates that the proceeds of such sales are to be deposited to the VDC fund (sections 58(d) and 58(e)). It also stipulates that any proceeds accrued from the sale of river sand, stone, concrete, soil, driftwood, and the bone, horn, feather and skin of any wildlife, which is not prohibited by prevailing Nepali laws, go into the DDC fund (sections 215 and 218). The Forest Act, on the other hand, empowers CFUGs to sell the same products by independently fixing their prices (sections 2(c) and 25(1)).

(iv) Gaps in implementation of policies

Nepal has many good policies and strategies for conservation of biodiversity and natural resources, but implementation and monitoring of many of the policies and strategies is less than satisfactory. Poor level of ownership over the policies and strategies by stakeholders because of their inadequate participation in the policy process has also negatively affected the implementation.

4.2 Participation in International Conventions

Nepal has committed itself to the conservation of biodiversity before the international community by signing or becoming a party to a number of Multilateral Environmental Agreements (MEAs). The MEAs provide important opportunities as well as bring obligations to the country. They

provide opportunity to securing international financial and technical assistance and networking with other countries and relevant international agencies and institutions. For example, Article 20 of the CBD gives special consideration to developing countries in funding the implementation of the CBD. Nepal could also immensely benefit from proper implementation of the CBD Article 15, which asserts that a given country must have the right of disposal over its own biodiversity. MEAs can also help improve environmental governance within the country and improve and harmonize relevant policies and legislations. More importantly, however, they can help enhance national capacity for setting conservation agenda and its implementation.

The government has made considerable efforts and achieved successes in the implementation of some of its international commitments, including those related to the CBD (1992), Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973), Convention on Wetlands of International Importance (Ramsar Convention; 1971), World Heritage Convention (1972), and International Treaty on Plant Genetic Resources for Food and Agriculture (2001). The country has also been participating in the Global Tiger Forum and Global Tiger Initiatives. Some of the main biodiversity related MEAs that Nepal has signed and highlights of the progress made in their implementation are presented in Annex 25. There are, however, some gaps in implementation of international conventions. For example, Nepal is yet to ratify the Cartagena Protocol on Biosafety (2001), and Nagoya Protocol on Access to Genetic Resources and Benefit Sharing (2010).

Promoting synergy among biodiversity related MEAs (e.g. CBD, CITES, Ramsar, World Heritage Convention and **ITPGRFA**) is an issue in smooth implementation of the MEAs. There is a need to generate a set of coherent guidelines to bring synergy among the biodiversity related MEAs. This can be useful in a number of ways, including: (i) enhancing the science-policy interface, (ii) promoting cooperation at the international level in the implementation of the NBSAP, (iii) simplifying the national reporting, (iv) improving information management, and (v) capacity building.

Nepal's progress on meeting the Millennium Development Goals of environmental sustainability has remained less than satisfactory due mainly to inadequate mainstreaming of environmental issues in the policies of development sectors such as infrastructure and energy. Conflicting legal provisions, duplication of responsibility and the lack of an integrated framework for coordination among responsible agencies are major gaps (NPC/UNDP, 2005; NPC/UNDP, 2010, NPC/UNDP, 2013).

4.3 Institutional Development

Nepal has made a number of efforts to strengthen institutional mechanisms for the management of biodiversity. The following are the main national level institutional entities that made contributions to conservation of biodiversity and sustainable management of natural resources in the last decade.

(1) Parliamentary Committees

The Natural Resources Committee and Environment Communication and Technology Committee of the last Legislature Parliament played important roles in the management of environment and biodiversity. Members of the Natural Resources Committee also made several field visits and provided necessary directives to different government agencies.

(2) Government Ministries and Departments

A number of government ministries and departments are responsible for biodiversity management efforts under their respective jurisdictions. The Ministry of Forests and Soil Conservation is the focal ministry for implementing the CBD, Cartagena Protocol on Biosafety, National Clearing House Mechanism for CBD, and the National Biosafety Clearing House for Cartagena Protocol. The Ministry is thus the main agency charged with overall responsibility for formulating and implementing policies and programmes related to the conservation and sustainable use of biodiversity, keeping records of relevant activities, and communicating with the CBD Secretariat and other conventions related to biodiversity. The Ministry implements its plans and programmes through five departments, five Regional Forests Directorates, 74 District Forest Offices, 20 protected area offices, 56 District Soil Conservation Offices, and seven District Plant Resource Offices.

The Ministry of Agricultural Development, with its three departments, two councils (Nepal Agriculture Research Council and Nepal Veterinary Council), three national boards, five Regional Agriculture Directorates, 75 District Agriculture Development Offices and hundreds of agricultural centers scattered all over the country, is responsible for managing agrobiodiversity. The Food Security and Environment Division of MOAD acts as focal point and implementing agency for **ITPGRFA**. The Ministry of Science, Technology and Environment has the main objectives of contributing to sustainable economic development through sound environmental policies. A number of other ministries, departments, programmes and projects have also been making direct or indirect contributions to biodiversity conservation.

(3) National Planning Commission

The National Planning Commission (NPC) provides advice to the government ministries on matters related to preparing periodic plans, programmes and projects, and conducting feasibility studies and initiating master plans of large projects. The Central Bureau of Statistics, under the NPC, periodically compiles and shares data and information on various sectors, including biodiversity and environment.

