



MICRODYNAMICS OF LAND CONFLICT AND LAND CONFLICT RESOLUTION IN NEPAL



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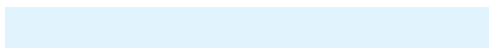


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ACRONYMS

ADR	Alternative Dispute Resolution
CFUG	Community Forest User Group
CPA	Comprehensive Peace Agreement
CSRC	Community Self-Reliance Center
FAO	Food and Agriculture Organization
GLTN	Global Land Tool Network
ICTJ	International Centre for Transitional Justice
INGO	International Non-Governmental Organization
IOM	International Organization for Migration
LSPRC	Landless Squatter Problem Resolution Commission
NGO	Non-Governmental Organization
UNEP	United Nations Environment Programme
UN-Habitat	United Nations Human Settlement Programme
UNIFT	United Nations Interagency Framework Team
USAID	United States Assistance for International Development
VDC	Village Development Committee
WDO	Women Development Office
W4W	Empowering Women 4 Women: Access to Land for Sustainable Peace in Nepal Project

EXECUTIVE SUMMARY

Distribution of land has remained one of the most contentious issues in Nepalese society as a consequence of a historical feudal land tenure system that concentrated land ownership to the wealthy few and those who were close to the authorities. The inequalities regarding land access were one of the underlying causes of the decade-long armed conflict between the Government of Nepal and the Communist Party of Nepal-Maoist (CPN-Maoist) that broke out in 1996. Prior to and during the conflict, the CPN (Maoist) adopted the slogan “*jasko jot, usko pot*” (land to the tillers) as an expression of discontent towards the feudalistic remnants of land distribution in Nepal. Today, 10 years after the Comprehensive Peace Agreement (CPA) was signed between the Government and the CPN (Maoist), not much has changed. While land reform has become a top priority for the Government, policymakers, civil society, academia and advocacy organizations, there is still a large number of landless and marginalized farmers in the geographical regions of Mountain, Hill and Terai.

Land conflicts in Nepal have multiple dimensions. Some of the most common land-related conflicts in the country are inheritance conflicts among family members, boundary conflicts between neighbours, conflict between landless people and authorities and conflict between land owners and tenants. Moreover, migration between rural and urban areas, as well as from the hills to the plains has put further pressure on an already strained land and housing situation. It is not always possible to formally absorb all the citizens, leading people to squat on public land. This is a breeding ground for conflict between State and the squatters.

In addition, there are deeper causes of land conflicts which surpass the formal institutional structures. Land conflicts are exacerbated by the self-centred attitude of a multitude of actors, who engage in land grabbing, use public and private land illegally, manipulate the land market to their advantage owing to their power and position and engage in nepotism and corruption. It should also be noted that land conflicts are often the reflection of deep-rooted societal conflicts born out of inequality or unfair distribution of wealth, discrimination of women or ethnic minorities, as well as marginalized groups’ lack of voice and power. Such structural barriers increase the likelihood of land-related conflicts in Nepal. Furthermore, land conflicts can result in unfavorable outcomes for not just the individuals involved, but also for the economic, social, spatial and ecological development of society as a whole. For instance, land conflicts

can impact social stability as they undermine trust and increase fear and suspicion between family members or neighbours and communities.

This study explores the microdynamics of land conflicts in Nepal and provides an in-depth classification of the political, socioeconomic and legal/administrative nature of land conflicts at the local level. In addition, the study also gives an overview of the existing dispute resolution mechanisms in Nepal and their limitations in resolving land conflicts. There are a number of formal and informal dispute resolution mechanisms put in place to address land conflicts in Nepal. However, these are not always effective, owing to several weaknesses including politicization of issues, lack of knowledge on land-related issues, favoritism, among others. The study also provides a set of recommendations for possible institutional, policy and pragmatic solutions to land conflicts in Nepal.

In addition to expanding the understanding and knowledge of the multiple dimensions of land conflicts in the country, it is believed that the study can provide policymakers with the necessary resources to better design appropriate strategies and programmes for effectively addressing existing as well as potential future land conflicts. The key recommendations provided by this study are presented below:

- i. The Land Related Act 1964 should be amended and include provisions to end the remaining cases on dual ownership in Nepal. The Act should include provisions for the recognition of unregistered tenants and protect them against forced eviction from their landlords. This will be instrumental in addressing the land-related conflicts between the landlords and the tenants.
- ii. Given the lack of accurate data on seized land and property during the conflict period and its current status, the Government of Nepal should generate data and prioritize these cases. The conflict related to land and property needs urgent attention as it has the potential to create further tension and unrest in the districts throughout Nepal.
- iii. The Government should speed up the adoption of legislations for effective implementation of Land Use Policies. Lack of Land Use Plans in the country is leading to haphazard urban sprawl, fragmentation of agricultural areas that is having a negative impact on agricultural productivity and food security.
- iv. The Government should establish an inclusive, neutral and ad hoc “Landless Squatter Problem Resolution Commission” for dealing with the needs of squatters and landless people. The Government should also come up with other alternatives for squatters and landless people besides providing them with land and houses. There should be provisions for skill trainings to provide them with employment opportunities for sustainable livelihood. Since the issues

of squatters remains one of the most challenging ones, these interventions could help in addressing conflicts related to them.

- v. The Government should review all three reports developed by the High Level Land Reform Commissions formed in the past and conduct consultations with the communities, targeting poor and vulnerable populations of Nepal to solicit their views and concerns and ensure that future land reform measures protect their rights over land as well as boosts agricultural productivity and economic development of the country.
- vi. Given the fact that a high number of land-related cases are registered at the District, Appellate and Supreme Courts every year, “Land Tribunals” should be established to deal with the backlog of cases at the courts. This would contribute to the swifter resolution of land-related conflicts.
- vii. Mediation centres should be established throughout the country and awareness campaigns should be conducted to inform the communities that most of the civil cases, including land-related conflict can be settled through “Mediation.” This would encourage local people to consider “Mediation” over the adjudication mechanisms.
- viii. Given that there is lack of transparency in the existing manual system of land record keeping, an electronic cadastral and land registration system should be established in the country.
- ix. The political parties should create a common understanding around land reform issues. This common understanding between the parties would create a conducive environment and lay foundation for the implementation of future land reform that takes into account the expectations and views of the vulnerable and affected communities, which would automatically address many of the protracted land conflicts in Nepal.
- x. The manifestos of most of the political parties have incorporated issues of land reform. However, the promises made in the manifestos remain far from being fulfilled. It is therefore important that the political parties work towards fulfilling those promises so that grievances among people in relation to land can be addressed.

PART I

BACKGROUND

1.1 INTRODUCTION

In Nepal, land has become one of the most contested natural resources over the last few decades and a large proportion of low intensity conflicts are land related. Land, being a property with high material value for each household and directly related to social, economic and political power, is a common source of conflict within families, in and across communities. An escalation of land prices over the past few decades, population growth combined with a lack of Land Use Plans and the inheritance law (which makes children automatic heirs of parents and the parental property gets divided among these inheritors) has led to fragmentation of land. This has, in turn, put increased pressure on a fixed stock of land, leading to increase in number of land-related conflicts.

According to Walker and Daniels (1997), “conflict is an active stage of disagreement between people with opposing opinions, principles and practices manifested in different forms (grievance, conflict and dispute).” Grievance is the initial stage of conflict in which there is resentment and complaints between individuals or groups. If grievance is not addressed on time, it can turn into conflict and confrontation owing to the cultural, political, social or economic interests and differences between individuals and groups (Bush 1995; Buckles, 1999; Walker and Daniels, 1997). According to Wehrmann (2005), a land conflict can be understood as “misuse, restriction or dispute over property rights to land.” Land conflict in the context of this report, therefore, refers to disagreements, public complaints and protests involving arguments, physical assault, violence and lawsuits in relation to the rights to land, including the right to use and manage land, as well as to generate income from the land; to transfer it; and, the right to be compensated for it (Martinelli and Almeida, 1998).

A number of academic as well as policy studies conducted in the past have explained and analysed the multidimensional aspects of land issues in Nepal, as well as land reform related issues (Adhikari, 2006; Adhikari, 2008; Adhikari, 2011; Borras, 2007). The previous studies have also discussed land tenure rights and its connections with armed insurgency and ethnic conflict in Nepal (Joshi and Mason, 2007). Some discussions on land tenure rights are particularly focused on women’s land rights (Allendorf, 2007). There

is also discussion on issues such as land degradation, land use dynamics, land management practices and land tenure (Hrabovszky and Miyan, 1987; Schreier et al., 1994; Shrestha and Zinck, 2001; Thapa, 1996). Previous studies have also focused on land policies and its contribution to growth, food sovereignty and poverty reduction (Deininger, 2003).

Despite the significant studies on land issues in Nepal, with some studies focusing on the relationship between land tenure rights and armed insurgency, there is no study which explores the microdynamics of land conflicts in Nepal in detail. This study will perhaps be the first of its kind which provides an overview of the land conflicts that exist at the local level and tries to understand their political, social and legal/administrative dimensions.

I.2 STUDY OBJECTIVES

The objective of the study is four-fold:

- a) To provide a prudent analysis of the various dimensions of microlevel land conflicts in the Morang, Surkhet and Nawalparasi districts of Nepal.
- b) To provide an in-depth classification of the political, socioeconomic and legal/administrative nature of land conflicts that exist at the local level.
- c) To give an overview of the existing dispute resolution mechanisms in Nepal and their limitations in resolving land conflicts.
- d) To provide a set of recommendations to the Government of Nepal for possible institutional, policy and pragmatic solutions to land conflict in Nepal.

It is believed that with this study, the understanding and knowledge of microdynamics in relation to land conflict in Nepal will be expanded as it explains in-depth how land has become a contributory factor in promoting conflicts in the country. At the same time, through a comprehensive analysis of land conflicts and their causes, the study can provide policymakers with the necessary resources to better design appropriate strategies and programmes for effectively addressing existing as well as potential future land conflicts.

