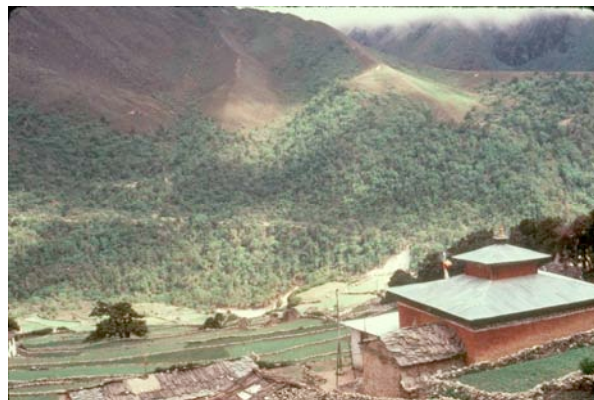




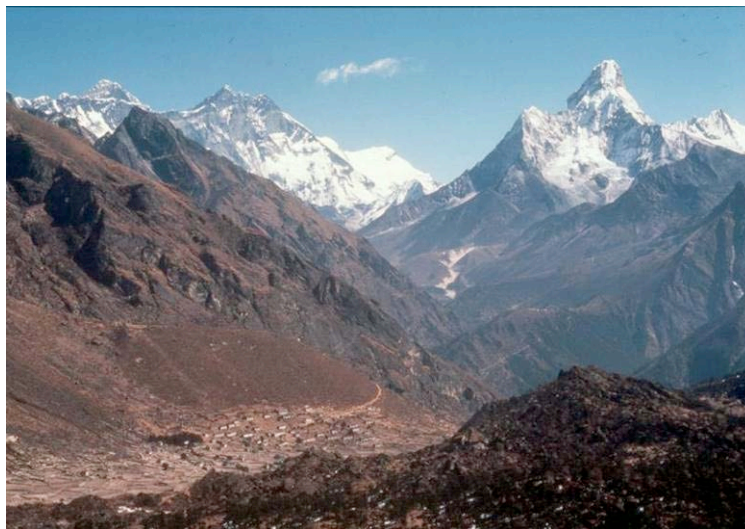
The Mount Everest Region as an ICCA: Sherpa Conservation Stewardship of the Khumbu Sacred Valley, Sagarmatha (Chomolungma/Mt. Everest) National Park and Buffer Zone



Nauje (Namche Bazar), the Khumbu Sherpa “capital,”
Sagarmatha National Park Buffer Zone, Nepal. Photo © Stan
Stevens



Pangboche village and the sacred Yarin forest, which has been
protected for 400 years. Photo © Stan Stevens



The sacred valley (beyul) of Khumbu. Chomolungma (Mt. Everest) at upper left,
Khumjung village in the foreground. Photo © Stan Stevens

Stan Stevens
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Executive Summary

Sherpa community and conservation leaders gathered on May 25, 2008 in Khumjung, the largest of the many Sherpa villages in the traditional Sherpa territory of Khumbu in the Mt. Everest region which are enclaves of Sherpa land within Sagarmatha (Chomolungma/Mt. Everest) National Park (SNP). Most had walked for hours from other regional villages. They had gathered at the request of prominent elected local conservation leaders for an informal discussion about maintaining and strengthening their conservation of their sacred lands and community livelihood commons in a place which for them is a homeland, sacred valley, and Buddhist sanctuary (*beyul*) which as Sherpas they have responsibility to care for. They had come from nearly all of the many villages which were legally protected as private, Sherpa lands in the 1970s when the rest of Khumbu Sherpa lands were nationalized and incorporated into Sagarmatha (Mt. Everest) National Park (SNP) and World Heritage Site and the national forest to the south of it. These Sherpa villages, which have never been part of SNP or the SNP World Heritage Site, were declared part of the SNP Buffer Zone in 2002 together with the Sherpa commons of lower Khumbu which earlier had been made part of Nepal's national forest. Khumbu Sherpas continue to use and maintain care of all of their lands, including their sacred places and grazing and forest commons within SNP. Conservation in SNP indeed depends primarily on continuing Sherpa conservation stewardship.

The gathering in Khumbu had been called by Sherpa members of the SNP Buffer Zone Management Committee who wished to share as widely as possible a concept they had been discussing for months – that Sherpa conservation practices constitute what is being internationally recognized and supported by IUCN and the Parties to the Convention on Biological Diversity through their Programme of Work on Protected Areas as “community conserved areas” (CCAs) or “Indigenous and community conserved areas” (ICCAs). This seemed to them to be a concept that very effectively embodied how they have been caring for Khumbu for generations and the vital conservation contribution they continue to make to SNP. Khumbu, it seemed to them, had in effect been an ICCA for centuries, indeed both a regional ICCA – a sacred valley in which Sherpas protected all wildlife as a fundamental aspect of their identity as Sherpas - - and also a set of local ICCAs through which the people of various villages had cared for and preserved sacred forests and other natural sacred sites and managed community forests and rangelands in ways which have great conservation significance. In recent years, moreover, they had created new ICCAs in parts of Khumbu such as buffer zone forests which extended community management and conservation contributions beyond what Sherpas had formerly managed as village lands into larger systems and adopted important new conservation goals and practices to enhance customary ones. This seemed a critical time to raise awareness and support for these ICCAs.

A Sacred Land and Indigenous People's Homeland

Khumbu is a 1,500 km² region, inhabited by 6,000 people (90% Sherpa). It is the oldest of the homelands of the Sherpa people, who are one of the 59 Indigenous peoples recognized by the Nepal government. Khumbu has been a sacred valley and Buddhist sanctuary for 1,200 years since Guru Rinpoche (Padmasambhava), one of the founders of Tibetan Buddhism, visited Khumbu and consecrated it. It is a high-altitude area whose high mountains include four of the highest in the world, two of which are sacred to Sherpas – Cho Oyu and Chomolungma (Mt. Everest), the abode of the goddess Miyolangsangma. Khumbu is rich in sacred natural sites – including many sacred mountains, forests, trees, and springs. Temple forests and lama's forests (forests declared sacred many generations ago by revered religious leaders) are strictly protected. Sherpas also continue to conserve community forests and to manage much of the high rangelands through rotational zoning grazing systems. Since 2002 they have instituted buffer zone forest management in lower Khumbu and have – with the authorization and cooperation of SNP – developed and implemented new forest conservation policies and practices in the national park forests in upper Khumbu. These practices have reduced firewood use by 75% in upper Khumbu by implementing

the first regional firewood collection management system in Sherpa history and the most effective such system in any of the national parks of Nepal. These and other customary and new community and regional natural resource management practices, together with Sherpa values that forbid killing animals, birds, fish, reptiles, or insects, have made Khumbu an **outstanding example of a regional ICCA which incorporates multiple local ICCAs** through which communities contribute additional conservation benefits in particular sites. These ICCAs are discussed in detail in this report.

Sherpa conservation values, institutions, and practices have made the Mt. Everest region a wildlife refuge, maintained its forest cover despite increasing demands for timber and fuel from international tourism development, and sustained livelihoods based on organic farming, transhumant herding, and tourism. That Khumbu continues to be home to a rich diversity of high Himalayan species, including endangered snow leopards, leopards, red pandas, Himalayan black bear, and musk deer, and that it supports large numbers of the elsewhere rare mountain goat/antelope, the Himalayan tahr, is largely an achievement of Sherpa conservation stewardship. Although they should not be over-romanticized, Sherpa ICCAs are highly effective and in recent years Sherpas have taken steps to develop new ICCAs for forest management which address some of the earlier limitations of local customary management. Maintaining ICCAs however, has become more challenging due to internal and external factors. These include cultural change, particularly among youth; the nationalization of Sherpa collective lands; government policies which have marginalized Indigenous peoples; central government administration of SNP and frictions created by a lack of legal recognition of Sherpa ICCAs and the attitudes of some government officials towards community conservation within a national park; NGO operations which do not coordinate with Sherpa ICCAs; increasing international trekking and mountaineering tourism and associated economic, cultural, social, and environmental change; and a decline in transhumant herding of yaks and yak-cattle crossbreeds.

Envisioning Khumbu as an ICCA

The many leaders gathered in Khumjung found the concept of CCAs appropriate and of great potential value for providing a way to gain greater national and international understanding, respect, and support for their cultural conservation stewardship of Khumbu and the central contribution they make to the conservation achievements of SNP. They saw their regional, Khumbu-wide ICCA and local ICCAs as complementing SNP management, not conflicting with it.

The concept of ICCAs was particularly welcome because it seemed to many to be useful in focusing attention and efforts on addressing current challenges and threats to continuing Sherpa care and conservation of Khumbu. These threats were discussed passionately at the Khumjung gathering as they have been in other discussions among leaders over the past several years. Sherpa leaders feel that there are both internal and external challenges to their local and regional ICCAs which have enormous significance for the future of Sherpas as a people and the character and conservation of Khumbu as a Sherpa homeland, a Buddhist sanctuary and sacred valley, and a national park, World Heritage Site, and national park buffer zone. They discussed how they can use the idea of Sherpa conservation stewardship of Khumbu as an ICCA as a means to instill greater awareness and pride among Sherpa youth in their identity, heritage, Indigenous knowledge, customary institutions, and conservation responsibilities and achievements. They hoped it would provide a means for Sherpas to rededicate themselves as a people to the conservation of their homeland through strengthening Sherpa values and practices. It also would provide a simple but powerful way to make the many national and international conservationists who recognize the importance of ICCAs appreciative of Sherpas' continuing contribution to the conservation of SNP. This might prove to be an important source of future intellectual, moral, technical, and financial support for regional conservation. Sherpa leaders have plans to increase their development of alternative energy to reduce pressure on regional forests and alpine vegetation, to train and employ Sherpa conservation and development staff, to fund Sherpas to help defend Khumbu wildlife against non-local,

non-Sherpa commercial hunters, to support regional cultural landscape conservation and the heritage livelihoods that maintain them, and to develop detailed maps of their ICCAs as a step towards implementing an effective national park zoning system. Greater national and international collaborations and assistance that reflect appreciation and respect for Sherpa self-governance and ICCAs can be invaluable in these efforts.

Also appealing to Sherpa leaders was that ICCAs are often informal and unofficial, and do not require that a people or community own the lands which they steward. Many ICCAs worldwide are informally maintained by Indigenous peoples and other local communities. They do not require government recognition to be regarded as ICCAs, or indeed to be held up as important examples of ICCAs by international conservationists.

Declaring the KCCA

Sherpa leaders decided prior to the Khumjung gathering that it would be useful to give a name to Sherpa conservation stewardship of the Khumbu beyul as an ICCA and the diverse existing local Sherpa ICCAs in Khumbu to facilitate thinking and talking about them. They chose Khumbu Yulwi Tholenkyauw Densa, which in Sherpa language means “Khumbu Community Cared for Area.” They further decided to refer in English to their ICCA as the Khumbu Community Conserved Area (KCCA). A statement proclaiming continuing Sherpa dedication to care and conservation stewardship of Khumbu and proposing to refer to this as the Khumbu Community Conserved Area (KCCA) was drafted prior to the gathering and the convening leaders read it in Sherpa at the gathering. It was carefully explained that this was not an official action of the buffer zone but a voluntary, personal declaration. The statement was passed around for any one who wished to sign it to do so. All of the Sherpa leaders in attendance signed. From remarks and gestures that many made it seemed that there was a widely shared sense of pride, determination, accomplishment, and enthusiasm. People felt that they had done something important for Sherpas and for the future of Khumbu. They were excited about the reaffirmation of their commitment to the land and about what they might be able to do together for conservation in the future.

A copy of the resolution with an accompanying supportive letter from me was presented to the warden of SNP, Tulasi Sharma, at the first opportunity. Other copies and accompanying letters were sent by messenger to Dr. Annapurna Nanda Das, the director-general of the Department of National Parks and Wildlife Conservation and to the director of IUCN-Nepal. The resolution was also distributed to senior staff of leading Kathmandu conservation NGOs via email and through the TILCEPA network to conservationists and advocates of ICCAs worldwide.

Suppressing the KCCA

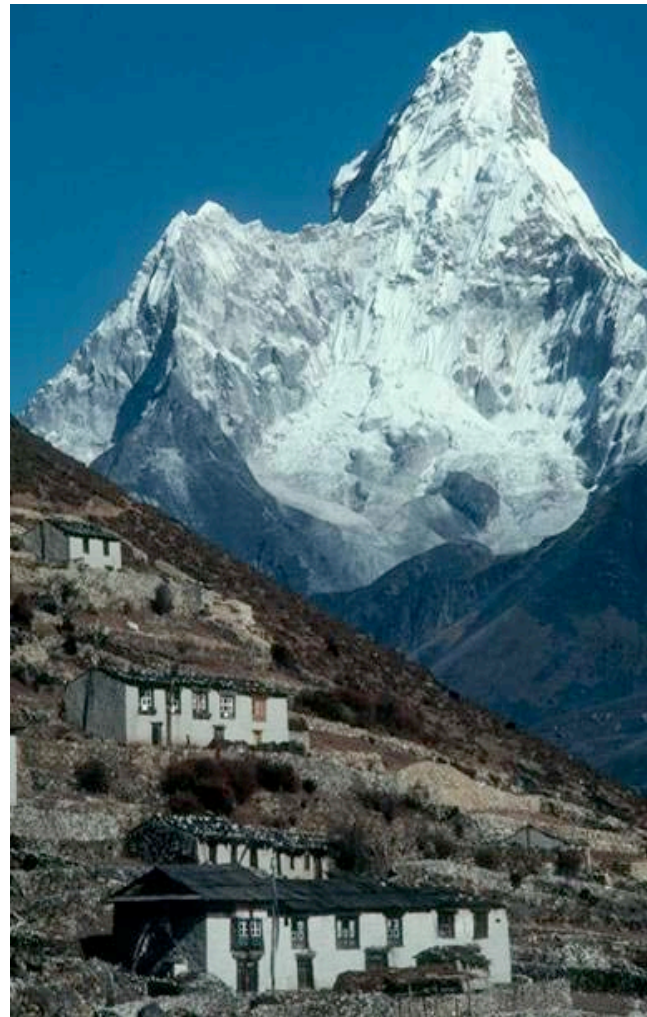
Unfortunately, this informal Sherpa affirmation of culture and conservation through the concept of Khumbu as a Community Conserved Area was misinterpreted by some in the Nepal press, government, and NGO community to be the unauthorized declaration of a new protected area to replace SNP. Sherpas were told by DNPWC officials that this declaration of the KCCA was illegal because it had not been authorized in advance by the warden of SNP. They were even informed that ICCAs *per se* are illegal in Nepal national parks – something not mentioned in discussions of them by international conservationists, Sherpas, and government officials at national park headquarters just a few weeks earlier or by the warden of SNP at an invited talk about Khumbu as a CCA that I gave at SNP headquarters.

DNPWC officials misinterpreted the Sherpa resolution and then moved to suppress it. DNPWC officials gave no credence to Sherpa explanations that the KCCA was a concept, not a new institution which would compete with or replace SNP. Sherpa leaders were pressured to withdraw their informal declaration and Sonam Gyalzen Sherpa did so after being advised that it had been an illegal act. Sherpa explanations of

what they had intended by their declaration of the KCCA were ignored. The DNPWC launched an investigation of the declaration of the KCCA and my role in advising Sherpa leaders and assisting them without prior authorization from the warden of SNP. DNPWC officials and some media reporters sought to portray the KCCA as a foreign project, ignoring the significance of Sherpa ICCAs or the important issues that the controversy raised about the status of Indigenous peoples and community conservation in Nepal's national parks and national park buffer zones. Eighteen Sherpa leaders responded with a strong letter to the Director-General of the DNPWC expressing deep concern and disagreement with how the DNPWC and media had misportrayed the KCCA for political purposes. They defended the declaration of the CCA as an action of the Sherpa people to affirm their culture and their commitment to conservation, noting that Khumbu Sherpas have been involved in conservation from ancestral times, and asserting that the local community is responsible for 80% of the conservation effort in SNP.

The Controversy

The government of Nepal has not said – formally and specifically – that “it recognizes ICCAs” or that it recognizes ICCAs within existing national parks. Nor has it changed its legislation to incorporate that recognition. But the government of Nepal is a signatory to the Convention on Biological Diversity and its Programme of Work on Protected Areas, which recommends recognizing and supporting CCAs. And it was advised to support ICCAs at a major regional conference on the “shifting paradigm” in protected areas which was led by the Ministry of Forests and Soil Conservation and the DNPWC which took place in Kathmandu in April 2007. At this meeting experts identified the “insufficient documentation, support, and legal provision for CCAs” as a regional gap in protected area governance and recommended “documentation, recognition, support and benefit sharing for CCAs – even those that are not legally recognized” (Bajracharya and Dahal 2008:229). International conservationists have already identified Nepal's conservation areas and community forests (including buffer zone community forests) as “examples of ICCAs.” For instance, Annapurna Conservation Area and Baghmara Community Forest are included among the examples of CCAs in the global reviews of ICCAs in the 2006 IUCN published book *Managing Protected Areas: a Global Guide* (Lockwood, et al. 2006). Moreover, Sherpa conservation practices had already been represented as CCAs in Kathmandu during a workshop on protected area governance and equity held at the headquarters of the Ministry of Forests and Soil Conservation and the Department of National Parks and Wildlife Conservation on January 20, 2008 without eliciting any complaint from government officials. There had been no mention that such existing ICCAs conflicted with national protected area law or were “illegal” in any way. This is important because current Sherpa leaders wish to work with government officials on behalf of Khumbu conservation. Rather than opposing SNP, as Sherpa leaders did thirty years ago when



Khumjung village in the SNP Buffer Zone and Ama Dablam Mountain in SNP, upper Khumbu. Photo © Stan Stevens.

Moreover, Sherpa conservation practices had already been represented as CCAs in Kathmandu during a workshop on protected area governance and equity held at the headquarters of the Ministry of Forests and Soil Conservation and the Department of National Parks and Wildlife Conservation on January 20, 2008 without eliciting any complaint from government officials. There had been no mention that such existing ICCAs conflicted with national protected area law or were “illegal” in any way. This is important because current Sherpa leaders wish to work with government officials on behalf of Khumbu conservation. Rather than opposing SNP, as Sherpa leaders did thirty years ago when

the national park was established over their protests, current leaders appreciate that SNP can be an important conservation innovation in their homeland. They wish not only to govern their villages and administer the buffer zone that they are now incorporated in, but also to participate formally in SNP management and to coordinate their ICCAs more closely with SNP planning and policy-making. Their conception of Khumbu as an ICCA is intended to complement Sagarmatha National Park rather than to challenge it or conflict with it.

Sherpa conservation stewardship of Khumbu as an ICCA reaffirmed Sherpa conservation practices that pre-date the establishment of SNP. These customary Sherpa practices, together with recently adopted ones, are central to the conservation of wildlife, forests, grasslands, and alpine areas within SNP and the SNP buffer zone. Conceiving Khumbu as an ICCA and declaring the KCCA involves no new demands for recognition of their human rights or their rights as Indigenous peoples, creates no new institutions, and requires no restitution of nationalized community (*kipat*) lands which had been taken from Sherpas in the 1960s without their consent and without compensation and which now constitute all of SNP and much of the buffer zone. Conceptualizing Khumbu as a Sherpa ICCA simply recognizes what is already on-the-ground in Khumbu without requiring any land tenure or governance change, gives Sherpas credit for their important conservation contributions to SNP and the SNPBZ, and opens the way for greater international appreciation and support.

The controversy generated by the “declaration” of KCCA appears, unfortunately, to reflect widespread misunderstanding of the concept of ICCAs and continuing discrimination against Indigenous peoples. Perhaps it will serve to increase understanding in Nepal governmental, NGO, and media circles of ICCAs and greater appreciation of the past, present, and future importance of ICCAs to conservation in Nepal. It certainly raises questions of the degree to which the staffs of the DNPWC and Kathmandu-based conservation NGOs understood international standards and agreements regarding protected area governance and the concept of ICCAs at the time Sherpa leaders declared the KCCA. It also raises questions of whether or not Nepal adheres to international standards for the management of protected areas in the homelands of Indigenous peoples, whether the DNPWC is committed to “new paradigm” protected areas and support of community conservation in its national parks, whether or not constitutional, civil, human, or Indigenous rights are maintained in Nepal protected areas, and whether issues of inter-ethnic, racial, or religious bias and prejudice affect DNPWC management of protected areas inhabited by Indigenous peoples.

