

## **POACHING OF ANIMALS: AND ITS IMPACT IN NEPAL'S BIODIVERSITY**

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## ABSTRACT

Nepal is a country which is known for its rich biodiversity, faces significant challenges due to the poaching (ILLEGAL HUNTING) of animals. This research paper will explore the extent of poaching in Nepal and its impact on the biodiversity and the efforts done to mitigate these effects. We have interviewed many official of National parks and local people living near the forest and national parks to know the depth about the impact of wild animal hunting and trafficking. This study highlights the most effected species by poaching, its underlying causes economic and ecological consequences. It will also evaluate the effectiveness of ongoing conservation efforts strategies and proposes some recommendations for enhancing wildlife protection and biodiversity conservation in Nepal.

**Keywords:** *poaching, illegal hunting, biodiversity, protection.*

## 1.INTRODUCTION

### 1.1 Background

Wildlife trafficking remains one of the most widespread and lucrative global criminal endeavors, valued at \$20 billion a year, with no signs of slowing down, according to a recent U.N. report<sup>1</sup>. Poaching is in of the broader category of wildlife crime, this ranges from killing an animal for subsistence, to selling it at a local bushmeat markets, to international trafficking in large volumes for high commercial gain<sup>2</sup>. Nepal is a source and transit route for trade in illegal wildlife products, especially products going from India to China. Bagmati Province is the main illegal wildlife trade route through Nepal<sup>3</sup>. There are 3 national parks located in Bagmati Province Chitwan National Park, Shivapuri Nagarjun National Park and Langtang National Park which are the habitat for most of the rare species like rhinoceros, Bengal tiger and red panda.

Because of the poaching, survival of many species is at stake, not only animals like one horned rhinoceros, Bengal tigers, and wild elephant but also the other smaller animals like, wild boar, fishes, snakes.

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<sup>1</sup> Keith Anthony Fabro, “No Signs of Slowdown in Wildlife Trafficking in 2024 as Demand Persists” (*Mongabay Environmental News*, December 26, 2024)

<sup>2</sup> “Wildlife Trade and Wildlife Crime - Born Free” (*Born Free*)

<sup>3</sup> “Illegal Wildlife Trade in Nepal” *WWF* (November 27, 2023)

Nepal is a diverse country. Nepal is known for its Himalaya and the wildlife. Nepal also is a habitat for many rare animals and birds like One horned rhino, Bengal tiger, red panda, snow leopard, Nepali kalij and many more. Nepal is a house of different kinds of animals and Nepal has made significant strides in wildlife conservation areas. Different National parks and wildlife reserves have been established for the protection of animals. Nepal has always been focusing on the protection of its wildlife.

Currently Nepal has 12 national parks that are protecting the wildlife of Nepal, Chitwan national park is Nepal's first National Park and a UNESCO World heritage site. International conventions like the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) have been protecting the wildlife of Nepal. Nepal now has 10 national parks, three wildlife reserves, and six conservation areas that cover more than 13,000 square miles — 23% of the country — an area larger than the US state of Maryland. Nepal also shares the Terai Arc Landscape with India, one of the most biologically important areas on earth that is home to tigers, rhinos, elephants and Gangetic dolphins.

However, the effectiveness of these measures is often compromised by various factors, including legal loopholes, insufficient enforcement, and socio-economic challenges, which often leads to poaching and many illegal activities. Illegal Animal hunting has deducted the endangered animal's number drastically, which has affected the Nepal's Biodiversity, Tourism and Economy. Despite having the strictest laws and the conservation effort, illegal hunting of wildlife life is still persistent due to high demand of animal parts in international market. Poaching has become the threat for Wild animal and citizen of Nepal. Poaching is most driven by the poverty and weak enforcement of conservation law, which is affecting Nepal biodiversity destructively.

### ***1.2 History of wildlife hunting in Nepal***

Hunting of wild animals has been going on since RANA'S rule in Nepal. Ranas started hunting of wild animal as hobby in 1850s Nepali Prime Minister [Jung Bahadur Rana](#) invited [Albert Edward](#) (later King Edward VII) to an expedition which killed about 23 tigers in two weeks.<sup>4</sup>

Later many British Royals followed the tradition invited by the Rana prime ministers. Even Archduke Franz Ferdinand, whose assassination in 1914 triggered the World War I, came to hunt in Nepal invited by Maharajah Bir Shumsher in March 1893.<sup>5</sup>

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<sup>4</sup>*George V's 1911 hunting trip in Nepal* (2024) *Wikipedia*. Available at: [https://en.wikipedia.org/wiki/George\\_V's\\_1911\\_hunting\\_trip\\_in\\_Nepal](https://en.wikipedia.org/wiki/George_V's_1911_hunting_trip_in_Nepal) (Accessed: 14 February 2025).

