



**UNITED NATIONS PEACE FUND FOR NEPAL
PROJECT DOCUMENT COVER SHEET**


Participating UN Organization: FAO	Priority/Cluster: Recovery/Quick Impact Projects
Project Manager <i>To be nominated by the Ministry of Land Reform and Management (MOLR&M)</i> Name: Address: Telephone: E-mail:	Project Location: Achham district
Project Title: Piloting Land Registration and Preliminary Land Management Intervention in Selected Part of Achham District	UN Fund Project Number: UNPFN/C-2
Project Description: <i>(Sentence identifying issue/problem tackled and people affected)</i> This proposal results from the discussions held during the Land Policy Consultation Workshop organized by MOLR&M with the support of FAO, in Kathmandu, 23-25 February, 2010. Achham district has suffered a lot during the conflict. All land records in the district office have been destroyed. Therefore, it has been felt necessary that an operational/applied research project needs to be carried out on a pilot basis where the implications of trying to replace land records at district level could be tested to feed into the national-level policy/deliberations or to develop a larger scale project. The project will pilot a methodology for: <ol style="list-style-type: none"> 1. Using GPS to survey land holdings 2. Examining the constraints in practice to restoring land certificates, including those destroyed or lost in the conflict in a conflict sensitive and inclusive manner. 3. Recommending the best method to overcome these constraints. 	Total Project Cost: <u> USD 50,000 </u> Funding available through other sources: <hr/> Total requested from the UNPFN in this submission: <hr/> Project Duration: The duration of this project is six months from the date of approval. Envisaged start date: July 2010
Outcome, outputs and key activities Output 1: A set of proposals for new land certificates prepared for their delivery to the MOLR&M in Kathmandu, its district level offices for further certification and distribution to the local tillers Output 2: Basic conditions brought in place for participatory land use planning	
Executive Committee Support Office Review Date: 14 June 2010 Executive Committee Approval Date:	

On behalf of the Participating UN Organization:

Lan
Signature

Bui Thi Lan, FAO Representative in Nepal
Name and Title
6 July, 2010

for **Endorsed by the Executive Committee**
Robert Piper
Chair- UN Resident Coordinator for Nepal


Signature

Date 07/07/2010

Full Project Document - Outline

Piloting Land Registration and Preliminary Land Management Intervention in Selected part of Achham District

1. Background and problem statement

Widespread tenure insecurity is one of the key aspects to be addressed as part of the overall Scientific Land Reform program outlined in the Comprehensive Peace Agreement. This issue originates from various problems, like those highlighted below:

a) The lack of written evidences (certificates) particularly for small farmers who have been tilling their land for years. The lack of certificates might also be due to lack of resources and technologies (GIS, RS, GPS etc.). In some areas where conflicts have been more intense, papers held by the district level offices have been destroyed and its restoration, together with a field survey, could make a big difference, giving a sense of “the State’s presence”; this will be the main target of this project.

b) Complex procedures and lacking of capacities impede law implementation. In forestry, for example, although Nepal has diversified and well established tenure systems, some mechanisms such as Community Forestry and Leasehold forestry struggle to reach the expected results, particularly in terms of poverty alleviation, because of the long and complex procedures to enter into the schemes, which are not properly facilitated and supported by the local authorities. The revision of these procedures will be done by a complementary project, financed by FAO, that will work back to back with this one.

This proposal results from the discussions held during the Land Policy Consultation Workshop organized by MOLR&M with the support of FAO, in Kathmandu, 23-25 February, 2010. As an immediate follow-up of that, two complementary and urgent areas of work were devised: the first one related to the revision of land related legislation and the second to carry out a pilot activity in a selected district.

The first intervention is the identification of contradictions and duplication, strength and weaknesses of land and related natural resources related legislation, and recommendations for drafting legislation; elaboration of proposal for legal follow-up activities, in particular legal recommendations addressing the issue of encroachment of agricultural and forest land and, finally, advise on and support the creation of a Land Law working to work on a draft land legislation; presentation and discussion of recommendations to the working group. This will be covered directly by FAO financial and technical resources, whilst the second has been submitted to UN Peace Fund and is the subject of this project document. The link between the two is clear in terms of the need to identify viable (legal) proposals for the issuance (replacement) of land registration titles (first project) in cases these were lost during the conflict, as will be the case treated by the second project.

