



XXVI FIG Congress 2018

6-11 May 2018
ISTANBUL

Reforming Land Transaction Service Delivery to Support Gender Responsive Land Governance in Nepal, 8th May 2018

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**EMBRACING OUR SMART WORLD WHERE THE CONTINENTS CONNECT:
ENHANCING THE GEOSPATIAL MATURITY OF SOCIETIES**

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Background

- Land is not only considered as a source of **production** and **livelihood** of Nepalese people but also a basis of **power**.
- Land Administration in Nepal is one of the most **traditional types** of administration.
- Land transaction service delivery is also a **part of whole land governance**.
- **Good governance values** in land tenure and administration i.e. Land administration services should be provided for all **without discrimination**
 - On the basis of gender, ethnicity, religion, age or political affiliation;
 - Land administration officials should behave with honesty & give independent advice based upon their best professional judgment etc.

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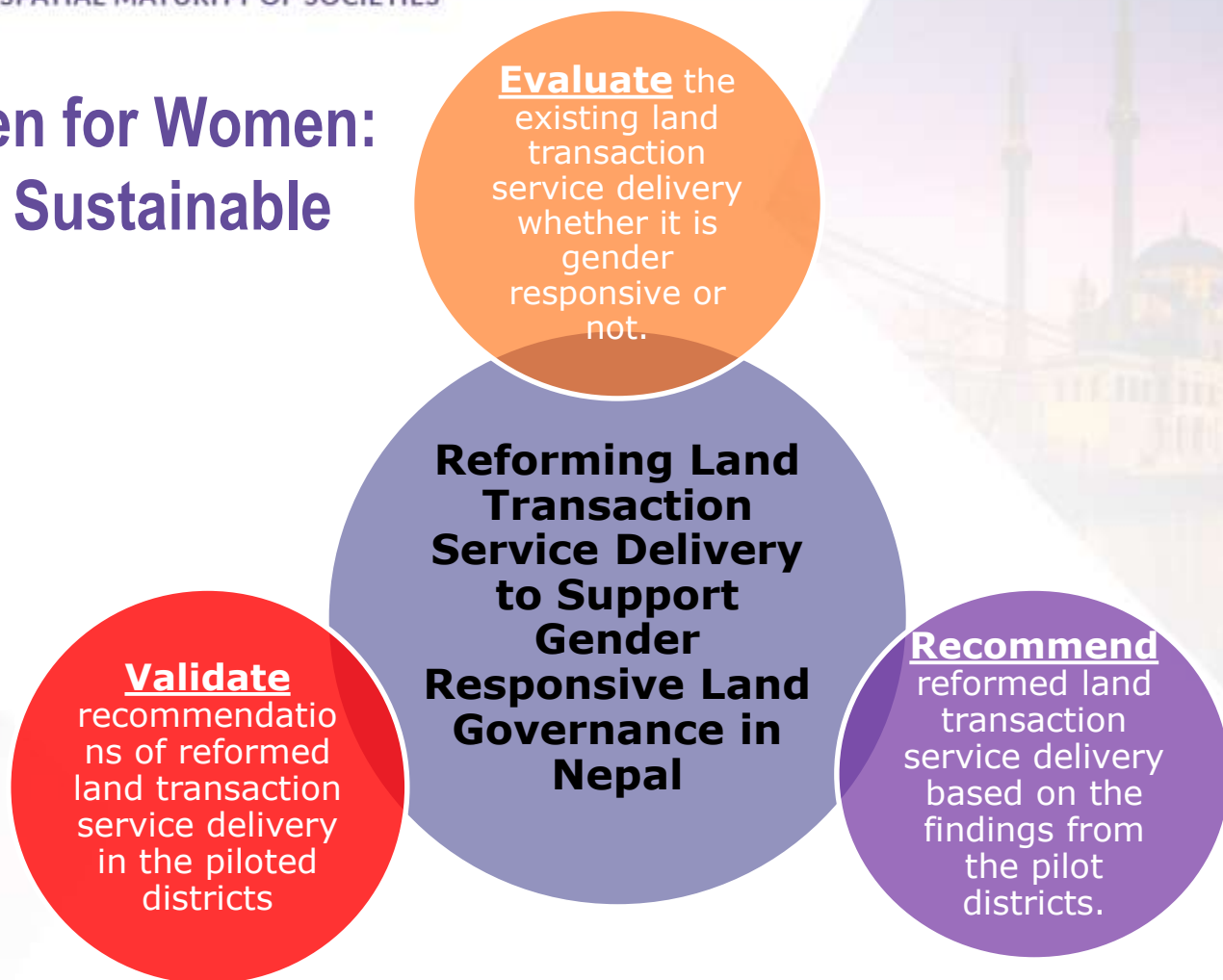


