Land governance in Mozambique: Insights of the Land Law and empirical findings over land governance

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I. Contextualization

- Mozambique has an extension of 801,590 square km.

- Approximately 24 million inhabitants and 75% of them live in rural areas with agriculture (particularly food production) as the main source of income.

- 54% of the population lives with less than a dollar per day.

- The agricultural sector represents about 24% of Mozambique’s Gross Domestic Product (GDP).
## 2. Mozambique’s land management path

<table>
<thead>
<tr>
<th>Period</th>
<th>Description</th>
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<tr>
<td>Banning of slave trade (1836-1842)</td>
<td>Lead to a higher pursue and competition of natural resources.</td>
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<td>Berlin Conference (1884-1885)</td>
<td>Effective occupation of colonies’ land.</td>
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<td>Prazos da Coroa (17th century until the second half of 19th century)</td>
<td>Occupation of Mozambique by European settlers for long lease.</td>
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<td>The &quot;owners&quot; and plantations</td>
<td>Women had a privileged status in society.</td>
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<td>Royal and leasing companies</td>
<td>Concession of vast areas for exploitation and administration of the territory and the population living within</td>
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<td>Capitalist expansion in the XX century</td>
<td>• dualistic system of land tenure • concessions to monocultures</td>
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<td>Post-independence (since 1975)</td>
<td>• 1st Land Law • nationalization • modernization of agriculture, cooperatives and State Enterprises - the socialization of the rural area</td>
</tr>
</tbody>
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Source: Adapted from Carrilho & Mandamule (2015).
3. Mozambique’s Land Law

- The land is owned by the State and can not be sold or in any way alienated, mortgaged or pledged. Art. 3 LT 1997.

- DUAT (Direito de Uso e Aproveitamento da Terra: Right to use the land: right by which natural or legal persons and local communities may take over the land, with the requirements and limitations of this Law) Art. 1 da LT 1997 – temporary and permanent.

- The Land Law itself is not applied in an effective way.
Land market

- Despite the prohibition of land market, in Mozambique the selling and buying of land is a common public practice (verified in newspaper and other means of communication). The state allows these practices.
4. Empirical framework

- Register and delimitations of land.
- Land grabbing?
- Asymmetry of information between stakeholders.
- Corruption on local governments and mislead of communities (consultation).
- Social and economic impact of resettlements.
- Role of civil society organizations.
- The delay and insurace of DUAT
- What is fair compensation?
Case studies

4.1. Resettlements Cateme – Moatize

4.2. Land conflicts among Nacala Corridor
4.1. Resettlements Cateme – Moatize, Jone (2014)

- External investment in coal mines led to the process of resettlement of the population living in Moatize to Cateme in 2009. This involved the displacement of 1,365 families, of which 716 families in Cateme.

- Impacts: decrease in food production, less fertile areas and social instability (strikes and sabotage – railway blockage).

Source: António Jone.
4.2. Land conflicts (Nacala Corridor)

- Great inflow of agribusiness investment along the corridor
  - Mozaco and the Grupo Espírito Santo
  - AgroMoz
Mozaco and the Grupo Espírito Santo - Malema

- Compensation, on average, of 4.000 to 5.000 meticais (aprox. 100 EUR).
- Disturbance of anthropological values.
AgroMoz - Lioma
5. Conclusions

- Improving the guidelines of the process of resettlements and compensation (‘fair compensation’).
- Constraints and non-transparency in the process of obtaining DUAT and weak monitoring of land law resulting in vulnerable communities.
- Government as a support to the private sector.
- Illegal practices can be a consequence of erroneous practices from the government and private investors.
Thank you!

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