

Land and Natural Resources Tenure Security Learning Initiative for East and Southern Africa



Country Report – Mozambique

SECURING LAND AND PROPERTY RIGHTS FOR ALL

UN HABITAT
FOR A BETTER URBAN FUTURE

IFAD
Enabling poor rural people
to overcome poverty

GLTN
GLOBAL LAND TOOL NETWORK

ACRONYMS

CCGs	Co-Management Committees (Comité de Co-Gestão)
CCPs	Community Fishing Councils (Conselho Comunitário de Pesca)
CENACARTA	National Centre of Cartography and Remote Sensing (Centro Nacional de Cartografia e Teledeteção)
CEPAGRI	Centre for the Promotion of Commercial Agriculture (Centro de Promoção de Agricultura Comercial)
CFJJ	Juridical and Judicial Training Centre (Centro de Formação Judicial e Judiciário)
DFID	Department for International Development
DNPDR	National Directorate for the Promotion of Rural Development (Direcção Nacional de Promoção de Desenvolvimento Rural)
DNTF	National Directorate of Land & Forestry (Direcção Nacional de Terras e Florestas)
DUAT	Right of Use & Benefit from Land (Direito de Uso e Aproveitamento de Terra)
FAO	Food and Agriculture Organisation
GIS	Geographic Information System
GLTN	Global Land Tool Network
GoM	Government of Mozambique
IDPPE	Institute for the Development of Small Scale Fisheries (Instituto de Desenvolvimento da Pesca de Pequeno Escala)
IFAD	International Fund for Agricultural Development
IIAM	Mozambique Agricultural Research Institute (Instituto de Investigação Agrária de Moçambique)
ITC	Community Land Fund (Iniciativa das Terra Comunitárias)
KM	Knowledge Management
LPI	Land Policy Initiative
MCA	Millennium Challenge Account
MCC	Millennium Challenge Corporation
MoU	Memorandum of Understanding
NGOs	Non-Governmental Organisations
NR	Natural Resources
NRI	Natural Resources Institute
PRODIRPA	Securing Artisanal Fishers' Resource Rights Project
ProParcerias	Community Investor Partnerships Project (Projecto de Parcerias entre Comunidades Locais – Investidores)
ProPESCA	Project for the Promotion of Artisanal Fishing (Projecto de Promoção da Pesca Artesanal)
STDM	Social Tenure Domain Model
TSLI-ESA	Tenure Security Learning Initiative – Eastern & Southern Africa
WWF	World Wildlife Fund

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INTRODUCTION

The aim of this report is to capture the lessons learned during a joint visit to Mozambique by teams from IFAD and the Secretariat of the Global Land Tools Network (GLTN), organised as part of the Tenure Security Learning Initiative - Eastern & Southern Africa (TSLI-ESA). It is one of a number of reports on country visits, the objective of which is to develop a better understanding of the tenure issues faced by IFAD-supported projects in these countries and to examine some of the tools and strategies adopted to deal with these. These visits form part of the overall strategy of the TSLI-ESA, which is to identify common issues and to enhance lesson sharing and knowledge management on land-related tools amongst the various projects and country partners.

The process of lesson-sharing, and of developing a strategy for disseminating information on tools and strategies amongst the IFAD-supported projects, was initiated in May 2012 through a regional workshop held in Nairobi.¹ These country reports are designed to further this process, by providing the participants with further insights into potentially useful tools and strategies for dealing with land-related issues and challenges. They also provide contact points within the country, from which further details and assistance can be sought. In addition, the reports identify some further potential activities or initiatives that could be undertaken in order to assist the IFAD projects, either in the specific country, or through the further development of knowledge management processes within the broader framework of the TSLI-ESA.

As an introduction, the report provides some description and context to the relevant IFAD projects in Mozambique and describes, in general terms, some of the key national policy and legal issues that form the background to their implementation. The specific land and natural resource issues that are identified here are examined through the lens of the five thematic areas that form the framework for the approach of the TSLI-ESA, each of which forms a heading for the report. These thematic areas are:

- **MAPPING:** Using technically advanced geographic information technologies, such as aerial photography, remote sensing technology and Geographic Information Systems (GIS) for mapping land and natural resource rights, use and management.
- **LAND & WATER RIGHTS:** Recognizing and documenting small-scale farmers' land and water rights in irrigation schemes.
- **GROUP RIGHTS:** Recognizing and documenting group rights, focusing on range/grazing lands, forests and artisanal fishing communities.
- **WOMEN'S ACCESS:** Strengthening women's access to land.
- **INCLUSIVE BUSINESS:** Documenting best practices in securing land and natural resource rights through business partnerships between small-scale farmers and outside investors.

The separate headings above capture both a description of the issues being faced within each thematic area, and identify the tools and strategies that the projects incorporate, or that have been adopted during implementation. Each section also contains some short

¹ See "Final Proceedings: Regional Learning Workshop on Land and Natural Resources Tenure Security", 29-31 May 2012, Nairobi, Kenya.

comments in respect to knowledge management within the projects. The final part of the report provides some conclusions and proposed follow up actions in the context of on-going work in this and potential subsequent phases of the TSLI.

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DESCRIPTION & AIMS OF THE PROJECTS

The projects supported in Mozambique by IFAD and examined in this report include:

- **ProParcerias** (Community Investor Partnerships Project),² a project which aims to strengthen land and natural resource tenure security through the piloting of business partnerships between smallholder farmers, rural communities and outside investors. It is examining the tools available for establishing and securing land rights in the context of such partnerships and for negotiating and documenting sustainable partnership arrangements, including the award of legal personality to the community groups involved.
- **PRODIRPA** (Securing Artisanal Fishers' Resource Rights Project),³ which proposes to support artisanal fishing communities to secure the land and natural resource rights through community-based coastal resource management planning and empowerment processes. While various policies and legislation provide for the recognition of artisanal fishing resource rights, in practice recognition is relatively weak. It is designed to be a complementary initiative to PROPECCA, an IFAD-supported project which aims to improve the competitiveness of these communities through value chain development and increasing the volume of higher value fish caught by artisanal fishers.

This country report also provides some brief information on the some additional initiatives, which are being implemented in Mozambique through other agencies, but which are of interest and relevance in the context of the TSLI:

- The **Community Land Fund** (Iniciativa das Terra Comunitárias - iTC), which has been established in Mozambique to provide funding for rural communities to access technical assistance for securing their land rights and for improved land use and local economic development planning;
- The **Gender and Natural Resources Rights Land and Gender Project**, a paralegal training programme implemented by the Juridical and Judicial Training Centre (CFJJ) of the Ministry of Justice, which is designed to promote a more gender equitable access to land and natural resources;
- The **Land Component of the Millennium Challenge Account Compact** in Mozambique, which is developing new methodologies for the regularisation of

² The ProParcerias (Projecto de Parcerias entre Comunidades Locais – Investidores) is implemented through the National Directorate for the Promotion of Rural Development (Direcção Nacional de Promoção de Desenvolvimento Rural - DNPDR), within the Ministry for State Administration.