<sup>5</sup>*The history of royal hunts in Nepal's Southern Plains is simply barbaric* (2015) *Global Voices*. Available at: <https://globalvoices.org/2015/12/20/the-history-of-royal-hunts-in-nepals-southern-plains-is-simply-barbaric/> (Accessed: 14 February 2025).



Image courtesy of The Australian National University Digital Collections Library. From Public domain.

Back in the 1850s, Nepal had a low human population and higher wild animal population which is why the hunting of animal was legal but for the past 50 years, hunting has been completely banned in Nepal – except for the Dhorpatan Hunting Reserve where trophy hunting of Himalayan tahr or ghoral is allowed. The license costs a hefty sum, but there are enough people around who can afford to fly in private jets all the way to Kathmandu, charter helicopters out to Dhorpatan.<sup>6</sup>

Hunting of wild animal has been affecting the life of Nepalese people in many ways, low number of animals has caused low number of tourists as the seeing of wild animals has become rare because of the decreasing population of wild animals.

Even with the strict policy and conservation efforts government is still lacking behind in saving wild animals. Population of animals are drastically decreasing and affecting biodiversity as many animals are in danger of extinction (for e.g., one horned rhino, Bengal tiger, red panda and snow leopard) which are the treasure of Nepal and are in danger because if they extinct it can change the ecosystems atrociously.

Thankfully “Department of National parks and wildlife conservation” is an organization that is with the goal of Nature Conservation, there are 20 protected areas that are established in Nepal. They cover landscapes and ecosystem from Himalayas and high mountain watershed to flood plains of Terai with a low representation in mid mountain area. It is assumed that 80 out of 118

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<sup>6</sup> Times, N. (2020a) *Carrying on the hunting legacy in Nepal*, *Nepali Times*. Available at: <https://nepalitimes.com/banner/carrying-on-the-hunting-legacy-in-nepal> (Accessed: 14 February 2025).

ecosystems of Nepal are covered by the Protected Areas. Nepal has been utilizing its own resources, local community participation and related stakeholders for management and conservation of Protected Areas. While managing the conservation activity in this way, DNPWC also has focus on programs that provide support for the development of local community. Tourism has also been an integral part of Protected Areas and efforts has been made for its development too.<sup>7</sup>They have been trying to control and eradicate the illegal hunting of animals.

Poachers have been taking life of wild animal because of the large sum benefit it gives them by selling animals meat body part in international market.

Poaching has been the great problem and has been the concerned of government many efforts were implemented and enforced but the problem hasn't been solved as of today, this paper will review the policies and efforts of different NGOs and Government to eradicate the poaching of animals in wild and will also look give some recommendations to the government and people of Nepal.

### *1.3 Zero poaching*

Nepal is known for being the first country to achieve zero poaching. In 2011, Nepal achieved zero poaching of rhino and again in 2014 Nepal became the first country to achieve zero poaching on rhino, tiger and elephants. However, it wasn't a successful eradication, poaching of wild animals like boar, deer were still happening which is mostly ignored by the national parks and conservational acts.

Kenya has achieved the zero poaching of animal with its conservation effort.

But it hasn't been continuous and need much more cooperation of the citizen and government on the conservation of wild life of Nepal.

### *1.4 Importance of biodiversity*

*“Biodiversity is all the different kinds of life you'll find in one area—the variety of animals, plants, fungi, and even microorganisms like bacteria that make up our natural world. Each of these species and organisms work together in ecosystems, like an intricate web, to maintain balance and support life. Biodiversity supports everything in nature that we need to survive: food, clean water, medicine, and shelter.”*<sup>8</sup>

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<sup>7</sup> DNPWC (no date) *Department of National Parks and Wildlife Conservation*. Available at: <https://dnpwc.gov.np/en/> (Accessed: 14 February 2025).

<sup>8</sup> *What is biodiversity and why is it under threat?* (no date) *wwf*. Available at: <https://www.worldwildlife.org/pages/what-is-biodiversity> (Accessed: 14 February 2025).

Biodiversity is the what that balance the ecosystem of world. Biodiversity helps to provide food. A diverse range of species ensures the stability and resilience of ecosystems. Each species plays a unique role, contributing to ecosystem functions like pollination, nutrient cycling, and decomposition. Biodiversity supports industries such as agriculture, forestry, fisheries, and tourism. Many products, like food, medicines, and raw materials, are derived from various species. Diverse ecosystems help regulate the climate by sequestering carbon, maintaining water cycles, and reducing the impacts of natural disasters like floods and droughts.

