



# Protecting the poor as modernity marches on:

## CSO Land Reform Monitoring Report in Nepal 2018<sup>1</sup>

*An initiative of the Land Watch Asia Campaign*

Land is a vital natural and national resource. In Nepal, various attempts have been made to regulate the uses of land through laws and policies according to changing needs and circumstances. Today, the citizen's right to control and access land in Nepal is constitutionally recognized. According to the Department of Land Management and Archive, there are around 29,000,000 registered landowners in Nepal in Fiscal Year 2016/2017. The Nepalese land administration system does not recognize informal, non-formal, customary, and communal tenure. In addition, one of the unfortunate realities in agriculture is that those who control the land legally and gain the most from agriculture are not the real farmers working in the fields. The landless, smallholders or poor farmers are the ones who put in the hard labor on the land, but are deprived of land ownership (Basnet, 2013).


Land distribution in Nepal remained skewed and unjust since the unification process of the country in 1846. This created various kinds of conflicts and discriminations between and among people and communities. Land was utilized as a means to gain political and military support by the State. As a result, larger parts of the productive and higher quality land were distributed among more powerful people in the form of grants (Adhikari, 2008: 6). Further, Adhikari argues that current landlords also do not want to improve the situation

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<sup>1</sup> This is an abridged version of the CSO Land Reform Monitoring Report in Nepal: 2018 prepared by the Community Self Reliance Centre (CSRC) as part of the Land Watch Asia (LWA) campaign. This 2018 LWA country monitoring report focuses on land governance, and is supported through the project "Sustainable, Reliable and Transparent Data and Information towards Responsible Land Governance: Putting Commitment 8 into Action."

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of land governance in Nepal, as they want to continue to secure their power and control over the landless and tenant peasants. During the land distribution process in Nepal, the land types and quality were a form of reward only to henchmen, supporters, relatives, army personnel, bureaucrats, and to a few Hindu priests, who did not remain and work as farmers. Land was not made available to the general public who were tilling the land for generations and had no other livelihood opportunities. The legacy of the past feudal land governance structure is still reflected in the land ownership pattern prevailing in the country today.

Over the last 65 years, political parties have chanted slogans like “land to the tillers” and “pro-poor land reform,” but they fail to keep their promises after gaining power. Furthermore, many donor agencies have been supporting commercialization of agriculture and promoting neo-liberal policies in agriculture rather than strengthening the rights of poor farmers. Though large amounts of foreign resources are being invested in Nepal for poverty alleviation, one-fourth of the population still remains below the poverty line and a significant number of people are marginalized from access to and ownership of land.


In this context, this CSO Land Reform Monitoring initiative is being undertaken collectively by CSO members in collaboration with government officials and academic scholars. This report covers the data of fiscal years of 2015/16 and 2016/17 (Nepali fiscal years 2072/73 and 2073/74).

## **OBJECTIVES, METHODOLOGY, ORGANIZATION, AND SCOPE AND LIMITATIONS OF THE STUDY**

The overarching objective of this study is to put a spotlight on the land governance situation in Nepal. Other objectives of this CSO land reform monitoring initiative are to:

- present the current status of land holding system in Nepal;
- collate and analyze the data on access to land and tenure security for the rural poor;
- assess the quality of and access to data on land tenure and land administration in the country;
- identify gaps in policy and practice in relation to land and propose corresponding reform actions; and,
- point out strategic opportunities for advancing land rights for key stakeholders in Nepal.

The “Land Watch Nepal Monitoring Report 2018” includes both primary and secondary data. Primary data was generated through a series of field visits, community consultations, rounds of consultations, and discussions with key informants. Secondary information was collected through desk reviews and internet research, covering books, reports of government and non-governmental institutions, scholarly articles, national dailies, year books, and publications by different institutions.



The study is limited to the Fiscal Years 2015/16 and 2016/17 (Nepali fiscal years 2072/73 and 2073/74). The primary focus of this study is on reviewing land related programs and policies from the Ministry of Land Management, Cooperatives and Poverty Alleviation (MoLMCP). Secondly, field research was conducted on the issues of rights violations and access to land with regards to landless people, tenants, sharecroppers, smallholders, and other marginalized people.