³ The PRODIRPA will be implemented through the Institute for the Development of Small Scale Fisheries (Instituto de Desenvolvimento da Pesca de Pequeno Escala - IDPPE), which is under the Ministry of Fisheries.

informal tenure and developing a national land information management system (LIMS); and,

- The **Africa Coastal Program** of the CARE – WWF Alliance in Mozambique, which includes a focus on the mapping of resource rights amongst communities living within the Primeiras and Segundas Archipelago and will work in coordination with the PRODIRPA.

TENURE SECURITY CONTEXT IN MOZAMBIQUE

The 1995 National Land Policy for Mozambique, still in force today, starts from the basic premise that land belongs to the state. However it also responds to an emerging market economy and is designed to “assure the rights of the Mozambican people over land and natural resources [and] promote new investment” through a mix of post-independence socialist ideology, market principles and concerns for social equity and sustainable use. Long term leaseholds, known as *Direitos de Uso e Aproveitamento da Terra* (DUATs), are either acquired by land occupants by law, or awarded as discretionary concessions by the state.

The key element to the Land Policy, later incorporated into the 1997 Land Law, is the recognition given to the legitimacy of customary land management systems and to informal and customary occupation. The legal framework provided by the Constitution and the Land Law contains several innovative approaches to securing property rights. These include:

- establishing a single land tenure right, the ‘DUAT’, which applies to both customary and newly requested land occupation and use;
- recognizing DUATs obtained through customary and good faith land occupation (thus formalising customary rights through the operation of the law); providing secure rights for investors through a renewable 50-year state leasehold (also a DUAT, but awarded with conditions attached and subject to a rental payment (the annual land ‘tax’);
- requiring applicants for DUATs to consult with local people to determine if the land they want is occupied and, if so, establishing the conditions for the investor to take over the community’s DUAT;
- formalising the participation of local people in land and natural resources management (as in the consultation process above); and,
- maintaining a flexible approach to approving and spatially defining the DUATs acquired through customary and good faith occupation.

It is critical to note that the DUATs obtained through customary and good faith occupation are recognised and protected by law – they do not have to be registered. These customary and good faith forms of occupation are still the main ways in which the rural poor get land rights, and they can be proved through oral evidence provided by local community members. A Technical Annex to the Land Law Regulations provides a flexible methodology for identifying and recording these rights, which can be applied to the ‘group right’ of a local community, or to individual ‘good faith’ occupants (see below).

Full registration of DUATs in Mozambique requires both cadastral title registry, through the National Department of Lands & Forestry (DNLF) in the Ministry of Agriculture, and

property registration, through the Real Property Registry (*Registo Predial*) in the Ministry of Justice.⁴ The Real Property Registry essentially guarantees land rights by making them public, i.e. recognised by the state, and protects land rights holders against claims by third parties. Although this registration is available, it remains voluntary, i.e. it is not compulsory under the amended regulations. In the case of DUATs held by occupation, the lack of legal registration does not affect the enforceability of the occupancy right.

However, it still is important to do the property registration in the Real Property Registry. Although the DUAT holder cannot own the land, he or she can own any fixed assets on that land, such as houses, buildings, infrastructure, trees or other improvements. No matter how they are acquired, DUATs are recognised by Mozambican law as real rights to a plot of land, urban or rural, and they are transmissible as part of transactions involving the fixed assets upon the land in question. However, for these real rights to be recognised, and thus transactable, they must be previously registered in the Real Property Registry. This has important implications from the perspective of the formalisation of rights and the valuing of land in the context of the establishment of community-investor partnerships.

The 'land delimitation' process, defined in the Technical Annex, is a flexible and participatory mechanism through which local communities can, in effect, define themselves and the areas of land over which they claim a right to use and occupy land. This self-definition approach is well suited to a country like Mozambique, where numerous cultural and geographical contexts determine land occupation and use. Delimitation can be applied to traditional units based on clans or chieftainships, extended families or simply a group of neighbours. Delimitation achieves two major legal and practical objectives: i) it proves the existence of the DUAT by occupation and ii) it establishes the spatial characteristics of the DUAT, including its limits and the presence of public and customary rights-of-way or of any other interests over the land in question. A map of the community DUAT with any other information, such as rights-of-way, is then registered in the Cadastral Atlas and a Certificate of Delimitation is issued in the name of the community.

SOME CURRENT LAND POLICY ISSUES

There are a number of specific and detailed policy issues that are central to some current of the current concerns in Mozambique. One of these concerns relates to the increase in recent years in large-scale land acquisitions, vis-à-vis smallholder access to land and livelihoods, whilst other concerns are in respect to the possibilities for inclusive business models and partnerships between investors and local communities. The various policy issues are contested, with differing interpretations held by different actors. These are set out in the table below. It should be clear that this is a simplistic presentation: not everyone in a particular institution will agree with the view set out here, and views are not always set in stone.

⁴ The law states that the constitution, extension, modification, transfers and termination of the DUAT are subject to legal registration which, according to modifications to the initial Land Law Regulations, is now the responsibility of the Public Property Registry (*Conservatórias do Registo Predial*)

Table 1 - Some Current Land Policy Issues

Issue	Views	Proponents/ Holders
Whether there is rural land which does not require community consultation to obtain a DUAT	The boundaries between community lands are contiguous. Where one community land area ends, another begins and there is no 'free' land. Many interlocutors seem to think in terms of colonial boundaries of sub-chieftaincy areas.	Provincial & District level GoM, NGOs, communities, private sector
	Community land boundaries should be defined to capture the land actually used for agricultural production and some for expansion, but are not contiguous. Between these boundaries lies land that is unencumbered property of the state and over which the state has complete discretion for allocating.	National level GoM, CEPAGRI, MCA
The legal effect of agreements made through consultation processes	Agreements should form part of the contractual obligations between the state and the DUAT holder	NGOs, CSOs, some provincial SPGCs
	Agreements are not part of the contractual obligations and there is no government department responsible for monitoring compliance.	DNTF
The effect of giving a DUAT to an area within community land	If the investment fails and the DUAT is revoked, the land should return to the community area as before. Land reverts to the state but the state is represented at this level by the community.	NGOs, CSOs, lawyers and some provincial cadastral services
	This represents a permanent ceding of any underlying community right and the land reverts to the state if the DUAT is revoked. No further community consultation is required if a new DUAT is requested. This means that ceding land to a DUAT is high risk for communities.	National & some provincial cadastral services
The ability of communities to lease land directly to third parties using a contract of "cessão de exploração" (ceding of use rights)	The ceding of temporary rights to land by any DUAT holder is permitted by law as long as previous authorisation is obtained. The government should allow and encourage this facility for communities to negotiate with their land.	NGOs, CSOs, communities
	Community groups cannot be permitted to lease land directly to third parties. It is not a favoured option since this would mean a loss of revenue to the state and abrogate the state's ability to control land allocation and use.	Cadastral services at all levels

The greatest contestation is around the definition of a local community in the law and the power given to them to identify land boundaries over which they claim a DUAT. The

issue has a strong political dimension that cuts across decentralisation processes and involves concepts of community representation, local land management and administration powers and relations with investors. Central level state actors approach the issue from the backdrop of the government's ability to direct and control investments in the rural areas.

