

REPORTS ON THE STATE OF CONSERVATION OF PROPERTIES INSCRIBED ON THE WORLD HERITAGE LIST INITIALLY
FORESEEN TO BE EXAMINED BY THE WORLD HERITAGE COMMITTEE IN 2020

A. Chitwan National Park (Nepal) (N 284)

Year of inscription on the World Heritage List 1984

Criteria (vii)(ix)(x)

Year(s) of inscription on the List of World Heritage in Danger N/A

Previous Committee Decisions see page <https://whc.unesco.org/en/list/284/documents/>

International Assistance

Requests approved: 2 (from 1988 to 1989)

Total amount approved: USD 80,000

For details, see page <https://whc.unesco.org/en/list/284/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

December 2002: IUCN monitoring mission; March 2016: IUCN Reactive Monitoring mission

Factors affecting the property identified in previous reports

- Ground transport infrastructure (Plans to construct a road and railway through the property; Proposed infrastructure projects)
- Invasive/alien terrestrial species (Spread of invasive species; Encroachment of wildlife habitats in the buffer zone)
- Management systems/Management Plan (Lack of appropriate inter-agencies and inter-ministries consultation and coordination for development proposals)

Illustrative material see page <https://whc.unesco.org/en/list/284/>

Current conservation issues

On 12 April 2021, the State Party submitted a state of conservation report, available at <https://whc.unesco.org/en/list/284/documents/>, which reports the following:

- Coordinated and collaborative efforts to address poaching and illegal trafficking resulted in no poaching within the property for six of the past nine years (3,287 days) and led to strengthened institutional mechanisms, improved community participation and enhanced interagency coordination. Surveillance technologies include Spatial Monitoring and Reporting Tool (SMART) patrolling, drones, CCTV and tracking dogs. However, due to the impacts of the COVID-19 pandemic, four rhinoceros were recently poached. All cases are being investigated and fourteen poachers were arrested;
- An alternative alignment for the East-West Electrified Railroad outside the property is under consideration. The Department of National Parks and Wildlife Conservation (DNPWC) requested the relocation of the route to avoid a hotspot for migration and dispersion of major wild species and an internationally recognized wetland. The new alignment will be outside the property and

remains to be confirmed;

- The 2016 IUCN Reactive Monitoring mission recommendations regarding the Thori-Madi-Bharatpur road have been accepted and implemented inside and outside the property. New measures include regulation of road usage in the property by site managers and a verdict of the Supreme Court of Nepal to stop any upgrading of the road inside the property without consultation with UNESCO. In response to Decision **41 COM 7B.31**, an Environmental Impact Assessment (EIA) was requested for the proposed Thori-Birjung road;
- An Initial Environmental Examination (IEE) of the proposed Terai Hulaki Highway did not outline an alignment for the highway to cross the property. However, during the construction phase, it was confirmed that seven kilometers would cross the buffer zone, so a high-level inter-agency meeting was held in February 2021 and decided to stop construction in that area;
- No decision has been taken on the alignment of the proposed China-India Trade Link of Province 3 (now Bagmati Province) and Province 4 (now Gandaki Province), the Madi-Balmiki Ashram road and the Malekhu-Thori road that crosses the property. The DNPWC continues to oppose the roads and no construction of the three road sections has been initiated, including outside the property. The aforementioned roads and railways development projects pass through the buffer zone and are thus expected to have low direct impact on the Outstanding Universal Value (OUV) of the property;
- No infrastructure project is planned within the property. EIAs for several projects in the buffer zone have been submitted to the World Heritage Centre for review by IUCN;
- In 2016, an area of 2.063 ha from the Padampur site (previously buffer zone) was gazetted into the national park, and 1.818 ha from the Gajendra Mokchhya Dham of Tribeni (Gajendra Dham) were moved into the buffer zone. An enclosure for adaptation of translocated Asian Wild Water Buffalo was established at the Padampur site. The Gajendra Dham is promoted for religious purposes and tourism activities. Consultations with the UNESCO Office in Kathmandu is underway to register the modifications. No further boundary modifications are planned;
- The revised management plan for the property includes holistic strategies for tourism management and promotion in the property and buffer zone. Gajendra Dham is managed by the buffer zone management committee (Triveni Buffer Zone Community User Group), accommodation for pilgrimages has been constructed, and solid waste management is being undertaken with the local Rural Municipality.