Together these questions raise serious doubts about whether Nepal will continue to maintain its current international reputation for “progressive” protected area governance and management. Governance and management of national parks and wildlife reserves in particular merit objective evaluation to determine whether the DNPWC continues – as it seems – to govern these through non-participatory, “fortress conservation” approaches despite their continuing habitation and use by Indigenous peoples. DNPWC suppression of the KCCA and lack of appreciation for the existing importance of ICCAs in many of the national parks it administers is symptomatic of larger shortcomings in its administration of Nepal’s government declared protected areas. More participatory management of the country’s three conservation areas and national park and wildlife reserve buffer zones does not excuse current governance and management practices in the national parks and wildlife refuges. Moreover, the manner of the suppression of the KCCA also demonstrates that community decision-making and actions in buffer zones are subject to prior advance authorization of national park and wildlife reserve wardens, which makes suspect the degree to which Nepal’s buffer zones are participatory and inclusive co-management arrangements. In Khumbu the DNPWC administration of the SNPBZ has served to extend the SNP warden’s authority over communities to villages and settlements which until 2002 had legally been outside of his authority and self-governing. Furthermore, it appears to have done so without sufficient regard for protection of constitutional, civil, human, or Indigenous rights as recognized in Nepalese law and Nepal government ratified international agreements.

Moving Forward

Until now Sherpa conservation stewardship through their ICCAs has been largely overlooked by Nepal's national government and by international conservation NGOs working in the region. In particular it has been inadequately recognized by the Nepal government in the planning, policies, management, and governance of SNP. Effective future conservation in SNP and adherence to international standards for the management of protected areas in the homelands of Indigenous peoples require greater respect for Sherpa ICCAs. Sherpa leaders hope that through increasing awareness of their ICCAs among Sherpas and non-Sherpas that they can foster cultural affirmation and revitalization and create greater appreciation, respect, and support for their ICCAs from government officials and NGOs. International recognition and support may prove to be important, and Sherpas welcome new conservation collaborations including participation in regional, national, and international ICCA networks and organizations.

On their part, **Sherpas have felt misunderstood, alienated, intimidated, and angered** by the DNPWC response to their "declaration" of conservation stewardship. For some it represents another demonstration of the lack of sensitivity and respect that they have long felt has characterized DNPWC governance of them and their homeland. Some are quite surprised at the degree of authority which the DNPWC and the warden of SNP have claimed over them, as they thought their villages were in a buffer zone, not a national park, and that the buffer zone is both completely separate from the national park and a co-management arrangement in which they hold primary decision-making authority through holding most of the seats on the management committee. Many had felt that they have constitutional rights to speak and assemble, and some are well aware that they have Indigenous rights which seem to be ignored. Some have been intimidated into feeling that it is better that they don't mention their rights for fear of bringing down further government retribution. **But they certainly have not, and they actually cannot, renounce their caring for Khumbu.** Current efforts and plans for strengthening Khumbu conservation include community meetings and school programs about Sherpa conservation values and practices; networking with other Indigenous peoples; continuing efforts to reform SNP governance and management in order to ground these in Sherpa values, knowledge, institutions, and practices; meetings with SNP staff to increase their awareness and appreciation of the KCCA and Sherpa conservation; and a Sherpa Mapping Project to produce detailed maps of Sherpa ICCAs which can inform planned Sagarmatha National Park land use/management zoning so that it can reflect Sherpa natural resource use patterns and Sherpa ICCAs.

There is hope, moreover, that this controversy will yet be resolved in a positive manner. Misunderstandings can be rectified. The Sherpa "declaration" of the KCCA can still be accepted by the DNPWC in the spirit in which it was intended. The DNPWC can endorse the concept of ICCAs in SNP and the SNPBZ and throughout Nepal's protected area system. It can begin a process of cross-cultural communication and learning based on mutual respect and shared conservation goals. It can offer respect, encouragement, and support for both customary and recently-adopted ICCAs including recognizing them and coordinating with them in management plans and in protected area land use and management zoning systems. It can work with communities, at their request and in ways that they request, to increase community stewardship capabilities. The DNPWC can take these steps now, recognizing the existence of Indigenous peoples and local communities and their existing ICCAs in and around Nepal's protected areas, and at the same time it can begin a process of developing new national legislation and DNPWC regulations that will provide ICCAs with legal standing. This same approach has been taken before in Nepal. Nepal's much acclaimed conservation areas for years had no legal status. Annapurna Conservation Area, one of the world's most renowned "new paradigm" protected areas, was initiated in 1986 – six years before an amendment to Nepal's national park act created the legal basis for the establishment of conservation areas and nearly a decade before the DNPWC developed regulations for their administration.

There are indications that this process may be beginning for ICCAs. On August 8, 2008 IUCN Nepal convened a meeting of DNPWC officials, conservation NGO staff, and a newly-elected buffer zone representative of the Khumbu Sherpas to discuss the KCCA and ICCAs. Misunderstandings were clarified. As understanding increased about ICCAs and Nepal's international obligations, many in attendance agreed that they have no fundamental objection to recognition of ICCAs and some found ICCAs to be an exciting conservation concept. Nepal's members of IUCN's World Commission on Protected Areas, through their Protected Area Support Committee, agreed to begin studying ICCAs in preparation for making recommendations to the DNPWC that might include suggestions for new national legislation. There is yet hope that the government of Nepal will formally recognize ICCAs, and that they can become an integral part of protected area governance in Nepal. The KCCA will then come to be seen as an important conservation contribution to both Sagarmatha National Park and the Sagarmatha National Park Buffer Zone and yet another reason why Khumbu merits national and international recognition as a national park, a World Heritage Site, an Indigenous people's homeland, and a sacred place.

Evaluating Nepal ICCA Policies

Nepal does not recognize Indigenous and Community Conserved Areas (ICCAs) in its national protected area legislation or in the regulations, policies, and practices of its Department of National Parks and Wildlife Conservation or the Department of Forests. This is a significant shortcoming in its protected area policies and its honoring of international commitments. ICCA policy should be developed within the broader context of a revision of Nepal's protected area policies to recognize the rights of Indigenous peoples and local communities enumerated in ILO Convention 169, to which Nepal is a signatory; the UN Declaration on the Rights of Indigenous Peoples; IUCN/WCPA recommendations (2003-2004) on Indigenous peoples and protected areas, community conserved areas, co-managed protected areas, and protected area governance; the 2004 Programme of Work on Protected Areas of the Parties to the Convention on Biological Diversity, and other pertinent international treaties, conventions, and resolutions which Nepal has ratified or endorsed. Until Nepal legally recognizes ICCAs the many Indigenous peoples and other local communities who care for and protect sacred places and livelihood commons through their values, beliefs, and customary and new institutions and practices will continue to do so on a *de facto* basis, often against increasing internal and external challenges. Although some of these ICCAs are already well-known internationally, including Annapurna Conservation Area, Kangchenjunga Conservation Area, and the Nepal community forest system, many others have little national or international visibility, appreciation, respect, or support. This includes the many ICCAs maintained by Sherpas of the Mt. Everest region of Nepal whose sacred valley homeland is now administered as Sagarmatha National Park and World Heritage Site and the associated SNP Buffer Zone.

Caring for Khumbu: Affirming Sherpa Conservation Stewardship



The late Konchok Chombi Sherpa of Khumjung, a cultural and political leader who defended Sherpa ICCAs against nationalization in the 1960s, opposed the establishment of SNP in the 1970s, and sought respect for Sherpa ICCAs by SNP in the 1990s. Photo © Stan Stevens.



Sherpa members of the SNP Buffer Zone Management Committee, 2002 with Nawang Tenzin Zangbu, Sherpa abbot of Tengboche Monastery (front) at the inauguration of the SNP buffer zone. Back row, left to right: Pasang Gyalzen Sherpa, Tenzing Tashi Sherpa, and Sonam Gyalzen Sherpa.

“We want to call it the Khumbu Community Conserved Area to call attention to the future of Khumbu conservation by Sherpas. We have to change the centralized power system. [More] power should come to local people... If they [government officials] think about conservation they will see the KCCA is a good idea. People who love this area are the ones who can conserve it... In Khumbu we are all interested in this [the KCCA]. If we can make this happen Khumbu will be Khumbu.”

“The CCA is a way to increase respect for Khumbu. It is a way to continue our culture.”

“The KCCA is one of my dreams realized. Only Sherpas can take care of Khumbu.”

“The KCCA is the right idea at the right time.”

Sherpa leaders’ comments, May-June 2008

On the morning of May 25, 2008 twenty-eight Sherpa leaders (21 men; 7 women) gathered in Khumjung village, the largest of the Sherpa villages in the Sherpa homeland and sacred valley (beyul) of Khumbu in the Mt. Everest region of Nepal. These community and conservation leaders had gathered to discuss regional conservation issues and how to strengthen their conservation of their homeland on the basis of their cultural values and conservation institutions. They included elected leaders from throughout the region, among them the leaders of local buffer zone institutions, “community-based anti-poaching units,” “snow leopard conservation committees,” the Khumbu Alpine Conservation Council, women’s groups, youth groups, and the regional hydroelectricity company. Most had walked for hours from other mountain villages to reach the meeting. They had come from nearly all of the upper Khumbu villages which today are surrounded by Sagarmatha (Chomolungma/Mt. Everest) National Park (SNP) and World

Heritage Site, settlements which Sherpas continue to own as enclave islands of private property decades after their collective forests, rangelands, peaks, and waters were nationalized and declared SNP.¹ That day they discussed a concept that some leaders felt was of great importance to the future of Sherpas and of Khumbu, the idea of “community conserved areas” (CCAs). All agreed that their care of Khumbu through their customary and recently adopted practices constitutes the equivalent of what has gained international endorsement as CCAs. That afternoon all twenty-eight signed an informal affirmation through which they pledged their personal support for strengthening Sherpas’ conservation stewardship of their homeland, including all of what today is also SNP and SNP Buffer Zone, and to raise awareness, respect, and support for this by agreeing to unofficially refer to the Khumbu region as the Khumbu Yulwi Tholenkyauw Densa (which literally means the “Khumbu Community Cared for Area” in the Sherpa language) and to translate this name in English as the Khumbu Community Conserved Area (KCCA).

This paper reports Sherpa perspectives on their past and present conservation stewardship of the Mt. Everest region through their regional and local conservation institutions and practices, what would internationally be considered to be ICCAs. It also reviews the current challenges to those institutions and practices and provides recommendations for creating greater support for the ICCA concept and formal recognition of ICCAs in Nepal. I base the report not only on the discussion of conservation in Khumjung on May 25, 2008 but also on earlier discussions between 2004 and 2008, insights from in-depth research on Sherpa land use and conservation practices which I have carried out with Sherpa co-researchers since 1982 (Stevens 1993, 1997), my experience as a frequent visitor to Khumbu, and conversations and interactions with Sherpa colleagues and friends over many years.

Declaring the KCCA

In the months before the May 25, 2008 gathering a number of Sherpa leaders in the Mt. Everest region of Nepal had learned about the international concept of “community conserved areas” (CCAs), what are now called “Indigenous and community conserved areas” (ICCAs). Some leaders first heard about the concept in 2007 from international conservationists and IUCN literature. At least seven Sherpa leaders had attended a TILCEPA-led workshop on protected area governance and equity held in Kathmandu on January 20, 2008 at the headquarters of Nepal’s Ministry of Forests and Soil Conservation and Department of National Parks and Wildlife Conservation (DNPWC). At that workshop they realized that their protection of sacred mountains and forests and their community management of rangelands were exactly the kinds of community conservation which are now being promoted by IUCN and the Parties to the Convention on Biological Diversity. Community forests were also discussed as ICCAs, and in the national park buffer zone Sherpas manage community forests under legal recognition by the government of Nepal. Sherpas discussed this concept with considerable interest during a series of meetings over the next several days in Kathmandu. On returning to Khumbu they discussed it with other leaders, refined their thinking about Khumbu as an ICCA, and called a gathering of community and conservation leaders for an informal discussion which took place in the Sagarmatha National Park buffer zone village of Khumjung on May 25, 2008.

The idea of “community conserved area,” a place where local communities have cared for their lands in ways that have conservation significance, resonated strongly with Sherpa leaders. They felt that they have long been stewards of their region, which they consider a sacred valley, and have conserved it through their values, institutions, and practices. They recalled how Sherpas have protected all wildlife in the region for many generations because of their belief that they should not take any form of life and hence their protection of mammals, birds, fishes, reptiles, and insects. They noted that their region is rich

¹ The upper Khumbu villages and seasonal herding settlements, which have never been part of SNP or the SNP World Heritage Site, were declared part of the SNP Buffer Zone in 2002 together with the Sherpa villages and commons of lower Khumbu.

in sacred mountains, forests, and springs, and that the entire region has been considered to be a sacred Himalayan valley and Buddhist sanctuary for more than a millennium. They discussed how they have managed community forests for more than a century, and that they also continue in some areas to practice collective management of rangelands through community and multi-community rotational grazing systems. It seemed to many that they have always lived in the equivalent of an ICCA, and that this idea of ICCAs – that communities make important contribution to conservation through their culture and practices -- described well their own sense that Sherpas have a responsibility to conserve Khumbu. Indeed, Khumbu seemed to them to be both a single regional ICCA that encompasses the entire Khumbu sacred valley (in which Sherpas protect all wildlife as a fundamental aspect of their identity as Sherpas) and also to be a region in which there are a number of local ICCAs through which several villages care for and preserve sacred forests and other natural sacred sites and manage community forests and rangelands in ways which have great conservation significance. In recent years, moreover, they had created new ICCAs such as buffer zone forests which extended community management and conservation contributions beyond what had formerly been managed by them into region-wide systems and added important new conservation goals and practices.

For Sherpas the concept of “ICCA” recalled another concept which also encapsulates much meaning for Sherpas, that of Khumbu as a *beyul* – a sacred hidden Himalayan valley and Buddhist sanctuary. The term ICCA, however, carried a more specific connotation of conservation responsibility, and some Sherpa leaders feel that it strongly resonates with or embodies their sense that Sherpas as a people have a responsibility to care for and to conserve Khumbu. It provides them with a way to think about how their many local institutional practices cumulatively produce significant regional conservation achievements. It makes visible and validates both practices which in some cases they have maintained for centuries and others which they have adopted in the past six years.

Some leaders also expressed their view that the concept of an ICCA was a very useful way to think about the links between culture and conservation. They emphasized the importance of reaffirming Sherpa culture and conservation in a time of social, economic, and cultural change. The concept of ICCAs seemed to them to have potential to help address current challenges and threats to continuing Sherpa care and conservation of Khumbu that greatly concern many Sherpas. These issues were discussed passionately at the Khumjung gathering as they have been in other informal discussions among leaders. Sherpa leaders feel that there are both internal and external challenges to both the stewardship of the Khumbu beyul as an ICCA and to the management of local ICCAs which have enormous significance for the future of Sherpas as a people and the character and conservation of Khumbu as a Sherpa homeland, a Buddhist sanctuary and sacred valley, and a national park, World Heritage Site, and national park buffer zone. They discussed how they can use the idea that their conservation stewardship of Khumbu is the equivalent of a Khumbu-wide ICCA and local ICCAs as a means to instill greater awareness and pride among Sherpa youth in their identity, heritage, Indigenous knowledge, customary institutions, and conservation responsibilities and achievements. Creating awareness of Sherpa ICCAs could provide a means of rededicating themselves as a people to the conservation of their homeland through strengthening Sherpa values and practices. It also would provide a simple but powerful way to make the many national and international conservationists who recognize the importance of ICCAs appreciative of Sherpas’ continuing contribution to the conservation of SNP. This might prove to be an important source of future intellectual, moral, technical, and financial support for regional conservation. Sherpa leaders envision increased development of alternative energy to reduce pressure on regional forests and alpine vegetation, the training and employment of Sherpa conservation and development staff, funding for Sherpas to help defend Khumbu wildlife against non-local, non-Sherpa commercial hunters, support for regional cultural landscape conservation, the development of detailed mapping of their ICCAs as a step towards developing an effective national park zoning system and other programs for which national and international collaborations and assistance based on appreciation and respect for their ICCAs can be invaluable.

The concept of ICCAs also seemed to Sherpa leaders to be of great potential value as a way to gain greater national understanding, respect, and support for their cultural conservation stewardship of Khumbu and the central contribution they make to the conservation achievements of SNP. Some noted that the concept of ICCA and the community conservation values and practices that it characterizes strongly complements and contributes to the management of the Mt. Everest region as a national park -- Sagarmatha (Mt. Everest) National Park -- a World Heritage Site, and a national park buffer zone. Sherpa leaders saw their local and regional ICCAs as complementing SNP management, not conflicting with it. This “declaration” of their region as an ICCA was meant to mean that they would think and talk about their existing community conservation practices as a kind of ICCA – not that they were establishing any new institution or instituting any new practices, or creating a new protected area to compete with Sagarmatha National Park. They knew that this resolution would have no legal status. It was simply a way to let the world know of their existence and their conservation contributions. When they were informed that such a declaration would be viewed unfavorably by officials of the Department of National Parks and Wildlife Conservation, and would even be considered illegal, they immediately withdrew it. But as a concept Sherpa leaders continue to find the idea of ICCAs an appropriate way to characterize their conservation stewardship and a new and useful way of thinking and talking about conservation by communities. Thinking and talking about Sherpa values and cultural conservation practices as the equivalent of what many conservationists worldwide now refer to as ICCAs seemed also a way to gain greater understanding and respect for Sherpa conservation achievements and contributions to Sagarmatha National Park. This might be useful for securing more international support for addressing such current challenges of developing alternative energy, stopping poaching by outside, non-Sherpa market hunters, staving off adverse environmental and livelihood impacts from large-scale tourism developments.

Also appealing to Sherpa leaders was that ICCAs are often informal and unofficial, and do not require that a people or community own the lands which they steward. Many ICCAs worldwide are informally maintained by Indigenous peoples and other local communities. They do not require government recognition to be regarded as ICCAs, or indeed to be held up as important examples of ICCAs by international conservationists.

On that day in Khumjung that there was strong enthusiasm for the idea of thinking about Khumbu as an ICCA. Leaders felt that it would be fitting to express Sherpa commitment to conservation stewardship of their sacred valley by publicly proclaiming this in the form of an announcement. This was an informal resolution by local leaders to honor their identity and culture and to reaffirm Sherpa responsibility for caring for their sacred valley through the conservation practices which contribute so centrally to Sagarmatha National Park.

For several months some Sherpa leaders had been considering the idea of giving a name to the existing Sherpa conservation stewardship of Khumbu through Khumbu-wide and local ICCAs which would facilitate thinking and talking about them within and beyond Khumbu. By the time of the Khumjung gathering, the Sherpa language name Khumbu Yulwi Tholenkyauw Densa (Khumbu Community Cared for Area) had come to seem particularly appropriate. The Sherpa name refers to an area cared for or looked after by the Khumbu community, which reaffirms the commitment that Sherpas have made for many generations. For the Khumjung gathering a statement had been developed with constituted a resolution through which leaders could affirm continuing Sherpa dedication to care and conservation stewardship of Khumbu. This declaration of the Khumbu Yulwi Tholenkyauw Densa was read in Sherpa. The attending leaders offered everyone who was present the opportunity to sign the statement, recognizing that this was an expression of personal support and did not make the declaration “official” or “legal” in the eyes of the Nepal government. All twenty-eight Sherpa community and conservation leaders signed, many taking visible pride and satisfaction in doing so. It was recognized that this was an important moment for the future of Sherpas and Khumbu. Most people left to walk back to their home

villages. Some leaders stayed on to discuss what could be done next to increase awareness of Sherpa ICCAs and their conservation effectiveness.