## **CONCEPTUAL FRAMEWORK ON LAND RIGHTS AND LAND ACCESS IN NEPAL**

### **Overview**

Nepal is a multi-ethnic, multi-lingual, multi-religious, and a multi-cultural country and the legal system and practices in the country are largely influenced by this diversity. Today, only individual land rights are protected under property rights provision in Article 25 of the Constitution.

Land management, and governance in Nepal is a multi-faceted problem. With the breakthrough of the Land Reform Act in 1964, all tenant-farmers were entitled to claim half of the land that they have been cultivating. But even after the 54 years of such policy provision, according to the MoLMCP, more than 300,000 farmers are yet to receive tenancy land rights in its true form. The MoLMCP has issued a public notice in 6 May 2018 and re-opened applications to claim tenancy land rights for the period 6 May to 20 August 2018. The motive of the notice was to inform both landowners and tenants that government will end dual ownership over land. Despite of the government's effort to encourage tenants to claim their tenancy land rights, within one year there are cases reported wherein landowners have threatened tenants and prevented them from filing tenancy land right claim applications in the District Land Reform Offices (Kamat, 2018).

In addition, more cases of eviction are also surfacing as the government at all levels has been increasingly involved in infrastructure development after the series of elections in 2017.

### **Federal structure of government**

With the enactment of the new Constitution, Nepal adopted a federal structure of government in 2015. The country now has three tiers of government: Federal, Provincial, and Local. The Constitution provides the solid ground to formulate policies to improve the lives of the Nepalese populace. Major indicators for Nepal are presented in Table 1.

### **Poverty in Nepal**

The poverty index in Nepal is derived on the basis of per capita food intake vis-à-vis the calorie requirement for healthy growth and work, instituted through the 1995 to 1996 Nepal Living

**Table 1. Provincial Statistical Information**

Indicators	Nepal	Prov. 1	Prov. 2	Prov. 3	Prov.4	Prov. 5	Prov. 6	Prov. 7
Population	100.0%	17.1%	n/a	20.9%	9.1%	17%	5.9%	9.6%
Cultivated land (as percentage of the total land)	79.3%	82.9%	n/a	73.0%	76.8%	74.8%	75.5%	78.6%
Irrigated land	45.2%	45.2%	n/a	43.0%	38.5%	40.3%	22.9%	35.7%
Registered Industries	7,334	673	n/a	4,961	556	508	38	107
Energy Generation (MW)	990.5	113.7	n/a	338.8	477.9	21.6	0	38.5
Road Network (km)	58,398	11,899	n/a	14,900	10,970	8,603	2,607	3,724
Human Development Index	0.49	0.50	n/a	0.54	0.51	0.47	0.43	0.43
Multi-dimensional poverty rate	28.6%	19.7%	n/a	12.2%	14.2%	29.9%	51.2%	33.6%
Literacy rate	59.6%	65.3%	n/a	69.3%	55.6%	59.4%	53.0%	54.9%
Average life expectancy (years)	68.8	68.5	n/a	69.7	69.5	67.6	66.8	66.9
Number of Schools	35,601	6,721	n/a	7,388	4,607	5,764	3,199	4,069

**Source:** Economic Survey, 2018, National Living Survey III, 2011, & National Population Survey 2011

Standards Survey (NLSS-I). In the same period, 42 percent of the population was classified as poor. The second round of the survey (NLSS-II) was conducted in 2003 to 2004 and revealed that 31 percent of population was poor. The third round of the survey (NLSS-III) indicated a poverty incidence of 25 percent (Khatiwada, et. al., 2016).

### **KEY ISSUES AFFECTING THE RURAL POOR'S ACCESS TO LAND**

The annual reports published by Supreme Court of Nepal suggests that the cases regarding property and land in particular, constitutes a significant chunk of cases in the courts around the nation. These case along with monetary conflicts, also involves violence and oppression. Land conflicts are often the results of complicated legal procedure, lack of awareness, loopholes, and duplications in land laws. As of today, the real estate market is one the most expensive and fastest growing markets in Nepal. As businesses pursue the development of their enterprises,

cases abound where profits are realized at the expense of the human rights and land rights of the rural poor.

Despite the government aspiration to provide secure land tenure for each and every citizen, there is no separate national government budget allocated for tenure rights, making it difficult to implement.