The State Party transmitted EIAs for the following proposed projects:

- In August 2019, for the Badarmudhe Khola Bridge, Pateri Khola Bridge and Rimal Khola Bridge along Madi-Tori Road within the property. An IUCN technical review was transmitted to the State Party on 18 June 2020;
- On 26 February 2020, for a bottling company in the buffer zone of the property. An IUCN technical review was transmitted to the State Party on 12 June 2020 and a revised EIA transmitted by the State Party on 19 July 2020;
- On 15 January 2021, for three bridges over the Bahai, Magui and Riyu Khola rivers;
- On 19 January 2021, for a Kishan Egg project located within the buffer zone of the property.

On 5 August 2020, the UNESCO Office in Kathmandu requested comments from the State Party following third-party information on the forced eviction and destruction of homes of members of an indigenous Chepang community by the Chitwan National Park authority. At the time of writing the present report, the State Party has not yet provided a response. The World Wildlife Fund International (WWF) commissioned a report entitled "*Embedding human rights in nature conservation: from intent to action - report of the Independent Panel of Experts of the Independent Review of allegations raised in the media regarding human rights violations in the context of WWF's conservation work*" (https://wwfint.awsassets.panda.org/downloads/independent_review_independent_panel_of_experts_final_report_24_nov_2020.pdf), which was published in November 2020 and also refers to this and other alleged human rights abuses in and around the property, including the beating and death of a Chepang youth.

Analysis and Conclusions of the World Heritage Centre and IUCN

While the continued efforts to combat rhinoceros poaching are noted, it is however concerning that the COVID-19 pandemic impacts on surveillance efforts resulted in the recent poaching of four rhinoceros, and it is recommended the State Party be urged to continue its efforts addressing poaching incidents and its collaborative anti-poaching efforts.

The continued confirmation that the East-West Railroad will not be located within the property and that appropriate EIA processes will be undertaken is welcomed, as are efforts to avoid impacts on wildlife hotspots and important wetlands, and measures to maintain ecological connectivity. Noting however the reported potential for construction to occur close to the property, it is important to request a detailed map of the proposed alignment when it is available and for all potential impacts on the property and its OUV to be adequately assessed prior to finalizing a decision on an alternative route.

Recalling the Committee's concerns regarding the threat of various other infrastructure developments, the confirmation that the 2016 mission's recommendations regarding the Thori-Madi-Bharatpur road have also been implemented outside the property is welcomed. The EIA process for the Thori-Birjung road is also noted. Regarding the proposed Terai Hulaki Highway, the inter-ministerial decision to halt construction of a seven-kilometer stretch that would cross the buffer zone without an assessment of its impacts on the OUV is acknowledged, and the State Party should be requested to confirm that any potential impact of the highway on the OUV of the property has been appropriately assessed before taking any decision to proceed further. Noting that no decision has been taken on the alignment of the proposed China-India Trade Link of Province 3 (now Bagmati Province) and Province 4 (now Gandaki Province), the Madi-Balmiki Ashram and Malekhu-Thori roads within the property, and that no construction has commenced outside the property, it is recommended to reiterate the importance of a permanent ban on any other new roads or the reopening/upgrading of old roads passing through the property.