In the next days copies of the resolution were presented to the warden of SNP, Tulasi Sharma, and sent by messenger to Dr. Annapurna Nand Das, the director-general of the Department of National Parks and Wildlife Conservation (DNPWC). Copies or e-mail versions were sent with an accompanying explanation to senior staff of leading Kathmandu conservation NGOs via email and through the TILCEPA network to conservationists and advocates of ICCAs worldwide. There was no response for nearly two months from any DNPWC officials or the senior staff of Kathmandu NGOs.

The KCCA Suppressed

Suddenly in late July the KCCA became controversial after a Kathmandu newspaper misportrayed it as the illegal establishment by Sherpas of a “conservation area” (in Nepal a specific form of protected area declared by the Nepal government). A series of newspaper articles criticized the Sherpas and myself for “illegally” declaring a protected area without the prior authorization by the DNPWC or concerned NGOs and attacked the warden of SNP and the director-general of the DNPWC for being unaware of these activities in SNP. Later articles suggested that a CCA in Khumbu required advanced UNESCO authorization because SNP is a World Heritage Site. This Sherpa affirmation of culture and conservation through the concept of Khumbu as a Community Conserved Area was misinterpreted by some in the Nepal press, government, and NGO community to be an effort to establish a new protected area in place of SNP. DNPWC officials and Nepalese staff of a prominent transnational conservation organization were quoted in opposition to the Sherpa leaders’ action rather than to clarify ICCAs and their informal character. There were calls for an investigation to be launched to determine if I had influenced and assisted Sherpa leaders in declaring the KCCA without prior authorization from the warden of SNP.

Some in the Nepal press, government, and NGO community appeared not to understand the difference between ICCAs and Nepal’s conservation areas. Some Nepalese protected area “experts” seemed to know little or nothing about ICCAs. An informal affirmation of community conservation practices which are integral to conservation in SNP, many of which predate the national park and have been maintained throughout its existence, was misconstrued to be an attempt by Sherpas to replace SNP. Sherpas were told by DNPWC officials that this declaration of the KCCA was illegal because it had not been authorized in advance by the warden of SNP. They were even informed that ICCAs *per se* are illegal in Nepal national parks – something not mentioned in discussions of them by international conservationists, Sherpas, and government officials at national park headquarters just a few weeks earlier or by the warden of SNP at an invited talk about Khumbu as a ICCA that I gave at SNP headquarters on May 29, 2008.

DNPWC officials misinterpreted the Sherpa resolution and then moved to suppress it. The warden of SNP and other DNPWC officials gave no credence to Sherpa explanations that the KCCA was a concept, not a new institution which would compete with or replace SNP. Sherpa leaders were pressured to withdraw their informal declaration and Sonam Gyalzen Sherpa did so after being advised that it had been an illegal act and that there would be trouble for Sherpas if he did not do so. Sherpa explanations of what they had intended by their declaration of the KCCA were ignored. The DNPWC launched an investigation of how the KCCA had been declared.

DNPWC officials and some media reporters sought to portray the KCCA as a foreign project, ignoring the significance of Sherpa ICCAs or the important issues that the controversy raised about the status of indigenous peoples and community conservation in Nepal’s national parks and national park buffer zones. Eighteen Sherpa leaders responded with a strong letter to the Director-General of the DNPWC expressing deep concern and disagreement with how the DNPWC and media had misportrayed the KCCA for political purposes. They defended the declaration of the CCA as an action of the Sherpa people to affirm their culture and their commitment to conservation, noting that Khumbu Sherpas have been involved in

conservation from ancestral times, and asserting that the local community is responsible for 80% of the conservation effort in SNP.

The Controversy

The government of Nepal has not said – formally and specifically – that “it recognizes ICCAs” – either outside or within existing national parks. Nor has it changed its legislation to incorporate that recognition. But the government of Nepal is a signatory to the Convention on Biological Diversity and its Programme of Work on Protected Areas, which recommends recognizing and supporting CCAs. Moreover it was advised to acknowledge and support ICCAs at a major regional conference on the “shifting paradigm” in protected areas which was led by the Ministry of Forests and Soil Conservation and the DNPWC which took place in Kathmandu in April 2007. At this meeting experts identified the “insufficient documentation, support, and legal provision for CCAs” as a regional gap in protected area governance and recommended “documentation, recognition, support and benefit sharing for CCAs – even those that are not legally recognized” (Bajracharya and Dahal 2008:229). International conservationists, however, have already identified Nepal’s conservation areas and community forests (including buffer zone community forests) as examples of ICCAs. Annapurna Conservation Area and Bagmara Community Forest are included among the examples of ICCAs in the global reviews of ICCAs in the 2006 IUCN-published book *Managing Protected Areas: a Global Guide*.

Sherpa conservation practices, moreover, had already been represented as ICCAs in Kathmandu at an important recent workshop on protected area governance without eliciting any complaint from government officials. Sherpas had suggested that their practices constituted ICCAs at a Kathmandu workshop on protected area governance and equity that held on January 20, 2008 at the headquarters of the Ministry of Forests and Soil Conservation and the DNPWC in Kathmandu which was organized by IUCN-TILCEPA co-chair Grazia Borrini-Feyerabend and then IUCN-Nepal country representative Prabhu Budhathoki and which was attended by two former director-generals of national parks who had been former wardens of SNP and by the current warden of SNP. Grazing management in national parks, wildlife protection in national parks, sacred mountains in SNP, sacred forests in buffer zones and the national forest, and buffer zone forests – of which there are ten in Khumbu – had all been discussed as ICCAs. There had been no mention that such existing ICCAs conflicted with national protected area law or were “illegal” in any way.

This was important because current Sherpa leaders wish to work with government officials on behalf of Khumbu conservation. Rather than opposing SNP, as Sherpa leaders did thirty years ago when the national park was established over their protests, current leaders respect SNP as an important conservation innovation in their homeland. They wish not only to manage the buffer zone, but also to participate more actively in SNP management and coordinate their ICCAs more closely with SNP planning and policy-making in order to strengthen regional conservation. Their conception of Khumbu as a CCA thus complemented SNP rather than challenged it or conflicted with it. Sherpa conservation stewardship of Khumbu as an ICCA reaffirmed Sherpa conservation practices that pre-dated the establishment of SNP and have those and new Sherpa practices which have been central to the conservation of wildlife, forests, grasslands, and alpine areas within SNP and the SNP buffer zone.

Conceiving Khumbu as an ICCA involved creating no new institutions, demanding no restitution of nationalized community (*kipat*) lands which had been taken from Sherpas in the 1960s and which now constitute all of SNP and all of the buffer zone except the many Sherpa villages and herding settlements themselves. Conceptualizing Khumbu as a Sherpa ICCA simply recognizes what is already on-the-ground in Khumbu without requiring any land tenure or governance change, gives Sherpas credit for their important conservation contributions to SNP and the SNPBZ, and opens the way for international appreciation and support.

The controversy seemed to reflect widespread misunderstanding of the concept of ICCAs and continuing discrimination against Indigenous peoples. Perhaps it will serve to increase understanding in Nepal governmental, NGO, and media circles of ICCAs and greater appreciation of the past, present, and future importance of ICCAs to conservation in Nepal. It certainly raises questions of the degree to which the staffs of the DNPWC and Kathmandu-based conservation NGOs understood international standards and agreements regarding protected area governance and the concept of ICCAs at the time Sherpa leaders declared the KCCA. It also raises questions of whether or not Nepal adheres to international standards for the management of protected areas in the homelands of Indigenous peoples, whether the DNPWC is committed to “new paradigm” protected areas and support of community conservation in its national parks, whether or not constitutional, civil, human, or Indigenous rights are maintained in Nepal protected areas, and whether issues of inter-ethnic, racial, or religious bias and prejudice affect DNPWC management of protected areas inhabited by Indigenous peoples.

Together these questions raise serious doubts about whether Nepal deserves its current international reputation for “progressive” protected area governance and management. Governance and management of national parks and wildlife reserves in particular merits objective evaluation to determine whether the DNPWC continues – as it seems – to govern these through non-participatory and fortress conservation approaches despite their continuing habitation and use by Indigenous peoples. DNPWC suppression of the KCCA and lack of appreciation for the existing importance of ICCAs in many of the national parks it administers is

symptomatic of larger shortcomings in its administration of Nepal’s government declared protected areas. More participatory management of the country’s three conservation areas and national park and wildlife reserve buffer zones does not excuse current governance and management practices in the national parks and wildlife refuges.

Moreover the manner of the suppression of the KCCA also demonstrates that community decision-making and actions in



Khumjung (left) and Khunde villages, upper Khumbu. Part of the Khumjung and Khunde community forests are visible. In recent years these have been closed to tree-felling and firewood collection. Photo © Stan Stevens

buffer zones are subject to prior advance authorization of national park and wildlife reserve wardens, which makes suspect the degree to which Nepal’s buffer zones are participatory, co-management arrangements. In Khumbu the DNPWC administration of the SNPBZ has served to extend the SNP warden’s authority over communities to villages and settlements which until 2002 had legally been outside of his authority and self-governing, and appears to have done so without sufficient regard for protection of constitutional, civil, human, or Indigenous rights as recognized in Nepalese law and Nepal government ratified international agreements.

Because of the controversy and confusion in Nepal over what ICCAs are and are not, it may be necessary at this time to refer not to “the Khumbu Community Conserved Area,” but rather to “Khumbu as a

community conserved area” in order to emphasize that it is a concept and a set of local and regional institutions and practices rather than a legal entity.

ICCAs: a Brief Introduction

Indigenous and community conserved areas (ICCAs, formerly known as CCAs) have become an exciting new focus of international conservation interest in recent years, particularly since the 2003 World Parks Congress in Durban, South Africa where IUCN’s World Commission on Protected Areas adopted a recommendation that recognized their enormous global conservation importance and requested governments to recognize them.

IUCN’s III World Conservation Congress, convened in Bangkok in 2004, affirmed recommendation V.26 from the 2003 World Parks Congress in its resolution 3.049 on behalf of the “need to recognize and support” Community Conserved Areas (IUCN 2005). And in 2004 the 7th Conference of the Parties to the Convention on Biological Diversity included specific emphasis on the recognition and support of ICCAs by governments in its Programme of Work on Protected Areas (Conference of the Parties to the Convention on Biological Diversity 2004).

It is ironic that ICCAs are only now being “discovered,” by international conservationists and some states because such community conservation long predates state and NGO protected area efforts (Stevens 1997; TILCEPA, 2003; CEESP, 2003; Borrini-Feyerabend *et al.* 2004; Patak *et al.* 2004; Secretariat of the CBD 2004). The concept of ICCAs recognizes that Indigenous peoples and communities have made major conservation contributions through their local knowledge, beliefs, ways of life, relationships with the “non-human” world, livelihood practices, veneration and protection of sacred natural places, and collective management of commons.

ICCAs are currently defined by IUCN as: ‘natural and modified ecosystems with significant biodiversity, ecological and related cultural values, voluntarily conserved by indigenous and local communities through customary laws or other effective means’ (Borrini-Feyerabend *et al.*, 2004; Secretariat of the Convention on Biological Diversity, 2004; Kothari 2006a). The term ICCA recognizes that communities can make conservation contributions of national and global importance through their culture and practices. Places can be considered to be ICCAs in cases where there is no legal recognition of that concept. The governments of many countries have not legally recognized ICCAs as such. Yet ICCAs continue to be maintained by communities through their cultures and customary law. Borrini-Feyerabend *et al.* 2004 observe in the IUCN WCPA best practice guidelines on Indigenous and local communities and protected areas that:

“Many Community Conserved Areas are based entirely on customary rules and agreements, with no intervention by government agencies, no relation to official policies and no incorporation in formal legislation. Indeed in some cases the community maintains a degree of confidentiality over the exact location, boundaries and resources; very often, Community Conserved Areas are informal arrangements and officially unrecognised. Their contribution to a country’s conservation system therefore goes unnoticed and unsupported. Official protected areas may have been established, knowingly or unknowingly, on top of pre-existing Community Conserved Areas, putting traditional

“In the early 2000s, the experience and concerns for conservation and equity that prompted the development of TILCEPA generated intense debates and exchanges, leading to the emergence of new conservation concepts. Among the most significant is that of “Community Conserved Area”, which introduces nothing new but recognises and seeks the legitimization of some of the oldest conservation experiences and practices in the world.”

Borrini-Feyerabend, Kothari and Oviedo, 2004:51.

practices and management systems at risk, without substituting effective new rules. This can have serious negative results for both the conservation status of the resources and the livelihoods of people.” Borrini-Feyerabend et al. 2004:51-2

ICCAs are often a voluntary, self-declaration of a community’s conservation dedication. Indeed, globally likely most ICCAs are not legally recognized by national governments or supported by international conservation NGOs (Kothari 2004). In these cases, where there is no legal recognition of them outside of a people’s own “customary” law, they are not official from the standpoint of the national government and do not form part of the national protected area system. Unofficial self-declaration can be important to communities, however, as an opportunity to reaffirm and rededicate themselves to conservation and to gain recognition and respect for communities’ conservation contributions from within and beyond the community itself. ICCAs are not recognized in Nepal, and protected areas, including both SNP and the SNPBZ, have often been established “on top of” pre-existing and still active traditional ICCAs.

IUCN has long supported the recognition of Indigenous peoples’ conservation contributions and rights. Resolution 3.055 of the III World Conservation Congress (IUCN 2005) on Indigenous Peoples, Protected Areas and the CBD Programme of Work, for example recalled:

“previous IUCN Resolutions and Recommendations that note, recognize, promote and call for the appropriate implementation of policies and practices that respect the human rights, roles, cultures and traditional knowledge of indigenous peoples in accordance with international agreements and their right to self-determination.” IUCN 2005:61

Support for indigenous peoples involvement in protected area governance and recognition of Indigenous rights was also prominent in the Durban Accord and the Durban Action Plan targets adopted by IUCN’s World Commission on Protected Areas at the Vth World Parks Congress in 2003 (see, for example, Outcome 5 and its three main mileposts, targets 8, 9, and 10). IUCN has promoted the recognition of a “new paradigm” of protected areas according to which indigenous and local communities’ rights are recognized, respected and upheld in the planning, establishment and management of protected areas” (WCC Resolution 3.055). This has included specific support for the recognition of ICCAs, which has been advanced through the Vth World Parks Congress (Durban Accord, and Durban Action Plan, as well as Recommendations V.26 on Community Conserved Areas), the III World Conservation Congress (Resolutions 3.049 on Community Conserved Areas and 3.055 on Indigenous Peoples, Protected Areas and the CBD Programme of Work) and the IV World Conservation Congress (Resolution 4.049 on Supporting Indigenous Conservation Territories and other Indigenous Peoples’ and Community Conserved Areas). The Durban Action Plan (IUCN 2003) called on governments to “recognize the contribution and status of community conserved areas...as well as indigenous-owned, designated and managed protected areas, within national systems of protected areas” among many other specific recommendations that are relevant to support for ICCAs, and to “adopt and implement laws and policies concerning indigenous peoples’ and local communities’ control over their sacred places, with their full and effective participation” and “review all existing conservation laws and policies that impact on indigenous peoples and local communities...ensuring their effective involvement and participation in this review.”

The WCC Resolution 3.049 “recognizes and affirms the conservation significance of Community Conserved Areas (CCAs) and the role of indigenous peoples and local communities managing such sites” and called on IUCN to “promote the recognition of CCAs” including “where communities so choose, their inclusion within national, provincial/state, and local systems of protected areas” by “supporting existing CCAs, and facilitating new ones, through various measures including support to the restitution of traditional and customary rights.” The resolution attested that “a considerable part of the Earth’s surviving biodiversity is located on territories under the ownership, control, and/or management of

indigenous peoples and local communities' who "are conserving many sites within these territories...and that such sites add considerably to humanity's efforts to protect and conserve biodiversity" but noted that "most CCAs remain unrecognized in national and international conservation systems," CCAs "everywhere are facing threats" and that "communities need support and facilitation to be able to respond to these threats" (IUCN 2004). WCC Resolution 4.049 cautioned that "on-going and imminent threats" include "unsustainable development policies and projects, aggressive practices of extractive industries and industrial agriculture, insecure tenure arrangements, de-legitimization of customary rights, inequities of a social, economic and political nature, loss of knowledge, cultural change and climate change and – most recently – inappropriate forms of recognition by governmental agencies and conservation organizations" and to support Indigenous peoples and local communities in being able to respond effectively to these threats called on IUCN members to take steps which include "fully acknowledge the conservation significance of Indigenous Conservation Territories [ICTs] and other Indigenous Peoples' and Community Conserved Areas [ICCAs]," support "the fair restitution of territorial, land and natural resource rights," and "support indigenous peoples and local communities to protect ICTs and ICCAs against external threats" (IUCN 2008).

ICCAs have been particularly promoted through the activities of IUCN's inter-commission (WCPA and CEESP) working group or theme TILCEPA (originally the Theme on Indigenous and Local Communities, Equity, and Protected Areas and now the Strategic Direction on Governance, Communities, Equity, and Livelihood Rights in Relation to Protected Areas). TILCEPA is devoted to protected area governance issues and has been much involved in documenting ICCAs, evaluating the status of ICCAs in various countries, and raising awareness globally of ICCAs and their conservation importance (www.tilcepa.org).

IUCN has also supported awareness and recognition of ICCAs through prominently featuring them in "best practice" guidelines for protected areas. IUCN's World Commission on Protected Areas, for example, highlighted the importance of ICCAs in the Best Practice Protected Areas Guidelines No. 11 on *Indigenous and Local Communities and Protected Areas: Towards Equity and Enhanced Conservation* (Borrini-Feyerabend *et al.* 2004). This best practice volume, written by TILCEPA co-chairs Grazia Borrini-Feyerabend and Ashish Kothari together with Gonzalo Oviedo (Senior Social Policy Advisor at IUCN), strongly endorses ICCAs and provides guidance on ICCA policy and practice including approaches to the many challenges communities face in maintaining or revitalizing ICCAs, not least of which is the establishment – as in the case of Khumbu -- of protected areas by states in regions in which communities have pre-existing ICCAs.

The Parties to the Convention on the Conservation of Biological Diversity, in their 2004 Programme of Work on Protected Areas strongly supported respect for Indigenous peoples' knowledge and rights, including their participation in the governance of existing protected areas as well as those established in the future with their informed consent. These recommendations are particularly strong in Programme Element 2, "Governance, Participation, Equity, and Benefit Sharing" which includes specific reference to ICCAs. IUCN, moreover, endorsed the implementation of Element 2 at the III World Conservation Congress in Bangkok in 2004 (IUCN 2005, resolution 3.055). Both of the targets for Element 2 and all eleven of the activities it recommends for the CBD's state parties address issues of governance and equity which are of concern to Indigenous peoples. Collectively they strongly endorse Indigenous peoples "full and effective participation" in protected area establishment, governance, and management. Element 2 includes recommendations that states "recognize and promote a broad set of protected area governance types...which may include areas conserved by indigenous and local communities" (section 2.1.2), "engage indigenous and local communities...in participatory planning and governance (2.1.5), and

"promote an enabling environment (legislation, policies, capacities, and resources) for the involvement of indigenous and local communities and relevant stakeholders in decision making, and the development of their capacities and opportunities to establish

and manage protected areas, including community-conserved and private protected areas”

Parties to the Convention on the CBD 2004, CoP VII, section 2.24 (my emphasis)

Section 2.1.3 specifically advises states to:

“Establish policies and institutional mechanisms with full participation of indigenous and local communities, to facilitate the legal recognition and effective management of indigenous and local community conserved areas in a manner consistent with the goals of conserving both biodiversity and the knowledge, innovations and practices of indigenous and local communities”

Parties to the Convention on the CBD 2004, CoP VII, section 2.13 (my emphasis)

It is ironic that one of the suggestions to governments (1.14) in the Programme of Work on Protected Areas is to “by 2006, conduct, with the full and effective participation of indigenous and local communities...national-level reviews of existing and potential forms of conservation...including innovative types of governance for protected areas...such as...indigenous and local community conserved areas” (Parties to the Convention on Biological Diversity 2004), and that among the targets for 2008 is for parties to the Convention to develop policies and programs which ensure that “Participation of indigenous and local communities is full and effective, in full respect of their rights and recognition of their responsibilities...in the management of existing, and the establishment and management of new, protected areas.”

