

# 2023 NEPAL LAND CONFLICT MONITORING REPORT

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**Land conflict in Nepal has been a long-standing and complex issue rooted in historical, social, economic, and political factors. The country's diverse geography and rich cultural tapestry contribute to the complexity of land-related disputes (ANGOC, 2019). Understanding the intricacies of land conflict in Nepal requires an exploration of the historical context, the impact of socio-economic changes, and the evolving political landscape in Nepal.**

Nepal has witnessed various forms of land-related disputes, often stemming from issues such as unclear land tenure systems, inadequate land reforms, and unequal distribution of resources (Basnet, 2009). The feudal landownership system that prevailed for centuries had entrenched socio-economic disparities, leading to widespread discontent among marginalized communities.

In the mid-twentieth century, a political transformation started to take hold in Nepal, signalled by a series of socio-political changes, including the abolition of the feudal system and the initiation of land reforms. However, the implementation of these reforms was fraught with challenges, and issues like landlessness, tenancy problems, and land grabbing persisted. The post-conflict era, which was marked by the end of the Maoist insurgency in 2006 and the

subsequent Comprehensive Peace Agreement in November 2006 brought a wave of optimism for the resolution of long-standing issues, including land conflicts (IOM, 2016). However, the transitional period was also characterized by increased complexities as new political dynamics unfolded.

Several factors contribute to contemporary land conflicts in Nepal. Rapid urbanization, population growth, migration from rural hill to plain (Terai) area, and changing agricultural practices have intensified the competition for land. Moreover, issues related to land registration, documentation, and the rights of indigenous communities further complicate the situation. The lack of a comprehensive land-use policy and effective implementation mechanisms exacerbate tensions (IOM, 2016).

In recent years, the impact of climate change has further exacerbated land conflicts. Changing weather patterns, natural disasters, and environmental degradation affect agricultural practices and contribute to disputes over resource utilization.

Efforts to address land conflicts in Nepal have involved a combination of legal reforms, community-based initiatives, and government interventions. However, the path to resolution is

## Land Reform in Nepal

The Constitution of Nepal has established fundamental rights to safeguard, respect, and address land rights for all individuals. The Right to Equality (Article 18) explicitly ensures that all citizens are equal before the law, emphasizing equal treatment for everyone. Similarly, the Right to Property (Article 25) asserts that the State shall not, except in the public interest, acquire, requisition, or encumber the property of any person. The Right of Women (Article 38) guarantees equal rights for both spouses in property and family affairs. Furthermore, the Right to Dalit (Article 40) mandates the government to provide land to landless Dalits in accordance with the law. These fundamental rights, embedded in the Constitution, are universally guaranteed to all citizens, irrespective of their caste, ethnicity, or access to natural resources. Additionally, Article 51 (E) of the Constitution outlines a Policy Regarding Agriculture and Land Reform, calling for scientific land reform to abolish dual land ownership and ensure tenure security for landless and land-poor families.

Similarly, Members of Parliament have passed eight amendments to the Land Act of 1964, incorporating provisions to allocate land to the landless and informal settlers residing in public spaces for more than 10 years. Thus, the amended law facilitates the issuance of land certificates in regions where landless and informal settlers have established long-term residency. The Land Related Rules (18th Amendment) also play a pivotal role in safeguarding the land rights of landless and informal settlers, particularly those residing in unregistered land. The rules explicitly outline the relocation to safer zones of informal settlers residing in vulnerable locations, such as disaster-prone areas, forests, near roads, and other high-risk areas. Additionally, the Right to Food and Food Sovereignty Act of 2018 and the Right to Housing Act of 2018 are instrumental in ensuring land for landless and land-poor families.

hindered by bureaucratic hurdles, political instability, and the persistence of deep-seated socio-economic inequalities.

In conclusion, the land conflict in Nepal is a multifaceted issue that is deeply embedded in Nepal's history and in its social and political experience. Addressing these challenges requires a comprehensive approach that considers the diverse needs of the population, ensures equitable distribution of resources, and promotes sustainable development.