There are 115,538 households working on 3,119.3 hectares of land which is not their own. However, 3,715,555 households operating over 2,522,519.9 hectares of land.

**Table 2. Land holding by size and number of households in Nepal**

SN.	Land holding by size	Number of Households
	Without land	115,538
1	Under 0.1 hectare	355,549
2	0.1 of a hectare and under 0.5 of a hectare	1,631,460
3	0.5 of a hectare and under 1 hectare	984,022
4	1 hectare and under 3 hectares	678,338
5	3 hectares and under 5 hectares	54,388
6	5 hectares and under 10 hectares	10,744
7	10 hectares and above	1,054

Source: CBS, 2013

Other initiatives that are focused on ensuring the land and housing rights of the vulnerable communities are: Janata Awas Karyakram (People's Housing Program) which is implemented by the government of Nepal from 2009 in three districts (Siraha, Kapilvastu and Saptari). This aims to provide housing by constructing low cost modern housing for marginalized poor families, mainly Dalit and deprived Muslim families. Altogether a total of 2,274 houses in the settlements of 17 villages of Siraha, Saptari and Kapilvasu districts are planned, for which the budget of Rs 300 million (USD 2.7 million) is allocated to Department of Urban Development and Building Construction under its annual program of FY 2009 to 2010 (Ministry of Urban Development, 2014).

### Legal and policy environment on access to land

The 2015 Constitution of Nepal contains key provisions related to access and utilization of land resources, to wit:



## **Land Ownership**

Property right is granted under Article 25, which provides every citizen the right to acquire, enjoy, own, sell, have professional gains, and otherwise utilize, or dispose their property. The law also protects persons from encumbrances on their property, and in cases when the State acquires a land under the principle of eminent domain, proper procedure for acquisition and just compensation of landowners is to be observed.

## **Agricultural Land**

With regards to agricultural land, Article 25 of the Constitution stipulates that the State can carry out land reforms, management, and regulation in order to increase land productivity, modernize agriculture, and ensure the protection of the environment. Part 4 of the Constitution specifically includes clauses related to, among others, (1) ending dual land ownership,<sup>2</sup> (2) pursuing land use policies that will enhance agricultural products and increase land productivity, and (3) providing farmers access to agricultural inputs and products at fair market prices.

However, there is no explicit commitment in the Constitution to provide land to genuine peasant or landless farmers, especially to those who have been tilling the land for generations but do not have legal ownership of the land. Although, the law mentions providing security to farmers in order to enhance land productivity, this does not necessarily refer to land distribution for poor or landless farmers.

In reality, the law seems to favor those who have land or resources for investment. The main challenge is to make this provision beneficial for marginalized farmers especially tenants, sharecroppers, and smallholders.

## **Land for the Homeless**

Land and housing rights for the landless and homeless *Dalits*<sup>3</sup> are also guaranteed under Article 40 of the Constitution. Clauses 5 and 6 specify providing land to the landless *Dalit*, and housing settlements for those who do not have homes.

However, the definition of terms in the Constitution such as “homeless,” “landless,” and “size of land,” are ambiguous. The types of land and houses, as well as modalities of ownership, are also not clearly specified.

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<sup>2</sup> The Land Reform Act 1964 was meant to resolve the matter of dual land ownership in Nepal, but the issue remains to be a concern among farmers at present. To address this, the government established the Tenancy Problem Solution Unit within the MoLMCPA. The unit re-opened the filing of application to claim tenancy land rights, which will give farmers 50 percent ownership of the tenanted land. Approximately 50,000 tenant farmers responded to the call from 6 May to 20 August 2018.

<sup>3</sup> *Dalit* refers to the people placed at the lowest rung of the Hindu caste system. *Dalits* have been facing historical marginalization and landlessness.



## **Land for Women**

Provisions on gender equality are also stipulated in Part 3 of the Constitution, particularly in Article 18 (equal rights of children to ancestral properties) and Article 38 (equal rights of spouses to property and family affairs).

Article 38 of the Constitution is exclusively dedicated to rights of women. Under which, Sub- article 1 provides that every woman shall have equal lineage right without gender-based discrimination. Sub-article 6 states that the spouse shall have the equal right to property and family affairs. Article 18 provides that all offspring shall have equal right to ancestral property without discrimination on the grounds of gender. However, there is no specific provision for women under the Directive Principles and Policies in the present Constitution regarding land and property. However, the woman's right to property has been elaborated in the country's Civil Code Act of 2017.