The Secretariat of the Convention on Biological Diversity also strongly endorsed ICCAs in 2004. In the Secretariat’s 2004 volume on *Biodiversity Issues for Consideration in the Planning, Establishment and Management of Protected areas Sites and Networks* ICCAs are presented as one of the “two broad trends in participatory conservation” together with collaborative management (Kothari in Secretariat of the CBD 2004:95). CCAs are further characterized as one of four key forms of governance for protected areas, as being “fully compatible with the CBD definition of protected area,” as “part of a movement that uplifts cultural diversity and human rights,” and as an important component of a diverse, complete, effective, and equitable national system of protected areas (Borrini-Feyerabend in Secretariat of the CBD, 2004:101-102).

Nepal is among those countries where the term “community conserved area” currently can only be used conceptually as there is no legal designation of them. Yet for several years Nepal ICCAs have received international attention despite the lack of formal government recognition. Both “conservation areas” and “buffer zone community forests” have been cited as examples of ICCAs. Annapurna Conservation Area and Baghmara Community Forest in the Chitwan National Park Buffer Zone) were included as examples of ICCAs in the influential IUCN book *Managing Protected Areas: a Global Guide* (Lockwood et al., 2006) which is intended as a manual for protected area managers worldwide. Kangchenjunga Conservation Area has also received much attention as an ICCA.

Nepal is rich in ICCAs. Many of the Indigenous peoples and local communities of Nepal continue to manage community-used commons and sacred natural sites, but they are unfamiliar with the ICCA concept as it has been internationally articulated and promoted within IUCN and the Parties to the Convention on Biological Diversity. There has not yet been much attention or support for ICCAs as such by the government of Nepal or NGOs working in Nepal. The Nepal government has not yet legally recognized ICCAs. Nor has it reinstated the state’s historical recognition of community lands and the collective management of them through customary systems of forest and rangeland management, recognized Indigenous peoples’ territories, or strongly supported communities’ continuing care and protection of sacred natural sites. This reflects what many Indigenous peoples’ leaders and Indigenous rights advocates consider to have been a history of marginalization and discrimination against Indigenous

peoples by the Nepal state and its dominant ethnic elite (Gurung, H. 2003; Gurung, O. 2006; Lawotri 2005; NEFIN 2006).

In recent years Indigenous peoples have responded to continuing lack of Indigenous rights by mounting a nonviolent social justice and political recognition movement and by contributing most of the Maoist fighters in the 1996-2006 People's War. The political and social contexts for ICCA recognition may improve with the declaration in 2008 of Nepal as a democratic federal republic, the 2008 amendment to the interim constitution which pledged recognition of ethnic autonomous regions among the federal states, and the opportunity created by the drafting of a new constitution which may recognize Indigenous rights that the Nepal government committed itself to honoring in 2007 by ratifying the ILO Convention 169 on Indigenous and Tribal Peoples.

Nepal is now the first country in mainland Asia to have ratified ILO 169 and the ramifications of this for ICCA recognition and protected area governance reform should be considerable (Stevens 2007, 2008b, forthcoming). Government agencies and international conservation organizations operating in Nepal have been slow to take note of the ratification of ILO 169 and to acknowledge its ramifications for conservation, which require recognizing the Indigenous status of peoples whose homelands they work in, and to promote more participatory kinds of conservation and support for Indigenous cultures. ICCAs are a good example of the kind of approach that may become important in a more democratic, socially-inclusive Nepal.



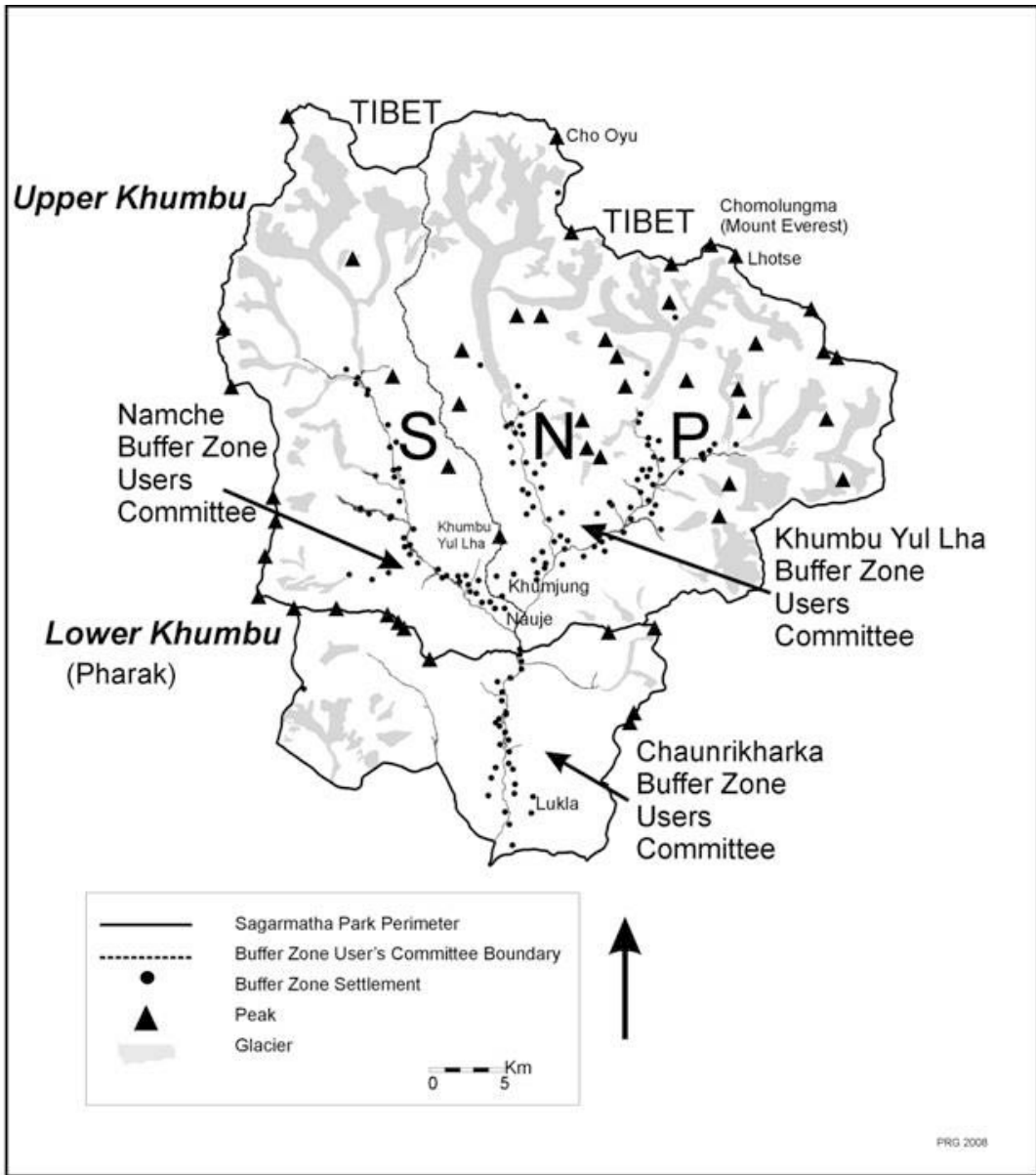
Chomolungma (Mt. Everest) upper left, Lhotse (right), the valley of the Imja Khola, Pangboche village and sacred forest (mid-photo) in the SNP Buffer Zone, and the Tengboche Monastery forest (foreground) in SNP, upper Khumbu. Photo © Stan Stevens

A Sherpa Homeland and Sacred Valley

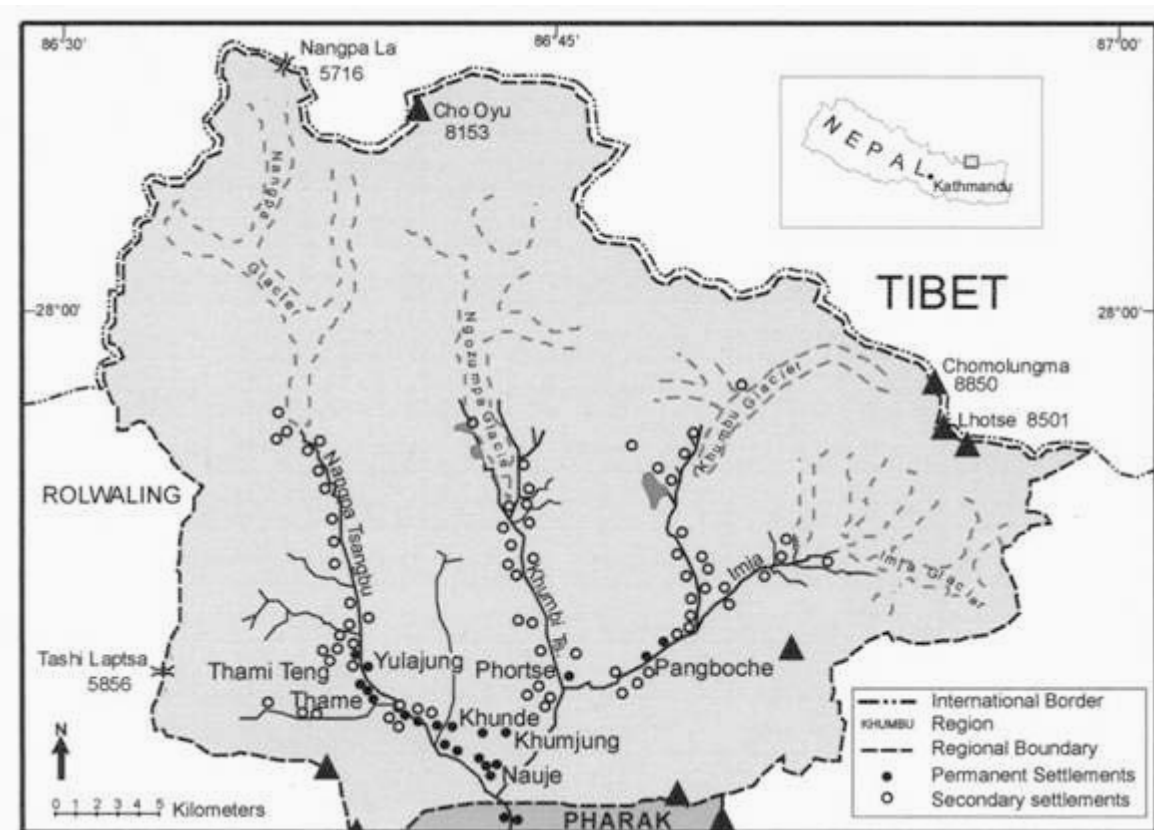
Khumbu encompasses a 1,500 km² region of high peaks and valleys in northeastern Nepal on the border of Tibet (Map 1). This is the highest region of the Himalaya, and includes Mount Everest

(Chomolungma in Sherpa, Sagarmatha in Nepali) and many other famous peaks – among them four of the ten highest mountains in the world as well as high alpine valleys and deep, well-forested gorges that provide habitat for a wealth of wildlife including endangered snow leopards, musk deer, Himalayan black bears, and red pandas and abundant Himalayan tahr, a mountain goat/antelope which is rare in many other regions.

The homeland which Sherpas call Khumbu consists of upper and lower Khumbu (*Khumbu te* and *Khumbu me* or Pharak). Upper Khumbu, the headwaters region of the Dudh Koshi (the Milky River), is a 1,200 km² area which is nearly encircled by high mountains and most of which is above the 4,000 meters upper limit of forests. This region has become a world renowned destination for international trekking and mountaineering tourists and was declared Sagarmatha (Mt. Everest) National Park (SNP) in 1976 and a natural World Heritage Site in 1979. Sherpas have established farming villages and hamlets in the valleys between 3,400 and 4,000 meters where they grow potatoes and buckwheat and operate hotels that cater to the international trekking and mountaineering tourism that has made the region prosperous. They also maintain more than 120 seasonal herding and secondary agricultural settlements. These are integral to their high-altitude farming for reducing risk of catastrophic crop losses by maintaining fields at multiple altitudes and as bases for transhumant herding of yaks and yak-cattle crossbreeds (Map 2). Some of these settlements have also now been developed for tourism, with Sherpa hotels replacing herding huts. These villages and settlements, which are islands of private Sherpa lands and are not part of SNP or the SNP World Heritage Site, were incorporated in the SNP Buffer Zone in 2002.



Map 1. Khumbu, Sagarmatha National Park, and Sagarmatha National park Buffer Zone. Not all settlements are shown. Settlements in both upper and lower Khumbu are part of SNP buffer zone and are not part of SNP and SNP World Heritage Site. Basemap adapted from ICIMOD MENRIS SNP/SNPBZ Land Cover Map.



Map 2. Upper Khumbu. All villages and secondary settlements are part of the SNP Buffer Zone. The remaining lands constitute SNP.



Nauje village (also known as Namche Bazar), the most famous of the upper Khumbu villages. Photo © Stan Stevens



Dingboche, one of the upper Khumbu seasonal herding settlements and secondary agricultural areas. Photo © Stan Stevens

Lower Khumbu is the adjacent area to the south. This region mainly consists of the forested gorge of the Dudh Koshi as it threads between the southern snow mountains of the Great Himalaya towards the middle hills of Nepal. Sherpa villages here are situated between 2,200 and 2,800 and their residents' livelihoods revolve around cultivating potatoes, wheat, barley, and maize, herding cattle and yak-cattle crossbreeds.

As in Khumbu these subsistence practices are integrated with work in the tourist trade. All of lower Khumbu was declared part of the SNP buffer zone in 2002 along with the upper Khumbu villages and herding settlements (Stevens 1993, 1997).



Khumbu. Lower Khumbu in foreground. The sacred mountain Khumbu Yul Lha in southern upper Khumbu is at the center of photograph. Photo © Stan Stevens

Sherpas are one of 59 Indigenous peoples that were recognized by the government of Nepal in 2002. According to their traditions their ancestors migrated to what is now the Nepal Himalaya from eastern Tibet, settling Khumbu first and later also settling much of present northeast Nepal. The earliest ancestors included spiritual leaders who are believed to have sought out Khumbu, which had been declared a sacred, hidden valley and Buddhist sanctuary (*beyul*) by Guru Rinpoche (Padmasambhava) after he visited the region more than 1,200 years ago. The early Sherpa settlers are believed to have reached what was then an uninhabited region by following instructions from Tibetan spiritual leaders and directions given in Tibetan Buddhist sacred texts that have mentioned the Khumbu beyul since the 14th century (Wangmo 2005; Zangbu 2000).

Today Khumbu is the home of nearly 6,000 people, and is more than 90% Sherpa. Upper Khumbu has ten major permanent settlements which range from 18 households to more than 150 households in size as well as many hamlets and more than 120 seasonally-inhabited herding settlements (some of which are also secondary agricultural sites). Lower Khumbu has 34 permanent settlements, 13 of which have 25 or more resident households.



Guru Rinpoche (Padmasambhava) who consecrated Khumbu as a beyul, a sacred hidden Himalayan valley and Buddhist sanctuary after visiting it more than 1,200 years ago. Sherpa painting.



Akha Phuk, the cave on the sacred mountain Khumbu Yul Lha where Guru Rinpoche resided. Photo © Stan Stevens



The sacred mountain Khumbu Yul Lha in upper Khumbu, abode of the guardian god of Khumbu. Photo © Stan Stevens



Jomo Miyolangsangma, one of the Five Sisters of Long Life, a benefactor of humans as a goddess of sustenance and wealth. Sherpa painting.

Chomolungma (Mt. Everest), the abode of the goddess Jomo Miyolangsangma. Photo © Stan Stevens

Since settling Khumbu more than five centuries ago Sherpas have developed an identity as a distinct people whose culture draws on but also diverges from those of Tibet. The Sherpa language is a dialect of Tibetan, but differs significantly from those of neighboring parts of Tibet. In Tibet multiple schools of Buddhism have flourished but the oldest of these, the Nyingmapa – which dates to Guru Rinpoche – is minor. Khumbu Sherpas, by contrast, are Nyingmapa followers and this central facet of regional identity and culture promotes the strong Sherpa respect for the gods, goddesses, and spirits of the land and waters as well as for the Buddha and Guru Rinpoche. For Khumbu Sherpas the most important of all sacred sites is the mountain Khumbu Yul Lha, the home of the guardian god of Khumbu and its people, livestock, and wildlife. It was in a cave on the slopes of this mountain that Guru Rinpoche stayed more than a millennia ago and he is credited with having converted Khumbu Yul Lha and Jomo Miyolangsangma, the goddess of Chomolungma (Mt. Everest), to be human benefactors and protectors of Buddhism.

Sherpas have much in common with other groups which have migrated from Tibet to settle in the high Himalaya of Nepal. These peoples, who include 17 peoples recognized by the government of Nepal as Indigenous peoples and whose homelands comprise all of northern Nepal, have begun referring to themselves as the Himali people (the people of the Himalaya). They aspire to the creation of a Himali autonomous state as one of the new Nepal federal regions which are supposed to be established in the near future. The alternative is likely to have Himali lands divided among at least five other federal states,

with Khumbu becoming a remote part of the autonomous state of the Kiranti (Rai) people who inhabit the area to the south. Regardless of whether or not the Himali people achieve statehood, Khumbu Sherpa leaders hope that the creation of a new Nepal will end the political, social, economic, and cultural marginalization they have experienced for two centuries since they and their homeland were annexed by an expansionary kingdom of Nepal and began to be ruled by Hindu lowlanders. They hope that Sherpas will retain and indeed strengthen their self-governance of Khumbu and their rights to inhabit, use, and care for the region and its resources. Some leaders see respect for their ICCAs as an important aspect of this effort.

Sherpa management and governance systems

“The beyul is like a CCA.”

Sherpa leader, Khumjung, May 2008

“We Sherpa people are very rich – we have so many CCAs. We have so many kinds of CCAs – the temple and monastery forests, the sacred mountains, the lama’s forests, the nauwa (naua, nawa) system [which manages use of community forests and rangelands]... We have given protection to all of Khumbu. From our fathers’ and grandfathers’ times we have had CCA systems and they are necessary for the future. But [to maintain them] we have to have authority, not just a CCA in name only.”

Sherpa leader, Khumjung, June 2008

Sherpa conservation stewardship through shared conservation values and practices dates back centuries. The entire region can be considered an ICCA because of Sherpa protection of wildlife and their belief that it is a sacred valley. Within Khumbu, moreover, there are many local and regional ICCAs with diverse goals and histories. Many villages have their own ICCAs and in some areas villages coordinate to manage larger ICCAs. Khumbu Sherpas established village and regional customary ICCAs on the basis of religious and other cultural values and beliefs and as adaptive responses to environmental, economic, and political conditions. These sacred places and community-managed commons are among the most famous and best documented in the Himalaya (see Stevens 1993, Furer-Haimendorf 1964, 1979). They collectively conserve wildlife, rangelands, and forests.

Some recently-established community and regional conservation institutions may also be considered to be ICCAs. These include buffer zone institutions and institutions created by NGO projects, several of which I include in the list below. Whether these should be considered as ICCAs, however, depends on whether or not they have been fully “adopted” by communities. In some cases, the communities are fully responsible for decisions about management goals and policies, and in others the local governing institutions include significant presence of government or NGO members in several shared governance arrangements.

