

## **National Wetlands Policy, 2059 (2003)**

### **1. Background**

Wetlands are considered as fertile lands for agriculture and rich from the point of view of biological diversity. These wetlands provide habitat for several species of wildlife and lie within various ecosystems of high-mountain and lowland plains. The wetlands of the country's lowlands alone support 32 species of mammals, 461 species of birds (among which 15 species are rare), 9 species of turtle, 20 species of snake and 28 species of fish.

Wetlands are home to several species of flora and fauna and play an important role in plant and animal diversity. Wetlands are also crucial in maintaining various sources of underground water, preventing landslides and controlling the loss of nutrients. These wetlands also provide ample opportunities for scientific research. The wetlands policy has been formulated for planned conservation, maintenance and development of the country's wetlands, while providing support to economic, social and cultural development of local communities by improving their living conditions through wise use of these wetlands.

Nepal has shown its commitment to wetlands conservation, specially the conservation of waterfowl habitats of international importance, by signing the Ramsar Treaty 1971. The present wetlands policy is in conformity with the Article 3 (1) of the Convention and with regard to the need for the preparation of a national policy deemed necessary by the signatory nations. The policy is also in conformity with the directives of the signatory nations passed by the contracting parties in 1996, regarding the mobilization of local communities for their active participation in the management of wetlands listed in the Ramsar Site as well as other wetlands and their watershed areas.

The Constitution of the Kingdom of Nepal 2047\*, Nepal Treaty Act 2047, Local Self Governance Act 2055, Forest Act, 2049, Water Resources Act 2049, Electricity Act, 2049, National Parks and Wildlife Conservation Act 2029, Aquatic Conservation Act 2017, Soil and Watershed Conservation Act, 2039 and Environmental Protection Act, 2053 and the existing Regulations thereunder do not define wetlands and mention wetlands management. Since that these Acts and Regulations do not have any provision for community participation in wetlands conservation and management through wise use of wetlands, the wetlands policy has taken into consideration all aspects.

## 2. Definition of Wetlands

Generally wetlands mean rivers, lakes, reservoirs and forests, and water logged lands in and around human habitation. The Nepali term for wetlands is “Simsar”, which means lands with perennial source of water. Swampy rice fields, water logged areas and ponds are also understood as wetlands in the country. There are about 50 different definitions of wetlands in the world. Plants, animals and birds are abundant in wetlands. Twelve different words are commonly used to denote wetlands in Nepal. In this sense, wetlands could be defined in the following way –

“Wetlands denote perennial water bodies that originate from underground sources of water or rains. It means swampy areas with flowing or stagnant fresh or salt water that are natural or man-made, or permanent or temporary. Wetlands also mean marshy lands, riverine floodplains, lakes, ponds, water storage areas and agricultural lands.”

## 3. Goal

The primary goal of the National Wetlands Policy is to conserve and manage wetlands resources wisely and in a sustainable way with local people’s participation. The policy also aims to put the conservation and

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\* At present, Interim Constitution, 2063 is prevalent in Nepal -NLC

management aspects of wetlands conservation within the framework of broader environmental management.

#### **4. Objective**

The major objective of the policy is to involve local people in the management of Nepal's wetlands and conserve wetlands biodiversity with wise use of wetlands resources.

#### **Other Objectives**

- 4.1 Identify Nepal's wetlands and prepare detailed management plans for each of them to prevent degradation and disappearance of wetlands with long-term conservation and development initiatives for wise use of wetlands resources by implementing the management plans on the basis of priorities, potentiality and urgency.
- 4.2 Identify local people's knowledge, skill and practice regarding wetlands and promote their innovations and traditional research for the sustainable use of wetlands resources.
- 4.3 Conserve and manage wetlands according to the needs and on the basis of scientific knowledge and technology.
- 4.4 Promote women's participation for the conservation, management and wise use of wetlands.
- 4.5 Gradually implement international treaties for wetlands conservation.
- 4.6 Disseminate information to raise public awareness about wetlands.

#### **5. Wetlands Management Policy Based on Local Participation**

- 5.1 Conserve and manage wetlands with local people's participation for their benefit, while maintaining environmental integrity according to the terms and spirit of the Ramsar Treaty.
- 5.2 Translate into reality the concept of wise use of wetland resources by providing equitable opportunities on the basis of local people's participatory management of wetlands.

