

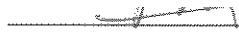
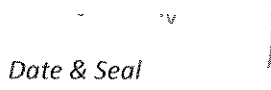


### United Nations Peace building Support Office (PBSO)/ Peace building Fund (PBF)

|   |   |
|---|---|
| <b>Project Title:</b> "Empowering Women 4 Women: Access to Land for Sustainable Peace in Nepal".  | <b>Recipient UN Organization(s):</b> International Organization for Migration (IOM), United Nations Development Program (UNDP), United Nations Human Settlement Program (UN- Habitat)   |
| <b>Project Contact:</b><br>Mr. Maurizio Busatti, Chief of Mission<br><u>Agency and Address:</u><br>IOM, 768/12 Thirbam Sadak, Baluwatar – 5.<br>Kathmandu, Nepal<br><u>Telephone:</u> +977-1-4426250<br><u>Email:</u> mbusatti@iom.int  | <b>Implementing Partner(s):</b> Ministry of Peace and Reconstruction (MoPR), Ministry of Women Children and Social Welfare (MoWCSW), Ministry of Land Reform and Management (MoLRM), Community Self Reliance Center (CSRC), Lumanti, District Land Rights Forums, Nepal Mahila Ekata Samaj.<br><br><b>Project Location:</b> National, Regional and Selected Districts (Surkhet, Nawalparasi, Morang). |
| <b>Project Description:</b><br>This project will ensure gender balance and inclusion of women's perspectives within the existing policy discussions about land reform in Nepal. This initiative will encompass the following components: (a) Training of women leaders on land issues and advocacy skills and sensitization of male policy-makers on the importance of a gender-inclusive structure of the land decision-making process; (b) Support to the agreement upon a "Declaration of Good Will" related to gender equality and other guiding principles that will be used in the land-policy discussions; (c) Provision of a comprehensive overview of the situation of landless people and Conflict Affected Women (CAWs) in Nepal to the GoN. In doing so, the project aims to contribute to ensuring gender equality in land policy discussions and enable women to influence the policy decisions. Land issues are cross-cutting so the results on the policy will eventually broaden the range of livelihood alternatives for women while decreasing the risks for land-related tensions in the grass roots level. | <b>Total Project Cost:</b> USD 1 Million<br><b>Peace building Fund:</b> USD 1 Million<br><b>Government Contribution:</b><br><b>Other:</b><br><br><b>Proposed Project Start Date:</b> 01 March 2015<br><b>Proposed Project End Date:</b> 31 August 2016<br><b>Total duration (in months):</b> 18 Months  |
| <b>Gender Marker Score:</b> 3 - Gender equality is a principal objective of this project.   |   |
| <b>Project Outcome:</b> Male and female policy-makers design gender responsive land reform process and policies.  |   |
| <b>PBF Focus Areas:</b> Priority area 2: Promote coexistence and peaceful resolution of conflicts.  |   |
| <b>UNFPN Strategic Objective:</b> Nepal's leaders are prepared to develop a national transition plan for implementation of land reform and property return.   |   |

IRF PROJECT DOCUMENT

| (for IRF-funded projects)  |
|--|
| <b>Recipient UN Organization(s)</b><br><br><div style="text-align: right;">26.11.14</div> <div><br/>Mr. Maurizio Busatti, Chief of Mission, IOM<br/>Date &amp; Seal</div> |
| <div style="text-align: right;">26/11/2014</div> <div><br/>Ms. Sophie Kemkhadze, Deputy Country Director, UNDP<br/>Date and seal</div>                                    |
| <div style="text-align: right;">26.11.14</div> <div><br/>Mr. Padma Sunder Joshi, Program Manager, UN Habitat<br/>Date and seal</div>                                      |
| <b>UNPFN Executive Committee Chair / UN Resident Coordinator (RC)</b><br>Jamie McGoldrick<br><br><div><br/>Date &amp; Seal</div>  |
| <b>Peace building Support Office (PBSO)</b><br><br>Name of Representative<br>Signature<br>Peace building Support Office, NY<br>Date & Seal   |

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## Abbreviations & Acronyms

|            |  |
|------------|--|
| ADS        | Agriculture Development Strategy               |
| CAP(s)     | Conflict Affected Person(s)                    |
| CAW        | Conflict Affected Women                        |
| CBO(s)     | Community-Based Organization(s)                |
| CPA        | Comprehensive Peace Agreement                  |
| CSO(s)     | Civil Society Organization(s)                  |
| GLTN       | Global Land Tool Network                       |
| GoN        | Government of Nepal                            |
| IC         | Interim Constitution                           |
| IOM        | International Organization for Migration       |
| JLO        | Joint Land Ownership                           |
| LWG        | Land Working Group                             |
| MoLRM      | Ministry of Land Reform and Management         |
| MoPR       | Ministry of Peace and Reconstruction           |
| MoUD       | Ministry of Urban Development                  |
| MoWCSW     | Ministry of Women, Children and Social Welfare |
| NGO        | Non-Governmental Organization                  |
| PBF        | Peace Building Fund                            |
| PBSO       | Peace Building Support Office                  |
| RC         | Resident Coordinator                           |
| RUNO       | Recipient United Nations Organizations         |
| SOLA       | Solutions for Open Land Administration         |
| UN         | United Nations                                 |
| UN Habitat | United Nations Human Settlement Program        |
| UNDP       | United Nations Development Program             |
| UNPFN      | United Nations Peace Fund for Nepal            |
| W4W        | Women for Women (approach)                     |
| WASH       | Water, Sanitation and Hygiene                  |
| WB         | World Bank (The)                               |
| WWG        | Women Working Group                            |

## Glossary

### **Women for Women (W4W approach):**

Qualified women teachers use contextualized modules to enhance capacities of other women, on land rights and system as well as advocacy and negotiation skills. The W4W approach ensures a constructive environment for learning as well as participatory and long-lasting impacts.

## I. Context and Rationale for PBF support

### (a) Context:

Weak land management institutions, in addition to many obstacles to access and land ownership due, *inter alia*, to the feudal land management system<sup>1</sup> were part of the root causes of a ten year armed conflict in Nepal. This was made evident by the Maoists key demand for a Scientific Land Reform before beginning the armed insurgency in 1996. Acknowledging this, the 'Comprehensive Peace Agreement' (CPA) signed in 2006 envisioned a high level Scientific Land Reform in the country to address the historical inequalities in the distribution of land, and the subsequent issue of landlessness. Although women played a crucial role before, during, and after the conflict as social and political advocates, they had little to no involvement in the peace agreement brokered in 2006. Furthermore, although women are considered to be active agents of peace, resolving conflicts at all levels of society with little or no recognition, they are sidelined, lack equal capacity, and are not empowered to contribute to the land-related political and legislative processes in Nepal.

In Nepal, women are still a minority in land related discussions and policy-making processes and are totally excluded from the resolution of conflicts over usage and ownership of land, at both community and national levels. The project aims to strengthen Nepal's peace process by addressing, in general, land issues in the larger peace building framework; and more specifically, it will expand ongoing land reform efforts by strengthening women's roles and influence in the process and contribute to an effective social and minds change. Through enhancing their capacity in making evocative decisions in planning land use, land management, and land governance, women's functional ownership on land will be fortified.

According to the 'High Level Scientific Land Reform Commission' report (2010), women are responsible for 60.5% of agricultural production; yet only 19.71% (CBS, 2011) of women own 5% of land throughout Nepal, and only 10.8% have effective control over their property (CSRC, 2011<sup>2</sup>). However, academics<sup>3</sup> demonstrated the strong causal linkages between independent land rights for women and improvement of family welfare, food security, gender equality, empowerment, economic efficiency, and poverty alleviation. It has also proven to have positive impacts in terms of reduction of domestic violence against women and the World Bank's Policy Research Report (2003) demonstrated the positive impacts of strengthening women's land rights for gains in agricultural productivity<sup>4</sup>. Those are all positive changes that objectively play in favor of social cohesion and consequently, contribute to ensure durable peace.

In Nepal, a decade-long armed conflict and subsequent internal and external migration fluxes caused a significant shift in household gender roles and responsibilities. Most importantly, given the thousands of cases of disappearances, physical injuries and deaths during the conflict, the number of *de facto* female-headed households, as well as women taking a lead role in cultivation and other land use matters, has significantly increased.

In this environment, and responding to several progressive gender sensitive directives passed by the Supreme Court (SC), the Government of Nepal (GoN) has begun to implement laws that impact increased ownership, access and control over land by women. This initiative has the potential to make a significant contribution to peace building efforts undertaken in Nepal during the transition period. In doing so, the GoN has designed several instruments and measures to encourage women to get formal access and rights over land. For instance, those measures included the application of a 30% exemption on land registration tax when concerning the transfer of ownership to women in

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<sup>1</sup> 74.4% households own less than 1Ha of land, covering just 38.9% of agricultural area while 0.8% households own 5Ha or more, covering more than 7.3% area. (Source: ADS Assessment Report).

<sup>2</sup> Bhumi Adhikaraka Lagi Mahila Anndolan (Women's Movement for Land Rights)

<sup>3</sup> Agarwal, 1994, 2002.

<sup>4</sup> The World Bank, Policy Research Report, 2003

rural areas<sup>5</sup>. It also provided mechanisms that enable women to acquire 'Joint Land Ownership' (JLO) together with their husbands<sup>6</sup>.

These initiatives aim to enable women, including Conflict Affected Women (CAWs), to formally access land and by doing so, provide them with an opportunity to use land as an alternative source of income. It effectively enables women to use land for financial support and mitigate, for example, the effects of an absent male in a given household<sup>7</sup> and benefits to many CAWs or women who stayed in Nepal while their husbands migrated abroad for labor opportunities. This is the reason why land policy discussion is, in and by itself, part of the peace building efforts that have been undertaken till date in Nepal.