Khumbu ICCAs

Regional ICCAs

1. All Khumbu as a wildlife sanctuary
2. Namche BZUC management of Namche VDC forests (upper Khumbu)
3. Khumbu Yul Lha BZMC management of Khumbu VDC forests (upper Khumbu)
4. Chaunrikharka BZMC management of Chaunrikharka VDC forests (lower Khumbu)

Micro-regional (multi-settlement)

- 6-14. Buffer Zone Community Forests (10, lower Khumbu only)
- 15-18. Nauwa rotational grazing systems (4, upper Khumbu only).
 - Khumjung-Khunde region
 - Phortse region
 - Pangboche region
 - Upper Imja Khola valley
- 19. Alpine conservation (upper Khumbu)

Local ICCAs

- 20-26. Village forests:
 - Khumjung
 - Khunde
 - Phortse
 - Pangboche
 - Nangbuk
 - Kyongma
 - Lukla
- 27-35. Sacred forests
 - Temple forests
 - Khumjung
 - Tengboche
 - Kerok
 - Thame
 - Rimijung
 - Lama's forests
 - Pangboche
 - Yarin
 - Phortse
 - Mingbo
- 36-37. Red Panda habitat management areas
 - Ghatte Khola
 - Kusum Tsanga (Thada Koshi)



Khumbu Yul Lha, guardian god and protector of Khumbu and its people, livestock, and wildlife

It is important not to over-romanticize the effectiveness of Sherpa conservation through customary practices. My cultural ecological research revealed shortcomings in regional forest and grazing management systems twenty years ago (Stevens 1993). But it is also important not to be so critical of flaws that achievements are ignored or the possibility that communities can address limitations is dismissed. Sherpa wildlife protection once neglected to protect predators, but was nonetheless more effective than protection in many protected areas on the basis of fences, fines, and armed patrols. And in recent years that one key gap in Sherpa wildlife protection has been closed. In the mid-1980s a number of shortcomings could be identified in Sherpa forest management (Stevens 1993). Yet since the mid-1980s Sherpas have added important elements to regional forest management including 1) comprehensive management of all forest rather than only certain ones; 2) limitations on tree-felling for timber; limitations on the harvest of dead-wood for firewood; reforestation; adaptive management based on evaluation of forest condition; and temporary closure of the use of forests to allow for their recovery. Some of these

were entirely their own innovations, others were adapted from experience with national park and buffer zone forest management practices.

Wildlife

Khumbu has been a wildlife reserve for many generations because of Sherpa beliefs that all life should be respected and that Sherpas should not kill any living thing. This belief is taken very seriously in Khumbu, where it is a cornerstone of Sherpa life. Sherpas do not hunt or fish. They do not kill animals, birds, reptiles, fish, or insects – a practice which has now also been extended to the snow leopards and wolves which formerly were made an exception because of their predation on livestock.

Unwelcome insects found inside houses are carefully caught and released outdoors. Mammals and birds eating crops are chased away but not killed. Today many people – including many herders -- believe that herders should accept that snow leopards sometimes prey on young yaks, cattle, and horses and not engage in retaliatory or defensive killing. (Many herders, however, would welcome an insurance system that would compensate them for their losses, and one is now being discussed and may be implemented soon in the region). How far back the strict Sherpa protection of mammals, birds, fish, reptiles and insects began is unknown, but it is conceivable that it dates to the very beginning of Sherpa settlement of the region and is associated with both Buddhism and the belief that Khumbu is a beyul (sacred valley). It has now become a basic principle of Sherpa life – children are taught when very young that Sherpas do not kill any forms of life. Sherpas' co-existence with wildlife – not patrolling by the army “park protection unit” or park rangers -- has been the foremost reason for the rich regional montane biodiversity that is one of the hallmarks of Sagarmatha National Park. Sherpas' defense of wildlife has extended to their reporting and apprehending the non-Sherpa sport or commercial hunters who occasionally come to Khumbu. This has led to the arrest of local police and court cases against government officials as well as the imprisonment of outside commercial hunters involved in international selling of the valuable pods of musk deer.

Rangelands

Community management of transhumant pastoralism, which included rotational zoning regulation of grazing and wild grass harvest for hay, has been carried out by villages (and by multiple, coordinating villages) since the early 19th century. One such rotational grazing system in eastern upper Khumbu is shown in Map 3.

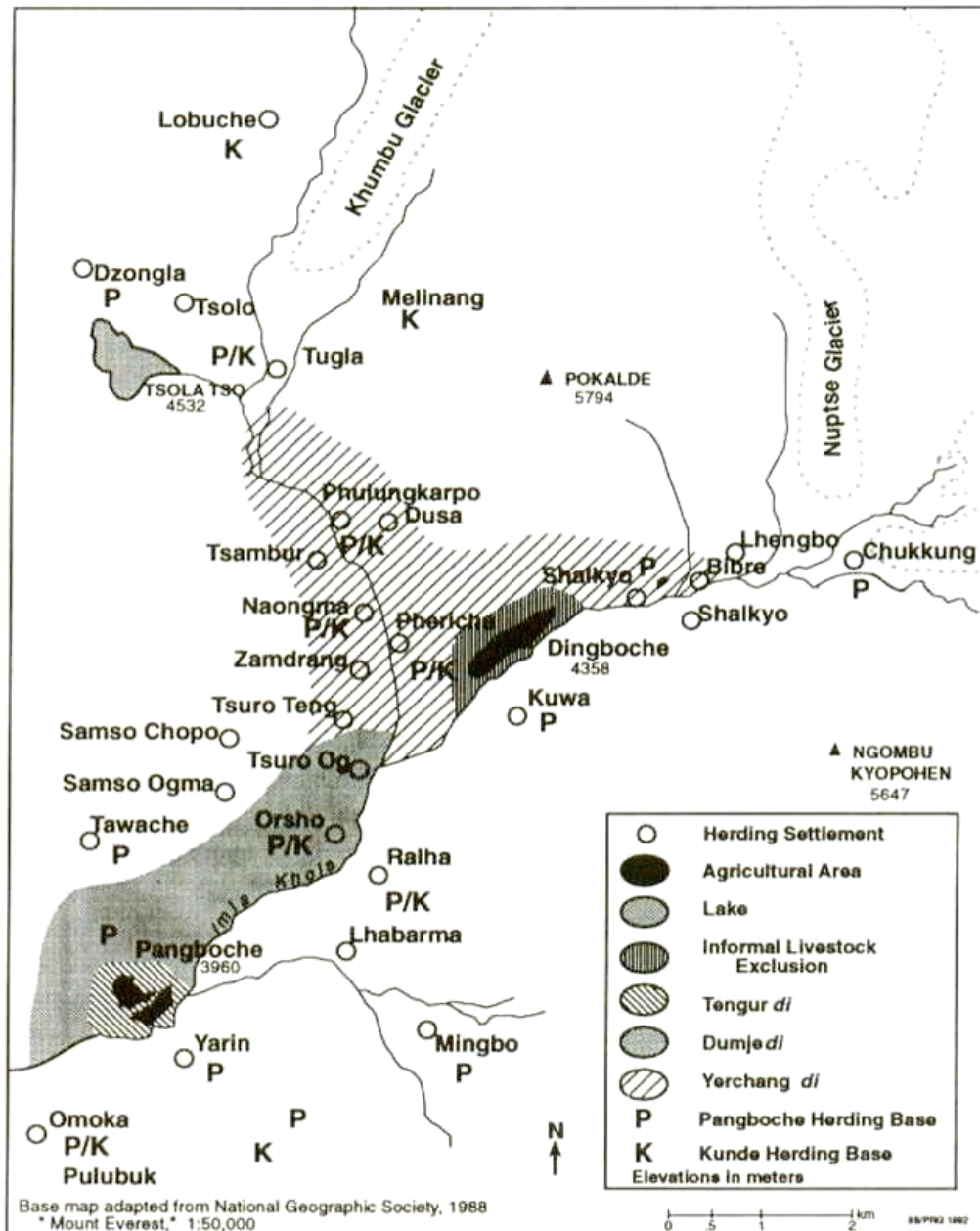


Khumjung School biodiversity conservation notice urging protection of both musk deer and snow leopard



Yak grazing on alpine slopes above the seasonal herding settlement of Pheriche in eastern upper Khumbu. Grazing in this area is managed as part of a rotational zoning system. Photo © Stan Stevens

Up until thirty years ago these institutions administered much of the grazing land of upper Khumbu, including alpine regions, temperate grass/shrublands, and subalpine and temperate forests. These systems are quite extensive, managing grazing in entire valleys. Declining transhumance led some villages to abandon community management of rangeland commons in the early 1980s as no longer necessary for sustainable herding, but the system continues in use in two of the three major valleys of upper Khumbu. These institutions and practices are often referred to as the *nauwa* (*naua*, *nawa*) system after the village officials who enforce the regulations agreed to at village assemblies (Furer-Haimendorf 1964, 1979, Stevens 1993).



Map 3. Rotational grazing system in eastern upper Khumbu. The sequential closing and opening of these zones to grazing shifts grazing pressure up and down the Imja Khola valley and its tributary valleys and into the alpine areas shown here as outside of the areas subject to closure (“*di*” or “*dee*”).



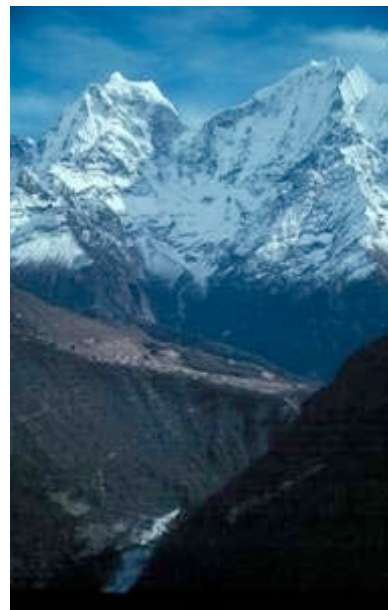
Khumjung village (foreground) and Khunde village, upper Khumbu. Part of the temperate/subalpine Khumjung and Khunde forest is visible, as is the alpine area above it. This forest has been an ICCA since approximately 1910. Since 2002 Sherpas have increased its conservation by banning all tree-felling and the collection of firewood. Photo © Stan Stevens

Forests

The protection of *sacred trees and forests* began at least four centuries ago, according to Sherpa traditions. Such trees and forests are strictly protected because of beliefs that cutting trees or even branches risked individual and community calamities. Today there are ten sacred forests, nine of them in upper Khumbu. Some were proclaimed protected by local religious leaders (*lami nati*, “lama’s forests”), others have been protected because they grow adjacent to temples and monasteries (*gompi nati*, “temple



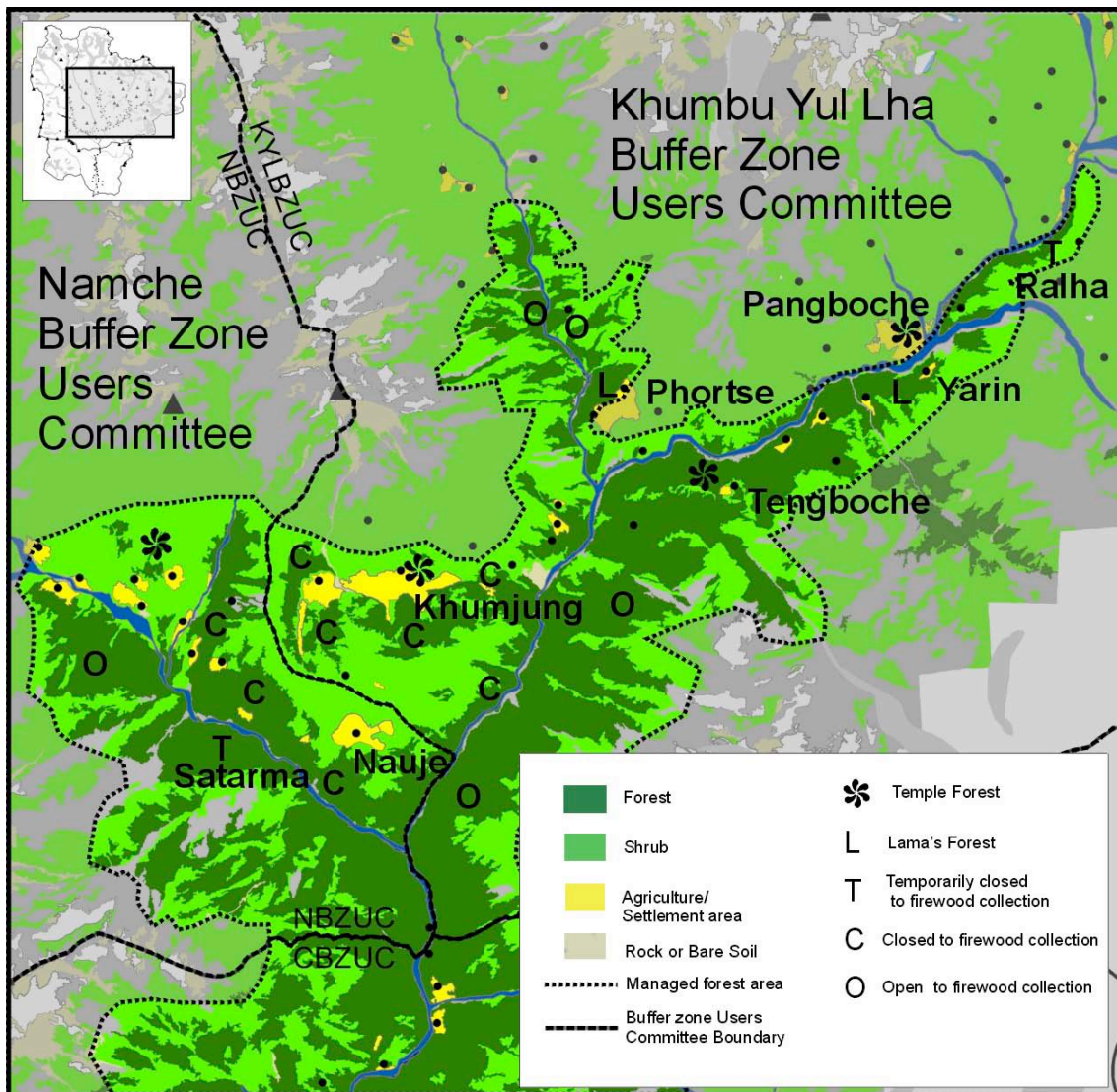
Ancient birch tree and Sonam Hishi Sherpa, Phortse lama’s forest, upper Khumbu. Photo © Stan Stevens



Phortse village, upper Khumbu and the mountains Kantega (the “snow saddle”) and Thamserku (the abode of Khumbu Yul Lha’s wife). The foreground forest between the village and the Dudh Koshi river is part of the Phortse lama’s forest. Photo © Stan Stevens

forests’) (Stevens 1993). They range from temple groves less than a hectare in size to the nearly 50 hectare lama’s forest at Yarin across the Imja River from Pangboche village and the 200 hectare forest at Tengboche Monastery. In all sacred groves the cutting of trees and branches is banned, and in some even deadwood could not traditionally be collected. Grazing and the collection of leaf litter is, however, allowed subject to seasonal nauwa enforced zonal controls described below (Stevens 1993).

Community management of forest commons used as sources of subsistence resources was established in at least ten village forests by the early 20th century. In some of these forests tree felling was restricted to trees intended to supply main beams for houses (these were among the *kyak shing* or “closed wood” areas, and some were called *rani bans*, “queen’s forests” after a famous protected forest near Kathmandu). In other community-owned forests villagers were free to obtain any other lumber and firewood they required



Map 4. Preliminary Map of Upper Khumbu Sherpa Forest Management ICCAs. Forest management is shown as of Spring 2008. Areas open or closed to firewood collection are subject to change. Areas open to tree-felling for beams are not shown. Forest cover has not been verified, but is based on satellite imagery interpretation as shown on the ICIMOD MENRIS SNP/SNPBZ Land Cover Map.

(Stevens 1993). Community forests continue to be managed in several places in upper and lower Khumbu. Community assemblies devise regulations which typically restrict use to residents and restrict the range of uses to limit tree-felling to provision of beams or ban it altogether (an action taken recently by Khumjung and Khunde villages, which formerly allowed felling for beams). In some cases a village may close the forest for one or more years to deadwood gathering from firewood to allow recovery (the Ralha forest, administered by Pangboche village, has been closed for much of the 1990s; use of forests near Nauje is rotated on an annual basis between two different areas). Khumjung and Khunde villages also manage the collection of biomass from the forest floor for use as compost. Many community forests are also subject to summer grazing closures (see below) and provide important winter grazing areas.

Regional and region-wide forest management is a recent innovation which has extended collective forest management to all non-privately owned forests in the region. This process began in the early 1990s with the establishment of the community forest users groups (CFUGs), which manage the forests in the vicinity of a set of several villages. Five CFUGs were established in the early 1990s to manage the forests of all of lower Khumbu as part of a decentralization program which Nepal-wide has shifted the management (but not the ownership) of a quarter of Nepal's national forest to communities as "community forests." In 2002, with the declaration of the SNP buffer zone, lower Khumbu communities divided the largest CFUG to create a total of ten buffer zone forest user groups (BZFUGs).



Firewood gatherers pass the Ralha forest, which is closed by Pangboche village and the Khumbu Yul Lha Buffer Zone Users Committee to firewood collection in order to allow it to recover from past use. Photo © Stan Stevens

In upper Khumbu no CFUGs were established because SNP administrators considered forest management to be their responsibility. In 2002, however, upper Khumbu buffer zone leaders began to co-manage – indeed effectively to carry out primary on-the-ground management of all of the forests of SNP. This dramatic change took place after **some Sherpa leaders proposed that the buffer zone institutions introduce and administer a new forest management system which limited for the first time in Khumbu history the collection of deadwood for firewood**. The new system replaced the former custom of allowing firewood to be collected year-round in unlimited amounts with two 15 day harvest seasons and a daily collection limit. This regional regulation is coordinated with pre-existing and still extant community management of forests and protection of sacred forests. This Sherpa-created and implemented system is unique in Nepal's protected area system. Since 2002 it has reduced regional firewood use by 75%, shifting both household and hotel use of firewood for cooking and heating to alternative energy which ranges from imported fossil fuels to locally-generated hydroelectricity, solar energy, and yak dung (Stevens 2008b). This is the most effective firewood collection management system in any of Nepal's national parks. Sherpa leaders designate harvest periods and sites, issue permits, monitor the harvest, and enforce regulations with fines and other penalties.

Besides these institutions, other institutions have been established by transnational NGOs (TNGO) in "community-based" conservation projects which may either be considered to be ICCAs today or have the

potential to become them if communities gain full management authority. These include alpine conservation and restoration in eastern Khumbu (the Khumbu Alpine Conservation Council initiated by the Mountain Institute in 2003) and two red panda habitat management areas in the southern part of the region (initiated by World Wildlife Fund Nepal in 2007).

The boundaries of these various ICCAs, including the zonal boundaries of the rotational grazing ICCAs, are well-known locally. Typically boundaries follow topographical features such as ridge crests or rivers. The opening or closing of particular zones is announced by the *nauwa*, who also post symbolic markers on trails and bridges. Sherpa co-researchers and I plan to map the ICCAs and the zonal boundaries within them as part of a Sherpa Mapping Project. Our plan is to involve Sherpa researchers from all of the upper Khumbu villages to produce the first detailed maps of Sherpa natural resource use and management. We propose to map these into a regional GIS using 1 meter resolution satellite imagery and Global Positioning System (GPS) devices. Sherpa leaders will use this land management map to inform central government officials and international NGO staff of their ICCAs and will recommend that it be the basis for a planned national park zoning system.²



Sonam Hishi Sherpa (left), the leader of the Khumbu Alpine Conservation Committee, conferring with Sonam Gyalzen Sherpa, chair of the SNP Buffer Zone Management Committee and the Namche Buffer Zone Users Committee of western upper Khumbu. Photo © Stan Stevens



Buffer Zone Forest Users Group meeting, lower Khumbu. Photo courtesy of Pasang Gyalzen Sherpa.

