BRINGING COMMUNITY LAND DELIMITATION FIRST: A KEY APPROACH TO SUSTAINABLE LAND-BASED INVESTMENTS IN MOZAMBIQUE

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Abstract

Community land delimitation is considered to be the suitable mechanism, under the Mozambique 1997 Land Law, which is intended to contribute to promote rural development and to reduce land conflicts, as result of inappropriate land titling process, at rural communities.

This paper highlights key aspects and recommends procedures to improve land-based investments in the context of the land law in Mozambique, based on iTC experience. In order to ensure effectiveness of community land delimitation prior to any land-based investment, two elements needs to be considered, namely (i) information sharing and (ii) unified methodological approach. Therefore, the following recommendations procedures, need to be settled: (i) Availability of Investments information from official institutions; (ii) A solid feasibility analysis of the proposed investments by the Agriculture sector; (iii) Community Land initiative, Agriculture sector and District Administration agree on communities to be delimited; (iv) Community Land initiative conducts land delimitation; (v) Investor continue the land titling process.

However, suggested procedures cannot be viewed as guaranteed procedure to obtain a DUAT neither a land concession. However, it does simply represent an innovative approach to avoid conflicts between investors and communities, and inspire inclusive and sustainable land-based investments, in a participatory and community involvement basis.

Key Words: Community land delimitation, Land based investments, land rights, rural development, land management
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1. INTRODUCTION

Community land delimitation is considered to be the suitable mechanism, under the Mozambique Land Law, which is intended to contribute to promote rural economic development and to reduce land conflicts, as result of inappropriate land concessions to investors, at rural communities. This paper highlights key aspects and recommends procedures to improve land-based investments in rural communities in Mozambique.

Estimates of 40 million hectares of land have been allocated to foreign direct investment, on which 70% in Africa (Theting & Brekke, 2010; Aabo & Kring, 2012). Despite the weak record of attracting and monitor foreign investment in Agriculture (USAID, 2008) and (Locke, 2014), it is estimated that 1 million hectares (73% in Forest and 13% in agriculture and biofuels) have been granted concession to foreign companies, from 2004 to 2010 (The Oakland Institute, 2011).

Due to its cheap (apparently) prices, availability of cheap labour and relatively weak or few legal requirements, land in Africa seems to be more attractive to investors, when compared to other regions (Aabo & Kring, 2012). Same structural reasons have been considered for Mozambique as well, where during the initial land reform period, it was considered as the country with comparative advantages in the southern Africa Region (SADC), due to its law labour cost, large potential of natural resources and favourable investment environment (Vála, 2010).

Data from DNTF\textsuperscript{1} shows that in 2012, an estimate of 7 million hectares have been allocated to local and foreign Agriculture investments (Monteiro et.al., 2013). Despite the Agriculture Foreign Direct Investment contribution to the global Mozambique economy, access to land for private investments, especially foreign investments have been somehow marked with conflicts, involving different parts of Mozambique society. The dynamics of these conflicts, specifically after the approval of the Land law, can be described into three overlapping stages:

- **Stage 1: The new experience.** Shortly after approval of the 1997 land law, despite registered limited request for land concessions, demand for land was showing signs of increasing. Even after a strong land campaign organized by civil society organizations, in order disseminate the 1997 land law (Tanner, Implementing Mozambique law in practice, 2010), experience and interpretation of the legislation was still weak, and when associated to weak land administration, land conflicts emerged, mainly between investors and the state.

- **Stage 2: Weak consultation.** Few years after the approval of the land law, local and foreign demand for land concessions increased exponentially. However, the respect for communities customary rights, as stated in law, were constantly ignored (Tanner, 2010; Mei & Alabraxe, 2013), due to weak regulatory specifications and lack of information sharing among key actors in the process. As results, land conflicts emerged, at this stage between investors and rural communities.

- **Stage 3: Ineffective deals.** Since the demand for large land plots increased, recent conflicts continues to be the result of weak consultation process, lack of communication and information sharing, associated to unclear procedure to integrate rural communities development needs into the investor scope or plan of investments.