## Land Conflict Monitoring Report on Nepal

### Methodology and data sources

The Community Self-Reliance Centre (CSRC) used predominantly secondary information on land conflict cases that were reported from 1 January 2023 to 31 December 2023. The cases

pertain to situations involving the displacement of individuals due to land conflicts.

CSRC gathered land conflict data from 24 districts: Achham, Bajhang, Kanchanpur, Kailali, Bardiya, Banke, Surkhet, Dang, Rupandehi, Kaski, Nawalparasi Purba (East), Chitawan, Bara, Rautahat, Sarlahi, Mahottari, Siraha, Saptari, Sunsari, Morang, Jhapa, Kavre, Sindhupalchok, and Kathmandu. For this study, CSRC collaborated with members of District Land Rights Forums (DLRFs) and the Nepal Mahila Ekta Samaj, Kathmandu. Before selecting specific land conflict cases, a basic database system was created, putting together cases reported by the mainstream media (print, radio, and online), community and community-based organizations, civil society organizations (CSOs) and non-government organizations (NGOs), and government agencies. Table 1 lists the sources of information for the cases.

**Table 1. Sources of information for the cases**

| Source                                  | Number of cases | Percent of cases (%) |
|---|-----------------|----------------------|
| Mainstream media (print, online, radio) | 33              | 57                   |
| Community, community-based organization | 12              | 21                   |
| CSO/NGO                                 | 12              | 21                   |
| Government agencies                     | 1               | 1                    |
| <b>Total</b>                            | <b>58</b>       | <b>100</b>           |

### Media monitoring

The primary source (57 percent) of land conflict data were mainstream newspapers. In particular, four national daily newspapers, including Kantipur, Nagarik, Nayapatrika, and Annapurna Post, were monitored. Additionally, three online news portals – setopati.com, onlinekhabar.com, and nepalpress.com – were accessed to obtain essential secondary data, particularly news related to land conflicts in the specified districts of Nepal.

### Information gathering from District Land Rights Forums and CSOs

Essential primary information regarding the affected population, including the names of victims, their ages, types of violence, perpetrators, and causes of conflict, were gathered from members of District Land Rights Forums (DLRFs) and Village Land Rights Forums (VLRFs) (21 percent). Most of these cases were not covered by the mainstream media. The same number of cases (21 percent) was sourced from CSOs/NGOs, while one case came from a government agency.

### Document review

A comprehensive review of both published and unpublished study reports from diverse government agencies and NGOs was conducted to extract required information. The representative cases of land conflict were further validated through an examination of these reports and publications.

### Field visits

The CSRC team conducted two visits to the affected areas, including Banke, Bardiya, Kailali, Kanchanpur, Dang, and Nawalparasi Purwa (East), to observe the situation and to gather both quantitative and qualitative data on land conflict cases. At the same time, consultations were held during these field visits with members of affected households, representatives of local governments, and delegates from land rights forums.

### Report validation workshop

A validation workshop that was participated in by government line agencies, United Nations (UN) agencies, and CSOs was conducted on 3 February 2024 in order to validate the findings and to refine the recommendations presented in this report. The insights, suggestions, and comments gathered during the validation workshop have been incorporated into this report for a more comprehensive and robust presentation.

The data gathered were entered into a standardized database system that was developed with input from ANGOC. The information stored in the database was analyzed and rendered in various data presentation formats.

## Key findings of the study

### Population and area affected

Between 1 January and 31 December 2023, a total of 49 land conflict cases were documented in 24 districts. Information on these cases, most of which focused on conflicts in Terai (plain areas) in 16 of the 24 districts, was sourced from media reports as well as from reports by DLRFs and CSOs/NGOs.

Table 2 shows that in these cases, 18,713 households on 5,590 hectares of land were affected. The biggest number of affected households was recorded in the Suklaphanta National Park, Kanchapur (1,480 households on 250 hectares), the Swargadwari Guthi land Dang (1,768 households on 711 hectares) and in Tagiya Basti Bara, where an international airport was constructed (1,476 households on 2,597 hectares).