## **Major land-related legal instruments**

Apart from the Constitution, there are more than 64 Acts and policies that are directly or indirectly related to land governance, measurement, administration and management. Some of the major land laws and policies are presented in Table 3 and briefly explained.

While other Ministries from the Government of Nepal have been receiving large budgets and long-term foreign support, the MoLMCPA has not received any long-term foreign financial support for land reform and promotion of access to land. However, MoLMCPA has been launching a number of land related projects which are not included within the government budget such as *Haliya*, *Kamaiya* rehabilitation, land use, digitization of maps, among others. The Ministry is generating more than NPR 10 billion yearly, while its budget allocation is only NPR 4 to 6 billion.

## **STATUS OF ACCESS TO LAND BY THE RURAL POOR SECTORS**

### **Smallholder farmers**

Various plans, policies, and programs have been enacted and implemented from time to time, for the empowerment and protection of landless and small farmers.<sup>4</sup> The recent national budget of 2018 to 2019 has waived off loans borrowed by small farmers from pre-existing Sajha Sahakari Sanstha. It ensures that institutional reform will be carried out to make the Agriculture Loan Program of Small Farmers Development Bank effective. Similarly, the Ex-*Kamaiyas*,<sup>5</sup> have

<sup>4</sup> "Small farmers" are farmers entirely depending on agriculture for their livelihood and operating on less than 0.5 hectare of land. Out of all farmers, 53 percent are small farmers who operate 18 percent of the total agricultural land. Meanwhile, "big farmers" comprise only four percent of the total farmers but they control 22 percent of agricultural land.

<sup>5</sup> Individuals from Tharu community once worked as a bonded labor in the home of land owners or rich people.


been rehabilitated to some extent. Some 3,090 hectares of land were distributed among 26,440 households of *Kamaiyas* (MoLMCPA, 2016).

**Table 3. Recent development in the land related laws and policies in Nepal**

SN.	Act/Law	Year of formulation	Year of latest Amendment	Remarks
1	Right to Housing Act	2018		This Act deals with the fundamental right provided in Article 37 but there remain many loopholes which might provide bottlenecks during the implementation. CSOs and rights advocates are pressuring the government for amendments.
2	Right to Food and Food Sovereignty Act	2018		This Act aims to ensure and maintain food security by providing farmers adequate access to land.
3	Land Act	1964	2018	7 <sup>th</sup> amendment to the Land Reform Act, 1964 seeks to provide land to landless Dalit communities within a 3- year period.
4	Land Use Policy	2013	2015	This Policy was amended to incorporate diverse needs that emerged after the earthquake in 2015 in terms of safe settlement and land use. The objective is to protect agricultural land by promoting land pooling and cooperative farming. It seeks to promote integrated settlements.
5	Land Measurement and Survey Act	1977		This law aspires to provide land tenure security to all the landowners by registering their land and providing land certificates. However, informal and non-formal land tenures along with customary tenure are neither recognized nor recorded by the legal tool.

In 2002, the *Kamaiya* Labor Prohibition Act was adopted. It declared all loans taken as null and void, and declared all persons working as *Kamaiya* laborers free. The Act established *Kamaiya* Rehabilitation and Monitoring Committees. It also established fines for anyone in violation of the





law, ranging from NPR 15,000 (USD 198) to NPR 25,000 (USD 330), alongside fines for any failure to return mortgaged property.

The Bill on the Right to Food, the Bill on the Right to Housing, and the Land Bill (seventh amendment) were also endorsed and passed on 17 September 2018. The House of Representatives had passed all the bills to the National Assembly (Pradhan, 2018).

Given that the country has shifted to a federal form of government, there are new possibilities for more responsive governance. Policy-making power is now vested with representatives who are elected by the people at federal, provincial, and local levels. The draft Land Use Act 2018 and Land Policy are expected to support sustainable land ownership and solve problems of small-scale farms, if finalized and implemented properly.

