

FOREST CONSERVATION: ENVIRONMENT

NEWS: India participated in the 20th session of the United Nations Forum on Forests (UNFF20), held at the United Nations Headquarters in New York from May 5 to 9, 2025.

WHAT'S IN THE NEWS?

Conservation laws rooted in colonial legacy often exclude Indigenous communities, displacing them from their traditional lands despite their vital role in biodiversity protection. India's Forest Rights Act, 2006 and global frameworks now push for inclusive, rights-based conservation, but implementation remains skewed towards state control.

Colonial Legacy and Fortress Conservation Model

- Traditional conservation laws were shaped by colonial ideologies that separated humans from nature, treating natural landscapes as pristine and to be preserved by the state.
- This led to the *fortress conservation* model where large tracts of land were designated as Protected Areas with exclusionary and centralised control.
- Indigenous Peoples and Local Communities (IPLCs) who had lived symbiotically with these landscapes were displaced, denied access, and criminalised.
- Globally, the model has displaced 10 to 20 million people. In India, over 6 lakh people have been displaced from protected areas due to acts like the Wildlife Protection Act, 1972, and Project Tiger.

Shift in Global Conservation Approach

- International frameworks are increasingly recognising the critical role of IPLCs in biodiversity conservation.
- There is a transition from exclusionary conservation to *rights-based, inclusive, and community-led models*.
- This shift is now reflected in both international treaties and India's domestic laws like the Forest Rights Act (FRA), 2006.

Global Legal Frameworks Supporting Inclusive Conservation

1. Convention on Biological Diversity (CBD), 1992

- Ratified by 196 countries, including India; came into effect in 1993.
- Objectives: Conservation of biodiversity, sustainable use of resources, and equitable benefit sharing.
- Advocates for the recognition and integration of traditional knowledge and practices of IPLCs.
- CBD's COP-16 led to the formation of a permanent subsidiary body for IPLCs – making CBD the only UN treaty with such a platform.

2. UN Declaration on the Rights of Indigenous Peoples (UNDRIP), 2007

- Passed to end systemic discrimination and uphold the cultural and institutional rights of IPLCs.
- India voted in favour but doesn't use the term "indigenous"; instead protects *Scheduled Tribes* under:
 - Article 244 & 244A (Fifth and Sixth Schedules)
 - Panchayats (Extension to the Scheduled Areas) Act, 1996
 - Forest Rights Act, 2006

3. Kunming-Montreal Global Biodiversity Framework (KMGBF), 2022

- Adopted during CBD COP-15 summit in Montreal, Canada.
- Includes 23 biodiversity targets, including the '30 by 30' goal (30% of Earth's land and sea protected by 2030).
- Recognises the role of IPLCs and traditional knowledge in conservation planning and implementation.
- Emphasises equity, consultation, and cultural inclusion of IPLCs in conservation efforts.

India's Domestic Frameworks for Inclusive Conservation

1. Biological Diversity Act, 2002

- Enacted to fulfill India's obligations under CBD.

- Established a three-tier biodiversity governance system:
 - National Biodiversity Authority (NBA) at the central level.
 - State Biodiversity Boards (SBBs) at the state level.
 - Biodiversity Management Committees (BMCs) at the local level.
- Encourages documentation and preservation of biodiversity and associated traditional knowledge.

2. Forest Rights Act (FRA), 2006

- Recognises historical injustice done to Scheduled Tribes and other traditional forest dwellers.
- Empowers forest dwellers with legal rights over forest land and resources.
- Recognises 13 types of rights, including:
 - Right to access biodiversity and traditional knowledge.
 - Right to community tenure and cultural heritage.
 - Right to conserve, manage, and regenerate community forest resources (CFRs).
- FRA has potential to protect nearly 4 crore hectares of forest land across India.
- Enforces the principle that all laws and policies must align with FRA provisions to prevent dispossession of IPLCs.

3. National Biodiversity Strategy and Action Plan (NBSAPs)

- India's updated NBSAP sets 23 targets to be achieved by 2030.
- Advocates a shift to *bottom-up governance*, acknowledging local stewardship.
- However, implementation still remains state-dominated, undermining community-led efforts.

Challenges to Inclusive Conservation in India

- Displacement of communities continues in the name of conservation due to delay or denial of rights under FRA.
- Many biodiversity policies and new protected area notifications are done without prior settlement of forest rights or *Gram Sabha* consent.
- Encroachments are falsely attributed to forest dwellers, though they are legal custodians under FRA.
- The 30x30 Target, while globally appreciated, may lead to expansion of Protected Areas without recognising pre-existing community rights.

Alternative Conservation Models – OECMs

- Other Effective Area-based Conservation Measures (OECMs) are promoted under the KMGBF.
- Defined by four main features:
 - Not already designated as Protected Area.
 - Managed by a variety of actors including IPLCs.
 - Demonstrates long-term conservation efforts.
 - Protects biodiversity as well as cultural and socio-economic values.
- India is in the process of formulating OECM guidelines.
- Offers hope for integrating community-based conservation.
- Experts caution that, without legal safeguards and clear frameworks, OECMs may repeat the exploitative patterns of fortress conservation.

Conclusion

- There is growing global recognition that inclusive conservation is more effective and just.
- India has progressive frameworks like the FRA and Biological Diversity Act, but implementation remains weak.
- Conservation must move beyond exclusion and embrace democratic, rights-based, and community-empowered models for long-term biodiversity sustainability.

- True success lies in integrating ecological goals with social justice – allowing IPLCs to lead conservation based on their knowledge, rights, and traditions.

Source: https://changestarted.com/india-highlights-forest-conservation-at-the-united-nations-forum/#google_vignette