\textsuperscript{1} DNTF – National Directorate of Land and Forest
During the 17 years since the approval of the land law, strategic tools (legislative and operational) have been elaborated and implemented by the Government of Mozambique to both promote agriculture development while reducing poverty. Assuming community land delimitation as a process to secure and register community land rights has been one of the strategic approach (Tanner, 2010; Kaarhus et al., 2010; Carrilho, 2013). Nevertheless, challenges to promote no-conflict land-based investments remains, since (for both rural communities and investors) access to (i) appropriate information, and (ii) adequate assistance, and (iii) weak institutional arrangements continues to be the bottlenecks. As most of private investors rely on external funding to implement their activities, additional investors concerns regarding land tenure, according to (Cotula & Polack, 2012), includes: (i) reduced time for land titling (emission of DUAT); (ii) uncertainty about the type of land right to be acquired; and (iii) safeguards to prevent unclear decision to suspend or cancel acquired land rights.

Extractive activities, specifically mining, are gaining shape in Mozambique, bringing new opportunities for economic growth. However, this opportunities does not necessary brings income to the population (The World Bank, 2014) and it seems to be followed by related conflicts with affected people, mainly associated with lack of effective resettlement process, and weak implementation of the social responsibility plans. Land management and administration, can still play a role delivering sustainable practices on extractive activities.

2. COMMUNITY LAND DELIMITATION: CONTEXT AND LESSONS

Although rural land in Mozambique is regarded as state property, the law enables both allocation of private leasehold rights to individuals and corporate bodies for productive purposes, and registration of customary rights established by rural communities through beneficial occupation for 10 years or more. This customary tenure rights can be formalized through a relatively simple process of land delimitation, which consists of geo-referencing the boundaries of the area under occupation by the communities. In conceiving the legislation, community land delimitation was considered useful to promote economic development and assist in land use planning to enable private investment in community land, and ultimately promote rural development.

Effectively, community land delimitation started in 1999, and it was mainly implemented by NGOs with supports from different donors, but under the supervision of the Provincial Cadastral Services (SPGC). Considered as a new approach, methodologies and approaches have been evolving throughout the years, and some integrated directly into the legislation.

Community land initiative (iTC), now under the process of establishment and transformation into a National Foundation (iTC-F), played a significant role in supporting the Government on delivering community land delimitation. Since 2006, iTC has been improving its approach and focusing its activities on areas that are prominent to receive large land-based investments. The objectives and key results achieved by iTC are presented in Box 1.
Box 1. Community Land initiative (iTC) – Objectives and Results

From 2006 to 2014, Community Land initiative (iTC) was a Project funded by a group of donors (United Kingdom, the Netherlands, Switzerland, Sweden, Denmark and Ireland) and Millennium Challenge Corporation (for the period of 2009 to 2013) to implement activities related to secure community land rights in the provinces of Cabo Delgado, Gaza, Manica, Nampula, Niassa, Sofala Tete, and Zambézia. From May 2014, with the same donors, iTC is the process of institutionalization, aiming to become a Foundation. The initiative main objective is to support the Government of Mozambique to secure community land use rights, through registration in the cadastral services of their limits and rights, as a contribution to promote rural development. Community Land initiative tends to elevate and empower community based organizations so they can become actives actores of their development, leading the planning and implementation of activities that promote sustainable land and natural resources use and management.

Main activities of iTC includes (i) Land delimitation and demarcation, based on the land law; (ii) Capacity building of rural communities; (iii) Sensitization and awareness rising in regards to land and natural resources management. These activities are implemented in a contract arrangement with selected service providers in each province.

Results from iTC support since 2006 to November 2014 are presented bellow:

**Number of Community delimitations:** 427

**Number of hectares secured through community delimitations:** 3,428,529

**Number of land demarcations:** 316

**Number of hectares secured through land demarcations:** 24,170

**Number of community members supported:** 1,259,490

**Percentage of women supported as community members:** 52 %

Recent efforts by the government and other stakeholders, to support partnerships between community and investors shaped iTC work. Along with above mentioned results, a compilations of iTC lessons learned was produced, which reflects evidences of key issues that can contributes to improve community – investor partnership and other land administration issues, related to community rights.

During its more than 8 years of experience in delivering Community land delimitation, iTC understood that an effective community land delimitation goes behind just the mechanical process of georeferencing boundaries of the communities area. Community land delimitation, as conducted by iTC, is an approach that promotes and empowers rural communities to engage into a participatory process of land and natural resources management.
resources management. To respond to the empowerment need on the rural communities, a tool was developed within iTC frame of work. This tool that is somehow spread among service providers who deliver iTC activities is entitles Social Preparation. A brief description of the Social Preparation as an empowerment tool is described in the Box 2.