**Table 2. Total number of cases, area, and households affected by land and resource conflicts, 2023**

| Ongoing cases                       | Number |
|-------------------------------------|--------|
| Total number of cases               | 49     |
| Total number of hectares affected   | 5,590  |
| Total number of households affected | 18,713 |

The duration of the 49 cases of land conflicts ranged from one year to 20 years. Table 3 showed that 20 cases (41 percent) were less than two years, and eight cases (17 percent) persisted for over 20 years. The latter took place in the Suklaphanta National Park (over 20 years); Kanchapur (22 years); Bardiya National Park (28 years); Bardiya Krishna Saar/Black Buck (34 years), Rangpur Katani Rautahat (28 years), Banara tole, Mahottari (36 years), and Bhumlu

Kavre (36 years). Six documented cases (12 percent) were between 15 and 20 years.

**Table 3. Duration of conflicts, in number of years**

| Duration                 | Number of cases | Percent of cases (%) |
|--------------------------|-----------------|----------------------|
| Less than 2 years        | 20              | 41                   |
| 2 to less than 5 years   | 6               | 12                   |
| 5 to less than 10 years  | 2               | 4                    |
| 10 to less than 15 years | 7               | 14                   |
| 15 to less than 20 years | 6               | 12                   |
| 20 years or more         | 8               | 17                   |
| <b>Total</b>             | <b>49</b>       | <b>100</b>           |

### Types of land and resources affected by conflict

Table 4 shows that the largest number of cases (20 cases, or 41 percent of the total) took place in housing and settlement areas, measuring 86 hectares (two percent). The least number of cases (two cases, or four percent) happened in public and common land covering 37 hectares (one percent).

The largest area of conflict was composed of smallholder agriculture/farming areas covering 3,207 hectares (57 percent). The second-largest area of conflict was common land/public land managed by community members, covering 1,319 hectares (23 percent). The third largest area consisted of smallholder agroforestry areas and people's plantation, covering 670 hectares (12 percent).

The most significantly affected groups included peasants, landless individuals, smallholders, agricultural workers, tenants, and sharecroppers,

**Table 4. Type of land and resource affected by conflicts based on number and percent of cases and contested area (in hectares)**

| Type of land/resource                             | Number of cases | Percent of cases (%) | Contested area (in hectares) | Percent of contested area (%) |
|---|-----------------|----------------------|------------------------------|-------------------------------|
| Housing and settlements                           | 20              | 41                   | 86                           | 2                             |
| Smallholder agriculture/farming                   | 15              | 31                   | 3,207                        | 57                            |
| Indigenous people/customary land                  | 6               | 12                   | 271                          | 5                             |
| Common lands/public land managed by the community | 3               | 6                    | 1,319                        | 23                            |
| Smallholder agroforestry and people's plantation  | 3               | 6                    | 670                          | 12                            |
| Others  | 2               | 4                    | 37                           | 1                             |
| <b>Total</b>                                      | <b>49</b>       | <b>100</b>           | <b>5,590</b>                 | <b>100</b>                    |

who were involved in 22 cases (45 percent). The second most impacted communities were informal settlers and slum dwellers, who were involved in 12 cases (25 percent). Tea workers, who were involved in one case, comprised the lowest number of cases (two percent) (Table 5).

#### Adversarial claimants and drivers of land conflict

Table 6 shows that the adversarial claimants in 14 (29 percent) of the 49 cases were influential individuals, such as businessmen, landlords, and political leaders. Government agencies and State enterprises were the adversarial claimants in another 14 cases. Private companies were the adversarial claimants in one case (two percent), making them the smallest group of adversarial claimants. In the meantime, government agency claimants included those that administered five national parks (Sujlaphnta, Bardiya, Banke, Chitawan, and Saptakoshi), *Guthi* (Trust) Corporation of Dang (Swargadwari), Sagarnath

**Table 5. Primary sector or community affected by conflicts based on number and percent of cases**

| Primary sector/ community                          | Number of cases | Percent of cases (%) |
|--|-----------------|----------------------|
| Farmers  | 22              | 45                   |
| Informal settlers/slum dwellers                    | 12              | 25                   |
| Tenured residents                                  | 7               | 14                   |
| Discriminated sectors (caste, religion, ethnicity) | 4               | 8                    |
| Indigenous people (IP)                             | 3               | 6                    |
| Others (tea workers)                               | 1               | 2                    |
| <b>Total</b>                                       | <b>49</b>       | <b>100</b>           |

Forest Programme, and Tagiya Basti (airport) Bara, among others.