(4) National Biodiversity Coordination Committee

The National Biodiversity Coordination Committee (NBCC) was established with the objective of mainstreaming all biodiversity programmes in the country. The Committee, which was led by the Minister of Forests and Soil Conservation, has representatives from relevant government ministries, the private sector and donors. Four thematic sub-committees, one each regarding Forests and Protected Areas, Agrobiodiversity, Biosecurity, Genetic Resources, and Sustainable Use of Biodiversity, were formed under the NBCC to provide scientific and technical inputs for the committee. The formation of the NBCC was a key action by the government towards the implementation of the Nepal Biodiversity Strategy (2002) and fulfilling its national obligations under the CBD.

(5) National Tiger Conservation Committee

This Committee, formed on 16 May 2010, is chaired by the Rt. Honorable Prime Minister. The Honorable Minister for Forests and Soil Conservation is the Member Secretary. The other members of the eleven-member committee include the honorable Ministers for Home, Finance; Science,

indication has yet to come into existence. The amendment of the Agrobiodiversity Policy (2007) is in the final stage to accommodate requirements of the implementation of **ITPGRFA**.

4.13.6 Mainstreaming Biodiversity Considerations into National Development Plans, Policies, Programmes and Sectors

Mainstreaming efforts are limited to the incorporation of biodiversity and environmental conservation into national development plans and most of the sectoral policies. For example, Nepal has been systematically adopting the concept of conservation-friendly economic growth since it was first introduced by the Ninth Five Year Plan (1997-2002). Biodiversity has also been featured prominently in the Approach Paper to the Thirteenth Plan that was recently developed by the National Planning Commission. The Nepal Biodiversity Strategy (2002) sufficiently emphasized the need for mainstreaming biodiversity considerations into national development plans, programmes, policies and sectors. Despite these efforts, there has been little effort to mainstream biodiversity across different sectors, primarily because it has so far been a priority for only the Ministry of Forests and Soil Conservation. There is need for a more proactive role by government agencies, particularly the National Planning Commission and the Council of Ministers, in mainstreaming biodiversity considerations into national development plans, policies and programmes and across different sectors.

4.13.7 Education and Research

There have been considerable efforts to improve and strengthen biodiversity related education and research in recent years. The central departments of Botany, Zoology, and Environmental Science under the Tribhuvan University have been playing important roles in promoting biodiversity education by offering graduate and undergraduate level courses in biodiversity and environment. The Central Department of Botany, in collaboration with the University of Bergen, Norway and regional partners, has taught a two year masters level programme in 'Biodiversity and Environmental Management' since 2008. The Central Department of Environment Science has been offering a full course on Biodiversity Conservation and Management. Kathmandu University has a Department of Biotechnology. The Institute of Agriculture and Animal Science has included agricultural biodiversity in its bachelor level course and is in the process of finalizing and approving a master's programme in agricultural biodiversity. The Agricultural and Forestry University, Purbanchal University and Pokhara University also offer courses related to biodiversity and biotechnology. Faculty members and students in these universities conduct research in different aspects of biodiversity.

The Department of Forest Research and Survey and the Department of Plant Resources occasionally conduct research in forest and floral diversity. NARC conducts research in agrobiodiversity including plants, animals and fisheries through its research centers located throughout the country (MoFSC, 2002). Some other academic institutions and I/NGOs also undertake scientific research on different aspects of biodiversity. ICIMOD, WWF Nepal, IUCN and NTNC are some of such organizations that regularly conduct research and disseminate the findings. Empirical research conducted by individual scholars affiliated to different national and international academic institutions is another major dimension of biodiversity related research in Nepal.

	agricultural genetic resources and implementation of ITPGRFA and multilateral system of exchange of PGRFA.		
AB-C3	Facilitating access to genetic resources and materials and associated traditional knowledge with prior informed consent and on mutually agreed terms.	MOAD	Private Sector, I/NGOs
AB-C4	Establishing one-door system for regulating the provisions as mentioned in the international treaties related to genetic resources (both PGR and AnGR).	MOAD	Private Sector

5.4.6 Management of Mountain Biodiversity

MTB Strategy A: Improving understanding of mountain biodiversity and ecosystem services			
Priority Actions		Implementing Agency	
		Main	Support
MTB-A1	Designing and conducting research focusing on biological richness of mountain ecosystems, and diversity-driven ecosystem services in at least 10 major mountain ecosystems, by 2020.	MoFSC, Universities	IUCN, ICIMOD, I/NGOs
MTB-A2	Designing and conducting research to explore different management scenarios, which serve both the sustained integrity of diverse mountain biota and human needs.		
MTB Strategy B: Conserving mountain biodiversity and promoting environment-friendly economic development			
Priority Actions		Implementing Agency	
		Main	Support
MTB-B1	Designing and implementation of ecosystem based adaptation programmes in the mountains. By 2020, at least 10,000 hectares degraded mountain ecosystems to be restored through participatory approach.	MoFSC	I/NGOs, CBFM groups, federations
MTB-B2	Promoting eco-friendly tourism, with particular focus on community-based ecotourism.	MOCTCA, Private Sector	MoFSC
MTB-B3	Designing and implementing green projects (water, biodiversity, forests, and clean energy).	Private Sector, AEPC	FNCCI, MoFSC, MOSTE
MTB-B4	Development and implementation of a regional cooperation plan to strengthen conservation of mountain biodiversity in trans-boundary landscapes.	MoFSC	ICIMOD, I/NGOs