## Women

The population of women in Nepal exceeds the population of males according to national census of 2011. In actual numbers, there are 796,422 more females than males in the country. The same census indicates that the overall percentage of households with female ownership over fixed assets in Nepal is 19.71 percent. This includes ownership of land or a house or both in the name of female members of the household. However, the percentage of female asset ownership is 26.77 percent in urban areas but only 18.02 percent in rural areas. During the FY 2016 to 2017, there were 223,359 land ownership certificates in the name of females issued nationwide (CBS, 2011).

Article 18 of the Constitution guarantees the right to equality, stating that all citizens shall be equal before law and no person shall be denied the equal protection of law. Government has also enacted various measures to promote the fair and equitable exercise of the fundamental right to property. Today, depending on the geographical location, a 25 to 50 percent tax exemption is granted on registration of land when it is owned by a woman, and a 35 percent tax exemption for single women. In addition, joint land ownership (JLO) – joint registration of land in the names of the husband and wife – is becoming more popular than ever. JLO is being widely practiced because of numerous intangible benefits, including elevation of the status of the wife in a patriarchal society, a better relationship between the spouses, and financial security for the wife.

The Financial Bill 2015 BS also has provisions to promote women's ownership of land and property. This includes, among others:

- Promotion of joint registration of land in the names of both spouses. This co-ownership certificate can be obtained with a minimum registration fee of NPR 100 (almost USD 1). Properties previously registered either in the name of the wife or husband can also be changed into joint ownership for a minimum registration fee of NPR 100.

- Senior citizens (men and women above 70 years old) can register land in their name and receive 25 percent tax exemption during land registration.
- Widows are given 35 percent tax exemption during land registration.
- 50 percent tax exemption is given during land registration when transferring land to female descendants within/up to three generations.
- Depending on the geographical region, women can receive 25 to 50 percent tax exemption in land registration, with the provision that the land will not be sold within a period of three years.

Despite these progressive provisions to promote women's entitlement to land and property, there is a lack of systematic and comprehensive effort by the government to inform the beneficiaries of these provisions in the Financial Bill.

### **Indigenous Peoples**

Indigenous peoples (IPs) of Nepal are officially referred to as Indigenous Nationalities (*Adivasi Janajati*). They comprise 35.81 percent of the country's total population (approximately 8.5 million out of the 26 million Nepalese). However, IP organizations claim that the indigenous population could comprise as many as half of the country's population (Indigenous Voice, n.d.). As per the 2011 census, Nepal has 125 castes and ethnic groups speaking as many as 123 languages. Many of these languages are spoken by IPs.

Article 261 of the Constitution provides for an Indigenous Nationalities Commission to deal with IP issues. However, there are no national legislations, policies or programs recognizing IP rights to lands, resources and sacred ceremony sites. The Nepal Federation of Indigenous Nationalities (NEFIN), is an autonomous and representative umbrella organization of the 59 indigenous nationalities or peoples, recognized by the government of Nepal. Also, the Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP), is an organization working and advocating for IP rights to lands, territories and resources.

Theoretically, the Government of Nepal does not recognize indigenous land tenure systems. However, IPs continue to manage their land under communal or customary practices like the *Kipat* system. Under this system, land is owned by the community, and only members of the particular community can use it through their traditional rules. The lack of recognition and codification from the government creates further difficulties in securing IP rights. Many governmental, non-governmental, and business projects impinge on the socio-economic rights of IPs, including land and property rights.

### **Protected Areas**

Nepal is rich in natural resources, such as water, forest products, medicinal herbs, etc., which are found in abundance. In order to regulate the use of these resources, proper laws and



policies are required to be in place. The protected areas including that of national parks, wildlife reserve, conservation areas, and buffer zones constitute 28,959.67 square kilometers or 19.67 percent of the total area of Nepal. Laws such as the Land Use Policy Act (2015), Land Reform Act (1964), Agricultural Development Strategy (2015 to 2035), National Urban Development Strategy (2017), Nepal Biodiversity Implementation Plan (2006), Nepal Biodiversity Strategy (2002), etc., are few of the policies and resources that are available for communities in preparing a comprehensive and sustainable land, forest, and water use plan. These are mostly available with the community rather than the government, and are mostly in fragmented form. There are various locally-established forest-user groups, water-user groups, and irrigation groups actively working for the use and sharing of these resources. Public lands are also being collectively governed by the local communities, making sure of inclusive decision-making and participation especially the case of forest management.