### Box 2. Social preparation

As result of the iTC’s first performance evaluation on 2008, a recommendation to add value and to create ownership to the iTC beneficiaries in all land delimitations activities (Boyd & Calengo, 2008) leaded to the creation of a participatory tool: iTC Social Preparation. Social preparation is considered a natural resources management-planning tool, on which rural communities are engaged on definition of their on development priorities based on the use and management of natural resources. As a tool, Social preparation is implemented in every land delimitation activities supported by iTC, and the result is the elaboration of a Community Development Agenda, that reflects a short-long term aspiration of the communities in regards to their development priorities. Social preparation as part of the delimitation activity, it involves the following steps:

1. **Identification of community facilitators.** Through a participatory process, these community facilitators are selected within community members, and has the responsibility to collected information transfer knowledge back to the communities.

2. **Training of the community facilitators.** The selected community facilitators are trained on various techniques to collect information about economic, socio-cultural and environmental aspects of the community, all referenced into a historical profile.

3. **Participatory Rural Appraisal.** Based on familiar techniques of rural appraisal, all relevant information that helps describes the life in the community are gathered and processed

4. **Devolution.** The process of presenting back to the communities all the information produced, for validation and ownership by all community members.

5. **Community Development Agenda.** The agenda reflects the aspiration of the communities in long-term spectrum, and how they willing to use the available natural resources to achieve each of the prioritize development needs.

As part of the principle stated I iTC gender strategy, all the social preparation steps are participatory, and gender sensitive. ITC is dedicating efforts to widespread the approach among various actors, including the Government, as key player on ensuring the implementation of the approach under the land law.
Community land delimitation can somehow provide tenure security (Cotula & Polack, 2012; IFPRI, 2012) since there are shared vision of rights for the same delimited area, while helping to protect common goods such as parks, forests and other fragile environment.

### 2.1 Evidences

As part of institutional exercise of the outcome mapping approach, under its Monitoring and Evaluation system, iTC started in 2014 to gather and compile relevant information about potential changes that occurred in supported communities, that are linked to demarcation and delimitation activities, and a total of 53 changes were identified. As for the purpose of this paper, selected changes, as result of community land delimitation delivered by iTC, are presented in table 1.

**INSERT Table 1. Identified changes on iTC supported communities – result of land delimitation**

Lessons learned from nine years (2006 – 2014) of Community Land initiative experience, suggests systematic and targeted (on potential investments sites) community land delimitation, as the initial procedure key element to promote non-conflict land-based investments, as also suggested by (Mei & Alabrase, 2013). There are various reasons that support the need for community land delimitation, however, when comes to promote sustainable and inclusive investment at rural communities, the following reasons fits perfectly in the actual context of Mozambique:

- **Institutionalizing the community structure (ownership).** Part of the process of community land delimitation, is the establishment of Community Natural Resource Management Committee (NRMC), as a legal entity recognized by the Government, that has the responsibility to support the community leader and the entire community on the management of natural resources. Theoretically this entity has access to every necessary tool to guarantee an efficient and transparent management. Some of this tools includes: (i) community development agendas2, (ii) Delimitation maps (including zoning); (iii) Land use plans; and (iv) District Economic and Social Development Plans. Based on their capacity and additional training, these entities shall lead and support the communities in establishment of sustainable partnerships.

- **Effective and coherent community consultation (participatory land management and administration).** Community land delimitation brings opportunity for community members to understand the importance of available natural resources for their own development, through social preparation, which has a potential to lead to sustainable, inclusive partnership, and generate economic growth. Communities who experienced land delimitation are more prominent to be ready to be part of a community land consultation. Since the approval of the land law, community land consultation has been a struggle and source of land conflicts between communities and potential private investors. Therefore, this struggle can be reduced if communities are aware that their development goals (not list of material request) are shared with other actors that can contributes to achieve them.

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2 A document, results from social preparation, that describes long term development aspirations of a rural community
• **Cost-effective and Shared benefits.** As stated by (The Munden Project, 2012), conflicts over land tenure increase the financial risks of land-based investments. Despite not having a direct correlation to successful emission of DUAT in favour of the investor, community land delimitation reduce time for community consultation and its related risks, which are also related to cost-effective aspects.

