



Community Self-Reliance Centre (CSRC)
Dhapasi, Kathmandu

Project Fact Sheet

Name of Project	National Engagement Strategies (NES) : A Multi Stakeholder Partnership for People Centred Land Governance in Nepal
Working Area	Kailali, Kanchanpur, Bardiya, Banke, Surkhet, Dang, Nawalpur, Rupandehi, Kapilbastu, Parasi, Dhanusha, Mahottari, Siraha, Saptari, Udayapur, Morang, Jhapa and Sunsari
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Project's Partner/s	<p>Funding Partner: - International Land Coalition (ILC)</p> <p>Care Nepal, ActionAid Nepal, Oxfam, UN-Habitat, and IM Swedish</p> <p>Abhiyan Nepal, College of Development Studies (CDS), Consortium for Land Research and Policy Dialogue (COLARP), Community Self Reliance Centre (CSRC), MODE and National Land Rights Forum (NLRF)</p>
Project Summary [Not exceed 1000 words]	<p>NES Nepal was first introduced in Nepal in November 2012. Six ILC members in Nepal namely, Abhiyan Nepal, College of Development Studies (CDS), Consortium for Land Research and Policy Dialogue (COLARP), Community Self Reliance Centre (CSRC), Mobilization for Development (MODE) and National Land Rights Forum (NLRF) jointly formed NES in Nepal in line with ILC's 2011 – 2015 Strategy. Since its establishment, NES has been active as an agent for systemic change in the areas of policy and practice related to land and natural resource by putting its all effort toward influencing the existing people to land relationship in terms of access to, ownership and control over, and governance of land and natural resources. NES can be justified by the need for vibrant multi-stakeholder platform, for dialogue and consensus building on contentious issues, as a means of promoting pro-poor land policy formulation and implementation. NES is now evolved into a bigger platform called 'Land Governance Working Group (LGWG)' which coordinates people centered land governance in Nepal.</p> <p><i>During this 6-7 years' engagement, NES Nepal witnessed vivid experiences and diverse achievements.</i></p> <p>Established a Multi-Stakeholder Platform : NES established and formalized the MSP-LGWG. Membership of the platform grew from 6 members in 2012 to 27 members in 2019. Members include - Ministry of Land Management, Cooperatives and Poverty Alleviation (MOLMCPA), Central Bureau of Statistics (CBS), National Planning Commission (NPC), inter-governmental organizations, NGOs, CSOs, and donor communities working on land and natural resource sector. LGWG gives the voice to voiceless landless and land poor communities; consolidates efforts of stakeholders for land and agrarian reform; and protects and promotes land rights of those for whom land matters most through policy dialogues, advocacy, and lobby.</p>

Increased Evidence based Research: During this period, NES members undertook several research activities and produced standard research reports, policy briefs, and position papers which are now being used as an evidences for policy advocacy. Studies include but not limited to Joint land ownership and Women's Land entitlement (2012-2015), Analysis of Common property resource and policy gaps in forest tenure (2012-2015); Case studies on violation of forest tenure by community forest user groups (2012-2015); Innovative Pro-Poor land governance in Nepal (2015); CSO Land Monitoring report (2016; 2017; & 2018); Increasing trend of leaving land fallow and food insecurity (2016); Policies and practices of land tenure among indigenous peoples of Nepal (2017); Context mapping of Land and Natural Resources (2018/19); management of land, agriculture, and natural resources in local level: policy, laws, institutional structure and good governance (2018).

Institutionalization and democratization of People's Organization: Supported National Land Rights Forum (NLRF), a national alliance of landless, land poor, small-holder peasants, agricultural laborers, and informal settlers; to expand its regional, district and village chapters called PLRF, DLRF and VLRFs respectively. NLRF reached to approximately 100 thousand organized members from land poor, landless, tenants, agricultural laborer, dalit, harawa, charawa, haliya and kamaiya communities from 56 districts out of 77. Participation of women, dalit, indigenous people is ensured. There is a provision of at least 50 percent representation of women in each structure of LRF.