- 5.3 Make wetlands conservation and management activities effective by involving local residents, communities and community-based organizations.
- 5.4 Conduct social and economic development activities that are advantageous to local residents and conserve natural resources for the benefit of present and future generations.
- 5.5 Conserve endangered and common wildlife species, aquatic fauna and other genetic sources dependant on wetlands.
- 5.6 Develop environmental friendly tourism with minimum environmental impacts and mobilize acquired profits, as far as practicable, for wetlands management and the benefit of local people.
- 5.7 Ensure local people's participation in the preparation of work plans for the conservation and management of wetlands.
- 5.8 Preserve the experience, practice, skill and knowledge of the different groups of people who are dependant on wetlands, and promote wetlands conservation and management on the basis of their experience.
- 5.9 Identify the problems and issues pertaining to wetlands management and implement the management action plan prepared with local people's participation to address the issues at the local level.
- 5.10 Formulate wetlands management plan and make necessary legal and administrative arrangements for the representation of local people and organizations in the management committee.

## **6. Classification of Wetlands and Management Policy:**

Wetlands have been classified into three categories management perspectives.

- (a) Wetlands that lie within protected areas or buffer zones.

- (b) Government or public wetlands that lie outside the protected areas.
  - (c) Wetlands in private land.
- 6.1 Conduct regular studies on the status of wetlands that lie within the protected areas or buffer zones, or the government or public wetlands that lie outside the protected areas, or the wetlands inside private lands, and find out where there is comparatively better conservation and management work.
  - 6.2 Make arrangements to entrust the management responsibilities of wetlands that fall within national parks and wildlife reserves to the Department of National Parks and Wildlife Conservation.
  - 6.3 Make arrangements to entrust the management responsibilities of wetlands that fall within the conservation area to the concerned body.
  - 6.4 Formulate necessary legal arrangements to make the wetlands management activities effective by maintaining coordination and integrating the rights and jurisdictions of concerned bodies if the wetlands are being managed by different bodies.
  - 6.5 Determine appropriate models of leasehold wetlands, community wetlands, privately managed wetlands and jointly managed wetlands for the effective conservation and management of public wetlands that lie outside the protected areas, and manage them accordingly.
  - 6.6 Enhance local people's participation in buffer zone management by promoting the wise use of wetlands resources.
  - 6.7 Grant recognition to private or privately owned wetlands as private wetlands and provide necessary training and technical support to enhance the technical and management capacity of the owners of such wetlands. Also, regulate and systematize the wise and sustainable use of wetlands resources along with the protection of genetic resources,

conservation of animals, organisms, and birds that are dependant on wetlands.

- 6.8 Discourage any activities that could change the land use pattern or degrade wetlands or exert negative impact on wetlands to ensure the conservation of private wetland sites.
- 6.9 Make necessary arrangements for the equitable distribution of benefits arising from wetlands to local inhabitants who are dependant on wetlands.
- 6.10 Formulate and implement integrated action plan that encourages multi-dimensional model and promotes wetlands conservation.

## **7. Policy Regarding the Wise Use of Wetlands**

There should be wise and sustainable use of wetlands to protect the natural heritage of ecosystems for the wellbeing of human race. The techniques of wise use of wetlands are applied in the conservation and management of the Ramsar Sites or other wetlands. The policy on the wise use of wetlands emphasizes on rational, thoughtful and judicious use of wetland resources. The policy as to the wise use of wetlands resources adopts the following aspects of wetland conservation –

- 7.1 Prepare a national-level inventory of wetlands
- 7.2 Identify the importance and benefits of wetlands by collecting basic information and statistics on management practices of wise use of wetlands.
- 7.3 Recognize and prioritize important wetland sites on the basis of their social, economic, religious, cultural and historical significance.
- 7.4 Allocate funds for projects that promote wetlands conservation and the sustainable use of wetlands resources.
- 7.5 Conserve flora and fauna without allowing misuse or overuse of wetlands resources.