However, even today, patriarchal norms and conservative social dynamics still influence the application of norms that are embedded in the deep social fabrics in Nepal. This can often be translated by a lack of recognition of women's land rights and a lack of support to the latter in their fight against discrimination in their access and control over land. This is a socio-cultural phenomenon that takes place despite the GoN's legislative efforts, as mentioned earlier.

For instance, a 2013 survey of women land owners in Nepal demonstrated that about 20% of the respondent could feel society doubting on their capacities to own a parcel of land<sup>8</sup>. In some cases, the rights a woman has over land could even be interpreted as a mean to run away from the marital home or as a place dedicated to "entertain" other men<sup>9</sup>.

In that context, the 'Catalytic Support on Land Issues' Project has been jointly undertaken by IOM, UNDP and UN Habitat since March 2013 and will be implemented until February 2015. This important initiative was made possible thanks to the generous support of the UNPBF<sup>10</sup>. It has promoted dialogue among political leaders about initiating the land reform process, and facilitated consultations and discussions with community members in the districts. That enabled to identify gaps directly related to the then observed lack of women's participation in the legislative debate about access to land and land tenure security. More broadly, this project also brought the lack of a meaningful and functional control of women in land use and governance decisions into the light. This context observed in Nepal forces international actors to be realistic both in their efforts and objectives. In that sense, RUNOs used the "Catalytic Support on Land Issues" Project as a first step to get into the land-related discussions and debates in the country by creating the necessary platforms for it. This project proposal would build upon the main findings and gaps identified by the 2013-2015 UNPBF-funded Project, in this particular case, by including women that were almost absent and/or not able to make their voices heard in the land reform discussions process.

Currently, despite legislative efforts of the GoN and the creation of privileged platforms for discussions about land issues brought by the UNPBF-funded project, women still face many social obstacles in getting access and control over land and are not able to fully enjoy their rights. Nepal is far from being an exception in that area; research shows that, women's land rights are often denied due to socio-cultural and political factors<sup>11</sup>. Despite the above mentioned positive measures and the fact that landless women are already part of community-level land rights groups, they have been largely unable to influence policy discussions related to land<sup>12</sup>. This reflects, in part, their lack of technical information about land issues, but also difficult access to political and legislative processes

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<sup>5</sup> GoN, 2010

<sup>6</sup> These two measures were announced in the Policy and Program part of the Nepal Budget Speech 2011/12 (2068/69).

<sup>7</sup> FAO, 2011 quoted in the CDS, 2013

<sup>8</sup> College of Development Studies, Impact of Joint Land Ownership and Land Entitlement to Women in Nepal, 2013.

<sup>9</sup> Mbote, 2005.

<sup>10</sup> The total budget/UNPBF Funding is USD 1,224,662.

<sup>11</sup> Lastarria-Cornheil S., "Gender and Property Rights within Post-conflict Situations", (2005), United States Agency for International Development (USAID); Washington DC. And, United Nations Development Programme (UNDP), "Women and Natural Resources Unlocking the Peace building Potential"; Nairobi, Kenya: United Nations Environment Programme, 2013.

<sup>12</sup> Results of the IOM's consultations undertaken between 16 and 18 November 2014.

and high-level discussions where these policies are debated and shaped<sup>13</sup>. This has also been evident in the current 'Constituent Assembly' (CA) discussions and will be an important factor in the resulted land reform taken up by the Parliament after the new Constitution is enacted in 2015.

Although not exhaustive, some of the key issues related to the lack of women's participation and influence in land-related discussions that were identified through the implementation of the 2013-2015 UNPBF-funded "Catalytic Support on Land Issues" Project and that this new W4W project will address are outlined below:

**(1) Women's Ownership of Land:** Issues related to landlessness have existed in Nepal for many centuries. Statistics show that around 25% of the rural population people in Nepal are landless or near landless<sup>14</sup>. Given the lack of alternate employment opportunities, nearly two third of the population are dependent on land for a living. This leads to a high-level of pressure on rural land and has to be considered through the scope of Nepal's demographic growth dynamics that are likely to exacerbate this reality<sup>15</sup>.

The 2011 Population Census indicates that only 19.71% of the Nepalese women own land and/or property<sup>16</sup>. In that environment, if the access to land and security of land tenure are not formally secured for all Nepalese, including women who tend to suffer in greater proportions from those issues<sup>17</sup>, this could lead to community-level disputes with a high potential for conflict. Indeed, land insecurity and difficult access to land ownership have proven to fuel a vicious circle of pervasive poverty and tensions in many different situations<sup>18</sup>.

**(2) Absence of Women from Key Policy Discussions on Land:** Considering the high conflict potential inherent to land issues in Nepal, the exclusion of a group, in that case of women, from crucial policy discussions would potentially result in a lack of response to their specific needs and perspectives about land. Consequently this could represent a risk for the entire land reform process and policies to be weakened<sup>19</sup>. By extension, it also represents a risk for peace building efforts undertaken till date in Nepal. This prevents local communities and stakeholders to engage in policy discussions in terms of designing a comprehensive national land reform program and fails to give due consideration to the specific issues faced by women as well as their own perspective as Nepali citizens. Strengthening vulnerable groups, including women, at all stages of the land reform process is imperative to ensure an inclusive and beneficiary-based approach that fills the gaps and address the specific vulnerabilities of Nepali women. In doing so, it would also set a strong basis for land issues to be addressed in a comprehensive, sustainable and peaceful manner.

**(3) Gender-Sensitive Land Institutions and Processes:** The 2013-2015 UNPBF-funded IOM, UNDP and UN Habitat project conducted a rapid assessment through comprehensive surveys and structured questionnaires in the districts, which translated the lack of resources and capacities to implement recent women-sensitive laws<sup>20</sup>. This activity has permitted to clearly identify the need

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<sup>13</sup> Results of the IOM's consultations undertaken between 16 and 18 November 2014.

<sup>14</sup> ADS Final Report (2013)

<sup>15</sup> Adhikari, Jagannath, B Nepali, and Radha Gurung, "Access to Land and Marginalization in Nepal: A Political Economic Approach", 2009. [http://www.socialinclusion.org.np/new/files/Jagannath%20Adhikari\\_1336453985c2xb.pdf](http://www.socialinclusion.org.np/new/files/Jagannath%20Adhikari_1336453985c2xb.pdf).

<sup>16</sup> According to "Research report on Access to land and Marginalization in Nepal: A Political Economic Approach (2009)" by Jagannath Adhikari et.al "women control 5% of land holding in Nepal", thereby suggesting 95% of land holding under the control of males.

<sup>17</sup> FAO, "Assessment of Food Security and Nutrition Situation in Nepal", 2010. [ftp://ftp.fao.org/TC/CPF/Country%20NMTPF/Nepal/thematic%20studies/Food%20Security%20\\_Final\\_.pdf](ftp://ftp.fao.org/TC/CPF/Country%20NMTPF/Nepal/thematic%20studies/Food%20Security%20_Final_.pdf).

<sup>18</sup> Land Watch Asia, CSRC, and ANGOC, "Land and Land Tenure Security in Nepal"; Kathmandu, Nepal: Community Self Reliance Centre (CSRC), 2009. [http://www.csrcnepal.org/CSRC%20\\_Ebulliten/Land%20and%20Land%20Tenure%20Security%20in%20nepal.pdf](http://www.csrcnepal.org/CSRC%20_Ebulliten/Land%20and%20Land%20Tenure%20Security%20in%20nepal.pdf).

<sup>19</sup> Once again, it is crucial to remind that this project will engage all policy-makers in a systemic inclusion and consultation of women leaders relating to land issues that is women specific land issues as well as the rest of the land policy provisions.

<sup>20</sup> Please refer to Annex C.

to systemize and institutionalize a women-sensitive approach in the design and functioning of land processes and system. As mentioned earlier, the implementation of the recent mechanisms designed by the GoN to positively impact women's land rights is still a challenge. This could be facilitated through efforts of capacities' enhancement of the land offices' staff as well as an institutionalization of systems and mechanisms used by the land offices to build women-responsive processes in order to facilitate ownership of land and property by women.

- (4) Verification and Registration:** Despite the fact that if judiciously managed, sufficient land could be secured for alienation to the landless persons, landlessness is a major problem throughout Nepal<sup>21</sup>. Most of the lands that the landless people have settled without formal titles are public or community forest land or land that belongs to Guthi (trusts). The Government has recently set up a Commission with the objective of registering landless people as well as verifying their situation and data available. This initiative will enable distributing land and housing as well as formalizing land tenure situations for this vulnerable population. This process, if not implemented with a gender-responsive lens, will undermine women's rights to land and property and will replicate discriminatory schemes. This is likely to reaffirm patriarchal patterns related to land. Local peace building can be strengthened through the enhancement of technical and management capacities of relevant local institutions and mechanisms that play a role in addressing and resolving land and property issues.

The community and local government consultations on existing land problems as well as the fostering of links between the local and national policy-makers will be used to contribute to an overall environment favorable to address land issues in a peaceful, beneficiary-centered and inclusive manner in order to contribute to the success of a sustainable land reform. That is also essential for the just, equitable, and sustainable reconstruction of political, legal, economic, and social structures in Nepal.

From a peace building perspective, the very first step of this project will be to ensure the systematic inclusion of women in political and decision-making processes related to land and property rights in Nepal. This will be achieved through the development of capacity enhancement trainings to enable women to make their voices heard as well as through an awareness raising initiative among male decision-makers about the importance and benefits of such inclusiveness and human rights-based approach to the context of Nepal. In order to gain further positive and long-lasting impacts, the adoption of an instrument, under the form of a symbolic 'Declaration of Good Will' adopted by all men and women engaged in land reform discussions in Nepal will be a voluntary tool that summarizes basic principles that will help national stakeholders in establishing inclusive and gender-responsive land policies in a human rights-based approach.