Evidence based land debate on Land Issues: in collaboration with ILC, NES Nepal organized series of policy debates to connect grassroots with policy makers at central level to provide strong, valid and reliable evidences for informed policy decisions. It is also utilized not just as a technical part but as a political and social process, contestation and bargaining among diverse stakeholders to reconcile their perspectives towards land resource.

Policy level engagement: it has a three pronged achievement i) policy formulation, ii) policy amendment and iii) policy implementation.

- i) **Policy formulation:** NES Nepal was a member of land related policy drafting committee in 2015. Along the journey NES contributed in – formulating 13 point action plan for land reform in 2012/13; Land Use Act, 2019; Right to Housing Act, 2018; Right to food and food sovereignty Act, 2018; National Land Policy 2019; including land rights and land reform related agendas in the Constitution of Nepal and in the Agriculture Development Strategy 2015-2035 (2014); preparing guidelines for Joint Land Ownership; Land Registration Guideline for Earthquake Victims, 2016; facilitated The Council of Minister to endorse guidelines and regulations for 6th amendment of the Land Reform Act 1964 (Aug 2016); provided feedback and contributed on draft Guthi Act and for 8th amendment to the Land Reform Act 1964 (under the review in National Assembly after passed by the parliament).

- ii) **Policy Amendments:** Sixth, and Seventh Amendment of the Land Reform Act 1964 (2016; 2018); Amendment of the Land Use Policy 2012 (2015); and provided feedback for 8th amendment to the Land Reform Act 1964 (under the review in National Assembly after passed by the parliament).
- iii) **Policy Implementation:** NES become a member of policy drafting committee while CSRC acted as a secretariat for National Land Policy formulation process; government accepted 13 point action plan for scientific land reform prepared by NES members in 2013; government formed 'Tenancy problem solving Unit' with in the Ministry of Land Management in 2018; re-opened the tenancy land right claim application; government agreed to provide land to landless and homeless Dalits for one time.

Quantitative achievements of the NES gained from 2012 to 2015 NES Nepal can be seen clearly from the table below:

S.N.	Particulars	Number of Households
	Period	2012 – 2019
1	Landless people received Land Ownership certificate	2193
2	Utilized Public Land	1661
3	Received Landless ID card (with in VLRF)	15451
4	Application filed for Landless ID card	38399
5	Joint land ownership received	2264
6	Members of NLRF	99200
7	Applications for Tenancy Land Right Filed	31472
8	Decisions made on the Tenancy Land separation Case	409
9	Tenants Received land	957
10	Land Ownership Certificate (Village Block Land)	4544
11	Prevention from Eviction	442
12	Capacity building training to land rights activists	700
13	Earthquake affected informal settlers filed application for land right	12955

Apart from above mentioned achievements, NES members have been consulted by CSO members for collaborative work; Policy makers specially on Land have been requesting technical support, and information while formulating land related policies. Therefore, NES feels proud of its engagement where it mobilizes and influences both policies and practices of policy makers and public.

Land Question in the Development of Nepal

First, implementation of Land Reform Act 1964. Scientific land reform in Nepalese context is considered as a vehicle to increase the pace of the development progress,

however no clear idea on how exactly it can be done. Provision of Land ceiling provisioned by the Land Reform Act 1964 remained unimplemented and therefore effort of the land reform remained unsuccessful in Nepal. In this context, the main land question, which have been inextricably intertwined with the national development in Nepal is about unequal distribution of land resource and haphazard utilization.

Second, land tenure security. Landless people, people residing in unregistered, public and community land and tenants of private and Guthi land don't feel quite secure living in their current places and situation as they don't have legal land titles and the possibility of government or powerful elites taking land away from them always looms over.