Achham district suffered significant upheaval during the conflict. All land records held at the district level offices have been destroyed. Therefore, it has been felt necessary to research implication to explore options for replacing land records at district level destroyed in the conflict in an inclusive conflict sensitive manner. The results of such piloting exercise could then be fed into national-level policy/deliberations and/or become the basis for developing a scaled-up project.

The project will start the recovery of basic records for land registration, together with the field survey by using GPS. The field work will help develop concrete proposals for the delivery of new land certificates to the local lawful land owners land tillers giving due consideration to the gender dimension between different stakeholders.

The project’s immediate beneficiaries will include: (a) existing State Structures/agencies established to

resolve the land issues (especially in Achham district); and (b) all local farmers, women and men, and their households, whose land rights are not secured due to the loss of their land tenure legal records and maps (from related agencies) although they have been the lawful holders and are tilling the land for years. The project will ensure an open and consultative approach to ensure all members of society are consulted in an inclusive manner in the identification of land tenure.

2. Project approach and expected results

Key objectives of the project is to explore implications of trying to replace land records destroyed during the conflict at the district level and make concrete proposals for the new land certificates. It is believed that accomplishment of these objectives will contribute to the ongoing peace process through the proof of concrete results in terms of the tenure security and also by setting a basis for future negotiated (and gender balanced) approach to land management problems. Since this project will be implemented with another one financed by FAO (Assessment of land related legislation and drafting of integrated land related laws), the analysis of (eventual) legal constraints for replacing the old certificates, including those of a gender specific nature, will not be detailed here but will be done by the other project. Both projects will ensure gender, caste and ethnic group issues relating to land ownership and tenure will be covered in depth to ensure a conflict-sensitive and inclusive approach and findings.

The activities of this project will produce two key outputs:

Output 1: Concrete proposals (with due considerations given to gender and inclusion dimension) for replacing land records destroyed during the conflict

Output 2: Basic conditions brought in place for future participatory land use planning

Main activities will include: (i) recovery of basic records for land registration through collection of evidences from the individual owners and tillers; (ii) proposals for overcoming legal and other constraints to restoring land records (eg. the absence of proof of citizenship, disputed claims to land ownership, land survey evidence lost or destroyed in the conflict), including gender specific constraints; (this one will be done together with the FAO funded project on the legal issues) determined through inclusive community consultations; (iii) field survey by using GPS to verify borders of the parcels (using participatory techniques, involving local stakeholders); (iv) preparation of concrete proposals to deal with land certificates and its discussion with the project steering committee (that is the mechanism to transparently check the final recipients of these certificates) where representatives of men and women from a broad range of different constituencies will take part; (v) organization of a series of meetings with relevant local stakeholders in order to prepare conditions for participatory land use planning based on the principles of dialogue, negotiation and consensus building.

Particular attention will be given, through the steering committee, to a gender balanced and inclusive approach in terms of assessment of the land tenure situation and data recovery, field survey and participation in local meetings. The project will promote a consensus building approach for future exercises of land use planning based on the reliable land records.

3. Analysis of risks and assumptions

The project is based on the following assumptions and also has following risks:

- Political commitment to implement the pilot exercise:
Risk Level (medium-high, the Parties to the CPA remain committed however may face capacity constraints in some sectors). The higher risk is the limited capacity of the state institutions to implement the aspects emphasized by the CPA, including the aspects related to land and property in time so that the further disputes devolving into conflict and undermining the CPA could be avoided. Concerning this political risk, the strategy that FAO proposes is based on a consensus building dialogue/negotiation which has been

initially discussed during first identification mission and then at the National Land Policy Consultation Workshop (NLPCW). The need to do “something” on the Land agenda has been highlighted by all actors as is the need to have an external broker, like FAO, acting as Facilitator of Dialogue amongst actors. These two projects (this one plus the other one financed by FAO) will represent the first concrete actions following the discussions and recommendations of the NLPCW. Managing this risk is therefore the implicit purpose of the projects in order to create a possible window of opportunity where land issues can be discussed and negotiated in a peace sensitive way. Direct involvement of FAO staff, with experience on these issues, is therefore part of the response proposed by FAO.