In addition to these components, the existing discussion platforms (Land Working Groups) will be used to sensitize and join efforts and willingness of both male and female policy-makers in ensuring a gender-responsive land reform process and policies.

Finally, this project will make available a mapping and gap analysis report that encompasses technical recommendations to the GoN in order to tackle the institutional obstacles faced by women in Nepal in their access to land and tenure security. This will go along with a complementary module integrated in the existing SOLA system<sup>22</sup> in order to provide disaggregated data on CAWs and landless women. Drawing upon this comprehensive overview of the situation of women in relation to land in Nepal, this project will develop a series of quality tools, SOPs, process flows and grievance mechanisms to provide the GoN with the appropriate and technical tools to ensure a gender-responsive framework that facilitates the access of women to land and tenure security.

The 2013-2015 UNPBF-funded "Catalytic Support on Land Issues" Project has been focusing its efforts and resources in the districts of Surkhet, Nawalparasi and Morang. The choice of those three

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<sup>21</sup>High Level Scientific Land Reform Commission Report (2010)

<sup>22</sup> Please see Project Results Framework, *supra*.



specific locations was first legitimated by their broad geographic coverage<sup>23</sup>. After considering the timeframe of the proposed W4W project and through extensive consultations with both the relevant Government ministries and the civil society that revealed the number of land and property cases documented and systems already in place with regards to land use, this project proposes to build upon the achievements of the 2013-2015 initiative and continue to work in close collaboration with political leaders in those select districts in the framework of the W4W initiative.

**(b) Mapping of Existing Peace Building Activities and Gaps:**

Land has been at the center of conflict in Nepal, which manifested into both local-level conflicts in the communities as well as an armed insurgency that lasted a decade. Dealing with land issues and more specifically women's rights over land tenure security and inheritance laws is paramount to address both historical land inequalities as well as post-conflict land and property issues faced by conflict affected women and by doing so, contribute to sustainable peace building efforts.

Indeed, in the transitional context, the latter are confronted to a broad range of obstacles: for instance, the wives of the deceased and disappeared had to suddenly assume new responsibilities and the financial and social burdens of being the head of a household with a drastic reduction of income. The same is true for thousands of women whose husbands have migrated to third countries for employment. In such situations, access and control over land is crucial in providing an alternate source of income for families; however in Nepal, it is still difficult for women to access it by themselves because of socio-cultural and traditional patterns.

As mentioned earlier, the CPA made provisions for establishing a 'Commission for Scientific Land Reform' that is mandated to produce an in-depth study of the issue including detailed recommendations for a Comprehensive Land Reform in Nepal. Despite the formation of two separate Commissions, the sensitivity and politicization of land issues in Nepal in addition to the lack of political weight of women groups in decision-making processes have prevented any concrete recommendations towards addressing issues related to women's land tenure security and land ownership rights to be implemented. In addition to the inherent socio-political sensitivity of this issue, very little funding towards responding to women's needs surrounding land has resulted in a lack of adequate support in strengthening organizations or NGOs dedicated to work on land and women's needs. That phenomenon translates a major peace building gap in Nepal.

Since the signing of the CPA, the GoN jointly with development partners, both at a national and international levels, have been playing a significant role in carrying-out a broad range of peace building initiatives through various programs targeting post-conflict resolution as well as post-conflict planning. Peace building initiatives in Nepal can be categorized into two categories: (1) Government-led initiatives and (2) NGO/Donor-initiated programs.

- The UNPBF has been instrumental in supporting various peace building efforts in line with the GoN priorities and strategies. The ongoing UNPBF-funded project 'Catalytic support on Land issues' is currently the only project that addresses land issues in the framework of the peace building process undertaken in Nepal. Through its ancillary body 'Nepal Peace Trust Fund' (NPTF)<sup>24</sup> consisting of local government and eight development partners including UN agencies representing donor countries<sup>25</sup>, the MoPR have been instrumental in the peace building process in Nepal. To date, EUR 140 million were invested for a total of 63 different projects<sup>26</sup>. With the

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<sup>23</sup> Districts are in the Mid-Western, Western and Eastern regions of Nepal.

<sup>24</sup> NPTF is mandated to implement the CPA by managing cantonments and combatants, distributing peace dividends to conflict victims, working towards transitional justice, strengthening security, advocating for free and fair elections, and implement peace building initiatives at national and local levels.

<sup>25</sup> Donor countries such as Denmark, Finland, Germany, Norway, Switzerland, UK and US,

<sup>26</sup> [www.nptf.gov.np](http://www.nptf.gov.np)

support from The World Bank (WB), the MoPR also implemented the 'Emergency Peace Support Program (EPSP)', which provides support for individuals and communities affected by the armed conflict.

- NGO/donor initiatives comprise mainly educational, advocacy, and campaigning efforts that are conducted through the delivery of trainings, the organization of workshops, and socio-political dialogues. Specific activities include community mediation, empowerment of youth, women, ethnic groups, and victims of the conflict.

According to NPTF's CPA and 'Peace Mapping Report'<sup>27</sup> there are two gaps in the current peace building efforts, including that: (1) Projects that support post-conflict victims assistance still remain weak and inadequate and; (2) Progress on transitional justice and reparations have mainly been focused on generating awareness only, while leaving aside the crucial challenge of mobilizing political initiative and willingness to take this forward. While the GoN has accorded the highest priority to peace building activities, initiatives aimed to strengthening local-level peace building capacities have received only 3% of the total budget.

In terms of addressing post-conflict needs of the women and girls, the GoN has adopted a National Action Plan (NAP) on the implementation of the UN Security Council Resolutions 1325 and 1820<sup>28</sup> in order to "address the security concerns of women and girls and to ensure the participation of women in all stages of peace building". Although the NAP does not include provisions that directly reference about women's land issues, it does aim to contribute to "ensure proportional and meaningful participation of women at all levels of conflict transformation and peace processes" as well as to protect women and girls' rights. Unfortunately, projects dedicated towards implementing the NAP and addressing specific post-conflict issues faced by women and children have been minimal and largely ineffective.

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<sup>27</sup> <http://www.nptf.gov.np/userfiles/Peace%20Mapping%20final%20report.pdf>

<sup>28</sup> The National Action Plan On Implementation of the United Nations Security Council Resolution 1325 & 1820 [2011/12 – 2016/17] can be consulted at: [http://www.peacewomen.org/assets/file/nepal\\_-\\_nap.pdf](http://www.peacewomen.org/assets/file/nepal_-_nap.pdf)

Table 1: Overview of Ongoing Peace Building Initiatives in Nepal

| S.N | Project outcome  | Source of funding (Government/development partner)   | Key Projects/ Activities  | Duration of projects/ activities               | Budget in \$    | Description of major gaps in the Outcome Area, programmatic or financial   |
|-----|--|--|---|--|-----------------|--|
| 1   | To contribute to the peace process of Nepal by providing interim cash transfers and services to eligible conflict affected groups and by increasing transparency and accountability in the delivery of these benefits. | International Development Assistance (IDA), The World Bank Group (WB)/ GoN   | There are 3 project components:<br>1. Rehabilitation support to conflict affected families and individuals;<br>2. Cash benefits to families and widows of those killed as a result of conflict;<br>3. Capacity building of key Institutional structures in support of peace process and project management support. | Six years:<br>From September 2008 to June 2014 | USD 50 Million  | Under component 1: The project could not implement psychosocial counseling support to the victims as part of rehabilitation support. Likewise the employment self-employment services under the same component could not be rolled-out in remaining districts due to project phase out. Additionally, wives of the disappeared and those killed during the conflict face numerous challenges in accessing relief in addition to accessing land and property due to rigid and patriarchal inheritance laws. |
| 2   | A sustainable peace in Nepal through effective implementation of the CPA and subsequent peace agreements   | NPTF <sup>29</sup> -Ministry of Peace and Reconstruction (MoPR), Ministry of Health and Population (MoHP), Ministry of Women, Children and Social Welfare (MoWCSW), Ministry of Home Affairs | The NPTF projects are basically divided into four clusters. There are altogether <b>63 projects</b> within those four clusters.<br>1. Cantonment Management and Rehabilitation of combatants ;<br>2. Conflict Affected Persons and Communities ;<br>3. Security and Transitional                                    | 10 years:<br>From 2007 to 2017                 | USD 178 Million | -Analysis from gender and social inclusion perspective shows that some marginalized groups still have poor level of participation in most project activities.<br>-The capacity of LPCs continues to be weak in spite of their potential to positively impact peace building efforts at a local level.  |

<sup>29</sup> NPTF includes 8 donor partners namely Denmark, EU, Finland, Germany, Norway, Switzerland, UK and US

|   |  |  |  |                        |  |
|---|--|--|--|------------------------|--|
|   |  | (MoHA), Non-Formal Education Centre (NFEC), Nepal Police, National Women Commission (NWC), Nepal Television (NTV), Radio Nepal (RN), Election Commission, Nepal (ECN), | Justice;<br>4. Constituent Assembly and Peace building Initiative at National and Local Levels.  |                        | -NAP 1325 and 1820 projects have had limited impact on women and girls in the communities.<br><br>-Analysis taken from conflict sensitive and peace effectiveness approach demonstrates design and implementation of NPTF projects lacks enough attention in addressing root causes of conflict including land <sup>30</sup> . |
| 3 | Designed to enable rapid delivery of essential peace support activities responsive to the demands of a changing environment. | UNPFN- with other UN agencies (UNDP, UNICEF, UNOPS, OHCHR, UNCDF, ILO, UNWOMEN, IOM and UNFPA)   | There were 17 projects completed and 9 projects are currently being implemented through the UNPFN-PBF fund in Nepal by various UN agencies. Those efforts are developed in five priority areas:<br><br>1. Cantonment and Reintegration;<br>2. Election, Governance and Mediation;<br>3. Recovery/Quick Impact Projects;<br>4. Security;<br>5. Rights and Reconciliation. | Since 2007 – till date | Arguably more efficient in implementation compared to other projects, limited funds and number of years has constricted the impact on peace building and women's issues.   |

<sup>30</sup>[http://nptf.gov.np/userfiles/NPTF%20Phase%20II%20final%20report%20\(as%20sent%20on%2031%20Jan%202013\(1\).pdf](http://nptf.gov.np/userfiles/NPTF%20Phase%20II%20final%20report%20(as%20sent%20on%2031%20Jan%202013(1).pdf)

**(c) Rationale:**

The Interim Constitution (IC) aims to end the 'feudal land ownership' system and places redistributive land reform as a priority in the Government agenda. Any attempt to move Nepal's peace process forward without addressing women's issues on land is likely to be unsustainable as these issues have been a major cause and driver of conflict<sup>31</sup>. In Nepal, understanding the importance of women's participation in peace building and land reform efforts and translating this into practice remain a major challenge. This indicates the need to begin discussing and empowering women at the national and local levels so that they can influence land-related discussions and policy drafting as well as assert their rights to land and tenure security.