I.3 STUDY METHODOLOGY

This study adopts a qualitative approach of enquiry that makes use of both primary and secondary sources of information undertaken within the period of April 2015 to March 2016. Primary data was collected through a field study in Morang, Nawalparasi and Surkhet. The selected districts are core project areas of

the project “Empowering Women for Women (W4W): Access to Land for Sustainable Peace in Nepal,” jointly implemented by the International Organization for Migration (IOM), the United Nations Development Programme (UNDP) and the United Nations Human Settlements Programme (UN-Habitat). Secondary data was collected through a review of existing literature (books, academic journals, study reports, news reports), focusing on land issues and land conflicts, both internationally as well as nationally.

Additional information on the nature of land conflicts in the country was collected through consultations and bilateral meetings with different stakeholders. Altogether, three consultative meetings with Land Rights Forum members, one consultative meeting with Non-Governmental Organizations (NGOs), four tripartite meetings with land rights officers, three meetings with Women Development Officers (WDOs), three meetings with the respective District Police Office (DPO) and four meetings with local NGOs were conducted in three districts. Likewise, the study was informed by in-depth interviews with one land expert and two Government officials from the Ministry of Land Reform and Management (MoLRM) and one senior staff at UN-Habitat.¹ The findings of this study are based on a content analysis and the use of an interpretative approach to analyse information gathered through the consultation meetings, interviews and tripartite meetings. The information so collected was triangulated with secondary sources of information.

I.4 LIMITATIONS OF THE STUDY

This study suffers from three major limitations. Firstly, the study is limited to the three above mentioned districts. A number of land issues and land conflicts have come up, following the mega earthquake in April 2015 which severely affected 14 districts of the country. Since Morang, Nawalparasi and Surkhet were less affected by earthquake, this study does not include post-earthquake land conflicts that have come up in the districts. With the review of secondary sources of information and interviews with the Government officials and land experts, it has been testified that many of the identified land conflicts are quite relevant in the context of other districts. Secondly, some parts of the findings of this study are highly based on primary sources of information, whereas some parts are heavily based on secondary sources of information. This is mainly because of the limited availability of information on the study subject in both primary and secondary sources. For instance, limited information regarding the causes of land conflicts were identified through primary sources of information. As a result, there was a heavy reliance on secondary sources for the same, which might provide an incomplete picture of the land conflict dynamics in the country. Finally, this study only captures the voices of individuals who were available during the field study period in the three districts and in Kathmandu meaning that the voice of all the concerned stakeholders may not be reflected in this report.

¹A complete list of individuals and organizations consulted in the course of data collection is provided in the Annex.

PART II

AN OVERVIEW OF LAND CONFLICTS FROM A GLOBAL PERSPECTIVE

2.1 INTRODUCTION

Conflicts over natural resources are a global phenomenon. According to a report from United Nations Interagency Framework Team (UNIFT) for Preventive Action, the “mismanagement of land and natural resources is contributing to new conflicts and obstructing the peaceful resolution of existing ones” (UNIFT, 2012). According to the United Nations Environment Programme’s (UNEP) report 2009, more than 40 per cent intra-State conflicts that came into surface over the past 60 years are linked to natural resources and 18 violent conflicts of the last 25 years erupted as a result of exploitation of natural resources (UNEP, 2009). This suggests that natural resources often play a dominant role in the eruption of violent conflict.

Land is one of the most valuable natural resources, a basic means of subsistence for many people and an important means of wealth. As a result, conflicts over and on issues around land are widespread and common in all societies around the world (GLTN, 2009; Wehrmann, 2008). Land grievance is also a major source of unrest and civil war in many parts of the world. Studies show that out of the 71 civil wars and insurgencies all over the world, 84 per cent have taken place in more or less agrarian States (Alden Wily, 2008). Studies have also shown that although land issues are found to be one of the most prominent causes and driving factors for the eruption of armed conflict, there is a lack of adequate attention to timely address those issues with proper approaches and strategies (GLTN, 2009). At present, due to growing competition over diminishing renewable resources, a number of developing countries have found the resolution and management of land conflict as one of the most critical challenges and this situation “is being further aggravated by environmental degradation, population growth and climate change” (UNIFT, 2012).

2.2 NATURE AND OCCURRENCE OF LAND CONFLICTS

Land conflicts have always been an integral part of all human societies. The origination of land conflicts are closely linked with competition among people for controlling limited land resources available for consumption (USAID, 2004). Land conflicts are defined as the active competition between two or more parties, in relation to the use, access and ownership of both public and private land. Land conflicts can be seen in different forms. In some land conflicts, there are only two parties and hence they are relatively easy to resolve. Inheritance conflicts between siblings with particular piece of land and disputes between neighbours regarding the boundary of land are some common type of two-party conflicts (Wehrmann, 2008). There are also a number of land conflicts where multiple parties are involved which makes them complex and thereby difficult to resolve. Group invasions or evictions of entire settlements are common examples of these types of land conflicts (Wehrmann, 2008). When it comes to land conflict in rural areas, they are often found between different communities, between farmers and investors or the State and between farmers themselves (Dufwenberg et al., 2013).

Land is the most important livelihood resource and a limited productive asset in rural areas; it is also linked to community identity, history and culture. Thus, people often show strong aversion against those who attempt to encroach or capture the land which they have been using for a long time (Pons-Vignon and Lecomte, 2004; UNIFT, 2012). Wehrmann (2008) argued that need and greed are considered two broader factors behind occurrence of land conflicts. He stated that the root causes of land conflicts are often linked with people's "different interests over the property rights to land: the right to use land, to manage land, to generate an income from land, to exclude others from land, to transfer it and the right to compensation for it" (Wehrmann, 2008:9). It is also found that there are "varied and complex social relations of production and reproduction within which [land] conflict between individuals and groups are bred" (Pons-Vignon and Lecomte, 2004:24).

Land scarcity, increases in land value and opportunities for people to obtain public and private land for free further aggravates land conflict (UNIFT, 2012; Wehrmann, 2008). Other factors such as "demographic changes (e.g. population growth, migration and urbanization); market pressures (e.g. increased commercialization, intensification and privatization of local economies, growing integration of national and global economies, economic reforms); [and] environmental changes that force people to alter their livelihood strategies (e.g. floods, recurrent droughts, altered river flows, changes in wildlife migration)" are some common reasons behind the occurrence of land conflicts (Engel and Korf, 2005:21). Absence of effective land management policies of the Government, poorly defined land tenure rights, existence of weak, unresponsive and unrepresentative land institutions and institutions which only serve the interests of the elite and the lack of political commitments for timely addressing land-related grievances are other reasons behind the emergence and eruption of land conflicts (GLTN, 2009; UNIFT, 2012). Inadequate land records, fragmented responsibility for land records and lost, stolen or fraudulent land records is another

prominent issue that may lead to the emergence of land conflicts (GLTN, 2009). Consequently, different needs and interests of community people to the use and access of land have created conflict and such conflicts are seen as a product of competition over material goods, economic benefits, property or power; unfulfilled desires and needs, clashes in values and a sense of exclusion and discrimination (Engel and Korf, 2005). In some cases, political interest of certain groups drags people and community into a violent land conflict (UNIFT, 2012). Land conflicts, particularly conflict related to land – grabbing, are seen more often during post-conflict and the early phase of economic transition in the absence of effective regulatory institutions and control mechanisms (Wehrmann, 2008). Other issues such as forceful displacement of landless people without securing their land rights, discriminatory land policies of the Government and other legal, institutional and administrative complexities regarding the use, access and ownership of land are found as contributing factors to making land conflicts more violent (Dufwenberg et al., 2013; GLTN, 2009).

All kinds of land conflicts are interrelated, a simplified model of this process is presented in the following diagram:

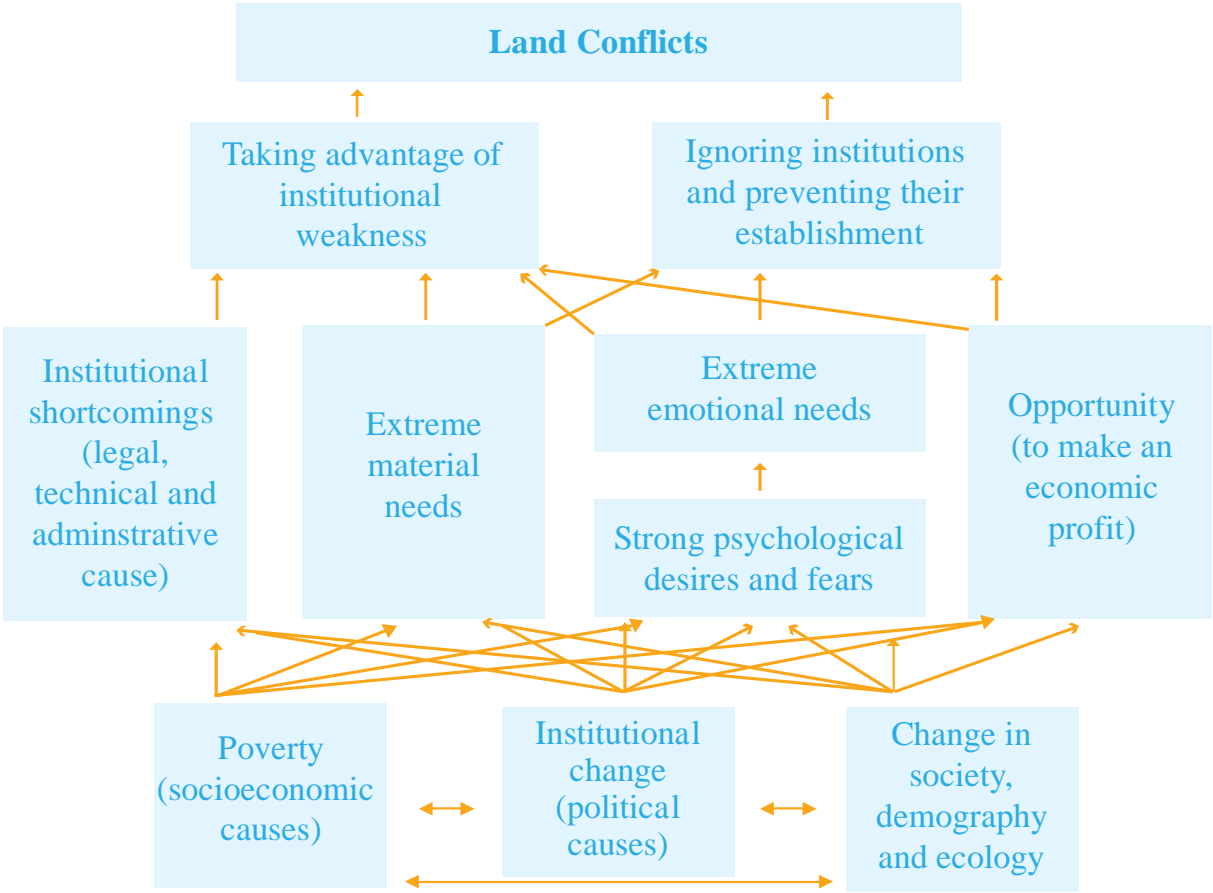


Figure 1: Interdependency of causes of land conflict

Source: Wehrmann (2005).