The State Party's report provided in response to Decision **43 COM 7B.11**, which indicates that an area of 1,818 ha including Gajendra Dham was moved from the national park to the buffer zone while 2,063 ha from the Padampur site from the buffer zone was included in the national park, requires further clarification. It is important to recall that the 2016 mission recommended the establishment of an appropriate zonation scheme to set aside areas for spiritual practices and nature conservation, appropriate limits on any further construction of facilities beyond normal maintenance works, and adequate measures to minimize impacts from the large number of pilgrims who visit the site every year. Although the State Party reports that the revised Management Plan for the property includes holistic strategies for tourism management for the property and its buffer zone, including Gajendra Dham, it is unclear whether the legal protection provided by the buffer zone is sufficient to implement the mission's recommendations. It is therefore recommended that the State Party be requested to provide further details on the legal protection currently extended to Gajendra Dham, which remains part of the property. It is important to recall that any proposed modification of the boundaries of a World Heritage property or buffer zone must first be submitted to the World Heritage Centre before any change is implemented on the ground, through a boundary modification process in line with Paragraphs 163-165 of the *Operational Guidelines*. Such a request would then be reviewed by the Advisory Bodies and subject to a review and decision by the Committee. If the State Party wishes to amend the boundaries of the property, an appropriate boundary modification should therefore be submitted in line with the procedures outlined in the *Operational Guidelines*. The World Heritage Centre and IUCN are available to provide guidance on these procedures, if required.

The alleged human rights abuses related to Chitwan National Park raised in the UNESCO letter of August 2020, along with the report of the Independent Panel appointed by WWF, regarding the evictions and destruction of the homes of members of an indigenous Chepang community by the park authority, and the death of a Chepang youth, all raise significant concerns that are not discussed in the State Party's report. To respect the social, economic and cultural rights of local and indigenous communities, as outlined in the 2015 *Policy Document on the Integration of a Sustainable Development Perspective into the Processes of the World Heritage Convention*, these matters require further and urgent consideration by the State Party, and it is recommended that the Committee request the the State Party to respond to the issues raised in the report and implement adequate actions to address them.

Decision: 44 COM 7B.188

The World Heritage Committee,

1. Having examined Document WHC/21/44.COM/7B.Add,
2. Recalling Decision **43 COM 7B.11**, adopted at its 43rd session (Baku, 2019),
3. Welcomes the ongoing efforts to combat rhinoceros poaching, but notes with concern the recent poaching of four rhinoceros as a result of the COVID-19 pandemic impacts on surveillance and urges the State Party to actively continue its efforts to address poaching and illegal trafficking;
4. Also welcomes the continued confirmation by the State Party that the alternative alignment of the East-West Electrified Railroad will be located outside the property, and that Environmental Impact Assessments (EIA) will be completed, requests the State Party to provide a detailed map of the alignment when it is available, and reiterates its request that the State Party ensure that all potential impacts on the Outstanding Universal Value (OUV) of the property are fully assessed by the EIA, in line with the IUCN Advice Note on Environmental Assessments;
5. Further welcomes the confirmation that the recommendations of the 2016 IUCN Reactive Monitoring mission regarding the Thori-Madi-Bharatpur road have also been implemented outside the property, and also requests the State Party to continue this implementation in line with the mission recommendations;
6. Reiterates its concern that other infrastructure projects continue to pose a threat to the property, including the proposed Terai Hulaki Highway, the China-India Trade Links of Province-3 (now Bagmati Province) and Province-4 (now Gandaki Province), the Madi-Balmiki Ashram road and the Malekhu-Thori road; acknowledges the decision to halt the construction of a seven-kilometer stretch of the proposed alignment of the Terai Hulaki Highway that would cross the buffer zone and further requests the State Party to confirm that any potential impact of the highway on the OUV of the property has been appropriately assessed before taking any decision to proceed;
7. Also notes that no decision has been taken regarding the China-India Trade Links of Province-3 (now Bagmati Province) and Province-4 (now Gandaki Province), the Madi-Balmiki Ashram road and the Malekhu-Thori road and also reiterates its request to the State Party not to approve any other new roads or the reopening/upgrading of old roads passing through the property;
8. Reiterates its position that, if any of the aforementioned road and railway developments was to proceed through the property, it would represent a potential danger to the OUV of the property, in accordance with Paragraph 180 of the Operational Guidelines, and thus form a clear basis for the inscription of the property on the List of World Heritage in Danger;
9. Also recalling its request to the State Party to provide clarification regarding the report that Gajendra Dham is no longer located within the boundaries of Chitwan National Park, following a revision of boundaries in 2016 and its demarcation on the ground, also notes with concern the reported transfer of 1.818 ha from the Gajendra Mokchhya Dham of Tribeni into the buffer zone and of 2,063 ha from the Padampur site in the buffer zone into the national park, and further recalling that any proposed change to the boundaries of a property must first be submitted to the World Heritage Centre through a boundary modification process in line with Paragraphs 163-165 of the Operational Guidelines,

