



# Identification, Verification and Recording of Landless and Informal Settlers



Community members having participatory discussion on identification of land boundary. Belaka Municipality, Udayapur

“ All nine wards of Belaka and other LGs—Kanakai, Dhangadimai and Dangisharan then adopted the model. Building on this model, LIRC is leading model scaling across the country. NLRF engaged its constituencies in identifying and verifying landless and informal settlers, and lobbying the LGs and other key stakeholders for model scaling. ”

## 1. Status of piloting and scaling of the model:

Community Self Reliance Centre (CSRC) facilitated the piloting of this model in Belaka municipality, Udayapur, Kankai municipality, Jhapa, Dhangadimai municipality, Siraha and Dangisaran rural municipality (RM), Dang in collaboration with the rural/municipalities, Land

Issues Resolving Commission (LIRC) and the federal Ministry of Land Management, Cooperatives and Poverty Alleviation (MoLMCPA); National Land Rights Forum (NLRF) and National Federation of Farmer Groups (NFGF). Now with federal (LIRC) and local governments (LGs) taking lead on scaling and institutionalizing the



*Orientation to Local Government regarding Participatory Land Use Plan. Belaka Municipality, Udayapur*

model, CSRC and NLRF will be providing only technical backstopping. Landless and informal settlers are this model's primary impact population. Implementation of this model will directly impact 25,814 landless and informal settlers in Belaka in the 4 rural/municipalities.

## **2. Collaboration with boundary partners:**

A tripartite agreement between Belaka municipality, MOLMCPA and CSRC provided the basis for piloting the model at Belaka-3. All nine wards of Belaka and other LGs—Kanakai, Dhangadimai and Dangisharan then adopted the model. Building on this model, LIRC is leading model scaling across the country. NLRF engaged its constituencies in identifying and verifying landless and informal settlers, and lobbying the LGs and other key stakeholders for model scaling. While piloting the model, Udayapur District Coordination Committees (DCCs) had brought together the representatives of eight LGs in the district and solicited their commitment to scaling up the model. Jhapa and Dang DCCs replicated the process later.

## **3. Model scaling phase:**

The model adopted by Belaka was scaled up to 14 LGs with CSRC's support and is in institutionalization phase

in Belaka, Kanakai, Dhangadimai and Dhangisaran municipalities. They have developed land acts and set up separate land and agriculture units for the model's implementation. LIRC is working with all LGs to scale out and institutionalize the model all over the country. By March 2021, LIRC has concluded MoUs with 601 LGs and set up local committees and unit offices at 377 rural/municipalities.

## **4. Process adopted in model scaling:**

Initial meetings with LGs built shared understanding on the objective and process of context analysis for model scaling and the responsibilities of key actors. Development of detailed work plan that followed led to orientation for local representatives and signing of MoUs among the main actors, development of survey questionnaire training for enumerators in tools and process of data collection and skills to use GPS and satellite mapping. This was followed by formation and engagement of facilitation committees at the municipality and ward levels after necessary orientation in household level data collection and house and land mapping. Data entry persons were trained and assigned to carry out data entry. Review meetings were held

frequently to discuss progress, challenges and learning, and make necessary adjustments.

## 5. The model's added value and key outcomes

### Facilitation for devolution of land management authority to LGs:

Despite the delegation of land management authority to LGs, they were not able to deliver on this mandate as expected. This model has paved the way for affordable and efficient land reforms at LG level. Several LGs are using the data generated as part of model scaling for policy and programmatic initiatives for planned settlement, relocation of highly vulnerable settlements and incorporation of climate resilience into land use laws and plans.

### Participatory data management of land resources at local level:

This model has helped collection of hitherto non-existent realistic data on landless and informal settlers and the lands they are using informally. The LGs have started bringing lands and informal settlements within the formal cadastre and improving land tenure system.