Table 7 provides uniform information on the causes of land conflicts. Land and resource conflicts, which accounted for the highest number of cases stemmed primarily from government projects and programs, accounting for 15 of the 49 cases, and spanning an area of 3,559 hectares (64 percent). Following closely are conflicts related to conservation projects, numbering 11 cases, and encompassing 780 hectares (14 percent). Private-led business enterprises were involved in eight cases, covering 103 hectares (two percent), while conflicts arising from landlord-tenant disputes were found in six cases, covering an area of 17 hectares. Lastly, high- and low-caste discrimination was the least prevalent, with just one case, and encompassing 0.02 of a hectare.

### Responses of affected communities

Table 8 lists the responses taken by communities to conflicts: in 32 cases (65 percent), they sought resolution through government mechanisms; in 14 cases (29 percent), they opted for local direct negotiations; and, in one case, they resorted to legal adjudication. Another case relied on peaceful collective efforts. The data suggests that a significant number of people preferred to engage with government mechanisms. Ironically, however, in numerous instances, the government was implicated as a perpetrator.

Direct negotiations often involve power dynamics. Thus, community-level negotiations are more likely to succeed if community members possess the necessary influence.

Table 9 outlines the corrective actions taken in response to the land conflicts. The government took corrective actions in 13 cases (27 percent),

**Table 6. Adversarial claimants in land conflict cases based on number and percent of cases**

| Adversarial claimants                     | Number of cases | Percent of cases (%) |
|---|-----------------|----------------------|
| Powerful individuals                      | 14              | 29                   |
| Government agencies and State enterprises | 14              | 29                   |
| Both national and local governments       | 6               | 12                   |
| Military, police, armed forces            | 5               | 10                   |
| Local governments                         | 5               | 10                   |
| Community vs. community                   | 4               | 8                    |
| Private companies                         | 1               | 2                    |
| <b>Total</b>                              | <b>49</b>       | <b>100</b>           |

while the adversarial party took corrective action in one case (two percent). Third-party entities, such as CSOs/NGOs, played a role in addressing the conflict in 16 cases (32 percent). There are 17 cases (35 percent) that are still pending, indicating a lack of authentic information on the resolution of these land conflicts. Information on two cases (four percent) could not be obtained.

In Nepal, the process of filing cases in court is often time-consuming and expensive. This poses challenges for marginalized communities who may not have the resources to pursue legal action. Consequently, many individuals seek support through direct negotiations and government mechanisms to secure their rights.

## Incidents of human rights violations and perpetrators

Table 10 lists the 23 human rights violations (HRVs) incidents in the year 2023, including violations against individuals (four incidents, affecting eight individuals, constituting 17

percent of incidents) and against communities (19 incidents, impacting 3,742 households, accounting for 83 percent of incidents). It is noteworthy that both individuals and communities affected by these violations were poor and marginalized, and were actively advocating for their rights.