Community land delimitation is not the ultimate solution for the challenges on land administration and management in Mozambique, but, as suggested in this document, it needs to be considered as a participatory tool of engagement, prior to implementation of any large-scale agriculture investments projects.

The next chapter brings insight about the challenges related to land-based investments, which some of them can be minimized or solved through the implementation of community land delimitation approach, in the early stages of the investments.

**3. LAND-BASED INVESTMENTS: KEY CHALLENGES**

**3.1 In Agriculture**

Population growth and increase in food prices seems to be the key reasons for the increase in expansion of agriculture land, specifically in the sub-Saharan Africa (Aabo & Kring, 2012). Despite the need for this expansion to increase agriculture production, creating jobs, it also comes with related conflicts, mainly associated with land grabbing and lack of transparency on land concessions by the Government. These trends on land expansion for agriculture brings challenges, on which according to (Aabo & Kring, 2012), shall pass through respecting the rural communities rights.

In 2010, agriculture sector contribution to the Mozambique GDP was estimated in 31% (IFPRI, 2012) as result of commercialization of sugar, cashew nuts, timber and prawns. As a result of Mozambique policy to promote investments in agriculture sector, interest for the Mozambican farmland has been increasing. By 2012, based on analysis of the DNTF reports, a total estimate of 7 million hectares have been allocated for both domestic and foreign private entities, for agriculture production. Despite the promotion of investments in agriculture, led by the Government of Mozambique, it turned out that the Government is self was not necessarily ready to actually investments scenario. Some of the evidences included:

- Weak land titling (tramitation) process, associated with limited capacity on both provincial and District level. Some Districts don’t even have a cadastral staff neither infrastructure;
- Limited knowledge about the land titling and related process for both the supporting organizations and the affected communities;
- Weak supporting services for cases of land conflicts emerging during the land titling process

As results, in 2009, some 50% of the granted projects didn’t started or where behind schedule (Aabo & Kring, 2012). Furthermore, as referenced by the (The Oakland Institute, 2011), these investments failed to promote rural development and poverty reduction, and as result of various debates and concerns, in 2009 the Government halted the concession of large-scale investments (above 1000 ha). This decision was
followed by a national agro ecological zoning, ordered by the Government, to assess “availability” of land. Despite the results from the agro-ecological zoning, it is still difficult to have access of information regarding agriculture investments operating or that are still delayed, adding to the challenge basket, the information sharing issue. In 2011, the large scale concessions resumed, and by February 2011, 51 projects of large-scale investments, corresponding to an estimate of more that 500,000 ha, was waiting approval by both the Council of Ministers and Minister of Agriculture (The Oakland Institute, 2011).

Delivering adequate land-based investments requires an efficient land use planning, specifically by those who will deal directly with the investments. Local administrations, Districts in particular, are not fully equipped and have limited capacity (human and technological) to have a holistic view of different land use scenario and predict or recommend about allocation of a large scale investment. Limited cadastral staff and equipment (GPS, maps, computers, archives, vehicles, etc.) are reported to be key issue when comes to institutional development at District level.

Elaborating and implementing an efficient Land use planning for agriculture development is a priority requirement for Mozambique development, and it shall integrate in its first steps of design, the actual land use practices, to better predict the future land use practices, considering local development needs and challenges. Today, Districts development plans are limited in presenting detailed information about its land use pattern, which difficult the planning for any (small or large scale) agriculture investment.

3.2 In Extractive (mining) industry

Mining industry are growing quickly (39% in 2013) in Mozambique (EITI Mozambique, 2014), particularly in the Northern and Central part of the country, and the production of minerals will be increasing as more efforts is ben settled to boost the industry (Callaghan, 2011). To coup with all the new experiences and developments in the mining sector, in August 2014, the Government of Mozambique issued the new mining law (Imprensa Nacional de Moçambique, 2014). This peace of legislation is intended to promote more competitive and transparency, protecting rights, and create safe guards and shared benefits to rural communities and national interests.

Implementing the land law in a context of Agriculture dependent (80% of the population depends in Agriculture) country is challenging. When comes to land management and rural development, two aspects of the recent mining law brings attention:

- **Article 12 - 2:** where it states that in case of pre-existing land use rights, all shall be extinct as soon a fair compensation is paid to the land title owners;
- **Article 20 - 1:** states that a percentage of the revenue going to the state, shall be channelled to the rural communities living in the extraction site, for their own development.