The overall peace building objective of this project is enabling women to play an active role as agents of change in order to guarantee their equal rights and access to land thus decreasing the risks of conflict in the grass roots level. This will be achieved by simultaneously increasing the capacity of women at the community level for them to engage in land-related discussions in a meaningful manner as well as enabling women leaders (community and political) to influence laws and policy decisions at the central level. This will be done in a conflict-sensitive way that takes into account politically delicate issues to avoid unintentionally fueling further conflict, in that sense, the project will ensure a "do no harm" approach is applied at all implementation stages.

This project has the potential to multiply the impacts and changes brought by the ongoing UNPBF-funded joint project on "Catalytic Support on Land Issues" by building on the achievements till date. As exposed earlier, the joint IOM-UNDP-UN Habitat project has made several progresses in terms of addressing land issues in a holistic manner. One of the main achievements of this initiative has been the establishment of discussion forums (Land Working Groups) dedicated to land issues in Nepal. In the perspective of this new project and with the objective of increasing women's participation and influence in those same land policy debates, those forums are an open door to strengthening women's position in land-related negotiations.

In this framework, the current dialogues and debates that take place with political leaders in Nepal could be used as an opportunity to include the issue of women's land and property ownership security as one of the main discussion points of the agenda. For example, if women's representation in the policy drafting committees of the CA could be secured, then it would enable women to secure their positions and ensure their voices and concerns are heard in discussions related to land. This project will contribute to deal with land reform and related issues in Nepal in a gender-responsive manner, for instance by increasing their representation in the community and high-level policy discussions. That is paramount to enable moving forward Nepal's transition towards a durable peace.

Considering the limited number of initiatives dedicated to address issues surrounding women and their access and rights over land in Nepal this project will work closely with CSOs and CBOs to reinforce their capacities on land rights and tenure security for women. Very little funding towards responding to women's needs surrounding land and the absence of an adequate support in strengthening organizations or NGOs dedicated to work on land and women's needs is concerning and translates a major peace building gap in Nepal. This component of the initiative will involve several organizations including: Lumanti-support group for shelter as an NGO dedicated to shelter for landless, Nepal Mahila Ekata Samaj as a CBO working for landless women working for landless), and CSRC, as a NGO with a longstanding experience in land rights in Nepal<sup>32</sup>. On the other hand, the current partnership between UN agencies, Governmental agencies and CBOs has proven to be a success in creating a privileged space where all actors and stakeholders are able to interact and

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<sup>31</sup> S. N. V. Nepal et al., "Access to Land of Dalit Community and Dalit Inclusion: An Analysis from Intersectionality Perspective," 2012, 69, [http://www.socialinclusion.org.np/new/files/Purna%20Bahadur%20Nepali\\_1365493805dWhW.pdf](http://www.socialinclusion.org.np/new/files/Purna%20Bahadur%20Nepali_1365493805dWhW.pdf).

<sup>32</sup> Please see Annex E

discuss land issues in a cohesive and progressive manner so this space will again be used to serve objectives of this new initiative. Also, the engagement of the UN through the support of the PBF is seen as a neutral intervention and acceptable by all concerned.

The ongoing 2013-2015 UNPBF-funded “Catalytic Support on Land Issues” project also has a multi-sectorial approach where technical assistance is provided to the GoN on revising legal frameworks, enhance capacity of land institutions as well as engage political parties and community actors in land-related discussions and debates. Similarly, this new W4W Project will build on that work and strong relationship with the GoN in order to contribute to a positive change for women at political, social and legal levels as well as to have an impact on institutional patterns, specifically at the policy-making level. This will be achieved through the continuity of this existing transparent collaboration and open dialogue with the GoN in order to provide strategic and politically-savvy interventions that will sensitize, inform and engage GoN male and women representatives and technicians to be aware of the importance of the inclusion of women in the debates as well as in the design and development of the upcoming policies related to land<sup>33</sup>. In that sense, this project will make sure that an especial emphasis is put on the benefits of such inclusiveness in terms of peace building efforts.

Additionally, this project will emphasize on the symbolic impact of the inclusion of women leaders in policy discussions and decision-making forums on the Nepalese society jointly with the sensitization work the project will realize on acceptance of this inclusiveness among men decision-makers. Indeed, discriminatory practices that women face relating to their access and rights over land are closely linked with cultural and traditional patriarchal structure and patterns that don't leave any space to women's land rights. In line with the approach of the 2013-2015 UNPBF Project, this new initiative, by ensuring visibility of its process, objectives and results, will create catalytic effects<sup>34</sup>. By working with and enhancing capacities of both male and female policy-makers, this project portrays exemplary, innovative and unique process by which an inclusive and gender-responsive initiative can lead to a comprehensive, inclusive and consensual policies on a sensitive and politicized topic as can certainly be land issues in Nepal.

This project will continue to unpack land issues pertaining to women in small steps and will introduce components related to women empowerment and rights of women over land and property, thus facilitating catalytic changes that will support the future land reform process, including by facilitating the change of attitudes, perceptions and social mores in the Nepalese Society, and giving due consideration to women's specific needs and ideas at the policy level.

## **Objectives of PBF support and proposed implementation**

### **(a) Project outcome, Theory of change, activities:**

#### **(1) Project Approach**

The overall outcome of this project is that male and female policy-makers design gender responsive land reform process and policies. The close inter-linkages between land issues and peace building efforts in Nepal will lead this project to contribute to sustainable peace in Nepal.

Accordingly, the project will also create conducive environment for « political leaders to develop a national transition plan for implementation of land reform and property return<sup>35</sup> » and UNPBF priority area II that provides to 'Promote Coexistence and Peaceful Resolution of Conflicts'. In that sense, the overall outcome of this project is 'Women's positions in national, political, and legislative

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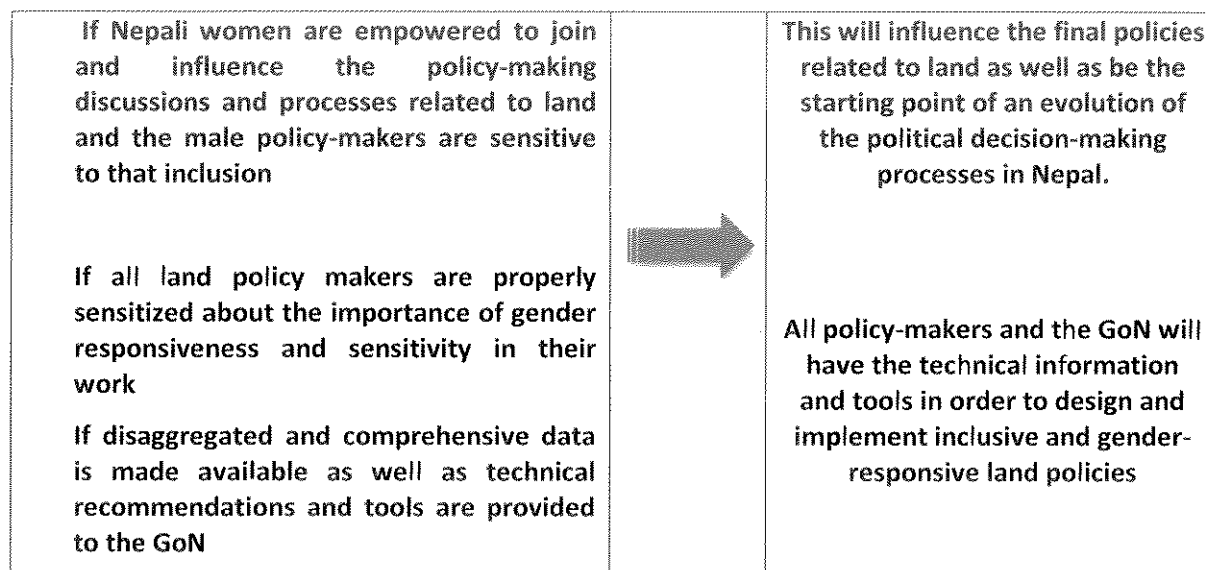
<sup>33</sup> This will be made possible by frequent and open information sharing, mainly through the PMC meetings.

<sup>34</sup> Even if this result would be very difficult to measure in the framework of an 18 months project, in a longer-term perspective, this kind of initiatives is likely to create precedent in terms of systemic inclusion of women in the political panorama as well as evolution of the populations' (males and females) minds and attitudes towards policy-makers and politics as a whole.

<sup>35</sup> Outcome 4 of the UNPFN-FRSO

processes related to land reform are established, resulting in strengthening institutional framework and capacity to ensure a greater empowerment of women, gender equality, and sustainable peace’.