**Table 7. Drivers of land and resource conflict based on number and percent of cases and contested area (in hectares)**

| Drivers of conflict  | Number of cases | Percent of cases (%) | Contested area (in hectares) | Percent of contested area (%) |
|--|-----------------|----------------------|------------------------------|-------------------------------|
| <b>Government projects/programs</b>  | <b>15</b>       | <b>31</b>            | <b>3,559</b>                 | <b>64</b>                     |
| Public infrastructure (including roads, bridges, airports, ports)            | 10              |                      | 3,361                        |                               |
| Public utilities (dams, power lines, power/energy, irrigation, etc.)         | 2               |                      | 27                           |                               |
| Social housing, urban development  | 2               |                      | 51                           |                               |
| Special economic zones   | 1               |                      | 120                          |                               |
| <b>Conservation/Protected Areas and “No Go” Zones</b>                        | <b>11</b>       | <b>23</b>            | <b>780</b>                   | <b>14</b>                     |
| <b>Private-led business enterprises</b>                                      | <b>8</b>        | <b>16</b>            | <b>103</b>                   | <b>2</b>                      |
| Property/housing/real estate development                                     | 7               |                      | 96                           |                               |
| Industry/manufacturing/production  | 1               |                      | 7                            |                               |
| <b>Landlord-tenant conflict/agrarian conflict</b>                            | <b>6</b>        | <b>12</b>            | <b>17</b>                    | <b>0</b>                      |
| <b>Conflicting claims between communities/sectors over land and resource</b> | <b>4</b>        | <b>8</b>             | <b>286</b>                   | <b>5</b>                      |
| <b>Government-led businesses/State enterprises</b>                           | <b>2</b>        | <b>4</b>             | <b>83</b>                    | <b>1</b>                      |
| Cotton Development   | 1               |                      | 71                           |                               |
| Industrial gram  | 1               |                      | 12                           |                               |
| <b>Others</b>  | <b>3</b>        | <b>6</b>             | <b>762</b>                   | <b>14</b>                     |
| <i>Guthi</i> Land (Religious Land/trust land)                                | 2               |                      | 762                          |                               |
| High- and low-caste discrimination and domination                            | 1               |                      | 0                            |                               |
| <b>Total</b>   | <b>49</b>       | <b>100</b>           | <b>5,590</b>                 | <b>100</b>                    |

Five local landless squatters from the Bagmati embankment in Kathmandu were detained for an extended period, and faced numerous challenges, including the threat of eviction from their living spaces. In response to this, human rights activists and lawyers filed a case in court, resulting in the issuance by the court of a stay order, which stopped the eviction in the absence of suitable alternatives. Additionally, a *Dalit* house in Bajhang was reportedly demolished, amid threats against *Dalits* and landless individuals in Kailali and Surkhet. It is important to note that bulldozers were deployed in various locations, though specific details could not be accounted for in this summary.

Table 11 presents an overview of HRVs, involving six men and two women. Out of the six men, five were detained, and one suffered physical injuries. In the case of the women, one experienced displacement, while another was subjected to torture. Across various locations, government entities, particularly forest offices and local governments, reportedly subjected numerous households, landless individuals, and tenants to torture. Owing to intimidation from government offices and landlords, many victims refrained from reporting these incidents. It is crucial to note that undocumented cases of torture were not included in this report.

Table 12 lists the reported perpetrators of HRVs, with powerful individuals having been involved in two cases (50 percent); local government, in one case (25 percent); and a moneylender, in one case (25 percent). Notably, both local government and District Forest Offices used bulldozers in numerous instances to displace landless and squatter populations. Many women, elderly persons, and children experienced torture

**Table 8. Responses to land conflicts by communities**

| Responses of Communities to Land Conflicts  | Number    | Percent of Responses (%) |
|---|-----------|--------------------------|
| Seek conflict resolution  | 47        | 96                       |
| <ul style="list-style-type: none"> <li>Through government administrative mechanism</li> </ul>       | 32        |                          |
| <ul style="list-style-type: none"> <li>Through local or direct negotiations</li> </ul>              | 14        |                          |
| <ul style="list-style-type: none"> <li>Through judicial courts, NHRC, legal adjudication</li> </ul> | 1         |                          |
| Peaceful demonstrations/ non-violent acts   | 1         | 2                        |
| No information available  | 1         | 2                        |
| <b>Total</b>  | <b>49</b> | <b>100</b>               |

**Table 9. Corrective actions to address the land conflict**

| Were there any corrective actions taken to address the conflict?                          | Number    | Percentage (%) |
|---|-----------|----------------|
| Yes   | 30        | 61             |
| <ul style="list-style-type: none"> <li>By third party</li> </ul>                          | 16        |                |
| <ul style="list-style-type: none"> <li>By the government/ State</li> </ul>                | 13        |                |
| <ul style="list-style-type: none"> <li>By agreement with the adversarial party</li> </ul> | 1         |                |
| No/Not yet  | 17        | 35             |
| No information available  | 2         | 4              |
| <b>Total</b>  | <b>49</b> | <b>100</b>     |



at the hands of these authorities. It is notable that several cases were not included in this summary because they could not be authenticated.

