

# **Balancing Access to Land for the Landless and Protection of Government and Public Land: The case of Sustainable Land Management in Nepal**

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**Key words:** Access to land; Land management; Legislation; Security of tenure; Fit-for-Purpose Land Administration, Disaster Resilience

## **SUMMARY**

With more than 57.3% of the population dependent on agriculture in Nepal, there is continued pressure to address the conflict between access to land for the poor and landless, and the protection of public and government land. With more than 1.34 million landless Sukumbasi and informal settler households operating Ailani land covering 25% of the total cultivable land, there is a grave concern among planners, environmentalists and bureaucrats on the protection of public and government land as they endeavour to heed to the needs of the landless and the voices of land rights activists to enable access and provide security of land tenure. With a diverse topography coupled with climatic variations further renders it prone to a myriad of natural disasters including landslides, floods, among others. As such, a balancing act is required on the provision of land to the landless, protection of public and government land, while simultaneously pursuing tenure-responsive and risk-sensitive land use planning for sustainable land management in the country.

Led by the Ministry of Land Management, Cooperatives and Poverty Alleviation, Government of Nepal, in collaboration with UN-Habitat, the Global Land Tool Network, and other local partners has resulted in legislative reforms, including the adoption of the National Land Policy of 2019, the amendment of the land legislation in 2020 facilitating actions towards the improvement of tenure security through the registration of land rights of landless squatters and unmanaged dwellers.

The paper addresses the conflict between the need for access to land for landless populations and the protection of public and government land in Nepal, emphasizing the importance of secure land tenure and sustainable land management in a disaster-prone area.

It focuses on four municipalities of Deukhuri valley in Dang district, where over 60.6% of the households mainly from the Tharu indigenous communities are operating land under insecure

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tenure, making these reforms crucial for the local population. The area falls in the foothills of Mahabharat mountains along the axis of the Siwalik range with a fragile geology, eroded by the Rapti river and several streams flowing down from the Mahabharat range. As such the valley is prone to a combination of human and natural disaster risks necessitating interventions in land tenure, land use and climate smart and sustainable land management.

UN-Habitat through its national and international partners with support from Korean Government is implementing a project in the area to support the local municipalities in their efforts to provide secure land tenure to the landless and needy farmers, develop tenure-responsive and risk sensitive land use planning and promote climate smart and sustainable land management practices. By employing a fit-for-purpose approach to land administration, the project ensures that solutions are practical, flexible, and designed to meet the immediate needs of the community while remaining scalable for future improvements. This paper explores the project's concept and presents preliminary findings, demonstrating the validity of the approaches employed and the potential for scalability to other regions within Nepal and beyond.

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