



## **WWF-Pakistan's position on de-notifying Ayubia, Kamal Ban and Malakandi National Parks in Khyber Pakhtunkhwa along with key recommendations**

### **1. Position on de-notifying the above-mentioned national parks**

WWF-Pakistan remains deeply concerned and strongly opposes the de-notifying of three national parks (Ayubia, Kamal Ban and Malakandi) in Khyber Pakhtunkhwa. National parks are established to protect and conserve the unique ecosystems and biodiversity and serve as critical ecological zones with intricate relationships among flora and fauna. De-notifying them for resource extraction or other purposes could lead to habitat destruction and disruption of these ecosystems, leading to imbalances and long-term ecological damages that endanger the species that rely on these areas for survival. Change in land-use often results in destruction of fragile habitats and increased disturbance to the wildlife populations, leading to human-wildlife conflicts due to intrusions in the wildlife habitats. These changes will affect the foraging and reproductive behaviour of a range of species, increase their risk of predation and reduce their reproductive successes. Further, it will set a dangerous precedent, undermining the legal framework for protected areas, potentially leading to further de-notifications in future.

WWF emphasises the legal and ethical obligations of governments to honour international conventions like CBD (Convention on Biological Diversity) and UNESCO Man and Biosphere Reserves. The new Montreal-Kunming Global Biodiversity Framework 2022 particularly emphasises increasing 30% areas under protection by 2030, restoration of habitats and building connectivity. While this new GPF aims at 30X30, this proposed denotification is counterproductive. Pakistan currently has only 17.9% area under protection. National parks are often carbon sinks, absorbing and storing significant amounts of carbon dioxide. WWF recognizes the importance of these areas in mitigating climate change. De-notifying parks may result in deforestation or other practices that release stored carbon, contributing to climate change. While de-notifying these national parks can provide short-term economic benefits, WWF-Pakistan argues that these should not come at the expense of long-term environmental sustainability and biodiversity protection.

Kamal Ban and Malkandi National Parks were notified under the 10BTTP programme that also aimed to ensure benefits and compensations of carbon sequestration for the local communities. The carbon benefits of the newly declared national parks can be claimed both through the regulatory and voluntary carbon markets.

Ayubia National Park was declared a National Park on 17<sup>th</sup> January 1984 by the Government of the North West Frontier Province (NWFP) under section 16 of the North West Frontier Province Wildlife (Protection, Preservation, Conservation and Management) Act, 1975, and then re-notified on 3<sup>rd</sup> February 1998 with new boundaries by adding some additional area. Later, on 13<sup>th</sup> October, 2009, the Ayubia National Park was re-notified with new boundaries under section 18 of the NWFP Wildlife Act, 1975. Ayubia National Park was also declared a Man and Biosphere Reserve in June 2023 by UNESCO. Similarly, Malkandi and Kamal Ban National Parks were notified as National Parks on 14<sup>th</sup>

January, 2022 under section 29 of the Khyber Pakhtunkhwa Wildlife and Biodiversity (Protection, Preservation, Conservation and Management) Act, 2015 by the Government of Khyber Pakhtunkhwa (KP). Section 29 of the KP Wildlife and Biodiversity Act 2015 states the following:

**Section 29: National Park** (1) *With a view to the protection and preservation of scenery, flora, fauna, geological features of special significance and biological diversity in the natural state, Government may, by notification in the official Gazette, declare any area to be a National Park and may demarcate it in such a manner as may be prescribed.*

(2) *A National Park shall be accessible to public for recreation, education and research subject to such restrictions and fee as Government may impose.*

(3) *Provision for access roads to and construction of rest houses, hostels and other buildings in the National Park along with amenities for public may be so made, as not to impair the object of the establishment of the National Park.*

(4) *Any facility provided under sub-sections (2) and (3) shall be in conformity with the recommendations of the environmental impact assessment or initial environmental examination within the meaning of Pakistan Environmental Protection Act, 1997 (Act No. XXXIV of 1997).*