Table 13 lists the groups of persons that made up the 3,742 households affected by 19 incidents of HRVs. The most heavily affected group, who were involved in nine incidents (47 percent), consisted of informal settlers/slum dwellers, numbering 2,749 households (74 percent). The second-most affected group, who were involved in six incidents (32 percent), included landless peasants, tenants, sharecroppers, and smallholder farmers, who numbered 789 households (21 percent). The least-affected group, who were involved in four incidents (21 percent), was composed of tenured residents, numbering 204 households (five percent).

Table 14 shows that, while the highest number of incidents (eight, 42 percent), were related to eviction/displacements, the most significant impact was seen in the destruction of habitats, which affected 2,704 households (72 percent). This indicates that a substantial number of people's homes were demolished and destroyed. Additionally, there were three incidents related to physical threats/intimidation and one incident related to non-observance of Free, Prior, and Informed Consent (FPIC),

**Table 10. HRVs based on number of incidents and victims**

| Incidents of HRVs   | Number of incidents | Percent of incidents (%) | Number of victims |
|---------------------|---------------------|--------------------------|-------------------|
| Against individuals | 4                   | 17                       | 8                 |
| Against communities | 19                  | 83                       | 3,742 HHs         |
| <b>Total</b>        | <b>23</b>           |                          | <b>100</b>        |

**Table 11. Forms of HRVs committed against individuals, by number of incidents, number of victims, and gender**

| Type of HRVs   | Number of incidents | Number of individual victims | Gender   |          |
|--|---------------------|------------------------------|----------|----------|
|  |                     |                              | Male     | Female   |
| Detention/legal arrest or illegal detention; and "criminalization" | 1                   | 5                            | 5        | 0        |
| Eviction, displacement, work termination                           | 1                   | 1                            | 0        | 1        |
| Physical injury/assault  | 1                   | 1                            | 1        | 0        |
| Torture  | 1                   | 1                            | 0        | 1        |
| <b>Total</b>   | <b>4</b>            | <b>8</b>                     | <b>6</b> | <b>2</b> |

affecting 218 households (six percent) and 150 households (four percent), respectively.

The incidents of eviction and destruction of habitats numbered 15 (79 percent), impacting 3,374 households (90 percent).

Table 15 shows that government offices were implicated in seven incidents (38 percent), the highest number; local government, in five incidents (26 percent); and local and national government, in one incident (five percent). Powerful individuals were reportedly involved in five incidents (26 percent), and unidentified assailants, in one incident (five percent).

Incidents involving the government numbered 13 (69 percent). The list of the government agencies is found in Table 15.

There was more than one national park office involved, but due to the lack of authentic sources, these could not all be included in Table 15.

**Table 12. Reported perpetrators of HRVs against individuals based on number and percent of incidents**

| Perpetrators of HRVs against communities | Number of incidents | Percent of incidents (%) |
|--|---------------------|--------------------------|
| Powerful individuals                     | 2                   | 50                       |
| Local Government                         | 1                   | 25                       |
| Others (money lender)                    | 1                   | 25                       |
| <b>Total</b>                             | <b>4</b>            | <b>100</b>               |

## Recommendations

The following areas of action are proposed:

- The Nepalese government must expedite the implementation of the Land Act 1964 (8th Amendment). This law distinctly outlines the

**Table 13. Communities affected by HRVs based on number of incidents and affected households**

| Communities affected by HRVs    | Number of incidents | Percent of incidents (%) | Number of affected households | Percent of affected households (%) |
|---------------------------------|---------------------|--------------------------|-------------------------------|------------------------------------|
| Informal settlers/slum dwellers | 9                   | 47                       | 2,749                         | 74                                 |
| Farmers                         | 6                   | 32                       | 789                           | 21                                 |
| Tenured residents               | 4                   | 21                       | 204                           | 5                                  |
| <b>Total</b>                    | <b>19</b>           | <b>100</b>               | <b>3,742</b>                  | <b>100</b>                         |