Biodiversity is one of the most necessary things for survival of any living being and the only thing, that is maintaining the ecosystem and life cycle is being threaten by the poaching. To maintain the eco system of world every animal is needed however, the illegal hunting and trafficking of animal has threaten the whole biodiversity of Nepal and of the world.

### *2.objectives*

1. Comprehensive research on law against Poaching,
2. Analyzing the past successful and unsuccessful poaching incident and analyzing it,
3. Reviewing gaps and challenges of laws that is protecting Wildlife animals,
4. Providing suggestion to policy makers on how to make improvements on wildlife protection laws,

### *2.1Methodology*

This research has applied both primary and secondary data for more detailed analysis.

*Primary sources:* Field visit in Chitwan national park and interviewed with the deputy warden of Chitwan national park about the condition of poaching in buffer zone.

An interview with the deputy mayor of *Bharatpur Metropolitan city and the chairperson of Bharatpur metropolitan ward 23* about the impact of poaching in the Chitwan National Park as ward no 23 is the closest ward near the Chitwan national park, which is the habitat for many rare animals and plants in Nepal and also has interviewed some locals who lives near the national parks and asked them about the impact of poaching in their daily livelihood.

*Secondary resources:* Comprehensive analysis of National and International convention for wild animal protection. And many websites that has been working as an animal welfare organization and NGOs (for e.g., SAVE NEPAL, CITES, WWH ETC.)

## **2.2 LEGAL FRAMEWORK FOR WILD ANIMAL PROTECTION**

Nepal is known for having one of the strictest laws and policies for wildlife protection. Legal frame work for wildlife has been enacted in Constitution of Nepal 2072.

### **Constitution of Nepal**

No. 15 of Schedule 8 grants the power over animal health to the local government,

No. 21 of Schedule 8 obliges the local government to the protection of wildlife,

No. 7 of Schedule 9 of the [Constitution of Nepal](#) grants the power over wildlife, and biodiversity to the Federation, State, and Local Levels

Constitution on Nepal has prioritized the wild animal protection more stringently, and divided the power to protect wildlife to the local government more because local government are closer to the wildlife and understand the more. Local government has the power and has given guidelines to protect the wildlife area. Local government and department of National Park and wildlife make and regulate the policies for the animal welfare.

Nepal has and rules and regulation for the welfare of wild animals *National Park and wildlife conservation rules, 2029(1974)*

*“Chapter – 2 Provisions on National Parks and Reserves*

*“4. Entry into Preserved Natural Reserve: (1) Except than the Government Employees deputed for the duty, the other person shall not be allowed to enter into the preserved National Reserve without receiving the written permission from the chief and generally such permit shall be provided only for scientific research.”<sup>9</sup>*

In the chapter 2, section 4(1) of *National Park and wildlife conservation rules, 2030* states that any entry except government employees are prohibited in the national reserve area and only with the permission can enter the conservation area which are made for the prohibition any entry for local citizen as well as to prohibit poachers. This has been regulated since 2032 B.S.

Act 5. Prohibited actions within national park or reserve: No person shall carry out the following actions within national park or reserve without obtaining a written permission from the authorized official: **a.** To hunt wildlife, **b.** To construct or possess house, hut, shelter, or any other structures of any material, **c.** To occupy, clear, reclaim or cultivate any part or grow or harvest any crop, **d.** To graze any domestic animal or bird, or feed water to it, **e.** To cut, clear, fell, remove or block trees, plants, bushes or any other forest resources, or do anything to cause any forest resources dry, or set it on fire, or otherwise harm or damage it, **f.** To dig mines, stones or remove any mineral, stone, boulder, earth or any other similar material, **g.** To cause damage to forest resources or wildlife or birds or any land, **h.** To carry arms, ammunition or poison, or use them, **I.** To take any domestic or any other kind of animal or trophy by persons other than government employees on deputation or visitors of the public paths within the national park or reserve, and **j.** To block, divert any river or stream flowing through national park or reserve, or any other source of water, or use any harmful or explosive materials therein.

This states the thing that are prohibited in the National parks.

The National Parks and Wildlife Conservation Act, of 1973, promotes animal welfare by protecting wild animal species.

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<sup>9</sup> *National parks and wildlife conservation rules, 2030 (1974) – Nepal law commission.*  
Available at: <https://lawcommission.gov.np/en/?cat=269> (Accessed: 15 February 2025).