The issue of compensation brought debates among different civil society structure, and raised serious concerns about the effectiveness of resettlements occurring as result of mining activities, mainly as result of the coal mining in Tete province (Aabo & Kring, 2012). Many reports refers to weak resettlements process under mining activities, such as the ones in Topoito in Nampula province, Moatize and Benga in Tete province (CI P, 2010), which impacted on peoples livelihood and access to natural resources (Kabemba & Nhancale, 2012).
There are many challenges related to resettlement process, especially when comes to land management and securing tenure rights. Most problems related to resettlements of rural communities includes access to natural resources for their daily needs and socio-cultural barriers as most of the time they are reallocated in areas with a specific organization structure. As mining activities are expending, local administration needs to increase their capacity to better integrate this mining activities into the general land use plans.

As an effort to reduce the conflicts deriving from the resettlement processes, the Government of Mozambique approved 2012 the regulation for resettlement as result of economic activities. All these new legislation needs to be tested its effectiveness considering specific conditions and characteristics of the sites. Therefore, challenges for effectiveness of this regulations includes:

- More complex and participatory community consultation process;
- Transparency and accountability by the mining companies;
- Inclusive and sustainable Corporate social responsibility
- Government involvement, mainly on setting rural communities safe guards, by setting a suitable land use planning at local level

Mining activities has a great potential to promote economic growth and lift people out of poverty in Africa (IFC, 2014) and in Mozambique (The World Bank, 2014). According to the Extractive Industry Transparency Initiative (EITI) report on mining industry in Mozambique, the mining sector (oil gas and mining) contributed to 2% of the country GDP in 2014, base on the registry of 39 companies (EITI Mozambique, 2014). Increase in number of mining projects, as evidenced in Mozambique in the last 10 years, is not necessarily linked to rural development. Concerns about communities feeling excluded from the benefits and the wealth generated in the mining industries, as result of poor sharing of benefits (IFC, 2014), is very common in different parts of the country. Apart from the resettlement compensation, most of these affected communities do not feel the impacts of the extraction activities directly on their lives.

When comes to bring communities and their land rights in the context of mining activities, it is important to understand that despite the complexity of engagement, there are shared expectations, that can be complemented between different stakeholders, to avoid conflict environment. Some of these expectations are presented in table 2.

**INSERT Table 2. Expectations of different stakeholders in the extractive industry**

Channelling part of the revenues from land-based investments has been source of debates among different stakeholders and actores in the Mozambique. So far, a positive effort comes from the forest sector, which channel 205 of the taxes revenue to the communities where the timber is extracted. Nevertheless, in this case, concerns about the application and sharing of these funds in the communities continue to be causes of debate. As stated in article 20.1 of the mining law, the percentage to be channelled to the communities as result of mining activities depends on the income generated by the mining company, which might bring questions of access to information and transparency.

Channelling revenues to communities need to happen in communities that are ready to receive such monetary benefits, and that requires a lot of effort in establish a solid community based institutions that
can lead the management of all benefits coming from different sources as result of utilization of their natural resources. Because Community land delimitation can play a significant role in leading this community base institutionalization, since during the process of delimitation, Natural Resources Management Committees (a community based Institution to deal with natural resources) are established.

Still under the process of reforms in mining sector, the Government of Mozambique launched in 2013, a web based mining cadastral portal, which is managed by the FlexiCadastre platform. The focus of FlexiCadastre is to manage and facilitate the workflow for the efficient administration of mining title (Feast, Davids, Mills, & DeVries, 2006). Figure 1 illustrates a sample of what can be seen on the Mozambique web-based cadastral platform. Delivering a public information platform is essential when starting to build participatory Governance over natural resources management, because it stimulates confidence. Similar to the Mozambique Mining Cadastral platform, the land sector has been working to deliver similar platform, the Land Information Management System (LIMS). It is expected that LIMS increase transparency, by turning land data public (Locke, 2014), but still that challenge remains on integrating other sectors to the system.

