

The Community Land Rights Value Chain



About This Guide

The **Community Land Value Chain (CaVaTeCo)** in Portuguese) is an approach that can improve tenure security and management of community lands and natural resources in the context of large-scale land investments. CaVaTeCo provides the conceptual base for the LEGEND Project, implemented in Mozambique’s Districts of Namarroi and Ile in the northern province of Zambézia by ORAM and Terra Firma.

This project is part of **DFID’s LEGEND Challenge Fund**. This Fund enables civil society agencies to test innovative approaches to land, and to show companies how they can implement practical approaches that secure community land rights and livelihoods and the sustainability of land-based business investment.

This LEGEND Project is pioneering the delimitation of family lands in Mozambique using the CaVaTeCo approach. This Guide provides an overview of the broad stages in the process. Other guides provide more details and lessons learned on implementing various stages.

Main stages in CaVaTeCo:

1. Introduce the project
2. Establish associations
3. Delimit communities
4. Develop cadastral block
5. Delimit family parcels
6. Develop land use plan
7. Establish and maintain community cadaster
8. Negotiate with investors

1. Introduce the Project

Project staff implement a series of meetings to introduce the project, its objectives and activities, source of funding, timeframe and calendar of activities, and the process to be used. This starts with a formal introduction to provincial and district government. The team also meets traditional leaders (usually régulos in Mozambique), who authorize access to land based on custom and tradition, and who adjudicate local land disputes. Traditional and government leaders help introduce the project in community meetings, usually followed by multiple meetings at more local level, held at times and locations designed to ensure everyone has a chance to participate. After all meetings are concluded, there is a wrap-up meeting with traditional and government authorities, who then provide formal agreement for the project to get started.



Traditional leaders at launch of the LEGEND project.

2. Establish Associations as Legal Entities



Excerpts from the government gazette establishing the Malalo community land association "Ohaua Omale".

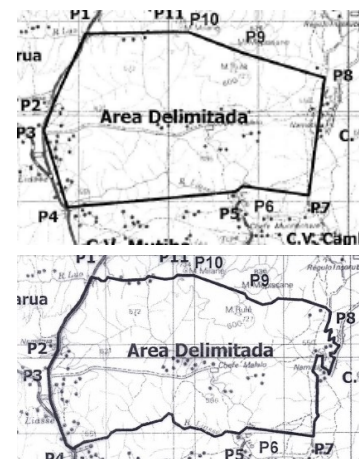
One of the innovations of the CaVaTeCo approach involves the establishment of legally recognised, community property associations that provide the institutional legitimacy for management of community land. These associations should represent the entire community, including women, youth, and other often under-represented groups.

The LEGEND project helps each community to set up an agro-livestock association under the law of 2006, which legally assures them the right to use and manage lands. This law is rapid, since new associations need only be recognized by the local district government or even an administrative post within the district. The main costs involve publication of this local recognition, along with the association's statutes, in the national government gazette (Boletim de Republica).

3. Delimit the Community

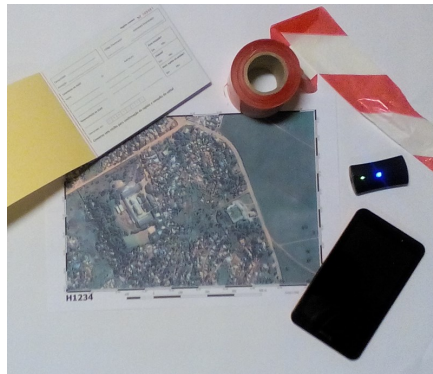
The project team helps the association to delimit community boundaries, providing legal clarity on the area it controls. They use several participatory appraisal tools mandated by government, including a community timeline and Venn diagrams of the community's social organisation and relationships. Participatory maps made by groups of men, women and youth are combined into a single map, which guides the Provincial Geographical and Cadastral Services to formally delimit the boundaries. Standard practice involves picking a few points on the border and joining them up with straight lines. The CaVaTeCo approach is more accurate, involving sketch maps on printed satellite imagery and GPS points collected by association members and representatives of neighbouring communities to identify boundaries.

Based on this work, the provincial government provides a certificate of community delimitation, which the association uses as the basis for lodging their land rights with the provincial Property Registry. This serves as the cadastral block for delimitation of family lands.



Top: Map of Malalo community using standard approach. Bottom: More accurate map using CaVaTeCo.

4. Develop Cadastral Block, Map Grid and A3 Maps for Field Work



Left: Part of the map grid for a community. Right: The basic field kit.

The technical team uses free satellite imagery covering the entire community to develop a grid of maps at a scale of 1:2,000. When printed on A3 paper for use by field teams, each map covers an area of 600 x 900 meters. This scale enables users to see where they are in the community with respect to neighbors, while being able to identify roads, rivers, fields, houses and even individual trees.

The A3 map, with a tablet loaded with digital forms, hand-held GPS and signage tape, form the basic field kit for delimitation of communities and family lands.