2.3 CONSEQUENCES OF LAND CONFLICTS

Conflicts can be constructive in “shaping and reshaping social relations,” but they generally carry negative connotations as being “pathological and dysfunctional” (Warmers and Jones, 1998; Martinelli and Almeida, 1998). International experiences demonstrate that land conflicts, regardless of whether they are violent or non-violent in nature, create adverse socioeconomic impact on families and communities. Land ownership conflicts, for instance, increase costs, slow down investment, lead to loss of property for at least one of the conflicting parties and reduce tax income for the State (Wehrmann, 2008; Sharma et al., 2014).

It is, however, worth noting that land conflicts impact different groups and individuals differently. For instance, they not only result in unfavorable outcomes for the poor as compared to the wealthy, but also have varied impacts on men and women, tenants and landlords, farmers and pastoralists, urban and rural populations. Moreover, they indiscriminately negatively impact the squatters, ethnic minorities and the landless population. For example, violent land conflicts have prompted mass displacement of people from their usual place of residence; have made a number of families landless or homeless; many people are forced to flee from the land which they inhabited for many years; many farmers have lost their traditional livelihood opportunities due to their struggle against the landlord, State and private investors; some of them have even lost their own life and the members of their family (Wehrmann, 2008).

Land conflicts have also become catalytic factors for destroying social harmony and community relationships of trust and mutual understanding. When evictions and land grabbing happen, people lose trust not only in the State mechanisms, but they also find it difficult to trust each other, which results in social and political instability (UNIFT, 2012; Wehrmann, 2008). It is therefore important to take into consideration these sociopolitical dynamics when trying to resolve and address land conflicts.

PART III

LAND CONFLICTS IN NEPAL

3.1 INTRODUCTION

In Nepal, land is an important asset for livelihood and security. Many people rely on land to fulfil the basic needs of survival (Sharma et al., 2014). Owning land is often considered as the most important source of prestige and power in the society and those who do not own land face discrimination and exclusion (CSRC, 2009). Many poor farmers suffer from a lack of full access to and control over land (Sharma et al., 2014). On the one hand, land remains an important source of production and livelihood, whereas on the other hand, it is also a catalytic factor to promote conflicts between landholders and landless people, between the Government and the landless people (Khanal, 2003).

Like many other countries around the world, Nepal has a number of structural land issues, which, having remained unaddressed for a long time, have eventually become driving factors for both violent and non-violent land conflicts. Land issues have become an important source of power struggle between various groups and communities and constituted one of the root causes of the decade-long Maoist armed conflict in Nepal between 1996–2006 (Stein and Suykens, 2014; Sugden, 2013). It is also argued that the existing “ethnic relations in Nepal..., when looked at from the perspective of land rights, reveal tremendous conflict between politically and economically dominant high caste (Brahmin, Chettri and Thakuri) Hindus and Buddhist and Animist ethnic minority groups” (Cox, 1990:1318). It has been argued that land conflicts are the most common form of conflict pertaining to natural resources in the country. According to 2014/2015 annual report of the Supreme Court of Nepal, 41,591 of cases filed in all courts are land related, constituting 24 per cent of total registered cases (Supreme Court Nepal, 2015). Likewise, land has become a high priority on the agenda of political parties and has been given considerable attention in each of their political manifestos (Sharma et al., 2014). Issues such as “revolutionary land reform” and “scientific land reform” have often become the buzzwords of national political discourse. But in reality, in the fiscal year 2015/2016 only less than one per cent of the total national budget has been allocated to the Ministry of Land Reform and Management (MoLRM) to conduct land reform activities in Nepal (Ministry of Finance, 2015).

In Nepal, the most common forms of land-related conflicts include conflict over boundaries and land demarcation, conflict between tenants and landlords, encroachment of public land, control of *guthi* land² and its revenues, land registration and cancellation and conflict over inheritance (Sharma et al., 2014).

3.2 HISTORICAL BACKGROUND

There are no proper records providing information on exactly when land conflicts started in Nepal or on the context behind such conflicts. However, the existing literature suggest that land has been used as a political tool and an important source of State power and economic gain since the time of King Prithvi Narayan Shah back in the 18th century who “granted” title of the land to those he favored (Upreti 2001; Sharma et al., 2014). Land issues became more prominent during the autocratic Rana regime (1846–1951), under which the land tenure system was very feudal. In 1961, the Rana Government introduced the *Jimidari*³ system in the Terai region, which established a system that allocated land to political elites and exploited unpaid labour (*begari*) (Muller-Boker, 1999; cited in Sharma et al., 2014). Similarly, during this period, various land use systems like *kipat*, *birta*, *jagir*, *rakam* and *guthi*,⁴ were introduced, “which were the most corrupt arrangements of the system with a blatant misuse of power for self-preservation” (Bhandari, 2014:111). As a result of these systems, more than two thirds of the agricultural and forest land was captured by the Rana and the remaining one third was distributed to private individuals, including local functionaries, who rented the lands to peasants at high rents (Regmi, 1978; Malla, 1997; cited in Upreti, 2001).

After the downfall of the Rana regime, the struggle for land rights intensified and land reform became an important component of the development rhetoric. In the 1960s, King Mahendra centralized political power back and imposed a Panchayat system.⁵ He launched a land reform programme through which he

² Land donated for religious purposes and hence, tax-free.

³ Jimidars were revenue collectors from Birta, Jagir, Rakam and government owned land. They acted as intermediaries between landlords and central administration in Terai. “Talukdar System” was instituted in the hills, which was similar to that of Jimidari system in Terai.

⁴ Raikar is a personal ownership type of a landholding system created through a market-based system of selling and purchasing of land. Under a raikar system, the landowner is personally liable to pay land tax to the State. The kiptat system was invented by Prithvi Narayan Shah, who granted the power of collecting taxes to certain Mongol communities (Limbus, Rais, Danuwars, Sunuwars and Tamangs in the eastern and the western hill areas of Nepal). Under the kiptat system the collected tax was divided between the State and these collecting communities, working as intermediaries between the State and the taxpayers. A birta was a private landownership created not by the market mechanism but by a grant of the State to the aristocratic class, especially armies, Ranas, Shahas and State officers. A guthi is a trust system of land. The State not being able to hand a paycheck to its officials invented a system to pay instead by granting a piece of land, called a jagir system. When a private owner of a piece of land could not pay land tax, the owner was required to pay the tax by providing unpaid labour service to the State called a rakam system. In most of these cases, the land was sold under the market mechanism creating a private land ownership, which had necessitated to transform these different types of land systems into a raikar system, which was carried out by the Land Act, 1964 and other related laws.

⁵ It was a system of governance in which political parties were banned, political freedoms of the people were curtailed and the institution of monarchy was given more power as compared to the previous constitution.

abolished *kipat*, *birta*, *jagir* and *rakam* systems and also introduced laws for the regulation and management of land in the country, including the Agricultural Reorganization Act 1963 and the Land Reform Act 1964, which emphasized security for tenant farmers and put a ceiling on land holdings. The purpose of the land reform programme was to provide land to landless people, enabling them to secure their livelihood. However, this programme was unsuccessful due to corruption within the political leadership by the political leaders and cadres of the Panchayat system who seized land in the name of landless people (Bhandari, 2014). Thus, a certain level of feudalism continued even after the downfall of the Rana regime and the introduction of land reform programme in the country.

In the 1990s, King Mahendra was forced to give up absolute power and multiparty democracy was introduced in the country, which raised people's expectations for reforms in many sectors, including land. A number of reforms were proposed by the Communist Party of Nepal-Unified Marxist Leninist (CPN-UML), which could never be implemented because of a lack of political will (Sharma et al., 2014). Moreover, the resentment among the then CPN (Maoist) party fueled because of the discriminatory land practices, such as the system of bonded labour (*Kamaiya*, *Haliya*, *Haruwa*, *Charuwa*), despite being abolished by the Government of Nepal, as well as the lack of any positive steps taken by the politicians to address the issue of landlessness (Mansoob and Scott, 2004).

3.3 LAND AS A CENTRAL COMPONENT OF THE MAOIST ARMED CONFLICT

Land reform, confiscation and nationalization of land and concerns of poor and landless people was at the heart of the Maoists agenda before engaging in armed conflict with the Government in early 1996. Several authors have argued that the issues of land ownership, land inequality, loss of livelihood and other discriminatory land practices were some of the triggering factors of the Maoist armed conflict (Mansoob and Scott, 2004; Mathew and Upreti, 2005; Joshi and Mason, 2007; Carter Center, 2012; Sharma, et al., 2014). Because of the feudalistic landholding structure and State apathy towards the poor and the landless, the Maoists considered land as an important issue of intervention through which they could expand their influence over poor and landless locals for their political benefits. Thus, the Maoist party seized land from the Government as well as large landowners and distributed it among the poor and landless farmers. This significantly contributed to creating a strong support base for them in many rural communities of Nepal (Carter Center, 2012; Upreti, 2006). Furthermore, the Government's failure to provide institutional and political reform for dealing with land issues after the establishment of multiparty democracy in 1990 have been identified as a key factor to the expansion of the Maoist armed conflict in Nepal.