(5) *The following acts shall be prohibited in a National Park:*

- (a) Hunting, shooting, trapping, killing or capturing of any wild animal;*
- (b) Carrying of arms, pet animals, livestock, firing any gun or doing any other act which may disturb any wild animal or doing any act which interferes with the serenity and tranquillity of the park and breeding places of wild animals;*
- (c) Logging, felling, tapping, burning or in any way damaging or destroying, taking, collecting or removing any plant or tree;*
- (d) Grazing of livestock;*
- (e) Fishing;*
- (f) clearing or breaking up any land for cultivation; mining or quarrying of stones or for any other purpose;*
- (g) polluting or poisoning water flowing in and through the National Park;*
- (h) littering and dumping of wastes;*
- (i) writing, inscribing, carving, disfiguring, defacing, painting, chalking, advertising;*
- (j) use of vehicular transport, except on recognized roads and routes;*
- (k) blowing of pressure horns within one kilometre radius of the park boundary; and*
- (l) play back music, using radios, players or any other audio-video equipment, or making noise:*

*Provided that Government may, for scientific purpose or betterment of the National Park, or for providing incentives and concessions to the communities for participatory management, authorise doing of one or more of the afore-mentioned acts on an explicit written request made by the Chief Conservator Wildlife, justifying the need for such an action and certifying that it does not impair the object of establishment of the National Park:*

*Provided further that in case if a National Park is established over a designated forest, i.e. Reserved Forest, Protected Forest and Guzara Forest, the provisions of the Forest Ordinance 2002, to the extent of "acts prohibited" shall prevail.*

Further, in the notification of Malkandi and Kamal Ban National Parks, the following statement is mentioned as Note:

*The management of flora in the National Park shall rest with the office of the Chief Conservator of Forests. The Forestry, Planning and Monitoring Circle, shall in consultation with the Conservator*

*Wildlife Central Circle, Peshawar, prepare the management plan for the National Park within 60 days after issuance of this notification.*

## **2. Recommendations**

Keeping in view the ecological importance of Ayubia, Malkandi and Kamal Ban National Parks, and threats faced if denotified, WWF-Pakistan proposes the following steps to maintain the integrity of these particular ecosystems and landscape in general:

1. Maintain the current protected status of 'National Park' for Ayubia, Malkandi and Kamal Ban National Parks;
2. Ayubia National Park is small and already faces serious issues, any downgrading of its status will further expose the Park which is a safe haven for numerous indigenous species. We would suggest building corridors to connect this Park with reserve forest around the park and also explore opportunities with the Punjab Government to establish a cross provincial national park particularly to accommodate wide ranging species such as the iconic common leopard. This will also protect other important species gorals, which currently have very low numbers.
3. Conduct feasibility assessments for zonation of Malkandi and Kamal Ban National Parks. Implement zoning within the national parks, designating specific areas of the core zone for conservation, the buffer zone with minimum interference/ limited activities and a community subsistence/ use zone where certain sustainable practices and community rights, concessions and incentives as mentioned in the KP Forest Ordinance 2002 can be implemented without compromising the core conservation areas.<sup>1</sup>
4. Identify and promote alternative economic opportunities e.g., ecotourism for the communities surrounding national parks thereby also reducing the pressure on these areas for resource extraction or other development;
5. Establish benefit-sharing mechanisms, ensuring that local communities directly benefit from park conservation benefits. This could include revenue sharing, employment opportunities, or access to resources for traditional uses and cultural practices;
6. Collaborate with private sector organisations that have expertise in sustainable resource management and conservation. Partnering with businesses can bring innovative solutions and additional resources to national park management; and

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<sup>1</sup> There are examples of community use rights in National Parks, e.g. in Denali National Park, Alaska, North America, where the native Alaskan communities are allowed subsistence harvesting. There are rules and regulations defining the subsistence users, areas designated for subsistence users and practices for hunting, fishing and harvesting of timber, fuelwood, berries and medicinal plants etc. (<https://www.nps.gov/dena/learn/subsistence.htm>). Similarly, Gros Morne National Park, Canada is the second largest Canadian national park and World Heritage Site where the community exercises its rights with regard to traditional subsistence activities (<https://laws-lois.justice.gc.ca/eng/regulations/SOR-2005-204/page-1.html>);

7. Recognize the carbon sequestration potential of national parks and explore options for carbon offset programs. This can generate revenue while contributing to climate change mitigation efforts.
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