Decision-making

Decision making is carried out in the various ICCAs through multiple organizations and processes. Many of these involve collective decision-making by settlements, while some require larger regional decision-making. Local customary ICCAs are in most cases managed by village assemblies which meet once a

² The preliminary zoning map produced during the development of the SNP Management and Tourism Plan 2007-2012 was well-intentioned and recognized “community resource area” zones but was not based on a participatory planning process, does not acknowledge current Sherpa natural resource use patterns or their ICCAs, and does not have Sherpas’ prior, informed, consent. It zones much of SNP into “community resource area” and “special area” zones. The special area zones, which would have variable use and management, are not differentiated and include Sherpa community managed forests, buffer zone managed forests, and sacred forests without any recognition of these ICCAs. The community use area zones include but do not recognize *nauwa* managed grazing areas. Customary community land boundaries are not shown. As it currently stands this preliminary zoning map could be implemented in ways that would not support Sherpa culture, conservation stewardship of Khumbu, and livelihood practices. Although reference is made to continuing Sherpa land use in the extensive special area zones and to Sherpa participation in the management of the community resource area zones, these recommendations are vague and there is no assurance they will be implemented with full participation of Sherpas in their development and their prior, informed, consent.

year. Regulations are enforced through social pressure and by elected village officials (*nauwa* and *shinggi nauwa* or nauwa of wood). Some sacred forests are managed by communities; others are overseen by temple custodians or a council of monks. In all of these cases decisions are made collectively in open public gatherings. Earlier precedent and custom plays a strong role, but rules can be and are changed to cope with new circumstances and challenges. Annual assemblies often are multi-functional gatherings which have important community religious, cultural and social solidarity roles as well as being occasions to review land management regulations and to choose new officials to enforce them. They are attended by both men and women. Cultural gender dynamics, however, are significant. Although women can and do hold office and there are several women who are local and regional political and conservation leaders, few women speak at public meetings.

Since 2002 the establishment of the SNP Buffer Zone has created new institutions which now enable Sherpas to coordinate regional conservation, particularly forest conservation. There are three scales of buffer zone institutions (see Stevens 2007): local Buffer Zone Users Groups (BZUG) (18 in upper Khumbu, ten in lower Khumbu), and three Buffer Zone Users Committees (BZUC), two in upper Khumbu, one in lower Khumbu, whose members are the elected chairs of the BZUGs, and a Buffer Zone Management Committee which has five members --- the three Sherpa chairs of the BZUCs, the warden (superintendent of SNP – who has considerable authority as the government decreed member-secretary), and a representative of the Solukhumbu District Development Committee (the district of which Khumbu comprises the northern third). The BZUGs of lower Khumbu make community forest management plans for forests within a multi-village area; the BZUC of upper Khumbu oversee the new regional forest management system and integrate into it the pre-existing, continuing community forest management and care of sacred forests.

Unlike nauwa, who were customarily appointed by village assemblies, buffer zone leaders volunteer for and are elected to their positions. They have five year terms in contrast to the typical one year duty of nauwas. Like nauwas they are unpaid. In some parts of upper Khumbu buffer zone leaders have served earlier as nauwa. Unlike nauwa, buffer zone leaders work with committees of other residents to develop management plans, prepare budgets and project proposals, and implement diverse conservation and development programs.

The leaders of the BZUCs make decisions in consultation with committee members about forest management, including the areas where they should and should not issue tree-felling permits for house and hotel timber and which upper Khumbu areas should to open to deadwood collection for firewood or closed to this use either permanently or temporarily (two forests have been closed in recent years to allow them to recover from intensive use). The decision to implement the 2002 regional firewood collection system in upper Khumbu was made by the BZMC after public meetings in the two upper Khumbu BZUC areas. This decision was controversial initially, as it was an unprecedented form of management of forests and affected peoples' access to and annual supply of firewood – then the main source of energy for cooking and heating in family homes and hotels.

One of the notable features of Sherpa conservation in recent years has been the often **close coordination between the new, regional institutions of the buffer zone and local, customary institutions**. There is nothing in buffer zone procedures and regulations that requires this. In recent years, however, buffer zone leaders have shown great awareness of and respect for local ICCAs of the various communities and have ensured that buffer zone forest management takes into account local institution's policies in developing management over the forests of larger areas.

Current Status of Khumbu ICCAs

Although they should not be over-romanticized, Sherpa ICCAs make considerable conservation contributions. In recent years, moreover, Sherpas have taken steps to develop new regional ICCAs for forest management which address some of the earlier limitations of local customary management. Unlike customary forest management, current management applies to all upper Khumbu forests, closes some forests even to deadwood collection in order to allow them to recover, closes some forests to the felling of trees for timber, and supports reforestation including the closing of reforested areas to grazing. Yet while Sherpas continue to effectively maintain many ICCAs, there are significant internal and external challenges that greatly concern many leaders. These are discussed below.

The region-wide Sherpa protection of wildlife is stronger than ever now that herders protect the snow leopards that have reinhabited the region (probably from Tibet over the 5716 meter glacial pass, the Nangpa La). Local religious and community leaders have urged herders not to kill snow leopards and common leopards (which come into the region from down valley during the summer) even though there has been significant loss of livestock, particularly calves. In lower Khumbu some CBAPUs are now patrolling forests and dismantling musk deer snares placed there by non-Sherpa commercial hunters from distant parts of Nepal who are attracted by the region's large musk deer population. Similar patrols may begin operating in upper Khumbu soon.

Sacred places continue to be protected everywhere. For conservation purposes the sacred forests are the most important of these sacred natural sites. (Sacred mountains – even Khumbu Yul Lha – do not have special conservation status because of their sanctity *per se*, and grazing (and formerly also tree felling) could be carried out on their slopes within the regulatory parameters of community management of forests and rangelands). All of the temple forests and lama's forests continue to be revered and protected. Communities have made an effort to ensure that non-Sherpas (such as porters and migrant workers for Sherpa hotels and households) are informed of Sherpa beliefs and values and that they respect the sacred forests.

All but a few of the community forests that were customarily managed half a century ago continue to be so despite forest nationalization in the 1960s, the introduction of management by central government officials in the 1960s, and the appropriation of management responsibility for forests by the national park in the 1970s. In two villages, Khumjung and Khunde, where community forest management was abandoned in the 1960s, it was revived in the 1980s (Stevens 1993). Today those forests are now more strictly conserved than they ever previously were, with a community ban on the cutting of all trees.

Most of the village and regional institutions that manage rotational grazing and wild grass cutting continue to be maintained. Khumjung, Khunde, Phortse, and Pangboche all maintain nauwa systems, as do a number of communities. Four villages in the westernmost valley of upper Khumbu, as mentioned, ceased maintaining this system in the early 1980s as a result of community decisions in response to economic change (Stevens 1993).

ICCA value, effectiveness, sustainability

For many generations Khumbu Sherpas have protected and cared for sacred natural places, protected all wildlife, and managed livelihood community forest and grazing commons. This has created a regional ICCA and constituent local ICCAs of enormous cultural, economic, and conservation significance. The cultural value of Sherpa ICCAs cannot be overstated. Sherpa conservation stewardship of Khumbu through their ICCAs is grounded in the fundamental tenets of their self-identity and their religion and permeates the social life of their communities. The collective management of forest use and pastoralism has greatly contributed to the success and sustainability of Sherpa livelihoods in the high-altitude environments of their homeland (Stevens 1993). Sherpa transhumance – which makes them a Himalayan

mobile Indigenous people – and Sherpa organic agriculture depend on the nauwa system, a point emphasized by several Sherpa leaders at the May 25, 2008 meeting.

Sherpa life in this high-altitude region has long relied on considerable use of firewood and construction timber, and this was also critical to their development of a locally-initiated and largely locally-dominated small scale tourism development. Khumbu resources and forest management have built and maintained the more than 250 Sherpa owned and operated hotels which constitute more than 95% of all tourist facilities in the region. And Sherpa stewardship of Khumbu through Khumbu-wide and local ICCAs has been central to creating and maintaining the cultural landscapes, ecosystems, and biodiversity conservation that make the region a national and world heritage. Today, as for centuries, Khumbu is an extraordinary cultural landscape because of Sherpa values and efforts.

The keys to the success of Sherpa conservation stewardship despite new internal and external challenges have been:

1. Sherpas' sense of themselves as a distinctive people who are the rightful residents and stewards of Khumbu;
2. Sherpas' inter-generational cultural continuity and affirmation in the face of assimilation pressures and globalization;
3. Spiritual beliefs and respect for sacred places remain central to Sherpa identity and culture;
4. Sherpas' determination not to give up management of their region, resources, and lives despite nationalization and interventions in their lands and lives by the central government and outside entrepreneurs and NGOs;
5. Sherpas' awareness of the continuing importance of commons management to Sherpa livelihood practices; and
6. The high degree of entwinement of ICCAs in many communities with cultural/social values and practices, including household and community spiritual practices and community life and obligations. This includes household rituals, community ceremonies and festivals, and -- in some villages -- the rotational system through which all Sherpa households perform community service as a *nauwa*, a village official charged with enforcing community land use regulations.

Particularly important have been the continuing, widespread Sherpa belief that maintaining access to, control of, and collective management of commons is important to subsistence livelihoods and the widespread Sherpa conviction that caring for and protecting sacred natural places and refraining from killing all living things are not only important personal values and practices but are also fundamental to their identity as a people.

Many Sherpas continue to honor, value, and contribute to Sherpa conservation stewardship of Khumbu. Sherpa leaders feel strongly, however, that action is needed to maintain their identity, culture, and ICCAs. This is one of the important reasons they have declared the KCCA, which they see as taking a stand and rededicating themselves and their children to caring for Khumbu as a sacred place and a Sherpa homeland.

Sherpa leaders from throughout Khumbu believe that Sherpa custodianship of the beyul is extremely important and that a fundamental aspect of this is maintaining the Sherpa belief that all life should be protected. Within the region, however, there have been differences in how strongly local ICCAs are valued and cared for. Sacred sites have been strongly defended and cared for. Community management of grazing and wild grass cutting has varied. Within upper Khumbu about two-thirds of the area managed by nauwa in the 1970s continues to be managed.³ Community forest management continues to be

³ There are now controversies over whether the system should be continued in two villages, Khumjung and Khunde, where only a few families continue to herd yak and some families which keep only a few cows for milk and manure do not wish to have to adhere to the customary closure of the village vicinity each summer. As of now most village leaders, however, seem to feel that

maintained strongly in Khumjung, Khunde, and Pangboche in upper Khumbu and in Nangbuk in lower Khumbu, and these local ICCAs are respected by buffer zone institution regulation of regional forest use.

The continuing effectiveness of Sherpa ICCAs can be seen in several ways:

1) **Khumbu is a renowned wildlife reserve.** This region has supported populations of species endangered elsewhere in Nepal including musk deer, red panda, snow leopard, leopard, and bear and a large population of Himalayan tahr, a threatened species. Most credit for this can be taken by Sherpas. Sherpas have not themselves killed any wildlife since the mid-1980s, when there was retaliatory/protective killing of several wolves which had killed livestock. Sherpas have reported non-Sherpas seen trapping musk deer, leading to their arrest, and have in some parts of Lower Khumbu patrolled forests and destroyed musk deer traps. In both upper and lower Khumbu, Sherpas have reported police and government officers for hunting Himalayan tahr and barking deer.

2) **Upper Khumbu forests** – although widely reported to have suffered extensive deforestation due to tourism – have not declined in extent and indeed have expanded due to reforestation efforts. This has been verified by repeat photography, analysis of historical photographs, and time-sequence analysis of satellite imagery (Stevens 2003 and ongoing work by ICIMOD). Some forests have been thinned by intensive use, but many of these are now recovering due to the reduction in forest use since 2002 by the implementation of the buffer zone management of firewood collection. Two of the forests which had been most heavily used over the past twenty years have been closed to firewood collection temporarily to allow their recovery. Sacred forests remain places of ancient, undisturbed trees, although the practice of allowing grazing and the collection of biomass from the forest floor for compost and firewood has affected the forest understory and may have inhibited forest regeneration.

3) Some of **upper Khumbu alpine areas** had experienced intensive cutting of juniper and other low shrubs in certain areas for use by mountaineering expeditions (1952-1979) and hotels (Stevens 1993, 2003). This practice has declined considerably due to the implementation of the buffer zone forest management system in 2002. Hotel owners and other families who are now able to collect a maximum of 60 loads of firewood per year prefer to collect firewood from subalpine and temperate forests rather than from alpine shrublands.

4) Upper Khumbu alpine areas and temperate grasslands are sometimes reported to be “over-grazed,” but a careful evaluation of conditions has not been carried out. **Regionally grazing pressure has declined enormously** due to declining herding in response to changing economic market conditions, alternative economic opportunities, and inter-generational change in lifestyle preferences. Throughout the region the practice of transhumance based on local, site-specific knowledge and the customary practice of keeping small herds (fewer than 30 head of yak) have reduced pressure on grazing commons, as has the nauwa system rotational grazing management practice.

5) **Lower Khumbu forests are now being effectively managed** by buffer zone users groups and by continuing management of sacred forests and village forests whose management pre-dated the establishment of the buffer zone. The recovery of lower Khumbu forests from commercial logging in the 1980s and early 1990s, before communities’ were re-empowered to manage their forests, is visible on the ground and in satellite imagery.

it is important to maintain the system so as to preserve good winter grazing near the villages and to keep livestock out of village fields.

Threats and Challenges

Sherpa stewardship of Khumbu and their ICCAs has been under considerable pressure for half a century. Sherpas identify current threats or problems to be culture change, outside entrepreneurs and settlers, and lack of sufficient sensitivity to or respect for Sherpa values, institutions, and practices by some central government officials and outside NGO staff members. Sherpa leaders hope that their relationship with outside agencies and organizations will improve and their conservation partnerships strengthen. At present, however, some of these relationships and interactions present challenges to Sherpa conservation stewardship of Khumbu through ICCAs.

Sherpas' relationship with the central government has particular significance for Sherpa ICCAs because of the central government's efforts over the past half century to increase its administrative control over the region (including governance of SNP). From some Sherpas' perspectives, they and other Nepal Indigenous peoples have been ruled for two centuries by a national government which has been dominated by a Hindu ethnic elite which has regarded Indigenous peoples as inferior and has promulgated policies and practices characterized by ethnically-based discrimination, coercive assimilation, and appropriation of land and resources. They feel that Sherpas and other Indigenous peoples have experienced a pattern of political, social, cultural, and economic marginalization and injustice. This has been the source of continuing inter-ethnic tension (Gurung, H. 2003; Gurung, O. 2006; Lawotri 2005; NEFIN 2006; Stevens 1993, 1998, 2008a, c, d).

Sherpas have maintained their ICCAs despite pressures which have included:

- 1) nationalization of their communal lands in the 1960s;
- 2) intervention by the central government in land management by including the region in the national forest, establishing Sagarmatha (Mount Everest) National Park in 1976 and in 2002 establishing a national park buffer zone;
- 3) government policies and practices which have marginalized indigenous peoples;
- 4) assimilation pressures through the public schools and other means;
- 5) recent cultural, economic, and social change within Sherpa society; and
- 6) development of a new market economy after 1970 focused on tourism development.⁴

There was a very lively discussion about all of these issues at the May 25, 2008 gathering and in subsequent conversations I had with leaders and villagers. Many leaders feel these threats and challenges are significant and increasingly severe. Indeed, many think that this is a critical period for local ICCAs and for Sherpa culture and self-determination in Khumbu. This shared concern helped inspire the declaration of the Khumbu CCA in the hope that promoting it will help change current contexts. Among the challenges and threats emphasized at the meeting were:

- 1) Lack of Sherpa participation in SNP governance and management.
- 2) Possible incorporation of Khumbu in a Kiranti Autonomous Region.
- 3) NGO operations that ignore Khumbu Sherpas' conservation authority, institutions, and practices.
- 4) Public schools which do not have Sherpa teachers or include Sherpa history, culture, language, religion, or conservation practices in their curriculum.
- 5) Kathmandu boarding schools which lack Sherpa teachers and culturally-informed curriculum.
- 6) Decline in cultural awareness among Sherpa youth in some villages, who are being assimilated to "national" and "international" culture through multiple processes including education
- 7) The "brain drain" caused by the lack of professional jobs for educated youth in Khumbu.

⁴ Although this has been characterized by considerable Sherpa livelihood involvement in tourism through employment and the ownership and operation of hotels, the recent building of large developments by outside entrepreneurs is a cause of livelihood and conservation concern.

Crucial Conditions to Maintain Effective and Valued ICCAs

Sherpa leaders feel that there are several critical conditions for maintaining ICCAs, among them:

- 1) maintaining community cohesion;
- 2) increased education of Sherpa youth in Sherpa values and practices;
- 3) greater awareness, respect, and cooperation from the Nepal government, ideally including formal recognition of ICCAs and the Khumbu CCA;
- 4) greater awareness, respect, and cooperation from national and international NGOs; and
- 5) greater cooperation from outside tourism entrepreneurs

In maintaining community cohesion Sherpa leaders feel it is important to continue to promulgate Sherpa conservation values and to successfully uphold ICCAs against challenges from a minority of residents who would like them to be modified or abandoned for their profit or convenience. Leaders are also concerned that the Nepal government and outside NGOs sometimes ignore customary ICCAs or, worse, interfere with them or seek to erase them in favor of new national and NGO designed institutions. Past and present government practices have often either ignored the existence of Sherpa ICCAs, made them illegal (eg by nationalizing collective lands and asserting central government authority over forest and other land management), or conflicted with them by adopting policies and practices which undermined Sherpa conservation goals and practices.

Sherpas have some degree of self-governance over certain aspects of their lives and local affairs, but lack recognition of their ownership of their territory or of collective, village lands; access rights to natural resources, including their use for religious purposes; authority over resource management and regional decision-making about conservation and development; and participation in SNP governance and management. Government assimilation practices, nationalization of Sherpa collective lands that earlier governments had confirmed (Regmi 1975), and the state's efforts to increase its control over territory, citizens, natural resources, and revenues have weakened or sharply threatened Sherpa ICCAs. National park administration has varied in its degree of consultation with Sherpas, and has not involved them in park management since three Sherpas who had been trained as park superintendents served in SNP in earlier years.

The recent-collaboration between SNP and Sherpa buffer zone institutions in support of recent Sherpa forest management is a positive example, but some leaders wish for stronger collaboration in conservation efforts and greater Sherpa participation in national park management. In the past national park plans, policies, and practices have sometimes reflected lack of understanding or appreciation for Sherpa knowledge, conservation values, sacred places, livelihood concerns, and ICCAs (Stevens 1993, 1997). Park administrators have tended to regard the presence of a local population as a problem rather than an asset and some have given Sherpas little credit for their central role in the conservation success of the national park. After more than thirty years of living within SNP Sherpa leaders have concluded that national parks are an important institution that can be useful to Khumbu's future. They are especially appreciative of the authority that national park administrators have over controlling entrepreneurial development by outsiders and the activities of national and international NGOs. They do not want to dismantle or decommission SNP. Rather they want to work together with SNP, to participate more integrally in its management, and to ensure that its management respects their culture, values, and ICCAs. And they feel that they are already responsible for implementing a good deal of the national park's conservation mandate.

Collaboration and Networking

Sherpa leaders seek recognition and support (moral, logistical, financial) from national and international organizations. They would like national and international organizations (conservation and human rights) to write (and speak) in their support to government officials. They would like advice (and logistical and financial) support in publicizing their ICCA and in networking with other peoples and communities who have ICCAs.



Sherpa leaders Sonam Hishi Sherpa (left) and Sonam Gyalzen Sherpa discuss Khumbu conservation and ICCAs with Grazia Borrini-Feyerabend, co-chair of IUCN TILCEPA and chair of TGER, and Stan Stevens. January 2008. Kathmandu, Nepal. Photo © Barbara Lassen.



Presentation of the Sagarmatha National Park Management Plan, 2007-2012 by SNP Warden Tulasi Sharma to the three Sherpa members of the SNP Buffer Zone Management Committee (Tenzing Tashi Sherpa, Sonam Gyalzen Sherpa, and Fu Nuru Sherpa), January 21, 2008. Photo © Stan Stevens

In particular some Sherpa leaders would like to ally with IUCN commissions and groups, UNESCO, progressive conservation NGOs, and Indigenous rights organizations to promote recognition of ICCAs in Nepal and Sherpa ICCAs in particular. They are very aware that international conservationists and organizations can be important allies. Sherpa leaders have been in contact with members of IUCN's TILCEPA and TGER groups and some of them have travelled to Kathmandu to meet with Grazia Borrini-

Feyerabend and attend the workshop she led on protected area governance and equity that devoted considerable attention to ICCAs. These interactions indeed helped spark the interest of some leaders in the concept of ICCAs. Sherpa leaders are also trying to reach out to UNESCO. SNP has been a UNESCO natural World Heritage Site since 1979. Over the years Sherpa leaders have had little contact with UNESCO. They now seek to establish a relationship and to do so on the basis of recognition that Khumbu is a Sherpa homeland, sacred place, and ICCA. On the same day that Sherpa leaders declared the KCCA they also petitioned the Nepal government to nominate SNP to UNESCO as a cultural landscape World Heritage Site (WHS). In doing so they seek UNESCO recognition and support for Khumbu as a Sherpa sacred place and cultural landscape which Sherpas care for as an ICCA. If nominated by the Nepal government SNP could become one of only about twenty-five WHSs which have WHS status as both natural and cultural landscapes.