The District Development Committee, Municipalities and Village Development Committee Act, 1990, paved a legal way to ensure the availability of drinking water, veterinary dispensaries, Kanji houses and slaughterhouses, which includes the assurance healthy life for wild animals. Protection for the wild animal has always been a priority of Nepal's as wildlife is one of the important aspects for tourism and maintaining the ecosystems in Nepal.

The Constitution of the Kingdom of Nepal, 1990, included the protection of endangered wildlife species. The membership of *world organization of animal health in 1997* is another achievement to ensure animal welfare in the country. Animal Health and Livestock Services Act, 1998, regulates animal husbandry and makes legal provisions regarding healthy animals and animal products including export/import.

Despite having the strictest laws and policies for protecting wild animal in Nepal there is still the trend of poaching in National parks and forest areas, which is need to be addressed.

### *2.3 International treaties and convention*

As Nepal is known for its biodiversity and as a habitat of different rare plants and animals many international has been done to protect the wildlife.

UN plays a vital role for the convention and treaties with the various organization to protect wild animals and to maintain diversity.

CITES (*the Convention on International Trade in Endangered Species of Wild Fauna and Flora*) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten the survival of the species.

Cites and Nepal has been in agreement to protect endangered animals and plants and safe export and import of wildlife. Legislation of Nepal has enacted CITES National act 2017 to strength and enforce the law and policies more efficiently. CITES is not only trading of wildlife organization but it also looks over the enforcement of laws properly and look over the poaching.

CITES is also protecting the animals from the wildlife crimes by working with the wildlife crime control bureau (WCCB) by enforcing and implementing the acts of CITES.

*“Convention on Biological Diversity is dedicated to promoting sustainable development. Conceived as a practical tool for translating the principles of Agenda 21 into reality, the Convention recognizes that biological diversity is about more than plants, animals and microorganisms and their ecosystems – it is about people and our need for food security, medicines, fresh air and water, shelter, and a clean and healthy environment in which to live.”<sup>10</sup>*

CBD is an organization that protects the biodiversity of world by doing agreements and making and implementing the convention. Poaching is a great threat to the environment and biodiversity that doesn't only threaten animals and plants but it affects human more and this organization.

### *2.4 Effectiveness of legal measures*

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<sup>10</sup>Convention of biodiversity

Nepal collaborates with the many countries and organization like CITES and Department of National Parks and wildlife conservation (DNPWC) closely works with the Nepal Police and Nepal Army for a patrolling and to combat with the poaching and illegal trade of animal's parts and meats.

Nepal organized the *community based anti-poaching operation* (CBAPO) as the parks staffs and security were insufficient to stop the illegal activities in the wild life. This operation was for local people to involve in wild life conservation and this was started in 2002/2003 and now has over 400 units working in different areas of Nepal for patrolling, data collection.

Many programs were conducted for the awareness of wild animals' protection in Nepal and are ongoing till today.

New directives are made to protect the wild animals.

With all the research on the legal framework of Nepal acts and Laws most of the laws of Nepal are only focused on the areas that are protected by the international convention and other parts other than National parks and conservation area are often neglected has become the target of poaching and illegal trafficking.

### *2.5 Monitoring and control of poaching*

Wildlife crime control bureau is responsible for the monitoring and applying the measure to control the illegal activities such as poaching of wild animal. Wild life crime Bureau works with the CITES to protect the life of wild.

WCCB was established in 2010, is operating conjointly with the Nepal Army, Nepal police and many organizations to combat with the wildlife crime. They are conducting the regular patrolling and monitoring the animals with the technologies.

WCCB is the working with custom official to monitoring the illegal trafficking of animals in different areas of Nepal. They are the organizations that is helping with the enforcement of law and regulation wild animals' protection.

WWF Nepal and WCCB are working together as a one to control poaching and to mitigate the wildlife crimes WWF has helped WCCB by providing spy cameras, monitoring tools and many technologies to monitor the animals and the conservation areas.

Wildlife Conservation Nepal (WCN) is one of the organizations working for protection and conservation of endangered species. Monitoring illegal wildlife trade was one of the major areas on which WCN has worked continuously and tirelessly since its establishment in 2002. There are more than 200 operations, which were jointly conducted by Nepal Police and WCN across the nation in between 2005 to 2018. All the sting operations do not turn into success where efforts and time of both organizations go in vain. There have been 89 successful operations in which 219 were arrested. Now WCN has been actively involved in capacity building of enforcement agencies through training and workshop as well as development of resource materials.