## (2) Theory of Change



In order to respect the CPA commitments on land reform, the nexus of land and gender needs to be taken into consideration as it is pivotal to affect permanent societal transformation, to consolidate the peace process, and to instill lasting change in the land related conflict tapestry in Nepal.

## (3) Outputs, Activities, and Targets

This project will connect and build upon the achievements of the 2013-2015 UNPBF-funded Project “Catalytic Support on Land Issues” including by using the then established national inter-party land reform dialogue platform as well as the multi-stakeholders dialogue processes established at the districts level<sup>36</sup> and the “Solutions for Open Land Administration” System (SOLA). In parallel, it will update and further the knowledge of all national and international stakeholders in terms of gaps, needs and possible solutions to address the obstacles that women face to access land and enforce their land related to it in Nepal.

This initiative will be deeply influenced by the “Women for Women” Approach (W4W). The logic of that approach is to ensure that women’s voices are heard to make them active policy-makers and agents of change as well as recipients of the good will and positive attitude of men counterparts, as citizens and women. In that sense, this project will be based on a complementary action towards both male and female policy-makers at districts level and at the socio-traditional and institutional levels.

Technically, the RUNOs have established a project structure that creates inter-linkages between all outcomes and outputs to guarantee the highest level of coherence/consistence of all its components as well as a close cooperation between all agencies during the implementation of the project.

<sup>36</sup> Please note that both initiatives are supported by UNDP’s CPP.

**Overall Outcome: Male and female policy-makers design gender responsive land reform process and policies.**

**Outcome1.** Policy-makers (males and females) feel confident and committed to implement gender-responsive land reform policies.

**Output 1.1.** Enhanced skills of women leaders at the district level to advocate on land issues. *(IOM-led, with the support of UNDP)*

**Activities:**

- Hire a consultant in charge of the conception and development of training modules
- Conduct survey/consultations about the needs, gaps and weaknesses of women leaders in terms of knowledge on land issues and rights as well as on negotiation, advocacy and political skills<sup>37</sup>.
- Design, draft, and translate training modules, information graphics on land rights, tenure security, institutional processes and land system in Nepal as well as on the knowledge gaps identified through the consultations<sup>38</sup>.
- Provide technical land trainings in the three target districts.
- Provide training to women leaders involved in regional dialogue initiatives on collaborative leadership and dialogue tools so as to enhance their advocacy and negotiation skills at a regional level<sup>39</sup>.

**Output 1.2.** Enhanced understanding of male policy-makers for gender-responsive land reform policies. *(IOM-led, with the support of UNDP)*

**Activities:**

- Conduct survey/consultations about the positions, perspectives and willingness among male policy-makers about the inclusiveness of women in the land discussions.
- Design, draft, and translate training modules about policy information related to land rights and specifically to women's specific issues in that area; as well as about the knowledge gaps identified through the consultations.
- Provide trainings in the three target districts including MoLRM staff.
- Provide collaborative leadership and dialogue training to parliamentarians<sup>40</sup> to promote inclusive and gender-responsive approaches to developing land policies.

**Outcome2.** Inclusive national and regional levels land discussion forums are gender-responsive.

**Output 2.1.** Gender specific land concerns are identified and formulated into policy proposals with common understanding of leaders at the district, regional and national levels. *(joint UNDP-IOM)*

**Activities:**

- In support to ongoing regional multi-stakeholders Dialogue Forums<sup>41</sup>, dedicated sessions on gender-related land issues will be organized and women's participation will be facilitated.
- Draft agenda of the Dialogue Forums including women-related topics

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<sup>37</sup> Empowerment of women through an interest-based negotiation model and with interest based negotiation (IBN) techniques.

<sup>38</sup> This preparation will draw upon the expertise on Gender inclusiveness of the RUNOs at the global level and encourage the contribution of gender specialists and women experts to the elaboration of the modules.

<sup>39</sup> Building upon the UNPFN-“Enhancing Peaceful and Secure Transition” work.

<sup>40</sup> Targeting especially the “Sub-Committee on Land Matters”.

<sup>41</sup> Established through the UNPBF-funded “Catalytic Support on Land Issues” project.



- Dialogue initiatives at central and regional levels will actively reach out to support the inclusion of leaders of women's political parties, national women's commission and other women's organizations such as, Nepal Mahila Ekata Samaj, National Indigenous Women's Federation and the Federation of Dalit Women as well as representatives to the National Women's Commission.
- Information, analysis and initiatives from regional Dialogues will be shared "upwards" with the central level land Dialogue Forum and similarly, information, analysis and policy matters will be transmitted "downwards" to regional dialogue forums.
- Organize 3 inter-regional Workshops in each of the target project locations<sup>42</sup> with 20 policy-makers (both male and female) from different districts to enable the exchange of experiences, fruitful discussions and to create consensus.
- Organize inter-regional workshops key-finding sharing discussion at the central level.

**Output 2.2.** Declaration of Good will on gender-responsive land reform adopted.  
(joint IOM-UNDP, with the support of UN Habitat)

**Activities:**

- Add one or two main topics related to gender inclusiveness and its benefits in the Agenda of each planned event or discussion (in Kathmandu as well as in the three select districts).
- Bring male and female policy-makers and RUNOs to design, draft, discuss and translate a "Declaration of Good Will".
- Organize the logistics and Agenda of a national event to settle the symbolic signature of all participants (male and female policy-makers) on the agreed Voluntary Declaration.
- Deliver certificates/diplomas of "guarantors of the Declaration of Good Will"
- Design, draft and propose to policy-makers a working plan to ensure the respect of the "Declaration of Good Will" throughout the entire land discussions and reform process and in the conception of the land policies.

**Outcome 3.** Improved national process and mechanisms enhance access of vulnerable groups to land tenure and ownership.

**Output 3.1.** Obstacles faced by women in accessing land tenure and ownership identified and recommendations provided. (IOM)

**Activities:**

- Undertake a rapid assessment of the land offices in Kathmandu as well as in the three select districts to identify possible logistical and institutional shortcomings creating access avenues for landless in general and specifically for women.
- Undertake a rapid assessment of the translation
- Conduct an in-depth survey on Logistic and Institutional barriers for women to get access to land registration.
- Conduct an in-depth survey on the translation of Progressive centrally-developed laws at the districts level.
- Conduct an in-depth survey on cultural barriers, mindsets and traditional practices forming obstacles for women to be able to exercise their rights over land.
- Conduct an in-depth survey on Educational Gaps and Knowledge fissures regarding land laws and procedural structures.
- Include the main findings of a research on foreign positive experiences in terms of women-sensitive processes and procedures of land registration to the report, for reference.

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<sup>42</sup> Example: Workshop 1 in Surkhet (with 20 Surkhet and 20 Nawalparasi policy-makers); Workshop 2 in Nawalparasi (with 20 Nawalparasi and 20 Morang policy-makers); and Workshop 3 in Morang (with 20 Morang and 20 Surkhet policy-makers).

- Deliver technical recommendations to the GoN to provide it with an operational tool and general guidelines in order to address the identified gaps and obstacles.
- Present and deliver the main findings and technical recommendations to the GoN in an official national event organized in the framework of the project.

**Output 3.2.** SOLA System integrated with new module on vulnerable groups. (*joint UN Habitat- IOM*)

**Activities:**

- Define the notion of “landless” according to the GoN approved regulations and operational guidelines in order to filter the genuine landless people in Nepal.
- Design a component for the Module to be able to compile and analyze data related to the usage that women do of “affirmative actions” measures<sup>43</sup> established by the GoN.
- Develop a module on landless women and landless CAWs and integrate it into the existing SOLA system with disaggregated data enabling filtered and advanced research to get targeted information<sup>44</sup>.

**Output 3.3.** Access to land tools to enforce rights of vulnerable groups. (*UN Habitat*)

**Activities:**

- Design and develop a comprehensive system to collect, identify and verify the information available on the situation of each landless person, especially landless women; including the conception of tools, standard forms and mechanisms.
- Design and establish a system based on the “Systemic Gap Analysis”<sup>45</sup> to issue operational suggestions on how to better implement processes of identification, verification and registration (IVR) of landless people in Nepal, including through specific technical recommendations related to women and CAWs.
- Issue institutional and legal recommendations aimed to guarantee that the framework of the IVR process is politically neutral and ensures the highest level of gender equality and transparency<sup>46</sup>.
- Customize pro-poor gender-sensitive land tools to support land administration, land management and land governance<sup>47</sup>.
- Design and implement an outreach strategy to ensure the highest level of information dissemination amongst women.

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<sup>43</sup> As mentioned earlier, the GoN designed and implemented several measures of positive discrimination towards women in order to facilitate their access to land rights and land tenure security. i.e. the 30% tax exemption when a given parcel of land is registered under the name of a woman,

<sup>44</sup> In the continuity of the experience gained through the UNPBF-funded “Catalytic Support on Land Issues” Project, this project will also customize pro-poor and gender-sensitive land tools, in line with the “Global Land Tool Network” (GLTN) guidance.

<sup>45</sup> Please see Section 4 p.8 of this current Project Proposal.

<sup>46</sup> The mentioned recommendations will also build upon the political debates and non-binding declaration of good will related discussions at the policy-making level in Nepal.

<sup>47</sup> In line with the experience gained through the UNPBF-funded “Catalytic Support on Land Issues” Project, this initiative will also customize pro-poor and gender-sensitive land tools, in accordance with the “Global Land Tool Network” (GLTN) guidance.