Five years into the conflict, in 2001, Sher Bahadur Deuba, who was leading the Government at the time, put forward a proposal to reduce the land ceiling defined by the Land Act 1964.⁶ The proposal would not see the light of the day as it was opposed by various quarters, particularly the influential landlords. As a result, the armed conflict of the Maoist continued (Sharma et al., 2014). In 2006, the Government and the Maoist signed the CPA, which brought a formal end to the conflict. However, even a decade since then, the issue of land reform remains highly politicized and there has not been much change.

3.4 NATURE AND CAUSES OF LAND CONFLICTS IN NEPAL

There are five main categories of land conflicts that prevail among various actors, these are:

- a) Conflict between the citizens and government agencies.
- b) Conflict between individuals or family members.
- c) Conflict between two or more groups in the community.
- d) Conflict between tenants and land owners.
- e) Conflict between people squatting on unregistered land and the government agencies or people who hold registered land.

This section provides a disaggregated list of microlevel land conflicts identified through this study. Based on the nature and characteristics of land conflicts, they are separated into three categories: political, socioeconomic and legal/administrative.

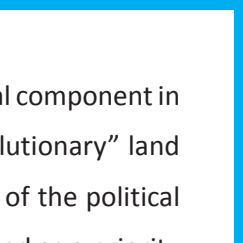
3.4.1 POLITICAL FACTORS

Political factors could include change in the political system, lack of political stability, post-conflict situations, political corruption, State capture and land grabbing and political support for the powerful at the expense of the poor (Wehrmann, 2005).

Lack of political willingness for land reform

In principle, all political parties recognize the importance of land reform. The CPA (2006), the Interim Constitution 2007, as well as the two Three-Year Interim Plans of the Government (2007–2010 and 2010–2013), all envision bringing an end to the feudalistic land tenure system and liberating the farmers from being exploited. If we are to look at the election manifestos of the major political parties for the

⁶ The land ceilings provided by the Land Act 1964: (Hills: 4.07 ha; Kathmandu Valley: 2.54 ha; Terai and inner Terai: 16.93 ha). Revised ceiling by Deuba Government in 2001 (Hills: 3.75 ha; Kathmandu Valley: 1.5 ha; Terai and inner Terai: 7.43 ha).



Constituent Assembly Elections of 2008 and 2013, land and agrarian reform was a central component in most of them, with most parties listing implementation of either “scientific” or “revolutionary” land reform in the country. However, the promises of land reform made in the manifestos of the political parties have remained only promises. Land and landless people’s issues are often framed as a priority concern during election periods – initially giving hope to thousands of landless people but falling off the agenda once the votes are in. Till date, three high level Land Reform Commissions have been formed during the Government led by the CPN (UML) and UCPN (Maoist)⁷ at different time intervals. But those promises of land reform remain far from implementation.

The political parties have not taken any steps towards improving the situation because they are either tied to influential landlords or have divergent opinions on land reform or the party members themselves own a large area of land. The political leaders’ inability and unwillingness to advance land reform agendas and failure to fulfil their commitments and reach a political consensus to adopt a widely acceptable land reform strategy is generating frustration within Nepal’s civil society (Parlevliet, 2009).

Lack of recognition of informal land tenure

Thousands of families are using public, unregistered as well as registered land since decades but have not yet received land certificates from the Government. This is because informal tenure is not recognized by the existing land policies of Nepal and the people do not own any land document to protect their land rights. As such, these people are always at the risk of forced eviction, without any alternative or refund provided by the Government. The Government, justifying their actions by referring to economic and developmental objectives, has time and again been blamed for repression of the people, including acts of a) evicting people living in unregistered land since many years, mostly without compensation; b) setting fire to the houses of landless people living in unregistered land or nearby forest areas; and c) using force to suppress the peaceful demonstrations organized by landless people with demands to obtain land from the State (The Himalayan Times, 2009). All of these issues have led to conflict between the Government and the people.

⁷ The first High Level Land Reform Commission was formed during the Government of UML with Keshab Badal as the chair of the commission in 1994 and the report was submitted to the Government in 1995, the second High Level Land Reform Commission was formed during the Government of Unified Communist Party of Nepal Maoist with Haribol Gajurel as the Chair in 2008 and the report was submitted to the Government in 2011. The third commission was formed during the Government of Communist Party of Nepal Unified Marxist Leninist (UML) with Ghanendra Basnet as the chair of the commission and the commission submitted their report in 2010.

Ineffectiveness of the Landless Squatter Problem Resolution Commissions (LSPRC)⁸

The LSPRC was first formed in 1976 with an objective to solve the problems of landless, landless farmers and squatters in Nepal. It was expected to be a landmark in securing land for landless people. The commission collects applications from landless squatters, issues identity cards to verify landless people and recommend possible solutions to tackle the issue of landlessness. As per the Government definition, squatters are those who do not own any land anywhere in the country and occupy an abandoned or unoccupied area of land that they do not own nor have legal permission to use.

Although the LSPRC has a huge potential to contribute towards solving the issue of squatters, it has remained ineffective. First, these temporary commissions have been formed in different periods of time on an ad hoc basis under different Governments and although, till date, more than 10 LSPRCs have been formed the issue of squatters remains unaddressed and their number is growing each year. The LSPRC is a highly politicized body and has a fixed mandate. As soon as there is a change in the Government, the commission formed under the previous Government is dissolved, making it impossible for the commission to complete the tasks as mentioned in its Terms of Reference (ToR). Sometimes the commissions are dissolved due to technical reasons and often times they are dissolved due to change in the Government and upon decision from the newly formed Government. Second, most of the commissions so formed have randomly distributed land certificates without verifying the existence of land. That is, the commissions have been seen to distribute land that does not exist on the maps of the District Survey Office, ultimately not addressing their needs and leaving landless people with their predicament. Finally, the LSPRC has often been used as a political platform by the ruling party to safeguard the interest of politicians, senior bureaucrats and party cadres, rather than those of the landless (Upreti, 2001). There are many cases in the past in which these commissions either distributed land to their cadres or to fake landless people,⁹ who become landless to get a portion of government land (Action Aid, 2008).¹⁰ As a result, actual landless people are not getting land due to the lack of political access while those who have political access receive the land immediately after lodging their application.

Tenants' increased political participation

A tenancy-based tenure system is the kind which gives rise to "dual ownership", as both land owner and tenant exercise control over the land. In order to be considered a tenant, a farmer should have tilled or worked on another person's land for livelihood for at least two crops in a row.

⁸ Landless Squatters Problem Resolution Commissions are formed to resolve the issue of squatters. Issue of squatter in Nepal is highly politicized as squatters provide an easy target for political parties to boost their votes during election.

⁹ Fake landless are those who have a piece of land somewhere else in the country, but continue to live illegally in the unoccupied land with the hope of receiving land from the Government.

¹⁰ Land Reform in Nepal- Problems and Prospects, Action Aid (2008).

In Nepal, dual ownership of land was abolished by the fourth amendment (1996) of the Land Act 1964.¹¹ The revised act made it possible for the registered¹² tenants to claim 50 per cent of the land they cultivated and the land was distributed equally between the landowner and tenant. But the time period allocated for such redistribution of land was limited and not all tenants managed to claim their 50 per cent of land from landowners. After the restoration of democracy in 1990 particularly, the tenants were empowered to establish their rights to the tenanted land. Despite this, more than 40 per cent of peasants have no tenancy rights as they failed to register themselves owing to illiteracy and lack of awareness about the law and its subsequent amendment (ANGOC, 2009). As a result, these unregistered tenants are demanding a verification letter from the Village Development Committee (VDC) office to secure their tenancy rights. Without any legal document to prove their tenancy, these unregistered tenants are forcefully evicted by their landlords without any compensation. Till date, the Government has not been able to dispatch the formal letter to protect the tenancy rights of these unregistered tenants. Moreover, because of widespread fear among the landlords that renting out land for sharecropping could result in claims of property from the sharecroppers, landlords are hesitant to rent out land, or make investment in land for improved agricultural productivity (Sharma et al., 2014; Upreti, 2001). According to CRSC (2005), at least one tenant is evicted without any compensation by a landlord in Nepal every day with fear of losing 50 per cent of his/her total land. As a result, a large number of tenants have organized themselves in various rights groups. This has caused a conflict between land owners and tenants (*Mohi and Jotaha Kisan*), who are struggling to protect their ownership rights and to execute the legal arrangements favoring tenants and poor people, respectively. This shows that securing land rights as granted by the Land Act and its subsequent amendments have been manipulated to maintain patron-client relationship between the landlords and tenants, which has resulted in a number of conflicts throughout the country (Upreti, 2001 and 2014).

Land seizure during and after the armed conflict

During the ten-year long armed conflict launched by the then CPN (Maoist), large plots of both public as well as private properties were seized by the rebels. The Maoist confiscated land and property from the feudal landlords and redistributed it among the peasants based on the principle of “land to the tiller.” The conflict came to an end with the signing of the CPA in 2006 between the Government and the CPN (Maoist). The CPA, together with the Twelve-Point Understanding, the Ceasefire Code of Conduct and the Eight-point understanding signed between the Government and the Maoists, included provisions on the return of seized property, the formulation of policies for scientific land reform and a commitment to refrain from seizing new land. In September 2011, the Maoist-led Government announced that all land seized during the conflict should be returned immediately to the owners.

¹¹ The Land Act 1964 defines tenancy conditions, ownership rights and ceiling for holding land.

¹² Registered tenants are those whose records are available at the district land offices and with the Ministry of Land Reform and Management.