National parks and wildlife patrolling has helped significantly to control the poaching in Nepal. With the help of Nepal police and Nepal army to patrol in national parks and conservation areas

has controlled the poaching numbers in Nepal. Nepal army and police are deployed to different National parks and conservation area to monitor the illegal activities and animal population in the Buffer zones and the help of new technology such as GPS tracking and cameras tracking in patrolling. Nepal is an open border country and many forests of Nepal is connected to the India and China that's the reason of why the poaching is more trending in Nepal as it is easier to trafficked animal's parts.

Local communities play a significant role in enforcement and monitoring efforts. Community-based anti-poaching units are established in buffer zones around protected areas. These units are trained to monitor and report illegal activities, conduct patrols, and engage in awareness programs. CBAPO operates the awareness programs with the people living around the parks and conservation. areas with the agenda of involving people in the wildlife conservation efforts by monitoring animal's activities.

Nepal has an established systems for monitoring and reporting wildlife crime. The Wildlife Information Management System (WIMS) and the National Tiger Conservation Database (NTCD) are used to collect, store, and analyze data on wildlife populations, poaching incidents, and enforcement actions. These systems keep the track records of animals and keeps tracks of the population and gives data on the movements in Wild life areas. Nepal has started using more advanced technology for the protection of animals.



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Areas protected by DNPWC

<sup>11</sup> DNPWC

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### *2.6 gaps in literature*

There are many gaps in other research paper, they mostly address the problem of poaching in harming the tourism sector as the population of the animals decreases but doesn't address one of the greatest problems of poaching which in the eco system. Poaching has increased the threat of imbalance in ecosystem by effecting it in harmful ways.

Many researchers have research about the effects but not on the solution of it. So, this research has provided its effect on biodiversity and recommendation for monitoring and enforcement of enacted laws.

## **3. Effects of poaching in biodiversity**

Poaching of wild animals is a threat to whole ecosystems of Nepal and world. Biodiversity is important for the whole world in balance way and the poaching of animal has imbalanced the ecosystem. Poaching has been regulatory in many parts of Nepal even though Nepal government has banned the wildlife hunting. Illegal hunting has increased since then and has become the bigger problem to the earth biodiversity and eco system. Every species plays the crucial role in to balancing the bio diversity and poaching has made negative impact in its such as:

**Species extinction:** Poaching of high valued animal such as Rhinos, Tigers and elephant are often hunted for their horn, skins and tusks. These animals are the rare and vulnerable species. Extinction of these animals' imbalance the ecosystems and lead to loss of the biodiversity. Every species is important in any way to maintain eco system and encourage biodiversity but because of poaching many species are on the verge of extinction.

**Ecosystem imbalance:** As many species have their own role on the ecosystem. Poaching one animal can lead to increment in the population other animal such as tigers are known but hunting herbivore and if there is no tiger to hunt the animal then the increase in population of other species will imbalance the ecosystem of wildlife and those animals can threaten livelihood of people living nearby.

**Loss of Ecosystem Services:** Biodiverse ecosystems provide essential services such as pollination, water purification, and climate regulation. When species are poached and biodiversity is reduced, these ecosystem services can be compromised, affecting human well-being and

threaten the human life and contributes to the climate change which is life threatening to whole human being survival due extreme climate change.

**Economic Impact:** Nepal is a country is economy relies in the tourism sector as per study 6.7% of GDP and employment of million are contributed by tourism. National Park and conservation area of Nepal are major tourist attraction. Biodiversity supports industries like tourism and agriculture. Many tourists visit Nepal to see its iconic wildlife. The declination of these species due to poaching can negatively impact tourism revenue and local economies. Additionally, biodiversity contributes to agriculture through pollination and pest control. If the poaching of animal still goes on in maximum it will impact in the both tourism and ecosystem. As per the field research in Chitwan National Park while doing this research. there was no sighting of animals in the park forest tour. Many tourists come to see many animals such as one horned Rhino, tigers and wild elephant, if there is no sighting of animal in national parks then it will decline the number of tourist's that effect the GDP and local businesses of Nepal.

**Social and Cultural Consequences:** Many communities have cultural and spiritual connections to local wildlife The loss of species due to poaching can erode cultural heritage and identity. For instance, in some cultures, certain animals are considered sacred or have significant symbolic value. Poaching of the sacred animals can also affects the culture of certain communities.

That's why poaching doesn't only affect the targeted species but the whole worlds ecosystem. If the enforcement of wild animal laws isn't made the poaching only makes the condition of ecosystem worse and make loss of biodiversity.

