

Land and Agrarian Rights Movement in Nepal

CAMPAIGN UPDATE (Volume-33)

March 2013

Second National Conference of Women Farmer

'Women's Land Ownership and Identity: Livelihood and Self-dignity'

The Second National Conference of Farmer Women was held from 3-5 March, 2013 at Thimura, Chitwan with the participation of 162 women from 48 districts of Nepal. The conference was organized with focused discussion on 'Women's Land Ownership and Identity. The conference well speculated the women's issues by announcing the action point. The



conference was successful in raising the voice of landpoor and women farmer in the domain of ensuring equal land rights. The program was jointly organized by National Land Rights Forum (NLRF) and Community Self-reliance Center (CSRC).

Outcomes

- Increased confidence and commitment, to claim for the land rights and in other natural resource as well.
- Enhanced the debate on women and land rights and also prepared action plan for the substantial expansion of campaign.
- Provided encouragement to prepare Joint Land Ownership Certificate.
- Increased understanding on legal aspect of women's issues and build capacity of Rural Women Farmer Leaders.
- Enhanced the importance and procedures involved in making joint land ownership certificate.
- Provided a strong basis to take forward the movement linking it with human rights.
- Helped to entrench the culture of movement, deepen the agenda of movement and enhance the leadership of frontline leaders.
- Provided the platform for landless women farmer to express their feelings, build power and exchange knowledge and learning.

Mr. Marceline P. Rozario, Country Representative of Lutheran World Federation Nepal inaugurated the conference as a chief guest. Mr. Rozario stressed that women's movement for land rights is the fight for livelihood, justice and dignity. He extended his solidarity towards women's peaceful struggle for the land rights and considered it as a major endeavor to ensure women's land entitlement and ownership.



Glimpse of National Women Conference, 2013

Meanwhile, Jagat Basnet Executive Director of CSRC stressed that access and control over the land is a means of farmer women's identity and power, we should struggle for the acquisition of our rights. The NLRF Chairperson, Som Prasad Bhandari shared, women is pragmatic focus in land rights movement. NLRF has been consistently raising the issue of women by which the joint land ownership campaign has also been possible.



Women farmer participating in Review and Reflection Process in the closing session of conference

The conference was followed by various sessions having discussion on key issues on the domain of women and land rights. Jagat Basnet, CSRC stressed on the future of land rights movement and focused on need of concrete action towards developing the definite plan for the community development through gender inclusion. Mukunda Kattel, Advisor of DanidaHUGOU stressed Land Rights is the issue of human rights

and is the key to the entitlement of other rights. He acclaimed the progressive effort of all landless farmers towards land rights. Moreover, he encouraged all to link the issue of women's land ownership with human rights and strengthen the ongoing campaign. Krishna Pathak, Program Co-ordinator of Lutheran World Federation presented on Women's Right and Economic Security. He stressed that Women's status will be enhanced only when they are secured in economic, cultural and political sector.

Ms. Kalpana Dhamala, central member of CPN-Maoist expressed the conscious need of women's campaign and movement for the land ownership. The leader of Nepali Congress, Dr. Dila Sangraula stressed if women are economically strong, then only we can move towards the social development, so the concrete action is needed for women to become economically strong enhancing social development. Ms. Brinda Pandey, central member of CPN-UML shared CSRC and NLRP has key role in enhancing women's land entitlement. She further shared Joint land ownership campaign is another alternative to ensure women's right over land and expressed her commitment to involve the party members in expanding the campaign. Ms. Yamuna Ghale of Swiss Development Corporation (SDC) stressed that this is the movement of poor, innocent landless women but tragic part is all of the benefits is being taken by privileged group. Further, the issue of land is not being properly heard upon by the state; so our struggle is towards state to provide land ownership and make our voice heard.

On the closing remarks Mohna Ansari, Member of National Women Commission and a chief guest of conference stressed that in the present context as well, state overlooks the women as a second class citizen. Thus the woman does not have an access to justice. The voices of women must be heard upon not as a woman but as a citizen. Moreover the women's movement is compulsion for reaching out nationwide, which can ensure the women's land ownership.

Word of Participants

Walawati Rajbanshi, Jhapa

I got married in early age and had to face a domestic violence. After I got organized in Village Level Land Rights Forum (VLRP), I became aware of the women's right and learnt to claim for our rights. Now I have succeeded in acquiring the share of property from husband as well.

