

WIN in ASIA

NEPAL: Campaigning for Women's Land Rights



Summary

Two-thirds of women in Nepal are engaged in agriculture and contribute to food security but only 8% have land titles. **Oxfam supported and worked**  grassroots movements mobilizing rural women to change the laws governing land ownership in Nepal and allow women to legally own land via joint or separate land titles. The campaign operated both at local and national levels, and used a combination of non-violent grassroots mobilization, lobbying with political parties and media, using key political moments such as elections to push for change. The Government of Nepal announced a joint ownership policy in 2011. There are still social and cultural barriers to overcome before the policy can be fully translated into practice, nevertheless, the policy on joint titles is a major step forward in promoting women rights in Nepal.



Introduction

Nepal faces multiple inequalities. The unequal distribution of land among different social groups as well as between women and men is one of the foremost challenges. Land is not only a major source of agriculture and income but it is also a symbol of political, social and economic power. Access and control to land determines one's status in the Nepali society.


Despite the fact that Nepali rural women significantly contribute to agriculture and food with 72.8 percent of women engaged in agriculture, they legally own only 8% of land while 92% (in 2009) of landholdings belong to the male population. This huge inequality is considered as one of the structural factors that contribute to unequal gender power relations, manifested in various forms of discrimination and violence against women in Nepal.

What change did Oxfam want to happen?

Women's access and ownership to land is fundamental to women's empowerment. Land rights will bring about security, independence and confidence, enabling women to become active in social and political arenas. Oxfam sought to change the policy by campaigning for women to be named as owners of the land thru joint or independent land titles.

This is a complex process. Aside from the legal aspect it is also linked to entrenched societal values and religious beliefs. This change challenges the very base of power, therefore the identified blockers were feudal, hard-core Hindu and some rural orthodox members of the population. Since the past decade Nepal is going through political transition. This transition especially the elections for constitutional assembly provided an opportunity for land rights campaigners to engage with all political parties and raise the issue of women's land rights in their election manifesto.

What was Oxfam's role?

Oxfam joined hands with organizations campaigning for women's rights to land: the Community Self Reliance Center (CSRC) and National Land Right Forum (NLRF). CSRC and the NLRF have been mobilising rural women and working with them over the past several years in order to bring about this fundamental policy change. The joint ownership certificate campaign was started in 2009 with the support of Oxfam  50 districts of Nepal.

What was the result?

The Government of Nepal agreed and announced a joint land ownership policy in 2011. The policy made it easier for women to be granted joint ownership of their husband's land by paying NPR 100 as a tax. Now 19.71% women have independent rights over their land which was only 10% in 2010. This major change was supplemented by giving tax discounts of 25% in urban areas, 30% in rural areas and 40% in remote areas. The government also allocated 15% of the VDC budget for land and agrarian reforms, essential for productivity and earning income.

How was change achieved?

Sharp power analysis: At the very outset a sharp power analysis provided a clear understanding about allies and blockers. This facilitated developing a theory of change and identifying key targets to be influenced or neutralized. Power analysis guided the adoption of diverse campaign tactics for different actors and was fundamental to success.

Organizing and education: The core element to success was organizing rural women and educating them to fight for their rights. The National Land Rights Forum was instrumental in organizing rural women at village,

district and national levels. Popular education centres were used to organize rights holders especially women into cohesive community based groups for collective actions against injustice and seeking solutions to local issues.

Mobilizing non-violent action: Mobilization was used as a tactic to create public pressure. The first mobilization by women was done in 2009 at the district level. An 11-day Padyatra (foot march) was organized by the CSRC and NLRF in 2010 where 337 land deprived women from 42 Districts marched until their land rights were assured under the new Constitution. The national movement for Land Reform spearheaded by the NLRF in March 2011 mobilized 1100 women from 50 districts and marched up to Kathmandu.

Women led, owned and shared: The campaign was owned and led by women themselves. During the mobilizations around 50% of the resources were generated from the field and 1000 women came with their own food, blanket, water bottle and transportation. This was a social movement rather than a short, time-bound funded project. Oxfam and other groups provided external support such as media mobilization and local transportation in Kathmandu.

Walk the talk: CSRC and NLRF demonstrated their full support of the joint ownership campaign by ensuring that their staff and members personally implement what they campaigned for and adopt joint ownership land titles. This has been extended to include the district chairs and group members who have land. CSRC aims to lead by example in this area of institutional change.

Changing household power dynamics: The patriarchal culture is not automatically transformed even if a law has already been passed. This will take longer and entail sustained engagement. Therefore to change culture and household power dynamics a dialogue on women's rights to land and property within the family were and are being facilitated. Through the process of education and mobilisation, women have been empowered to raise these issues within the immediate family, and to begin to discuss land and property rights with their husbands and father's in law.

Micro-macro linkages: The other element of success was the tactical engagement at various levels. Mobilization and pressure was created at the grassroots level so the campaign was firmly grounded. Simultaneously, advocacy by key stakeholders at the national Kathmandu level was facilitated to garner political attention for the enactment of law.



Adapted by Mustafa Ghulam Talfur, from CSRC Nepal Case Study

WIN in ASIA case studies coordinated by Kalayaan Constantino and Lilian Mercado