**b) Budget (in USD)****Table 2: Project Activities Budget**

| Outcome/<br>Output<br>number  | Output name   | Output<br>budget by<br>UNDP | Output<br>budget by<br>IOM | Output<br>budget by<br>UN Habitat | UN budget<br>category |
|---|---|-----------------------------|----------------------------|-----------------------------------|-----------------------|
| <b>Outcome 1. Policy-makers (males and females) feel confident and committed to implement gender-responsive land reform policies.</b> |   |                             |                            |                                   |                       |
| Output 1.1  | Enhanced skills of women leaders at the district level to advocate on land issues.  | 58,603.00                   | 82,270.93                  |                                   | 144,873.93            |
| Output 1.2  | Enhanced understanding of male policy-makers for gender-responsive land reform policies.  | 38,261.00                   | 64,696.52                  |                                   | 102,957.52            |
| <b>Outcome 2. Inclusive national and regional levels Land discussion forums are gender-responsive.</b>                                |   |                             |                            |                                   |                       |
| Output 2.1  | Gender specific land concerns are identified and formulated into policy proposals with common understanding of leaders at the district, regional and national levels. | 137,650.00                  | 70,795.52                  |                                   | 208,445.52            |
| Output 2.2  | Declaration of Good will on gender-responsive land reform adopted.  | 14,250.00                   | 60,828.47                  |                                   | 75,078.47             |
| <b>Outcome 3. Improved national process and mechanisms enhance access of vulnerable groups to land tenure and ownership.</b>          |   |                             |                            |                                   |                       |
| Output 3.1  | Obstacles faced by women in accessing land tenure and ownership identified and recommendations provided.  |                             | 118,966.92                 |                                   | 118,966.92            |
| Output 3.2  | SOLA System integrated with new module on vulnerable groups.  |                             | 98,559.63                  | 140,550.00                        | 239,109.63            |
| Output 3.3  | Access to land tools to enforce rights of vulnerable groups.  |                             |                            | 110,568.00                        | 110,568.00            |
| <b>Total</b>  |   | <b>248,764.00</b>           | <b>500,118.00</b>          | <b>251,118.00</b>                 | <b>1,000,000.00</b>   |

**Table 3: Project Budget by UN categories**

| <b>PBF PROJECT BUDGET</b>   |  |   |  |                     |
|---|--|---|--|---------------------|
| <b>CATEGORIES</b>   | <b>Amount/<br/>Recipient<br/>Agency<br/>(UNDP)</b> | <b>Amount/<br/>Recipient<br/>Agency<br/>(IOM)</b> | <b>Amount/<br/>Recipient<br/>Agency UN<br/>(Habitat)</b> | <b>TOTAL</b>        |
| 1. Staff and other personnel                                      | 82,830.00  | 155,178.00  | 101,400.00   | 339,408.00          |
| 2. Supplies, Commodities, Materials                               | 3,720.00   | 31,734.00   | 5,000.00   | 40,454.00           |
| 3. Equipment, Vehicles, and Furniture<br>(including Depreciation) | 15,750.00  | 17,700.00   | 4,500.00   | 37,950.00           |
| 4. Contractual services   | 74,824.00  | 40,000.00   | 80,000.00  | 194,824.00          |
| 5. Travel   | 32,270.00  | 72,480.00   | 15,000.00  | 119,750.00          |
| 6. Transfers and Grants to Counterparts                           | 0.00   | 20,000.00   | 0.00   | 20,000.00           |
| 7. General Operating and other Direct Costs                       | 23,096.00  | 130,308.00  | 28,790.00  | 182,194.00          |
| <b>Sub-Total Project Costs</b>                                    | <b>232,490.00</b>                                  | <b>467,400.00</b>                                 | <b>234,690.00</b>  | <b>934,580.00</b>   |
| 8. Indirect Support Costs (7% of total<br>project cost)           | 16,274.00  | 32,718.00   | 16,428.00  | 65,421.00           |
| <b>TOTAL</b>  | <b>248,764.00</b>                                  | <b>500,118.00</b>                                 | <b>251,118.00</b>  | <b>1,000,000.00</b> |

### c) Capacity of RUNOs and Implementing Partners

As highlighted in the mid-term evaluation report, the main strength of the 2013-2015 UNPBF-funded 'Catalytic Support on Land Issues' project is the strong partnership built between the three agencies, namely IOM, UNDP and UN Habitat. Each of them has different complementary areas of expertise and global comparative experiences that benefit to and allows the project to address the complex land issues of Nepal in a holistic manner and through a peace-building lens.

In the framework of this project and in the line of its success, the RUNOs will replicate the same work structure per area of expertise while, as mentioned earlier, ensuring a strong and close cooperation and transparent and open information sharing informal mechanisms.

- IOM has an extensive experience in implementing peace building programs in relation to land, property and reparations in Iraq, Colombia, Haiti, Serbia, Kyrgyzstan, among others. In Nepal, IOM is also implementing a 'gender marker 3' technical assistance project, supporting the MoPR in providing psychosocial and support services to CAPs.

In that sense, a strong team of national and international experts will be dedicated to the design, development and implementation of each components of IOM's area of expertise in the project. In light of the diverse experiences and areas of expertise, the team will be able to provide technical and monitoring support to each of the stages and activities of the project.

- UNDP, through the Collaborative Leadership and Dialogue project which falls under the larger framework of 'Conflict Prevention Program', has been supporting the GoN and other key actors including the political parties of Nepal to address and find a local consensus on contentious transitional issues and has worked to mitigate political, resources and identity-related tensions.
- UN Habitat has extensive experience in implementing programs in relation to land administration, restitution and management in countries like Kosovo, Liberia, East Timor, Sudan, Kenya, and Nepal. At the international level, UN Habitat is the steering force of the Global Land Tool Network (GLTN) - an alliance of global, regional and national partners contributing to poverty alleviation through land reform, improved land management and tenure security, particularly through the development and dissemination of pro-poor and gender-sensitive land tools.

At the National level, UN Habitat focuses, among other topics, on promoting shelter and sanitation with emphasis on poor and vulnerable population, including slum and squatters. The Agency has supported landless Koshi flood victims with integrated shelter, has brought technical assistance to the GoN in preparing operational guidelines to address the shelter needs of urban poor and undertook activities aimed at promoting water and sanitation program focusing on access to WASH for poor, including women. It builds upon a wide experience in collaborating with MoLRM, MoUD, MoPR and other stakeholders like squatters, slum dwellers, landless and women's groups<sup>48</sup>.

This project proposal has been developed in close coordination with the MoPR, MoLRM and MoWCSW as well as CSOs such as Community Self Reliance Center (CSRC)<sup>49</sup>, Lumanti, Nepal Mahila Ekata Samaj and SAATHI who are engaged in defending women rights through the scope of the land issues the latter face in Nepal.

The conceptualization and design of this project has been such that it has built on the lessons learnt from the 2013-2015 UNPBF-funded project and involved partners such as CSRC and District Land Rights Forum in the development of the project components. This project would support their efforts, including by enabling political parties, government technicians and landless people to use the

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<sup>48</sup> Please see Annex D.

<sup>49</sup> The CSRC has been supporting grass roots advocacy and rights movements of landless people in Nepal in order to ensure reform initiatives that would enable access of land to landless persons, including squatters and people from marginalized communities. The organization provided inputs for the 6th amendment of the Land Related ACT (Land Reform Act).

existing land discussion platforms in the regions, districts and at national level, to discuss and agree on contentious land-related issues. The W4W approach and sensitization activities provided by this project would notably enable all stakeholders to address them in a gender responsive manner.

The secondary partners include local bodies and district Government agencies. The implementing partners include CSOs that have been selected based on the ongoing partnership and according to the relevance of the project. The ongoing partnership with the Land Rights Forum and Community Self Reliance Centre, which are active in promoting land rights in the three target districts, will be continued together with the associations Lumanti and Nepal Mahila Ekata Samaj by working at the grass-root of landless women issue as well as National Indigenous Women's Federation and Federation of Dalit Women, an organization engaged in National Land Rights Forum (NLRFF) that are advocating for women's rights, promoting gender equality and implementing National Action Plan (NAP) 1325 and 1820.

**Table 4: Overview of RUNO Funding in Nepal<sup>50</sup>**

|                        | <b>RUNO 1</b>     | <b>Key Source of Funding</b>                         | <b>Annual Regular Budget in USD</b> |
|------------------------|-------------------|--|-------------------------------------|
| Previous calendar year | <b>IOM</b>        | USAID, UNPBF, IOM IDF, US Government, EU, SDC, UNPFN | <b>13,174,231</b>                   |
| Current calendar year  | <b>IOM</b>        | USAID, IOM IDF, EU, SDC, US Government, UNPFN, UNPBF | <b>11,150,042</b>                   |
|                        | <b>RUNO 2</b>     |  |                                     |
| Previous calendar year | <b>UNDP</b>       | Norway, AUSAid, EU, DFID, UNPFN, GEF                 | <b>32,552,536</b>                   |
| Current calendar year  | <b>UNDP</b>       | Norway, AUSAid, EU, DFID, UNPFN, Denmark, GEF        | <b>39,500,000</b>                   |
|                        | <b>RUNO 3</b>     |  |                                     |
| Previous calendar year | <b>UN Habitat</b> | European Union, UNPBF, Global Sanitation Fund (GSF)  | <b>1,247,808</b>                    |
| Current calendar year  | <b>UN Habitat</b> | European Union, UNPBF, Global Sanitation Fund (GSF)  | <b>3,324,999</b>                    |

## **Management and coordination**

### **(a) Project Management:**

IOM will be the lead manager of this project; working closely with UNDP and UN Habitat in implementing activities and providing mutual support based on the respective expertise of each agency. The project will put special emphasis on maintaining a gender balance at the different levels of management and other staffing proposed under the activities.