**Table 14. Type of HRVs committed against communities based on number of incidents and affected households**

| Types of HRVs committed against communities  | Number of incidents | Percent of incidents (%) | Number of affected households | Percent of affected households (%) |
|--|---------------------|--------------------------|-------------------------------|------------------------------------|
| Eviction, displacement, work   | 8                   | 42                       | 670                           | 18                                 |
| Destruction of habitats, pollution   | 7                   | 37                       | 2,704                         | 72                                 |
| Physical threat and other forms of intimidation                                    | 3                   | 16                       | 218                           | 6                                  |
| Forcible entry/encroachment, entry without free, prior and informed consent (FPIC) | 1                   | 5                        | 150                           | 4                                  |
| <b>Total</b>   | <b>19</b>           | <b>100</b>               | <b>3,742</b>                  | <b>100</b>                         |

government's responsibility to allocate land to the landless and informal settlers residing on unregistered land for over 10 years. To ensure the effective enforcement of this Act, the government should offer viable alternatives before considering eviction measures for the affected population.

- The ongoing conflict involving *Guthi* (trust land) land, university land, and national park land has persisted for an extended period. It is imperative that the government formulates a new bill specifically addressing the concerns of marginalized and indigenous peasants, and ensuring the protection of their rights to land and housing.
- Recently, local governments have been using bulldozers under the pretext of road expansions, utilizing public land, or constructing industrial zones, cricket grounds, or business malls. These have resulted in the displacement of landless, squatter, and smallholder individuals who have been living on or cultivating the land for generations. It is imperative that these local authorities provide viable alternatives and fair compensation. Additionally, they must ensure the protection of housing rights, as mandated by the Constitution of Nepal.
- The absence of a local land use plan has led to the escalating fragmentation of both agricultural and public land in urban areas. This phenomenon negatively affects agricultural productivity and food security, often sparking conflicts between various groups and communities. To address this issue, government personnel, especially those in district land offices, should undergo training in conflict-sensitive approaches, Alternative Dispute Resolution (ADR), and gender sensitivity. Such training will enhance their capacity to effectively manage the increasing number of land-related disputes or conflicts at the local level.

- The primary agents driving conflict resolution are political parties and various levels of government. During election periods, there is extensive discourse on people's rights and the resolution of land conflicts. However, post-election, these issues are often sidelined. To address this, political parties need a shared understanding. At the same time, coordinated efforts must be directed towards different layers of government. Given that land conflict is inherently

**Table 15. Reported perpetrators of HRVs against communities, by number of incidents and percentage**

| Perpetrators of HRVs against communities | Number of incidents | Percent of incidents (%) |
|--|---------------------|--------------------------|
| Government agencies                      | 7                   | 38                       |
| <i>District Forest Office</i>            | 2                   |                          |
| <i>Forest Office</i>                     | 1                   |                          |
| <i>Guthi Office (Baidhanath Guthi)</i>   | 1                   |                          |
| <i>Hospital (Tehalkuna)</i>              | 1                   |                          |
| <i>Irrigation Office</i>                 | 1                   |                          |
| <i>National Park Office</i>              | 1                   |                          |
| Powerful individuals, authorities        | 5                   | 26                       |
| Local Government                         | 5                   | 26                       |
| Unidentified assailants                  | 1                   | 5                        |
| Both National and Local Governments      | 1                   | 5                        |
| <b>Total</b>                             | <b>19</b>           | <b>100</b>               |

political, political cadres should assume a leadership role, with facilitation from various levels of government. Furthermore, CSOs/ NGOs, media, and community members should exert pressure on political cadres and parties to prioritize and address these issues.

- Certain conflicts persist due to dual ownership (such as tenancy, sharecropping, tilling of religious land, College and hospital land etc.) and the absence of a comprehensive land reform program in Nepal, as highlighted in the Constitution of Nepal Article 51, sub-article (e), and paragraphs 1 and 2. The Government of Nepal should take decisive action to implement a scientifically sound land reform program, putting an end to the dual ownership issue.
- Prior to transferring land data to local governments, it is essential to ensure the comprehensive digital updating of all existing land records. Offices involved should be equipped with digital infrastructure and staffed with experts proficient in handling such data. Subsequently, local governments must promptly initiate the establishment of an integrated cadastral record system. ■

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