Some of the approaches being adopted in the face of these contested policy issues may lead to an element of risk to some communities, and particularly the poorer members. The issuance of titled DUATs for producer associations, an approach adopted by a number of NGOs, may, for example, be risking the eventual loss of that land to the broader community, should the government for any reason decide to revoke the association's DUAT in the future (for example, one legal reason for revoking a DUAT is non-utilisation of the land; a number of associations, like other 'investors', are currently holding titles to a few hundred hectares of good agricultural land, whilst only having the capacity to produce on a few hectares). Again, this has important implications for the strategies adopted by projects, such as ProParcerias, that are seeking to secure rights for community groups.

GROUP RIGHTS: ISSUES, CHALLENGES, TOOLS AND STRATEGIES

Issues regarding group rights are being dealt with in the context of both of the IFAD-supported projects in Mozambique. In the PRODIRPA project (not yet under implementation due to funding difficulties), the focus will be on mapping and defining co-management rights to a range of public land and natural resource assets in the context of coastal fishing communities, defined through a variety of group structures. In the ProParcerias project, the focus is more on the issues related to a group as a co-ownership entity in the context of establishing a commercial business relationship based on access to land resources.

The PRODIRPA will therefore be primarily engaging with the land and natural resource issues of *groups as public entities*, with a legitimate right to be involved in decision-making around the use and exploitation of resources, whilst the ProParcerias is dealing more specifically with the land issues of *groups as private entities*, which are defining and securing legal use rights in order to negotiate access to land resources with third parties. These differing contexts present a variety of challenges and issues.

PRODIRPA

Overlapping interests and resource uses are often a major source of conflict along the Mozambican coastline. Competition for water, land and other resources used by artisanal fishing communities is coming from different angles, such as migrating artisanal fishers, (semi-) industrial fisheries, mining, gas and oil exploitation, tourism, conservation, large-scale commercial farming and forestry, etc. Most fishing communities are small, isolated, poor and semi-subsistence in nature and generally combine fishing and fish marketing with subsistence agriculture. Some are seasonal, but the majority are permanent communities that depend primarily on fishing for their livelihoods, complemented by their access to land for subsistence agriculture and other resources collected from the forests and bush. The balancing of these different and competing interests is a key challenge; with rapid developments in gas and transport infrastructure along some parts of the coast, and the growth of the coastal tourism sector, the need to secure the rights of, and mitigate impacts on, the poorer and less well-resourced coastal fishing communities is increasingly urgent.

From the perspective of group rights, the PRODIRPA will be implemented in a context where various groups will operate in different spheres: there are (statutory) consultative institutions, which are designed to institute co-management approaches in the public sphere, whilst there are also associations, which have more of a private character in representing the interests of their members. Whilst PRODIRPA has a principal focus on the latter, there is still a level of institutional confusion between these different spheres at local level, which can present challenges. A key challenge will be to strengthen the voice of the more informal groups of resource users on the co-management institutions, in order to prevent these institutions from becoming instruments of elite capture. There are a number of target interest groups for PRODIRPA, from subsistence fishermen to artisanal fishermen linking with the markets, from women gathering molluscs and bivalves, to traders and processors. Some of these groups are formally constituted as associations, with different objectives and focus, but most of them have some orientation to an economic activity such as fishing, processing or marketing.

The broader ProPESCA project is providing support to the institutional strengthening of the fishermen's associations, through the extension workers of the IDPPE, in fostering their role in the commercial development of the artisanal fisheries sector. The PRODIRPA project, as a complement, is designed to provide support for strengthening artisanal fishers' resource rights; a key indicator for success will be the number of coastal management plans that include the recognition of these natural resource rights. The basis for developing these local and district level co-management plans are the statutory co-management institutions that have been created:

- The Community Fishing Councils (CCPs), which are community-based organisations, recognised by the government as participants in the management of fisheries resources; and,
- The Co-Management Committees (CCGs), which are consultative fora made up of local, district and provincial fisheries management authorities that decide on matters related to the preservation and conservation of fishery resources and fisheries management.

Although there is no experience so far from implementation of the project, one of the key strategies that have been defined for defending the rights of the target groups is the use of participatory mapping processes (see below).

In addition the project has defined a number of other interventions:

- Research to identify and document the existing institutions, rules and practices, especially those pertaining to fishing and access to land, water and trees;
- Assessments of the capacity needs in natural resource management of organisations and institutions representing artisanal fishing communities;
- Conducting civic education campaigns on policies, laws and regulations governing natural resource use and exploitation;
- Providing training to CCPs and fisher associations/cooperatives and other community based organisations (CBOs) in natural resource management, including: the mapping of resources, documenting of local natural resource management practices, conflict management/resolution, community land use planning and community land delimitation;

- Facilitating exchange visits between representatives of artisanal fishing communities.

PRODIRPA project staff members are cognisant of the fact that there are tools, which already exist within the national policy framework, designed to safeguard local community interests in the face of rapid economic and infrastructural development. These include the requirements for Environmental Impact Assessments in the context of new investments; however, as the project staff point out, "opinions in a document are not as strong as rights". The project will therefore be looking to make use of other tools, such as the community land delimitation mechanism, as a means of securing not only land rights, but potentially the rights to marine resources also.

Although the IDPPE, which will implement the PRODIRPA have begun to further develop their knowledge management activities, this still remains limited. Whilst there is some recognition that they do not need to re-create existing knowledge or tools, where there is the option of acquiring and adapting knowledge that is already available, these are not activities that are embedded in the work processes of the institution. Part of the PRODIRPA project is aimed at specifically addressing this issue, and there is a conscious emphasis on the integration of other experiences and approaches being implemented, for example, by CARE-WWF, and on close coordination with the various actors engaged in strengthening co-management and securing resource rights.

ProParcerias

The ProParcerias project, as noted above, is approaching the issue of group rights from a different perspective. Here the concern is with the constitution and securing of private use rights to land in the context of being able to use these rights, as a group, to enter into a commercial arrangement with outside investors. Although there have been some experiences from other sectors, notably tourism, these examples are based upon project-specific arrangements that recognise or mediate the legal personality of the group, and there are no examples from the agriculture sector. The ProParcerias is therefore an attempt to identify and pilot some approaches and legal instruments that will permit the establishment of sustainable community/investor partnerships in rural areas, in which the communities contribute unused land as a legally constituted group that holds the use rights to this land. Although this raises issues that cut across the thematic areas of 'group rights' and 'inclusive business models', for the purposes of this report we have decided to address them under the latter section (see below).