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Empowering Women for Women: Access to Land for Sustainable Peace in Nepal

Objectives



i. Review of Evaluation Framework

ii. Data Collection: Primary & Secondary Resources

Methodology of the Study

Step 1.
Different Land Evaluation Framework

Step 2.
Different Land tools

Step 3.
Various Literatures

Checklist
Based on Gender Evaluation Criteria (GEC)

4 GEC Criteria

- i. Equal participation
- ii. Capacity-building, organization & empowerment
- iii. Legal and institutional considerations
- iv. Social and cultural considerations

Purposively selected key informants

Land Revenue Office,
Survey Office,
Land Reform Office,
NGOs, Land Right Forum, Clients of Land Administration Offices, and Conveyancer Association

Key Informants size
43 (female 17)

Key Findings and Analysis

A. Sources of Awareness of Legal Provisions in Land Transaction

I. Sources of Dissemination of Legal Provision to the General Public

- Notice Board
- Citizen Charter
- Conveyancer

II. Awareness on the Clients to Solve the Problems

In LAOs, many notices are attached that provide information on the room numbers for various services.



B. Awareness on Legal Provisions for Women & Vulnerable Groups in Land Transaction

- More than 70% of the clients of Land Administration office were not aware
- About 35% of the conveyancer were not aware of such provisions.
- Representatives have misunderstood such policies.
- Lack, environment for single women to enjoy benefits (no provision to mention that one is single in any official forms)





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C. Provision of Land Transaction Information

I. Information on Details of Land Transaction

- Majority LAO's clients and NGO (71.4%) stated "LAOs informed the women clients"

II. Explanation of Legal Terminology with Women

- Majority LAOs officials and LRO clients, NGO stated "there is no such provision but they explain to those who ask"

III. Provision of Local Dialects in Land Transactions

- Citizen charter, forms etc. are available in Nepali language only but while speaking with clients, the staffs speak in local languages with those speaking in local languages only."

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D. Role of Non Government Organization in gender responsive Land Administration

- **Built separate toilets** and has **female in Conveyancer Association (CA)**
- **33% discount** on fees for **Joint Land Ownership (JLO)**. **Free service** to financially weak women and disabled by CA
- **Raise voices** on women land rights, **organize dialogues, advocacy** on JLO by NGOs



E. Gender Inclusion in Land Administration Institutions

- Civil Service Act 2049: Out of 100%, 45% seats are reserved for women, indigenous, madheshi, Dalit, Disabled and remote areas. From this 45%, **33% is reserved for women.** -women can also compete for remaining 55% of the seats.
- Female staffs in Land Administration Offices in 3 districts: **2-5** among 23-44 total staffs.



“Lack Female Staffs
in Help Desk”

F. Gender Sensitive Dispute Resolution

- 2013 -2014: Total **42, 910 land related** cases were **registered** in Courts.
- **Common disputes:** Restraint of the land registered on the spouse name, claim on land rights, debate on ownership on a land parcel, debates on land ownership due to differences in use and land documents
- Both **buyers & sellers** are asked about the transaction in details and **get their signatures** in front to make sure that the problems do not arise in future.

"Process to Solution: In Case of Disputes"



G. Recognition of Women & Vulnerable Groups in Land Transaction Service Delivery



No special attention to female clients during land transaction processes (depends upon the **attitude of staff**)

Disabled clients & elderly are provided priority

In **emergency**, the work of both **men & women** are delivered in fast track

Important to recognize a need of woman among men & also the need of women with different situation that need more attention

H. Provision of Gender Sensitive Physical Facilities

- LRO: **Separate toilets** (Morang & Surkhet); **Common waiting** places (Morang & Nawalparasi)
- All SOs & LRmOs : **Common** toilets & **no waiting** spaces
- No **suitable places** for **breast feeding** for women



I. Sometimes (based on staff), **Attitudes** of LAO towards Men, Women & Vulnerable Groups are different.



Conclusion & Recommendation

Simplification of land transaction process:- one door service, computerization, simple deed form

Financial advantage to female clients

Promotion of Joint Land Ownership

Different line, **female staff in help desk** & in dispute resolution

Easy access to land information including access to disaggregated data

Capacity development of staffs and stakeholders-orientation on the updated legal provisions, training etc.

Increase women staff in LAOs

Informing land details to female clients during transaction

Implementation of existing policies and its monitoring

Enhance physical infrastructure in LAOs

Dissemination of important women related legal provisions



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Thank you !

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