Yasodha Rakhal, Sindhupalchowk

After being involved in land movement, I acquired the *Guthi* Land and subsequently made joint land ownership certificate. By now we have also initiated farming, from which good earnings is being received.

Pabitra Aryal, Bardiya

We spend maximum time in agriculture farming but do not have ownership over land. So we will strongly raise the issue through our campaign and succeed in acquisition of land ownership.

Subhadra Bajgain, Lalitpur

I was the first in the lalitpur district to prepare a joint land ownership certificate. Through the conference I have acquired other legal information required for expanding the campaign which I will implement it further to strengthen the campaign.

Haliya Gathering (Dialogue on Rehabilitation and Freedom of Haliya)

Demanding for the rehabilitation along with the provision of land, the *Haliya* of Baitadi organized a rally and held dialogue with concerned stakeholders at Sahilek, headquarter of Baitadi. The *Haliyas* complained although they are legally announced as a freed *Haliya* since 4 years they are compelled to work as *Haliya*. This is all because government did not provide alternative of rehabilitation for *Haliyas*. They highlighted, currently they do not have residing land as well, so the policy exerted by government stating the provision of trainings and other culinary items is not the prior of concern. There was a participation of more than 500 *Haliyas* in the program. The program was organized by National Land Rights Forum (NLRF) in joint conjunction with National Dalit Network, INSEC, *Haliya Mukti Samaj Mahasangh*, *Dalit Bhumihin Kisan Sangh*, Dalit NGO Federation,

Most of the speakers in the program stressed on serious attention needed for the commitment by political parties and government with regard to rehabilitation of *Haliya*. During the program, the organizers stressed on the equal participation of *Haliya* men and women in ongoing policy formulation with regard to Prohibition of



Haliya Gathering held at Baitadi district

Bonded Labour. There is a need of implementation

of budget along with plan by district council for the re-collection of data of *Haliya*. Moreover, there must be effective system and structure within the VDC as well for the rehabilitation of *Haliya* ensuring housing and land and distribution of identity card of *Haliya*. During which, all of the political parties expressed their commitment and solidarity to meet the demands.

In the assembly participant Naute Lohar, shared the inhuman act of their landlord. The landlord snatched away the buffalo amounting NPR 50,000(\$574) in not being able to pay the *Haliya* loan. Similarly, participant Dhana Pahari of Patan highlighted the action for Freed *Haliya* is limited only in papers and there has been no any progress in practical action. After the assembly, on 4th March, 2013 the meeting held between *Haliya* Rehabilitation and Monitoring Working Committee has recommended the ministry for the recollection of data of *Haliya* and rehabilitation of *Haliya* ensuring land. Consequently, the district council of Baitadi held on 5th March, 2013 has approved the plan of recollection of data of *Haliya*.

Regional Tenants Conference

February 9 and 10, 2013 Regional Tenant Conference was held in joint conjunction with DLRF Sunsari, Jhapa, Morang, Dhankuta and Sankhuwasabha in Itahari municipality of Sunsari District. There was a participation of total thousand tenant farmers from various five districts. Land Act 1964 has stated the tenancy right for those who till the land. But the fourth amendment in the act endorsed in 1997 has resulted 4.5 lakh non-registered tenants. The fourth amendment put an end to the trend of tenancy right in the name of ending up the dual ownership. This initiative not only terminated the rights of tenants but although being the real tenants they are not called as legal tenants and are compelled to become squatters.

Similarly on 25 and 26 February, 2013 the Regional Tenants Conference was held in Banke, Bardiya, Surkhet, Dang and Dailekh district with the participation of NLRF, National Human Rights Commission (NHRC) with different political party representatives. The conference was divided into four sections including inauguration, legal, political and power demonstration. They proposed alternative tenant act and announced subsequently after rally in front of Land Revenue Office.



Regional Tenants Conference held in western region, Banke district

Demands and Declaration

1. The government should prepare the data of tillers and tenants and keep record in the local agencies and municipality. Further it should be updated regularly in five years.
2. The local agencies must have a proper record of tilling tenants and distribute the tilling certificate with it.
3. Nobody shall be allowed to be forcefully evicted from tilling over land
4. The government should form and mobilize a team to collect the tenancy data and distribute it subsequently following the section 52 of Land act 1964
5. The government should implement the practice of providing half share of tenancy land and provision of loan with no interest
6. There has been an increasing trend of utilizing productive land in the name of plotting and commercial farming. By which small farmers and tenant farmer have been deprived of their rights. The effective policy must be enacted in preventing the use of agricultural land for non-agricultural purpose.