**INSERT Figure 1. Images of Mozambique Mining Cadastral Portal**

So far the Mozambique Mining cadastral Portal has been a great achievement in the transparency process for the Government. As sown in the figure one, there many prospection and research licences, that can become mining certificate or concession. As a tool, this mining cadastral provide crucial information to improve the land use planning system in the country. Nevertheless, related challenge include:

- The availability of background information (shapefiles) for mapping and overlapping purposes, when elaborating a local land use planning;
- The use of available information by local administration in daily planning activities;
- Availability of the information at community level;
- Availability of background data and information to collaboration actors such as iTC, for preparing the communities

Since mining activities are directly linked to land rights issues, it is important, before implementation of any activities, to assess the land use situation and its relation to the rural communities livelihood. Therefore, additional information, such as the ones resulting from the community land delimitation: (zoning maps and Community development agenda), needs to be available at local administration, so it can be used by and integrated in the District development plans.

**4. DELIVERING COMMUNITY DELIMITATION FIRST: THE SUGGESTED APPROACH**

Community land delimitation is referred in the land law to be the path for rural development while delivering safe guards options for communities who have been living and are constantly dependent on land and surrounding resources for their life. After 17 of the implementation of land law, the Government
of Mozambique is still doing a lot of effort to bring result to that objective of transforming community land delimitation as part of the process for rural development. Some of these efforts includes: (i) the approval by the Government, of the community-investors partnership guidelines, which describes contexts and procedures on which communities and investors can ensure sustainable land-based business partnerships; (ii) Community Land initiative was granted additional time of operation, after eight years of intervention in eight provinces.

Key elements needs to be settled in order to ensure adequate effectiveness of implementing community land delimitation prior to any large-scale land-based investment. These elements are described bellow:

### 4.1 Information sharing

Establishment of strong and solid institutional framework for promoting, capturing and understand investment dynamics, has been comprised in the recent efforts of the Government of Mozambique, to promote economic growth through, increase on direct investments. Two main institutions, Centro de Promoção de Investimentos (CPI³), under the Ministry of Plan and Development, and Centro para Promoção de Agricultura (CEPAGRI⁴), under the Ministry of Agriculture, are suppose to be the official institutions responsible to manage large-scale investments. Despite this institutional setup, there are no appropriate communications schemes to channel investments intention to the local administrations and local supporting institutions, making it difficult to foster or plan about land use at local level.

Appropriate information sharing channels needs to be established, in order to institutions such Community Land initiative, proceeds with community land delimitation on sites prominent to receive potential investments. Appropriate information sharing is also important during the land use planning process at district level.

Information is equally important community level. Affected people need to know and understand the objectives, the expected results and benefits that a specific investment project will deliver if part of their land will be leased. Delivering this information during the delimitation process will shape the community development agenda and will shape the zoning process.

### 4.2 Unified Methodological approach

Community land initiative evidenced that delivering community land delimitation requires additional steps, approaches and tools that are not necessarily covered under the technical annex of the of the land law regulation. Some of these additional approaches include: (i) social preparation and (ii) establishment and capacity building of community based organizations. Social preparation is a tool for planning the use and management of rural communities natural resources, in the perspective of economic benefits. As a tool, Social preparation is implemented in every land delimitation activities supported by iTC, and the result of the activity is the elaboration of a Community Development Agenda. The Community

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³ Centre for Investiment Promotion
⁴ Center for Agriculture Promotion
Development Agenda reflects a short to long-term aspiration of the communities in regards to their economic development priorities, supposed to be achieved through a sustainable use and management of natural resources.

So far, iTC have delimited only 4% (3.3 millions ha) of the all Mozambique surface (786,380 Km² of firm land), meaning that there is still a lot of work to be carried, which will require many other organizations (credited) to support the Government on delivering land delimitation. Therefore, based on the above-mentioned evidences, it is important that future land delimitation process flows the same methodological approach, even if it is implemented either by iTC, SPGC or any other credited organization. Significant work has been done by FAO to deliver a hands-on guideline on community land delimitation, which was improved by (Tanner, Wit, & Norfolk, 2009). Following the steps of previous guidelines, and based on iTC experiences, a new improved delimitation guideline, that includes the social preparation approach need to elaborated, approved by the Government and disseminated among the various stakeholders and service providers, who will in the frontline delivering community land delimitation.

Beside those two elements, additional institutional support might be necessary at provincial and district level, to improve all the land titling services. Some of the support may include: (i) setting cadastral technical stall and related infrastructure at District level, and (ii) Capacity building of local technical administration staff.