## **RESOLUTION OF LAND CONFLICTS AND PROTECTION OF LAND RIGHTS WORKERS**

Land is repeatedly described as a highly contentious issue. Land conflicts are frequently referred to the courts for resolution. Article 127 of the Constitution provides for three tiers of courts in the country, i.e. District Court, High Court, and Supreme Court. Also, various Land Reform Offices are established across the country to regulate land related issues.

According to the Supreme Court Annual Report 2016 to 2017, there are a total of 23,761 land cases filed in the court system. The District Courts handle 64 percent of the cases (4,656), the High Court takes care of the 25 percent (5,454), and the Supreme Court deals with 11 percent of the total cases (13,651). Figure 1 (next page) provides an illustration of the number of cases registered in the courts.

The Land Revenue Office, established in different districts, has the jurisdiction to hear the cases related to land. According to data from 2016 and 2017, the number of cases received by this office is 146,938 where 8,793 of which have been adjudicated.

With the adoption of the federal system, various Judicial Committees were established at each local government unit. The committees have the authority to hear cases related to land. Similarly, the Land Reform Office has the authority to register the application on separation of the tenure system, and deals with other tenancy issues. Though the Judicial Committee was formed, land separation rights still remained in land reform offices.

While legislation has become more progressive in recent times, there are still legal gaps which need to be addressed. Individuals and institutions working to defend people's right to land are being harassed and threatened on a daily basis. The front-line land right activists are getting threats from landowners, forest departments, and other government offices, but there is no

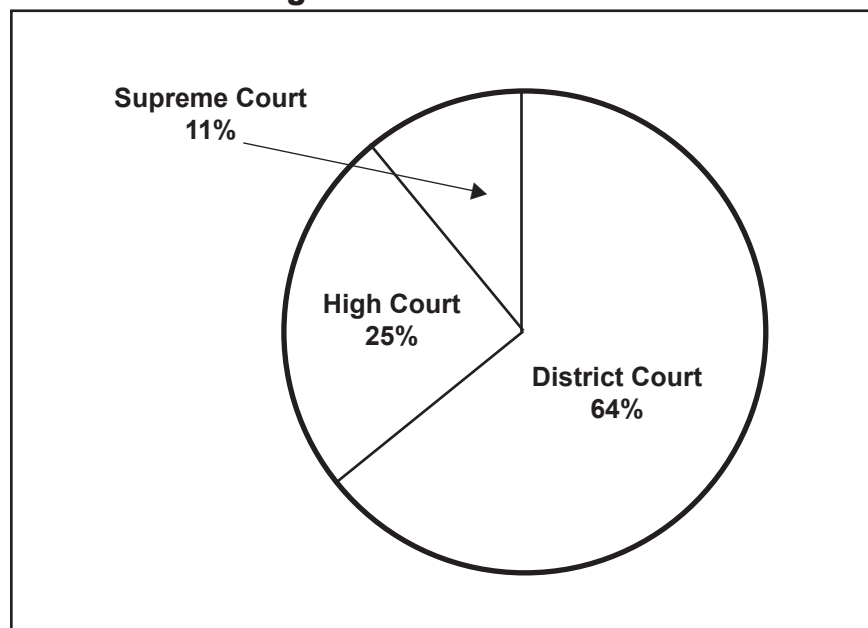


official data that can be taken as evidence. However, there are no reported cases of anyone being murdered or assaulted for defending someone’s land rights. While the country has a general human rights law, there is no specific law to protect land rights defenders.

## TRANSPARENCY IN LAND GOVERNANCE AND ADMINISTRATION

Nepal is one of the first countries in South Asia to incorporate the right to information as a fundamental right in its Constitution. Nepal passed the Right to Information Act in 2007 and the Good Governance (Management and Operation) Act in 2008. Despite the presence of these laws, there is a dearth of reliable/quality data on land and land-related issues. Although there are

**Figure 1. Number of land related cases registered in the Courts**



readily-available data or data that may be obtained for a fee, some information is centralized and difficult to access at the local level. For instance, there are no available data on the number of landless and homeless people, how much fallow land remains, the extent of agricultural land, and so on.

Aside from the absence of data, the quality of available data is also questionable. In many cases, data produced by different agencies of the government contradict each other.