INCLUSIVE BUSINESS MODELS: ISSUES, CHALLENGES, TOOLS AND STRATEGIES

ProParcerias is managed and implemented by DNPDR. Other stakeholders include the private sector, NGO and government service providers, who are being contracted by DNPDR to provide necessary technical assistance in research and the establishment of partnerships.⁵ The project has already made contacts with one investor, namely AgDevCo, a not-for-profit distribution agricultural development company operating in sub-Saharan Africa.⁶ Whilst the project has not yet got to the point of developing and

⁵ Two service providers have been selected to facilitate the setting up of partnerships between local communities and outside investors: LUPA for Gaza, Manica and Sofala and ORAM/MERCAL for Zambézia and Nampula. A third service provider, PROSPECTUS, has been contracted to document the process of establishing inclusive partnerships and developing guidelines.

⁶ Acting as principal, AgDevCo invests "social venture capital" to create commercially viable agribusiness investment opportunities, bringing them to the point where they can attract private investment from domestic

documenting strategies, there are a number of key challenges in respect to group rights which are already identifiable.

The first key challenge relates to the identification of the group itself. Here, the issue is whether a framework and related tools should encourage the formation of partnerships that involve all of the community members within a defined geographic area, or merely a subset of members of the community that are interested in actively participating. Actors within the ProParcerias project express the view that a partnership arrangement will have a better chance of success if participation is defined more narrowly, through a group that has actively 'opted in' to the arrangement. They base their argument on the difficulties inherent in achieving a full agreement with all the members of a community and the transaction costs implicit in sustaining the partnership. There are pros and cons to this approach, as well as implications in terms of the available tools to be used.

The legal framework is sufficiently flexible to accommodate either of the approaches, but the project faces a number of key strategic choices. There also remain some unanswered questions which the project still has to clarify. These choices and questions include the following:

- If partnerships are to be established with a smaller 'subset' of a community, the land available to them as a group will need to be defined and negotiated with the broader community, as will the basis on which they will be permitted to 'claim' this land. The challenges here will be how to define if there is a need for, and the mechanisms to implement, any wider benefit-sharing from the partnership amongst members of the broader community that are not directly involved. Equity arguments would seem to suggest that, at least where community land that was for communal use is involved, such a need will exist and the mechanisms for benefit-sharing will need to be designed.
- An additional issue to be considered, when choosing the available options for legal recognition of the group, is the legal restriction that applies to associations, which by definition under Mozambican law are not-for-profit organisations and are prohibited from any distribution of dividends or surpluses to individual members. This means that any financial benefits accruing through the partnership arrangement could only be applied to the realisation of the founding objectives of the association as a whole. An alternative tool available for legally recognising the group is the law that permits the establishment of cooperatives. A new law, the General Law on Cooperatives⁷ (replacing colonial-era legislation that was never repealed and post-independence legislation based on a Soviet-era model of cooperative) was promulgated in 2009. It provides a framework for business-oriented initiatives, including farmers' cooperatives, to operate as entities that specialise in business transactions for the benefit of their members. The surpluses of the operations of a cooperative, in contrast to an association, may be distributed among the members.⁸

and overseas investors. AgDevCo is currently funded by private individuals, the Rockefeller Foundation, the Hewlett Foundation and DFID.

⁷ Law 23/2009, Bulletin of the Republic of Mozambique (Series I No. 38, Law 23/2009), September 28, 2009

⁸ A "division of labour" between associations and cooperatives would imply a clearer distinction between efforts to promote civil-society activities, and efforts to promote private-sector development in rural areas.

- Whilst it is legally possible for a group within a broader community to define itself also as a 'local community' as defined in the Land Law, and thus undertake a delimitation of the land, there will still be a requirement for the boundaries to be clearly established in consultation with the rest of the community members. Given that the legal implication of a delimitation process is a permanent ceding of the use right to the group, great care should be taken if this option is used. There are strong arguments for this option only to be followed in the event that the land in question was already, in terms of the local customary norms and practises, recognised as legitimately being the land of the particular members of the group in question. That is, great caution ought to be exercised where this option involves land that has in the past been regarded as being for communal use or as yet unallocated. Not to do so would run the risk of supporting a 'land grab' within the community and prejudicing the livelihoods of poorer and more vulnerable groups.
- There are also legal uncertainties in respect to the delimitation option. The first is whether or not the process, in and of itself, would serve to award legal personality to the group that undertakes the delimitation. Even if it did so, the group would then, in terms of the civil law, possess the use right to the land in a regime of full co-ownership. The implication of this is that every member of the group would have to give explicit assent to any ceding of those rights in the context of a partnership arrangement. In light of the fact that the legal framework, and in particular the Technical Annex, is silent as to the future management and administration of delimited land by the group, arrangements would need to be made to ensure that these assents were given by each and every member, or that a legal-binding Power of Attorney was provided to a representative body. The kind of tools that exist, for example, in the South African context (where there are model statutes and training modules applicable to the establishment of Communal Property Associations) have not yet been developed in Mozambique.
- A second uncertainty relates to the status of the certificate issued on completion of the delimitation. It is unclear as to whether the delimitation certificates can be the object of registration in the Real Property Registry or if the land would need to be further demarcated and a title issued in order for this to take place. This is an issue that the ProParcerias will need to gain clarity on. It is closely related to another issue, which is whether or not a contract of *cessão de exploração*⁹ can be entered into where the land in question has merely been delimited rather than demarcated.
- An alternative approach for a partnership arrangement with a group from within a broader community would be to establish an association (in terms of a specific decree that exists for this purpose) and for that association to apply for the award of a DUAT by the state. This would address two issues: firstly, it would ensure that there would have to be a formal consultation process with the broader community, thereby establishing their formal consent to the award of the land and agreement on the terms for wider benefit-sharing; secondly, the legal personality of the association, along with statutes that would specify representation mechanisms, would be a necessary part of the process. However, this process also raises other issues. As noted in the table above, there is uncertainty as to what happens if the DUAT is revoked for any reason in the future. Some provincial administrations have acted in the past as if a revocation implies that the land itself, along with any

⁹ Contract for ceding of land use rights

infrastructure, becomes available to them to re-allocate as they see fit, rather than being returned to the domain of the local community and subject to their consent before any further ceding of the use right. This therefore means that there may be considerable risk involved to the broader community.