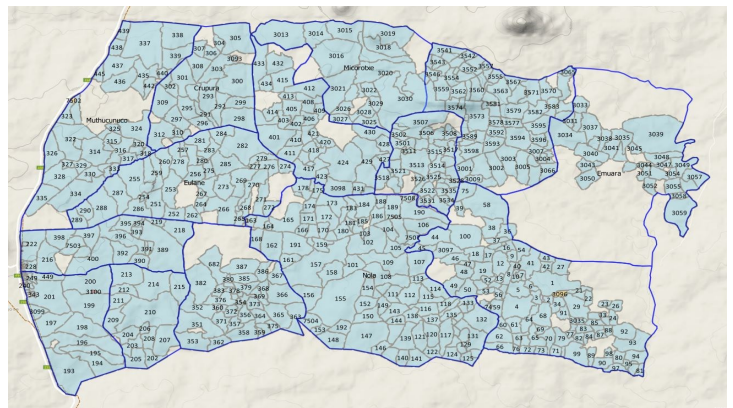
5. Delimit Family Parcels

Working closely with the association and local government, field teams plan delimitation of family lands. Communities are usually already divide into zones, providing a locally appropriate basis for planning that can run for several weeks.

Each day, the team goes to a pre-agreed location to meet local residents. In an interview based on national government requirements, the team captures information on the land parcel, the owner(s), and a witness in digital forms developed with open-source ODK software. After the interview, the group walks the boundary of the parcel, saving GPS coordinates acquired through hand-held GPS devices connected to the tablet; this provides accuracy below 2 meters, in line with Fit for Purpose land registration principles. The team simultaneously makes a sketch map of the boundaries on the satellite imagery printed on A3 paper; a single A3 map usually covers several parcels. Digital forms are uploaded daily, and sketch maps scanned and sent to the office team for digitalization and quality control.

The office team prepares a community level map showing all delimited parcels, along with a list of details of the owners of each parcel. The association oversees a 30-day period for “Objections, Corrections and Confirmations” during which time anyone is allowed to identify specific mistakes, or to contest the coverage or ownership of any land parcel.

After any and all corrections are received and updated in the database, the association develops and distributes Declarations of Land Use Rights Acquired through Occupation. (For more details on this phase, please see “CaVaTeCo Technical Guide 2: Steps in Delimitation of Family Lands.”)



Above: Map of all family land parcels delimited in Malalo .

(A) ENTIDADE EMISSORA		Associação Ohau Omale			AS040001-13-0001
DECLARAÇÃO DE AQUISIÇÃO DE DIREITO DE USO E APROVEITAMENTO DE TERRA POR OCUPAÇÃO					
(B) TITULARES					
NOME	GENERO	DATA NASC	TIPO IDENTIFICACAO	# IDENTIFICACAO	DATA EMISSAO
Luis Muneia Cororo	Masculino	02-02-1979	Cartão de Eleitor	9755489	23-03-2014
(C) DATA DELIMITACAO					
11-04-2017		(D) TESTEMUNHAS		(E) DATA EDITAL	
Marinho Alves Intarima		Carlitos Paulo Paulo		15-08-2017	
(F) PRAZO EDITAL		Assinatura e Data		Assinatura e Data	
30 Dias		04-05-2018		04-05-2018	
(G) Parcela # AS040001-13-0001					
Área aproximada 48 Hectares		Distrito de NAMARROI		Posto de NAMARROI	
ESBOÇO		PLANTA DE LOCALIZACAO		Bloco Cadastral de KUCUNE	

Above: Declaration of land rights issued by the association for one parcel in Malalo, with details of the plot and the title holder.

6. Develop Community Land Use Plan

Experience shows that, in all communities where the LEGEND project is being implemented, there is very little land that has not been unallocated to families based on legal occupation or customary norms and practices. After these family lands have been delimited and the Objections, Corrections and Confirmations concluded, the association has a map that provides the basis for land use planning.



The association then reviews current uses. Besides the existing allocation of land to families, this includes land used for sacred areas, schools, clinics, roads and rail lines, business areas, existing formal land titles and so on, as well as land set aside (usually informally) as forest reserves or for future allocation.

It then facilitates community discussions to develop a common vision on how the community would like to see itself in the future, in perhaps 15 or 20 years. This should bear in mind population trends, climate change, likely investments and economic developments, and other factors that will shape how land and natural resources are used. This vision is captured on a map. The association then develops a set of rules to plan how they will get from current to desired situation.

7. Establish and Maintain a Community Cadastre

It is not sufficient to simply delimit land as a one-off exercise and then ignore the realities of future changes in land ownership. After the initial delimitation, the association has to establish and maintain a community cadastre, with a basic archive of critical records and a regular updating of information on land allocations. The archive should hold documentation of the association's legal establishment; community delimitation; maps and details of household parcels and their confirmed owners; and the community Land Use Plan. Documentation of any agreements with investors should also be carefully archived.

Land regularization should be updated at least annually. If any land was not previously delimited due to the absence or abstention of owners, new parcels may be regularized and brought into the system. Title holders can ask to update details of existing parcels in the registry. This could involve changes in title holders. New names can be added, such as in the case of inheritance; existing names can be removed such as in the case of deaths. Title holders may reconfigure existing parcels, for example by splitting a parcel into smaller parcels with different title holders.

8. Negotiating with Investors

After establishing the association, delimiting the community and family lands, approving an overall land use plan, and setting up the community cadastre, the association has a stronger platform for attracting investors. However, many investors have much more experience with negotiations over natural resources compared to community associations. Communities can benefit from external support in helping them understand potential or actual investors, the key issues of the industries involved, and the potential positive and negative impacts that can accrue over time. They must learn to document the negotiation process and the agreements, and to insist on active and transparent monitoring of commitments. The combination of well-documented land delimitation, a clear plan, and skills in negotiations, the community is more likely to achieve wide-spread benefits for years to come.

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Disclaimer: The views and opinions expressed in this article are those of the authors and do not necessarily reflect the official policy or position of DFID.

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