The existing Project Management Committee (PMC) for the joint IOM, UNDP and UN Habitat land project consisting of IOM Chief of Mission, UNDP Country Director, UN Habitat Program Manager, and one Joint Secretary from MoLRM and MoPR has proved very efficient so will act as the PMC for the current initiative as well. A project manager from IOM will participate in the PMC meeting as member secretary and senior staff from UNDP and UN Habitat will be invited to attend these meetings to ensure the highest level of information sharing possible in terms of project development

<sup>50</sup> Agencies did not have any Annual emergency budget (e.g. CAP) to report during the period.

and progress and provide a privileged structure within the project in order to receive, in due course, every comments and inputs from all PMC members.

In addition to the PMC, the project will also form a project consultative group with representatives of other UN agencies that are implementing peace building as well as other PBF-funded projects in Nepal. This consultative group will be established to consider technical aspects of the project implementation including avoiding the risk of overlap, duplications of efforts and ensuring synergies between existing processes and mechanisms. The consultative group will meet on an agreed schedule, which will be jointly decided in the beginning of the project implementation to discuss specific issues as they may emerge during the project implementation.

**(b) Risk Management:**

**Table5 – Risks Management Matrix**

| <b>Risks to the achievement of PBF outcomes</b>   | <b>Likelihood of occurrence (high, medium, low)</b> | <b>Severity of risk impact (high, medium, low)</b> | <b>Mitigating Strategy (and Person/Unit responsible)</b>  |
|---|---|--|---|
| 1. The project may fail to substantially engage with political leadership in Nepal while taking the agenda of women's right and empowerment on land tenure security                           | Medium  | High   | Capitalize on the existing strong relationships with leaders of the political parties and parliament members in order to enable women to engage at the centre of any dialogue on peace building and land highlighting the importance of including women in all discussions to address structural issues related to conflict |
| 2. The issues of citizenship and transfer of land and property due to patriarchy laws may affect women's rights and their access to land if left unaddressed by the Constituent Assembly (CA) | High  | High   | The project will engage through with committees formed in the current CA which is dealing with issues surrounding citizenship and natural resources to make the linkages between citizenship, right to inheritance of property and reduction in conflicts surrounding land  |
| 3. Political parties may prioritize other commitments of the CPA and the Interim Constitution (IC) and don't give due consideration to addressing land issues in Nepal                        | Low   | Medium   | The project will continue to advocate in partnership with partner NGOs and other UN agencies throughout on addressing land issues to make peace sustainable in Nepal.   |
| 4. The project may become vulnerable to politicization from both internal and external actors lobbying and working on land issues   | Low   | Low  | The project will maintain an open channel of communications with donors, civil society and facilitate three way discussions between GoN, donors' community and civil society actors in order to achieve timely and efficient achievement of the project goals.  |

### **(c) Monitoring & evaluation:**

As a lead organization, IOM will be responsible for monitoring and evaluation activities. Various tools and methods will be developed for monitoring and reporting, including: (a) a results-based framework analysis (b) a detailed work plan including activities to produce expected outputs with timeframe, resources and responsibility assigned, (c) regular field visits by holding interviews and consultation with local stakeholders, (d) the review of monthly and quarterly submitted activity reports and (e) a participatory social and gender audit tools will be developed. These tools will enable the PMC to conduct quarterly reviews and provide feedback to the project manager, and the project manager to monitor progress and make corrective actions as and when necessary. Furthermore, a yearly progress report and an annual certified financial statement on the expenditures of funds will be submitted. At the end of the project, a final report including lessons learnt and recommendations for the future (way forward) as well as a financial report will be drafted. M&E activities will be conducted in a conflict-sensitive manner including in the recurrent context analysis and in the systematic review of impacts of the project with regards to a “Do No Harm” approach.

Two evaluations will be conducted during the project implementation period:

- A joint, IOM-led midterm review will be conducted by the PMC after twelve months of implementation in order to look at the baselines established during the inception of the project for each outputs and measure against the indicators developed in the results framework at the district and community levels. The main objective of that first review will be to allow the project to adapt the activities and inputs to meet the changing context, if necessary.
- A final external independent evaluation will be conducted at the end of the project implementation period, which will measure the achievements and results of the project against the baseline and indicators envisaged in the project document. This will also encompass the revision of financial expenditures. All data collected will be disaggregated according to gender. According to the activity plan, data will be collected in the three districts to assess the current situation and institutional capacities. The results of the data assessment will be published in the final report. A dedicated budget will be allocated for the evaluation of this project.

### **(d) Administrative arrangements**

The UNDP MPTF Office serves as the Administrative Agent (AA) of the PBF and is responsible for the receipt of donors’ contributions, the transfer of funds to Recipient UN Organizations, the consolidation of narrative and financial reports and the submission of these to the PBSO and the PBF donors. As the Administrative Agent of the PBF, MPTF Office transfers funds to RUNOS on the basis of the signed Memorandum of Understanding between each RUNO and the MPTF Office.

#### **AA Functions**

On behalf of the Recipient Organizations, and in accordance with the UNDG-approved “Protocol on the Administrative Agent for Multi Donor Trust Funds and Joint Programs, and One UN funds” (2008), the MPTF Office as the AA of the PBF will:

- Disburse funds to each of the RUNO in accordance with instructions from the PBSO. The AA will normally make each disbursement within three (3) to five (5) business days after having received instructions from the PBSO along with the relevant Submission form and Project document signed by all participants concerned;
- Consolidate narrative reports and financial statements (Annual and Final), based on submissions provided to the AA by RUNOs and provide the PBF consolidated progress reports to the donors and the PBSO;



- Proceed with the operational and financial closure of the project in the MPTF Office system once the completion is notified by the RUNO (accompanied by the final narrative report, the final certified financial statement and the balance refund);
- Disburse funds to any RUNO for any costs extension that the PBSO may decide in accordance with the PBF rules & regulations.

#### **Accountability, transparency and reporting of the Recipient United Nations Organizations**

Recipient United Nations Organizations will assume full programmatic and financial accountability for the funds disbursed to them by the Administrative Agent. Such funds will be administered by each RUNO in accordance with its own regulations, rules, directives and procedures.

Each RUNO shall establish a separate ledger account for the receipt and administration of the funds disbursed to it by the Administrative Agent from the PBF account. This separate ledger account shall be administered by each RUNO in accordance with its own regulations, rules, directives and procedures, including those relating to interest. The separate ledger account shall be subject exclusively to the internal and external auditing procedures laid down in the financial regulations, rules, directives and procedures applicable to the RUNO.

Each RUNO will provide the Administrative Agent and the PBSO (for narrative reports only) with:

- Bi-annual progress reports to be provide no later than 15 July;
- Annual and final narrative reports, to be provided no later than three months (31 March) after the end of the calendar year;
- Annual financial statements as of 31 December with respect to the funds disbursed to it from the PBF, to be provided no later than four months (30 April) after the end of the calendar year;
- Certified final financial statements after the completion of the activities in the approved programmatic document, to be provided no later than six months (30 June) of the year following the completion of the activities.
- Unspent Balance at the closure of the project would have to been refunded and a notification sent to the MPTF Office, no later than six months (30 June) of the year following the completion of the activities.

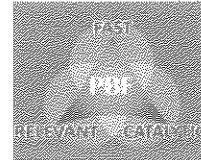
#### **Ownership of Equipment, Supplies and Other Property**

Ownership of equipment, supplies and other property financed from the PBF shall vest in the RUNO undertaking the activities. Matters relating to the transfer of ownership by the RUNO shall be determined in accordance with its own applicable policies and procedures.

#### **Public Disclosure**

The PBSO and Administrative Agent will ensure that operations of the PBF are publicly disclosed on the PBF website (<http://unpbf.org>) and the Administrative Agent's website (<http://mptf.undp.org>).

**Annex A: Project Summary (to be submitted as a word document to MPTF-Office)**



**PEACEBUILDING FUND  
PROJECT SUMMARY**

|                                    |  |                                       |
|------------------------------------|--|---------------------------------------|
| <b>Project Number &amp; Title:</b> | PBF/ "Empowering Women 4 Women: Access to Land for Sustainable Peace in Nepal".  |                                       |
| <b>Recipient UN Organization:</b>  | International Organization for Migration (IOM), United Nations Development Program (UNDP), United Nations Human Settlement Program (UN Habitat).   |                                       |
| <b>Implementing Partner(s):</b>    | Ministry of Peace and Reconstruction (MoPR), Ministry of Women Children and Social Welfare (MoWCSW), Ministry of Land Reform and Management (MoLRM), Community Self Reliance Center (CSRC), SAATHI, WOREC Nepal  |                                       |
| <b>Location:</b>                   | National, Regional and Select Three Districts (Morang, Surkhet and Nawalparasi)  |                                       |
| <b>Approved Project Budget:</b>    | 1,000,000.60   |                                       |
| <b>Duration:</b>                   | <b>Planned Start Date:</b> 01/03/2015  | <b>Planned Completion:</b> 31/08/2016 |
| <b>Project Description:</b>        | This project will support processes associated or linked with land reform in Nepal by enabling women to play an active role as agents of change in order to guarantee their equal rights and access to land thus decreasing the levels of conflict in the grass roots level. |                                       |
| <b>PBF Focus Area:</b>             | Priority II: Promote coexistence and Peaceful Resolution of Conflicts  |                                       |
| <b>Project Outcome:</b>            | Male and female policy-makers design gender responsive land reform process and policies.   |                                       |

|                                       |  |
|---------------------------------------|--|
| <p><b>Key Project Activities:</b></p> | <p><b>Key project activities</b></p> <ol style="list-style-type: none"> <li>1. A) Increase the knowledge threshold of women by implementing contextualized training modules focused on land related institutional processes as well as advocacy and negotiation skills; through a 'women for women' (W4W) approach<sup>51</sup>.<br/><br/>B) Increase the sensitization of male policy-makers to the importance of gender inclusiveness in policy-making processes in Nepal.</li> <li>2. Connect male and female policy-makers within the district, regional and national land-policy discussions platforms (political parties and parliamentary committees) and encourage exchange of experiences all levels, in order to enable the design of gender-inclusive land policies in Nepal.</li> <li>3. Both male and female policy-makers agree upon a Declaration of Good will that includes gender-inclusiveness in policy-making processes as a strong basic principle applicable to Nepal's Politics.</li> <li>4. Conduct mapping and gap analysis of the existing processes in place that are hindering women to enforce their rights and provide recommendations on how to address the identified obstacles.</li> <li>5. Develop a module and integrate it into SOLA to incorporate disaggregated data on landless and conflict-affected women (CAWs).</li> <li>6. Based on the mapping and gap analysis report: develop tools, SOPs, process flows, grievance mechanisms to effectively facilitate access of</li> </ol> |
|---------------------------------------|--|

<sup>51</sup> Please refer to the Glossary p.2 of the current Project Proposal.