- Further issues relate to the substantially higher costs involved in the demarcation process, and the legal requirement that an annual land use tax is paid by DUAT holders that have been awarded a DUAT. The ProParcerias will need to investigate whether or not it will be possible for non-profit associations, which are exempt from the payment of such taxes, to continue to claim this exemption where they are benefitting from, for example, a rental payment for use of the land, paid by an investor. The official government position on this issue is not yet clear, but some government stakeholders express the opinion that, given that the investor would not have a contractual relationship with the state and not be required to pay the annual land tax, the mechanism would imply a loss of revenue to the state. Other stakeholders argue that the loss is offset by the direct benefits that would accrue to local people, but this raises once again the issue of how these benefits would be shared.
- A common issue, in any of the different potential arrangements that could underpin partnerships between a community group and an investor, is the question of how to value the potential equity contribution of a community, represented by the ceding of the use rights to land. There are different potential approaches to this, and some risks that must be borne in mind. One approach would be to negotiate a form of rental payment, which would need to be reviewable on a regular basis. A different approach would be for the community group to acquire shares in the commercial venture, an option that represents greater risks but which also could lead to greater benefits. Here there is a challenge in terms of how to value the land, in a context where legally it has no market value beyond the holding cost represented by the annual land taxes. In these instances, ProParcerias will also have to address the issue of how to structure the initial equity contributions; that is, whether these represent the purchase of a share quota that cannot then be diluted in the event of further capitalisation of the venture, or not. ProParcerias will need to tap into appropriate expertise in order to address these questions and safeguard community interests.
- Once the issues from the community side have been addressed, and there is a clear definition of a potential group and the land that they have available, there are issues that need to be addressed in respect to attracting and selecting appropriate investors. The ProParcerias project is looking at the potential for organising tender and bidding processes, but much work will need to be done to compile these, to decide upon selection criteria and to establish contractual arrangements.
- There appears to be a widespread recognition that the facilitation and, particularly, the on-going monitoring of partnership arrangements will be need to form part of the future architecture of an enabling environment. This arises from a perception that both investors and community groups will need assistance in order to 'deal with one another'. The role of permanent 'brokers' is therefore seen as a key element in the future, and strategic decisions will have to be made regarding the sustainable provision of such services. ProParcerias stakeholders argue that brokerage of this nature requires special skills and aptitudes, and that government staff find it hard to play this role.

- The partners in the ProParcerias project also report that there are considerable challenges involved in addressing these issues with communities that have developed a 'culture of dependency' and that expect some form of immediate tangible assistance from their engagements with outside parties. To some extent this underpins the view that the project ought also to be offering some form of seed capital contribution that can be contributed to a partnership in the name of a community group.

All in all, the ProParcerias project is already providing some clear definition to the issues and challenges faced in the Mozambican context. The development of the tools to address these will be a major focus of the coming months. Some strategies that the project is already adopting in this regard include:

- In the partnership facilitation process, the ProParcerias partners are trying to consciously move the understanding of the community groups from the process being an 'offer of help' to one in which they are being 'invited to participate'.
- ProParcerias is attempting to instil more flexible interaction between service providers and state institutions.
- The service providers, in acting as the facilitators of partnerships, are trying to ensure the involvement of government staff through the establishment of technical teams at provincial level, drawn from various state institutions.

Given that the ProParcerias is in essence a Knowledge management project, the tools have not yet been developed. One of the key objectives of the project is to increase knowledge, capacity and experience of establishing community/investor partnerships amongst a number of key stakeholders. Analyses from regional and international contexts, as well as documentation of available tools and best practises within the Mozambican context, are all expected from the project in the future. One of the key outputs will be the Manual providing guidelines to interested parties, as well as policy recommendations for government and 'toolkits' for use by different stakeholders. The responsibility for documenting the partnership facilitation processes is included in the service provider contracts and it is expected that in the future there will be a more visible element of monitoring and knowledge management. From the perspective of learning from other experiences, one significant initiative, which arose as a direct result of the Nairobi Workshop in May 2012, was the visit arranged by the project to Swaziland, where the project staff and partners were able to exchange information and knowledge on approaches and tools with the staff of SWADE.

MAPPING: ISSUES, CHALLENGES, TOOLS AND STRATEGIES

Although not yet under implementation, the PRODIRPA envisages the mapping of existing and planned marine and land natural resource use, including fishing areas, protected areas, water access, forests and mangroves, cultivation and grazing used by a range of different groups and users. There has been some mapping of different resource uses of artisanal fishing communities (not just fishing, but also water and infrastructure) and documentation of local natural resource use rules and practices (e.g. by WWF-CARE – see below), but use of the tool of mapping and using maps to provide a basis for planning and negotiating is not well-developed. The existing local management rules of fishing communities are usually not documented either, and these are therefore often not considered in coastal management plans, although there have been some successes

in the establishment of local reserve/'no fishing' areas, with the fairly immediate and visible recovery of local fish stocks.

The strategic approach of the PRODIRPA will therefore include the following:

- A focus on the documenting of local natural resource management rules and practices, including for conflict resolution, and the mapping of the spatial extent of users rights. The objective is to recognise existing rights, which are accepted as legitimate at a local level.
- The production of community-based coastal natural resource management plans, for local use in terms of monitoring, and for advocacy and planning purposes at district and provincial level (see above under 'Group Rights').
- Facilitating initial steps in community land delimitations and other measures for legally securing resource use rights.

The PRODIRPA will place particular emphasis on participatory approaches that identify the interests of different users, including at community level, with the objective of ensuring that the poor and vulnerable groups' needs are recognised and accommodated. Initial steps in community land delimitation will include identifying community boundaries and key land uses (crop and grazing lands, forest reserves, water sources).

Some of the key challenges in respect to mapping of this nature will be the following:

- The design of a methodology for capturing geo-referenced data, representing this data on maps, and producing maps that can be easily understood and used by local groups presents a number of challenges. The strategy for PRODIRPA will need to involve the adoption of affordable mapping methods; this could include mapping on the basis of Google Earth, a process already being undertaken by the WWF-CARE alliance, and the location of key features (fishing grounds and reserves, infrastructure, water points, forests, etc.) using hand-held Global Positioning System (GPS) instruments.
- Although Google Earth can convert and display files in shapefile format (providing a level of interoperability and data exchange capabilities with other holders of geo-referenced data), and folders within the programme can be used to link a range of related data, there are limitations to this, and the production of printed maps for use by local groups remains difficult. The two key advantages of the Google Earth system are a) that it is open-source, available to anyone with an internet connection, and b) that it provides reasonably high resolution and recent raster images as a backdrop.
- Although the potential for use of GIS tools within IDPPE are huge, given the large volume of existing data that can be easily geo-referenced (CENSUS data, IIP data, data on catches from landing sites, etc.), the skills and capacity of institution are limited to a single person at the national office, although there are opportunities to improve links with the Geography Department at the University of Eduardo Mondlane.
- There are other, relatively sophisticated, systems in use at the Ministry of Fisheries, including a Verification, Monitoring and Surveillance (VMS) system to track the fishing activities of industrial licensed vessels in real time. Staff at IDPPE know little about the system. Although the Centro Nacional de Cartografia e Teledetecção (CENACARTA) and the Instituto de Investigação Agrária de Moçambique (IIAM) hold

spatial data and imagery that could be of use as additional map layers (such as the topographic maps at 1:50,000 and the data on land use and cover) these are little known and there are poorly-developed or non-existent protocols for making this data available throughout state institutions.

- Undoubtedly the most important tool for the purposes of PRODIRPA, however, will be high resolution imagery that can be used as backdrop to resource use mapping exercises, since it is this that renders the maps immediately accessible and understandable to communities and resource users at local level.

Strategically, given that initiatives such as the CARE-WWF Alliance have already been piloting some mapping tools and processes, PRODIRPA will emphasise the integration of these experiences and approaches, and closely coordinate with the various actors engaged in strengthening co-management and securing resource rights. As mapping and representing data spatially become more and more useful and powerful tools for advocacy, planning, management and the securing of rights, there are cogent reasons for the sustainable development of GIS capabilities and the co-ordinated sharing of data, including imagery, and knowledge.