- 7.6 Make provisions for environmental impact assessment according to prevalent laws prior to approving development programmes and activities around wetlands.
- 7.7 Ensure environmental protection by regularly monitoring development programmes and activities around wetlands.

## **8. Policy Regarding the Promotion of Awareness**

- 8.1 Prepare necessary programmes regarding the promotion of conservation awareness among the communities living close to the wetland sites, and also take the programme to local people, businessmen, industrialists, politicians, law enforcement agencies and other stakeholders.
- 8.2 Conduct awareness programmes in view of the possibility of overuse of wetlands resources by local communities while fulfilling their needs
- 8.3 Identify important stakeholders from the point of view of wetlands conservation and management, and make them aware of the importance of wetlands, their functions and the benefits of conservation.
- 8.4 Since that the success of wetlands conservation and wise use of wetlands resources depend on the active participation of local inhabitants, take steps to empower and make them aware of the importance of wetlands conservation for their active participation in the wise use of wetlands resources. The awareness activities should be especially focused on specific groups such as the *Majhi*, who live around wetlands and depend on wetlands resources for their livelihoods.
- 8.5 Encourage the active role of local bodies, educational institutions, NGOs and the media to inform local people and make them aware of

the importance of wetlands ecosystems as well as the legal and administrative provisions pertaining to wetlands conservation.

- 8.6 Disseminate and publicize information on wetlands along with the status, maps, policies and laws pertaining to wetland conservation through audio-visual and other medium of communication.

## **9. Prevention, Control and Management of Invasive Species**

- 9.1 Take concrete steps to stop the infiltration of invasive plants and animals, organisms, and genetically altered or other living organisms into the country that are likely to invade, displace and destroy endemic species as well as other wetlands biodiversity, and take necessary actions to control and manage the invaders that have already found their way into the country.

## **10. Institutional Policy Regarding Wetlands Management**

- 10.1 Formulate Acts, Regulations and Guidelines to ensure the jurisdiction and compatibility of the bodies responsible for wetlands conservation and management.
- 10.2 For the effective conservation and management of wetlands, manage wetland sites in the following way –
  - 10.2.1 Community managed wetlands
  - 10.2.2 Private wetlands
  - 10.2.3 Leasehold wetlands
  - 10.2.4 Jointly managed wetlands
  - 10.2.5 Religious wetlands, and
  - 10.2.6 State managed wetlands

## **11. Policy Regarding Prohibition of Works with Adverse Impacts on Wetlands**



- 11.1 Identify and address the problems that create obstruction and exhaust wetlands resources and cause the disappearance of wetlands.
- 11.2 Discourage or restrict the activities that exert negative impact on wetlands such as the drying up of water, closing the source of flowing water or diverting of water, soil erosion, decrease in the traditional practice of using wetlands resources, conversion of wetlands into agricultural land or growing cash crop, uncontrolled growth of industries around wetland sites, excavation, extraction of underground water and over grazing.
- 11.3 Prohibit the dumping of chemical pollutants, domestic garbage, industrial waste, toxic substances, and the use of electric current and explosives in the wetland sites.
- 11.4 Government of Nepal should formulate Acts and Regulations to discourage activities in the specific areas around wetlands that may have adverse environmental impact.
- 11.5 Make provisions of facilities to encourage local people in the conservation of private wetlands.

## **12. Policy Regarding Disappeared or Disappearing Wetlands**

- 12.1 Find out wetlands that have ceased to exist and implement necessary activities for the restoration of such wetlands.
- 12.2 Determine and implement special programmes for the restoration of disappeared wetlands by promoting the involvement of local communities and local bodies.
- 12.3 Identify disappearing wetlands and carry out necessary works to preserve, improve and conserve them.

## **13. Immediate Works Pertaining to Wetlands Conservation and Management**

- 13.1 Formulate special Acts, Regulations and Guidelines for the conservation, management and wise use of wetlands.
- 13.2 Identify wetlands that are eligible to be listed as Ramsar Sites, and take necessary initiatives for their inclusion in the Ramsar List.
- 13.3 Prepare an inventory of Nepal's wetlands and gradually implement the management action plans after preparing them on the basis of priority of the wetlands.
- 13.4 Carry out necessary works to generate required financial support from local communities as well as from other internal and external sources.
- 13.5 Take legal initiatives to protect local skill, knowledge and technology regarding wetlands conservation as intellectual property.