requests furthermore the State Party to:

- a) *Provide detailed information on the legal protection status of the property, including provisions for visitor management at Gajendra Dham, and the implementation of the recommendations of the 2016 mission, and notably to develop, in collaboration with the Chitwan National Park Office and the responsible authorities at Gajendra Dham, develop a management plan for Gajendra Dham which should include:*
 - (i) *An appropriate zonation scheme to set aside areas for spiritual practices and for nature conservation,*
 - (ii) *Appropriate limits on any further construction of facilities, beyond the normal maintenance works, and*
 - (iii) *Adequate measures to minimize impacts from the large number of pilgrims visiting the site annually, including a waste management plan and provisions to allow only daytime ritual activities under the observation of the Chitwan National Park Office,*
 - b) *Submit a proposal for a boundary modification to the World Heritage Centre in line with the Operational Guidelines, if it wishes to amend the boundaries of the property;*
10. Notes with concern *the alleged human rights abuses related to Chitwan National Park raised by UNESCO and through the Independent Panel report on human rights commissioned by the World Wildlife Fund International, and requests moreover the State Party to provide a full response regarding its considerations of the findings of this report and to implement actions to address the issues raised, in conformity with relevant international norms and the 2015 Policy Document for the Integration of a Sustainable Development Perspective into the Processes of the World Heritage Convention;*
11. Finally requests *the State Party to submit to the World Heritage Centre, by **1 December 2022**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 46th session in 2023.*

B. Sagarmatha National Park (Nepal) (N 120)

Year of inscription on the World Heritage List 1979

Criteria (vii)

Year(s) of inscription on the List of World Heritage in Danger N/A

Previous Committee Decisions see page <http://whc.unesco.org/en/list/120/documents/>

International Assistance

Requests approved: 7 (from 1980 to 1999)

Total amount approved: USD 232,097

For details, see page <http://whc.unesco.org/en/list/120/assistance/>

UNESCO Extra-budgetary Funds

N/A

Previous monitoring missions

June 1985: UNESCO mission; December 2002: IUCN Reactive Monitoring mission; May 2016: IUCN Advisory mission

Factors affecting the property identified in previous reports

- Air pollution
- Illegal activities (Poaching)
- Impacts of tourism / visitor / recreation (Rapid increase and commercialization of mountaineering tourism, including resort and trail development);
- Effects arising from use of transportation infrastructure (noise pollution and visual impacts from helicopter use)
- Livestock farming / grazing of domesticated animals
- Major visitor accommodation and associated infrastructure (Unclear legal basis for establishment and operation of Kongde View Resort, including access trails)
- Mining
- Other climate change impacts
- Quarrying
- Solid waste (Inadequate solid and liquid waste management)
- Forestry / wood production (Firewood collection)
- Others: Human-wildlife conflict; Subsistence wild plant collection

Illustrative material see page <http://whc.unesco.org/en/list/120/>

Current conservation issues

On 1 September 2019, the State Party submitted an English translation of the Supreme Court's verdict regarding the Kongde View Resort to the World Heritage Centre, and submitted on 8 January 2020 a report on the state of conservation of the property, which is available at <http://whc.unesco.org/en/list/120/documents/> and responds to Decision **42 COM 7B.70** as follows:

