

Chapter Nine

Recent Conflict with Conservation Authorities

Although civil society activism and the struggles of local groups have enhanced the space for indigenous people during the last few years, incidences of human rights violations by the Army and Park authorities still continue. Victims of human rights violations are often members of marginalised social groups and include the poor, women, and members of indigenous communities.

Continued Human Rights Violations

According to Khor Bahadur Majhi, a group of seven women including Bote women from Kumarwanti VDC were returning after collecting wild green vegetables from the National Park. At Amaltari, Gochada Army personnel from the Koluwa post forced them to cross the river in a semi unclad state. The Army personnel also smashed their boat for entering the forest and threatened them.

In another incident, a Majhi from Shergunj was beaten by Army personnel when he went to the river to fish. The Army person from Khoriya post had asked the group of Majhi men to fish for them and given them NRs 30. The fisherman could not catch enough fish and were beaten.

Conservation Authorities Arrest Bote while Fishing

On 22 November 2005, at 5.30 pm, CNP officials arrested Bikram Bote from Jagatpur-1, (Chitwan) on the charge of fishing. He was arrested when he was fishing in the River Rapti. He was in an undressed state.

They threatened to fine Bikram Bote NRs 10,000 and imprison him for two years. Bikram argued with the officials. According to Bikram they had attempted to steal his catch, and when he resisted, they arrested him. He claims that his arrest was revenge for his resistance of the National Park officials. *"We can not release him. He misbehaved with us; he doesn't listen to us. We will punish him,"* said the ranger.

When the ranger refused to release him, local activists decided to publicise the issue and demand his unconditional release. Nepal Bote Samaj, an organisation representing an indigenous fishing community in Chitwan, and other civil society groups organised a press conference. The ranger, in turn, threatened to take legal action against Bikram. Activists organised a sit-in at the office of the Kerunga Buffer Zone User Committee at Jagatpur. After continuous public pressure for two weeks, the National Park authority released Bikram Bote on the condition that he report to Kasara every month.

Harassment of Kumal¹⁵ Women

On 30 April 2006, a group of 15 Kumal women from buffer zone areas (Jogitole, Ward 2, Meghauri) went to Khoriya Army Post inside Chitwan National Park to seek permission to collect wild vegetables. The women were sexually harassed by the Army. The Army also beat nine of the women. The next day, six army personnel from the same post came to the village. Shanti Kumal inquired about the incident and questioned the acts of the Army. The officer-in-command was enraged and said: *“Are you a journalist, human rights activist, a leader of this village? How dare you question us?”*

Afterwards, a press statement was released on behalf of Shanti Kumal condemning the incident and warning of a movement if a proper investigation was not conducted. When the matter was taken up by the media, it infuriated the army officers from Khoriya post. On 2 and 3 May, Army personnel from the post came to the village and threatened the villagers with dire consequences if they did not hand Shanti over to the army within three days.

Shanti Kumal then escaped from the village and took refuge in her relatives' house. On 4 May, a press conference was organised with the harassed Kumal women. They strongly protested against the Army personnels' behaviour and appealed for justice and security. On 5 May, their appeal reached the House of Representatives and Rajendra Panday, Member of Parliament, raised the issue in Parliament. On 8 May, in a programme organised at Bharatpur, Chitwan leaders of a citizens' movement and senior human rights activists raised the issue and strongly protested against the Army's actions.

Human rights organisations began their fact-finding mission. The fact-finding team conducted an investigation at Khoriya post. On 10 May, a public hearing was organised in Kathmandu at Martin Chautari. The national media highlighted the issue.

¹⁵ Kumal are forest-dependent highly marginalised indigenous groups residing in the buffer zone. They are also engaged in agriculture.