Moreover, many of the smallholders are not able to access the information they need due to lack of education, logistical capacity, and the lack of information service provision by the government.

For example, it will be very difficult for farmer from Bajhang to come to Kathmandu and ask about improved seeds.

Not just rural people, but even newly-elected local government bodies are unaware of the available resources within their municipalities. Local governments need comprehensive information related to land, water, forest, infrastructure, and demography so that they can formulate appropriate development plans.



## SUMMARY OF FINDINGS AND RECOMMENDATIONS

Although the MoLMCP has amended some of its land related policies and acts in line with social justice, large numbers of land conflicts are still reported, and marginalized people continue to be evicted, harassed, detained, or even killed. Furthermore, even though the government of Nepal has endorsed the UN Convention on Economic, Social, and Cultural Rights, feudal land governance systems are still being followed and land rights are still not considered as a part of human rights. Similarly, the ICESCR Committee had made a number of recommendations in 2014 to the Ministry of Land Reform and Management, but the Ministry has failed to address these.

Due to land fragmentation, parcels of land plots, and land plotting (land plotting for housing), land prices are increasing yearly. Commercial banks are also investing more than 15 percent of their portfolio on land. On the other hand, land violation cases at various land revenue offices are also on the rise. Land has become a commodity and financial resource rather than a means of production. Land prices are too high for the general public to afford.

Although the new Constitution has addressed some of the land related issues, it still does not explicitly address and commit to a land reform process in favor of poor people. The Land Use Policy has recently been amended but a Land Use Act still has not been formulated and endorsed by the Parliament. Similarly, although the sixth amendment of 1964 Land Reform Act has been approved, there are still more than 500,000 tenants and sharecroppers that are deprived of their land rights.

Based on critical analysis of primary and secondary data generated from this review, the following recommendations are presented for various key stakeholders:

### ***For Government***

- Ensure the realization land rights as human rights of marginalized peasants and landless people.
- The MoLMCP should form an independent land monitoring committee with active participation from CSOs and poor peasants to assess land reform progress, review land rights violations, and prepare independent reports.
- The MoLMCP should ensure implementation of recommendations made by independent committees.
- The MoLMCP and the Government of Nepal should have wider consultations and partnerships with various stakeholders in formulating policies and programs.
- The MoLMCP should invest all the revenue generated from various land revenue and land reform offices.
- The MoLMCP should support bottom-up processes of comprehensive land reform from local level (such as VDC or DDC) and should develop comprehensive policy mechanisms for this.



### **For CSOs**

- Form a common platform for all CSOs working on land and agrarian reform issues, and develop CSO land monitoring mechanisms.
- Generate evidence-based cases and support the government in policy formulation and implementation processes.
- Coordinate with and support local and national level stakeholders in the formation and implementation of policies on land reform from below. ■

### **ACKNOWLEDGMENTS**

This CSO Land Reform Monitoring Report 2018, prepared by Community Self Reliance Centre (CSRC), is the fourth monitoring report reflecting and carefully examining the aspects of land in Nepal from many facets. This document will assist in understanding the status and dimension of land in Nepal and also, act as a basis in formulating policies for the protection, promotion, and preservation of the national and natural resources.

CSRC expresses its sincerest gratitude to all the government and non-governmental offices and officials who have cooperated in providing necessary data and resource materials which have been consolidated in this report. We are indebted to them for their overall support and cooperation in writing this paper.

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### **ACRONYMS USED**

ANGOC	Asian NGO Coalition for Agrarian Reform and Rural Development
ARPA	Advocacy, Research and Policy Analyst
CBS	Central Bureau of Statistics
CSO	civil society organization
CSRC	Community Self Reliance Centre
DDC	District Development Committee
DLRF	District Land Rights Forum
FAO	Food and Agriculture Organization of the United Nations
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILC	International Land Coalition
LWA	Land Watch Asia
MoLMCP	Ministry of Land Management, Cooperatives and Poverty Alleviation
NES	National Engagement Strategies
NGO	non-governmental organization
NLRF	National Land Rights Forum
NLSS	Nepal Living Standard Survey
NPC	National Planning Commission
NPR	Nepali Rupees

USD United States Dollar  
VDC Village Development Committee

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