- The Sagarmatha Pollution Control Committee (SPCC) placed solid waste containers along the trekking routes, resulting in the collection of 10,000 kg of waste in 2018 from the Everest region. The State Party has drawn up further plans to clean up the Everest base camp;

- Tourism numbers reached a record high of 58,030 individuals in 2018-2019, compared to the previous record of 25,000 in 2015;
- Random checks are undertaken on the helicopters flying over the property to confirm they are limited to rescue operations and not tourism purposes;
- Firewood collection has been banned in the Namche area of the property, and law enforcement activities have resulted in no reported cases of illegal activities within the property;
- The UNDP-funded project on flood and glacial lake outburst risk reduction has been phased out; however, local communities are continuing to be engaged with the monitoring and early warning system downstream;
- Local communities continue to refuse the proposal to formalise the existing buffer zone of the Park under the World Heritage Convention;
- The Environmental Impact Assessment (EIA) for a proposed optical fibre project was submitted to the World Heritage Centre on 9 May 2019. Following receipt of IUCN's technical review on 21 November 2019, the State Party requested the project proponents to review and revise the EIA.

The State Party also reports the growing challenge and risk that climate change continues to pose for the protection of the Outstanding Universal Value (OUV) of the property, primarily linked to the melting of glaciers.

On 6 January 2020, the World Heritage Centre transmitted third-party information to the State Party relating to impacts of overcrowding at the property. The State Party responded on 28 January 2020, acknowledging the increasing number of tourists and reporting of plans to develop a Tourism Management Plan that will address impacts on the OUV.

On 4 May 2020, the World Heritage Centre requested clarification from the State Party on the recent discovery of seven Himalayan musk deer carcasses in the property along with 60 traps, most likely related to musk trafficking. No reply has been received at the time of writing the present document.

Analysis and Conclusions of the World Heritage Centre and IUCN

Impacts from growing tourism continue to be an increasing concern for the protection of the property, as seen across World Heritage properties globally. While the efforts to date are appreciated, a more proactive and strategic approach is urgently required to cope with the current challenges. In this context, it is positive to learn of the State Party's intention to develop the much needed and long-awaited Tourism Management Plan. This Plan should be informed by a visitor carrying capacity study, which should establish an appropriate carrying capacity for the property, especially during peak seasons when overcrowding on the climbing routes has been reported. The Plan should also be aligned with the current Management Plan and its next iteration when it expires in 2020. Whilst noting that the State Party undertakes random checks on helicopters, it is important to recall that the 2016 Advisory mission reported that around 70% of the helicopter traffic within the property is tourism-related. Therefore, tighter restrictions and effective management to regulate helicopter use within the property and the nationally designated buffer zones of the Park are needed and should be addressed in the revised General Management Plan and Tourism Management Plan.

Recalling that, in 2016, the State Party expressed concerns over the increasing cases of illegal firewood collection from inside the property, the confirmation that there are currently no reported cases of illegal activities is welcomed. Nevertheless, the State Party should be encouraged to continue its monitoring efforts and reflect this and associated interventions in the revised Management Plan, as appropriate. The recent poaching of endangered musk deer is worrying and suggests the need to review and strengthen measures within the property to prevent any further poaching from occurring.

It is a source of concern that the Supreme Court order concerning the Kongde View Resort ruled in favour of the resort, which is located inside the property and has been in operation since 2007. Given the concerns expressed by the Committee over a number of years regarding the range of serious threats that the resort poses to the OUV of the property, the Committee may urge the State Party to develop a detailed environmental plan to mitigate the impacts of the resort, submit this plan to the World Heritage Centre for review by IUCN, and take any necessary measures to monitor its implementation.

The proposed optical fibre project has potential positive implications for local communities but, as has been communicated to the State Party, requires more planning and consideration of its potential impacts

on the OUV of the property. The State Party should be requested to submit a revised EIA to the World Heritage Centre for further review by IUCN before making any decision that may be difficult to reverse, in accordance with Paragraph 172 of the *Operational Guidelines*.