### **Effects on animal**

**Rhinos** because of the poaching there is decline in the population of One horned rhino which were already an endangered species which only has population of 752

**Tiger** as of 2022 population of tiger in Nepal is only 355.

**Elephant** as of now current population of wild elephant in Nepal is estimated between 109 and 142 and has decreased the population rate due to poaching of male elephant. <sup>12</sup>

## **4.CASE STUDIES**

In the area of Chitwan National parks because of the poaching of Elephant, tigers and rhino has resulted in many wild animals has started to wander around the village and hunting animals and humans. And The problem was with the decrement in the population of male elephant, because poachers are hunting the male elephant for its tusks and it resulted in the death of male elephant which increase the population of female elephant which is resulting in declines of reproduction and female elephant are wandering around the village looking for its partner which has created a

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<sup>12</sup> <https://www.wwfnepal.org/>

huge problem not only to human but also to an wildlife and diversity as it is indicating the bigger threat to biodiversity and coexistence of wildlife and human.

This case study shows the intensity and effect of poaching to the animals and human.

Many cases like this can be seen in many parts of Nepal where wild animals are roaming around the residential areas in the mating season and for hunt as many animals are poached for meat and bigger animals are wandering around for food.

#### *4.1 catalyst to increase poaching in Nepal*

**Poverty:** Poverty is one of the greatest factors that is increasing poaching of animal in Nepal. poaching of endangered and high valued animals are protected strictly but the declining of the herbivore animal is also driven by poverty. When people living around wildlife are in poverty people starts to hunt small animals to consume their meat to keep themselves alive through the poverty.

**High demand for parts of animals from the wealthy countries:** country like China and India has a high demand for the animal's parts has increased the poaching of wild animal in Nepal. High demand and high valued animals are poached by people of Nepal.

#### *4.2 poaching trends*

As per research done in the Chitwan national park area. The main factor for the poaching is driven by poverty. Many animals like Rhino, Tigers and wild elephant are poached by local people living in poverty. While doing research most of the poachers of endangered and high valued are done by minorities who are in poverty and who lives near the parks and forests, study found that there are chain of people from poachers, trafficker, seller to an one that actually is the final man who is often unknown as this is the chain no one knows each other and poachers doesn't use any type of phone or any other technology to contact with each other which is why it is hard to catch the final person in the cases of poaching often the poor are the ones who is punished.

As per the interview question '*what are the current trends followed by poachers to hunt wild animals?*' with the employee of Chitwan National Park. We have found how the poacher's work and how they hunt wild animal around the buffer zone. First the lower-level person is the one that comes around to track animal and that person is often a local people who comes to fishing around the National Park, second person comes to hide the weapon and third person comes to hunt and after few days another person comes to take the parts with them. After the completion of hunting and gathering body parts, the trafficking comes into the circle. Traffickers are often random people who are poor and who are willing to do anything in small amount of money and often travel to take parts from one place to another is by any vehicles that gives them a lift.

Poachers has used different types of technique to hunt animals such as digging hole in the area of animals, by giving electric shocks, and one of the commonly used is rifle as it is easy to use and carry.

Even with this much of information about poaching the Nepal government and WCCB are unable to catch the main person on this crime and often the poor peoples are catches and imprisoned while the main culprit is still unknown. As being many people on the poaching of animal catching the culprit is very low but if we see in the successful events like Nepal was the first country to achieve zero poaching and maintained the zero poaching for 3 consecutive years until in September 6 2020, the old male one horned rhino was shot but has it's horned intact. In the time of lockdown, the security of Nepal was more focused on keeping people inside the home and there was less security in the national parks and conservation area that was the time for poachers to bag as many animals as they can and during the lockdown time four one horned rhino was killed and taken the horned by the poachers which increased in the poaching again in protected areas after lockdown was lifted

*As per the interview with ward chairperson of 23 in about the hunting of other animals than high market valued” many animals like rhinos, elephant and tigers are tracked strictly but other with animals aren't as much tracked as other which is resulting in hunting of the wild animals by locals for their meats to consume. and to track those people who are hunting and consuming the meat is impossible because of the hunting being on the daily basis and by so many people who are willing to buy meat. Some of the animals that are killed for their meat by local people is wild boar, deer, birds and fishes. people are can hunt because of the area that is not national park but are still connected to it isn't controlled by national parks security and local people are free to go for fishing and to cut grasses for their livestock, this is the everyday life and while they are there some people hunt the animal for the meat and hundreds of people visit the Chitwan National Park on daily bases and are unknown who are the real culprit.*

Even with the law and treaties with CITES sometimes the other wild animal which are not high valued has been ignored and they are the one that contribute to ecosystem to maintain biodiversity of wildlife.