See also below for details on the Africa Coastal Program of the WWF-CARE Alliance.

WOMEN'S ACCESS: ISSUES, CHALLENGES, TOOLS AND STRATEGIES

Womens' land rights are a particular focus in both the ProParceria and PRODIRPA projects. The challenges involved in supporting the use rights of women in respect to land are significant in Mozambique, given the prevailing cultural attitudes within the traditional rural setting of the country. In the rural areas, there are a number of cogent reasons that argue against an immediate focus on formalising individual women's land titles and towards a broader focus on improving social attitudes towards women's land rights, in particular for vulnerable groups such as widows and orphans, as well as working to improve women's status on a wider front. The formalising of women's rights as part of the delimitation of community rights in Mozambique fits within this approach; in a number of instances in which communally-held land is secured in the name of community groups, women are included within the new institutional structures set up to administer the land areas. These institutions operate alongside or within the customary framework, but have offered opportunities for women to negotiate and shift attitudes and approaches without coming into direct conflict with the status quo.

Securing equal treatment and respect for the rights of women requires normative change at the level of customary authorities if there is to be any real chance of achieving significant improvements in the way the rights of women are treated, alongside the need to pay specific attention to the inclusion of women in processes and forms, that are developed at the more formal end of the land administration system. This is a conscious strategy within both the IFAD-supported projects, where the facilitation of participation of women in extra-household institutions is a central focus. This is considered an approach that can dilute the dominance of men in community-level decision making and build the organisational skills, social networks and social capital of women.

In the ProParcerias project, the involvement of women in decisions regarding which areas of land might be available for use within a partnership arrangement is considered to be critical, to avoid decisions being made which excludes their interests, often different from those of other segments of the community. In the context of a delimited

community, the civil law provides a useful legal safeguard tool in this regard, since the ownership of the use right is shared by every single member of the community, meaning that decisions must legally be taken by women as well as men, and cannot be mediated through households, traditional authorities or other 'representative' bodies (unless specifically mandated to do so). In reality, of course, there are challenges in the application of this tool.

In the PRODIRPA project there will be a number of strategies to ensure that: (i) the specific challenges women face in accessing natural resources are given special attention, (ii) female community members are involved in the development of integrated natural resource management plans; (iii) sensitization activities target both women and men; and (iv) gender equality in local organisations is promoted.

See also below for details on the FAO Gender and Natural Resources Rights Land and Gender Project.

RELATED INITIATIVES

The Community Land Fund (Iniciativa das Terra Comunitárias - iTC)

The iTC is a multi-donor programme which is designed to support the formalisation of community land rights and local economic growth opportunities based on the use of land and natural resources. The initial idea behind iTC was to support a demand-driven approach to securing community land rights and negotiation with potential investors. It was based on prior experience with a supply-driven approach to supporting service providers, such as ORAM, in the delivery of these services. A demand-driven approach was considered to offer the possibility of better targeting of initiatives, to encourage the development of specialist service providers and to make the services more cost-effective.

The iTC started as a pilot programme in three provinces (Gaza, Manica and Cabo Delgado) in 2006, funded by DFID, the Netherlands Embassy, DANIDA, SDC, Ireland and SIDA. It has grown rapidly, with additional support from the Millennium Challenge Corporation/Millennium Challenge Account (MCC/MCA) covering three more provinces (Niassa, Nampula and Zambézia). In 2012, it has further extended its activities to Tete and Sofala provinces. In its first phase, iTC explored various approaches in linking support for securing community land rights to economic development activities, but now plays a facilitative role in linking iTC supported communities and producer associations with other development programmes that are aimed at strengthening productive development and market participation. Its core focus has centred on providing the finance to enable the outsourcing of service providers that can assist community groups and associations to legally define and secure their rights in terms of the existing legal framework. This may involve support to delimitation exercises, the demarcation of land and the conducting of local-level land use planning exercises.

There have been a number of significant political, administrative and bureaucratic challenges in the establishment and management of the iTC as an independent funding mechanism that is aimed at assisting community groups to assert their rights to land. Its continued existence, and the fact that it is now examining options to transform itself into a legal institution, with the blessing of the government, is testimony to the skilled work by a variety of stakeholders over a number of years and to the commitment and

flexibility of the donors. These challenges, and the ways in which they have been dealt with, include:

- Challenge: the establishment of mechanisms to enable a number of different donors to contribute to a common pool of funds, to be represented in the management decisions of the fund and to receive reports on expenditure, progress and impact of the fund. Particular challenges involved the inability of the Nordic donors to channel funds through a private sector fund manager and the inability of the MCC to permit co-mingling of fund with those of other donors. The approach adopted was for one donor (DFID) to assume responsibility for payment of the management costs of the private sector fund manager, whilst other donors contributed to the grant component. The contractual arrangements for fund management were established between DFID and the fund manager. Funds from other donors were paid into a third party monies account, operated by the Crown Agents Bank, (which has only recently assumed the role of reporting). An overall MoU was entered into by all donors of the original consortium (excluding the MCC, which began funding at a later date) and individual contracts entered into by DFID as lead donor and the other donor contributors. Grant money is held in an interest-bearing account. The acceptance by donors of a common reporting format was an enduring challenge, only solved in the last year.
- Challenge: the maintenance of key objectives and principles for the strategic direction and focus of the fund. The entrance of the MCC into the overall umbrella of the iTC represented a particular challenge, given that a separate process to appoint a fund manager for the additional provinces was conducted. In the event, the fund management contract was won by the existing service provider but the DFID-led consortium and the MCC nevertheless signed up to a Code of Conduct to assist in framing and managing the relationship.
- Challenge: the selection of an appropriate fund manager, with appropriate capacity and legitimacy. The management contract of the fund was awarded through the running of an open international tender, with the contract value established at approximately £2.5 million over a five year period. KPMG won the bid, with a consortium including the Natural Resource Institute (NRI) at Greenwich University and, later, the Centro Terra Viva, a national NGO. Capacity and legitimacy were complex issues, and the donors retained a right to scrutinise CVs of proposed personnel. Decisions made by the fund manager to recruit ex-government staff were considered to be strategic and necessary compromises in order to ensure sufficient social capital for the fund vis-à-vis the government.
- Challenge: the establishment of protocols and institutional arrangements that permitted the government to participate in the strategic decision-making structures of the iTC without compromising the independence and objectivity of the fund, and in the operational decision-making bodies without affecting the integrity of the decisions in regard to grant-making. The iTC has a National Oversight Committee (*Comité Nacional de Aconselhamento*) comprised of three representatives from amongst the donors, two from NGOs, and one each from the private sector, the government and each of the provincial level committees. This body sets high level policy and strategic direction for the fund. The Provincial Steering Committees (*Comités Provincias de Acompanhamento*) are also intended as representative bodies that have participation from the three sectors (state, NGO and private); these bodies guide the provincial operations of the fund and take decisions on grants.