Formal recognition

Sherpas consider their conservation stewardship of Khumbu through their protection of wildlife throughout Khumbu and their conservation of many forest and rangeland areas through local ICCAs to be historical, ongoing, and important. They feel that they have demonstrated their conservation capacity and that they are rightful stewards of Khumbu. They feel that they have not received proper recognition for their conservation contributions and that their knowledge, values, and institutions have not been sufficiently acknowledged and respected. Some leaders would like formal recognition from the Nepal government of the Khumbu CCA. Others say that they are not concerned with legal recognition *per se*, but they want informal recognition of their institutions, practices, and rights and for these to be the basis of a new relationship with government officials and NGO staff. They seek stronger participation in all regional planning – including SNP planning and policy-making – Sherpa participation in SNP management, more equitable sharing of regional resources with communities, and a greater Sherpa voice in managing their buffer zone lands within the national park and the area adjacent to it.

The government of Nepal, however, does not recognize customary ICCAs as such (Stevens 2007) despite the fact that Nepal is a signatory of the Convention on Biological Diversity and thus has a commitment to do so under the Programme of Work on Protected Areas of the CBD which was adopted by the Parties to the Convention in 2004. The buffer zone forest users groups of lower Khumbu are legally recognized to have a degree of co-management authority by the Department of National Parks and Wildlife Conservation. There is a provision also for the recognition of buffer zone religious forests, and the sacred forests of lower Khumbu could be so designated but have not yet been. There is no provision yet for formally recognizing sacred forests or other ICCAs within the national park in upper Khumbu.

Sherpa leaders hope that their conservation contributions through their ICCAs will be acknowledged to a greater degree by the government of Nepal in both SNP and the SNP Buffer Zone, and that Sherpa conservation stewardship and conservation goals, institutions, and practices will become integral aspects of SNP and SNP Buffer Zone planning and management. This can be done through revision of the SNP management plan of 2007-2012 and the buffer zone management plan which expires in 2008 and also through zoning which respects Sherpa land use and management through their ICCAs. (The preliminary zoning map and discussion of zoning incorporated in the SNP management plan (2007-2012) will not be an adequate basis for this because of the shortcomings discussed previously.)

Greater Sherpa participation in park management would also increase the likelihood that their ICCAs will be effectively linked to park policies and programs. The restoration of an SNP advisory committee, which was established in the 1970s but has not operated for more than twenty years, is called for in the current SNP management plan. This would be the only such advisory committee for a Nepal national park. Yet it would not re-establish even the degree of Sherpa participation in SNP management that was envisioned in 1974 when New Zealand park advisors recommended that SNP be managed by a Khumbu

Sherpa warden with the assistance of a Sherpa advisory committee. Re-establishing this level of Sherpa participation, and updating it to the standards of the twenty-first century, might be achieved by creating a formal Sherpa management or co-management arrangement for SNP. Much would depend, however, on the character of that arrangement. My impression is that leaders do not wish to compromise their values and stewardship in order to be recognized by the government and wish to avoid “co-management” arrangements which in effect increase the degree of involvement and power of government officials in their institutions and affairs.

Whether or not Sherpa leaders would welcome legal recognition by the Nepal government and DNPWC for their ICCAs also would depend on the character of that recognition. Government officials and some Kathmandu conservation NGO staff may well be attracted to the idea of developing a “uniquely Nepalese” officially recognized form of ICCAs which ignores customary ICCAs and recognizes only standardized “national” forms of ICCAs designed and implemented by government departments or NGOs which work closely with them. Such a narrow conception of ICCAs would likely be criticized by many Nepal Indigenous peoples, international experts on protected area governance, and global Indigenous rights advocates. Some would consider it a distortion of the ICCA concept and contrary to the spirit in which ICCAs were recognized as important to global conservation by IUCN and the parties to the CBD. If the DNPWC were to recognize as ICCAs only institutions which it had itself designed, implemented, and overseen – such as current conservation area and buffer zone institutions – this would not only fail to recognize customary ICCAs but might – some Sherpa leaders fear -- actually undermine Indigenous ICCAs based on Sherpa values and heritage which are crucial to their conservation stewardship of Khumbu as well as to their identity as a people. Past DNPWC, Department of Forests, and international NGO emphasis on new institutions created by themselves has been problematic for Sherpa culture and conservation in both upper and lower Khumbu. Sherpa leaders have felt that some government and outside NGO-designed institutions have not been carefully crafted for Khumbu conditions and contexts and that they have ignored and sometimes conflicted with existing Sherpa institutions and practices in ways that undermine Sherpa culture and have had adverse environmental impacts. Sherpa leaders can see important value in some new institutions and practices and they welcome new conservation ideas and methods. But they want to participate more integrally in the design and implementation of any new conservation institutions to ensure that they are informed by Sherpa values, goals, concerns, and customs and that they coordinate with existing ICCAs. They do not want new institutions to unnecessarily duplicate or to undermine existing ICCAs. They do not want their ICCAs to be ignored, undervalued, or threatened by government recognition of only state (and outside NGO) initiated-institutions as “legal,” as worthy of incorporation into SNP and SNPBZ planning and policies, or of meriting national and international attention and support.

Recognizing and Respecting Sherpa Conservation Stewardship

Government officials and NGO staff can and should immediately informally recognize the existence and importance of Sherpa conservation contributions to SNP through their regional and local conservation institutions. They can do this by publicly expressing appreciation and respect for Sherpa conservation stewardship, values, Indigenous knowledge, and institutions; by closely consulting with communities and community leaders who have responsibility for Sherpa community and regional land management on all conservation planning, policies, and programs; and by ensuring that their actions do not ignore, undermine, or conflict with Sherpa conservation institutions and practices. To formally recognize that Sherpas have for centuries managed all Khumbu as a regional wildlife protection ICCA and also maintained multiple local forest and rangeland ICCAs will require national legislation, although it might be possible to give Sherpa conservation institutions and practices recognition through internal action by the Ministry of Forests and Soil Conservation and the Department of National Parks and Wildlife Conservation, which devise and authorize national park regulations (including the Sagarmatha National

Park Regulations now being developed); national park management plans; buffer zone institutional structures and procedures; and are responsible for institutional cultures which have a great deal to do with how Sherpa conservation, and Sherpa Indigenous knowledge, institutions, aspirations, needs, and rights are or are not integral to SNP governance and management.

Sherpa ICCAs are not unique in Nepal's protected area system. Many ICCAs are maintained by Indigenous peoples and other local communities within existing national parks, wildlife reserves, and conservation areas in Nepal. There are a vast number also in areas which are now designated as buffer zones, conservation landscapes, community forests, and the country's national forest. Nepal may indeed become recognized as leading center for ICCA-based conservation given the high percentage of its population which consists of Indigenous peoples and other local communities, the large number of customary ICCAs throughout the country, and the possibility that recently-developed institutions such as community forests and buffer zone user groups and user committees may qualify for ICCA status (or may become ICCAs in the future with governance reforms that provide greater management authority to communities than is now the case in buffer zones and community forests). National recognition and support for ICCAs, including recognition of customary ICCAs within existing protected areas, could make ICCAs a core component of local and national conservation and indigenous rights recognition. ICCAs could become a key component both of Nepal's development of a national protected area system and contribute to its meeting its international responsibilities towards its indigenous peoples under ILO 169 and the Convention on Biological Diversity.

Nepal ICCA policy should be developed within the broader context of a revision of Nepal's protected area policies to recognize the rights of Indigenous peoples and local communities enumerated in ILO Convention 169, to which Nepal is a signatory; the UN Declaration on the Rights of Indigenous Peoples; IUCN/WCPA recommendations (2003-2004) on Indigenous peoples and protected areas, community conserved areas, co-managed protected areas, and protected area governance; the Programme of Work on Protected Areas of the Parties to the Convention on Biological Diversity, and other pertinent international treaties, conventions, and resolutions which Nepal has ratified or endorsed.

A number of measures would facilitate recognition and support of ICCAs in Nepal and the development of a national ICCA network which includes respect for customary ICCAs (and not solely government and NGO-initiated local institutions as has been the case in Nepal's protected areas, buffer zones, and community forest system to date). Nepal does not currently recognize the existence of collectively-owned lands, but ICCAs can nonetheless be recognized – **the important thing is that communities have recognition of their collective management responsibilities**. Possible measures that are relevant are:

- 1) promote greater understanding and recognition of ICCAs nationally through workshops and training which involve government officials, NGO staff, and Indigenous peoples and members of other local communities;
- 2) establish national ICCA legislation;
- 3) amend DNPWC rules, regulations, and practices that affect existing ICCAs, including customary ICCAs, within protected areas and buffer zones;
- 4) amend Department of Forests regulations and practices that affect existing ICCAs, including customary ICCAs, within the Nepal national forest;
- 5) recognize ICCAs, including customary ICCAs, as a fundamental tenet of all protected area, buffer zone, and national forest management planning; **Protected area policies, regulations, and rules, including management planning and zoning, should recognize ICCA values, institutions, and practices and not conflict with, intervene with, or undermine them.**
- 6) incorporate all local and regional ICCAs, including customary ICCAs, in protected area land use/management zoning. ICCAs within existing protected areas, such as Sagarmatha National Park, can be administered as zones with appropriate management institutions, goals, and practices

determined by the character of the ICCA. Sacred sites, forests, grazing lands, and other areas for which communities take responsibility as customary, traditional or new ICCAs should be zoned so that community stewardship of those areas is recognized and that conservation goals, management arrangements, and regulations for those zones are appropriate to the ICCA;

- 7) review protected area management goals and revise IUCN categories for protected areas and zones within protected areas to reflect ICCA management goals;
- 8) amend protected area law and departmental regulations to address the relationships and interactions between communities and outside NGOs in order to ensure community oversight of NGO programs and their coordination with ICCAs;
- 9) establish legal recognition of collective land ownership, including lands of the Sherpas and other Indigenous peoples which were recognized in the past by the government of Nepal as collective (*kipat*) lands;
- 10) establish procedures whereby communities can retain their collective ownership of their lands while also participating in the national protected area system;
- 11) amend national legislation to authorize Indigenous management and co-management of all forms of protected areas including national parks, and of zones within protected areas;
- 12) establish legal recognition of collective territorial ownership and management, regional autonomy and other Indigenous rights under ILO 169, an international agreement to which Nepal is a signatory. Recognition of many of these rights are consistent with or are critical to the management of ICCAs and other “new paradigm” protected areas.

Observations and recommendations

Sherpa leaders wish to reaffirm their pride in their conservation stewardship heritage, achievements, and contributions and strengthen their commitment to continue to take responsibility for the care of Khumbu. For them conservation stewardship of Khumbu is a matter of their identity as Sherpas. They welcome respect for their conservation achievements and contributions by government officials and NGO staff and invite them to join with Sherpas in collaborative conservation efforts that acknowledge and honor Sherpa values, institutions, and practices.

Khumbu Sherpa leaders have great enthusiasm and hope that the concept of ICCAs may help them to express their dedication to the care of Khumbu in ways that can help revitalize and strengthen Sherpa commitment to Khumbu conservation. There is hope also that increased awareness of Sherpa conservation values, institutions, and practices and appreciation of the great energy and commitment Sherpas have contributed to conservation in SNP will bring greater national and international support and lead to greater governmental and NGO recognition and cooperation. Sherpa leaders hope that by speaking more openly about how they practice conservation, how Sherpa conservation is deeply grounded in Sherpa history and culture, including their Buddhist faith, and how they continue to try to improve and extend their conservation practices that they will increase appreciation of their heritage and their enormous conservation contributions to Sagarmatha National Park and World Heritage Site. Such efforts are likely to be well-received within the region and may especially be important for educating Sherpa youth. What the response will be in the short-term and longer-term from the Department of National Parks and Wildlife Conservation, the Ministry of Forests and Soil Conservation, the Ministry of Culture, Tourism, and Civil Aviation, and the many NGOs now working in Khumbu is unclear. Considerable educational efforts, dialogue, and capacity building may be necessary to create greater cooperation and develop truly collaborative programs based on Sherpa conservation goals, institutions, and practices. Formal recognition of that Sherpa practices constitute ICCAs is likely to await new national legislation. Officials in concerned government departments and the Kathmandu staffs of conservation NGOs have had insufficient opportunities to learn about ICCAs, recent international thinking about protected area governance, and Indigenous rights (including the provisions of ILO 169). The workshop on protected

area governance and equity organised by Prabhu Budhathoki and Grazia Borrini-Feyerabend in Kathmandu on January 20, 2008 was an important beginning. Further workshops and meetings are needed.

The national Indigenous peoples movement and organizations in Nepal may find ICCAs a useful concept, help raise awareness and appreciation of them, and support their recognition. ICCA recognition should become an important part of the agenda for national protected area reform. This should include provisions in an amendment to the national parks act (or a new protected areas act) and the forestry act. A dialogue on protected area reform is already underway between Indigenous peoples, government officials, and NGOs. ICCA recognition has not yet been part of this dialog, but it should be.

The Department of National Parks and Wildlife Conservation and the Department of Forests can both do much to recognize and support customary and new ICCAs under existing law. Workshops on ICCAs for officials and staff of these departments should stress how ICCAs can be supported through national park management planning and regulations, protected area zoning which recognizes ICCAs, the recognition of ICCAs in the establishment of buffer zone institutions (including the little used recognition of “buffer zone religious forests”) and in buffer zone management plans and regulations, the formation of community forest users groups based on existing ICCAs for management of areas of the Nepal national forest, and recognition of “religious forests” within the national forest.

Greater international involvement in support of ICCA appreciation and recognition may be very timely and important. Thus far Kathmandu-based intergovernmental organizations and conservation NGOs have not demonstrated much interest in organizing ICCA workshops and programs or working for their recognition.

Although there are likely many ICCAs maintained by Hindu communities, passage of legislation recognizing and supporting ICCAs and internal bureaucratic policy changes will be entwined with continuing inter-ethnic relationships which have so politically, socially, and economically marginalized Indigenous people in the past. This is likely to impede legal recognition of ICCAs and on-the-ground support for them from government agencies and NGOs.

Recommendations: Promoting Sherpa Conservation in SNP

Priority action in support of Sherpa conservation could include:

- 1) Promotion of Khumbu conservation through cultural affirmation and revitalization. Sherpa leaders have discussed launching an awareness campaign to promote understanding of Sherpa conservation practices, and the concept of ICCAs. This would provide an opportunity to create **pride and recognition of Sherpa history, culture, and values as well as conservation practices**. This campaign may be launched in 2009 and could include regional distribution of literature on Sherpa conservation values, institutions, and practices, displays in information centers and public facilities, community workshops, and school programs.
- 2) Foster greater conservation coordination between Sagarmatha National Park management and Sherpas.
- 3) One way forward would be a series of meetings in which Sherpa leaders inform SNP staff about the their practices and the culture and history which they embody and then discuss together how national park management can be coordinated with Sherpa conservation goals and practices.
- 4) Provide capacity-building training for DNPWC officials and SNP staff as well as for Sherpa leaders in cross-cultural communication and relationships, Nepal’s responsibilities under international agreements with regard to conservation and to Indigenous peoples, Sherpa culture and conservation contributions, the development, goals, and achievements of the Nepal protected area system and current international protected area practices and best practice recommendations.

- 5) Re-establish a SNP advisory committee as called for in the current SNP management plan and make one of their first acts a recommendation that the Department of National Parks and Wildlife Conservation and Sagarmatha National Park respect and coordinate with Sherpa conservation practices and cultural values to the greatest degree possible.
- 6) Use buffer zone funds to hire Sherpa liaison staff members whose responsibilities will include maintaining channels of communication between Sherpas and SNP staff to ensure that SNP administration is informed by Sherpa values and concerns.
- 7) Implement the Sherpa Mapping Project. Sherpa leaders have been discussing a program through which Sherpa researchers would map Sherpa land use and management as well as other facets of regional geography of importance to Sherpa communities. These maps can be used as the basis of the future land use zoning in SNP.
- 8) Establish a Sherpa planning committee to review and revise the recently-expired SNP Buffer Zone Management Plan and to review and prepare a revised draft of the SNP Management Plan 2007-2012 which will acknowledge Sherpa values, institutions, and practices and coordinate SNP and Buffer Zone management planning and proposed policies with Sherpa conservation practices.
- 9) Undertake an awareness raising campaign in Kathmandu for government officials, NGO staff, and Indigenous peoples about communities, conservation through cultural practices, and the concept of ICCAs.
- 10) Hold meetings between Sherpa leaders, government officials, and the country-office heads of transnational NGOs operating in Khumbu to discuss recognition and support for Sherpa conservation practices.
- 11) Convene meetings of Himalayan Indigenous peoples or of Nepal Indigenous peoples to document existing community conservation practices, discuss the concept of ICCAs, and involve them in discussions concerning the possible legal recognition of ICCAs by the Nepal government and establishment of a national network of ICCAs.
- 12) Convene meetings of Sherpa leaders, government officials, and UNESCO representatives to discuss the nomination of SNP as a cultural landscape as well as a natural World Heritage Site.

Recommendations for a Nepal National ICCA Network and Agenda

Nepal should establish a national system of ICCAs which would include all those ICCAs nominated by communities for inclusion and legally recognized by the government of Nepal. Provisions could be made for legal, logistical, and financial support for recognized ICCAs. ICCAs in the national system could become part of the national protected area system and be included in the UN List of Protected Areas and added to the World Protected Area Database. Appropriate measures would include:

- 1) **Review of Nepal Laws, Policies, and Procedures with Regard to ICCAs.** The Nepal government (including the Department of National Parks and Wildlife Conservation and the Department of Forests), together with the Nepal Federation of Indigenous Nationalities should form a special committee that will evaluate current Nepal laws and DNPWC and DoF policies and procedures with regard to protected areas, the national forest, and Indigenous peoples and local communities. This committee would make recommendations for amending existing laws, policy, and procedures or initiating new ones. This would include evaluating Nepal's protected area and national forest systems with regards to Nepal constitutional rights, Nepal's international obligations under various agreements it has signed including human rights agreements and ILO 169 Convention on Indigenous and Tribal Peoples, and the recommendations of IUCN and the Parties to the Convention on Biological Diversity on protected area governance and management. This committee could include experts such as Parshuram Tamang, who has been a member of the UN Permanent Forum on Indigenous Issues.
- 2) **Legal Recognition of ICCAs within and around Protected Areas.** Require legal recognition of customary ICCAs *within* as well as outside of existing protected areas through constitutional

provisions and national legislation, with provision for the effective coordination of community conservation and the achievement of protected area management goals.

- 3) **ICCA Nomination and Recognition Procedures.** ICCAs within and outside of existing PAs should be identified and recognized. There should be a procedure by which communities can apply for legal recognition of their ICCAs if they wish to do so. This procedure should be simple, straightforward, and transparent.
- 4) **Protected Area Management Categories in cases of ICCAs Within Existing PAs.** Protected area IUCN category designations should be adjusted to reflect ICCAs within them. This will be facilitated by the proposed change in IUCN policy (to be adopted in Barcelona) to encourage the listing of multiple management categories to reflect zoning. In some cases it may be appropriate to designate a single PA with multiple IUCN category and governance designations to reflect ICCAs and overall PA management goals.
- 5) **National ICCA Fund.** Establish a national fund to support ICCAs. This should include funding for recognition, programs, networking and any training sought by communities.
- 6) **Dispute Arbitration.** A procedure should be established for independent arbitration outside of the Ministry of Forests and Soil Conservation and its departments in cases where communities feel that their ICCAs have not been appropriately recognized or that protected area or national forest policies, regulations, rules, and practices interfere with their ICCAs.