## 5. Analysis

### *5.1 Constitution of Nepal protecting the wildlife of Nepal*

Part 4: Obligations, Directive Principles and Policies of the State 35: Policies of the State, paragraph 5The Constitution requires the state to provide special safeguard of “**rare wildlife**” as well as “make arrangements for the protection of, sustainable uses of, and equitable distribution of benefits derived from, the flora and **fauna** and **biological diversity**.”

This act is a guideline for authorized authority to protect endangered species of Nepal and make the laws to protect them. This guideline is given for protection of the endangered species and sustainable use of them like using them as a tourism place or any other sustainable use. Which the conservation areas and parks has use in efficient ways.

## **National penal code 2074**

The Muluki Criminal Code includes provisions related to wildlife protection. Section 116 prohibits reckless conduct with respect to animals and birds, imposing penalties for actions that cause harm to wildlife. Nepal national penal has a law and punishment against poaching which can result 15 years of prison and up to 1 million rupees fine but this can vary for many reasons this is also create the unfair enforcement of laws.

### National Parks and Wildlife Conservation Act, 2029 (1973).

This act established protected areas and provided a legal framework for wildlife conservation. It has been amended to include community-based conservation approaches and buffer zones. This National Parks and Wildlife Conservation Act, consisting of 34 sections and completed by one Schedule, aims to manage the national parks, protect wildlife and their habitat, regulate hunting and conserve, promote, develop, and make appropriate arrangements for and the use of places which are of special importance.<sup>13</sup>

6.Prohibited techniques for hunting: (1) Without the written order of the Chief any person shall not hunt a wildlife or birds by using the following techniques :- (a) Waiting (prowling) in the place used for drinking water, licking salt or soil or taking a bath, (b) Using any type of trap like darjan, damal (tying Rope), Jaal (Net), Dharap (obstacles), Khor (cage) or Paso (hanging rope), (c) Feeding poison or tranquilizing drugs, (d) Using poisonous arms and ammunition, (e) Tuning (blowing) leaves or calling with artificial mimetic voice or playing tape-recorder, (f) Waiting (prowling) in nest or abode, (g) Lighting torch or lights, (h) Making a scaffold or a hiding place to mislead the animal, (i) Riding in a motor car, jeep, truck, lorry, tractor, airplane, helicopter etc., (j) Setting fire in any type of grass or forest with the motive of hunting, (k) Taking the help of a dog in hunting a wildlife or taking the help of a domestic bird for the hunting's of birds. (2) In the situation of killing a mad elephant or a man eater tiger or leopard, any technique except than the technique in clause (j) of Subrule (1) may be followed.<sup>14</sup>

national parks and wildlife conservation acts 1974, section 6 state prohibition of hunting techniques which includes every type of hunting method used for poaching which is the strictest law to find any loopholes used any method but the enforcement of this law is still weak national parks hasn't been able to prohibiting and implementation of this law.

Despite of these laws National parks and conservation areas are lacking behind on enforcing them.

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<sup>13</sup> Food and Agriculture Organization of the United Nations, National Parks and Wildlife Conservation Act, 2029 (1973), <https://www.fao.org/faolex/results/details/en/c/LEX-FAOC187181/#:~:text=This%20National%20Parks%20and%20Wildlife,which%20are%20of%20special%20importance.>

<sup>14</sup>National parks and wildlife conservation act,1974

## 6. Issues and challenges in enforcement of existing law

Nepal is known for its strict acts and policies but laws aren't being enforced properly and reasons for that are

