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WORLD ANTHROPOLOGY CONGRESS-2023

BHUBANESWAR, INDIA | 9-14 AUGUST 2023

CALL FOR POSTER PRESENTATION:

FOREST RIGHTS ACT AND SETTLEMENT OF LAND RIGHTS OF INDIGENOUS PEOPLE: GOOD PRACTICES

CHAIR AND PROPOSER: PROF. A. B. OTA

CO-CONVENOR: SWETA MISHRA

COORDINATOR: GIRI RAO

ABSTRACT

The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 in short, Forest Rights Act, 2006 (FRA) is a landmark legislation to address the historical injustice done to the forest dwelling communities. It tries to recognise and record their existing rights on the forest land. The legislative intent which underlies the FRA, is stated clearly in its Preamble, “to recognize and vest the forest rights and occupation in forest land in forest dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations, but whose rights could not be recorded” and thus to undo a serious historical injustice. Forest Rights Act, 2006 provides such a framework by mandating first that all rights must be recognised and secondly Gram Sabha will play a significant decision-making role. The consent requirement is both needed in law and ensures that consultation is genuine. This ensures protection of rights and reduces chances of conflict.

The Act also has immense potential to democratise the forest governance and provide livelihood security by recognising Community rights and Community Forest Resource Rights (CFR) in particular. Further, the Act can conserve forests and biodiversity, improve local livelihoods, and help meet India’s international commitments to sustainable development and climate change mitigation. The Act, if implemented in its spirit will go a long way in ensuring livelihood security and poverty alleviation through sustainable and community-based management of forests contributing to Sustainable development goals.

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IPCC has also acknowledged that tenurial security over community resources and land can play a significant role towards achieving climate justice. It will secure access to life-sustaining systems and the ability to influence decision-making processes, internal or external, that may have an impact on those systems that are crucial components of appropriate, locally determined development and of eliminating the root causes of poverty and preventing future poverty. By recognizing individual and collective rights of the forest dwellers, FRA supports access to critical life-sustaining resources that support subsistence, livelihood, food and water security, and their sustainability.

The poster presentation will depict how FRA is one of the most important legal instruments to achieve commitments made by the Government of India under the SDGs and CBD (The Convention on Biological Diversity) through securing their rights over forests, forest land and biodiversity.

Keywords: Rights over forest land; gram Sabha, climate justice, poverty alleviation.

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