Moving Forward

Until now Sherpa conservation stewardship through their ICCAs has been largely overlooked by Nepal's national government and by international conservation NGOs working in the region. In particular it has been inadequately recognized by the Nepal government in the planning, policies, management, and governance of SNP. Effective future conservation in SNP and adherence to international standards for the management of protected areas in the homelands of Indigenous peoples require greater respect for Sherpa ICCAs. Sherpa leaders hope that through increasing awareness of their ICCAs among Sherpas and non-Sherpas that they can foster cultural affirmation and revitalization and create greater appreciation, respect, and support for their ICCAs from government officials and NGOs. International recognition and support may prove to be important, and Sherpas welcome new conservation collaborations including participation in regional, national, and international ICCA networks and organizations.

On their part, Sherpas have felt misunderstood, alienated, intimidated, and angered by the DNPWC response to their "declaration" of conservation stewardship. For some it represents another demonstration of the lack of sensitivity and respect that they have long felt has characterized DNPWC governance of them and their homeland. Some are quite surprised at the degree of authority which the DNPWC and the warden of SNP have claimed over them, as they thought their villages were in a buffer zone, not a national park, and that the buffer zone is both completely separate from the national park and a co-management arrangement in which they have primary decision-making authority through holding most of the seats on the management committee. Many had felt that they have constitutional rights to speak and assemble, and some are well aware that they have Indigenous rights which seem to be ignored. Some have been intimidated into feeling that it is better that they don't mention their rights for fear of bringing down further government retribution. But they certainly have not, and they actually cannot, renounce their caring for Khumbu. Current efforts and plans for strengthening Khumbu conservation include community meetings and school programs about Sherpa conservation values and practices; networking with other Indigenous peoples; continuing efforts to reform SNP governance and management in order to ground these in Sherpa values, knowledge, institutions, and practices; meetings with SNP staff to increase their awareness and appreciation of the KCCA and Sherpa conservation; and a Sherpa Mapping Project to produce detailed maps of Sherpa ICCAs which can inform planned Sagarmatha National Park land use/management zoning so that it can reflect Sherpa natural resource use patterns and local ICCAs.

There is hope, moreover, that this controversy will yet be resolved in a positive manner. Misunderstandings can be rectified. The Sherpa “declaration” of the KCCA can still be accepted by the DNPWC in the spirit in which it was intended. The DNPWC can endorse the concept of ICCAs in SNP and the SNPBZ and throughout Nepal’s protected area system. It can begin a process of cross-cultural communication and learning based on mutual respect and shared conservation goals. It can offer respect, encouragement, and support for both customary and recently-adopted ICCAs including recognizing them and coordinating with them in management plans and in protected area land use and management zoning systems. It can work with communities, at their request and in ways that they request, to increase community stewardship capabilities. The DNPWC can take these steps now, recognizing the existence of Indigenous peoples and local communities and their existing ICCAs in and around Nepal’s protected areas, and at the same time it can begin a process of developing new national legislation and DNPWC regulations that will provide ICCAs with legal standing. This same approach has been taken before in Nepal. Nepal’s much acclaimed conservation areas for years had no legal status. Annapurna Conservation Area, one of the world’s most renowned “new paradigm” protected areas, was initiated in 1986 – six years before an amendment to Nepal’s national park act created the legal basis for the establishment of conservation areas and nearly a decade before the DNPWC developed regulations for their administration.

There are indications that this process may be beginning for ICCAs. On August 8, 2008 IUCN Nepal convened a meeting of DNPWC officials, conservation NGO staff, and a newly-elected buffer zone representative of the Khumbu Sherpas to discuss the KCCA and ICCAs. Misunderstandings were clarified. As understanding increased about ICCAs and Nepal’s international obligations, many in attendance agreed that they have no fundamental objection to recognition of ICCAs and some found ICCAs to be an exciting conservation concept. Nepal’s members of IUCN’s World Commission on Protected Areas, through their Protected Area Support Committee, agreed to begin studying ICCAs in preparation for making recommendations to the DNPWC that might include suggestions for new national legislation. There is yet hope that the government of Nepal will informally and formally recognize ICCAs, and that they can become an integral part of protected area governance in Nepal. The KCCA will then come to be seen as an important conservation contribution to both Sagarmatha National Park and the Sagarmatha National Park Buffer Zone and yet another reason why Khumbu merits national and international recognition as a national park, a World Heritage Site, an Indigenous people’s homeland, and a sacred place.

Conclusion

ICCAs have been the source of significant contributions worldwide for millennia. The importance of ICCAs for global conservation today has been recognized by IUCN and by the Parties to the Convention for Biological Diversity, which have called on governments worldwide to recognize and support them. A process is now underway to increase understanding of ICCAs, to strengthen their conservation contributions, and to encourage their legal recognition and support worldwide. IUCN is playing an important role in this effort through the work of TILCEPA, the Commission on Environmental, Economic, and Social Policy, and the World Commission on Protected Areas. This includes a substantive body of ICCA and pertinent protected area governance resolutions, recommendations, and best practice guidelines adopted at the 2003 World Parks Congress in Durban and in the years since.

Although the modern concept of ICCAs is new and largely unknown in Nepal, Indigenous peoples and local communities have practiced conservation in ways which are the equivalent of ICCAs for centuries. These community conservation contributions long pre-dated the establishment of Nepal’s protected area system, and have been the foundation of conservation in Nepal for centuries. They continue today to be so both within many state-declared and administered national parks, conservation areas, and buffer zones and beyond them. Sherpas are the first of Nepal’s Indigenous peoples and local communities to recognize that there is international respect and support for the ways in which they have conserved their homelands

for many generations and to attempt to make their conservation contributions to SNP more visible in an effort to rally their communities, seek national and international alliances and support, and convey to the national government, the Department of National Parks and Wildlife Conservation, and international conservation and development organizations their desire that their conservation values, institutions, and practices be a core component of regional conservation.

Until now Sherpa conservation stewardship through their ICCAs has been largely overlooked by Nepal's national government and by international conservation NGOs working in the region. In particular, ICCAs have been inadequately recognized by the Nepal government in the planning, policies, management, and governance of SNP. Effective future conservation in SNP and adherence to international standards for the management of protected areas in the homelands of Indigenous peoples require—in my view—greater respect for Sherpa ICCAs.

Sherpa leaders strongly wish to reaffirm their responsibility for the care and conservation of Khumbu. They share that responsibility now with the government of Nepal, which declared this sacred land a national park in 1976 and then successfully nominated it for recognition by UNESCO as a natural World Heritage Site. Sherpas wish to contribute to Sagarmatha (Mt. Everest) National Park and World Heritage Site. They see their continuing conservation contributions as central and essential to the achievement of national park conservation goals. Those conservation values, institutions, and practices – what the international world would call their regional and local ICCAs – are critical to Khumbu's future as an Indigenous homeland, a Buddhist sanctuary, and a national park of world significance.

Khumbu remains – despite the controversy over Sherpa leaders giving it a name – a sacred valley and ICCA of great importance. Sherpa values, institutions, and practices are an outstanding example of what are internationally referred to as ICCAs. Sherpas' conservation values and their interweaving of region-wide wildlife protection and forest management with community management of local forests and rangelands and protection of sacred places are a tremendous asset to SNP. Khumbu as both a regional ICCA and a place with many local ICCAs is something of which Sherpas – and the Nepal government – can be immensely proud. Sherpas should be world famous for their conservation stewardship of a sacred Himalayan valley, and not simply for their exploits on Mt. Everest.

It may be a very opportune time to seek recognition and support for community conservation and the ICCA concept. Given the current dynamic national political context in Nepal there may be a great opportunity to recognize Indigenous peoples' and local communities' conservation contributions, responsibilities, and rights as part of a possible larger social and political transformation. After two centuries of centralized rule and a ten year civil war there is now an extraordinary moment in which a new federal democratic republic is being imagined, negotiated, and created. Conservation *per se* is unlikely to be a direct or central concern in the construction of this “new Nepal,” but Indigenous rights will be. Issues of identity, culture, political inclusion, and jurisdiction over land and its ownership, use, and management will be core concerns. Appreciation and support for Indigenous peoples' and local communities' conservation achievements and stewardship potential through recognition of their ICCAs could become part of the effort to build a Nepal based on greater recognition of diversity, human rights, and the needs and aspirations of previously marginalized groups.

Author

I am a professor of geography who has conducted long-term, longitudinal research with Sherpa co-researchers and mentors since 1982 on regional cultural and political ecology and conservation issues. I am the author of a study of Sherpa land use and conservation practices, *Claiming the High Ground: Sherpas, Subsistence, and Environmental Change in the Highest Himalaya* (Stevens 1993) and the editor and lead author of *Conservation Through Cultural Survival: Indigenous Peoples and Protected Areas* (Stevens 1997), which includes evaluation of participatory

conservation in SNP and the Annapurna Conservation Area. This report on Sherpa conservation of Khumbu is based on my familiarity with the region, Sherpas, and conservation issues; extensive discussions over the past several years with Sherpa leaders and villagers about conservation practices and challenges; and discussions with Sherpa leaders in 2008 including my attendance at the May 25, 2008 gathering of Sherpa leaders which declared the KCCA. All views expressed in this report are my own, and no one else shares any responsibility for them.

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Annex 1: **Format for the preliminary database of CCA sites being tested for UNEP/WCMC**

Basic data

Site Name (in local language and in English)	Khumbu, Khumbu beyul Sagarmatha (Mt. Everest) National Park Sherpa ICCAs
Country (include State and Province)	Nepal, Solukhumbu district
Area encompassed by the CCA (specify unit of measurement).	1,500 km ²
GIS Coordinates (if available)	28° 7' to 27°35' north latitude and from 86°32' to 87°00' east longitude
Whether it includes sea areas (Yes or no)	No
Whether it includes freshwater (Yes or no)	Yes, including Gokyo Lakes Ramsar site
Marine (Y or N)	No
Concerned community (name and approx. number of persons)	Sherpas 5,500; others (Rais, Tamangs, Parbates) 500
Is the community considering itself an indigenous people? (Please note Yes or No; if yes note which people)	Yes, Sherpas. (Rais and Tamangs are a recognized indigenous people but are not native to this region)
Is the community considering itself a minority? (Please note Yes or No, if yes on the basis of what, e.g. religion, ethnicity)	Yes Religion (Buddhist) and ethnicity (Sherpa)
Is the community permanently settled? (Please note Yes or No; if the community is mobile, does it have a customary transhumance territory?)	Yes and No. Historically Sherpas in upper Khumbu and some lower Khumbu Sherpas have been a mobile Indigenous people. Some households continue to be transhumant herders with customary transhumance territories. Historically some households herded their yaks in Tibet in the winter.
Is the community local per capita income inferior, basically the same or superior to national value? (please note how confident you are about the information)	Overall regional income is higher than the national rural average, but 20% or more of households have lower than Khumbu regional average income and their incomes are similar to the national rural average. (I am confident about this information)
Is the CCA recognised as a protected area by governmental agencies? (Yes or no; if yes, how? If no, is it otherwise recognized?) If yes, legal document? Establishment date?	No
Conflicts with land tenure, natural resource use?	Government does not recognize community lands. Some community lands have been privately claimed and this is opposed by communities. Sale of land and building of hotels by outsiders (a small number of cases) is opposed. Government management of national park is a source of continuing conflict and tension.
What is the main management objective	Cultural, spiritual, livelihood, and conservation objectives

(e.g. livelihood, cultural, spiritual...)	are tightly entwined
By definition, a CCA fulfils a management objective. To which IUCN management category do you consider it would best fit (this does not imply that the management objective is consciously pursued by the concerned community, but that it is actually achieved)	KCAA (and SNP – now Category II) should be Category V.

Additional qualitative information

Main ecosystem type	Temperate, subalpine forests and alpine areas
Description of biodiversity & resources (ecosystems, species, functions) conserved by the CCA	Total protection of all wildlife, both endangered and non-endangered Total protection of extensive forest areas, limited and sustainable use of others Rotational grazing of large areas of shrubland/grassland (temperate and alpine)
Description of local ethnic groups and languages spoken	90% Sherpa (99% Sherpa in much of the area). Sherpa is native language, Nepali and English widely spoken 10% Rai, Tamang, and other
Broad historical context of the CCA	Sacred valley for 1,200 years Sacred forests for 400 years Livelihood commons managed for 150 or more years Recent forest management adopted in 2002 at Sherpa initiative. Sherpa leaders affirm Sherpa responsibility for Khumbu conservation through ICCAs May 25, 2008 in Khumjung village
Governance structure for the CCA (who takes management decisions, how?)	Community assemblies govern customary local ICCAs. In many upper Khumbu community forest, sacred forest, and rangeland commons, ICCA regulations are enforced by community-elected officials (nauwa), a job which is often rotated annually among resident Sherpa households. In lower Khumbu buffer zone users groups manage forest and grazing lands. In upper Khumbu, elected regional buffer zone users committees oversee all forests and integrate into their management the protection of sacred places and community-managed forests. In lower Khumbu, community assemblies govern customary forest ICCAs and elected buffer zone users groups manage other forests.
Length of time the governance model has been in place	Sacred forests – 150-400 years Grazing management --150 years or more Community forests ---100 years or more Buffer zone forests (lower Khumbu)– since 1993 as community forests and since 2002 as buffer zone forests Sagarmatha National Park Buffer Zone forest management (upper Khumbu) – since 2002
Land and resource ownership in the CCA	The government of Nepal nationalized all non-croplands after 1957. All upper Khumbu forests and rangelands are

	<p>owned by the national government and considered to be “national park” land. Most lower Khumbu (Pharak) forests and all grasslands are national land managed by buffer zone forest users groups. In the mid-1990s in lower Khumbu private claims were registered against customary community forests with the alleged assistance of government officials. Sherpas consider that their land was unjustly taken from them because its community ownership and management had been recognized by the Nepal government in the 19th and early 20th centuries. Sherpas continue to recognize customary village lands boundaries and management authority although these lack legal recognition.</p>
Type of land use in the CCA	<p>Permanent agriculture, transhumant pastoralism, collection of deadwood for firewood use, controlled tree-felling for timber for house and hotel construction.</p>
Existence of written or oral management plans and specific rules for the use of natural resources in the CCA	<p>Customary ICCAs have oral rules. Buffer zone managed forests have management plans.</p>
Map and zoning of the CCA (please attach if available and relevant,)	<p>Sherpa researchers together with geographer Stan Stevens are currently mapping Sherpa land use and management. These maps will be recommended as the basis of a new national park zoning system. Land use and land management maps will be completed for upper Khumbu in 2009.</p>
Relevant pictures with captions (please attach if available)	<p>Attached</p>
Major threats to biodiversity and/or the CCA governance system	<p>Threats as emphasized by Sherpas:</p> <ol style="list-style-type: none"> 1. Lack of government recognition of ICCAs. 2. Lack of Sherpa participation in SNP governance. 3. SNP policies and plans that do not recognize and respect ICCAs. 4. Central government officials’ ignorance of Sherpa culture. 5. Authorization by government officials of large-scale tourism development by outside companies, including chain hotels. 6. Regional government school system and Kathmandu boarding schools offer no instruction in Sherpa culture, history, and practices. Environmental education is not Sherpa and Khumbu specific. As a result, understanding and support for Sherpa conservation values, institutions, and practices are not encouraged. 7. Kathmandu-based NGOs have not recognized and coordinated with Sherpa ICCAs.
Local CCA-relevant features, stories, names, rules and practices	<p>Khumbu has been one of the sacred hidden valleys of the Himalaya for more than a millennium. Sherpas protect all wildlife – mammals, birds, fish, reptiles, and insects. All trees in sacred forests are strictly protected – not a</p>

	<p>branch can be cut.</p> <p>Community forests are managed with regionally-variable goals and regulations which include the strict protection of some in which no tree can be cut, limited use of others in which tree-felling is allowed only for the beams for houses and hotels, others in which limited tree-felling is allowed for household use of timber but not for sale, and some of which are closed even for deadwood collection for firewood either permanently or for a year or more to recover from earlier use.</p> <p>Multi-zone rotational grazing management systems.</p>
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Contact individuals and organizations: For quick responses contact Stan Stevens at sstevens@geo.umass.edu Email contact with Khumbu is not reliable at this time. Sherpa leaders hope to gain improved email access and to have staff to read and reply to mail in the relatively near future.

References : Customary Sherpa ICCAs are discussed in detail in Stevens, 1993, *Claiming the High Ground: Sherpas, Subsistence, and Environmental Change in the Highest Himalaya* (Berkeley: University of California Press); Sherpa-national park relations are discussed in Stevens, 1997, *Conservation Through Cultural Survival: Indigenous Peoples and Protected Areas* (Washington D.C.: Island Press)

Declaration of the Khumbu Community Conserved Area

On behalf of the Sherpas of Khumbu, we today declare our Khumbu homeland to be the Khumbu Community Conserved Area – in our Sherpa language (Khumbu Yulwi Tholenkyauw Densa and Khumbu Samudayik Samrakchan Chetra in Nepali).

The Khumbu Community Conserved Area includes all of what today is also Sagarmatha National Park and Buffer Zone and Sagarmatha National Park World Heritage Site. This is the first Community Conserved Area to be publicly declared by any of the many peoples of Nepal.

Community Conserved Areas are places which communities govern and in which they conserve nature through customary and new cultural values, institutions, and practices. Many thousands of CCAs worldwide have been created by Indigenous peoples and other local communities. Many peoples and communities in Nepal, including many indigenous peoples (adivasi janajati) and other local communities, have traditions of managing their lands as CCAs.

Sherpas have carried out conservation stewardship throughout Khumbu for many generations through our values, community and regional institutions and practices, our ownership and governance of Khumbu as an Indigenous territory, and our collective ownership and management of village lands.

We Sherpas managed Khumbu as a CCA long before this was recognized as a national park, a World Heritage Site, and a national park buffer zone. We and our ancestors through our culture, our institutions, and our practices have maintained this place as a natural environment and a cultural landscape of national and world importance. We are responsible for much of the conservation and cultural landscape practices and achievements which make our homeland a world famous national park and World Heritage Site today.

For Sherpas Khumbu has been a sacred, protected place for centuries. We believe that Guru Rinpoche (Padmasambhava) declared Khumbu a sacred valley (beyul) 1,200 years ago after meditating in Akha Cave on our sacred mountain Khumbu Yul Lha. We believe that Khumbu is a special place because Guru Rinpoche watches over and cares for it, as does Khumbu Yul Lha, the guardian god of Khumbu and its people, livestock, wildlife, and nature who lives on our most sacred mountain. And Khumbu is special because this is the home of Miyolangsangma, the goddess of Chomolungma (Mt. Everest/Sagarmatha), who is a provider of sustenance to humans.

Sherpas believe that an important part of being Sherpa is respecting all life and not harming other beings. Some think this is especially important because Khumbu is a beyul, a hidden, sacred valley. This honoring of Buddhist values has made Khumbu a wildlife sanctuary for centuries.

Sherpa communities maintain traditions of respecting sacred mountains and sacred forests. We also maintain our community management of forests, grasslands, and alpine areas through regulations and enforcement by village officials called nauwa and through the policies and programs of our buffer zone institutions and our local NGOs such as KACC and SPCC. We integrate traditional values, institutions, and practices with new institutions and programs which oversee trail and base camp clean-ups, alpine conservation and restoration programs, anti-poaching patrols, solid waste and water treatment, alternative energy development, and a Khumbu-wide firewood collection management system.

Community Conserved Areas have been recognized and endorsed by IUCN (the International Union for the Conservation of Nature and Natural Resources) and by the Parties to the Convention on Biological Diversity, both of which call on governments to recognize and support Community Conserved Areas. We hope that the government of Nepal will legally recognize and support Community Conserved Areas and that the people of Nepal will join us in celebrating the Khumbu Community Conserved Area.