Considered that the information sharing mechanisms are respected and the improved methodological model for community land delimitation is settled, a five-step procedure (figure 2) is recommended to deliver community land delimitation prior to large-scale land-based investment, which are described bellow:

- **Investment Project Information sharing**: at this stage CPI, CEPAGRI, or any other public institution that promotes investments, shares information about potential projects, their objectives, potential sites of implementations, estimative costs and suggested value chain needs to be available and shared with relevant local (provincial level) institutions, such tourism, Agriculture and Mining.

- **Feasibility analysis**: at this stage the relevant sector (Agriculture, Mining or Tourism) needs to take the lead in conducting an interdisciplinary and quick feasibility analysis of the impacts of the potential project. As a result, potential districts are selected and key intervention stakeholders are identified.

- **Planning the delimitation**: at this stage, the local district administration (of selected Districts), the cadastral services and iTC (or other credited organization) start planning the delimitation process, based on the available technical and financial resources. The result at this stage will include the selection of communities to benefit from delimitation.

- **Community Land Delimitation**: at this stage, iTC or any other credited organization delivers community land delimitation on the selected communities, applying the unified approach, where social preparation continues to be the community empowerment tool. As result, a community receives it delimitation certificate and related products (zoning map and community development agenda). Additionally, as result of this stage, a full empowered and trained Natural Resources Management Committee (NRMC) will be established as a organ that will lead all the land and
natural resources management of the communities, being the supporting entity to the community leader in any official relations with thirds parties.

- **Delimitation outputs – information sharing:** at this stage, all relevant information such as maps, reports, and community development agenda needs to be shared to institutions that will continue leading the land titling process, including the local administration and the private entity, through an appropriate and official established communication channel.

**INSERT Figure 2. Suggested procedure to pursue community land delimitation prior to large-scale land investments**

There is a clear and established procedure for obtaining private land titling, which is summarized in figure 3. Based on iTC experience, full community land delimitation process takes about five months to be implemented. Nevertheless, suggested procedures (figure 2) shall not interfere to the legislated procedure for applying for formal DUAT, which is described in figure 3. Furthermore, suggested procedures cannot be viewed as guaranteed procedure to obtain a DUAT or any other type of land occupation/titling of any purpose. The suggested procedures simply represent an innovative approach to better engage rural communities and private investors in pursuing sustainable development of land-based investments, avoiding conflicts, while inspire inclusive and participatory socio-economic relation.

**INSERT Figure 3. Representation of the procedure to acquire a DUAT**

It is expected that main gain of the suggested approach will be reflected during the community consultation process. During community consultation, both communities and private entities will be carrying enough information to better define converging opportunities that can lead to potential understanding about the impacts, benefits and responsibilities sharing of the proposed projects. As stated by (Monteiro, Salomao, & Quan, 2013) additional community support complementary to access to information, might be necessary in cases of complex and specific investments projects.

Supporting the Government on delivering Community Land Delimitation will continue to be the core activity of iTC, either following the suggested approach or not. Community Land initiative will continue delivering community land delimitation in a systematic approach, focusing on those areas that are prominent to investments that can result in rural economic growth and development. Some of these areas includes the Government established Special Economic Zones and Development Corridors, and in zones affected by huge development projects such as ProSavanna and ProSul.
5. CONCLUSION

There is an urgent need for the Government of Mozambique to be ready to cope with the growth of the Land-based investments. Most of the efforts shall be concentrated in delivering or implementing the already established policies, specially those related to land use rights and tenure, which continues to be main cause of conflicts in rural communities, delaying the transformations of availability of natural resources into real economic growths for the poor and consequently for the country development.

Agriculture will continue to play a significant role in the country’s economy, so as the transformations of other natural resources, such as wildlife, forest and minerals. The common base is that most of these resources are directly linked to land use and consequently its right and tenure. Since rural communities are those who contributes the most for the country agriculture development, and are those who does not necessarily have access to improved infrastructure, it is crucial that attention is focused on this strata of society, creating opportunities and delivering efficient safe guards when comes to involve them into investments and development schemes. Nevertheless, attention shall also be focused on the investors, mainly to remind them that sustainability in their investments require inclusion and delivering benefits that goes in accordance with the local needs.

There are clear evidences of the effects of community land delimitation on rural communities. However, these evidences are still scattered, and are not necessarily consistent with the amount of resources that are being exploited or revenues that are being declared. There is an urgency to be more proactive in delivering community land delimitation, there is an urgency to deliver community land delimitation systematically before the entrance of any kind of land-based investment. The ultimate aim shall be establishment of inclusive and sustainable partnership between rural communities, those who have been living and needing the land and natural resources the most, with the private investors, those who have the know how and resources (mostly financial) to transform those resources into wealth.

