

Securing Land Rights of the Landless and Urban Poor from Policy to Practice: The Case of Kankai Municipality, Nepal

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SUMMARY

In 2019, a National Land Policy was adopted in Nepal which among others, committed to equitable land rights, access to land to the landless, and security of tenure land ownership. With a backdrop of an estimated 25% of all inhabited land under informal tenure in Nepal and nearly half of the rural population dependent on subsistent farming being near-landless operating less than 0.5 hectares of land mainly under informal tenure, necessary legislative, technical and institutional frameworks were necessary. The paper discusses the methodology adopted in Kankai Municipality, and the lessons learnt for implementing the land policy towards regularization of informal tenure and providing secured land rights to the landless and urban poor.

Key technical procedures were adopted for the identification, verification and recordation (IVR) of landless and informal tenure based on the principles of the Social Tenure Domain Model (STDM) and participatory enumeration tools. The national government and the local municipality being entwined in the paradox - protection of government and public land, and also providing access to land to the landless – meant that a careful and multi-tier verification and monitoring process was necessary. Further, due to the work being part of a national campaign overseen by the National Land Commission, a robust procedure was to be adopted. Additionally, the government had an ambitious plan to complete the work in three to five years, and therefore, a Fit-for-Purpose approach was necessary. Details on the procedural and technical methodology adopted for the land titling process are highlighted.

The experience shows that the application of participatory enumeration and Fit-for-Purpose land tools can speed up securing land rights of the landless and urban poor. In a period of less than a year laudable progress in the IVR of landless and informal tenure, mapping of land parcels, and processing for land titling has been achieved and issuance of land ownership certificates to several

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landless households has already undertaken. The study provides lessons to other municipalities in the country, and references to other countries looking for suitable tools for the regularization of their informal tenure that is based on inclusive, participatory, and fit-for-purpose approaches.

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