Despite the commitments, the progress has been slow, particularly in mid-west and far-western Terai, one of the most affected areas in terms of the amount of land seized during the conflict. Even today, large plots of land remain seized. Also, there is no authentic record on the number of land/houses or property seized during the conflict period and the current status of such seized land/houses or property is not available with the Ministry of Peace and Reconstruction (Chhatkuli, 2013). In practice, it has been difficult to return seized property, because it seems that a majority of the seized properties were distributed to the landless and the poor (Niroula, 2008). Moreover, against the breach of past commitments, new groups of people close to the rebels continue to capture new land, hence depriving people who were ploughing the seized land for years. With the UCPN (Maoist) party being a part of the Government, the conflict regarding the seized property has been ongoing between the Government and those whose land and property were seized. There are many cases across the nation where, during the conflict period, land was confiscated from land owners and landless people and unregistered tenants were allowed to settle in such areas. However, with the signing of the CPA, the rebels have now evicted landless and unregistered tenants who settled during the conflict period and taken their place.

Weak implementation of policies

One of the major reasons of land conflicts is gaps in the land legal framework and further weaknesses in their implementation. One such conflict can be seen in the area of internal displacement. The National Internally Displaced Persons (IDP) Policy defines an IDP as “A person who is living somewhere else in the country after having been forced to flee or leave one’s home or place of habitual residence due to armed conflict or situation of violence or gross violation of human rights, natural disaster or human-made disaster and situation or with an intention of avoiding the effects of such situations.” As such, internal displacement can happen because of several reasons, including floods, earthquakes and other natural disasters. Similarly, people are also evicted from certain land because of development projects, such as road and dam construction. Such circumstances call for resettlement and rehabilitation, that is, adequate management of people displaced as a result of disasters, development projects and eviction.

Many displaced populations are currently using public land for temporary residence and are yet to receive land and other support towards a durable solution to resettle and rehabilitate. There are cases where the displaced persons from the hills have illegally settled on forest estate lands in western *Terai*, which has caused conflict between the people and the local Government. This implicit conflict with the Government is reported to involve tens of thousands of people. Similarly, forced eviction of families out of the area of the dam, reservoir, conservation areas including national parks and transmission lines has caused lasting resentment among the resettled and is a latent source of conflict. For instance, when the Government established the Koshi Tappu Wildlife Reserve in 1975–1976, several ethnic settlements were removed. More than 10 commissions have since been formed by the Government to settle claims for compensation,

but most of the displaced households have not received anything (Upreti, 2014). Owing to this weakness and lack of sectoral planning focusing on vulnerable populations, including landless people and displaced population, land conflicts have been stimulated.

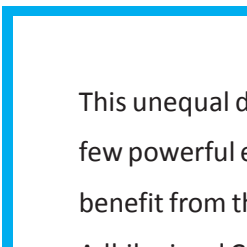
3.4.2 SOCIOECONOMIC FACTORS

Socioeconomic causes could include poverty and poverty-related marginalization, unequal distribution of power and resources, abuse of power, strong hierarchical social structure, among others (Wehrmann, 2005).

Feudal structure of land holding system

In Nepal, there is gross disparity in land ownership. The historical feudal structure of land holding in Nepal deliberately excluded the general public from owning land and created a small group of financially strong and powerful landowners in the country. In the past, land reform measures were introduced but they ultimately failed to make substantive changes in the lives of landless and tenants and alleviate discrepancies between land owners and landless groups. Keshav Badal, a noted politician and land-rights activist contended that the feudalistic social system, coupled with the political and cultural system is at the heart of land problems in Nepal (Upreti, 2001). In fact, owing to the vertical social structure and inequality in socioeconomic conditions, large tracts of land have been accumulated by local elites, who along with the landlords continue to control the land-property regime. In a country with a population of almost 27 million, it is estimated that around 25 per cent are landless (CBS, 2011). Additionally, more than half of farming households in Nepal are either landless or own less than 0.5 hectare of the country's arable land, which accounts for only 20 per cent of the total land. Absentee landlords, on the other hand, own most of the fertile land, although they do not depend on land for their livelihood (ANGOC, 2011). Another set of data indicate that 26.1 per cent of those agricultural households do not have land to farm on because of uneven distribution of agricultural land in the country (CSRC, 2011). Such unequal distribution is exacerbated by gender, class and caste inequalities. For instance, about 44 per cent of Terai Dalits are landless and the remaining own only small plots of land.¹³ This indicates that a small segment of Nepali population owns a large portion of available land, because of their proximity to political power and ability to influence the bureaucracy. On the other hand, the tenants, small peasants and landless people own either no or very limited land that is not enough to secure their livelihood.

¹³ www.nndsw.org.np/index.php?page=workingareas.



This unequal distribution, dual ownership in land tenure and control of majority of land in the hands of few powerful elites often motivates marginalized people to put up resistance as they cannot completely benefit from the land they have been ploughing for a long period of time (Pattanaik, 2002; Upreti, 2004; Adhikari and Chatfield, 2008; FAO, 2010; Sugden, 2013). The existence of this form of unequal land rights/ownership system has contributed to an increase in conflicts and tensions between landlords and tenants/small peasants/landless people (Karki, 2002). Moreover, the *Mohi* (registered tenants) and *Jotaha Kisan* (unregistered landless farmers) are often treated as second class citizen in the community and the exploitation of these groups is rampant. The discriminatory land tenure practice, combined with an unbalanced power relationship between the landowners and landless/tenants, is a source of land conflict.

Gender-based discrimination on land ownership

In around 19.7 per cent of the households in Nepal, women have land in their name, but only a negligible per cent of women have an independent decision-making authority to use land that is under their name (Basnet, 2009). There are a number of conflicts within families arising as women raise their voice to gain complete control over the land which is owned by them or seeking joint ownership over land that is fully controlled by men, mainly their husbands. Additionally, according to a woman activist in Morang, families particularly from the Southern part of Nepal discourage women to obtain any legal certificates (particularly the citizenship and marriage certificate) due to a fear of women claiming the family property. As a result, many women from that part of the country do not have control over land or other property of their families. This practice violates women's individual right to property and their innate human right to own property. According to the WDO interviewed in Surkhet district, significant numbers of cases reported to her office are related to distribution of property, domestic violence and multiple marriages, among others. She also shared that domestic violence cases in the district have been increased due to the lack of women's ownership on land.

Domestic violence and social violence are often linked with women's lack of ownership over land and women claiming their ownership rights over family land and other properties (Agarwal and Panda, 2007). Women who have expressed the desire to live separately from the husbands have experienced domestic violence and have faced extreme difficulties in obtaining land from their husbands. Women have also experienced land disputes with their neighbours in the absence of their husbands for a long time. One common case shared by the respondents during this research was that neighbours often attempt to expand the boundary of land when they find only women and children in the family.

Land grabbing

Land grabbing is a process whereby powerful investors, often referred to as “land mafias”, take possession and control of large surfaces of land, often agricultural land and convert them into housing projects. The “Land Use Policy” is yet to be implemented in Nepal that makes it easier for the land mafias to convert agricultural land into residential areas. Land grabbing in Kathmandu dates back to 1990s, which later seeped into other parts of the country. The brokers or “land mafias” reportedly talk to the poor and less educated and convince them to sell their attractive land at less than the market price. The land is later plotted and sold for housing projects. As a result, fertile land gets destroyed through the use of sand, gravel, stone and concrete. Additionally, they also often buy land adjoining public land and use the public land as roads, parking and parks, saving the investor huge sums. It is reported that these individuals, who are “driven by economic interest,” are able to function this way because of backing by political parties and connections at the local and district levels of Government (Stein and Suykens, 2014). It has also been pointed out that landlessness among people have also prompted certain groups to get involved in land grabbing activities to secure their habitat (FAO, 2010). However, these claims are doubtful because officials claim that many “fake” landless people emerge in the process of producing and reproducing lists of landless by the Government for land distribution. It is those “fake” landless who engage in land grabbing and not the actual landless (CSRC and NFN, 2012).

Additionally, some research has shown that these “land mafias” also misuse the provision of providing 25 to 50 per cent tax exemption if land is registered in the name of women, that is, there have been cases of husbands who brought big chunks of land in the name of their wives, then divided the land into plots for commercial purpose (ANGOC, 2012). In order to curb the problem, the Financial Bill 2015/2016 stated that if any land bought in the name of women while availing the benefit of tax exemption is sold within three years of the transaction, the tax amount would need to be paid to the Government. This practice of land grabbing has deepened the divide between the rich and the poor, as capital gets concentrated in the hands of the elites. Additionally, it results in displacements of farmers and communities, violating their rights over land and natural resources. It also impacts the food security and food sovereignty particularly of small farmers (CSRC and NFN, 2012). All this has resulted in continuous conflict between those affected and the land grabbers.

Boundary conflicts

One of the most common types of conflict in Nepal is concerning boundaries, wherein conflict erupts between two neighbours, particularly in relation to boundaries. Conflicts can occur when an individual plows a neighbour’s land inadvertently. Although this mostly happens by accident, it can cause conflict among neighbours if not addressed through mutual understanding or informal dispute resolution

mechanisms. However, there are times when neighbours do this deliberately to enlarge their own land. In order to do so, individuals slowly plow the edge of their property, or incrementally plant at the edge of their neighbour's land, covertly move the property boundary identifiers (such as nails), or planting fruit-bearing trees on the boundary and later claiming the land underneath the canopy of the tree (Stein and Suykens, 2014).

In addition, conflicts can also occur because of encroachment, which occurs when an individual either builds structure very near to or on the boundary line separating his/her property from the neighbours. Such conflicts are common and can escalate because the structure so built often damages the neighbour's property or reduces its value.

Land conflicts between husband and wife

There are a lot of issues that may lead to land-related conflicts between husbands and wives. First, land conflicts may ensue owing to land distribution disagreement between a divorced couple. As per the Eleventh Amendment of the *Muluki Ain* (Civil Code), a divorced woman can claim alimony as well as rights to share her ex-husband's property. Before the amendment, divorced women could not claim any right to their husband's property. She could only claim food for five years after the divorce. Although the Civil Code was changed due to pressure from women rights activists, advocates and the 1995 Supreme Court directive,¹⁴ in practice, implementation is still weak, particularly because the husband's family members are generally reluctant to part away with the property and deny the wife any share after divorce. Moreover, if the wife is rightfully given her share, she might be offered the land/property with low market value. For instance, she could be offered a piece of land without road access and other facilities. Such situations could result in conflict between the divorced couple.