## Annex B: IRF Results Framework

| <b>Country Name:</b> Nepal   |   |  |                               |               |   |               |   |   |                                   |
|--|---|--|-------------------------------|---------------|---|---------------|---|---|-----------------------------------|
| <b>Project Effective Dates:</b> 01 March 2015 – 31 August 2016   |   |  |                               |               |   |               |   |   |                                   |
| <b>PBF Focus Area:</b> Priority II: Promote coexistence and Peaceful Resolution of Conflicts                           |   |  |                               |               |   |               |   |   |                                   |
| <b>IRF Theory of Change:</b>   |   |  |                               |               |   |               |   |   |                                   |
| <b>Outcomes</b>  | <b>Outputs</b>  | <b>Indicators</b>  | <b>Means of Verification</b>  | <b>Year 1</b> |   | <b>Year 2</b> |   | <b>Milestone</b>                                    | <b>Agency</b>                     |
| 1. Policy-makers (males and females) feel confident and committed to implement gender-responsive land reform policies. | 1.1. Enhanced skills of women leaders at the district level to advocate on land issues.       | <b>Outcome Indicator:</b><br>• Gender responsiveness is prioritized in the policy discussions.   | ➔ Draft policy                | x             | x | x             | x | March 2016: Gender-responsive land reform policy    | IOM-led, with the support of UNDP |
|  |   | <b>Output Indicators:</b><br>• # of women trained on land issues<br>• # of women trained on political advocacy                                   | ➔ Training completion reports |               |   |               |   | December 2015: 50% of the women leaders are trained |                                   |
|  | 1.2. Enhanced understanding of male policy-makers for gender-responsive land reform policies. | <b>Output Indicator:</b><br>• # of male policy-makers trained<br>• Understanding of male policy-makers on gender responsive land reform policies | ➔ Training completion reports | x             | x | x             | x | December 2015: 50% of the women leaders are trained | IOM-led, with the support of UNDP |
|  |   |  | ➔ Post-evaluation reports     |               |   |               |   |   |                                   |

|   |  |           |  |  |   |   |   |   |   |   |  |  |   |
|---|--|-----------|--|--|---|---|---|---|---|---|--|--|---|
| 2. Inclusive national and regional levels Land discussion forums are gender-responsive. | 2.1. Gender specific land concerns are identified and formulated into policy proposals with common understanding of leaders at the district, regional and national levels. | increased | <p><b>Outcome Indicator:</b></p> <ul style="list-style-type: none"> <li>Gender responsiveness is prioritized in the policy discussions Agenda.</li> </ul> <p><b>Output Indicators:</b></p> <ul style="list-style-type: none"> <li># of dialogues on women's land-related issues organized</li> <li>Draft consensus on women's land issues at the regional and national levels developed</li> </ul> | <p>→ Policy-discussions meetings/memos # of gender responsive agenda topics</p> <p>→ Memos dialogues # of inter-regional workshops</p> | x | x | x | x | x | x | October 2015:<br>At least, 6 women's related topics are discussed. | October 2015:<br>Gender land concerns are identified | IOM - UNDP                                |
|   | 2.2. Declaration of Good will on gender-responsive land reform adopted.  |           | <p><b>Output Indicators:</b></p> <ul style="list-style-type: none"> <li>Existence of a Declaration of Good Will</li> <li>National event organized</li> </ul>   | <p>→ Memo of the declaration negotiations</p> <p>→ # of participants attending the national event</p>                                  |   |   |   |   | x | x | March 2016:<br>A draft Declaration of Good will is prepared        |  | IOM- UNDP, with the support of UN Habitat |
| 3. Improved national process and mechanisms enhance access of vulnerable                | 3.1. Obstacles faced by women in accessing land tenure and ownership identified and recommendations  |           | <p><b>Outcome Indicator:</b></p> <ul style="list-style-type: none"> <li># of GoN Staff orientated</li> </ul>   | <p>→ Mapping and gap analysis report</p> <p>→ Survey questionnaire</p> <p>→ Validation</p>   | x | x | x | x |   |   | December 2015:<br>Common understanding of the obstacles to         |  | IOM                                       |

|                                      |   |  |   |  |  |  |  |  |  |  |  |  |  |  |                |  |            |
|--------------------------------------|---|--|---|--|--|--|--|--|--|--|--|--|--|--|----------------|--|------------|
| Groups to land tenure and ownership. | provided.   | <p><b><u>Output Indicators:</u></b></p> <ul style="list-style-type: none"> <li>• Obstacles identified</li> <li>• Recommendations provided</li> </ul>                                 | workshop report   | <p>→ IOM/UNDP/UN Habitat progress report</p> |  |  |  |  |  |  |  |  |  |  | accessing land | <p><u>August 2015:</u></p> <p>A draft of mapping and gap analysis report is developed</p>    |            |
|                                      | 3.2. SOLA System integrated with new module on vulnerable groups. | <p><b><u>Output Indicators:</u></b></p> <ul style="list-style-type: none"> <li>• Existing SOLA system reviewed</li> <li>• Module developed and integrated</li> </ul>                 | <p>→ Operational guidelines Report</p> <p>→ Report with open source GIS maps and data</p> <p>→ SOLA module</p> <p>→ Disaggregated database-SOLA</p> |  |  |  |  |  |  |  |  |  |  |  |                | <p><u>December 2015:</u></p> <p>The SOLA System revision is completed</p>                    | UN Habitat |
|                                      | 3.3. Access to land tools to enforce rights of vulnerable groups. | <p><b><u>Output Indicators:</u></b></p> <ul style="list-style-type: none"> <li>• # of land tools developed</li> <li>• # of trainings/orientations on land tools organized</li> </ul> |   |  |  |  |  |  |  |  |  |  |  |  |                | <p><u>March 2016:</u></p> <p>Land tools available</p> <p>Trainings/orientation initiated</p> | UN Habitat |

**Annex C: National and International Legal Instruments applicable to women in relation to land rights**

1. Interim Constitution of Nepal, 2006
2. Muluki Ain (National Code), 1963
3. Local Self Governance Act 1998
4. Land Acquisition Act, 1977
5. Land Related Act, 1964
6. Trust Corporation (Guthi) Act 1976
7. Land Survey and Measurement Act, 1963
8. Land Revenue Act, 1977
9. Women's Property Rights Bill, 2002
10. Financial Bill, Ministry of Finance, 2014- 2015
11. Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, 2012
12. International Covenant on Economic, Social and Cultural Rights, (adopted on 16 December 1966)
13. The Right to Adequate Housing, 2009
14. CEDAW: Convention on the Elimination of All Forms of Discrimination against Women (adopted on 18 December 1979)
15. CEDAW-OP: Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (adopted on 6 October 1999)
16. ICCPR: International Covenant on Civil and Political Rights (adopted on 16 December 1966)



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19<sup>th</sup> November, 2014

The Program Manager,  
UN Habitat,  
Pulchowk, Lalitpur.

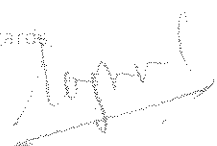
Subject: Expression of Interest to collaborate with UN Habitat

Dear Padma Sundar Joshi jee,

I am very pleased to learn that UN Habitat is taking initiation to prepare a project proposal on, "Empowering Women 4 Women: Access to Land for Sustainable Peace in Nepal". This seems to be such an interesting and important work to transform the lives of the poor women for sustaining peace in the country. As you are aware that Lumanti has been working with the communities, especially with the poor women, for their economic empowerment and right to dignified life through improved housing and secured tenure for the last 20 years, I take this opportunity to inform you that we have a keen interest to collaborate with UN Habitat on this project proposal. Please let us know the further process to be a part of this working team.

I look forward to hear from you.

With best regards,

  
Lajana Manandhar,

Executive Director,

Lumanti Support Group for Shelter



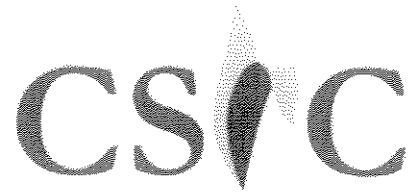
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विषयः महत्कार्यं गतं सम्बन्धमा

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Kathmandu, Nepal. G.P.O. Box 23071, Sundhara, Tel. No.: 977-01-5203749 (off.)  
Email: mahilaakata@gmail.com/ mahilaakata.sama@gmail.com



24 November 2014

Mr. Jitendra Bohara,  
The Program Coordinator,  
International Organization for Migration (IOM)  
Kathmandu, Nepal


**Subject: Expression of Interest in Collaborating with the International  
Organization for Migration**

Dear Mr. Bohara,

This letter is to express our support to the "Empowering Women for Women: Access to Land for Sustainable Peace in Nepal" Project. I was pleased to review the final draft of the project proposal that was shared with Community Self Reliance Centre (CSRC) and provide my feedback on the proposal.

On behalf of CSRC, I am looking forward to working with IOM team in the implementation of this new project to address the important goal of gender-responsiveness in the future land reform process and policies.

Best regards,

  
Jagat Deuja,  
Executive Director,  
CSRC