Third, land acquisition and compensation. Government is a biggest land lord. It can acquire anyone's land anytime in the name of 'public usage' or for development interventions. Process of acquiring land and providing proper compensations has not clearly been described in the related laws and policies. Therefore, two completely distinct scenarios are surfaced in the last few years – one, government or large project owners/implementers hardly take free prior informed consent, rarely provide sufficient compensation and adequate options for relocation. The other, communities forward unnecessarily high demand for both compensation amount and relocation standard. Which has been resulting in livelihood insecurities and extended delay as well as extra project cost.

Fourth, land information and Data. Government don't have updated land data base. It is very difficult to find the very basic information on availability of land by land use, land type, and land ownership (disaggregated by gender, caste, region) and land deals. Therefore, the existing land data that government has is always being questioned as it does not present a real picture. In this situation, many of the development plans are beyond successful implementations.

Key challenges

The trends of increasing control of invisible power over [agricultural] land and gradual erosion of control of the local communities not only resulting in systemic exclusion of comparatively weaker section – *indigenous peoples', small-holder farmers, rural-women, dalits, tenant farmers, landless communities and agricultural laborers including Haliya, Kamaiya, Kamlari, Harawa and Charawa* – of the societies but also providing significant challenges in institutionalizing their agencies that can restore lost control.

ILC's support has substantively played an instrumental role in creating and formalizing interactive platform that provides common space to marginalized communities, policy makers, practitioners and researchers to discuss contemporary land issues pertinent to tenure security, land rights and land governance. Through this platform, both beneficiary of the policy, and policy makers have been exchanging their perspectives to figure-out the necessary policy direction and it also help plan common programs and monitor the change. Meanwhile, some key challenges surfaced which rationalize the continuation of the ILC's support in Nepal.

- Meanwhile, the role ILC plays at national, regional and global level has increasingly been influential in policy formulation process, the key challenge contemporary time witnessed as way forward for its members is to show how people centered policies that were formulated can be translated into reality?
- Multi-stakeholder has been the heart of creating consensus on the controversial policy issues, but it was not on the top of NES agenda before. Now strengthening MSP as a vibrant platform for land policy dialogue is one of the major priority of NES Nepal. Therefore, the challenge envisioned is to generate resource for smooth functioning for future intervention.

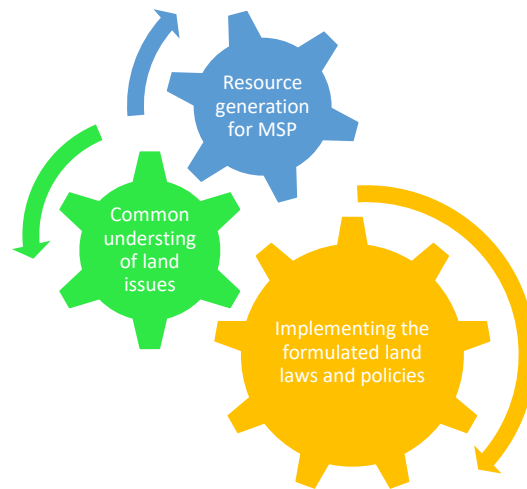


Figure 1: Key challenges of LGWG

- Government has endorsed different policies related to land and other natural resources, while the key ministries and departments like Ministry of Forest and Soil Conservation (MoFSC); Ministry of Energy, Water Resources and Irrigation (MoEWRI); Ministry of Urban Development (MoUD), Ministry of Agriculture Development (MoAD), Ministry of Physical Infrastructure and Transport (MoPIT); Ministry of Drinking Water and Sanitation (MoDWS) and Ministry of Land Management, Cooperatives, and Poverty Alleviation (MoLMCPA) as well as the related department have conflicting view, and different understanding about the land. The implementation of the people centered provisions for secure land tenure, and land rights of the people pretty much depends on the inter-and-intra ministerial coordination and cooperation. Therefore, LGWG takes it as a challenge to establish common understanding about land, its use, management and governance among related stakeholders. Land rights can not be realized in isolation it needs to dealt with integrated approach.