Second, land conflicts may also arise if either spouse sells land/property without the partner's consent. Normally, it is the husband who can exercise the authority a lot more easily because the officials rarely question a man if he wants to sell the land, but a woman is generally not allowed to do the same without the husband's presence. Third, land conflicts are also linked to multiple marriages. Although polygamy is illegal in Nepal, some communities, including Muslim communities practice it. As a result, the second wife cannot have any ownership over the husband's property, because by law only the first wife is legally eligible to have a share in the husband's property.

¹⁴ In 1995, the Supreme Court issued a directive to the Government to introduce a bill in the Parliament that would guarantee women's rights to inherit property.

Inheritance disputes

Inheritance disputes/conflicts happen in relation to land and property distribution among family members, particularly brothers. Such conflicts can be exacerbated when the land/property under claim has differing values depending on the presence/absence of trees or crops on the land, proximity to pitch road and other factors. Additionally, siblings might often make differing claims depending on who took most care of the deceased parent(s). Sometimes, inheritance disputes can also stem between a widow and her deceased husband's family. As per the 11th amendment of *Muluki Ain*, a widow is fully entitled to claim her share of property from the joint family after her husband's death and use this property even if she remarries. However, despite the legal arrangement, due to social pressure, a widow faces a lot of barriers to inheriting her share of property, which might result in conflict between the widow and her husband's family. As per the 11th amendment of *Muluki Ain*, an unmarried daughter is also entitled to claim her share from her parents. Regardless of this legal provision, a son has a stronger claim on his parent's property than a daughter. This is mainly due to a patriarchal and traditional mindset of people.

Conflicts regarding forest land

Conflicts in relation to forest land are one of the most complicated ones in Nepal's context. Encroachment of forest areas by the army, security forces, landless people, People's Liberation Army (Maoist) and the Government's development projects such as road building and electricity installation are identified as major sources of conflict. To understand the conflict dynamics it is important to understand the population distribution and usage patterns of forest resources. In the 1950s, after Malaria was eradicated from the Terai, the region saw rapid internal migration from the hills, which contributed to increase of population throughout the plains. With increasing numbers of people, the exploitation of and competition over natural resources, including forest land has remained high, giving rise to increased conflict (Stein and Suykens, 2014).

Forests in Nepal provide important livelihood resources, including food, medicine, animal feed, building materials, among others. In particular, the forests in Terai are rich in commercially and economically viable products, such as timber. The same forests are used by traders to collect medicinal herbs and other non-timber forest products and by local communities to collect wood for construction of buildings and bridges, or to cremate the dead. Additionally, there are also issues of unauthorized collection of firewood by smugglers (Upreti, 2001). As a result, forest blocks are degraded through illegal harvesting by various groups. This has been a constant source of conflict between the illegal traders and the Community Forestry User Groups (CFUG), a federation of community forest users established in 1991. Moreover, forests areas are often occupied by landless people, for which they are blamed as being "land encroachers" by the CFUGs. There is a constant battle between CFUGs and landless people over the issue of forest

encroachment. CFUGs do not want community forestry land to be used for this purpose (Adhikari and Chatfield, 2008; CSRC, 2009).

3.4.3 LEGAL/ADMINISTRATIVE FACTORS

Legal and administrative causes could include legislative loopholes, contradictory legislation, limited access to law enforcement by the poor, insufficient implementation of legislation or formal regulation, administrative corruption, lack of coordination and communication between different government agencies, low qualifications of the public employees, insufficient staff and technical/financial equipment at public agencies, lack of transparency, missing or inaccurate surveying and many more (Wehrmann, 2005).

Ineffective legal and policy measures

The Land Act 1964 and its Fourth and Fifth Amendment in 1996 and 2001 addressed the issue of landlessness, disproportionate land ownership, legal security of tenants and feudal land holding by imposing a ceiling on land holding.¹⁵ According to the Act, any land held by a person in excess of the ceiling set forth in Section 7 devolves to the Government. Regardless of the legal provisions, the law enforcement capacity of the Government has remained weak due to various reasons including the prevalence of corruption and abuse of authorities within the land administration. This has further contributed to heightening land conflict in Nepal (FAO, 2012; Upreti, 2004). Nepal has more than sixty laws and regulations that guide land rights and land use. Likewise, lack of consolidated legal provisions and administrative functions between the government agencies for addressing prominent land issues such as land ceiling, tenancy rights, land fragmentation, land consolidation, cooperative farming, land use, specific crop cultivation and the protection of public and government land has also contributed to increased land conflicts in Nepal. Moreover, dealing with land and property issues on a regular basis fall under the purview of not only MoLRM, but also Ministry of Agriculture Development (MoAD) and Ministry of Forest and Soil Conservation, as well as multiple local level bodies such as District Administration Office (DAO), District Police Office (DPO), District Women and Children Office (DWCO), District Survey Office (DSO), District Land Revenue

¹⁵ As per the fifth amendment of the Land Act 1964, Sub-Section 1 of Article 7 under Chapter 3 on Ceiling of Land specifies that "Any person or his/her family may, as a landowner, own land within the following ceiling in the following area, not exceeding a total of 10 bigha (1 bigha = .67 hectares); Terai and inner Terai: 10 bigha; Kathmandu Valley: 25 ropani (1 ropani = 0.05 hectare); All hilly regions except Kathmandu Valley: 70 ropani. Sub-Section (2) of the same article specifies that "any person or his/her family, may, in addition to the land as referred to in Sub-Section (1), own such land as is required for house and premises not exceeding the following ceiling; Terai and inner Terai: 1 bigha; Kathmandu Valley: 5 ropani; All hilly regions except Kathmandu Valley: 5 ropani.

Office (DLRO), among others. Existence of multiple institutions with overlapping and duplicated responsibilities has resulted in conflicting mandates and cumbersome service delivery and has also been the source of land conflicts in the country (FAO, 2010 and 2012).

Legal ambiguity regarding tenancy rights

Before the fourth amendment of the Land Act in 1996, tenancy rights could be transferred only to the husband, wife and son, but not to the daughter. After the amendment, an unmarried daughter of a tenant can claim her tenancy rights after the death of her father, whereas it does not apply in the case of married daughters even if they are/were taking care of their parents. This often results in conflict between siblings. Tenancy conflicts also occur when landowners present fake document to the government offices, or to buyers to sell land/property without letting the tenant know about his new owner. As a result, tenants may file a case against the landowners, resulting in prolonged conflict between them.

Legal gap for the families of disappeared

Family members of those disappeared during the decade long conflict period have been experiencing problems in transferring land ownership to other family member's name because the status "disappeared" is not defined under Nepali law (ICTJ, 2013). In practice, the family or rightful kin of the disappeared person need to wait up until 12 years before the Government issues a death certificate in the name of the disappeared person.¹⁶ Such complicated and inadequate legal provisions invite conflict not only between the authorities and the family members, but also in-between family members.

Technical issues

A number of land-related conflicts happen because of technical issues related to land administration. First, boundary disputes can occur due to technical errors found in cadastral maps available in the survey office. For instance, there is often a mismatch in land size as per the Government's records of the revenue office (*sresta*) and the cadastral map employed by the survey office (*naksa*). Some people might claim land as per the size of land that is found on the Government's map. This happens particularly when the cadastral map shows a larger plot of land than actually owned by the landowner. This results in conflict between the two parties. Second, there is also a problem with land record-keeping. There is lack of up-

¹⁶ Evidence Act 2031 (1974), Section 32, "Burden of proving that a person is Alive: Provided that, when the question is whether a person is alive or dead, it is proved that such person has not been heard of for a period of twelve years by those who would naturally have heard of him/her if he/she had been alive, the burden of proving that he/she is alive is shifted to the person who affirms it."

to-date and consistent land-related records in the Government's land revenue and land survey offices. As a result of mismatch in the land records offices owing to a mix of new survey and old survey processes employed by the Government, land conflicts ensue. Third, conflicts can also occur between Government officials and land owners when people have different names in their land certificate and citizenship card – creating a problem of verification. Finally, conflicts can also ensue when land belonging to one person or household (generally weak, illiterate) is recorded under the name of another person (generally resourceful) (Upreti, 2001).

Issue around dual land ownership

The fourth amendment of the Land Reform Act (1964) in 1996 made a provision for allocating 50 per cent of the land cultivated between an owner and a tenant (FAO, 2016). Any claims, however, had to be made within a period of six months of the amendment; the right of tenancy for tilling was formally terminated thereafter. However, during this time, many tenant farmers had not been officially registered as tenants and only had temporary proofs of cultivation that they had obtained during the Cadastral Survey.¹⁷ As a result, they were not eligible to claim ownership of land and after six months, the process came to an end and hence, many cases of dual ownership remain pending. A report by CSRC claims that this formally terminated the tenancy rights of 500,000 families (CSRC, 2009). Consequently, unregistered tenants, also called *Jothaha Kishan (bedarta mohi)*, without any legal documents to claim their rights are being evicted from land which they have been using for many years. There is also conflict between land owners and those who are ploughing land over issues concerning the division of land products as per agreement made between them. The distribution of agro products between the tenant and landowner is guided by the Land Related Act 1964.

Conflict regarding public land

Public lands in Nepal are not owned by individuals but are informally used as a traditionally managed land resource: roadsides, wells, springs, ponds and bunds, grazing fields, cemeteries, *Parti Ailani* (barren unregistered land), *Pati Pauwa* (inns), *Chautara* (platforms under a tree or at crossroads), *guthi land* (land used for charitable or religious purposes), temples, memorials, *Chowk* (public yard), *Dabali* (public entertainment sites), drainage ditches/canals, *Haat Bazaar* (local market sites), playing fields and those lands which are declared as public lands by the Government of Nepal by publishing in the Nepal Gazette (Government of Nepal, 1962).

