

Advocating for water rights to irrigate crops in Nepal

Background



Photo: Jo Khinmaung/Tearfund

The small village of Pipaltar lies in Dhading District in the mid hills of Nepal and its inhabitants are part of the Kumal ethnic group. Education levels are very poor - only one person in the community has completed basic secondary education.

The Chhori Gandaki stream runs between Pipaltar and the neighbouring village of Majhura which is inhabited by higher caste Brahmin and Chhetri people. The agricultural land surrounding the villages is fertile and productive when irrigated.

In 1973 a government funded canal was installed to take water from the Chhori Gandaki stream to irrigate the land around Pipaltar. Consequently, the Kumal were able to grow rice, wheat and vegetables (3 crops each year) and produce sufficient food for their families. The Brahmin/Chhetri people from Majhura village began to work for their Kumal neighbours to earn income to meet their basic needs.

Denied access to water

However, in 1978 the Majhura community managed to secure another government funded project which resulted in a canal being built to take water out of the stream from a point above the Pipaltar canal, cutting off the irrigation water to the Kumal land. The situation was now reversed and the Kumal people had to find work in Majhura in order to meet their basic food needs.

Without water for irrigation, the Kumal were reduced to growing marginal crops (maize, millet and sesame) and for much of the year their land had to lie fallow. Being a marginalised ethnic group with virtually no education, their voice in this matter was ignored. They formed a users committee to manage their canal and periodically tried to get a share of the water but the Brahmin/Chhetri community always refused.

Speaking out and media coverage

Tearfund's partner UMN in turn works in partnership with Jagatjyoti Community Development Society (JCDS), which began to work in Pipaltar on sanitation issues and offered to help the Kumal decide what to do about the situation.

A delegation from Pipaltar visited the government district headquarters office and JCDC introduced them to the recently formed Dhading 'Right to Food' network. The network sent a group of journalists to Pipaltar on a fact finding mission. This raised the profile of the case, with stories being published in the local newspaper and broadcast on the radio.

After this media interest the Majhura community was persuaded to make a verbal agreement with the Kumal to share water. However, this commitment was not honoured, and threats of violence persuaded the Kumal not to attempt to divert water to their canal after all.

The national law

UMN and the Right to Food Network provided support, analysing the relevant legislation and finding that the Civil Act of Nepal (2002) 'Permits the construction of a second canal from a point above the first only if there is ample water without reducing the use of the first users.'

Case Studies - Food Security

The Majhura community countered arguments for the restoration of water to Pipaltar saying the Kumal canal was poorly maintained and would result in misuse of the limited water. They also said their continued access to the water was essential for the running of their mill business, even through the Water Act of Nepal prioritises access to water for irrigation above that for cottage industry. Further complications arose because many Kumal were dependant on paid work from the higher-caste community.

Mediation for an agreement

UMN continued to facilitate mediation between the two communities, and JCDS and members of the Right to Food Network supported them through rights awareness-raising and training in advocacy. Finally, the Kumal community organised a meeting in the district headquarters with local authorities and representatives from government agencies and a formal ruling was made in their favour.

Surveyors from the irrigation department visited both Pipaltar and Majhura to assess the amount of land in each community requiring irrigation. On this basis, a formal agreement was made between the communities that ensured equitable access to water.

The Kumal now have access to water from the stream two days per week, which is sufficient to irrigate all the fields in the village. Furthermore, as the Kumal canal had not been used and maintained since 1978, the local government committed a budget of 800,000 Nepalese Rupees (almost £7000) to carry out repair and maintenance work to ensure the water can be used more effectively along the canal's whole length.

Expected impacts for the Kumal

- Ability to cultivate three crops per year instead of one
- 10 months food security each year compared to 6 months (increases in population are likely to mean they are still not completely food secure)
- 100% increase in maize production
- Increase in potato production (those who currently grow potatoes have already doubled their production)
- Less need to go to Majhura (or other locations) to get paid work
- More time available to spend on community focused projects, for example the development and building of a community health and birth centre
- Improvements in nutrition, health and education

Food Security