There are still many communities that are demanding for delimitation of their territory. If pursuing community delimitation prior to any land-based investment is the goal, as suggested in this paper, than information sharing needs to be part of daily process of change. Investments information need to be available to those people who are directly linked with the communities and who are responsible of land use planning. Anticipated information is the key for readiness for both provincial and District level. Due to the demand for community land delimitation, many organizations will show interest in supporting the Government on securing community land rights. There is an urgent need to unify the community land delimitation methodology and approach. After 17 years of land law, positive experiences on delivering land delimitation needs to be transformed in an effective and operational guidelines, for credited institutions to continue delivering community land delimitation. On the investor side, community land delimitation opens opportunity for the investor to engage into a non-conflict environment with rural communities, delivering benefits that goes in accordance with the communities needs, and even to improve any corporate social responsibility plan.

Community land delimitation is not the only and unique solution to the Mozambique land administration and management challenges, and delivering community land delimitation prior to any land-based investment is not a guarantee of land titling in the favour of the investor. However, community land
delimitation have show to be effective in empowering the rural communities to lead the process of land management at local level, while supporting the development of sustainable investments.
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Table 1. Identified changes on iTC supported communities – result of land delimitation

<table>
<thead>
<tr>
<th>Province</th>
<th>Identified change</th>
<th>ITC contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cabo Delgado</td>
<td>Since the year 2009, The Niassa Forest Reserve started to channel to the communities of Negomano, Nahavara and Ninga the 20% of the taxes, from the benefits coming from the tourism activities in the reserve, including hunting.</td>
<td>On these communities, main activities included: (i) Community land Delimitation, (ii) Establishment and legalization of the Natural Resources Management Committee (NRMC), as the official organism eligible to receive the shares from the Government; (iii) Training of the NRMC members on various aspects related to land and natural resources management, including sensitization about the land, Forest and Environmental law; and (iv) Opening bank account for the NRMC</td>
</tr>
<tr>
<td>Niassa</td>
<td>From 2010, 7 communities (3 de Fevereiro, Mancui, Catapua, Mbau, Naquitengue, Muaguide e Namagico) started to regularly receive 20% of the taxes generated by the exploitation of forests from a private company.</td>
<td></td>
</tr>
<tr>
<td>Cabo Delgado</td>
<td>In October 2013, 7 communities from the Regulado Natmila, Administrative Post of Chiconono received US$ 21,000 as results of the benefits coming from the New Forest Plantation Company.</td>
<td></td>
</tr>
<tr>
<td>Niassa</td>
<td>In 2013, the Government channeled 20% of the revenues from the taxes, as results of tourism (including hunting trophies) activities from the company LW, to the affected communities.</td>
<td></td>
</tr>
<tr>
<td>Zambézia</td>
<td>From 2012, 6 communities from the Regulado of Vuruka, started to receive from the Government their 20% share from the taxes revenues, as result of the Forest Exploitation.</td>
<td></td>
</tr>
<tr>
<td>Sofala</td>
<td>In 2012, the Calamo community in Chemba District, received from the Government and estimate of US$ 7,000 as results of the benefits generated by Forest Exploitation.</td>
<td></td>
</tr>
</tbody>
</table>

Table 2. Expectations of different stakeholders in the extractive industry

<table>
<thead>
<tr>
<th>Government</th>
<th>Companies</th>
<th>Communities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local economic development</td>
<td>Mitigate risks</td>
<td>Improve well being</td>
</tr>
<tr>
<td>Poverty reduction</td>
<td>Reputational risks</td>
<td>Build capacity</td>
</tr>
<tr>
<td>More prosperous and resilient</td>
<td>Social engagement</td>
<td>Respect for social and cultural aspects</td>
</tr>
<tr>
<td>communities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Better infrastructures and services</td>
<td>Increased development impact</td>
<td>Access to improved infrastructure and services</td>
</tr>
<tr>
<td>Shared prosperity</td>
<td>Profit</td>
<td>Access to jobs and income generating activities</td>
</tr>
<tr>
<td>Clean environment</td>
<td>Reduced negative impacts</td>
<td>Clean environment</td>
</tr>
</tbody>
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Adapted from IFC, 2014
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