¹⁷ A land survey carried out after the formulation of Land Act 1964.

Conflicts occur as a result of complicated status of public land in Nepal and multiple government agencies are responsible for the registration, management and preservation of public land, ranging from the VDCs, District Development Committee (DDCs) to the MoLRM. It has been reported that most public land is “captured by the elite”, who chose to limit others from using it (Kunwar et al., 2008:71). It has also been said that since public officials administer such land, brokers are often able to purchase them at the price of a bribe and sell them at even higher profit (Stein and Suykens, 2014). Additionally, public land is also often used by squatters for settlement. As a result, they are evicted by the authorities, resulting in confrontation and conflict between the two groups.

No implementation of land ceiling

Land ceiling for agricultural and housing purpose is mentioned in the Land Act 2021 BS (1964 AD).¹⁸ Land ceiling for agriculture purpose is different for Terai, Mountain and Kathmandu valley. Under the fifth amendment of the Land Act 1964 in 2001, the provision was made that the Government of Nepal could seize land of an individual holding more than the allowed ceiling.¹⁹ Such seized land would then be distributed to marginalized groups such as *Haliya*, *Kaimaya* and squatters. However, no implementation manual was ever prepared to implement the activities. Even after years, the MOLRM lacks data on the total land holding of individuals and no land has been seized to date. This causes conflict between landless and marginalized people and people owing large areas of land.

¹⁸ Land Reform Act defines the ceiling of land holding per family as: 25 bighas in Terai, 50 ropanis in valleys and 80 ropanis in hills for an agriculture purpose and 8 bighas in Terai, 8 ropani in Kathmandu and 16 ropani in hills for use as housing (1 hectare = 1.41 bigha or 20 ropanis).

¹⁹ Fifth amendment defines the ceiling of land holding per family as 10 bigha for Terai and inner Terai; 25 ropani for Kathmandu Valley and 70 ropani for hills for agriculture purposes; and 1 bigha for Terai and inner Terai: 5 ropani for Kathmandu Valley and 5 ropani for hills for use of housing.

PART IV

RESOLVING LAND CONFLICTS IN NEPAL

According to Wehrmann (2008), the most important conditions for addressing land conflicts involve an adequate understanding of the root causes of conflict as well as the positions, demands and interests of conflicting parties within a particular conflict. Furthermore, successful resolution of land conflicts involve a number of other factors such as the understanding of the types of land conflicts that exists, identity of the actors involved in a particular land conflict and their ideas of how to resolve the conflict, complexity of the causes of the land conflict and driving factors that escalate conflict (Wehrmann, 2008). With the experience of countries like South Africa, Zimbabwe and many Latin American countries, it is found that leadership, a good land policy, the quality of land institutions and land governance are important factors to prevent violent conflict or to transform conflict into stable peace (Pons-Vignon and Lecomte, 2004; UNIFT, 2012). It is argued that “strong institutions and transparent procedures can resolve ... [land] disputes or at least channel them into a process that minimizes their potential to foster violent conflict” (GLTN, 2009: 9). Likewise a good land policy “helps to generate economic growth and sustain peace in the long run” (Pons-Vignon and Lecomte, 2004:11).

4.1 EXISTING DISPUTE RESOLUTION MECHANISMS

A number of formal and informal mechanisms are available for resolving land-related conflicts in Nepal. The formal mechanisms are those that must follow official procedures and are guided by government rules, regulations and laws. The formal mechanisms are further subdivided into two categories. The first is the court system and the second includes semi-judicial organizations such as government offices concerned with resources, police and local administration. The formal mechanisms are generally slow, taking up to five years and requires huge amount of financial resources (Upreti, 2004).

The formal justice system, namely the court, is a key agency in dealing with the majority of land conflicts in Nepal. There are some other practices of resolving land conflicts beyond the formal justice system, particularly through the local governments, which begun during the *Panchayat* system. For example, Village

Panchayat Act 2018 BS (1962 AD) with amendments 2021 BS (1965 AD) and 2035 BS (2079 AD), has given authority to local governments for resolving disputes related to public land, boundary, wages, trespassing, sources of water and pasture land and collection of grass and firewood. Despite these authorities, land dispute resolving practices through local government authorities could not be effective during the *Panchayat* system because the elected officials of the system fueled socioeconomic and political conflict, perpetuated feudalism and failed to work for the poor (Khanal, 2003).

Mediation is a form of Alternate Dispute Resolution (ADR) and serves as a complementary mechanism to the formal and informal dispute resolution mechanisms (Stein 2013). It allows the disputants to select a panel of trained mediators available in the community who provide a neutral and confidential venue for dialogue between the disputing parties and assist them in finding solutions to their disputes. In this sense, community mediation programmes are considered as a democratic forum for resolving disputes. These community mediation programmes started in Nepal as an access to justice intervention targeting those who could not easily access the formal justice system. Community mediation programmes have helped reduce the frequency of disputes in targeted communities and have helped improve understanding, coordination and cooperation among community members.

Political negotiation has remained a key tool for resolving broader land-related conflicts as is reflected in the national laws and in the manifesto of political parties. Commitments to end feudal forms of land tenure and tenancy practices and liberation of farmers from exploitation and land reform provisions of the CPA (2006), the two Three-Year Interim Plans (2010–2013 and 2013–2016) and the Constitution of Nepal (2015) are some examples in this regard. Likewise, major political parties have committed to resolve historical land disputes through land and agrarian reform in their election manifestos (IOM, 2014; Sharma, et al., 2014). Yet in practice, the provisions and commitments are far from being implemented and this has resulted in further deepening of land conflicts.

4.2 GAPS IN DEALING WITH LAND CONFLICTS

According to Upreti (2004), the conflicts resolution practices in Nepal are “top-down, legalistic, elitist, costly and complicated (p. 60).” The existing study has identified a number of gaps in the existing dispute resolution mechanisms that address land conflicts.

Backlog of land-related cases in courts

Despite the existences of a range of dispute resolution mechanisms, each of them have limitations. For example, the courts are frequently criticized by the wider public for failing to deliver efficient, timely and economic justice to ordinary citizens. Hundreds of land-related cases are pending or remain in process in

the courts for many years. According to the Supreme Court Annual Report 2015, in the fiscal year 2071/2072 BS (July 2014 to July 2015), a total of 41,591 land-related cases were registered in the Supreme, Appellate and District Courts in Nepal. Out of all cases registered in the courts, land-related cases marks the second highest per cent i.e. almost 24 per cent. Limited human resources, lack of a land tribunal, lack of separate bench in the court for speedy and specialized decisions on land-related conflicts and the slow paced hearing and decision-making process are reported as core reasons behind the inefficiency of the formal justice system in resolving land disputes.

Absence of local elected authority

Although the Local Self Governance Act (LSGA) has given semi-judicial authority to the local government, these provisions have yet not come into practice. In addition, the local level elections have not taken place for the last 17 years, as they have not fallen into the Government's priority. During the late 1990s, the armed conflict of the Maoist pushed the elections; and since 2000, there has been other priorities including signing of the CPA, rehabilitation of the ex-combatants, successful conclusion of the Constituent Assembly (CA) election and for the last seven years, the promulgation of the Constitution. Owing to the absence of elected local representatives, the provisions of the LSGA to resolve local level land-related disputes have not been implemented.

Insufficient and unskilled human resources

Government land offices and other government offices responsible for dealing with land disputes on a day-to-day basis lack trained human resources and sufficient institutional capacity for constructively resolving land disputes reported to their offices. Government land offices often look for legal or political solutions to each land dispute, which make things complicated and ultimately encourage the disputants to look for court based solution for even minor land disputes. Each government land office is supposed to train a nodal officer, who is responsible for handling complaints and grievances of service holders in the districts. However, due to the lack of such trained officers, a number of land disagreements have escalated into land disputes. Most importantly, lack of coordination and political in-fighting between the land offices and/or other government offices in the district have often complicated the timely resolution of land disputes.

Inadequate institutional and financial capacity of the Government of Nepal

Although it has been more than 10 years that community mediation programmes were implemented in Nepal, they face a number of challenges to becoming an effective and sustainable dispute resolution mechanism at the local level. With the implementation of Mediation Act in April 2014, policy discussions

are being increasingly directed towards scaling up community mediation as a nationwide program. However, the donors, International Non-Governmental Organizations (INGOs), NGOs and even the Government of Nepal are yet to develop their institutional and financial capacity to make it a nationwide programme with a uniform structure. Consequently, logistical and financial issues such as the lack of proper office for many community mediation centres and difficulties in managing transportation and subsistence costs²⁰ involved in community mediation process are also other challenges in relation to this.

Lack of coordination and collaboration among agencies

With the increased number of NGOs, INGOs and donors in community mediation initiatives, the issues of coordination and collaboration among these actors have been reported as another challenge. There is also coordination problem at the local level, particularly between the community mediation centres, local government offices, land offices and other.

Ineffective traditional dispute resolution mechanisms

Due to significant changes in sociocultural practices over the past few decades, the traditional dispute resolution mechanisms are gradually coming out of practice. Limited scope, an undemocratic decision-making process often dominated by leaders of the community and existence of alternative dispute resolution mechanisms such as the formal court system, as well as the community mediation programmes are found to be some of the prominent factors behind the decreased utilization of traditional dispute resolution mechanism.

Interest based negotiation of political parties

Political negotiations to resolve land disputes are often directed towards fulfilling the immediate political interests of major political parties rather than exploring constructive and broader solutions to land disputes. The Governments of the past 25 years have reformed the LSRPC to come up with solid strategies and programmes for sustainable solutions of land disputes in the district. Yet the broader land issues, such as providing land to landless family, resolving squatter issues, eliminating dual ownership on land, formulating and implementing land use policy, drafting of the integrated land management Act, strengthening the capacity of land administration and formulating one single policy to deal with land issues remain neglected by political actors and policymakers.

²⁰ Costs related to providing snacks and daily allowances for the conflicting parties as well as the mediators.