- District land management institutions minimally operational:
Risk Level (moderate, without local implementation capacity, decisions taken at the central level will not be carried out, and the matters may be taken into the hands of the people affected.). The project foresees a line of equipment to ensure that a minimal operation capacity being in place.
- Lack of coordination of all actors addressing various aspects of land administration:
Risk Level: (moderate), The steering committee will be the mechanism to address this risk. Its composition, not limited to GON but open to CSOs/NGOs, will ensure more social control on different aspects like gender, transparency, participation and, also, stimulating coordination if this risk would materialize.

4. Partnership and Management Arrangement

The project will be jointly implemented by MOLR&M and FAO in close collaboration with other relevant partners from the GON, CSOs/NGOs and the Achham district government bodies. Implementation will ensure coordination with men and women in marginalised communities (caste and ethnic groups) in the district.

5. Monitoring & Evaluation

A Project Steering Committee will be formed to guide, supervise and monitor the work of the project team and make policy decisions in the context of implementation of the project. The members of the Project Steering Committee will include representatives from FAO, MOLR&M, local government bodies from Achham district, the High Level Land Reform Commission and at least two representatives from the NGO / civil society, including the Consortium of Land Rights Organizations so that the voice of women and traditionally marginalised communities are well represented.

Following measurable indicators will be applied:

Re: Output 1: The options identified and recommendations provided to the MOLR&M for replacing land certificates; and

Re: Output 2: An agreed (by government bodies, CSOs/NGOs and other actors) proposal to address the land use planning of the district following an inclusive and participatory approach as a follow-up of this land registration pilot exercise.

THE PROJECT BUDGET

(The budget will be submitted in a spreadsheet with all necessary details under the categories below:)

The project will involve an estimated budget of US \$ 50,000.-

CATEGORY	ITEM	UNIT COST	NUMBER OF UNITS	TOTAL COST
1. Supplies, commodities, equipment and transport				15,000
2. Personnel (staff, consultants and travel)				28,730
3. Training of counterparts				2,000
4. Contracts				
5. Other direct costs				1,000
Total Programme Costs				46,730
Indirect Support Costs (7% of total programme cost)				3,270
TOTAL				50,000

Note: the high cost for item 1 reflects procurement of required GPS equipment.

UNPFN Project Summary

Participating UN Organization:	FAO of the UN	UN Fund cluster and/or Nepal PBF Priority area:	Recovery/ Quick Impact Projects		
Implementing partner(s):	MOLR&M				
Project number:	UNPFN/C-2				
Project title:	Piloting Land Registration and Preliminary Land Management Intervention in Selected Part of Achham District				
Total approved project budget:	USD 50,000				
Location:	Achham district				
Executive Committee approval date:					
Project duration:	6 months	Starting date:	July 2010	Completion date:	January 2011
Project's Strategic Outcome:	N/A				
Project description:	<p>This proposal results from the discussions held during the Land Policy Consultation Workshop organized by MOLR&M with the support of FAO, in Kathmandu, 23-25 February, 2010.</p> <p>Achham district has suffered a lot during the conflict. All land records in the district level offices in this district have been destroyed. Therefore, it has been felt necessary to pilot an operational/applied research, where the implications of trying to replace the land records destroyed during the conflict in the district could be explored. The lessons of this district level research will be fed into the national-level policy/deliberations.</p> <p>The project will start recovery of the basic records for land registration, together with the field survey by using GPS. The field work will allow making concrete proposals for the delivery of new land certificates to the local lawful land owners and land tillers.</p>				
Peacebuilding Impact:	Widespread tenure insecurity is one of the key aspects to be addressed as part of the overall Scientific Land Reform program. This project will contribute through the elaboration of concrete proposals for new land certificates to ensure adequate level of tenure security of women and men tested in a pilot area				
Project Outcome(s):	Exploring the implications of trying to replace destroyed land records during the conflict in the district and making concrete proposals for new land certificates by creating minimum consensus for proactive land management intervention (participatory land use planning)				
Outputs and key activities:	<p>Output 1: Concrete proposals (with due considerations given to gender dimension) for replacing land records destroyed during the conflict</p> <p>Output 2: Basic conditions brought in place for future participatory land use planning</p>				
Indicator and benchmarks:	<p>(1) The options identified and recommendations provided to the MOLR&M for replacing land certificates; and</p> <p>(2): An agreed (by government bodies, CSOs/NGOs and other actors) proposal to address the land use planning of the district following an inclusive and participatory approach as a follow-up of this land registration pilot exercise</p>				