- Challenge: the establishment of appropriate and cost-effective mechanisms to ensure transparent and objective analysis of grant proposals at provincial level. Although decisions on grants are made by the Provincial Steering Committees, the proposals are first evaluated by a smaller Technical Evaluation Team (*Equipe Técnica de Avaliação*), the members of which are paid small stipends to do so; proposals are evaluated against the strategic plan for the provincial fund and in accordance with an agreed set of criteria. Proposals for grants are presented to the Provincial Steering Committees (whose members receive a small sitting allowance) for ratification.
- Challenge: the provision of support and guidance to ensure that the potential service providers under the fund were capable of identifying and submitting sufficiently high-quality proposals for activities that aligned with the objectives of the fund. The fund manager has developed a Budget Guide for the service providers (*Guião de Orçamentação para Provedores de Serviços*) and developed an Operations Manual (*Manual de Operações*). Training has also been provided, including on gender and diversity issues.
- Challenge: the design and implementation of appropriate strategies for awareness-raising in respect to the existence of the fund. This has been partly achieved through the establishment of further bodies at district level (*Grupo Distrital de Ligação*), which are expected to disseminate information on the fund and its products, whilst the fund manager has also developed a Strategy and Plan for Communication and Advocacy.
- Challenge: the establishment of mechanisms to control the quality and costs for the management of the fund vis-à-vis the money spent on actual grants. The initial ratio was approximately 60/40 for costs/grants, but this has now come down to 45/55 and there is an expectation of further decreasing costs as the start-up and transactions costs of the initial period begin to diminish. Strategically, the fund has moved to adopt a cluster approach, in which a number of communities in the same area can be delimited through a single grant, thus benefitting from various economies of scale. Leaving aside the management fee to the fund manager, the relative costs in the past year have been: 70 % for grants, 15.5% for coordination meetings (including the National Oversight Committee), 7.5 % for marketing activities, 3.7 % allocated to a national Land Forum (*Fórum de Consulta sobre Terras*) meeting and 3 % for M&E.

Knowledge management activities within the iTC are receiving a high priority in the current transition phase, with the fund manager tasked with the compilation of a comprehensive Operations Manual, as well as a number of policy briefs capturing the lessons learned over the last few years. In the past the iTC has played an important role in encouraging the sharing of information and knowledge amongst the various service providers.

[The Gender and Natural Resources Rights Land and Gender Project](#)

This project includes a Paralegal Training Programme implemented by the Juridical and Judicial Training Centre (CFJJ) of the Ministry of Justice and is an example of efforts to overcome the challenges and promote more gender equitable access to land and natural resources in the country. It views the promotion of legal empowerment of rural people as a key element in the promotion of social justice, gender equality and economic development, and as a process that will benefit not just men or women, but society in general. Training courses are held throughout the country, targeting participants who

can return to their communities and become champions of more gender equitable approaches and practises; 38 courses have been held so far, with a further 40 in the pipeline. Participants are provided with advocacy materials as part of the package. It is important to note that a considerable part of the CFJJ gender programme on land involves men, in their capacity as community leaders and especially as local level 'land managers' in the customary context.

In terms of knowledge management, the project has produced a video which presents an overview of the gender issues in Mozambique and the major challenges faced by rural women when it comes to access land and natural resources. Through interviews with stakeholders - from the Minister of Justice to the paralegals and peasants in rural areas - the documentary highlights the efforts that have been made to date.

The video can be accessed at <http://www.youtube.com/watch?v=sDoBZamFvVc>

Recently the project has been looking at how to provide follow up support for paralegals after the training. This was problematic for the CFJJ, due to its role as a public institution, so the field support services will be provided through NGOs. The project has established two contracts with partner NGOs who will work with the project's technical support.

Research is also being conducted through the project, and has identified a major problem with the loss of land by women as a result of the death of their husbands, forcing them to migrate, either back to their families or, more often, to peri-urban areas.

Land Component of the Millennium Challenge Account Compact

A technical assistance project within the DNTF is currently engaged in two significant initiatives to produce national level tools for (i) the cadastral titling of statutory DUATs (i.e. those obtained through occupation) and (ii) the management of cadastral records within the land administration services, through the development of a Land Information Management System (LIMS).

The cadastral titling initiative is developing low cost methodologies for Land Tenure Regularisation (LTR) processes through a pilot project being conducted in a number of municipalities and rural districts. The methodology focuses on working through local institutions and structures and equipping them with high resolution imagery that permits the identification of parcel boundaries utilising general boundary principles.¹⁰ The work is done in a participatory manner, with safeguards built into the process to allow for objections and corrections, and culminates in the issue of a titled DUAT. The TA team have developed a Manual (currently in draft form and in Portuguese) and the DNTF plan to scale up the activities through a further national programme once an assessment has been completed. Further details on this programme can be obtained from documents listed under the Annex on further reading.

There are two key challenges for the sustainability of this programme:

¹⁰ This essentially means that a general boundary of a plot is drawn on the title plan, as a means of indicating that there is an exact legal boundary somewhere nearby, at an unknown distance from and not necessarily parallel with the general boundary. Recording boundaries in this way, with satellite imagery being used for identification, reduces the costs of first registration considerably.

- The pilot process has been supply-driven, as part of the implementation of the MCC/MCA Compact, and there is no guarantee that the local land administration institutions (the municipalities and the provincial cadastral services) will have the skills, tools and capacity to maintain the cadastral registers if they become populated with many thousands more of titled DUATs.
- The cadastral titling process is not being systematically accompanied by the registration of the real property rights in the Real Property Registry and there is hardly any awareness of this registry amongst the beneficiaries of the LTR programme. Modifications to the registry are also time-consuming, costly and, for all those who live outside of the provincial capitals, essentially inaccessible. There is therefore a very real possibility that the titles for the DUATs will exchange hands as transactions take place, but without any formal modification being made to the registries; both the cadastral register and the Real Property Register run the risk of becoming outdated and of no longer reflecting reality on the ground, as transactions will continue to take place within the informal realm.

Similar challenges in respect to the sustainability of the LIMS are also evident. As an information system that will hold and manage the cadastral data, the lack of any planned link to the Real Property Register may be a significant obstacle to its continued use and relevance. There are also some very significant challenges inherent in the introduction of a sophisticated and costly technology in the context of resource-poor environments, such as the municipalities and the provincial cadastral services. The introduction of such systems requires planning that has a long horizon for capacity-building in this regard. The current MCC/MCA-supported process is due to end in mid-2013 and there are as yet no firmly agreed plans, nor a clear strategy, for providing the necessary support after this time.