Politicization of land-related issues

Despite the availability of various dispute resolution mechanisms, there are a number of constraining factors to adequately address land-related disputes. First, a number of land conflicts in Nepal are highly political in nature and thus demand political solutions. However, due to lack of political consensus and willingness to find inclusive solutions, political actors have failed to resolve a number of land issues, particularly related to land reform at the national political level and a number of politically linked and politically motivated land conflicts at the local level.

Limited procedural knowledge regarding resolution of land-related conflicts

Other constraining factors are the difficulties in getting justice to those who are poor or small farmers, as they have no access to or understanding of the court and land administration systems (FAO, 2010). A number of people interviewed in the field expressed that poor people and small farmers have limited knowledge regarding the best way to approach the court and land offices for resolving their conflicts with land owners and securing their tenancy rights. They themselves are also unable to initiate dialogue and negotiations with the landowners, due to the fear of being evicted from the land which they have been cultivating for a long period of time. In sum, lack of confidence among poor people and small farmers inhibits them from making use of State institutions or initiating negotiations with land owners to secure their rights.

Insufficient knowledge and understanding of land holding patterns

This study also found that lack of sufficient knowledge and understanding of land holding patterns and practices among large segments of the population often makes the land dispute resolution practices complicated (Stein and Suykens, 2014). As discussed in previous sections, a number of micro level land disputes in Nepal are related to legal and administrative issues and to resolve such dispute one must understand the legal and administrative provisions relating to those. One key source of land dispute in Nepal is land holding practices prevailing in the country, however, as suggested by this study, only a small proportion of people at the local level are aware of the legal and policy provisions on this issue. What they know at present is what they have heard from other people as rumours, rather than what is the fact.

PART V

CONCLUSION AND RECOMMENDATIONS

5.1 CONCLUSION

This study was conducted to provide an overview of microdynamics of land conflicts in Nepal and to identify the nature and causes of such conflicts. This study also provided an overview of land conflict resolution mechanisms available in the country, their drawbacks and limitations and other constraining factors when dealing with land conflicts.

A disaggregated understanding of the deeper causes and sources of land conflicts facilitates the design of focused policies and strategies for addressing those sources of conflicts. This study has identified typical political, socioeconomic and legal/administrative sources of land conflicts in Nepal. Thus, addressing these land conflicts calls for different but focused interventions. For example, resolving legal/administrative issues of land conflicts require either an effective implementation of the existing laws and policies or a certain level amendments in laws and policies for addressing specific land conflicts. Likewise, political issues of land conflicts demand political solutions initiated by political actors on the local, district and national levels. Moreover, the social issues of land conflicts can be resolved through community interaction, dialogue, negotiation and changing attitudes and behaviors of the people through trainings and similar activities. Regarding the types of land conflicts, this study has identified land use, land access and land ownership related conflicts. However, most of the conflicts are related to securing land ownership. Understanding this dimension is important when dealing with land conflicts.

There exists a number of formal, informal, semi-formal and traditional dispute resolution mechanisms in the country aimed at resolving land conflicts at the local level. However, all the available mechanisms have some weaknesses, which impede timely, effective and durable solutions of land conflicts. Likewise, lack of understanding of land management pattern and practices, lack of awareness on ones rights and obligations and lack of political willingness have been identified as other constraining factors in dealing with land conflicts.

This study suggests that land conflicts can be solved with three different approaches. First, they can be solved through the political commitments and formulation of new policies and programmes and their effective implementation. This is a long-term approach and can generally be applied when some protracted

and highly contentious national land issues need to be resolved through a broader national process. Second, land conflicts can be resolved through effective implementation of existing legal and policy framework of the Government. However, with the prevalence of more than five dozens laws, bi-laws and policies on land issues and their contradictory provisions, government officials often hesitate to resolve land conflicts through this approach; rather they take the help of court to resolve land conflicts. A number of government officials have also shared that they do not have the knowledge on entire legal provisions related to the operation of land administration in the country and this is also hindering them to resolve conflicts through the help of existing legal and policy frameworks. Third, a number of land conflicts identified in the district can be solved easily through informal mediation, if it is sincerely initiated by district land officers and other government officials. However, mediation has rarely been practiced due to the lack of understanding on how to do it effectively.

5.2 RECOMMENDATIONS

Land remains as one of the most contentious, highly politicized and multifaceted issue in Nepal. The following recommendations are provided in order to resolve protracted land issues and minimize land-related conflicts in Nepal.

Policy recommendations:

- i. The Constitution of Nepal 2015 includes pro-poor and gender responsive provisions and guarantees equal rights of Dalits, peasants, women and landless to land and property. While the nation is going under federal restructuring in few years period, it is equally important for the federal states to formulate supporting laws and policies to effectively implement the provisions included in the Constitution. With the right policies in place, there will be clarity on people's land entitlements, which will help in addressing land-related conflicts between individuals.
- ii. The Land Related Act 1964 should be amended to include provisions aimed at ending the remaining cases on dual ownership in Nepal. The Act should include provisions for the recognition of unregistered tenants and protect them against forced eviction from their landlords. This will be instrumental in addressing the land-related conflicts between the landlords and the tenants.
- iii. Given the lack of accurate data on seized land and property during the conflict period and its current status, the Government of Nepal should generate data and prioritize these cases. The conflict related to land and property issues needs urgent attention as it has the potential to create further tension and unrest in all districts of Nepal.
- iv. The Government of Nepal should speed up the adoption of legislations for effective implementation of Land Use Policies. Lack of Land Use Plans in the country is not only leading to

haphazard urban sprawl and fragmentation of agricultural areas that is having negative impact on agricultural productivity and food security, but it often also results in conflicts between different groups and communities.

- v. The Government should establish an inclusive, neutral and ad hoc “Landless Squatter Problem Resolution Commission” for dealing with the needs of squatters and landless people. The Government should also come up with other alternatives for squatters and landless besides providing them with land and houses. There should be provisions for skill trainings to provide them with employment opportunities for sustainable livelihood. Since the issues of squatters remains one of the most challenging ones, these interventions could help in addressing conflicts related to them.
- vi. The Government should review all three reports developed by the High-Level Land Reform Commissions formed in the past and conduct several consultations with the communities, targeting poor and vulnerable population of Nepal to solicit their views and concerns and ensure that future land reform protects their rights over land as well as boosts agricultural productivity and economic development of the country.

Administrative recommendations

- i. The Government staff, more specifically the ones working at the district land offices should be trained on conflict sensitive approaches, ADR and gender sensitivity to enhance their capacity to deal with the growing number of local level land-related disputes or conflicts.
- ii. The Government of Nepal should conduct “Outreach Programmes” to educate the affected communities, particularly women and vulnerable groups, regarding their entitlements to- and rights over land.
- iii. Given the fact that a high number of land-related cases are registered at the District, Appellate and Supreme Courts every year, “Land Tribunals” should be established to deal with the backlog of cases at the courts. This would contribute to the swift resolution of land-related conflicts.
- iv. Mechanisms should be developed for the establishment of mediation centres throughout the country. Awareness campaigns should be conducted to inform the communities that most of the civil cases, including land-related conflicts can be settled through “Mediation”. This would encourage local people to consider “Mediation” over the adjudication mechanisms.
- v. Given there is lack of lack of transparency in the existing manual system of land record keeping, an electronic cadastral and land registration system should be established in the country.



Political recommendations

- i. The political parties should strive to achieve a common understanding around land reform issues. This common understanding between the parties would create a favorable environment and lay foundation for the implementation of future land reform that takes into account expectations and views of the vulnerable and affected communities, which would automatically address many of the protracted land conflicts in Nepal.
- ii. The manifestos of most of the political parties have incorporated issues of land reform. However, the promises made in the manifestos remain far from being fulfilled. It is therefore important that the political parties work towards fulfilling those promises so that grievances among people in relation to land can be addressed.

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ANNEX

NAME LIST OF FOCUS GROUP DISCUSSIONS AND INTERVIEWS

Government Officials (Semi structured Interviews in Kathmandu in September 2015)

1. Mr Nagendra Jha, Joint Secretary, Ministry of Land Reform and Management
2. Mr Janak Kumar Joshi, Under Secretary, Ministry of Land Reform and Management

UN Agencies (Semi structured interview in Kathmandu in September 2015)

3. Mr Rajaram Chhatkuli, UN-Habitat

Interview in Nawalparasi in May 2015

4. Mrs Urbhara Luitel, Women Development Officer, Nawalparasi
5. Mr Sambhu Sitaula, District Police Office, Nawalparasi
6. Mr Yuvraj Pandey, Revenue Office, Parasi
7. Mr Sugvir Yadav, Survey Office, Parasi
8. Mr Hari Prasad Mainali, District Administration Office, Parasi
9. Sahamati, Non-Governmental Organization, Nawalparasi

Focus Group Discussion in Nawalparasi in May 2015

10. Land Rights Forum Members, Nawalparasi

Interview in Surkhet in May 2015

11. Mr Dharma Raj Ojha, Chief Survey Officer, Surkhet
12. Mr Ganesh Acharya, Chief Revenue Officer, Surkhet
13. Mr Yogendra Bahadur Hamal, District Police Office, Surkhet
14. Mr Hid Prasad Paudel, District Administration Office, Surkhet

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15. Mr Bishwa Mani Joshi, Women Development Officer, Surkhet
 16. Mrs Shital Rathore and Mrs Dila Acharya, Women for Human Rights, Surkhet

Focus Group Discussion in Surkhet in May 2015

17. Land Rights Forum Members, Surkhet

Interview in Morang in April 2015

18. Mrs Maheshwori Rawal, Women Development Officer, Morang
19. Mr Arjun Niraula, Land Reform Officer, Morang
20. Mr Narendra Paudel, Chief Land Revenue Officer, Morang
21. Mr Siyaram Yadav, Chief Survey Officer, Belbari, Morang
22. Mr Bhim B Karki, Chief Survey Officer, Biratnagar, Morang

Focus Group Discussion in Morang in May 2015

23. Land Rights Forum Members, Morang
24. Non- Government Organizations working on women's rights and land rights issues in Morang District



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