The continued engagement of local communities since the end of the UNDP-supported project is positive. Climate change is a global threat, and the State Party should be encouraged to further monitor the impacts of climate change on the OUV of the property and strengthen efforts to build resilience at the property level, while including a climate adaptation strategy into the revised management plan (see Decision **41 COM 7**).

No response was provided to the Committee's previous request to develop a zonation scheme inside the property. A zonation system should be classified according to ecosystem and cultural protection requirements and is clearly distinct from a buffer zone. IUCN is ready to provide the State Party with examples and guidance.

The State Party's increased effort to engage with local communities in order to recognize the current buffer zone of the National Park within the World Heritage system is greatly appreciated. Noting that the support and agreement of local communities is fundamental to proceed with the proposal, the State Party should be encouraged to continue its dialogue and efforts to formalize the buffer zone with the support of local people and to submit it as a proposal for a minor boundary modification in due time.

Decision: 44 COM 7B.96

The World Heritage Committee,

1. *Having examined Document WHC/21/44.COM/7B,*
2. *Recalling Decisions **41 COM 7** and **42 COM 7B.70**, adopted at its 41st (Krakow, 2017) and 42nd (Manama, 2018) sessions respectively,*
3. *Noting with concern the reported impacts of increasing visitor numbers on the property, welcomes the State Party's intention to develop a Tourism Management Plan and requests the State Party to:*
 - a) *Undertake a visitor carrying capacity study to establish an appropriate carrying capacity for the property, especially during the peak season, and use the findings to inform the Tourism Management Plan,*
 - b) *Address how monitoring and regulation of tourism-related helicopter traffic within the property and the nationally designated buffer zones of the Park can be strengthened to reduce impacts,*
 - c) *Ensure that the Tourism Management Plan aligns with the 2016-2020 Management Plan for the property and its next iteration;*
4. *Also recalling its previous concerns regarding the range of serious threats that the Kongde View Resort, located within the property, poses to its Outstanding Universal Value (OUV), expresses concern over the Supreme Court ruling in favour of the resort and urges the State Party to develop a detailed environmental plan to mitigate the impacts of the resort, submit this plan to the World Heritage Centre for review by IUCN, and take any necessary measures to monitor its implementation;*
5. *Also welcomes the State Party's decision to request a revision of the draft Environmental Impact Assessment (EIA) for the optical fibre project based on the comments provided by IUCN, and also requests the State Party to submit a revised EIA to the World Heritage Centre for further review by IUCN before making any decision that may be difficult to reverse, in accordance with Paragraph 172 of the Operational Guidelines;*

6. Emphasizing the distinction between a zonation scheme and a buffer zone, reiterates its request to the State Party to develop a zonation system, notably as a means of ensuring appropriate provisions for enclave villages located within the property;
7. Notes with satisfaction that there are currently no reported cases of illegal collection of firewood from within the property and encourages the State Party to continue its monitoring efforts in that regard and to reflect this and associated interventions in the next iteration of the Management Plan, as appropriate;
8. Also notes with concern the reported poaching of Himalayan musk deer within the property and further requests the State Party to review and strengthen measures to prevent any further poaching;
9. Appreciates the steps taken by the State Party to consult with local communities regarding the formalization of the nationally designated buffer zone of the National Park as a buffer zone to the property, and also encourages the State Party to continue this dialogue with the aim of formalizing a buffer zone, with the support of local people and, in due time, to submit to the World Heritage Centre a proposal for a minor boundary modification for review by the Committee, in line with Paragraph 164 of the Operational Guidelines;
10. Also notes with concern the increasing impacts of climate change on the OUV of the property and the wellbeing of local communities and requests furthermore the State Party to further monitor the impacts of climate change on the OUV of the property, to strengthen efforts towards building resilience at the property level, and to develop and implement a climate adaptation strategy, which should be integrated into the revised management plan;
11. Requests moreover the State Party to submit to the World Heritage Centre, by **1 December 2022**, an updated report on the state of conservation of the property and the implementation of the above, for examination by the World Heritage Committee at its 46th session in 2023.