Some of the particular challenges in respect to introducing a national LIMS in the Mozambican context, and the responses to these, are as follows:

- A general lack of IT skills and support within the state sector necessitates the outsourcing of this support, which can be very costly, particularly in the context of the general dearth of these skills also in the private sector. This is exacerbated where the software systems are developed without being fully documented; two previous attempts to introduce a national LIMS in Mozambique have failed precisely because the software developer handed over a system that could not subsequently be easily modified or adapted. The current system will have been fully documented once it is handed over, but it remains the case that those responsible for design will maintain an advantaged position in the future provision of support, which could have an inflationary impact on the costs.¹¹ In addition, software licenses are expensive. The current process in Mozambique has negotiated site licences with the provider, allowing for as many 'seats' as necessary in each site. The agreement with the designer does stipulate that the extension and installation of the customised software module for the LIMS (in other sites across the country, for example) will not involve the payment of any additional fees of any kind, but the licences for the off-the-shelf software packages (the LAN Centralised cadastre module, ArcGIS Server, etc.) will have to be purchased.

¹¹ The provider estimates that a maintenance contract could cost approximately USD \$200,000 per site annually.

- User acceptance of an information management system is a function of how easy it is to use and the extent to which it responds to the everyday needs of those users. The design process, more often than not conducted by third-party service providers, must take this sufficiently into account or run the risk of delivering a product which falls rapidly into disuse. In previous attempts to introduce systems in Mozambique, the designers have been guided more by the requirements of national level users than by those of the staff working at the 'coal face' of land administration, where the system has to respond to different needs and challenges. The current design process is attempting to ensure the full involvement of all users at every stage, in order to avoid this potential pitfall.
- Internet connectivity within the country also poses a considerable challenge and has forced the design of the system to accommodate decentralised, stand-alone databases in each site, which then face the task of having to be synchronised with a national database on a regular basis.

Africa Coastal Program of the CARE – WWF Alliance

CARE and WWF launched the Primeiras & Segundas Livelihoods Program in northern Mozambique in 2008, under the Africa Coastal Programme of the CARE – WWF Alliance. Now in its fifth year, the programme is working to conserve and improve the fragile ecosystem of the Primeiras and Segundas archipelago, while strengthening the livelihoods of the communities that depend on the area's marine and terrestrial resources.

The Alliance has been piloting some mapping of resource use areas. This has included using Google Earth as a tool. The project has successfully managed to represent GIS and GPS data in the software programme (obtained either from other data holders or from the field). Shapefiles (.shp format) that hold data on forest concessions, protected areas and other resource use concessions have been successfully converted into a format that is compatible with Google Earth, enabling the instant sharing of this data with anyone who has internet access. Any attribute data held in the tables related to the shapefiles is also visible in Google Earth. One of the great advantages of this system is the value added by the imagery provided by Google Earth, which forms a backdrop that enables community members to immediately orient and understand the maps. There are some limitations, including the production of printed maps and the lack of data analysis capabilities that would come with the use of a GIS. As the project have pointed out, a combination of a GIS capability and the use of Google Earth to visualise and disseminate data offers the best of both worlds, particularly given the possibility of analysing and producing shapefile layers in a GIS which can then be converted into visible layers in Google Earth.

CONCLUSIONS AND POSSIBLE NEXT STEPS

The following section contains some potential next steps that could be taken, either by the projects themselves, or under the auspices of the TSLI-ESA in either its current or future phases.

PRODIRPA

- Although PRODIRPA is not yet under implementation, the staff of the IDPPE could begin to identify the data sets that could be easily geo-referenced for display and analysis in either a GIS system or through the use of Google Earth. Some of the

data held by the IDPPE already, or that might be available from other institutions, could add significant value to the future mapping processes envisaged under the project. There appears to be an opportunity to establish closer links to the Geography Department of the UEM to see whether capacity within IDPPE can be strengthened.

- Ideally the capacity to capture and map data in respect to resource rights should be located within the co-management institutions at a local level, or at the very least within the IDPPE offices in the area. Some assistance to IDPPE in developing a strategy for the mapping, particularly in regard to accessing available and appropriate software, identifying data sets and making links with other initiatives could perhaps be immediately provided through the TSLI-ESA. In this regard, the GLTN could make available the Social tenure Domain Model software for testing of its applicability and usefulness in the context of PRODIRPA.

ProParcerias

- One of the main outputs of ProParcerias will be guidelines on the establishment of sustainable community-investor partnerships. The Government has asked the Project to develop these by September 2013. A draft will already be prepared by mid-December 2012, with the help of a service provider (PROSPECTUS). IFAD could facilitate closer contacts with on-going initiatives such as the WB/IFAD/UNCTAD/FAO-led Principles for Responsible Agricultural Investment and the FAO-led Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.
- IFAD has a small knowledge management grant on securing resource rights through inclusive business models. Through this initiative it will link ProParcerias with other projects to share experiences across countries and regions.

PROMER

- The IFAD-supported Rural Markets Promotion Programme (PROMER) has been effective since April 2009. The overall aim of the 7-year programme is to enable small-scale farmers to increase their incomes from agriculture by helping them market their surpluses more profitably. The programme area is the Northern Region of Mozambique, focused on the Nacala Corridor. ProSavana, a triangular project between the Republic of Mozambique, the Federal Republic of Brazil and Japan, for the development of large-scale agriculture, is expected to have a significant impact on people living in the PROMER implementation area. Concerns have been raised by civil society organisations regarding the land requirements of this Project. Linkages will be facilitated with institutions like iTC to support the securing of community land rights.

Other institutions

- DNTF: As a follow up to the conversation between the team and the National Director of the DNTF, the UN-Habitat could facilitate closer contacts between the Mozambican authorities, through the National Director, and the LPI.
- iTC: The history to date of the iTC provides some valuable lessons in the context of establishing multi-donor funding mechanisms providing support to land rights issues and land administration capacities at local level. The future development of the iTC

will provide further lessons in regard to the challenges involved in the institutionalisation of this currently informal arrangement.

- CARE WWF Alliance: the GLTN should furnish the Alliance with the STDM to enable them to examine its applicability for their data collection and mapping purposes within the Primeiras and Segundas Archipelago. The TSLI-ESA should maintain the three-way conversation with the Alliance and IDPPE to learn from each other's experiences.

UN-Habitat

- The on-going UN-Habitat engagement in land issues within the Nacala municipality, and in particular in the Special Economic Zone, may present a learning opportunity?

ADDITIONAL READING

Tenure Security Learning Initiative – Eastern & Southern Africa

IFAD/GLTN, Final Proceedings: Regional Learning Workshop on Land and Natural Resources Tenure Security, 29-31 May 2012, Nairobi, Kenya

PRODIRPA

IFAD, Strengthening Artisanal Fishers' Resource Rights Project, Project Design Document, International Fund for Agricultural Development, November 2011

ProParcerias

IFAD, Community – Investor Partnerships Project (PROPARCERIA), Project Design Document, International Fund for Agricultural Development, November 2009

iTC

<http://www.facebook.com/pages/KPMG-iTC-Iniciativa-para-Terras-Comunit%C3%A1rias/174154882631440>

CARE-WWF Alliance

<http://primeirasesegundas.net/>

[http://wwf.panda.org/what we do/how we work/policy/development poverty/macro economics/what we do/programs/wwf care alliance /](http://wwf.panda.org/what_we_do/how_we_work/policy/development_poverty/macro_economics/what_we_do/programs/wwf_care_alliance/)

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