Key Research Questions of the NES

1. What are the implications to govern and manage land based resources in Nepal?

	<p>2. Which of the land reform approach will serve the best the public, private, governmental, community and Guthi land governance and management - for economic prosperity, social justice, environmental sustainability, and sustainable development in Nepal?</p> <p>3. How will land policy respond to the volatile and versatile realities of land market in the ever changing policy environment?</p> <p>These are the daunting question for land community that have come together under the LGWG – the MSP to <i>work collectively to address the land question in Nepal.</i></p>
<p>Objectives of the Project</p>	<p>2.1. Goal</p> <p>The overarching objective for this period is to <i>enhance socio-economic condition of landless, tenants and small holders through improved land governance.</i></p> <p>2.2. Outcomes</p> <ol style="list-style-type: none"> 1. pro-poor and gender sensitive policies on land rights are formulated and implemented. 2. Increased access to and ownership over land of landless, tenants and marginalized farmers. <p>With the above listed outcome, change at 3 level as presented below is expected:</p> <p>Changes in Practice</p> <p><i>Access to and ownership over land for land poor/deprived agricultural households enhanced through improved implementation of enabling pro-poor land policies and legislation</i></p> <p>Changes in Policies</p> <p><i>Pro-poor and gender sensitive land related policies and acts formulated.</i></p> <p>Strengthened Capacity of the LGWG for Transformation</p> <p><i>Policy and change makers use LGWG as a common space to channelize increased investments and other resources for joint actions aimed at improved land governance and translating those actions into practice through pro poor principles already enshrined in the Constitution and other policies.</i></p>

<p>Expected Results (With indicators)</p>	<p>To achieve above strategic objectives, LGWG aspires to achieve following outcomes:</p> <ul style="list-style-type: none"> • Outcome 1: Pro-poor and gender sensitive land related policies and acts formulated • Outcome II: the government recognizes and enforces Tenancy Land Rights on both private and Guthi land and provides legal land titles as part of land rights recognition of various land tenures. • Outcome III: Effective devolution of power over land administration and management from the central to the local government. • Outcome IV: Multi stakeholder action research generates new evidences on agrarian realities, and in particular the land question in Nepal. <p>Individual output described below will have a complementary contribution to each-other towards achieving project outcomes envisaged above.</p> <p>Output 1: Increased engagement of LGWG with government and other actors to develop and adopt pro-poor, gender appropriate acts, by-laws and program (Connect)</p> <p>Output II: Enhanced capacity of Land Rights Forums (LRFs) and other Peoples' Organizations working on land rights to strengthen the campaigns to claim the land rights (Mobilize)</p> <p>Output III: Strengthen the local government capacity and improve their land governance generating the evidences for policy and practice (Mobilise)</p> <p>Output IV: Strengthen multi-stakeholders' (both policy makers & change makers) engagement on evidence based policy advocacy</p>		
	<table border="1"> <tr> <td data-bbox="496 1331 630 1732">Indicator</td> <td data-bbox="631 1331 1554 1732"> <ul style="list-style-type: none"> • Household level income increased • Household level food production increased • Access to, and ownership over land by numbers of tenants and landless people • Percentage of investment from Donor and Government increase • Number of institutions involved and actions/initiatives on land issues • Number of tenant and landless families receive land certificates • Number of families receiving Joint Land Ownership certificates • Number of gender sensitive and pro-poor land related policies formulated and implemented </td> </tr> </table>	Indicator	<ul style="list-style-type: none"> • Household level income increased • Household level food production increased • Access to, and ownership over land by numbers of tenants and landless people • Percentage of investment from Donor and Government increase • Number of institutions involved and actions/initiatives on land issues • Number of tenant and landless families receive land certificates • Number of families receiving Joint Land Ownership certificates • Number of gender sensitive and pro-poor land related policies formulated and implemented
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Duration:	[1 st DEC 2019 – 31 st DEC 2021]		
Total Budget:	NPR 90,054,580/-		