1. **Insufficient resources:** Department of National Park and wildlife conservation of Nepal lacks the sufficient resources for enforcement. It lacks on the funding, technologies and equipment's for the better enforcement of laws. DNPWC has been allocated lesser funding by government to enforce the laws, guidelines and policies in efficient way.
2. **Geographical challenges:** Nepal's geography remote area and open border to China and India make great havens for poacher's hunt from the other side which is making the enforcement effort to fail.
3. **Corruption:** Corruption is the reasons that the laws aren't being enforced properly in Nepal. Unfair implementation has resulted in the undermining of poaching combating efforts and increase of illegal activities.
4. **Focus on the conservation areas only:** Most off the laws of Nepal are only focused on the reserves because threat is still to the all forests of Nepal and whole countries ecosystem. There is a great need to address the problems of wildlife conservation, in areas outside of reserves, as this has been almost completely neglected in the country to date (Heinen and Yonzon 1992). Poaching in many district forest areas is thought to be common, but its extent is unknown. The presence of army personnel within reserves is also rather equivocal: advantageous in that it may be responsible for reducing poaching and other illegal activities in protected areas, but disadvantageous for several reasons. First of all, the chain of command is divided between two HMG officers: a warden and a protection unit commander, which many wardens will privately say can create conflicts. Secondly, soldiers designated to DNPWC duty are given only cursory special training for the assignment and may have little understanding about their roles. Thirdly, the military protection units currently absorb up to 70% of the DNPWC budget, which imposes monetary constraints on the operation of the DNPWC (Lucas and Bajimaya 1987). The role of the army in Nepali protected areas is in need of review and possibly reconsideration. Annapurna Conservation Area, which has no army personnel, may be a litmus test for the efficacy of soldiers posted as protection staff in Nepali reserves.<sup>15</sup>

**5. Legal framework:** Even though National parks and wildlife conservation acts are made but the implementation and enforcement of those might not work cause of changing trends of poaching.

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<sup>15</sup> Joel T. Heinen & Bijaya Kattel, *A Review of Conservation Legislation Progress and Future Needs in Nepal: Past*, Department of National Parks and Wildlife Conservation, Babar Mahal, Kathmandu, Nepal.

## **7. Recommendations**

Strengthening legal framework by enforcing more harsher punishment to the culprit to deter poachers and by updating amendments to make more stricter laws and addressing the potential loopholes and allocate more funds for wildlife protection and conservation efforts. Government can allocate the more in the wildlife protection by Providing advanced equipment and technology, such as drones and surveillance systems, to monitor protected areas and to keep track of all wild animals. Acts and policies must protect the all-wild animals to maintain ecosystem of forests and involve local communities in conservation efforts and provide them with economic incentives to protect wildlife.

Conduct awareness and education programs to inform communities about the importance of wildlife conservation and the legal consequences of poaching in the future and awaking then about the consequences of those small hunting they know as it is a great threat for the future in ecosystem, economic threat. Implementing measures to increase transparency and accountability within enforcement agencies. Provide training for law enforcement officers on anti-corruption practices and wildlife protection laws. Strengthen collaboration with international organizations and neighboring countries to combat wildlife trafficking and poaching such as India and China which have connected and open border to Nepal and increasing the security around the border by installing cameras, alarms.

Learning from successful wildlife protection programs in other countries and adapt them to the Nepalese context we all know one of the best laws for protection of animal is of Nepal but because of the unsuccessful enforcement it has become weak in few years. Support scientific research on wildlife populations and poaching patterns to inform conservation strategies. Conducting regular monitoring and evaluation of conservation programs to assess their effectiveness and make necessary adjustments to it and promote eco-tourism as a sustainable source of income for local communities, which can also contribute to wildlife conservation. Develop alternative livelihood options for communities that rely on poaching for income and as food. Local minorities still hunt wild animals for their everyday livelihood and developing alternatives like giving them job in the protection areas can boost the incentives and starts to protect them not hunt them. Implementing these recommendations can help with the better enforcement of law and can maintain the biodiversity and ensure the long-term conservation of wildlife.

## **8. Conclusion**

Nepal is a country with rich biodiversity and wildlife. And has one of the best laws protecting the wildlife but despite having the strictest laws and policies for protecting wild animal, priority of government has always been animals like Rhino, tigers and elephant's small animals are being overlooked and the poaching and trade of meats and skin has been going on every day and everywhere in Nepal. All wild animals are responsible for the maintaining eco systems. Nepal is an open border country neighboring with Nepal and China because of the open border illegal trade of animal's parts has been easier and more demanding by foreign. To mitigate the problem Nepal has made conventions and treaties with different country to protect the wild animals and endangered species of Nepal. But having the strictest laws Nepal ecosystem is still threaten by poaching as many endangered species are on the verge extinction and the poaching hasn't stopped.

This research has researched about why and how is poaching impacting the biodiversity of Nepal and how can we solve the problem of poaching and how to balance the ecosystem and has analyzed current legal framework done by government and other organization. Poaching has affected many areas such as habitat of animals, extinction of the many species.

Poaching can lead to a great threat not only to an extinction of endangered species but also livelihood of human being because human has been reliable in animals and wildlife for their survival. so now the poaching has to be stopped to protect our own life and life of every being who are living with us, poaching might be beneficial for one human but in long term it is always a threat so, government has to enforce law and update law for protection of wild animals and wildlife.

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