#### **14. Future Works Regarding Wetlands Conservation and Management**

- 14.1 Make national and international publicity of wetlands that have not been designated as Ramsar Sites but are very important from the point of view of their conservation and management, and gradually list them in the Ramsar Site.
- 14.2 Identify outstanding and highly threatened wetlands and prioritize them for conservation.
- 14.3 Develop wetland sites by preparing models of wetlands conservation and management.
- 14.4 Make local people the focal point for the management of wetlands resources, while confirming the management practice compatible with rural lifestyle.
- 14.5 Since that geographically the watersheds of surrounding areas determine the existence of wetlands, take necessary initiatives to maintain such watersheds and minimize the degradation of sources of water.

- 14.6 Regulate the extraction of underground water and prevent water pollution.
- 14.7 Develop a coordinating organization for the appropriate management of wetlands.
- 14.8 Take necessary steps to prevent the destruction of the wetlands biodiversity.
- 14.9 Emphasize on the conservation of ponds, reservoirs and other wetlands located in the mountainous areas.
- 14.10 Carry out works for the effective conservation and management of wetlands situated in the Trans-border areas by maintaining coordination with the concerned countries.
- 14.11 Incorporate the subject matter relating to wetlands conservation, sustainable development and the distribution of the benefits from wetlands in the text books of government and private schools and universities.
- 14.12 Take awareness programmes regarding wetlands to local people and other strata of society.
- 14.13 Develop and disseminate necessary audio-visual and other promotional material to publicize and make the knowledge about wetlands effective
- 14.14 Develop an information centre that can provide information on all the wetlands of the country.
- 14.15 Initiate the setting up of small information centers in rural areas and gradually provide pictures, posters, textbooks, curriculums and other audio-visual material to the centers.
- 14.16 Conduct seminars, training and discussion programme on wetlands in different parts of the country and provide knowledge, skill and training to decision makers of local bodies, local NGOs, private

organizations and the general public for the conservation, management and wise use of wetlands resources.

- 14.17 Develop programmes to enable local communities to generate required resources by themselves for the conservation and management of wetlands.
- 14.18 Promote the project activities conducted by local women that complement the efforts of NGOs working for wetlands conservation and recognize their role in the conservation of wetlands resources.
- 14.19 Prioritize and implement wetlands conservation programmes that provide tangible benefit to local people and improve their living conditions.
- 14.20 Develop and conduct income generating activities to encourage local people in the conservation and management of wetlands.
- 14.21 Develop and improve local people's knowledge and skill regarding the conservation, management and sustainable use of biological resources of wetlands in a scientific way and apply the knowledge by developing necessary programs about new skill and knowledge.
- 14.22 Monitor the impact and result of wetlands conservation and management along with periodic evaluation of progress statements.
- 14.23 Encourage various governmental and nongovernmental national and international organizations to conduct research works on wetland sites.
- 14.24 Promote qualitative and quantitative development of information system on national-level wetland sites.
- 14.25 Make a provision of "Wetlands Conservation Fund" for the required financial resources needed for wetlands conservation and sustainable development.

- 14.26 Generate financial and other support to encourage wetlands conservation work.
- 14.27 Encourage governmental, non-governmental, national and international organizations to invest on projects concerning wetlands conservation and management.
- 14.28 Initiate steps to impose tax and generate revenue from wetland sites by developing and making wetlands policy compatible with economic and financial policy.
- 14.29 Emphasize on sustainable mobilization of internal resources for wetlands conservation and management.
- 14.30 Grant concession on the income made by local people or user groups over a fixed period of time for their contribution in the conservation, management and wise use of wetlands. Also, provide additional facilities and concession on VAT and other tax through the concerned Act.
- 14.31 In view of the role and significance of user groups, promote the role of such groups in the preparation of plans and integrated projects relating to the conservation and management of wetlands and sustainable development.
- 14.32 Hold discussion and review the Acts relating to wetlands at the policy level to amend anomalies and obstructions, and bring about necessary reform. Formulate a separate law for wetlands conservation and management.