### Local-federal governments' collaboration in resolving land issues:

While this model 'catalysed' productive collaboration between MoLMCPA and Belaka in piloting phase, the formation of LIRC by the federal government was a very timely step. It has already formulated the land data collection, verification and recording guidelines and has been implementing it across the country for resolution of long standing land issues as envisaged by this model.

### Policy and institutional arrangements:

While LIRC is working with LGs for resolving land issues, learning from Belaka served as valuable input for formulating land regulations critical to addressing the land issues. The regulations were finalised based on community consultations held in Belaka and Kankai municipalities. The municipalities have already developed land acts and set up dedicated 'land management units'.

### Protection and promotion of impact groups' rights:

This model has paved the way for impact groups' land ownership in the absence of which they were denied other constitutional rights and entitlements. Their access to public services and productive resources will

put them on par with all other citizens and help them live in dignity.

### Model's contribution to building climate resilience of landless, land-poor and informal settlers:

Land is natural carbon sink and sustainable use of land is crucial for this purpose. The model-generated data are useful in integrating climate considerations into land management. Land ownership encourages the impact population to make long-term investment on land and take initiative to manage forests and other natural resources, leading to their resilience to climate change through mitigation and adaptation actions. Several LGs have developed land acts providing for safe and planned settlement development and building community resilience.

### Model's contribution to promoting inclusion and governance:

Fulfilment of the rights of the most vulnerable and marginalised communities- landless peasant and informal settlers, who are mostly *Dalits*, women, people with disabilities and ethnic minorities facing injustice and discrimination historically—is at the center of the model. It has ensured their say in design, piloting and scaling of this model, and LG level policy and planning process. The Belaka land act has prioritised land ownership for landless *Dalits* and settlers with land registration





---

fee waiver. It has also provisioned joint ownership of husbands and wives on the land. Active engagement of multiple stakeholders -the LGs and federal government (LIRC), the DCCs, land rights network, farmer groups and development partners made the model roll out inclusive and consensus oriented. Inclusive and gender-balanced facilitation committees at rural/municipality and ward levels enhanced their ownership of the process and its outcomes and contributed to promoting transparency. Should the LGs fail to deliver as promised, the impact groups are well informed and empowered to hold them accountable. Informed by this model, the LIRC guideline has made it mandatory for all LGs to organise public hearings on the process of identification, verification of landless and informal settlers, and the final outcomes.

## 6. Good practices and learning

### Good practice:

The well thought out strategy, process and well-coordinated action on the ground led to successful piloting of the model and built the environment for transferring leadership for model scaling to the LGs through the LIRC. This can be safely claimed as an example of quintessential model scaling—a CSO (CSRC) led an innovation, successfully pilot-tested it in small pockets bringing on board governments at all levels

through effective advocacy and lobbying, and transferred the leadership to LIRC/LGs for scaling out the well-tested model throughout the country with legal and policy safeguards in place for sustainability of the initiative.

### Learning

- Scaling is about innovating ambitious model that benefits a large population in terms of their socio-economic rights- particularly the most marginalised sections of society, while at the same time ensuring sustainability of its impact through policy intervention and systems change. A model with a lofty ambition (benefiting an estimated 1.3 million families of landless and informal settlers) has to make policy intervention and systems change its entry point. And it requires relentless advocacy to the government at all levels, building enabling environment for model scaling through concerted effort and ownership of multiple stakeholders.
- Scaling of an ambitious and innovative model requires official engagement of the government, CSOs, rights networks and external development partners at all levels, preferably by concluding formal agreements. This creates a sense of collective, mutual trust, and confidence to work together for achieving a shared objective.



### FOR FURTHER INFORMATION

#### CARE Nepal

House Number – 777/34

Jhamsikhel, Lalitpur

P.O. Box 1661, Kathmandu, Nepal

Tel: 977-1-5422800

Fax: 977-1-5421202

Email: [npl.carenepal@care.org](mailto:npl.carenepal@care.org)

[www.carenepal.org](http://www.carenepal.org)