

# A COUNTRY IN DIRE NEED OF SOLUTIONS

## Land Use Issues in Nepal



Land use policy and planning do not function according to international standards in Nepal for several reasons: landless and jobless people are encroaching on public and state land, such as forests, setting up squatter farms and settlements, ecosystems are deteriorating, and small-scale farmers are struggling to secure stable food supplies. The author discusses the origin of the

land-use issues scouring Nepal and proposes suggestions for solutions. It is obvious that not much can be done without technical assistance and funding from external donors.



Landlocked between China and India and with its topography varying from lowland plains just 60m above sea level to the peak of Mount Everest (8,848m), farmland is fundamental for the livelihood of 70% of the 28 million people living in Nepal (Figure 1). Optimising the societal benefits from the country's natural resources requires a cascade of land-related activities, ranging from policy formulation and planning to zoning and management.

### Cascade

*Policymakers have to define the framework of intentions, programmes and operations to manage and control land use, and this is primarily a governmental task. Planning is aimed at selecting and adopting land-use options which are most beneficial to land users in a sustainable manner and which safeguard land resources and the environment rather than exhausting or degrading them. Zoning is aimed at segregating incompatible uses, and this is controlled in practice by local governments who prevent new developments on land parcels which would interfere with existing uses. Once the different types of land use - such as farmland, forest, pasture, urban settlement, parks and conservation areas - are in place, land has to be managed in order to keep its productivity at a certain level and its exploration optimally beneficial for both the individual land users and society as a whole. A properly functioning land administration system is an indispensable instrument for good land management. If the activities outlined above do not flow smoothly through the cascade, land use becomes a playground for individual land users who intend to maximise their economic profit and simply disregard environmental or social needs and desires or longer-term negative effects. Unfortunately, this is precisely what is happening in Nepal today. A lack of effective land-use policy and planning mechanisms has affected the overall governance in the country while traditional land management is an obstruction rather than an aid for implementing community-driven sustainable land-use planning and zoning programmes. The impairments are visible everywhere in the country.*

### Impairments

Farming is a major form of land use and includes crops, rangelands and livestock (Figure 2). However, the level of farmer's efficiency is low: agriculture contributes a mere 35% to GDP (Gross Domestic Product) yet employs nearly 70% of the population. In rural areas, population growth is high while proper infrastructure and basic services are lacking. The land parcels belonging to individual farmers are small and scattered. As a result farmers' productivity is low and food supplies are unstable. Improving the quality of life of those living in remote areas is difficult since farming barely provides a living, and youngsters are going abroad and investing their earnings in urban real estate in the hope that values will rise rather than improving the productivity of their parents' farmland. The rural poor are massively migrating from hilly regions to settle down by encroachment on plain fertile land near cities, further destabilising food security. The surrounding land fulfils their basic needs for food, water, fuel, clothing and shelter, but they exhaust natural resources in their attempt to survive. Riverbanks are being eroded and forests and fertile land degraded into jungles. In Kathmandu, the capital of Nepal, valuable crop land has been converted into dense settlements but nobody is taking action to protect such vulnerable areas. In short, Nepal is scourged by uncontrolled and haphazard urbanisation; the erection of slums on fertile land and encroachment of state land is putting food security and ecological balance in jeopardy.

## Governmental Initiatives

This does not mean, however, that the government is not involved in initiatives to properly manage land and land resources; periodic development planning began back in 1956. From 1956 to 1964, transport, communication and public works were given priority, whereas the next ten-year period (1964-1974) mainly addressed agricultural development. The 1974-1984 period emphasised reform in land-management systems to increase agricultural production and conserve natural resources in order to reduce economic inequality across the 75 districts. From 1984 to 1996, the main policy was to increase productivity, first in the agricultural segment and then in forestry and other land uses. In the next period (1996-2001), land use was recognised as a major means for socio-economic development and pieces of land were pinpointed for specific uses such as agriculture, forestry, pasture, settlement, urban development and industrialisation. The tenth 'Five Year Plan' (2001-2006) emphasised social justice, poverty alleviation and good governance through developing an effective and trustworthy land administrative system based on modern technology and also addressing historical and religious heritage and Guthi (religious trust) land through community participation. The 2007-2010 plan focused on land ownership, productivity and management and on preparation of land-use zoning regulations. The prevailing plan (2010-2013) stresses the importance of proper land management for social and economic transformation.

There is also an abundance of legislation in place on land rights and land use, and many organisations have been set up to manage and control land use, land reform, land surveying and registration, tax collection and many other land-related activities. However, most of the efforts of governmental bodies are focused on formulating policies and plans as concepts rather than implementing them in practice; objectives and intentions remain on paper rather than being followed by proper action. The resulting negative effects have been sketched in the previous section.

## Ways to Get There

What should be done? Achievement of sustainable socio-economic and environmental development through the optimum use of land and its resources firstly requires adoption of strategic objectives including:

- Putting land-use zoning in place
- Controlling and discouraging unauthorised land use
- Maintaining balance between development and environment
- Controlling the fragmentation of land and haphazard urbanisation
- Determining allowed land use of specific land parcels, and ensuring this is implemented and monitored
- Determining appropriate policy measures
- Developing strategic plans for effective implementation.

Along which lines should these objectives be accomplished? First of all, policy and plans should be developed in a co-ordinated way involving all governmental and non-governmental stakeholders. To enhance involvement of local communities, the capacity of these stakeholders should be strengthened. Vulnerable areas, areas suited for farming, conservation areas and biodiversity hotspots should be prioritised. Erection of dwellings should go hand in hand with the construction of roads, sewerages, water supplies and other infrastructure. Legal provisions should allow the creation of slums resulting from unregulated and haphazard expansion of urban areas as well as scattered settling in remote areas to be tackled as illegal activities. Aligned with this, plans for land development, environmental conservation, arrangements for settlements and protection of cultivable land should have legal backing. The encroachment of public and state land should be drastically reduced through the development of control mechanisms, and natural resources should be preserved by sustainable exploitation. In addition, the many organisations involved in land-related activities should be restructured so that they co-operate together under the umbrella of one governmental department. This would make the development of a coherent policy and management approach and the formulation of uniform specifications, norms and standards considerably easier.

## Concluding Remarks

Land-use planning should be based on internationally accepted principles, such as laid down in the FAO 1989 guidelines. The human resources base should be strengthened through seminars, workshops, interaction programmes, media and site visits. Funding and technical assistance for all of these activities is a fundamental prerequisite and should come from government, donors and aid organisations.

## Further Reading

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